

## SOUTH CAROLINA.

Bessie F. Cannon, Clifton.  
John L. Bunch, McColl.

## SOUTH DAKOTA.

Chester T. Chester, Arlington.  
Guy R. Neher, Dell Rapids.  
Henry F. Cook, Northville.  
Ida V. Uhlig, Whitewood.

## TEXAS.

Manley J. Holmes, Baird.  
G. Carroll W. Wayland, Buda.  
Charles S. Brown, Dayton.  
Frank Farrington, Diboll.  
Walter S. Yates, Forney.  
Pearl B. Zinn, Fostoria.  
William C. Young, Garrison.  
Matilda Akesson, Hale Center.  
Charlie B. Starke, Holland.  
Lucy Breen, Mineola.  
Will C. Easterling, Ozona.  
John O. Holmes, Panhandle.  
Willard A. Maxey, Parks.  
Walter Wood, Springtown.  
Thomas J. Darling, Temple.  
Kit C. Stinebaugh, Walnut Springs.

## WASHINGTON.

Ira A. Moore, Greenacres.  
Edwin O. Dressel, Mataline Falls.  
Cyrus F. Morrow, Walla Walla.

## WEST VIRGINIA.

William B. Wilson, Panther.  
Kenna W. Snedegar, Renick.

## WISCONSIN.

Edward W. Guth, Adell.  
Henry F. Roehrig, Arpin.  
Carl F. Swerman, Bangor.  
Margaret L. Staley, Birnamwood.  
Arthur V. Carpenter, Crandon.  
Alexander M. Powers, Delafield.  
Lila O. Burton, Eagle.  
Arthur M. Howe, Elk Mound.  
George F. Sherburne, Fremont.  
Paul L. Fugina, Fountain City.  
Charles H. Prouty, Genoa Junction.  
Marion L. Kutchin, Green Lake.  
George A. Slaikeu, Luck.  
Frank E. Christensen, Necedah.  
Hannah Goodyear, Niagara.  
Alfred E. Redfield, Stevens Point.  
William J. Winters, Tripoli.  
Charles W. Eagan, Wautoma.  
Thomas E. Noyes, Winter.  
Alice K. Hoye, Woodruff.

## WITHDRAWAL.

*Executive nomination withdrawn from the Senate November 18 (legislative day of November 16), 1921.*

## POSTMASTER.

Abbie Tonjes to be postmaster at Palisade, in the State of New Jersey.

## HOUSE OF REPRESENTATIVES.

FRIDAY, November 18, 1921.

The House met at 12 o'clock noon, and was called to order by the Speaker.

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

O Lord, be merciful unto us for Thy name's sake. Hear us as we make in the spirit of humiliation our appealing protest against our unfinished natures and the incompleteness of our little lives. O enlarge our natures and yet subject their tendencies; preserve our hearts and yet destroy their selfishness; control our wills and yet sustain their courage. But not by might nor by power, but by the spirit of Him who is our Elder Brother. O may we be tempted from evil by being drawn to goodness. Give us the spirit of fellowship with those whose food is the bread of tears. May we be thoughtful of the wants and the needs of others, and let us be burdened with the deeds and the destinies of our country. In the name of Jesus. Amen.

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

## LEAVE OF ABSENCE.

By unanimous consent, Mr. McSWAIN was granted leave of absence for 10 days, on account of illness in his family.

## QUORUM—CALL OF THE HOUSE.

Mr. WINSLOW. Mr. Speaker, I rise to make the point of no quorum.

The SPEAKER pro tempore (Mr. WALSH). The gentleman from Massachusetts makes the point that there is no quorum present. Evidently there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The SPEAKER pro tempore. The gentleman from Wyoming moves a call of the House.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Gahn	McSwain	Rossdale
Bell	Garrett, Tex.	Madden	Rucker
Bland, Ind.	Goodykoontz	Mann	Sabath
Brand	Gorman	Mansfield	Schall
Briggs	Gould	Merritt	Sears
Buchanan	Graham, Pa.	Mills	Shelton
Carter	Griest	Montague	Siegel
Chandler, Okla.	Harrison	Morin	Snell
Connell	Hays	Mott	Snyder
Cooper, Ohio	Herrick	Mudd	Stoll
Copley	Hukriede	Nolan	Sullivan
Davis, Minn.	Husted	O'Brien	Taylor, Colo.
Dempsey	Jeffers, Nebr.	O'Connor	Ten Eyck
Draue	Johnson, Ky.	Ogden	Tilson
Driver	Johnson, S. Dak.	Oliver	Tinkham
Echols	Kahn	Perlman	Tyson
Elston	Kelley, Mich.	Peters	Upshaw
Fish	Kitchin	Rainey, Ala.	Vare
Fitzgerald	Knight	Rainey, Ill.	Ward, N. Y.
Flood	Kreider	Rhodes	Wason
Focht	Lyon	Riordan	Wright
Free	McArthur	Roch	
Freeman	McCormick	Rogers	

The SPEAKER pro tempore. On this call 342 Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER pro tempore. The gentleman from Wyoming moves that further proceedings under the call be dispensed with. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will open the doors.

The doors were opened.

## PROTECTION OF MATERNITY AND INFANCY.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged resolution from the Committee on Rules.

The SPEAKER pro tempore. The gentleman from Kansas submits a privileged resolution from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (S. 1039) for the public protection of maternity and infancy and providing a method of cooperation between the Government of the United States and the several States.

Mr. CAMPBELL of Kansas. Mr. Speaker, this resolution makes it in order for the chairman of the Committee on Interstate and Foreign Commerce to move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of what is known as the maternity bill.

This bill has been before Congress now through two Congresses. In its original form it was very different from the bill which is now before the House. As originally introduced it was objectionable to me and to many Members of the House of Representatives. As it has been changed by the Committee on Interstate and Foreign Commerce and is now before us, many, if not most, of these objections have been removed.

I want to congratulate the members of the committee for the splendid work that they have done with respect to this bill.

Does the gentleman from North Carolina [Mr. POU] desire to use some time?

Mr. POU. I wish the gentleman would yield me about 10 minutes.

Mr. CAMPBELL of Kansas. I yield to the gentleman from North Carolina 10 minutes.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 10 minutes.

Mr. POU. Mr. Speaker, this measure is not privileged under the general rules of the House. Therefore the only way to bring it before the House is by a rule.

This matter has been much discussed throughout the country, and there is certainly a demand for its passage sufficient to justify the Committee on Rules in giving the House an opportunity to vote on it. That would seem sufficient justification for giving the measure a privileged status. Mr. Speaker, I reserve the balance of my time, and I yield five minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Speaker, I shall not attempt to prevent or delay the consideration of the bill which this rule proposes to make in order. I do not understand, however, just why the rule is presented at this time. Some four or five days ago the Committee on Rules adopted resolutions making in order two bills—this bill, the maternity bill, and the reclassification bill. Both of these had been reported at that time and were upon the calendar of the House. For some reason the powers that be on the majority side determined to bring up the reclassification bill first. It was brought before the House, it was debated in general debate, and it was taken up under the 5-minute rule. All the debate, as I remember it in the general debate and under the 5-minute rule, had been devoted exclusively to the reclassification bill. It was being discussed with the greatest interest by Members, all recognizing it as an extremely important measure.

Now, here, suddenly, I do not know for what reason, it is proposed to sidetrack that measure—whether that means an indefinite postponement I, of course, am not aware—and take up this measure. It seems to me, Mr. Speaker, that the gentlemen of the majority side resemble in their course of the conduct of the business of the House, and of the country, Kipling's monkey people whom he designated as "Banderlog" in the Jungle Book, in that they jump from tree to tree, throwing down trash, chattering and chattering all the time, but never completing any task to which they set themselves, abandoning the end in sight even before a real beginning has been made. [Laughter.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker—

Mr. LAYTON. Will the gentleman yield for a parliamentary inquiry?

Mr. MONDELL. I will.

Mr. LAYTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LAYTON. When, if at all, will a motion be in order to offer a substitute to this rule for the House to return to the consideration and completion of the classification bill?

The SPEAKER pro tempore. The Chair will state that that motion will be in order if the gentleman from Kansas would yield to the gentleman from Delaware for that purpose.

Mr. MONDELL. Mr. Speaker, the gentleman from Tennessee seems to be in an inquiring state of mind this morning. I did not expect to speak on this rule, but I rise to gratify the craving of the gentleman from Tennessee for information. For a long time, as is well known, Members of the House have desired to have advance information, so far as it was possible to give it, with regard to the program of legislation. In an endeavor to meet that very proper desire we have been endeavoring to give the House in advance a tentative statement of the probable program.

Last week, after consultation with many Members of the House, and particularly with the members of committees interested, the chairman of the Committee on Rules and members of that committee, it was decided that on Tuesday of this week we should take up for consideration the classification bill with the expectation that that bill might be disposed of, and that on yesterday we would take up for consideration what is known as the maternity bill.

The classification bill was first taken up because at the time that tentative program was agreed upon the maternity bill, while agreed upon by the committee, had not been reported to the House. The other bill had and was on the calendar. It was proper, therefore, to give it the right of way.

We have not proceeded with the classification bill as rapidly as we had anticipated. There was some question in the minds of the Members whether or no, under these circumstances, and in view of the fact that it was necessary to utilize the time yesterday for a highly important measure, we should endeavor to keep the promise tentatively made in regard to the maternity bill or continue the consideration of the classification bill. I will say very frankly that my own thought has been that a part of the troubles we have had with the classification bill was due to a somewhat covert opposition to the maternity bill. I was of the opinion that we might clear the way for the classification bill a little if we considered the maternity bill first. Further, in so doing we are keeping faith

with many good people who are tremendously interested in the maternity bill, some of whom have come to Washington from a long distance to be here during the consideration of the bill.

Under these circumstances it seems entirely proper to take this bill up to-day. That was the desire of the chairman of the Committee on Rules, and in that I fully agree and acquiesce. I assure the gentleman from Tennessee and gentlemen on both sides that after the consideration of this bill we shall return in due time to the consideration of the classification bill. We shall pass this bill to-morrow. The classification bill may be delayed, but in due time we hope to pass them both and within a reasonable time place them on the statute books. [Applause.]

Mr. CAMPBELL of Kansas. Does the gentleman from North Carolina desire to use any more time?

Mr. POU. No.

Mr. CAMPBELL of Kansas. Then, Mr. Speaker, all the information sought by the gentleman from Tennessee has been given by the gentleman from Wyoming, and all gentlemen being satisfied—

Mr. WINGO. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. WINGO. On October 31 the law expired which would take from under the 10 per cent restriction clause loans made to any one borrower by a national bank that were secured by Liberty bonds where the borrower was originally the subscriber of those bonds. Before October 31 the Senate passed a bill extending the time for another year, and the House committee recommended it and adopted a motion asking for a rule for its consideration and it is on the calendar. Can the gentleman give any idea when we shall be permitted to pass that bill?

Mr. CAMPBELL of Kansas. This is the first time I have had any information that such a bill had been reported.

Mr. WINGO. And this is the first information the gentleman has had of that?

Mr. CAMPBELL of Kansas. This is the first information that I have had that any such condition existed.

Mr. WINGO. I regret to hear that. I had hoped that the condition would appeal to the responsible leaders of the Republican Party, sufficiently to have them give relief by prompt passage of the bill.

Mr. CAMPBELL of Kansas. I can see the great bearing that the question has on the bill now pending, however.

Mr. WINGO. I merely wanted to know when we would probably come to the consideration of that measure. The gentleman said that we were going to take up the reclassification bill after the conclusion of this. We are wasting time on the basket bill, and as a member of the Committee on Banking I am being written to by people who want to know if the banks will be compelled to cut down these loans, because the time expired on October 31. What shall I tell these country bankers?

Mr. CAMPBELL of Kansas. I suggest that the gentleman tell them that the Committee on Banking and Currency has not asked for the consideration of their bill up to this time. [Applause and laughter.]

Mr. WINGO. That criticism does not apply to me. The Republicans control both the committee and the House.

Mr. Speaker, I move the previous question on the resolution. The previous question was ordered.

The SPEAKER pro tempore. The question is on the passage of the resolution.

The question was taken; and on a division (demanded by Mr. LAYTON) there were—ayes 188, noes 24.

So the resolution was agreed to.

Mr. WINSLOW. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 1039) for the public protection of maternity and infancy and providing a method of cooperation between the Government of the United States and the several States. Pending the consideration of that motion I ask unanimous consent that the time for general debate may be controlled equally by the gentleman from Kentucky [Mr. BARKLEY], a member of the committee on the Democratic side of the House, and by the chairman of the committee on this side of the House.

The SPEAKER pro tempore. The gentleman from Massachusetts moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1039, and pending that asks unanimous consent that the time for general debate on the bill be controlled one-half by the gentleman from Kentucky [Mr. BARKLEY] and one-half by the gentleman from Massachusetts [Mr. WINSLOW]. Is there objection?

Mr. LAYTON. Mr. Speaker, reserving the right to object, I would ask whether the gentleman from Massachusetts is in favor of this bill or is opposed to it?

Mr. WINSLOW. I am in favor of the bill.

Mr. LAYTON. Mr. Speaker, in that contingency, and following the rules of the House and the fair play of parliamentary procedure, I ask that the time in opposition to the bill shall be placed in the hands of an avowed opponent of the measure. [Applause.]

The SPEAKER pro tempore. Is there objection?

Mr. BARKLEY. Mr. Speaker, reserving the right to object, I suggest to the gentleman from Delaware and to any others who are opposed to this bill that the gentleman from Massachusetts and I are both willing to yield to anyone who is opposed to the bill such time as they desire.

Mr. LAYTON. Mr. Speaker, I do not accede to that unless I am turned down by the Chair. This is an important measure; the whole country from one end to the other is interested in it, because there is a principle underlying it which strikes at the foundation of constitutional government.

SEVERAL MEMBERS. Regular order.

The SPEAKER pro tempore. The regular order is demanded. The regular order is, Is there objection?

Mr. LAYTON. Is it not the regular order all the time to have fair play?

The SPEAKER pro tempore. Is there objection?

Mr. CLARKE of New York. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from New York objects. The question is on the motion of the gentleman from Massachusetts that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1039.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1039, with Mr. HUSTED in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk reported the title of the bill.

Mr. WINSLOW. Mr. Chairman, I ask unanimous consent that in the reading of the bill that part which is stricken out, which is a Senate bill, be omitted.

Mr. MONDELL. As I understand it, the gentleman asks for the reading of the House amendment.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the House amendment be read in lieu of the Senate bill. Is there objection?

Mr. GARRETT of Tennessee. Mr. Chairman, reserving the right to object, I desire to propound a parliamentary inquiry. As the Chair will observe, the bill is a Senate bill, all of which has been stricken out and an amendment by way of a substitute proposed by the committee. My inquiry is this, When the amendment page is reached under the 5-minute rule, will the Senate bill then be read section by section for amendment?

The CHAIRMAN. It is the opinion of the Chair that it would be.

Mr. GARRETT of Tennessee. Will the committee amendment by way of a substitute be treated as one amendment, or will it be read section by section for amendment?

The CHAIRMAN. Unless by unanimous consent it is otherwise ordered, the amendment will be treated as one amendment.

Mr. STAFFORD. Mr. Chairman, that has never been the rule heretofore in the consideration of a House substitute, where the House substitute consists of different sections of the bill. They have been read section by section. I think the Chair is establishing a new precedent entirely.

Mr. SANDERS of Indiana. Mr. Chairman, I think the gentleman from Wisconsin is mistaken about establishing a precedent. The rule governs and the rule would require that the amendment be read altogether. It is usually the custom to couple with the unanimous-consent request which has just been made by the gentleman from Massachusetts, a further request that the amendment be read section by section, subject to amendment, in the same way as though it were an original bill. I hope that that will be done.

The CHAIRMAN. It is the view of the Chair that it must be treated as one amendment unless the committee or the House orders otherwise by unanimous consent.

Mr. SISSON. Mr. Chairman, I ask unanimous consent that the House amendment be considered by sections.

The CHAIRMAN. The Chair would suggest that we have not yet reached the reading stage.

Mr. SISSON. But I suppose I can prefer a unanimous-consent request at any time.

The CHAIRMAN. The gentleman is correct. Is there objection to the request of the gentleman from Massachusetts?

Mr. CLARKE of New York. Mr. Chairman, will the Chair please state what the situation is at the present time?

The CHAIRMAN. The gentleman from Massachusetts has preferred a unanimous-consent request that the House amendment be read in lieu of the Senate bill. Is there objection?

Mr. SISSON. Reserving the right to object, has the gentleman any objection to the amendment being treated by sections?

Mr. WINSLOW. None whatever.

Mr. SISSON. Then why not couple with his request for unanimous consent a request that the House amendment be considered by sections.

Mr. WALSH. Mr. Chairman, I object to the request of the gentleman from Massachusetts and ask for the reading of the Senate bill and the House amendment.

The CHAIRMAN. The gentleman from Massachusetts objects and the Clerk will read the bill.

The Clerk read as follows:

*Be it enacted, etc.* That there are hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, the sums specified in section 2 of this act, to be paid to the several States for the purpose of cooperating with them in promoting the care of maternity and infancy as hereinafter provided.

Sec. 2. That for the purpose of aiding in paying the expenses of said cooperative work in providing the services and facilities specified in this act, and the necessary printing and distribution of information in connection with the same, there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$480,000 for each year, \$10,000 of which shall be paid annually to each State, in the manner hereinafter provided: *Provided*, That there is hereby authorized to be appropriated for the use of the States, subject to the provisions of this act, for the fiscal year ending June 30, 1922, an additional sum of \$1,000,000, and annually thereafter a sum not to exceed \$1,000,000: *Provided further*, That the additional appropriations herein authorized shall be apportioned among the States in the proportion which their population bears to the total population of the United States, not including outlying possessions, according to the last preceding United States census: *And provided further*, That no payment out of the additional appropriation herein authorized shall be made in any year to any State until an equal sum has been appropriated for that year by the legislature of such State for the maintenance of the services and facilities provided for in this act.

So much of the amount appropriated apportioned to any State for any fiscal year as remains unexpended at the close thereof shall be available for expenditures in that State until the close of the succeeding fiscal year. Any amount apportioned under the provisions of this act unexpended at the end of the period during which it is available for expenditure under the terms of this section shall be reapportioned, within 60 days thereafter, to all the States in the same manner and on the same basis, and certified to the Secretary of the Treasury and to the State agencies described in section 4 in the same way as if it were being apportioned under this act for the first time.

Sec. 3. The Children's Bureau of the Department of Labor shall be charged with the carrying out of the provisions of this act, as herein provided, and the Chief of the Children's Bureau shall be the executive officer. The Chief of the Children's Bureau as executive officer, is hereby directed to form an advisory committee to consult with the Chief of the Children's Bureau and to advise concerning any problems which may arise in connection with the carrying out of the provisions of this act, such advisory committee to consist of the Secretary of Agriculture, the Surgeon General of the United States Public Health Service, and the United States Commissioner of Education. The Children's Bureau shall have charge of all matters concerning the administration of this act, as herein provided, and shall have power to cooperate with the State agencies authorized to carry out the provisions of this act. It shall be the duty of the Children's Bureau to make or cause to be made such studies, investigations, and reports as will promote the efficient administration of this act.

Sec. 4. That in order to secure the benefits of the appropriations authorized in section 2 of this act any State shall, through the legislative authority thereof, accept the provisions of this act and designate or authorize the creation of a State agency with which the Children's Bureau shall have all necessary powers to cooperate as herein provided in the administration of the provisions of this act: *Provided*, That in any State having a child-welfare or child-hygiene division in its State agency of health the State agency of health shall administer the provisions of this act through such divisions. The Children's Bureau shall recommend to the State agencies cooperating under this act the appointment of advisory committees, both State and local, to assist in carrying out the purposes of this act; the members of such advisory committee shall be selected by the State agencies, and at least half of such members shall be women, all of the members of which advisory committee shall serve without compensation. If in any State the legislature of which has not made provision for acceptance of this act or which does not meet in 1922, the governor of that State, so far as he is authorized to do so, may, under the provisions of law, accept the provisions of this act and designate or create a State agency to act in cooperation with the Children's Bureau, the said Children's Bureau shall then recognize such State agency for the purposes of this act until the legislature of such State meets in due course and has been in session 60 days.

Sec. 5. That so much, not to exceed 3 per cent, of the additional appropriations authorized for any fiscal year under section 2 of this act, as the Children's Bureau may estimate to be necessary for administering the provisions of this act, as herein provided, shall be deducted for that purpose, to be available until expended. Within 60 days after the close of each fiscal year the said Children's Bureau shall determine what part, if any, of the sums theretofore deducted for administering the provisions of this act will not be needed for that purpose, and apportion such part, if any, for the fiscal year then current in the same manner and on the same basis, and certify it to the Secretary of the Treasury and to the several State agencies described in section 4, in the same way as other amounts authorized by this act to be apportioned among the several States for such current fiscal year.

Sec. 6. That out of the amounts authorized under section 5 of this act the Children's Bureau is authorized to employ, to be taken from the eligible lists of the Civil Service Commission, such assistants, clerks, and other persons in the city of Washington and elsewhere, to purchase such supplies, material, equipment, office fixtures, and apparatus, and to

incur such travel and other expense as it may deem necessary for carrying out the purposes of this act.

Sec. 7. That within 60 days after the approval of this act the Children's Bureau shall certify to the Secretary of the Treasury and to each State agency described in section 4 the sum which the Children's Bureau has estimated to be deducted for administering the provisions of this act, and the sum which it has apportioned to each State for the fiscal year ending June 30, 1922, and on or before January 20 next preceding the commencement of each succeeding fiscal year, it shall make similar certifications for such fiscal year.

Sec. 8. That any State desiring to avail itself of the benefits of this act shall, by its agency described in section 4, submit to the Children's Bureau for its approval detailed plans for carrying out the provisions of this act. These plans shall provide solely for the administration of the act in the State; and provision for instruction in the hygiene of maternity and infancy through public health nurses, consultation centers, and other suitable methods: *Provided*, That no plans or laws of the States under this act shall provide for any official or agent or representative entering any home or taking charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis, nor shall any employees of the Children's Bureau by virtue of this act have any right to enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis. If these plans and laws shall be in conformity with the provision of this act and reasonably appropriate and adequate to carry out its purposes, due notice of approval shall be sent to the State agency by the Chief of the Children's Bureau.

Sec. 9. That in order to provide instruction to the residents of the various States on the hygiene of infancy and maternity, the State agency described in section 4 is authorized to arrange with any educational institution approved for these purposes by the United States Commissioner of Education for the provision of extension courses by qualified lecturers: *Provided*, That not more than 25 per cent of the sums granted by the United States to a State under this act may be used for this purpose.

Sec. 10. That the facilities provided by any State agencies cooperating under the provisions of this act shall be available for all residents of the State.

Sec. 11. That the Children's Bureau shall every three months ascertain the amounts expended by the several State agencies described in section 4 in the preceding quarter year. On or before the 1st day of January and quarterly thereafter the Children's Bureau shall certify to the Secretary of the Treasury the amount to which each State is entitled under the provisions of this act. Upon such certification the Secretary of the Treasury shall pay to the State treasurer as custodian the amounts so certified.

Sec. 12. That each State agency cooperating under this act shall make such reports concerning its operation and expenditures as shall be prescribed by the Children's Bureau. The Children's Bureau may withhold the allotment of moneys to any State whenever it shall be determined that such moneys are not being expended for the purposes and under the conditions of this act.

If any allotment is withheld from any State, the State agency of such State may appeal to the President of the United States, and if the President shall not direct such sum to be paid it shall be covered into the Treasury of the United States.

Sec. 13. No portion of any moneys apportioned under this act for the benefit of the States shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings or equipment, or for the purchase or rental of any buildings or lands.

Sec. 14. That the Children's Bureau shall perform the duties assigned to it by this act under the supervision and direction of the Secretary of Labor, and he shall include in his annual report to Congress a full account of the administration of this act and expenditures of the moneys herein authorized.

Committee amendment: Strike out all after the enacting clause, page 1, line 3, down to and including line 26, on page 8, and insert in lieu thereof the following:

That there is hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, the sums specified in section 2 of this act, to be paid to the several States for the purpose of cooperating with them in promoting the welfare and hygiene of maternity and infancy as hereinafter provided.

Sec. 2. For the purpose of carrying out the provisions of this act, there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the current fiscal year \$480,000, to be equally apportioned among the several States, and for each subsequent year, for the period of five years, \$240,000, to be equally apportioned among the several States in the manner hereinafter provided: *Provided*, That there is hereby authorized to be appropriated for the use of the States, subject to the provisions of this act, for the fiscal year ending June 30, 1922, an additional sum of \$1,000,000, and annually thereafter, for the period of five years, an additional sum not to exceed \$1,000,000: *Provided further*, That the additional appropriations herein authorized shall be apportioned \$5,000 to each State and the balance among the States in the proportion which their population bears to the total population of the United States, not including outlying possessions, according to the last preceding United States census: *And provided further*, That no payment out of the additional appropriation herein authorized shall be made in any year to any State until an equal sum has been appropriated for that year by the legislature of such State for the maintenance of the services and facilities provided for in this act.

So much of the amount apportioned to any State for any fiscal year as remains unpaid to such State at the close thereof shall be available for expenditures in that State until the close of the succeeding fiscal year.

Sec. 3. There is hereby created a Board of Maternity and Infant Hygiene, which shall consist of the Chief of the Children's Bureau, the Surgeon General of the United States Public Health Service, and the United States Commissioner of Education, and which is hereafter designated in this act as the board. The board shall elect its own chairman and perform the duties provided for in this act.

The Children's Bureau of the Department of Labor shall be charged with the administration of this act, except as herein otherwise provided, and the Chief of the Children's Bureau shall be the executive officer. It shall be the duty of the Children's Bureau to make or cause to be made such studies, investigations, and reports as will promote the efficient administration of this act.

Sec. 4. In order to secure the benefits of the appropriations authorized in section 2 of this act, any State shall, through the legis-

lative authority thereof, accept the provisions of this act and designate or authorize the creation of a State agency with which the Children's Bureau shall have all necessary powers to cooperate as herein provided in the administration of the provisions of this act: *Provided*, That in any State having a child welfare or child hygiene division in its State agency of health, the said State agency of health shall administer the provisions of this act through such divisions. If the legislature of any State has not made provision for accepting the provisions of this act the governor of such State may in so far as he is authorized to do so by the laws of such State accept the provisions of this act and designate or create a State agency to cooperate with the Children's Bureau until the adjournment of the first regular session of the legislature in such State following the passage of this act.

Sec. 5. So much, not to exceed 5 per cent, of the additional appropriations authorized for any fiscal year under section 2 of this act, as the Children's Bureau may estimate to be necessary for administering the provisions of this act, as herein provided, shall be deducted for that purpose, to be available until expended.

Sec. 6. Out of the amounts authorized under section 5 of this act the Children's Bureau is authorized to employ such assistants, clerks, and other persons in the District of Columbia and elsewhere, to be taken from the eligible lists of the Civil Service Commission, and to purchase such supplies, material, equipment, office fixtures, and apparatus, and to incur such travel and other expense as it may deem necessary for carrying out the purposes of this act.

Sec. 7. Within 60 days after any appropriation authorized by this act has been made, the Children's Bureau shall make the apportionment herein provided for and shall certify to the Secretary of the Treasury the amount estimated by the bureau to be necessary for administering the provisions of this act, and shall certify to the Secretary of the Treasury and to the treasurers of the various States the amount which has been apportioned to each State for the fiscal year for which such appropriation has been made.

Sec. 8. Any State desiring to receive the benefits of this act shall, by its agency described in section 4, submit to the Children's Bureau detailed plans for carrying out the provisions of this act within such State, which plans shall be subject to the approval of the board: *Provided*, That the plans of the States under this act shall provide that no official, or agent, or representative in carrying out the provisions of this act shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of such child. If these plans shall be in conformity with the provisions of this act and reasonably appropriate and adequate to carry out its purposes they shall be approved by the board and due notice of such approval shall be sent to the State agency by the chief of the Children's Bureau.

Sec. 9. No official, agent, or representative of the Children's Bureau shall by virtue of this act have any right to enter any home over the objection of the owner thereof, or to take charge of any child over the objection of the parents, or either of them, or of the person standing in loco parentis or having custody of such child. Nothing in this act shall be construed as limiting the power of a parent or guardian or person standing in loco parentis to determine what treatment or correction shall be provided for a child or the agency or agencies to be employed for such purpose.

Sec. 10. Within 60 days after any appropriation authorized by the act has been made, and as often thereafter while such appropriation remains unexpended as changed conditions may warrant, the Children's Bureau shall ascertain the amounts that have been appropriated by the legislatures of the several States accepting the provisions of this act and shall certify to the Secretary of the Treasury the amount to which each State is entitled under the provisions of this act. Such certificate shall state (1) that the State has, through its legislative authority, accepted the provisions of this act and designated or authorized the creation of an agency to cooperate with the Children's Bureau, or that the State has otherwise accepted this act, as provided in section 4 hereof; (2) the fact that the proper agency of the State has submitted to the Children's Bureau detailed plans for carrying out the provisions of this act, and that such plans have been approved by the board; (3) the amount, if any, that has been appropriated by the legislature of the State for the maintenance of the services and facilities of this act, as provided in section 2 hereof; and (4) the amount to which the State is entitled under the provisions of this act. Such certificate, when in conformity with the provisions hereof, shall, until revoked as provided in section 12 hereof, be sufficient authority to the Secretary of the Treasury to make payment to the State in accordance therewith.

Sec. 11. Each State agency cooperating with the Children's Bureau under this act shall make such reports concerning its operations and expenditures as shall be prescribed or requested by the bureau. The Children's Bureau may, with the approval of the board, and shall, upon request of a majority of the board, withhold any further certificate provided for in section 10 hereof whenever it shall be determined as to any State that the agency thereof has not properly expended the money paid to it or the moneys herein required to be appropriated by such State for the purposes and in accordance with the provisions of this act. Such certificate may be withheld until such time or upon such conditions as the Children's Bureau, with the approval of the board, may determine; when so withheld the State agency may appeal to the President of the United States who may either affirm or reverse the action of the bureau with such directions as he shall consider proper: *Provided*, That before any such certificate shall be withheld from any State, the chairman of the board shall give notice in writing to the authority designated to represent the State, stating specifically wherein said State has failed to comply with the provisions of this act.

Sec. 12. No portion of any moneys apportioned under this act for the benefit of the States shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings or equipment, or for the purchase or rental of any buildings or lands, nor shall any such moneys or moneys required to be appropriated by any State for the purposes and in accordance with the provisions of this act be used for the payment of any maternity or infancy pension, stipend, or gratuity.

Sec. 13. The Children's Bureau shall perform the duties assigned to it by this act under the supervision of the Secretary of Labor, and he shall include in his annual report to Congress a full account of the administration of this act and expenditures of the moneys herein authorized.

Sec. 14. This act shall be construed as intending to secure to the various States control of the administration of this act within their respective States, subject only to the provisions and purposes of this act. Amend the title so as to read: "For the promotion of the welfare and hygiene of maternity and infancy, and for other purposes."

Mr. WINSLOW. Mr. Chairman—

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. WINSLOW. Do I understand I am recognized for one hour?

The CHAIRMAN. For one hour.

Mr. GREENE of Vermont. Will the chairman submit to a parliamentary inquiry? Will it be held to be the ruling of the Chair that persons gaining recognition are recognized for an hour?

The CHAIRMAN. It would certainly apply to the chairman of the committee and gentlemen securing recognition in their own right.

Mr. WINSLOW. Mr. Chairman and members of the committee, a bill commonly called a maternity bill was introduced by the gentleman from Iowa [Mr. TOWNER] in the early part of this session. As stated in the report of the committee, the Interstate and Foreign Commerce Committee had long hearings on the Towner bill. Many views were expressed, representing very many opinions as to the purpose, the advisability, and many other considerations which might be drawn out of the text of the bill. In due time and as soon as the committee could properly give attention to the consideration of the bill and the hearings the subject was taken up and for three weeks, about, in executive session we considered this maternity subject as represented by the bill S. 1039. At no time during the discussion of the bill in the committee in executive session did the committee express its views as to whether or not it approved of this kind of legislation. That may seem to you to suggest cowardice on the part of the committee, but such is not the case. The members of the committee know, and probably most of the Members of the House who have been here know, and all the country ought to know, that this has been an exceedingly annoying, perplexing, and discouraging subject. [Laughter.] It appears from the consideration of the matter that those who were the active proponents of it had an idea in their mind, but had given mighty little thought to the method by which that idea could be put into execution. The log rolling, which had been greater than in all the log rivers of this country in the spring season, was directed toward the purpose of a maternity bill whether or no. In my judgment, and I speak for myself in this instance and not as chairman, all through the consideration of this bill those who have opposed and those who have favored the bill have given but mighty little study to what might be legislated in order to bring the best possible results in the line of a maternity bill.

When the Committee on Interstate and Foreign Commerce took up seriously—so seriously it would make you weep if you had lived with us—the consideration of this project, we did not have in mind any proponent or any opponent nor any other thing except to make the best bill out of what we had with the idea of passing our conclusions on to the House to finally determine. [Applause.] Whether or not they want this subject legislated on at all and to see if they choose to approve of our recommendation. We have now made the recommendations and you have the bill. [Laughter.] It is fair to make some explanation, and in speaking of this bill I intend to be fair to everybody in interest, the House, the committee, the opponents, and the proponents. This bill, my friends, comes down to a consideration finally of two general propositions and no more, each one with ramifications. The first one, and the one probably which has raised the most intelligent discussion, has been the question of the advisability of having the Federal Government pick up again or begin, as you choose to put it, the practice of a plan of having the Federal Government contribute to the States in order that the States may carry out their work within their own limits. So the proposition—

Mr. KINDRED. Mr. Chairman, this bill is so vitally important that I make the point of order that there is no quorum present. Mr. Chairman, well, I withdraw it.

The CHAIRMAN. The gentleman withdraws his point of order.

Mr. WINSLOW. Mr. Chairman, I lay before the gentlemen of this House the first consideration, and that is whether or not we desire to go on as affecting this bill or any other bill with the idea of giving to the State by the Federal Government money to assist State undertakings. Then there comes a second consideration in connection with the financial proposition. If we do believe that we should give to States we ought to think very carefully in the consideration of this bill as to whether or not the money provided here is too much or too little.

The next proposition is whether or not we think the character of our proposition of maternity and infancy by the State or by the Government is so pressing, so imperative, and so needed as

to warrant any legislation, and if any legislation, this legislation as it stands or as it may be amended. I take occasion to state that it is my purpose at the proper time to make a motion that the amendment of the committee be taken up as an original bill and be considered section by section. Now, my friends, if the purpose of the bill is meritorious, the question is suggested as to whether or not the Federal Government should take a hand in it, and if so, to what extent should we mix into the operations of the departments of the various States, either in respect of directing their efforts or in the contribution of money. When the bill originally came up two years ago, more or less, and again running through the Senate bill, which, you see, is stricken out in connection with our own proposition, the field was wide open, and it was possible, and we all know what the possibility of a wide open door means in the conduct of a department, for the Children's Bureau to dominate absolutely the method to be pursued by the States.

It was as pretty a little bunch of a concentrated department authority as was ever brought before us, not excepting the Veterans' Bureau, where the director has it all. Under the provisions of that bill as it came to us the Children's Bureau could go into the homes of people, could send out emissaries to discuss any question, psychological or otherwise, it chose to put forth. It was a wide-open door, maybe leading into the homes of this country and doing almost anything in the way of education, according as you interpret the term "education." To put it fairly, the original bill was in such form that it was possible for the Children's Bureau and the Chief of the Children's Bureau, without the control of anybody, to tell every State in this Nation how it had to carry on its health department as affecting maternity and infancy.

The committee saw right away, I believe unanimously, that that must be an error; that nobody probably intended that such a condition should exist. But the possibility was there. So we proceeded in the development of a bill based on a different fundamental theory, and that theory was this: That we would have in our bill, so far as we could provide it in a bill, an arrangement by virtue of which the States individually, through their properly accredited or appointed organizations as described in the bill, should set up its own plan of educating and handling and developing this maternity and infancy proposition. No. 1, the State to initiate its own plan, so that if the State of Oklahoma, on the one hand, or the State of Maine, on the other, and so on, had different viewpoints as to the necessities of their localities in respect to setting up the method of administering such a law, they would be free, without original or predetermined hampering, to represent to the Federal Government what each State thought it ought to have.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. WINSLOW. Gladly.

Mr. CONNALLY of Texas. I would like to ask the gentleman what the evidence was which was developed before the committee as to the number of States that now have children's bureaus or maternity organizations such as he has been discussing?

Mr. WINSLOW. I can not give it to you with accuracy. But it is surely a fact that boards of health exist in many States, and in a few, and only a few, children's bureaus do exist which have been carrying on this work, and particularly did we have testimony to the effect that a number of States are carrying it on now, using the established health organization of the Government, the Public Health Service, as their advisors, and from them they are taking the cue in respect of operating their State departments.

Mr. CONNALLY of Texas. Will the gentleman yield further?

Mr. WINSLOW. Yes, indeed. I am here to give information.

Mr. CONNALLY of Texas. What was the testimony disclosed as to whether the methods they are pursuing in the different States are satisfactory or otherwise?

Mr. WINSLOW. To be perfectly frank, calling upon the best of my recollection—and, mind you, it is a recollection—very few States said anything about it one way or another.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. WINSLOW. I will.

Mr. GARRETT of Tennessee. I understood the gentleman from Massachusetts to say that the committee approached the consideration of this measure with a fixed theory in mind that the States should set up their organization, and, if I understood the gentleman correctly, he meant for us to infer from that that the States would be free to set up whatever plan they chose and still receive the appropriations. Is that correct?

Mr. WINSLOW. No; that is not quite correct. I can understand how you may have misunderstood me. It is due to the

fact that I have not gone on with the further statement to connect up the subject I have been talking about, but I will answer you as far as I can and reserve the right to explain later. The bill does not provide for having a State set up an organization to operate, but rather that if they do not set them up they do not get any money from the United States. What the bill provides is that when an organization exists in a State it has a right to prepare its plans and submit its plans to what we call a board, of which I intend to speak if I have the time.

Mr. GARRETT of Tennessee. And before the State does receive anything under this bill those plans must be approved by the board, as I understand?

Mr. WINSLOW. Yes; unless the State authority appeals from an adverse decision of the board to the President of the United States, who has power to be the final adjudicator of the award.

Mr. GARRETT of Tennessee. Then, it must be approved by some authority outside of the State itself?

Mr. WINSLOW. Yes.

In the original proposition, previous to the writing of our amendment, the set-up must be approved by one person, the head of the Children's Bureau. The bill preceding ours provided for the establishment of an advisory board, but there was no obligation whatsoever on the Children's Bureau to follow the suggestions of any advisory board. We have so constructed it as to make a board consisting of the Chief of the Children's Bureau, the Surgeon General of the United States Public Health Service, and the Commissioner of Education, and a majority of that board will pass on the propositions that are submitted by the States. The power of approval or disapproval is not left in the hands of any single person.

Mr. LINTHICUM. If the gentleman will permit, my mind is not quite clear as to that section 3. The first paragraph sets up the board of which the gentleman speaks, to be known as a board of maternity and infant hygiene, and it says that it shall elect its chairman and perform the duties provided in this act. The next paragraph says the Children's Bureau of the Department of Labor shall be charged with the administration of this act. Will the gentleman give us a little light on that paragraph?

Mr. WINSLOW. The Children's Bureau will provide its office facilities for carrying out the provisions of this act, subject to the determination of the board as to some definite particulars. First, the approval or disapproval of the plans submitted by the several States; secondly, the consideration of allotting money to the States, either whole or part of the amounts to which they are entitled. Beyond that the Children's Bureau under this act has the right to make studies, investigations, and report upon such matters as will facilitate the administration of this act, and nothing else. Whatever the bureau does outside of the provisions of this act will be due to some authority vested in it by other legislation.

Mr. CLOUSE. Mr. Chairman, will the gentleman yield?

Mr. WINSLOW. Certainly.

Mr. CLOUSE. I can very well understand from the reading of this bill that it authorizes an appropriation of \$6,200,000 within the next five years, but I would like to know from the gentleman, who is chairman of the committee, whether or not he thinks that the duties imposed upon the Children's Bureau—to wit, to make or cause to be made such studies, investigations, and reports as will promote the efficient administration of this act—would justify the expenditure of \$6,200,000 in the next five years?

Mr. WINSLOW. Will the gentleman allow me to postpone the answer to that for a moment for an obviously good reason?

Mr. CLOUSE. Yes. I merely wanted to know what the gentleman thought of it.

Mr. WINSLOW. Gentlemen of the House, as I have so much matter to cover—and I know there is not a soul in this room who would undertake to put a foot out to trip me up in my undertaking to do it—and as I wish to be as thorough as possible in giving all the information I can, I desire, if it is in order by unanimous consent, to be given an extension of time without reducing what I now have to my credit, so that I may be questioned and have time to make answer.

Mr. KINDRED. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended one hour with that to which he is entitled at the present time.

The CHAIRMAN. The gentleman from Wisconsin prefers the unanimous-consent request, that the time of the gentleman from Massachusetts [Mr. WINSLOW] be extended one hour.

Mr. STAFFORD. In addition to what he is now entitled to.

The CHAIRMAN. Yes; in addition to what he is now entitled to.

Mr. CANNON. Why not make it unlimited until the conclusion?

Mr. WINSLOW. I shall need about 15 minutes, Mr. Chairman, if not interrupted. Whatever time I use after that will be in answer to questions.

Mr. KINDRED. Mr. Chairman, will the gentleman yield?

Mr. WINSLOW. When I am accorded the privilege of so doing; yes, sir.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KINDRED. In order that the gentleman may go on uninterruptedly—

Mr. WINSLOW. Unless the Members desire to question me now I would prefer to proceed.

Mr. CLOUSE. Will the gentleman yield?

Mr. WINSLOW. Yes.

Mr. CLOUSE. The question I wished to propound was this: Without indicating my position upon the merits of the bill but in order that I may know how intelligently to cast my vote, I was just wondering if the gentleman could tell us if there are any duties devolving upon the Children's Bureau or the agencies through which it may operate through the various States other than to make studies, investigations, and reports, and if that is all their duties, does the gentleman think it would justify an expenditure of \$6,200,000 in the next five years?

Mr. WINSLOW. I think the gentleman is a little bit mixed up about that. All that the Children's Bureau in the five-year period will get their hands on will be \$250,000.

Mr. CLOUSE. But the contributions on the part of the States, coupled with the donations by the Government, will aggregate \$6,200,000, will it not?

Mr. WINSLOW. To be expended by the States?

Mr. CLOUSE. Under the supervision of the Children's Bureau.

Mr. WINSLOW. No.

Mr. CLOUSE. But at last the Children's Bureau must approve the State plan; otherwise the Federal Government does not furnish any money, does it?

Mr. WINSLOW. Supposedly not. But the question of awarding or spending money harks back to the first proposition I submitted to the House with respect to one of the features of the bill.

Mr. KINDRED. Mr. Chairman, will the gentleman yield to me?

Mr. WINSLOW. Yes; I yield to the gentleman from New York.

Mr. KINDRED. The gentleman has stated very correctly that it was his impression that a comparatively few States have appeared before the committee to discuss this vitally important matter.

Mr. WINSLOW. As State organizations.

Mr. KINDRED. And the gentleman has referred to what might be called the adequacy of the State board's efforts in the direction of maternity and child welfare. Is it not a fact, which the gentleman, I believe, said he had no complete recollection about, that many of the States which did not appear before your committee have very extensive and adequate activities by their boards of health with respect to even holding clinics and lectures and other teachings in order to foster maternity and children's hygiene?

Mr. WINSLOW. In order to answer the gentleman and be able to proceed, I will say that generally speaking that is quite correct.

Mr. LARSEN of Georgia. Mr. Chairman, will the gentleman yield to me?

Mr. WINSLOW. Yes.

Mr. LARSEN of Georgia. Do the provisions of this bill contemplate that any general State or Government authority shall take the manual custody or control of the child or mother?

Mr. WINSLOW. You mean without objection?

Mr. LARSEN of Georgia. Yes; with or without objection, as shown by the provisions of this bill in sections 8 and 9.

Mr. WINSLOW. It is manifest that no committee could undertake to set up specific rules and regulations under which the board representing the Government and the Children's Bureau should act, but judging from what the States are now doing, I would assume that under this bill and the power given to the States by virtue of this bill the right of States under their own statutes would be preserved as they are, but their powers would not be increased by virtue of this act.

Mr. LARSEN of Georgia. Now, under the provisions of section 8 I will read this:

SEC. 8. Any State desiring to receive the benefits of this act shall, by its agency described in section 4, submit to the Children's Bureau detailed plans for carrying out the provisions of this act within such

State, which plans shall be subject to the approval of the board: *Provided*, That the plans of the States under this act shall provide that no official, or agent, or representative in carrying out the provisions of this act shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of such child. If these plans shall be in conformity with the provisions of this act and reasonably appropriate and adequate to carry out its purposes they shall be approved by the board and due notice of such approval shall be sent to the State agency by the Chief of the Children's Bureau.

Now, what I want to get at is this: Suppose a parent agrees that the State authorities or the Federal authorities connecting with the State authorities may take over the control and custody of the child. Are the provisions of this law to be understood so as to authorize the Government to take charge of the child and rear it and care for it?

Mr. WINSLOW. That is quite different.

Mr. LARSEN of Georgia. Now, where is the law under the provisions of this section that prohibits that?

Mr. WINSLOW. I will refer the gentleman to section 12. The last words there might cover that in a general way to the gentleman's satisfaction.

Mr. LARSEN of Georgia. What words in that?

Mr. WINSLOW. It provides that no maternity or infancy pension, stipend, or gratuity shall be paid under this act.

Mr. LARSEN of Georgia. Suppose the child is temporarily sick, or the mother is temporarily sick, and the nurse looking after it thinks conditions are not sufficient for its health and accommodation, have you the right under the bill to take the custody of the child?

Mr. WINSLOW. I think the opinion of the committee was that the rights of the State would prevail, and the State agency would use the authority vested in it by its own State laws and take such care of the child, and so forth, as needed.

Mr. LARSEN of Georgia. Suppose one State should decide that it would not do it, and the Federal board under the provisions of the bill thought that it ought to be done and therefore would not approve of the plan adopted and carried out by the State until it came within the provisions of the bill.

Mr. WINSLOW. Then there would be a conflict of judgment.

Mr. LARSEN of Georgia. And which one would govern?

Mr. WINSLOW. Finally the Federal Government would govern, either through the board or the President.

Mr. LARSEN of Georgia. The gentleman thinks the Federal authorities might require the custody of the child.

Mr. WINSLOW. The Government would not occupy such a field. It is only to approve the State's plans. We discussed this question in the committee, and the general opinion was that if the matter came down to that point the State would have the authority to take care of such cases according to its own laws and regardless of its agreement with the Government as to its workings under this act.

Mr. LARSEN of Georgia. Did you make any provisions for that in the bill?

Mr. WINSLOW. No; we do not undertake to provide what the State can do outside of the bill, or to make any standards or regulations.

Mr. LINTHICUM. Will the gentleman yield?

Mr. WINSLOW. Yes.

Mr. LINTHICUM. Does not the latter part of section 8 answer that? The latter part of section 8 provides:

*Provided*, That the plans of the States under this act shall provide that no official, or agent, or representative, in carrying out the provisions of this act, shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of such child.

Mr. WINSLOW. That is as far as this act goes.

Mr. MILLER. Will the gentleman yield?

Mr. WINSLOW. I will.

Mr. MILLER. Suppose the State, through its own agencies, provides that the State authorities shall have the right to enter a home and take a deformed child and send it to an institution for orthopedic treatment or something like that. How does the chairman harmonize section 8, where it says:

*Provided*, That the plans of the States under this act shall provide that no official or agent or representative, in carrying out the provisions of this act, shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of such child.

Suppose the State did not give that right, can the State share in a distribution of this fund?

Mr. WINSLOW. I do not know why not.

Mr. MILLER. Does the gentleman believe that the provisions of this bill prohibit such action as that?

Mr. WINSLOW. The gentleman says "for orthopedic treatment." This is a bill in relation to maternity, and so forth. If an orthopedic case should come in that class it would come under the bill.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. WINSLOW. I yield to the gentleman.

Mr. COOPER of Wisconsin. I think I can answer the gentleman from Washington by calling attention to the proviso on page 12, which reads:

*Provided*, That the plans of the State under this act shall provide that no official or agent or representative carrying out the provisions of this act shall enter any home or take charge of any child over the objections of the parents, or either of them, or the persons standing in loco parentis or having custody of such child.

Mr. MILLER. If the child welfare organization of the State does permit such a thing, the State can not share in the distribution of this fund.

Mr. WINSLOW. No; I do not understand it that way.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. WINSLOW. Yes.

Mr. NEWTON of Minnesota. That applies to the provision that they shall not have the right to enter and carry out the provisions of this act. If there is a State law which authorizes the officer to enter a home under the provisions of the State law for the purpose of carrying out the provisions of the State law, this provision does not deny to that State the right to share in the funds.

Mr. WINSLOW. I agree with the gentleman.

Mr. TAYLOR of Tennessee. Will the gentleman yield for a question?

Mr. WINSLOW. I will.

Mr. TAYLOR of Tennessee. This bill partakes of the nature of the public roads bill in that the Government is attempting to aid the State in carrying out a certain line of work. In the public roads bill, it is necessary for the State to comply with certain general provisions required by the Federal Government. Does not the gentleman think there ought to be some specific provisions requiring all the States to comply with the general provisions?

Mr. WINSLOW. The committee I think felt that the board would establish what might be needed as to these conditions, better than a committee of Congress, and we were willing to trust to their intelligence and honesty as to obligations to be required on the part of all the States.

Mr. MILLSPAUGH. Will the gentleman yield?

Mr. WINSLOW. I will.

Mr. MILLSPAUGH. Section 12, in the latter part of line 15, it provides—

nor shall any such moneys or moneys required to be appropriated by any State for the purposes and in accordance with the provisions of this act be used for the payment of any maternity or infancy pension, stipend, or gratuity.

Mr. WINSLOW. Yes.

Mr. MILLSPAUGH. Gratuity means a gift without a claim, a donation. Would not that absolutely prohibit any financial assistance in the matter of maternity under the provisions of the bill? It is plainly a gratuity.

Mr. WINSLOW. I would not think so.

Mr. MILLSPAUGH. One other question. If that is the case, then what are the duties of the representatives who are created under this bill? What is their service in maternity or in infancy? What do they do?

Mr. WINSLOW. Does the gentleman mean the State agent or the Federal agent?

Mr. MILLSPAUGH. Either or both. What do they do in the home? What is their purpose in the home? To deliver tracts?

Mr. WINSLOW. I think the gentleman's question is susceptible of a direct reply, but it would take more time than I want to give to it at this time.

Mr. SMITH of Michigan. Is the payment of this money cumulative? That is, if they do not use all of it one year can they use it in the succeeding year?

Mr. WINSLOW. They can for one year.

Mr. SMITH of Michigan. Is there any limit in the amount to be used in any one case?

Mr. WINSLOW. No.

Mr. SMITH of Michigan. They can use it all on one case if necessary?

Mr. WINSLOW. Yes; if one can imagine such a thing.

Mr. GRIFFIN. Mr. Chairman, I hope the gentleman will be permitted to continue his very clear and lucid statement in respect to the purpose of this bill. I am interested to know what the purpose of the bill is and how it is supposed to accomplish that purpose.

Mr. DUNBAR. Mr. Chairman, will the gentleman yield?

Mr. WINSLOW. Yes.

Mr. DUNBAR. There are in this bill appropriations for the fiscal year 1922, \$240,000, to be distributed among the States, \$5,000 to each State. There is also provision made for additional appropriation of \$1,000,000, to be divided among the States.

I have in my hand here an explanatory sheet of section 2 of Senate bill 1039, showing how that million dollars will be divided among the States, but the total of the apportionment is only \$710,000. Where is the discrepancy?

Mr. WINSLOW. I think the gentleman has misconceived the situation inadvertently. I proposed to go over that sheet shortly, but I may as well take it up now. The suggestion has been made that we consider that part of the report on that part of the bill which refers to the appropriation and allotment of money. The bill provides, so far as the financial aspects of it are to be considered, for two forms of payments to the several States. One form is that by virtue of which the payments will be made outright, and the State shall not be required to match the amounts. The other form is that which covers the payment of certain sums on the conditions set forth in the act, provided the States match those appropriations dollar for dollar. We have prepared tables, to be found on page 4 of the report, and a supplementary sheet, which should be in the hands of everyone who is interested, showing what those sums are, how they will be distributed, and the amount which will go to each State in the Union, assuming that it complies with the act and is entitled to the allotment. In the case of unmatched payments you will find that in the year ending June 30, 1922, according to the bill, there is an authorization of the payment of \$480,000 to all the States, \$10,000 to each State. For the five years following June 30, 1922, the amount of \$240,000 only, or \$50,000 to each State, not to be matched. That is a little honorarium passed on to the States to help set up the machinery, grease the wheels, and in a general way get the business in motion, and it serves perhaps as an evidence of the good will of the Government, as a matter of encouragement to take hold of the subject, when perhaps without that little incentive they would not undertake to come under the act and take up the work.

Passing on to the million-dollar-per-year appropriation, we find that by the provisions of the bill there may be appropriated for a year or any part of a year previous to June 30, 1922, \$1,000,000 on a plan laid out for distribution. You then can pass on to the five-year period. During the five-year period, which is a definite period indicated by the committee as long enough for a trial of this cause, the States, if they came under the provisions of the act and became entitled to the allotments, would get \$5,000 a year each, without matching. Thereafter annually they would get certain definite sums—if matched—worked out on a basis of population, and also each State in the Union would be given annually out of the million dollars a flat \$5,000—if matched.

Mr. DUNBAR. Mr. Chairman, do I understand that for each year, beginning with the fiscal year from July 1, 1922, there is but \$1,000,000 authorized to be appropriated by the Government, or \$1,240,000?

Mr. WINSLOW. Beginning with the fiscal year which commences July 1, 1922, and thereon annually for five years, the yearly apportionment would be \$5,000 to each State, not to be matched.

Mr. DUNBAR. I do not understand that.

Mr. WINSLOW. Then afterwards annually, out of the \$710,000 which would remain, when 5 per cent of the million dollars has been allowed to the bureau for its expenses and \$5,000 given to each State as a flat allowance, to be matched, each State would get its share—to be matched—of this \$710,000.

Mr. DUNBAR. What is the total amount of the national appropriation, \$1,000,000 or \$1,240,000 beginning with the fiscal year 1922?

Mr. WINSLOW. July 1?

Mr. DUNBAR. Yes.

Mr. WINSLOW. What is the appropriation for the five years, or the annual appropriation?

Mr. DUNBAR. The annual appropriation, beginning with the fiscal year 1922.

Mr. WINSLOW. There will be given outright to the States \$1,200,000 total for five years.

Mr. DUNBAR. That is annually for five years?

Mr. WINSLOW. No; for five years.

Mr. DUNBAR. I want the total amount annually for each of the five years.

Mr. WINSLOW. There will be \$240,000 given outright annually, and then there will be \$240,000 given to be matched, \$5,000 to a State, and then there will be \$710,000 (to be matched) divided among the States on the basis of population, which will make altogether \$1,240,000, including \$50,000 to the Children's Bureau.

Mr. DUNBAR. That answers my question.

Mr. BARKLEY. Is not the answer that the total amount appropriated for each year beginning with the 1st of next

July is \$1,240,000, figuring the \$240,000 which would be given to the States outright, and then the \$1,000,000 to be divided?

Mr. WINSLOW. That is not correct for one year. The gentleman is confused.

Mr. BARKLEY. Not for this present year, but beginning with the first year of the five.

Mr. WINSLOW. \$240,000 is a gratuity, so to speak.

Mr. BARKLEY. Yes; and then the additional appropriation is \$1,000,000.

Mr. WINSLOW. Yes; but \$50,000 comes out for the Children's Bureau.

Mr. BARKLEY. I understand, but that makes up the total gross appropriation for that year.

Mr. WINSLOW. Yes.

Mr. BARKLEY. Of course, the States will not get all that.

Mr. WINSLOW. Not necessarily; but it is not to exceed that amount.

Mr. VESTAL. Will the gentleman yield?

Mr. WINSLOW. I will.

Mr. VESTAL. I want to see if I am correct on this proposition. I understand the first year the total appropriation will be \$1,480,000. That is for the fiscal year ending June 30, 1922?

Mr. WINSLOW. That is the maximum sum.

Mr. VESTAL. And the \$480,000 is to be given to the States outright; is that correct?

Mr. WINSLOW. That is the maximum amount to be given outright.

Mr. VESTAL. The next year the appropriation will be \$1,240,000, and so on for five years?

Mr. WINSLOW. Not necessarily—

Mr. VESTAL. But that is the maximum?

Mr. WINSLOW. That is the maximum.

Mr. VESTAL. And \$240,000 of the \$1,240,000 will be given to the States outright, and also an additional \$5,000 for each State out of the million? Is that correct?

Mr. WINSLOW. That is correct if the \$5,000 is matched by each State.

Mr. VESTAL. And the 5 per cent on the million, or \$50,000, will go to the Children's Bureau?

Mr. WINSLOW. Right.

Mr. HILL. I would like to ask the chairman if the total appropriation authorized by this bill is not \$7,680,000? That is, for the first year \$480,000 for the States, \$1,000,000 for distribution for each of the five years afterwards, \$240,000, which makes a total of \$1,200,000, and then a million each year, making in all a total appropriation under the bill of \$7,680,000.

Mr. WINSLOW. Not to exceed that.

Mr. HILL. But the bill does authorize that expenditure?

Mr. WINSLOW. Subject to the conditions of the bill.

Mr. HILL. Subject to the conditions of the bill.

Mr. DUNBAR. Will the gentleman yield further?

Mr. WINSLOW. I will.

Mr. DUNBAR. If this act shall become a law, say, January 1, 1922, then there would be appropriated to be expended, or rather an authorization for an appropriation, between January 1, 1922, and July 1, 1922, of \$1,480,000. Is that correct?

Mr. WINSLOW. It is possible; yes, sir.

Mr. VESTAL. Will the gentleman yield for one further question? After the first year the \$240,000 or \$5,000 for each State that is paid to the State does not have to be matched?

Mr. WINSLOW. No—

Mr. VESTAL. Now, the other \$5,000 out of the million, must that be matched by the States?

Mr. WINSLOW. Yes.

Mr. VOLK. May I ask, in the event the State does not choose to come under this plan, to whom will the money be paid?

Mr. WINSLOW. It goes back duly into the Treasury?

Mr. VOLK. Which treasury?

Mr. WINSLOW. The United States.

Mr. FAIRFIELD. If the gentleman will yield, under the provisions of the act can money be appropriated for hospitalization purposes?

Mr. WINSLOW. If you mean directly by the United States, the bill specifically says "no." Now, gentlemen, as there seems to be a little lull in the questions [laughter] I desire to refer briefly to the financial items. The statement printed in the committee report is just as straight an interpretation as you can make. Please read it. If you have any local interest as to the amount each State may receive under the apportionment, you can find it in the tabulated statement which is printed on a one-piece sheet to be found at the Clerk's desk. In introducing the subject I told this committee that the financial question was one of the questions to be carefully considered on two lines—first, the question of giving the States from the Federal Gov-



ernment for these various purposes from time to time, and, second, the consideration of the amount of money which is to be appropriated, whether it be too little or too much.

Mr. LAYTON. Will the gentleman answer an inquiry?

Mr. WINSLOW. If I can.

Mr. LAYTON. In order to get the matter perfectly clear for the country, it means that the Federal Government will tax the people in order to give it back again?

Mr. WINSLOW. Well, I do not quite know what the gentleman means by the Federal Government taxing the people.

Mr. LAYTON. This bill taxes the people. The Government has no money unless it taxes the people to get the \$1,480,000?

Mr. WINSLOW. There is no question but that the people will have to pay for it.

Mr. LAYTON. That is the point.

Mr. WINSLOW. I do not want to get into any expert discussion of taxation; that is all; we had one yesterday. Now, just to make one review of the last point about this financial matter and I shall have finished on that subject. We must determine whether we are going on with a policy of giving to the States for State work within their own borders. If so, whether or not we are giving too much or too little in the amount suggested by the bill. The amount suggested is what was recommended to the committee by the proponents of the bill with the exception that they desired to have \$10,000 given outright every year instead of \$10,000 for one year and \$5,000 for each of the remaining five years. There are two or three other points of interest which I think Members of the House ought to bear in mind.

One is this, that the purpose of the committee is to give every possible reasonable final authority to the States and not to break into doing the States' work. Another one is the provision with respect of the power which representatives of State organizations having to do with the administration of the act and representatives of the Federal Children's Bureau which might be out studying and investigating, with a view to making reports, may have to go into a house and do certain things set up in this bill.

In the discussion of this matter before the committee there were many queries and many suggestions. A great number of them were shots in the air and amounted to but little, but nevertheless the miscellaneous notions of the possibilities under the original proposed act would indicate that it was wise for somebody to undertake to limit the authority of these agents who might be out under the umbrella of this act. And so we undertook to confine the powers of those agents, representing State and Nation, to the strict, literal interpretation of the purpose for which this act is intended. We do not care as a committee to recommend to this House any elasticity whatever which will allow any set of people, State or National in their affiliations, to build up or to institute and develop any social propaganda of ethics of any kind, and we hope we have struck it right. I believe I reflect the view of the committee when I make the offer to accept any amendment which will tend to make that provision if we fail to do so ourselves. There are many points I would have naturally referred to, but they have been brought up through the medium of inquiry.

Mr. BROOKS of Pennsylvania. Will the gentleman yield?

Mr. WINSLOW. I will.

Mr. BROOKS of Pennsylvania. I would like to know whether or not this bill if enacted into law would allow State or Federal agents to go into homes against the desires of the wives, mothers, or daughters of a family and make inquiries or investigations into matters of health along certain lines?

Mr. WINSLOW. I would think so.

Mr. BROOKS of Pennsylvania. You would? Then I think—

Mr. WINSLOW. You mean in the face of objections?

Mr. BROOKS of Pennsylvania. Yes.

Mr. WINSLOW. I would answer no.

Mr. BROOKS of Pennsylvania. Do you think they would assume that power, at any rate?

Mr. WINSLOW. I can not tell any more than I can tell whether anybody would steal an overcoat. [Laughter.]

Mr. FAIRFIELD. Will the gentleman yield?

Mr. WINSLOW. I will.

Mr. FAIRFIELD. Is there any provision in the bill that will grant anything but an educational or advisory assistance?

Mr. WINSLOW. Not so far as the Federal Government is concerned directly. But if the States through their proper agencies set up a plan for the caring of maternity and infancy in any of its stages, we would expect that care and hygiene, which means a lot of things in connection with the public and private health, would come under the functions of the agency.

Mr. FAIRFIELD. Under the State?

Mr. WINSLOW. Under the State.

Mr. FAIRFIELD. Therefore this bill really offers no specific relief in cases of emergency anywhere so far as the General Government is concerned?

Mr. WINSLOW. Only through the agencies as operated by the States.

Mr. FAIRFIELD. In case the States should set up an agency of that kind, no part of the—

Mr. LAYTON. No material relief.

Mr. FAIRFIELD (continuing). No part of the money would be used for affording material relief?

Mr. WINSLOW. That is not so, in my judgment. I think the States can use this money for any legitimate purpose connected with the natural care of maternity and infancy.

Mr. FAIRFIELD. I asked you a moment ago whether the money could be used for hospitalization purposes.

Mr. WINSLOW. By the Federal Government, I understood you to say.

Mr. FAIRFIELD. I meant that the Federal Government does not, except in its administrative capacity, use any of the money. There would be no meaning in the question except as it applied to the State government, and, as I understood the answer, no State could use a dollar of this money to relieve cases of necessity where hospitalization was advised by the attending physician or by the agents of the Government? If I am wrong, I would be glad to be corrected.

Mr. WINSLOW. I regret that you interpreted my probably insufficient remark in that way, but I will state it so that there will be no doubt about it. When the Government approves the plans of a State agency for carrying out the provisions of this act, which means the care of maternity or infancy through all the stages of either or both, if that State agency provides for giving care to mothers and children, and the Government approves it, the money will be available. I can not imagine, for my part, any board that would cut off a State agency from giving any kind of care under the act to those who need it.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. WINSLOW. I will.

Mr. NEWTON of Minnesota. The gentleman from Pennsylvania [Mr. Brooks] propounded a question to the gentleman in reference to the right or authority under the act for an official of the Government to enter a home over the objections of the parent or the person standing in that relation. I merely want to call the attention of the gentleman from Pennsylvania to section 9, which expressly prohibits that.

Mr. WINSLOW. That is so.

Mr. LAYTON. Will the gentleman yield?

Mr. WINSLOW. I yield to the gentleman from Delaware.

Mr. LAYTON. I would like to ask the specific question whether or not under this bill the Surgeon General, at the head of the Public Health Service, and the other two members of the board, could not refuse Federal aid to a State unless the State authorities did actually agree on the plan, which the board here in Washington must approve, to look after the material care of a mother or a child by furnishing food, clothing, housing, and so forth?

Mr. WINSLOW. If such a thing is reasonably possible, I would say that the board could refuse that aid, but as a matter of ordinary horse sense I would not expect they would do it. [Laughter.] And if they do not approve they have an appeal to the President of the United States.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. WINSLOW. Certainly.

Mr. LAYTON. If the gentleman will excuse me, we are not dealing very largely with horse sense. [Laughter.]

Mr. REED of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. WINSLOW. Yes.

Mr. REED of West Virginia. I understand that the administration of this act is under the Secretary of Labor.

Mr. WINSLOW. "Under the supervision of the Secretary of Labor," whatever that means.

Mr. REED of West Virginia. Has the President so much spare time that he can attend to this also? Why dump part of the administration upon the President of the United States? Has he a lot of time on his hands that he is not using? Does he want this?

Mr. WINSLOW. He has not advised me by letter that he wants it. [Laughter and applause.]

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. WINSLOW. Yes.

Mr. FAIRFIELD. I would like to ask the gentleman the interpretation of section 12—

Nor shall any such moneys or moneys required to be appropriated by any State for the purposes and in accordance with the provisions of this act be used for the payment of any maternity or infancy pension, stipend, or gratuity.

I want to know how far that limitation goes on the expenditure of this money.

Mr. WINSLOW. Well, if you will force me into talking on this floor on delicate matters, I am willing to be driven. I am a father and a grandfather—

Mr. FAIRFIELD. I am a grandfather, too—

Mr. WINSLOW. And I can no longer blush at these suggestions; but the facts are that the committee has reason to suspect—and that is as far as I care to go [laughter]—that there might be under the provisions of the act which we discarded an opportunity for starting along some of the methods which have become in vogue in certain European nations, and we do not want to encourage it in this country. [Applause.] The politest way in which we could describe it in a bill of this kind is represented by the language the gentleman has quoted. We have no objection to anybody who chooses to father it introducing an amendment that will clarify that. [Laughter.]

Mr. CLARKE of New York. Mr. Chairman, will the gentleman yield?

Mr. WINSLOW. Yes.

Mr. CLARKE of New York. Among those European nations that the gentleman has mentioned, which one of those foreign nations has developed this idea to the highest power?

Mr. WINSLOW. I am not an expert on that subject, but I would say probably Russia.

Mr. CLOUSE. Mr. Chairman, will the gentleman yield?

Mr. WINSLOW. Yes.

Mr. CLOUSE. Under section 3 of the act a board of maternity and infant hygiene is created?

Mr. WINSLOW. Yes, sir.

Mr. CLOUSE. I wonder if the gentleman can tell us whether or not this position will carry additional salary to the members of that board?

Mr. WINSLOW. There is nothing said about it in the bill.

Mr. CLOUSE. Is it contemplated that their duties would be so enlarged as to justify an additional salary of some \$10,000 or \$15,000 annually?

Mr. WINSLOW. That is not within our jurisdiction. Probably some one would have to thrash that out with the Budget Committee.

Mr. CLOUSE. Is not here the place to thrash it out and place a limitation on it?

Mr. WINSLOW. The limit we would have would be to omit it altogether. [Applause.]

Mr. CLOUSE. I quite agree with the gentleman.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. WINSLOW. Yes.

Mr. DENISON. In answer to the gentleman's question, there is already a general law that would prevent any official of the Government from drawing two salaries.

Mr. WINSLOW. Hence the omission.

We have been over this in detail. I hope we shall discuss it section by section under the 5-minute rule, and if there are any misconceptions that will break out then or appear, the chairman of the committee, or any member of the Committee on Interstate and Foreign Commerce, will gladly answer any question about any section; and the whole committee knows the bill. [Applause.]

Mr. GRIFFIN and Mr. KINDRED rose.

The CHAIRMAN. Does the gentleman yield?

Mr. WINSLOW. I have not given up the floor.

Mr. GRIFFIN. Mr. Chairman, I was in hopes the gentleman, before concluding his remarks, would explain the apparent discrepancy between section 3 and section 13. In section 3 a board of maternity and infant hygiene is created, with very limited powers, as it would seem, except to pass upon the appropriation of the allotments or quotas to the various States. Then the administration of the act is intrusted to the Chief of the Children's Bureau; and then in section 13 the Chief of the Children's Bureau is put under the control, apparently, of the Secretary of Labor, who is not a member of the board of hygiene. What his connection can have with the proposition it is very hard, at least to me, to discern. Why, for instance, is the Children's Bureau, with which the administration of the act is intrusted, put under the control of the Secretary of Labor?

Mr. WINSLOW. That does look a little freckled, to be sure. [Laughter.] But the committee is bound to submit to those conditions which surround it. The Children's Bureau already is a department working under the Secretary of Labor. That would seem to account for that association. In order to be respectful to the department and its head, the Secretary, we brought his name in there in a parliamentary way, in order to show that he is the supervisor.

I personally would not pay him much money for the time he will probably consume in supervising, but nevertheless under

the Alphonse and Gaston arrangement between the executive and the legislative branches of the Government we felt impelled to do this thing. [Laughter.]

As to the other proposition, the board to which the gentleman has referred as having slight power represents all there really is to this act, viz, the determination of the conditions under which the several States shall operate and the determination of the amount of money they may be entitled to by virtue of their cooperation under the act. The Children's Bureau has the right and the duty to make studies as broad as they choose and report to the Secretary of Labor, and so on, so far as such investigations, and so forth, may help the administration of this act. Beyond that the Children's Bureau furnishes the office force and the executive medium for carrying out whatever detail there may be in connection with the work provided for in the act. Is that clear to the gentleman?

Mr. KINDRED. Mr. Chairman, will the gentleman yield right there?

Mr. WINSLOW. Yes.

Mr. KINDRED. In connection with what the gentleman has just said, does he think the language beginning on line 17 of page 10—

The Children's Bureau of the Department of Labor shall be charged with the administration of this act, except as herein otherwise provided—

Mr. WINSLOW. What is the gentleman's question?

Mr. KINDRED. Page 10, line 17, provides:

The Children's Bureau of the Department of Labor shall be charged with the administration of this act, except as herein otherwise provided, and the Chief of the Children's Bureau shall be the executive officer.

Is there any lack of clarity or consistency between the language the gentleman has just used and these lines?

Mr. WINSLOW. I hope not. The idea is that the Children's Bureau shall carry out what the act provides, with the exception of having the final determination of the plans submitted by the States in the way of approval and the amount of money to be actually allotted to the States.

Mr. KINDRED. It means in the last analysis the Children's Bureau or the Department of Labor shall be the whole show.

Mr. WINSLOW. I have said several times that the idea of the committee is to take full power out of the single control of any bureau, whether the Children's Bureau or otherwise. In order to do it in this instance—the Children's Bureau—we have created a board only one of which has anything to do with the Children's Bureau. The other two are to represent two other organizations which have more or less to do with the public health and the general public education of the country.

Mr. KINDRED. May I call attention to the fact that the administration of the act is given to the Chief of the Children's Bureau?

Mr. WINSLOW. The bureau is to administer the act under the provisions of the act. It is like the administration of a factory by the superintendent or general manager. You have to have some one to do the work, and so as the Children's Bureau is interested in it we left it there.

Mr. TAYLOR of Tennessee. Will the gentleman yield?

Mr. WINSLOW. I will yield to the gentleman.

Mr. TAYLOR of Tennessee. Under the provisions of this bill the Federal Government is empowered to tax the State and cover that money into the Federal Treasury. Now, suppose that the Children's Bureau should not agree to the plan of spending that money proposed by the State organization, and the State organization refused to meet the plans suggested by the Children's Bureau; what is to become of that portion of the money which ought rightfully to go to the State? It has been taken from them.

Mr. WINSLOW. It has not been taken from them in that they never got it.

Mr. TAYLOR of Tennessee. You take it from the State by taxation. The Federal Government has no revenue except what it gets by taxation. When they tax the State they take the money from that State and cover it into the Federal Treasury. If the State refuses to meet the requirements of the Children's Bureau, what becomes of that money?

Mr. WINSLOW. It is like many other things in the way of taxation. In other words, to use a very common but suggestive expression, it goes into the "kitty." [Laughter.]

Mr. HUDSPETH. Will the gentleman yield?

Mr. WINSLOW. Certainly.

Mr. HUDSPETH. Under the provisions of this bill can the Federal Government force the provision of the act upon a State until the legislature of such State meets and accepts it?

Mr. WINSLOW. It can not force it on a State under any circumstances. It provides that if a State legislature does not accept the act and create a proper organization to work it out,

in the absence of a legislative session the governor can make the appointment of an officer or agency to receive and accept this money until the legislature convenes. A member of our committee suggested this morning an amendment which seems to me to be rather important and very much to the point, and that is to make a time allowance for a State where the legislature may not meet in time to get to work fully under the act so that they will have six months after the adjournment of the legislature to effect conditions that will bring them within the act. Mr. Chairman, if now there are no more questions I would like to proceed without further interruption.

Mr. WOODS of Virginia. Will the gentleman yield?

Mr. WINSLOW. Yes.

Mr. WOODS of Virginia. In section 11 you give to the board administering the act the power to pass upon the question whether the State organization has complied with the act or not.

Mr. WINSLOW. Yes.

Mr. WOODS of Virginia. Does not that give considerable of a whip hand over the States and enable the bureau to say you must conduct your health agency in accordance with our plans or we will withdraw the aid?

Mr. WINSLOW. It does permit the exercise of an arbitrary power, but in most instances where the human element is considered we have got to trust to the good sense of somebody in final authority, and we felt that as the Government may be paying money to the States, by the same token the Government ought to have the right in some way to make sure that the State would spend it along the general lines of the act and for the purposes set forth therein. We have placed it in the hands of people, named by title, and it seemed to the committee that no one would ever occupy any one of those places who was not above the average man for honesty and intelligence. We do run that risk, but wherever we delegate power to any human agency we always run the risk of getting a crank to execute it, and then we get out of it the best way we can, and if that time comes we will have to do the same in the case of this proposed legislation. [Laughter and applause.]

Mr. Chairman and gentlemen of the committee, I will say a word as to why the committee has reported out this bill. The proposed legislation has undoubtedly stirred up more sentiment, wisely or unwisely created, than any bill which has been before the Congress in 10 years, or maybe 100 years. The representation originally made in behalf of this proposal was that it was purely for the development of the care of maternity and infancy, and so forth, but before it ever got to our committee, and down to this very morning, it had been redolent with personal sentiment, and its approval and opposition has almost invariably been tainted with a high degree of personal feeling which has not characterized any other bill of which I have ever had knowledge. One side has said that they represent 10,000,000 women. It is not for me to say that they do not, but there have been plenty of others to say that they do not represent anything like that number. Unfortunately the discussion of this bill has not always been on broad lines in my judgment.

I believe in the case of mothers and infants to the limit. I have had to do in my home city with a hospital and have held a prominent position there. I was one of an original subcommittee, long before any woman or man who has been a proponent of this bill ever talked to me about it, which organized a social welfare and hospital auxiliary force. We did this work. We did it because we knew there was need for it, but I have not been able to make some people fussing around here believe apparently that I have enough humanity in me to think that mothers expecting children were worthy of any considerable consideration.

The agitation over the bill has worked back and forth. Members of the committee have been like a tennis ball—batted back and forth. Enthusiasm for and against this bill passeth all understanding.

Every man of the committee has been belabored one way and another for and against the bill until I believe, figuratively speaking, each one has become mentally sore through that treatment, and it may have been a good one—I am not prepared to say that it has not been. We have at all events awakened to an appreciation of the fact that whether we are for it or against it, this subject is really interesting a great many people, who think of any of these things, countrywide.

When I stated in the beginning that the committee has never, so far as I remember, expressed its opinion officially as to the merits of the bill, I stated that regardless of the fact that I feel that the committee did the wise thing to report a bill which they thought would best do the work, and report it unanimously, in order that this House may on its merits, as they see them or otherwise, determine whether or not the bill shall

become a law. The committee through the phraseology of a form in which bills are reported is committed to the expression that they think the bill should pass. Whether that happened by oversight or not, I do not know. I am prepared to subscribe to the idea that it should pass because I think, in view of the fact that this is a subject which appeals to the sentiment and the heart desires of so many of our women, who at home are thinking seriously of this thing, who at home in most instances have no thought of politics in it at all, we ought to put the plan on trial.

I hope I have reflected the committee accurately and fairly. I have no reason to feel that I have not, but in order that there may be no difference of opinion as to my own attitude at this moment on this bill, I say to you, in repetition, that I believe, all things considered, the character of the bill being borne in mind, the limitation of administration, the bill ought to be passed and given trial. [Applause.]

I reserve the remainder of my time.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BARBOUR having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had concurred in the amendment of the House of Representatives with an amendment to the bill (S. 843) to amend section 5 of the act approved March 2, 1919, entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," had insisted upon its amendment to the amendment of the House, had requested a conference with the House thereon, and had appointed Mr. POINDEXTER, Mr. SUTHERLAND, and Mr. WALSH of Montana as the conferees on the part of the Senate.

The message also announced that the Senate had agreed 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. 7294) supplemental to the national prohibition act.

#### PROTECTION OF MATERNITY AND INFANCY.

The committee resumed its session.

Mr. LAYTON. Mr. Chairman and gentlemen of the committee, before I begin to address the committee on the subject under consideration, I want to congratulate the chairman of the committee upon his very able efforts in presenting the case involved in this measure. He has my absolute admiration, and he has at the same time my absolute sympathy.

I have already spoken upon this subject at such length that I did not think that I would appear upon the floor of the House a second time in order to express anew my views on the question, but I feel impelled to voice my opposition again to this measure, hoping that something I may say may avert the enactment into law of principles which I deem insidious and full of evil consequences to the public.

I shall be as brief as I can, knowing there are many who desire to express themselves upon this bill, and to whom I desire to accord the fullest opportunity for so doing.

I am opposed to this bill—

First. Because it is unnecessary.

Second. Because it is an inexcusable expense.

Third. Because it is plainly socialistic.

Mr. Chairman, I do not purpose to attempt to analyze this bill. I have read every paragraph of it, and I am going to allow the specific elements entering into the bill to be digested, analyzed, and dissected by all of the Members of the House who will have, undoubtedly, abundant opportunity under the 5-minute rule to do so. I intend to approach the consideration of this measure in a general way, affecting as I believe it does the Republic of which we are all members, and in speaking upon the bill I desire to have all of you keep in mind the fact that in discussing the Sheppard-Towner bill I am discussing the Smith-Towner bill, I am discussing the Fess amendment, and I am discussing the whole brood of socialistic propositions which have littered up the very calendar of the Congress for the last three Congresses.

This bill is unnecessary because there is no cumulating demand for its passage by reason of any unusual mortality either in expectant mothers or in newborn children in this country.

Mr. FESS. Mr. Chairman, will the gentleman yield to a question?

Mr. LAYTON. Surely. The gentleman from Ohio is the very gentleman I would like to discuss this question with.

Mr. FESS. Does the gentleman oppose all education, since there is not any education that is not socialistic?

Mr. LAYTON. I do not believe I quite catch the gentleman's question.

Mr. FESS. All education in the United States is socialistic, every bit of it. Does the gentleman mean that he is opposing education because it is socialistic?

Mr. LAYTON. The gentleman has made an assumption which is absolutely incorrect, in my judgment.

Mr. FESS. What is that?

Mr. LAYTON. All education in the United States is not socialistic.

Mr. FESS. The gentleman understands that I mean education which is supported at the public expense, which comprises the great portion of our education.

Mr. LAYTON. But it does not follow, my dear friend from Ohio, that a thing that I would do in my home, or a thing that I would do in my community, or a thing that I would do in my State, good as they are, should be shifted through socialistic processes upon the Federal Government, to take power which I want to retain. [Applause.]

Mr. FESS. Would the gentleman answer my question?

Mr. LAYTON. And if the gentleman will let me proceed, before I get through I shall quote as eminent an authority on education as the gentleman himself, and I think the gentleman will see that the quotation which I take from that authority expresses exactly my views upon the question that he has raised.

Mr. FESS. If the gentleman has objection to partial assistance of the States on educational matters, that is one thing, but when he opposes this measure on the basis that it is socialistic, then, to be consistent, he must oppose all public education, because it is all socialistic.

Mr. LAYTON. Oh, not within the States. That is where the gentleman confuses the issue.

Mr. FESS. Why, certainly.

Mr. GREENE of Vermont. Will the gentleman yield just a moment?

Mr. LAYTON. I will.

Mr. GREENE of Vermont. May I suggest that if education is turned over to the Federal Government and put in the hands of bureaucrats and politicians, it is in great danger of becoming socialistic. [Applause.]

Mr. LAYTON. Correct.

Mr. COOPER of Ohio. Will the gentleman yield for a question?

Mr. LAYTON. I will stop any time to answer a question from the gentleman from Ohio.

Mr. COOPER of Ohio. The gentleman from Delaware has stated this measure is insidious, socialistic, and unnecessary. I would like to ask him if it is his intention to tell the committee in what way it is insidious, socialistic, and unnecessary?

Mr. LAYTON. Absolutely, if the gentleman will allow me, I have taken the trouble to develop an argument and I would like to try to have time to deliver it and let my dear friend from Ohio and everybody else take it for what it is worth. Gentlemen, I have taken a great deal of trouble about this matter and I have tried to boil down some of these sentences until they are as clear as I can make them. I wish you would give a little heed to them for what they are worth, whether much or little. I repeat:

This bill is unnecessary, because there is no accumulating demand for its passage by reason of any unusual mortality either in expectant mothers or in the newborn children. There never was a time since this Government was established when human life was more carefully guarded and conserved than it is now. The science and art of medicine and surgery have kept pace fully with developments in any other pursuit of man.

Every Member of this House knows that there has been a remarkable increase in longevity during the last 30 years. Every well-informed person knows that the medical and surgical remedies for complications arising in the puerperal state have vastly increased. The mortality records of 30 and 40 years ago involving pregnant women have been wonderfully changed. Puerperal septicemia, acetone, and diacetone conditions, including anatomical obstacles to childbirth—practically all of the dangers and perils that surround the puerperal state are largely within the ability of the physicians of the land to combat successfully. Forty years ago a newborn babe without a mother was regarded as having a poor chance for living. Today a child can be reared in splendid health to maturity upon the bottle, provided the milk therein is properly prepared by a graded prescription. The diseases of infancy, such as cholera infantum, ileo-colitis, and other diseases incident to the first three years of life, have been carefully studied, and their pathology more accurately ascertained, which, together with an equal advance in the therapeutics of these diseases, has lessened the infant mortality of the entire country in a wonderful and supremely satisfactory way.

And if I were going to make a remark at this juncture as a physician I would say that, taking it by and large, a child can be raised better to-day on a bottle, because it will not inherit the weaknesses of its mother; neither will it imbibe, as it were, the noxious principals in the milk by reason of fear, anger, ill health, medicine, or anything else that affects the mammary secretions.

All of these discoveries and advancements in the pathology and the therapeutics of infancy have been made by the medical profession by the men and women who have devoted themselves to the study and the practice of the medical profession.

I want to repeat that—that all the wonderful improvements in therapeutics and pathology have been made by the medical profession and not by members of the Children's Bureau here in Washington, who have not anything on earth except a smattering of what they can read in the shape of medical knowledge coming from men and women who have made medicine their life's pursuit and study.

Mr. NEWTON of Minnesota. Will the gentleman yield there?

Mr. LAYTON. With pleasure.

Mr. NEWTON of Minnesota. Does the gentleman know that in the Children's Bureau there are a number of physicians, and physicians of standing?

Mr. LAYTON. Where?

Mr. NEWTON of Minnesota. In the Children's Bureau.

Mr. LAYTON. Here?

Mr. NEWTON of Minnesota. Yes.

Mr. LAYTON. My dear friend, I am going to be a little frank, and if you will listen to me—I hope it will not go beyond the walls of this Chamber, because I feel a little bad about it. Tell me who occupies a position in the Federal Government as a physician at \$2,000 a year?

Mr. NEWTON of Minnesota. Who occupies it?

Mr. LAYTON. Yes.

Mr. NEWTON of Minnesota. There are physicians and physicians of standing. If the gentleman wants an answer, I will give it—

Mr. LAYTON. I will give an answer without you saying it. Go to every community in America and you can not get good physicians, intelligent physicians, you can not get skilled physicians, you can not get the best physicians to take a Government job at \$2,000 a year. [Applause.] And everybody knows it.

Mr. NEWTON of Minnesota. Will the gentleman yield further?

Mr. LAYTON. Yes; I will yield.

Mr. NEWTON of Minnesota. Perhaps the gentleman appreciates this fact that sometimes you can get men and get women of ability and skill who are willing to serve even if the compensation is not what they could get otherwise, and is not that true of the Children's Bureau?

Mr. LAYTON. If you are going to put the efficiency of the Children's Bureau upon some devotee of altruism, maybe you might find one in about 40 or 50 years.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. LAYTON. With pleasure.

Mr. SANDERS of Indiana. My understanding is the gentleman also is in favor of abolishing the Public Health Service. Is not that true?

Mr. LAYTON. It depends altogether. My friend is trying to quiz me about a matter I had a conversation with him privately. [Laughter.] Let me tell the gentleman something so he may know it. I do not talk with any man privately, that I do not talk publicly if it is necessary. Now, I will answer the gentleman's question. He asked about the Public Health Service, and I want to be perfectly frank with him. I am opposed to the Public Health Service of the United States as it stands, and I will tell you why. Simply because it is a great big service at a great big expense and is not worth the money that is spent on it.

Now I will amplify, and the gentleman need not have any question to ask me, for as long as he has brought the subject up I shall try to go into it with perfect frankness, and say I am in favor of a quarantine service of the finest kind. That is the first thing. In the next place, I would absolutely abolish the Public Health Service as it stands, and in place of it I would take some of Uncle Sam's money, which we seem to have plenty of, and build the finest biological, bacteriological, and chemical laboratory that money could build. I would equip it with every appliance that money could purchase. I would go out into the world and buy, if necessary, the highest science that can be found. I would go out and get the most distinguished devotees of science in all these three directions I have mentioned. I would bring them over here; I would send to Vienna, Berlin, Edinburg, London, Paris, Rome, and I would

bring them here, if they could be had, and thus have a corps of the finest delvers, so to speak, into science the world contains, who not only can delve into science but whose hearts and whose souls are engaged in the work, and in this way secure the very highest talent for the purpose of discovering specific remedies for the diseases of man and beast.

And after I had found one remedy that was a specific remedy for any of the things that bring mortality to men, I would not have a whole lot of peripatetic doctors traveling at Government expense and using that knowledge. [Applause.]

Let me say further that there is one boon, at least, in medicine. When I began to practice medicine, at one time in my life, almost breaking my heart to look at them, I saw four dead children in one house at one time from diphtheria. But I have lived long enough as a physician to find what is called the diphtheria antitoxin, and the man who goes out now to attend a case of diphtheria does not have any more fear or any more anxiety than he would have in attending a case of measles.

Mr. SANDERS of Indiana. Will the gentleman yield further?

Mr. LAYTON. Yes. But I want to add this in order to make my remarks complete, and that is in order to use that splendid remedy we do not have to have in my State, and the gentleman is too proud to claim that he has to have in his State, any peripatetic doctors going through and telling us how to use diphtheric antitoxin. We know how to do it ourselves.

Mr. SANDERS of Indiana. In order to set the gentleman right as to whether I am violating any private conversation I will say that I procured my information from the gentleman's speech on the floor of the House. The gentleman is an able speaker. According to the gentleman's theory about all this being socialistic, he would have been opposed to the Public Health Service, which has brought about the control of contagious diseases in this country?

Mr. LAYTON. The control?

Mr. SANDERS of Indiana. Yes.

Mr. LAYTON. Control! Where in the name of heaven had the American people been all this time until you created this Public Health Service? Gentlemen like to talk as if the American people were the most helpless things on earth. How did we ever become the great Nation that we are? My friends, did you ever know any epidemics in the United States any more virulent in the days gone by than they are now? When one broke out in 1918 all over this country, what did the Public Health Service amount to in my State? Not to a hill of beans. [Applause.]

Mr. SANDERS of Indiana. Is it not true that the Public Health Service of the United States and the public health service of the States and the public health service of the municipalities are the ones that have brought good results in reference to the control of contagious diseases? If you will carry that further and say "the public health service of the individual," you might have a round robin.

Mr. FESS. Will the gentleman allow me to interrupt him?

Mr. LAYTON. Frankly, I have but an hour, and I am going to keep this hour, and without being discourteous I will say that I must finish my speech.

Mr. FESS. The gentleman has unlimited time.

Mr. LAYTON. I have but one hour.

Mr. FESS. The gentleman made a very important statement a moment ago that I would like to have him amplify.

Mr. LAYTON. The gentleman can amplify it after I get through. [Applause.]

Mr. FESS. Will not the gentleman yield?

Mr. LAYTON. It is to these physicians that the credit is due, 150,000 in number, and to over 200,000 trained nurses, trained, by the way, under the supervision and the direction of the professors of our medical schools and by the accomplished corps of physicians and surgeons found in every hospital in the land. It is amazing that this House with all of its opportunities for knowledge should disregard these wonderful achievements and practically exalt above the regular physicians, a lot of ill-trained women to go out over the country and teach the mothers what to do. In every place where one of them goes she will find real physicians who have been and are now fully sufficient for the care of their respective communities. I challenge any proponent of this bill to show me a pamphlet issued by the Children's Bureau that contains a germ of new knowledge pertaining to such matters which the bureau or any of its members has discovered. If you pass this bill, the very knowledge that will be disseminated will be the knowledge discovered by the physicians and surgeons of the land. The principles of sanitation and hygiene which this cloud of amateurs are supposed to teach are the primary lessons incident to the profession of medicine and surgery.

The committee of the House has reported a maternity bill which they claim with great complacency has all of its objectionable features removed from it.

But, to my mind, this bill is worse than the one passed by the Senate, and worse still than the one the original proponents of this legislation demanded. If it is true that the mothers of the land are demanding Federal legislation for the preservation of the mother and the child, why do you give them a stone when they call for bread? [Applause.] Why do you send around an army of "advisory committees" to talk over and discuss with the expectant mother her cares of maternity when she needs something else than talk? An overwhelming part of the good that could be done in this direction can be done only by economical means, by giving food, clothing, heat, and shelter to expectant mothers and the newborn babe, and not by feeding them on tracts and pamphlets. [Applause.] A large part of the existing mortality among the expectant mothers and the newborn babes is due to lack of food, to lack of clothing, to lack of fuel, and to lack of housing, and is not due to any lack of knowledge nor care on the part of the physicians of the land. The original proponents of this bill understood this, and they openly advocated an appropriation in money to supply what they knew to be needed. As has been well said, this bill does not provide a cradle, nor a hot-water bottle, nor milk, nor clothing, nor a pound of coal, nor a load of wood, though there is need of these things, nor does it erect a single hospital, but prohibits all of these things which are the very fundamental needs involved. But it does provide for an army of amateur investigators to tell the expectant mother what to do when the expectant mother in a large majority of cases is utterly unable to do the things required or to get the things she needs. This bill provides "for money to incur such travel and other expenses as the Children's Bureau may deem necessary." Instead of the trustworthy family physician always near at hand, these expectant mothers are expected to consult amateur "advisory committees," possibly politically appointed.

I repeat again that this bill is unnecessary because there is no national need for it, no matter how the juggled figures of statisticians may be arrayed before you. The very fact that the longevity of the Nation has increased in such a remarkable degree is proof positive that no such alarming or unusual condition of infant mortality exists. There is not a physician in this House, I do not believe there is a physician in the country, and I challenge any physician in the House, who will say that the means of combating the diseases of infancy have not kept pace pari passu with any other branch of curative medicine or with any other art or science in the land. If this be true, how absurd to load up the already burdened back of the taxpayer with a bill which those who introduce it claim has been robbed of its teeth until only a skeleton remains. Having extracted the albumin and the yolk out of the egg, why not throw the miserable eggshell away? [Applause.]

If the purpose of this bill is justifiable, why not bring in a bill for Federal aid and control over tuberculosis? Where there is one case of death by reason of maternity there are eight times as many by reason of tuberculosis. Nor should we stop here. There are other causes which result in mortality—typhoid fever, malarial fever, diphtheria, pernicious anemia, and so on throughout the whole list of diseases. Why stop with one cause of disease, and that exceedingly small as compared with others? Take the statistics of any city in the Union and compare the mortality of pregnant mothers and of children with the mortality of pneumonia, tuberculosis, and other diseases, and you will see that this is true. The truth is that under the plea of the mother and her child, which appeals to the natural instincts of every man, we are being swept off of our feet by a false sentiment, and led into a morass of injustice, favoritism, and unnecessary taxation. [Applause.]

I oppose this bill as an inexcusable expense at a time when every effort should be made to reduce taxation. I oppose it because the party stood openly pledged in every Representative's district in the last campaign to economy in every way. There is not a Member of this House, certainly not a Republican, who did not base his chief plea for election upon that of economy. Admitting that this bill is good in principle, I contend that its enactment into law could be well delayed in view of the promises by which we obtained our seats in this Chamber, especially as no one can show that a greater exigency exists for the care of an expectant mother or her babe than has existed at any other time in our history.

This bill puts on the backs of the people another ten million to be raised in taxes in the next five years. This is advice I am giving the Republicans of the House for the good of their souls.

Let me quote from a bulletin issued by the Civic Federation of Chicago:

Stop extending Federal aid to local government, or peace-time taxes will exceed taxes due to war.

Federal taxes are higher and more generally burdensome than ever before in our history, due largely to the World War.

From every quarter comes a demand for a lessening of the burden. In the face of this we find pending in Congress measures designed to add at least one hundred and sixty-nine millions at once to the normal burden of the National Government. Of these, measures carrying more than one hundred and fifteen millions and paving the way for increasing Federal appropriations of at least ten times that amount within the next decade are backed by a Nation-wide propaganda of highly organized and subtly persuasive character.

This hundred and fifteen millions (plus) is not, however, to be expended under the supervision of the United States Government, which is to raise and appropriate the revenue. It is to be distributed to the several States and expended under the supervision of the States, or the local governments within them. Thus no government over which the people have control will be responsible directly to the voters for the expenditure of this large and constantly growing sum. The National Government will not be responsible, because it has nothing to do with the expending. It merely appropriates. State and local government will shoulder no responsibility, because they will be spending money which will not be reflected in the State and local tax bills, for which alone local governments can be held responsible.

This is a condition that strikes at the very foundation of the rights of the State, because the State as a governmental unit is deprived of its liberty. It is a case of taxation without consent. Take my own State as an instance. You who represent a majority can impose your will upon Delaware for a purpose that Delaware is opposed to. You can tax it, and it is helpless to resist. Then to enjoy the supposed benefits of this legislation it must tax itself again dollar for dollar which it receives. Nothing more hypocritical, nothing more destructive of every principle of liberty and independence can be imagined. It is the paternalism of some power which asserts, "You are ignorant. You are unable to think or care for yourselves, so we will drive you for your good." I can not believe that this body is so craven, so lost to all sense of righteousness, all regard for those principles which are the foundation of all we have had and cherished, as to do this thing.

England's experience in this matter should be a warning. The British national "grants in aid" have grown from £244,402 in 1842 to more than £65,000,000 for the fiscal year 1920. Such prominent Englishmen as Sidney Webb and J. Watson Brice describe the present English condition as a chaos which practically no one understands. Gladstone himself opposed the continuance of this paternalism as imposing too great a burden upon labor and industry, and maintained that the grant acted as bribes to extravagance and needless local expenditure. The sentiment of Gov. Frank Louden, of Illinois, is eminently sound and encouraging on the same point. He says:

The Federal Government should appropriate only for those interests which are purely a national concern and clearly within the purpose for which the Federal Union was established.

We exclaim daily on this side of the House the need for economy. But what have we done? What are the people back home saying as to what we have done? There is just one prayer that applies to this House, which should be uttered daily: "We have done those things which we ought not to have done, and we have left undone those things which we ought to have done, and there is no health in us." [Applause.] We pride ourselves on saving a few dollars on Monday, and the very next day pass a bill appropriating millions needlessly. The real needs of the country, the things that concern most deeply the revival of prosperity, such as lower taxes, increased employment, provisions for rapid and adequate transportation and distribution of food and other products, these are largely left to take care of themselves. Let me suggest to the House that national prosperity is the best health measure that we can possibly institute. National prosperity is a prerequisite to national health at all times and under all circumstances. What we should be working for, straining every energy for, is a revival of business, a nation-wide revival of employment. A people employed is a happy people, because they are a healthful people. A people employed is a people with money to buy food and clothes and shelter, which are the substantial things that the expectant mother and children need, and is worth tons of tracts and a million glib talkers sent out by a fatherly government to speak of things concerning which they possess a mere superficial knowledge. I desire to call the attention of the House to the fact that when the Children's Bureau was established—and this is a pertinent item in connection with this discussion—its proponents at that time asserted that the cost would never exceed \$25,000 per annum.

In 1920 the appropriation was over \$270,000, while the estimate for 1921 was \$654,450, and this bill starts off at a million and one-half dollars. What demands will its proponents make in the future if we judge the future by the past? I ask again,

as I have once before, who in this House will say that the proponents of this bill have abandoned their original purposes of paternalism and will not demand in the future, as soon as this bill is enacted and the principle of socialism indorsed by this House, appropriations for food, clothing, shelter, and medical care to all the indigent prospective mothers of the land? What man in this House could logically fail to vote for such a bill if he can vote for this? As a matter of fact, to do this would be far more humane and sensible and would accomplish a far greater and more direct good if you are resolved to embark upon these paternal waters and admit the port of socialism as your prospective haven. And having taken care of all the indigent mothers, why not take care of the indigent fathers? [Applause.] If national beneficence is to become the slogan of the future, why not take care of all who need, and for all they need in any way?

Again, let me suggest that if education in matters affecting maternity and infancy is what is needed by merely literary methods alone, a simple calculation will show that \$100,000 would place a public document on the subject of maternity and infant care written by real physicians in the hands of every one of the 20,000,000 married women in this country. Why spend millions for unscientific advice? Moreover, it must not be forgotten that there is nothing in this bill that will prevent the head of a children's welfare bureau from disseminating and approving all sorts of hectic ideas germinated in the de-ranked minds of the peoples of distracted foreign lands concerning birth control, the use of contraceptives, sex hygiene, endowment of motherhood, wages for mothers, State support of children, false economics, the economical independence of mothers from husbands, or prenatal feeding for the differentiation of the race after the Darwinian idea of creating distinct species in our citizenship by distinct feeding. [Applause.]

Mr. HAWES. Will the gentleman yield?

Mr. LAYTON. I can not do so. It hurts me not to be able to.

The people's money can be used, as it has been used, to spread all of these pernicious doctrines among the people.

Let me call your attention, also, to a very alluring but deluding proposition in this bill. Apparently it is to last only five years. Can the Members of the House be caught by such bait as this? Put this bill on the statute books, and I say that long before the end of five years there will be a new crop of Representatives beset by a new swarm of pestiferous pleaders who will make it very plain to this new crop of Representatives that their wishes must be regarded and their demands acceded to if they wish to retain their seats in the House. In this connection is there any real, sincere Member of this House who thinks that this measure could get 20 votes for its passage if judgment and conscience alone dictated the vote? We all know, and the country knows, that if this bill is passed what the influence is that will pass it. It will not be passed because of the conviction that the country needs it or that taxpayers want it. At this point, gentlemen of the House, it will be proper and pertinent for me to remind you that there are other women who vote besides the women in the clubs—women who are allied in the closest bonds of interest, of affection, and of sympathy with their fathers, brothers, and husbands—millions of these women who feel and share the burden of their taxation and the hardships that result therefrom. Let me also remind you of the fact that the physicians of this whole country are opposed to this measure and to its ultimate purpose, the nationalization of medicine.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. LAYTON. No; I can not. While you are weighing the chances of your reelection, consider carefully the other voters who will have opinions of their own. While you avoid, as you think, Scylla on one hand, see that you fall not into Charybdis on the other. [Applause.]

In the midst of the glare and glitter of congressional life we are too apt to forget what the people back home are thinking and demanding. Gentlemen, they are weary, unutterably weary, of the burden of taxation. Every day and hour they are crying out in the language of the old watchman upon the tower of Hellas, who, day in and day out, strained his eyes looking for a flash of light from Illium, and ever exclaiming:

I pray the Gods a respite from these toils—this weary keeping at my post the whole year round, wherein upon the Atrides roof, reclined like dog upon mine elbows, I have learned the constellations of the stars of night—the rising and the setting of the stars.

The people want the abolition of bureaus, not the creation of new ones with a new expense. They regard as intolerable and foolish the imposition of new taxes while laboring and staggering under those that now exist. [Applause.]

Before concluding my remarks on this subject I desire to call your attention to the fact of the socialistic or paternalistic propaganda that is going on throughout the country, and which unless checked can not fail to subvert our most cherished institutions. I am not going to indulge in mere declarations. I am going to ask the Members of the House to get Senate bill 2507 of the Sixty-sixth Congress, Senate bill 814 of the Sixty-sixth Congress, Senate bill 526 of the Sixty-seventh Congress, House bill 5724 of the Sixty-sixth Congress, all of which concern a new Federal department of health, and then see what such proposed legislation would result in. It would medicalize the Census Bureau, see Senate bill 2616 of the Sixty-sixth Congress; it would medicalize the newly proposed department of education, see Senate bill 1017 of the Sixty-sixth Congress; it would medicalize the Department of Labor and the Department of the Interior, the Treasury Department, and the Department of Commerce. In addition to these bills, study House bill 12652 and Senate bill 3950 of the Sixty-sixth Congress. Study Senate bill 3259 and House bill 10925 of the Sixty-sixth Congress and see how these bills all tend to the compulsory control of the general public, of adults and children from birth up, through marriage, and until burial, in all matters pertaining to health, housing, living, and industrial condition, domestic and commercial, commercializing physical examination and medical treatment under compulsion.

See how they lead to the compulsory control of schools, school buildings, schools for children of all ages, school-teachers, of all matters of sanitation, health, physical education, and medical treatment in social life and industry. Commercializing physical examination and medical treatment in the entire school system, under compulsion, and nationalizing education for this purpose. See how it leads to the compulsory control of labor conditions, including infants, children of all ages, prospective mothers, mothers with infant children, laboring men, working women, and industry in general, placing labor conditions under medical control, commercializing medicine and physical examinations, and medical treatment throughout the Department of Labor. See how it would lead to medical control of the available supply of medical men and women operating under these bills, if enacted, bringing into the general plan the number and kinds of schools of medicine, regulating and restricting the number of men and women prescribing medical treatment; also the education and control of public as well as private nursing, with inspection and supervision of housing and living conditions, and in industrial and municipal affairs and hospitals, and giving all health authorities the special privilege of free use of the mails usable for medical propaganda to further their plan. See how they lead to food and merchandise control, commercializing medical control of the handling, manufacture, marketing, and using of all fruit products, agriculture, and all others; control of the industries as well as the labor employed, and nationalizing this medical control of food and drug products, including control of all hotels and eating places.

I want to emphasize again at this point that the Congress has on its calendars now bills of this character, put there for a purpose, and that those same bills are backed exactly as this bill is now, by the same proponents, by the same propaganda throughout the whole country.

I beg you before you vote for this bill to study all these bills which I have enumerated, and see for yourself if there is not every evidence of a deep-seated conspiracy to socialize the Government.

I am not the only alarmist in this matter. More and more as the people become acquainted with the legislation proposed in Sheppard-Towner bills, Smith-Towner bills, Fess amendments, and a dozen other propositions which are not only seriously entertained but which are actually crystallized in bills that have gone upon our calendar, they see them to be permeated with a socialistic purpose. Take the Smith-Towner bill which evidently proposes to nationalize education. Am I the only one who raises this alarm cry? Listen to this: I am quoting from an utterance of Arthur T. Hadley, president of Yale University.

With all due respect to my friend from Ohio [Mr. Fess], I assume that Arthur T. Hadley, president of Yale University, is a very competent authority among educators.

It is an excerpt from a letter addressed to Mr. Samuel T. Capper, president of the American Council of Education, April 7, 1920. This is what he says:

The concentration of educational supervision in a national capital has always worked badly, and there is no reason to suppose that the United States would prove an exception to this general rule. French education when controlled from Paris has tended to ossify, and only as they have given independence to different districts and different parts of the system has there been any progress made. All the great pieces of progress of the last century were done in opposition to the national incubus of a centralized bureau. In Germany the case was

even worse. When I was in Berlin during the winter of 1907-8, I saw a good deal of the inside working; and the degradation of German thought was largely due to the fact that through the establishment, first of Berlin University, and second of other centralized Prussian authorities, the politicians had become able to throttle free thought. I regard the Smith-Towner bill as a long step in the Prussianizing of American education.

[Applause.]

Mr. Chairman, at this point I ask unanimous consent to print the rest of the letter which Prof. Hadley addressed to Mr. Capper. I have quoted only a paragraph from it.

The CHAIRMAN. The gentleman from Delaware asks unanimous consent to extend his remarks by inserting in the Record the letter referred to. Is there objection?

There was no objection.

Mr. LAYTON. This is the letter:

I regard the introduction of another Cabinet minister as calculated to weaken rather than strengthen the influence of the Cabinet. In the old days, when our Cabinet consisted of heads of Government departments of the first rank, Cabinet councils meant a great deal, because the Cabinet consisted of men who knew how to govern. The introduction of Departments of Agriculture and of Labor, however good in themselves, weakened the force of the Cabinet council, because men were appointed for other reasons than their training in the science of government. If we compare the cabinets of the day with those of 20 or of 50 years ago I think we all see the difference in this respect, and I think that most people will regard the change as a change for the worse.

Finally, I regard the present as a singularly inopportune time for anything that involves increased national expense at Washington, because everything of this sort tends to increase the high cost of living. There is not time for going into the details of the economic analysis; but every hundred million of money spent by the Federal Government under present tax or loan conditions is mostly taken out of capital and mostly added to personal expenditures. The addition to personal expenditure means an increased money demand for products. The diminished capital means a diminished supply of means of production. Thus the price disturbance, already bad enough, is accentuated at both ends. I am inclined to think that the bad effect of the proposed bill taken by itself, in putting up prices of goods beyond their present high figure, would be greater than anything it would do for teachers' salaries; and if this bill is not taken by itself, but regarded as part of a movement for getting national money for local distribution in a great many directions, the adverse effect is going to be many times bigger than any possible good.

Let me also quote from an editorial of the Ohio State Journal of its issue of January 12, 1919, entitled, "Educational Autocracy":

Centralizing education at Washington is now the scheme that is being pushed vigorously in that quarter. It is the old Germanic method of putting the education of our youth under the direction of a Federal autocracy. It is absurd to center educational effort at Washington. It is done for self-exploitation and individual vanity.

[Applause.]

I want you to dwell on those words.

It is monstrous to think of having our schools directed in any way by the political influence that controls the capital of the country. We should get as far from it as possible. It is inconsistent with every true idea of education. It is a step toward the materialization of education which should be resisted at all hazards. Education is not machinery; it is the heart's devotion at work at the home and in the real life of the youth wherever they are. Educational autocracy at Washington! Shame on the idea!

I quote again from the Cincinnati Enquirer, March 3, 1919. The editorial is headed, "Hands Off Local School Control":

One of the devices of the repudiated Prussian system being absolute power in Germany was the seizure and control of public education. Some brutality was displayed, a thing to be expected when Bismarck and the Hohenzollerns were directing the operations. For decades it has been a Teutonic boast that illiteracy did not exist in the Empire. Yet always it was admitted, grudgingly, to be sure, that there was a lacking essential. Machine-made and machine-driven education was not making the proper kind of men and women. How firmly the feeling of dissatisfaction with the system was fixed is shown by the historic utterance of Von Bethmann-Holweg on February 11, 1911, in the Reichstag: "The fear that we may not be working along the right lines in the education of our youth is the cause of great anxiety to many people in Germany. We shall not solve this problem by shunning it."

Under the guise of nationalizing the public-school system of the United States efforts are being made to introduce, through a congressional enactment, precisely the system that the Prussian autocrats utilized a century ago. It is supposed to direct curriculum and the training of teachers from the banks of the Potomac and to place in the President's Cabinet a secretary of public education. There are proffered to finance the weak States and districts subventions from the Treasury. An end, and a sudden end, should be put to these machinations. It is a cardinal principle that control of education should be kept close to the people. Vast, indeed, was the concession of the family to a State when authority over teaching of the children was surrendered in part. As a compensation the voters were clothed with power to choose the educators and supervise the curriculum, and they have guarded it with commendable jealousy.

To forego this privilege of controlling the throttle and to relinquish it to Federal officials miles away and under political influence is unthinkable.

In other words, Mr. Chairman, in this bill one of the most prominent things is the open, plain bribe that is offered for its passage. How can any man in this House go back home and look his constituents in the face and say to them, "Yes; I voted for this bill. It is going to tax you by a Federal law, and then when we get to enjoying the benefits under it you have got to

tax yourselves again in order to come in under it." I do not think they will like it.

If the proponents of this plan desire only to assist the poverty-stricken schools, as they profess, this can be done without adding to the legislation the dangerous right of declaring how the money shall be spent and for what ends. Federalization of education is a serpent that ought first to be scotched and then slain.

Pardon me if I quote from another editorial from the Cincinnati Enquirer of November 22, 1920. The editorial is entitled "No Caesar's tribute for education":

There persists, despite the skilled and professional opposition to it, the movement for the nationalization of education in the United States. It is in vain that the admitted sorry failures of the plan in Germany and France are urged against it, as well as the invasion of State and individual rights, the establishment of such a supergovernment would entail in free America.

What is now being sought in the United States is the creation of a new Cabinet portfolio, that of education, and the consolidation in the new department of all the educational activities now operating. To this will be added supervisory power over education in the various States, administered, of course, by trained pedagogues whose services would compel commensurately large salaries. Besides there would have to be maintained a large fund for equipment, endowment, and subvention.

At the present time, the Department of the Interior is charged with the administration of such educational matters as the Federal Government is aiding. One of its most useful functions is the gathering of statistics and general information concerning the condition and progress of education. Another is the handling of the funds for the support of agricultural and mechanical departments in endowed colleges. It looks after the Alaskan schools as well and supervises the reindeer industry there.

The assumption of control of education in the States through fixing a general curriculum for the schools and establishing certain standards in pedagogy is entirely a different matter. If freedom of thought is wanted anywhere, it is in the schools. It would be far better if ignorance of letters prevailed than to have the race taught by educational Helots, because the one would keep liberty alive, and the other would invite that most dangerous of all national diseases—intellectual slavery. Proud Russia fell and dragged down dependent Germany with her because of this very disorder of the body politic.

There is just now an outcry against this spread of bureaucracy in this country, and with it there has been given a promise by the incoming administration that it shall be curbed and confined. In view of this fact it is difficult to reconcile with these promises the prospect of the creation of a gigantic educational machine whose initial request for funds is measured by the gigantic figure of \$100,000,000. It is dizzying to contemplate the number of place holders the system would create, and the continuous growth of maintaining it.

Initially, the matter of education is a family function, and the further away from that standard control is taken the worse for the community the venture will be. There is no weakness in the present system now supervised by the State that calls for Federal intervention. Of old it was written:

"Ye shall know the truth, and the truth will make ye free."  
The absolute necessity of life to-day is freedom to become informed. The boundless universe is none too large for those who speak the truth upon which liberty of conscience and action is founded. Not centralization of more power at Washington is wanted but decentralization of that now existing there. It is well enough to pay Caesar's tribute there, but not a penny should be given for things that might interfere with the God-given right of free and untrammelled education.

I could go on and fill the RECORD with excerpts from the leading journals and from the public addresses of prominent men of practical wisdom from one end of the country to the other. But I will not do so. The reason that I have made these quotations is because every argument employed is just as apposite and cogent when applied to the Sheppard-Towner bill as when applied to the Smith-Towner bill and all of that brood of bills to which I have previously called your attention.

Gentlemen of the House, you can pass this bill, not by your sincere convictions, as I honestly believe, but solely through political considerations. But if you do, remember my warning—that unless this House is in agreement with the gentleman from New York [Mr. LONDON], you will be called upon to face one by one all of these insidious propositions sooner or later, for they are all socialistic beads strung on one string and manipulated by a determined and settled propaganda to socialize the Government—a propaganda which has been going on conspicuously for the last 10 years. In conclusion, let me say that if you favor supplanting representative democracy by socialized democracy, vote for this bill, but do not delude yourselves with the idea that there is no machination nation-wide in its character that is organized for this purpose and which will work while you sleep and compel you to weakly yield to its demands, if the vote on this bill be a sample of your strength.

The CHAIRMAN. The time of the gentleman from Delaware has expired.

Mr. HILL. Mr. Chairman, I ask that the gentleman may be permitted to proceed for an hour by unanimous consent.

Mr. LAYTON. No; I only want two minutes more.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the gentleman from Delaware may proceed for five minutes more. Is there objection?

There was no objection.

Mr. LAYTON. Gentlemen of the House, I must repeat what I have said. I want to repeat it earnestly. I want to repeat it without offense. I want to repeat it, however, from the deepest convictions that I possess. If you pass this bill not by your sincere convictions, as I honestly believe, but solely through political considerations, remember my warning. You will be called upon to face one by one all of these insidious propositions sooner or later.

Now, Mr. Chairman, I shall conclude by asking leave to place in the RECORD a justification for my action in this matter. It is a telegram sent to me by the Secretary of the New Castle Medical Society of Delaware, representing more than half of the physicians of my State, and I will say representing some most able physicians. In fact, they are a fine body of medical men. I want to place this in the RECORD for the reason that it justifies my intrusion upon your time. I wish to read it:

THE NEW CASTLE COUNTY MEDICAL SOCIETY,  
Wilmington, Del., November 17, 1921.

HON. CALEB R. LAYTON,  
Representative from Delaware.

SIR: On November 15, 1921, the New Castle County Medical Society of Delaware took this action in regard to the congressional bill known as the Sheppard-Towner bill, namely: That this society commends you on your declaration against this bill and urges you to vote against it when you have the opportunity.

Respectfully,

ELI NICHOLS, Secretary.

[Prolonged applause.]

The CHAIRMAN. The gentleman from Kentucky [Mr. BARKLEY] is recognized for one hour.

Mr. BARKLEY. Mr. Chairman and gentlemen of the committee, I approach the discussion of this measure as its sympathetic and genuine friend. I desire in the time I shall occupy not only to call attention to some of the virtues which I think the measure possesses, but I desire also to call attention to some of the opposition and to criticisms that have been hurled at this bill by those who have opposed it.

Before I do that I wish to correct what I think was an unintentional injustice done to the Committee on Interstate and Foreign Commerce by our distinguished chairman, the gentleman from Massachusetts [Mr. WINSLOW], at the outset of his remarks, when, as I think, he conveyed the impression that this bill was here upon report from the Committee on Interstate and Foreign Commerce because that committee desired to "pass the buck" to the House and then leave it to the House to determine whether the bill ought to be passed. I think I speak for a majority of the members of the committee when I suggest that the committee did not report this bill to the House as a buck-passing proposition.

In the Sixty-sixth Congress the Committee on Interstate and Foreign Commerce by a unanimous vote, if I am not mistaken, reported a similar bill to the House of Representatives after it had passed the Senate by an overwhelming majority. When this bill was introduced in the House during this session by the gentleman from Iowa [Mr. TOWNER], it was introduced, if I recall aright, in the exact form in which it had been reported by the Committee on Interstate and Foreign Commerce of the House in the last Congress, and that form was very similar to the provisions of the bill as it passed the Senate during the early days of the present session.

I think the attitude of the Committee on Interstate and Foreign Commerce may be more correctly stated as being about this: There has been very violent and consistent and insistent and honest opposition, I will say, on the part of many people outside of the Halls of Congress and by a considerable number on the inside, including members of the committee. If the committee had been called upon to vote yes or no on the proposition of reporting this bill in the House in the form in which it was introduced by the gentleman from Iowa or in the form in which it was passed in the Senate, I think it is fair to say that the committee would have reported it in that form. But on account of the opposition to the bill both outside and inside the committee, on account of the opposition that has been very persistent and in some respects virulent and vicious, especially on the outside of the committee, we have as a committee undertaken to consider all of the objections, and I think the fact that we have stricken out the language of the Senate bill and substituted the language that has been put in by the committee is evidence of the fact that the committee, notwithstanding its willingness, if necessary, to vote the bill out as originally proposed, was willing to meet, so far as it was possible, the objections of



those opposed to the bill; and that is the reason why we reported it in the language which now appears as the House amendment. The committee as a whole has acted in good faith, and there has been no time when a majority of the members were not ready and anxious to bring this measure before the House for favorable action.

Mr. Chairman, I feel that the committee is entitled to that statement, because I do not think the gentleman from Massachusetts [Mr. WINSLOW] desires to leave the House under the impression that we have voted this bill out in order to get rid of it, although that is perhaps the impression that he did leave by the suggestion that he made.

I realize how difficult it is sometimes for men to distinguish between governmental activities that are socialistic and governmental activities that are not socialistic. I suppose we might broadly say that all governmental activities are to some extent socialistic, to the extent that they have, in the very nature of things, to deal with the problems that in some sense appeal to or affect our social welfare. When our forefathers framed the Constitution of the United States they set out certain purposes which were to be accomplished by that great document, which Mr. Gladstone has described as the greatest document that ever fell from the brain of man in any particular period of the history of mankind. Among those things set out as the objects of that document was a provision for the common defense and for the general welfare of the people of the United States. Objections have been raised to this measure upon the ground that it is unconstitutional. I suppose that some gentleman will rise in his place here before the debate is concluded and declare that he is against this particular measure because of its unconstitutionality. I do not desire to impugn the motives of any man who speaks against this bill, nor do I desire to reflect upon his intellectual integrity or his judgment of the constitutionality of this or any other measure, but, it is inconceivable to me how a man can conclude that a measure of this kind is unconstitutional. If it has no other basis, constitutionally, for its legality, it is surely based upon the preamble of the Constitution which gives Congress the power to provide for the general welfare of the people of the United States.

I know of no more legitimate or effective way by which Congress can provide for the general welfare of the people than by making an effort to provide for their health. I do not think that provision should be limited to adults who happen to be fortunate enough to reach the age of maturity, but it ought to apply as well to those who have just been born into the world, who have a right to expect that they will have an equal chance with every other child in the world, not only to be born in health and proper environment, but an equal chance to survive after they have been brought into the world.

Mr. LAYTON. Mr. Chairman, will the gentleman yield to me for a question there?

Mr. BARKLEY. I prefer to wait a little later; then I should be very glad to answer the gentleman if I can. As far as the constitutionality of this measure is concerned, we have many precedents for legislation of this kind. The Constitution provides that the States may have a militia; but during the last 25 or 30 years we have provided that the Federal Government may purchase, by expenditure of its money, raised by Federal taxation, certain things for the encouragement and equipment of a State militia which is under the control of the State governments and authorities. We have provided by legislation from time to time that the proceeds of the sale of certain public lands might be devoted to matters of education by cooperating with the States, and that money has been paid out of the Treasury and is now being paid out of the Treasury for the assistance of some particular educational institutions in the various States. I do not recall that anyone raised the question of constitutionality when those provisions were made. Not only that, but under the Smith-Lever law, which is now in force, under the Smith-Hughes Act, which is now in force, and under other acts—the good roads act, particularly—the United States Government, acting under the provisions and the authority conferred by the Constitution, has appropriated out of the Treasury money for the purpose of cooperating with the States in not only the building of the roads but in the education of their people and in the advancement of their social and intellectual welfare.

Mr. LAYTON. Mr. Chairman, will the gentleman now yield for a question?

Mr. BARKLEY. Yes.

Mr. LAYTON. The point I want to make, and that is my whole attitude—

Mr. BARKLEY. Oh, I know the gentleman's attitude.

Mr. LAYTON. My point is this—

Mr. BARKLEY. I gather from the gentleman's remarks that he is against the bill.

Mr. LAYTON. I am, for this reason, and I am trying to give the gentleman the reasons. Can we not just as readily—and I would like to have a categorical answer—just as easily, under the general-welfare clause of the Constitution, have a bureau in Washington for the foodless, another bureau for the clothesless, another bureau for the houseless, and under that general-welfare clause do anything that the most radical socialist in the world demands?

Mr. BARKLEY. I am inclined to think that under the general-welfare clause Congress could do all of those things without violating the Constitution. Whether it desires to do them is another question, and I am not in the least bit frightened or intimidated by the gentleman's use of the word "socialistic."

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes; but I shall have to insist upon going on after this.

Mr. WINGO. Can the gentleman from Kentucky follow the genial gentleman from Delaware and make a distinction, so far as socialism is concerned, as between the Congress undertaking to tell the farmer what the texture of his berry baskets shall be and a bill that will undertake to take care of his children and the public welfare.

Mr. BARKLEY. It depends a good deal on whose berry basket is being gored, but there is no difference so far as the socialistic idea is concerned.

Mr. WINGO. There is no difference in theory, both being founded on the public welfare.

Mr. BARKLEY. It has been established by several laws which Congress has enacted, some of which have been passed upon by the Supreme Court of the United States, that Congress has the right under numerous provisions of the Constitution to appropriate money. The Constitution places no limit upon the ability or the power of Congress to appropriate money, otherwise we could not appropriate money for thousands of things which we appropriate for, and we would be limited in many of the activities of our appropriation bills which we enact from year to year. Congress has established the precedent of appropriating money out of the Public Treasury in order to cooperate with the States in advancing the welfare not only of the States as individual States and as component parts of the Nation but as a whole people and the welfare of all the people, and I think there is no question that this bill at least is not subject to the criticism that it is unconstitutional. If that be true, then the question arises, Is it diserable legislation? That leads me to discuss for a few minutes a question of the need for this legislation. I am not one of those who think that the Nation is going to be destroyed or that the stars of heaven are going to fall if this bill should not be enacted into law. The same thing might be said of many forms of legislation which we pass here, but the question which Congress, and the House particularly at this time, ought to consider is whether it is desirable, whether it is needful legislation, whether its enactment will result in the general welfare and advancement of the people of the United States socially, economically, morally, and in every other way.

As I said a while ago, we can not do anything that will not have some effect on the social welfare of the Nation. I want to reply to another suggestion by the gentleman from Delaware that if this bill is passed—and the gentleman from Delaware undertook to convey the impression—that if the bill is passed it is not to be passed because it follows the judgment and conscience of the membership of this House, but we are to pass it because of some lobby that has been able to intimidate and scare us into voting for the bill. So far as I am concerned, I resent that insinuation and reflection upon the membership of the House. I believe that the House of Representatives is just as courageous as the Senate of the United States and just as courageous as any legislature of any other State, and that it is as courageous in its collective capacity as any member in his individual capacity. [Applause.]

Now, is this legislation desirable? Some eight or ten years ago we established in the Department of Labor what is known as the Children's Bureau, and, among other things, some of the duties which were conferred upon that bureau were to investigate and report upon the question of child life and child hygiene and infant mortality in the United States. There has been a question raised from time to time why it was placed in the Department of Labor. It is not necessary to discuss that now; it is in the Department of Labor and it was placed there because the Department of Labor has largely to do with the conditions of labor throughout the country, and the conditions of labor throughout the country have very materially affected the infant as well as the adult mortality of different sections of the

United States. During the investigation by the Children's Bureau startling facts have been revealed in regard to infant mortality and maternal mortality in the United States. There are only about 26 States and the District of Columbia which are in the vital statistics area, where there is a law requiring that there shall be vital statistics as to births and deaths, and therefore it is impossible to obtain statistics and results in 48 States because in only about 25 or 26 of them is there a law requiring statistics of births and deaths.

Mr. GOODYKOONTZ. Will the gentleman yield for a slight interruption?

Mr. BARKLEY. I will.

Mr. GOODYKOONTZ. I want to say that on to-morrow we are going to be down at Newport News to put a new battleship on the ways, the *West Virginia*, and I can not be here to participate. I want to say that I am with the gentleman in this proposition. We are getting tired of this nonsensical talk about spinsters going around the country teaching the mother what to do. We know that the Greeks always tried to develop strong children and strong soldiers and able men. Now, what I want to do at this time is to ask unanimous consent to extend my remarks in the Record on this bill and say a few words to the ladies of the country, the gentleman from Delaware to the contrary notwithstanding.

The CHAIRMAN. The gentleman from West Virginia asks unanimous consent to extend his remarks in the Record on the bill. Is there objection?

There was no objection.

Mr. BARKLEY. I hope the gentleman will not extend his remarks too extensively in the vitals of my speech. [Laughter.] During the investigations made by the bureau facts have been developed which have resulted in the introduction of this bill. It has resulted in a conviction among all those familiar with the subject that something of this sort is necessary. Something must be done to preserve the lives of children and mothers in this Nation. It has developed that more than 300,000 children in the United States die every year under 1 year of age. It is a very startling fact that among the whole number born in the United States every year more than 300,000 of them die under 1 year of age, and 47 per cent of those that die under 1 year of age die under 1 month of age, and that 33½ per cent of all those who die in that year die under 1 week of age. It has been testified to by an eminent medical authority whose word I believe and whose knowledge of this subject I have faith in that the majority of infants that die under 1 month of age die from causes that are connected with prenatal conditions of the mother prior to the birth of the child and at the time of its birth.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. BARKLEY. Yes.

Mr. STAFFORD. In the hearings which I read last evening on this subject—and I did not read them all—I was surprised at the statement of one expert that the mortality among infants of one month or less is 7.4 per thousand among American native-born mothers, and only 5.6 among those of foreign-born parents. Will the gentleman inform me—because I did not have time to read the entire hearings—whether it was disclosed the reason of that great discrepancy between American and foreign born mothers?

Mr. BARKLEY. I think that statement was made by Dr. Baker, who is connected with the Health Department of the city of New York, and she said that those figures applied to New York. I do not think they apply to the whole country. The reason they are true of New York is the fact that the foreign-born mothers were more eager to take advantage of the service that is being rendered in the city of New York based on similar provisions to those in this bill, and by reason of their eagerness to use every facility placed at their disposal by the New York health department.

Mr. DENISON. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. DENISON. I want to suggest that another explanation is that the foreign-born mothers come from other countries where they are accustomed to the very thing provided for in this bill.

Mr. BARKLEY. That explains the reason why they are more eager to take advantage of it.

Mr. KINDRED. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. KINDRED. Is it not a fact that foreign-born mothers have been accustomed to great muscular development and are better prepared for childbirth than are the American women?

Mr. BARKLEY. I am going to yield now, but then I desire to get on. I did not know the gentleman wanted an answer to the question. I thought he was making a statement. That may be true to some extent, but I do not believe that fact alone would explain the difference in the death rate of native and foreign born mothers in New York due to childbirth.

Mr. KINDRED. I will yield gladly to have the gentleman answer.

Mr. BARKLEY. I am not in the position of an expert to pass upon the muscular development of foreign-born people.

Mr. KINDRED. Could the gentleman—and this is the only interruption I want to make—answer in regard to whether they were preventable causes of death of the 300,000 children which it is alleged die as a result of the lack of an agency which will be provided by this bill? How many die through preventable causes and through causes that are not preventable, such as abnormal presentation at birth, for instance?

Mr. BARKLEY. Of course, I can not give the gentleman accurate information in regard to the percentage of that 300,000 whose death could be prevented. That is to some extent speculative. But 47 per cent of them die under one month of age. The testimony before the committee is that the majority, more than 50 per cent of those who die under 1 month, die from causes connected with prenatal conditions which could have been prevented if ignorance and poverty had been relieved in some way or information brought to prospective mothers concerning the rules of hygiene and good health and proper prenatal care.

Mr. KINDRED. In other words, it is inferred they die from preventable causes?

Mr. BARKLEY. It is not inferred that they all die of preventable causes. In the gentleman's own State 13 years ago the department of health of New York established this very work. It has been indorsed by every responsible medical society in the city of New York, and a few years ago when the city administration was threatening to withhold the appropriation for this work there was danger of a monstrous parade before the City Hall to demand that this appropriation be continued. New York City alone appropriates \$900,000 for this very work. That is in the great city of New York, and every medical society in New York indorsed it and requested that it be continued by the government of that city. [Applause.]

Mr. KINDRED. My State does its work so well that we do not need Federal interference in this manner.

Mr. BARKLEY. I am willing to accept the gentleman's statement that if all the States and cities were doing as well as New York City, we would not be here at this time asking Congress to pass this measure, but unfortunately that is not being done. Thirteen years ago when you began this work in New York 144 babies out of every 1,000 born in a year died, and that in the great city of New York. Last year, 13 years after that work was begun, the percentage of deaths had been reduced from 144 per 1,000 to 85 babies out of every 1,000 born in the city of New York. The work had been carried on there so successfully to the great benefit of the people of New York that the birth rate among children who died under 1 year of age had been decreased almost one-half by the results of this work in that great metropolis. [Applause.]

Mr. BANKHEAD. Will the gentleman yield?

Mr. BARKLEY. I will.

Mr. BANKHEAD. Does not the same evidence show that there is the same approximate decrease in the percentage of deaths of mothers?

Mr. BARKLEY. Practically the same decrease in the deaths of mothers.

Mr. LAYTON. As a matter of fact, does not the city of New York owe a great deal of its success by supplying not only medical treatment, drugs, and so forth, but—

Mr. BARKLEY. Well, I am not so sure. They might in the hospitals. They certainly have clinics and visiting nurses that might find some family in destitute circumstances and some expectant mother and provide the physical requirements, but the gentleman from Delaware would not be in favor of this bill if it established a commissary in front of every home where a child was expected to be born?

Mr. LAYTON. No; I would not.

Mr. BARKLEY. It would be impossible for this bill to be amended so as to appeal to the mental proclivities of the gentleman from Delaware. More than one-third of all the children who die in a year under 1 year of age die within less than a week after they are born. In view of this it has been stated by an eminent scientist that the average child born has not as much chance to live a week as the average man who is 90 years of age. Now, in view of this enormous death rate, in

view of the feeling which has come about in all the different countries which have tried it, I ask whether the United States Government is now going to halt or to hesitate or to oppose a great humanitarian measure such as this which is designed to save human life. Are we any less solicitous about the lives of our children than about the lives of our pigs and cows? We appropriate millions each year to save the lives of dumb animals.

Mr. GREENE of Vermont. Will the gentleman yield for me to answer?

Mr. BARKLEY. If the gentleman poses as an expert, I am willing for him to answer it.

Mr. GREENE of Vermont. No. I meant to approach the question with the same respect for the gentleman that I thought he had for me.

Mr. BARKLEY. I have the greatest respect for the gentleman, and I have the greatest respect for his inquiry, but he arose with such alacrity that I thought he might qualify as an expert. I will be delighted to yield to the gentleman. If we can justify our appropriations—and we do justify and indorse them—for the saving of animals, can we not with greater force justify our efforts to save the lives of mothers and their children?

Mr. GREENE of Vermont. I would like to ask the gentleman if we save the pigs for the pigs' sake?

Mr. BARKLEY. No.

Mr. GREENE of Vermont. We save them so that we may have the animals to slaughter for these mothers and children.

Mr. BARKLEY. Yes; and we save them, too, for the reason that we do not desire to lose the economic value of the pigs.

Mr. GREENE of Vermont. It is the same thing.

Mr. BARKLEY. It is hardly the same thing. I am not willing to view the life of a hog from the standpoint of food for expectant mothers or fathers either, so far as that is concerned, and then deny to that mother or her child any assistance in the effort to save their lives. [Applause.]

Mr. GREENE of Vermont. But the gentleman insists on showing how much the Federal Government spends on pigs and other live stock and contrasts it with not spending any money on babies, and this is used on the theory that we have a sentimental relationship toward the pig but we do not have any toward our children. Anybody who looks the thing in the face and applies logic to it knows that we do not save the pig for the pig's sake. It is not any eleemosynary effort on our part to save the pig for the sake of the pig. We save it to eat it.

Mr. BARKLEY. We save the pig not for the pig's sake, of course, but because of the pig's value. We desire to save the baby for the baby's sake. That is the difference. [Applause.]

Mr. LONDON. Will the gentleman yield for a short question?

Mr. BARKLEY. Yes.

Mr. LONDON. The Department of Agriculture spends money out of the Treasury of the United States to teach how to breed cattle, does it not?

Mr. BARKLEY. Yes.

Mr. LONDON. And to impart other valuable information to the agricultural classes of the people. Now, the only thing this bill does is to aid the educational facilities of certain bureaus of the Government; is not that true?

Mr. BARKLEY. Absolutely.

Mr. LONDON. That is all the bill does?

Mr. BARKLEY. The gentleman from Vermont has misconceived my intention or my purpose in suggesting the appropriation for hogs and cattle if he thinks that I for a moment attach any sentimentality to the saving of the lives of dumb animals. It is a cold question of economic values.

Mr. GREENE of Vermont. I did not mean to draw that from the gentleman's speech.

Mr. BARKLEY. The mere fact that we are willing to spend millions of dollars in order to save the lives of animals for their economic value to us as a Nation, or even from the standpoint of food, which may have some sentimental attachment in connection with it, is the very reason why we ought, if necessary, to yield to the sentiments which actuate our hearts in a desire to save the lives of infant children, who have the right to live, who are brought into the world without their consent and knowledge, and who have a right to expect at least that society will give them an even chance with the dumb animals to preserve their lives. [Applause.]

Mr. GREENE of Vermont. The question that the gentleman means to impose is not one of humanitarianism. It is a question of where it is the duty to save the lives of animals that human beings eat. That is the question at issue. So these statistics about poor pigs having an untimely death do not come into reckoning.

Mr. BARKLEY. The thing I am calling attention to is the fact that we have a constitutional right, and I am attempting to exercise the constitutional argument, to appropriate money out of the Treasury in order to save the lives of dumb animals for whatever purpose those lives may be saved, and we have not only the same right, but owe it as a duty, to do that much for the saving of human life, for which all of these activities are supposed to be intended.

Mr. GREENE of Vermont. I will say to the gentleman that having a right also implies some judgment as to when to use it.

Mr. BARKLEY. I think that is a legitimate suggestion.

Mr. GREENE of Vermont. I do not doubt the constitutionality of it.

Mr. BARKLEY. It is in your mind that it is not the duty of the Federal Government to do it, but some local authority?

Mr. GREENE of Vermont. Yes.

Mr. BARKLEY. Do you think the same duty involves upon all of the localities—State, counties, and cities—to perform all these other duties that the Congress has taken over in the appropriation of money to cooperate with the States?

Mr. GREENE of Vermont. I do not think many of them can be used as a precedent. I do not think that two wrongs make a right.

Mr. GRAHAM of Illinois. I may suggest to the gentleman that pigs collectively are a national asset, as mothers and babies collectively are a national asset. Does not he believe the health of the mothers and babies of the country and their conservation is as great a national asset as the conservation of pigs?

Mr. GREENE of Vermont. In starting originally in our scheme of things it was thought that the liberty of the women and children in the homes was the greatest asset we had, because that was the root of national liberty itself. [Applause.]

Mr. BARKLEY. I do not care to take up too much of my time talking about swine. I suggested that as an argument why we ought not to run away from the saving of women and children. As far as the invasion of the home is concerned, as the gentleman has suggested, not only does this bill not permit that, but it prohibits it entirely. In New York City, and even in Boston, and in every other place where this work is being performed, there is no authority to invade the home of any man or woman against their will and consent, and there is no effort made to do it, and in order that we might safeguard the provisions of this bill, and in order that we might meet the opposition of some people who are afraid that we were going to establish a national office force and go over the country and invade the homes of the people against their desire, we have specifically provided against that in the bill.

Mr. GREENE of Vermont. I would like to suggest to the gentleman as an experienced and able legislator, that he knows that no Congress can bind its successor; and once you open the door to a policy and embark upon it and hand it down to other Congresses, they will amplify it.

Mr. BARKLEY. Well, of course, no Congress can bind its successor, but every Congress has a right to assume that its successor will be at least as wise as it is, which may or may not be a compliment to the successor. [Laughter.]

Mr. GOODYKOONTZ. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. I yield to the gentleman.

Mr. GOODYKOONTZ. I want to observe this fact: I think it is a disgrace that the babies of this country that are to develop into men and women of the future should be compared with that porcine animal, the pig. [Laughter.]

Mr. BARKLEY. The gentleman is correct. But I am sure he does not wish to give the pigs any advantage over the babies.

Mr. BLACK. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. BLACK. I wanted to call this fact to the attention of the gentleman in reference to these appropriations. Each year there is paid to the Public Health Service a lump-sum appropriation for the purpose of combating epidemic diseases, just as appropriations are made to the Department of Agriculture for combating the epidemic disease of hog cholera among the hogs, and just as appropriations are made to combat an epidemic disease among cattle, to wit, tuberculosis. Now, when there was a ravage of infantile paralysis in the country, very properly the Public Health Service used that appropriation to combat that disease. Personally, I have always supported an appropriation of that kind to put down epidemic disease among children and adults, just as I do for the Department of Agriculture, but I think it is a very different matter.

Mr. BARKLEY. Then the gentleman agrees with the purpose of this bill in principle, but objects to the agency through which it is to be carried out.

That leads me to suggest this: There was a decided difference of opinion among the various members of the committee, and also among those who appeared before the committee, as to whether this legislation ought to be administered by the Public Health Service or by the Children's Bureau.

The committee came to the conclusion, and I think wisely, that the necessity for this legislation or the desire or need for it at least had been brought about by investigations which have been conducted from time to time all over the country by the Children's Bureau; that the Children's Bureau was created specifically and definitely to deal with the question of infant mortality and maternal mortality, and had developed the facts which made this legislation desirable, and being especially equipped for this work the administration of it should be entrusted to it. I want to say that there is not any branch of the Government for which I have a higher respect than I have for the Public Health Service of the United States. It has more than demonstrated its effectiveness and worth to the people of the United States.

I do not believe that there are very many Members on this floor or very many people in the United States who agree with the proposition laid down by the gentleman from Delaware [Mr. LAYTON], that the Public Health Service ought to be abolished. But when we came to decide which agency of the Government ought to administer this law the committee felt that it ought to be administered by the Children's Bureau, which by its investigations had developed the need of the law and which was better equipped for the purpose than any other branch of the Federal Government. Therefore, in this bill the committee has made the Chief of the Children's Bureau the executive officer in the administration of this law.

Gentlemen have expressed opposition here from time to time, and we have gotten circular letters and other letters from people who have been lobbying here against this bill; and while mention has been made of the enormous lobby advocating this bill, I think it is not more evident and not more insistent than the one that has been haunting our footsteps and the corridors of the Capitol against the bill. But they have a right to be here, just as those who favor the bill have a right to be here, and I have no complaint to make against them, whether they are for the bill or against it.

One of the things originally urged against this bill was that it would establish a system of Government medicine, that we were going to send doctors around the country to perform obstetric services in the homes of the people of the country against their will and whether they wanted them or not, and that we were going to set up a national school of medicine. That was one of the objections to the proposed law and that was one of the reasons, especially it was one of my reasons, for voting to place this work under the Children's Bureau. The Public Health Service is primarily a medical function of the Government. It is presided over by medical men, and its force, which is scattered all over the country, is made up very largely of medical men. If the object had been to place the administration of this law under the Public Health Service, there might have been given some color to the fear of those who dreaded the establishment of a recognized Government school of medicine. That is the thing that we desired to steer clear of, and that is one reason, among others, why it was deemed wise to place this work under the control of the Children's Bureau. It is placed partially in the control of a board of three, one of which is to be the Surgeon General of the Public Health Service, at present Dr. Cumming, for whom I have the utmost respect, not only as to his character but as to his judgment and good faith in the exercise of these duties. The other member of the board is to be the United States Commissioner of Education. This being a matter of the dissemination of knowledge among the people about hygiene and health measures before and after the birth of children and in some degree educational, we felt that as representing the educational forces of the Nation the Commissioner of Education ought to be a member of the board. Of course, the Chief of the Children's Bureau, being the executive officer to administer it, ought also to be a member of that board.

In that way we met the objections of those who have feared that the Government wanted to recognize and establish a particular school of medicine in the United States and send its doctors around to attend patients. There was never any ground for that fear, but some people seemed to be obsessed with it.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. BANKHEAD. The gentleman from Delaware [Mr. LAYTON] asserted that the medical profession as a whole throughout the country was against this bill. I will ask the gentleman from Kentucky if there were any representatives of the medical profession present at the hearings in opposition to this bill as it is now reported to this House?

Mr. BARKLEY. No, sir; there was not. There were only two or three witnesses who appeared in their capacity as physicians to testify against the bill, and they did not represent any medical society or any organized society of medicine, but appeared individually. But I wish to say that in a convention of all the health officers of the United States, representing 48 States, a resolution was passed indorsing the provisions of the original Sheppard-Towner bill, which had been amended to meet some of the objections of those against the bill.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. CONNALLY of Texas. Is the Chief of the Children's Bureau a physician?

Mr. BARKLEY. I do not know about that. The late Chief of the Children's Bureau, Miss Lathrop, was not a physician. I do not know whether the present incumbent is a physician or not, but I am inclined to think she is.

Mr. KINDRED. No.

Mr. HILL. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. HILL. Has the committee held any hearings on the bill in its present form?

Mr. BARKLEY. Of course not; the bill in its present form is a bill based on the hearings that we held for two or three weeks.

Mr. HILL. The gentleman stated that no medical man had appeared against the bill in its present form. There has been no opportunity.

Mr. BARKLEY. No medical man appeared against the bill in its original form who represented any medical society. On the contrary, I think a majority of the witnesses who testified in favor of the bill were practicing physicians from various places, and one of these men who appeared in favor of the bill was the distinguished physician of the President of the United States, Brig. Gen. Charles E. Sawyer.

Mr. GARRETT of Tennessee. Will the gentleman yield? I want to ask the gentleman if he spoke as a doctor or as a soldier?

Mr. BARKLEY. I am glad to say that he talked as a doctor.

Mr. HILL. Will the gentleman allow me to read what the chief obstetrician of the Johns Hopkins University said against the bureau?

Mr. BARKLEY. I hope the gentleman will do that in his own time. Dr. Williams indorsed the bill in one statement before the Senate committee. He may have given another statement to the gentleman.

Mr. HILL. Johns Hopkins Hospital is in my district, and I understood that he was against the bill.

Mr. BARKLEY. In spite of that fact I am still in favor of Johns Hopkins University. [Laughter.]

Mr. HILL. I think the gentleman is using what he has called "white horse sense."

Mr. BARKLEY. That ought to appeal to the equestrian gentleman from Maryland.

Mr. BROOKS of Pennsylvania. Will the gentleman yield?

Mr. BARKLEY. I will.

Mr. BROOKS of Pennsylvania. My home town is York, Pa. We have a population of about 60,000. In that town we have a hospital, we have a health board, we have a visiting nurses' association, and everything is done that is possible to take care of the sick in the community. What I want to know is: What would be the practical operation of the bill in a community like that?

Mr. BARKLEY. If the community does not need the service it will not be forced upon it. Some advocates of this bill who come from New York City have testified as to the wonderful work being done there and were frank enough to say that New York City would not benefit in any particular by the passage of this legislation; that they are already doing the work, and all that they could do under the present circumstances; and they will not need it. But they were liberal enough to state that while New York does not need it New York is willing to make such contribution as may be required in order that the work may be done throughout the United States. [Applause.] In all probability if York, Pa., is now equipped as well as any other section may be equipped, under the bill, financially speaking, you may not derive any benefit under the law. I feel sure that the citizens of York, Pa., represented by the amiable gentleman from Pennsylvania, are will-

ing not to count this thing in their own particular local benefit but make such contribution as they can for the advancement of the national welfare regardless of the effect it may have upon them. But that would be for the decision of the State board of Pennsylvania.

Mr. BROOKS of Pennsylvania. The people of York are liberal and patriotic.

Mr. BARKLEY. I am sure of that; if not, they would not be properly represented by the genial gentleman who is now speaking. [Laughter.]

Mr. FESS. Will the gentleman yield?

Mr. BARKLEY. I will.

Mr. FESS. Is it not true that each State has established a hygiene agency, and if York, Pa., demanded it it would be entirely in the judgment of that agency?

Mr. BARKLEY. Yes; and that leads me to say that objection has been made that this sets up a great Federal authority in Washington to tell people how to doctor themselves and how they are to live. There will not be under this bill—and I say it to relieve the fears of anybody who is uneasy and fears that a Government doctor is going to break in their front door in order to administer to the needs of some family—there will not be, in all probability, a single physician sent to a single home in the United States from any authority exercised in Washington. Only 5 per cent of the entire appropriation is to be used in Washington. They must employ all assistants they have and publish all pamphlets and send out all the information they obtain with that 5 per cent, which represents only \$50,000. The actual administration of the law is to be under the State boards of health. In some few States they have already a division of child hygiene. They have to match the Federal appropriation, and with the two sums added together they can perform the duties required under the law. All States have public health departments, but some do not have a division of child hygiene.

In any State that does not have that division they will be required to establish such a division in the department of health or to designate officers already in the department of health of the State under whom the law is to be administered. They must outline certain plans. We have recognized in the amendment here that it is impossible for the Children's Bureau to set up regulations that will apply to every State. Local conditions will have to be consulted in determining what the regulations in every State will be. Therefore, we have not empowered the Children's Bureau nor this board of hygiene and maternity to issue regulations from Washington that are ironclad, rigid, inelastic, for the State boards of health, but we have provided that all these boards shall make their own regulations and submit them to this board for approval, and after approval and the money is turned over to the States, then the State board of health through this agency is to carry out the provisions of this bill under the plans which have been submitted to and approved by the board.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. MILLER. My curiosity is aroused by section 8 of the bill. Many of the States have bureaus of infant child welfare, authorizing the State authority to enter the home and take from there children and subject them to hospitalization and treatment. Can a State having such a law, under section 8, participate in the distribution of this appropriation?

Mr. BARKLEY. I think the State regulations will have to comply with this law in so far as they control the money provided for in this bill.

Mr. MILLER. Then this law prohibits that?

Mr. BARKLEY. Yes. That is the intention of it, and I think it does.

Mr. MILLER. Can a State which authorizes its agents to enter the home and remove defective children and subject them to hospitalization irrespective of the desire of the parents have its regulations approved by this board?

Mr. BARKLEY. I am inclined to think that the spirit of this provision is that the State, in order to get the approval of the board for its plan, must provide that forcible entry into the home over the objection of the parents can not be made.

Mr. MILLER. Could it be possible that provision might be made for a distribution of a separate fund apart from that which the State law provides? Under the State law they could enter into the home and take the child, and would do that under funds to be supplied by the State, while the national appropriation provided for in this bill might be utilized for another service.

Mr. BARKLEY. That is a matter for the States to determine. If the State wants to create a separate fund under which it will administer its own laws, I do not think Congress could prevent it, but in so far as it applies to the administration of

this law and the expenditure of money provided by Congress, matched by the States, it can not do the thing prohibited in this law.

Mr. MILLER. Would the gentleman have any objection to an amendment providing that this appropriation shall be subject to expenditure under the general law of the State?

Mr. BARKLEY. I would have to consider that amendment. I would not want to accept it until I know the effect it might have on the general proposition. I think it is covered in a subsequent section, but as far as I am personally concerned I should be glad to consider the gentleman's suggestion. I would not want to speak for the committee.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. GRAHAM of Illinois. The effect of this law does not have the slightest bearing with respect to the State law relative to the control of dependent or delinquent children.

Mr. BARKLEY. Not a thing.

Mr. GRAHAM of Illinois. Those laws will operate just as if this law was not in effect.

Mr. BARKLEY. Yes; and the State may appropriate a million dollars and authorize every officer to invade every home and take diseased or indigent children to some public institution. It would not have any effect upon the administration of this law.

Mr. COCKRAN. Mr. Chairman, will the gentleman yield to me for a question?

Mr. BARKLEY. Yes.

Mr. COCKRAN. I am very reluctant to embarrass the conclusion of this speech, but there is one thing about which I should like to be enlightened. I have waited all of this time to have the gentleman reach it. I wish the gentleman would describe to the committee just what are the measures contemplated by this bill to check infant mortality. I am not speaking of the constitutional measures, but I refer to the actual measures of sanitation and precaution contemplated by this bill to check infant mortality.

Mr. BARKLEY. Of course, that is a matter it may be difficult to answer in full, because the bill, in the nature of things, can not provide the detailed regulations that will be submitted by these various boards of health in the various States. I imagine that in a general way these State boards operating under this law will provide for agencies of the board of health, either medical, nurse, or educational, that may be applied to by people who need this service. They may even establish headquarters or agencies somewhere, or they may have men and women who, operating under the laws of the States, under the jurisdiction of the State boards of health, may be available for advice and information, suggestions with reference to the proper care not only of infants after birth but of mothers prior to their birth, and that is not always a medical matter. That is very largely a sociological matter. It may result in the relief of conditions of ignorance and in some cases of poverty, but that will depend upon the measures to be advocated and adopted by the local agencies; that is, the State boards of health, with their divisions of child hygiene and maternity care, so that it is impossible to cover in any definition all of the activities that these various State agencies may be engaged in.

Whatever may be done to educate or to inform or advise expectant mothers before the birth of the child or afterwards in respect to cleanliness, sanitation, ventilation, and all the multitude of things that go to make a well woman, that are not necessarily medicinal, will be done by these local authorities in the dissemination of information and the giving of advice, and in cases perhaps of the administration of care to people who are in need of this service.

Mr. COCKRAN. Am I then correct in understanding that this is to be educational largely, rather than medical?

Mr. BARKLEY. Very largely so. It is not intended that the Government of the United States shall go into the business of furnishing doctors to wait upon people.

Mr. COOPER of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. COOPER of Ohio. I would like to say to the gentleman from New York [Mr. COCKRAN] that there are social organizations, social centers in his own city, and the people who have charge of that work, charge of the maternity cases and child welfare, appeared before our committee and told us of the tremendous amount of good that this educational work had done in that city, and of the large percentage of lives of women and babies that have been saved through that work.

Mr. BARKLEY. And I will say in that connection, and further replying to my friend from New York, whose suggestions

I am always delighted to have, that it is in the testimony before the committee that in the State of New York these activities are greatly sought after by the people.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARKLEY. I ask for five additional minutes.

Mr. COCKRAN. I ask unanimous consent that the gentleman's time be extended for 10 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time of the gentleman from Kentucky be extended 10 minutes. Is there objection?

Mr. RAYBURN. Mr. Chairman, reserving the right to object, I want to ask the gentleman from Massachusetts what he is going to do about this debate. Are we going along here allowing every person who gets the eye of the Chairman to have an hour? Probably only a dozen Members under that system will get to speak on this bill, whereas we may make an agreement about time. There are a great many Members who would like to say a few words, and under an agreement as to time they would get an opportunity to say something, whereas under this procedure they would be cut off.

Mr. WINSLOW. An effort was made, as the gentleman knows, to arrange for a distribution of time, that Mr. BARKLEY, the ranking Member of the minority end of the committee, should have charge of the time on that side, and the chairman of the committee have charge on this.

Mr. RAYBURN. Not at all under this arrangement.

Mr. WINSLOW. But there was an effort to bring that about, but it was objected to, and after that no more effort was made to have anybody appointed to handle the time, and we went into the Committee of the Whole, subject to the general rules of the House. Now we find ourselves confronted with the situation which the gentleman describes, and the query is whether we shall undertake to make some arrangement which would limit time by the regular parliamentary way.

Mr. RAYBURN. I am not objecting about the limitation of time, I want everybody to speak on this bill who desires to do so.

The CHAIRMAN. Is there objection?

Mr. BARKLEY. I wish the gentleman had waited until I got through instead of suspending me in midair. I am perfectly willing to go on if we reach an agreement—

Mr. RAYBURN. I think we can reach an agreement. Mr. Chairman, I reserved the right to object.

Mr. STAFFORD. We can not make an agreement in the committee.

Mr. SANDERS of Indiana. By unanimous consent we can agree as to debate terminating in committee, and I think as soon as we do that we will be willing to go into the House and divide the time.

Mr. RAYBURN. In other words, if we are going on as we are going, this debate will probably go on for 12 hours, and 12 people only will get an opportunity to speak on this bill. It was noticed that each gentleman who had the floor has used his hour and some more time. There is great interest on this bill, and if this procedure is followed with reference to Members allowed to speak, this debate will go on for a week.

Mr. WINSLOW. What does the gentleman suggest?

Mr. RAYBURN. I suggest that we get some agreement.

Mr. BARKLEY. Mr. Chairman, I withdraw the request to speak any longer. [Applause.]

Mr. RAYBURN. I think this debate should well go on for five more hours, if it is properly allotted.

Mr. CAMPBELL of Kansas. Let me suggest this—

Mr. RAYBURN. I want to state to the gentleman from Kansas this is a real discussion.

Mr. CAMPBELL of Kansas. Yes.

Mr. RAYBURN. There is no popgun stuff here, and it is a measure in which Members of the House have a general interest.

Mr. CAMPBELL of Kansas. May I suggest this—that we run on with general debate to-night as long as you wish and the bill be disposed of to-morrow?

Mr. RAYBURN. There are two or three people who have secured recognition and used three hours.

Mr. CAMPBELL of Kansas. I think we can still have a division of time—

Mr. Sisson. I do not know who has the floor. The time has been divided among several members of the committee. I think we ought to have a real division, so that those against this bill may have some opportunity to have something to say about the bill. Now I have absolutely no objection to the chairman of the committee controlling the time of the committee, but I understand that the committee has reported it unanimously. When Mr. CANNON was Speaker he always asked the committee whether or not it was a unanimous report, and if so

he recognized somebody opposed to the bill because he wanted a real debate. If you should recognize those for and against the bill you will have an equal division and proper division.

Mr. GREENE of Vermont. If we do not have any agreement as to time and every man is recognized for an hour, perhaps five, six, seven, or eight men will have an opportunity to express themselves and the rest of us can sit around and have no chance.

Mr. Sisson. That is true; I think the time ought to be divided between those who are for the bill and those who are against it. Those for the bill have already used two and a half hours to those against it using one.

Mr. MONDELL. Mr. Chairman, may I submit a unanimous-consent request? I doubt if gentlemen will desire to remain here longer than 6 o'clock, and it occurs to me we might continue debate until 6 o'clock with the time in the control of the chairman of the committee, the time to be divided equally between those for and those against the bill, and to-morrow morning, Mr. Chairman, it seems to me that we should when we convene fix a time for the closing of general debate, with the understanding that the time will be properly divided between those for and those against the bill, and that time be so arranged that we have a final vote on the bill to-morrow afternoon.

The CHAIRMAN. The Chair will state that only three gentlemen have been recognized and have spoken so far.

Mr. MONDELL. Before I ask unanimous consent, I will say that before we adjourn to-night I shall ask unanimous consent, when we are in the House, to adjourn until 11 o'clock to-morrow. But now I ask unanimous consent in the committee that the debate may continue for one hour, to be controlled by the chairman of the committee, to be divided equally between those for and against the bill.

The CHAIRMAN. Is there objection?

Mr. WALSH. Reserving the right to object, how can it be divided between those opposed and in favor of the bill when if a man is recognized he is entitled to an hour?

Mr. MONDELL. Well, if we have a unanimous-consent agreement—and that is what I was asking—to continue the debate for one hour this evening, I do not care how it is controlled; I simply suggest it be controlled by the chairman and divided by him between those for and against the bill.

Mr. WALSH. The Chairman of the Committee of the Whole?

Mr. MONDELL. The chairman of the committee reporting the bill.

Mr. WINSLOW. Mr. Chairman—

The CHAIRMAN. Is there objection?

Mr. WINSLOW. Reserving the right to object, I wish to make a statement to the Members about this matter. There is a very great call for time. An opportunity was lost by failure on the part of somebody to take technical advantage of the opportunity to request to handle the time for the opposition. So that went by, and we find ourselves in this predicament.

In consequence of the situation the chairman of the committee, who is supposed to be running this bill, I presume, has passed out certain guaranties to the members of the committee on both sides and of all shades of mind, in good faith, and I do not want that good faith shaken unless it is shaken with the knowledge that they are doing that thing. I have told them, after consulting different people, that we would run on through the evening in order that those who might wish to speak might have the opportunity unless the House decided to the contrary. With that off my mind I do not care what is done.

Mr. MONDELL. Mr. Chairman, so far as I am concerned, I shall be happy to have the House debate this question all night, but every gentleman here familiar with the practice of the House knows full well that after about 6 o'clock some one will insist upon a quorum, and that the balance of the time will be consumed in calls of the House. Now, knowing that, why not arrange for as long a debate as it is possible to secure? And that is what I had in mind.

Mr. WALSH. The gentleman appreciates it takes only a hundred Members for a quorum in the Committee of the Whole?

Mr. MONDELL. Well, Mr. Chairman, I am perfectly willing to withdraw my request and let the debate go on, with a gentleman securing time for an hour and keeping everybody else out, if that is the way the committee desires to go on and continue indefinitely. It seems to me the other way is a more orderly one. We could have an hour of debate this evening, about two hours of general debate to-morrow, and then take up the bill under the five-minute rule. Or if we could meet at 11 o'clock we could have three hours of general debate to-morrow.

Mr. COCKRAN. Will the gentleman give way for a question?

Mr. MONDELL. I will.

Mr. COCKRAN. Is there any pressing or capital necessity for concluding this bill even to-morrow? Is there any pressing necessity for doing so?

Mr. MONDELL. I think we should conclude it to-morrow.

Mr. COCKRAN. I think the gentleman will concede that there has been no time wasted here.

Mr. MONDELL. I am sure of that.

Mr. COCKRAN. I have no objection to these gentlemen having an hour apiece if they will give them the time. I think the whole question of when the debate shall close might be sent over until to-morrow and be decided according to the enlightenment the House might have at that time.

Mr. MONDELL. I am not asking to have any decision reached as to when the debate shall close. I was simply trying to reach an agreement whereby we might have another hour of debate this evening. I think that is about as long as Members want to stay.

Mr. LARSEN of Georgia. Reserving the right to object, a good speech was interrupted 15 minutes ago in order to fix the time. The gentleman from Kentucky was making a good speech, but was not permitted to conclude. He was denied that privilege. We have spent 15 minutes, and I think as we have spent that much time we had best fix the time now rather than to spoil a day to-morrow in agreeing to the time. I think we had better do that.

Mr. GARRETT of Tennessee. Will the gentleman yield to me for a moment? I would like to say this, that after a conference with the gentleman from Massachusetts [Mr. WINSLOW] a little while ago, and in response to inquiries made by gentlemen upon this side of the Chamber, I said to some of them, who have since left the Hall, that I understood it was the plan to run right along into the evening. I do not know that that would make any material difference with those gentlemen to whom I gave that information, but if that plan is to be changed I felt like a public statement should be made.

Mr. MONDELL. I desire to say again that we shall be very glad, indeed, to have the debate continue indefinitely this evening, but I am rather of the opinion that it will not continue indefinitely, and I am endeavoring to get an agreement for as long a debate as is practicable this evening. However, I am perfectly willing to withdraw my request.

The CHAIRMAN. Does the gentleman from Wyoming withdraw his request?

Mr. MONDELL. No. I submit my request.

The CHAIRMAN. Is there objection?

Mr. VOLK. Reserving the right to object, Mr. Chairman, inasmuch as two hours have been given to those in favor of this proposition, and inasmuch as the committee is unanimously in favor of it, may I not ask that the extra hour be consumed by those in opposition to it?

The CHAIRMAN. The proposition of the gentleman from Wyoming was to allot the time equally. Is there objection?

Mr. WINSLOW. I object.

Mr. GREENE of Vermont. Mr. Chairman, I ask for recognition.

Mr. COOPER of Ohio rose.

Mr. RAYBURN. Mr. Chairman, I unintentionally took the gentleman from Kentucky off his feet, and I am sure no one will object to his proceeding for 10 minutes. I ask unanimous consent that the gentleman from Kentucky [Mr. BARKLEY] be allowed to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the time of the gentleman from Kentucky be extended 10 minutes. Is there objection?

Mr. QUIN. Reserving the right to object, Mr. Speaker, I want to know if the request of the gentleman from Wyoming went through?

The CHAIRMAN. It did not. Objection was made. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

The CHAIRMAN. The gentleman from Kentucky [Mr. BARKLEY] is recognized for 10 minutes.

Mr. BARKLEY. Mr. Chairman and gentlemen, I hesitate to take any more of the time of the committee, but there was one thing that I desired to call attention to before I concluded, and I was prevented by the number of questions which I was called upon to answer and which, of course, I was glad to answer. When a crossfire is going on, time escapes more rapidly than we realize, and therefore I did not get an opportunity to do it.

I wanted to state that, so far as the consideration of this bill is concerned, there is no politics in it; there is no partisan politics in it; and I think in a certain degree both political

parties are committed to it. While the Republican Party platform last year did not in terms indorse this bill, I think the President, then the candidate of the Republican Party, in his speeches practically indorsed it. He came out in a speech or two in which he favored it, and in his annual message to the Congress, which he delivered in person here on the 12th day of last April, he committed, so far as he could, the party he represents to this proposition, because in the course of his message, after enumerating a lot of measures which he desired enacted, he used this language:

In the realms of education, public health, sanitation, conditions of workers in industry, child welfare, proper improvement and recreation, elimination of social vice, and many other subjects, the Government has already undertaken a considerable range of activities. I assume that the maternity bill, already strongly approved, will be enacted promptly, thus adding to our manifestations of human interest.

So that the President of the United States, so far as he could, has committed his party to the proposition which is now under discussion. So far as the Democratic Party is concerned, it is more specific, because in the platform that was adopted last year in San Francisco we find this language:

We urge cooperation with the States for the protection of child life through infant and maternity care, in the prohibition of child labor, and by adequate appropriations for the Children's Bureau and the Woman's Bureau in the Department of Labor.

So that the Democratic platform of 1920, having in view this very legislation, has committed the Democratic Party, in so far as a political platform can commit a party, to this identical legislation, not in general terms but specifically. So that both parties, I think, are committed to the enactment of this legislation, and, of course, it remains then for individual Members to determine what weight they will give to the authoritative declaration of their parties and the leaders of their parties with respect to legislation of this kind.

There are many things that I would like to discuss in connection with this bill, but they will be considered in the debate later, and we may go into more details and discussion then. In my humble judgment this is a very meritorious measure. It not only appeals to the sentiment of men but to the conscience and heart of humanity. Whatever Congress can do, whatever the Government can do, to alleviate these woeful conditions which the testimony on this measure has developed, ought to be done by the Federal Government, and I draw no fine-spun distinction between the duties of the States and the Nation in legislation of this kind. If it is a proper governmental function, it is proper both for the State and the Nation, and whatever may be for the uplift, the advancement, and the welfare of the whole American people ought to be done by Congress, and without hesitation. [Applause.]

All the activities of the Nation and of all the States with reference to health and sanitation are for the purpose of preserving human life. We appropriate millions of dollars for the support of the public-health activities of this country in order that life may be saved and that the people may enjoy that boon without which nothing is of much value. This measure proposes to do for the mothers and the children of the Nation, through cooperation with and aid to the States, that which will make it easier for them to live and enjoy that life with which God has endowed them. More than 23,000 mothers in the United States die every year in bringing their children into existence. It is not claimed that this law, or any law, can save the lives of all this vast number of noble women. But it will save many thousands of them, because where the service contemplated by this measure has been in operation the death rate of mothers from childbirth has been materially reduced, and we believe it can be done in all the Nation if the proper effort is made. We do not claim that all the lives of the 300,000 children who die every year before they are 1 year old can be saved by this measure. But, basing our belief upon the results achieved where similar measures have been tested in this and other countries, we are confident that it will achieve a success which can not be measured in money but can only be measured in the preservation of hundreds of thousands of lives of children who have a right to life. We can not escape our obligation to them upon any technical grounds. And when this measure has been enacted, as it will be, and the results of its operation are assessed by us and our successors, I believe that even those who now oppose it will give generous and worthy praise to those who conceived the plan and have labored for its fulfillment. [Applause.]

Mr. GREENE of Vermont, Mr. HILL, and Mr. KINDRED rose.

The CHAIRMAN. The Chair will recognize the gentleman from New York [Mr. KINDRED].

Mr. KINDRED. Mr. Chairman, as an opponent of this bill, I ask to be recognized for the period of one hour, with the un-

derstanding that I shall take 10 minutes myself and yield 50 minutes to other gentlemen opposed to the bill.

Mr. GREENE of Vermont. Will the gentleman yield me some time?

Mr. KINDRED. Mr. Chairman and gentlemen of the committee, I desire in the 10 minutes in which I have to speak on this important measure to discuss it most dispassionately and entirely aside from any partisan or even professional prejudice.

In the first place, in regard to the attitude of the physicians of the country with relation to this bill, it is a fact that, in respect to this bill and in respect to all similar bills, busy doctors do not go before committees as a rule. [Applause.]

Gentlemen in perfect good faith stand here and undertake to tell the Members of this body how the medical associations stand on various measures. I know that in speaking for the 2,500 members of my local associations, including physicians, druggists, and dentists, of Kings County and Queens County, N. Y., I am speaking for a very negligible number of the 110,000 physicians of this country; but I know that that organization is solemnly against this measure, and through no selfish reasons whatever. I say I know that organization is solidly against this measure, and through no selfish reason whatever. I believe, gentlemen, that the physician who comes into most intimate contact with the agonizing experiences that accompany childbirth—and I do not wish to give to it any sort of trivial aspect—that he knows some of the practical applications of laws that ought to be enacted to control this condition in regard to maternity and the newly born child. In the first place, we physicians above all desire everything that means more humanity and kindness to everybody. That is the original proposition upon which you must take the physician's argument on this question. To my mind this whole question reduces itself to a question of efficiency. How are we best to secure these measures which will make for the uplift of humanity and stop the large death rate of mothers and children?

In this connection I wish to say, as has been pointed out by the gentleman from Delaware [Mr. LAYTON] in his able and exhaustive speech, that there is no disquieting death rate at the present time. There is nothing about the death rate of mothers and children at present which should alarm us. There are numbers of deaths that are not preventable. In their statistics, which are more or less unreliable, they have not told you that in certain cases, abnormal presentations, death of the infant child is inevitable. The child is dead before it is born. Yet they tell you you can prevent by bureaucratic and interfering and mischievous enactment like the proposed law children of that kind being born dead.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. KINDRED. No; I have only reserved to myself 10 minutes. As to efficiency, that element of the measure—and I am speaking from the standpoint of a practical man and also from the standpoint of the overburdened taxpayer—and I tell you that the States of this Union can more efficiently carry out these measures and control this matter of childbirth than the mongrel measure like the one pending before us. In this connection I am sure, as has been virtually admitted by the gentleman from Massachusetts, the chairman of the committee, in his able and fair presentation of this measure, there will be at all times a great danger of conflict between the Federal and the State law. The gentleman from Kentucky [Mr. BARKLEY], in answer to a question as to what is the practical purpose to be accomplished by this bill in addition to mere education, has said in effect that we were groping and we know not where we are going.

If we know not where we are going and what we are doing in a Federal measure which will be constantly in conflict with State laws, we had better pause now. I say that the States can better accomplish the purposes of this measure. I candidly believe that other States can do what New York has done. It has been said and is in the record of the hearings that the State of New York has a most excellent child's welfare bureau. I want to say in addition to that that the Board of Health of the State of New York—and the other States throughout the Nation can do the same thing—has lately, within 10 years, caused clinics and educational agencies to be instituted throughout the State of New York and brought attention of the humblest woman in the State as to the importance of the question of maternity.

Mr. LAYTON. Will the gentleman yield?

Mr. KINDRED. Yes.

Mr. LAYTON. If I recollect right, the last appropriation for the use of the lady at the head of this service, Dr. Josephine Baker, was something over \$1,000,000. Dr. Baker is a very good physician—

Mr. KINDRED. An eminent and well-qualified person for the position of chief of the child welfare bureau of the city of New York.

Mr. LAYTON. I understand in the last appropriation in the city of New York it was nearly a million dollars for the purposes of child welfare in New York City.

Mr. KINDRED. Child welfare?

Mr. LAYTON. Was that spent on pamphlets and tracts, or was some of it spent for milk and coal?

Mr. KINDRED. I am glad my colleague has called attention to the fundamental situation. You can not secure a healthy baby unless you feed the mother. There are two things in which I do not agree with my distinguished friend from Delaware—one is as to the superiority of the bottle-fed baby over the breast-fed baby, and the other is as to his estimate of the Public Health Service, but in all other respects I indorse every word of his able speech.

Mr. LAYTON. Will the gentleman yield for a question?

Mr. KINDRED. For a brief question.

Mr. LAYTON. My question is rather long, and I guess I will not put it.

Mr. KINDRED. Mr. Chairman, how much time have I consumed?

The CHAIRMAN. The gentleman has used eight minutes.

Mr. TINCHER. Mr. Chairman, will the gentleman yield for a brief question?

Mr. KINDRED. Yes.

Mr. TINCHER. I am interested in the efficiency of Dr. Baker, of New York, testified to by both the physicians of the House. I understand that Dr. Baker is very enthusiastically in favor of this legislation.

Mr. KINDRED. Dr. Baker is regarded as being in favor of this legislation, but a great many idealists who do not search for the deeper conditions are in favor of this legislation. Has Dr. Baker considered the taxpayer in the matter? Has Dr. Baker considered that we shall in the next five years expend over seven million and a half dollars in a mere experiment? I do not object to the paternalism of Government, I do not even object to what my friend Mr. LONDON, of New York, advocates, socialism in the accomplishing of humane and better conditions, if it will work efficiently and has any sense in it, and does not afflict our citizens, as the pending measure will do if it is enacted into law, with increasing burdens of taxation and invade personal liberty, even to the extent of destroying the privacy of the home and family.

The CHAIRMAN. The gentleman has consumed 10 minutes.

Mr. KINDRED. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLACK] and reserve the remainder of my time.

Mr. BLACK. Mr. Chairman, I am opposed to this bill and, following the course which I usually pursue when I am against a bill, I intend to vote against it. I shall not enter upon any discussion as to the merits and value of legislation promoting the welfare and hygiene of maternity and infancy. I shall assume that all will agree that such legislation is desirable on the part of the States and municipalities and is in the highest degree commendable. Several speakers who have made addresses in advocacy of the bill to-day have made mention of what the city of New York is accomplishing along these lines. Very well; I am glad to hear it. The very fact that some 30 or 40 States and some large municipalities have already legislated on this subject and are engaged in activities along these lines is proof that it is desirable as a subject of legislation for States and municipalities. If this is not a subject which can be safely left to their discretion, then I know of none which can be. If the States and municipalities can not be trusted to enact all of the needed legislation and furnish all of the required financial assistance for an activity so intimately connected with the home and the most sacred domestic relation, then it seems to me that we might as well no longer rely upon the States and municipalities to do anything for their people, but will have to trust everything to the jurisdiction of the Federal Government. The care of mother and child, in so far as it is a governmental function at all, is a State and local, not a Federal function. All will agree that every mother and child should receive proper care. So should every mother and child receive suitable nourishment. But it has never been my understanding that it is the duty of the Federal Government to provide either food or care.

Some of the advocates of this measure justify their support of it upon the contention that the bill does not interfere in any way with the control of the States and municipalities over these matters, but merely provides for Federal assistance and cooperation. That was the gist of the able argument of the



gentleman from Kentucky [Mr. BARKLEY]. He claimed that this bill does not interfere or infringe upon the jurisdiction of the States and municipalities, but merely provides for Federal aid and cooperation—in other words, makes a gift from the Federal Government to the States of the several million dollars authorized to be appropriated by the bill.

Waiving aside the objection that this is an entering wedge of Federal legislation concerning subjects relating to our most intimate domestic relations, I desire to notice briefly the argument that the bill should pass because it provides a gift from the Federal Government to the several States. In answer to that argument, let me say in the first place that the Federal Government has no money of its own to give. The only money which it has is that which it gets from the people in the form of taxation, and almost everyone will admit that already we have enough commitments ahead of us for the next few years to engage all of our ingenuity in raising taxes without adding on any more new ones. [Applause.] If I wanted to make sure of the defeat of the Republican Party in the next campaign, I would aid its majority in keeping on creating new Federal activities and voting new appropriations and enlarging taxation. For that policy will surely do the business for them.

Mr. COOPER of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BLACK. I am sorry, but unless I can get an extension of time, I shall have to decline, because it will be impossible to complete my argument, which is only brief but which I would like to finish. Many of these commitments to Government expenses which we already have are imposed by subjects which are clearly matters for the Federal Government to handle, such as the Postal Service, the Army and the Navy, most of the expenditures in the Department of Agriculture, in the Treasury Department, in the Interstate Commerce Commission, and other Government departments. I admit that some Government activities that we already have are not proper subjects for Federal expenditures, but, to say the least, are already committed to them by law, and we must go through with them unless they are repealed. Taking into consideration these Government expenditures which we already have ahead of us, it should be apparent to everyone that Congress should be very careful now about taking on any more new subjects. We already have ahead of us for many years to come the task of raising \$1,000,000,000 per annum to take care of the interest and the sinking fund on the public debt.

It will not be many years before the annual expenditures for pensions and war-risk benefits to soldiers of the Civil War, the Spanish-American War, and the recent World War will approach the \$1,000,000,000 mark. That will make in these two items, alone, an expenditure of approximately \$2,000,000,000 a year. So when gentlemen talk about the United States Government making gifts to the States of money to be used for this and that and the other purpose, laudable and worthy though such purposes may be, they should well bear in mind the old equity maxim, which says: "Be just before you are generous." In my judgment the Federal Government is going to have all it can attend to in meeting the just obligations which it owes, and by that I mean those which clearly fall within its proper sphere of activity, and at the same time avoid oppressive and confiscatory taxation.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. KINDRED. Mr. Chairman, I yield the gentleman five minutes more.

Mr. BLACK. If the United States Treasury was some great reservoir, bursting over with fabulous wealth, it might be perfectly proper to make generous donations of money to be used by the States, not only for this purpose of promoting the welfare and hygiene of maternity and infancy but for other social and humanitarian purposes; but it is not such a reservoir of overflowing wealth. We are already scraping the bottom of the barrel and using the last measure of oil and the Secretary of the Treasury is having to go into the market every few months and sell short-time obligations in order to meet the necessary obligations of the Treasury. Some of these days these short-time obligations must either be paid or refunded into long-term obligations, and it is well that we begin to consider the approach of that day and make preparation for it. So even if I thought this bill were a proper subject of Federal legislation, which I do not, and it was one where the Federal Government is justified in taxing the people and handing the money back to the States again in the manner provided in this bill, I would not vote for it at this particular time.

Speaking for the people in that section of Texas which I have the honor to represent, I can say that I have never known a time when they were less able to have their taxes increased,

either by the Federal Government or by the State and municipal governments, than at the present time. I shall not vote for any measure which will impose an additional tax on the people at this time unless I believe that it is one of great urgency.

I agree that there are certain public health functions which are clearly national in character and which the Federal Government should and does perform. Some gentlemen in this debate have referred with a great flourish and blare of trumpets to the fact that Congress appropriates money to be spent by the Department of Agriculture in stamping out epidemics of hog cholera and tuberculosis among cattle, but nothing for the care of mothers and babies. Why do not these gentlemen be fair and state that Congress does appropriate nearly \$9,000,000 annually for Public Health Service to be spent under the direction of the Surgeon General of the United States Public Health Service. For example, there is \$500,000 of this amount appropriated for the prevention of epidemics:

To enable the President, in case only of threatened or actual epidemic of cholera, typhus fever, yellow fever, smallpox, bubonic plague, Chinese plague, trachoma, influenza, or infantile paralysis, to aid State and local boards in preventing and suppressing the same.

Now, it is clearly the function of the Federal Government to engage in an activity of the above kind, because epidemics have no regard for State lines and must be dealt with in a systematic way, but epidemics are very different from the hygiene of maternity and infancy.

Therefore, I do not regard this Sheppard-Towner bill as presenting any proper subject for Federal regulation. The Republic has existed more than 140 years without legislation of this kind, and our people have gotten along fairly well, and, so far as I am concerned, I am willing to try awhile longer without it. [Applause.]

"The support of the State governments in all their rights, as the most competent administrations for our domestic concerns and the surest bulwarks against antirepublican tendencies" is just as true to-day as when Mr. Jefferson uttered it in his first inaugural address March 4, 1801. It is getting time Democrats were giving some heed to it.

Mr. HAWES. Mr. Chairman—

The CHAIRMAN. The gentleman from Missouri. [Applause.]

Mr. HAWES. Mr. Chairman, in the consideration of this bill the Members of the House should divorce their minds from the original bills introduced two years ago and from the bill introduced in this House.

Senate bill 1039 has been changed by your House committee 88 times. Whole sections have been rewritten, sections stricken out, and a number of new sections added. It is not the same bill. Even its title has been changed. In its revised form I shall vote for it.

Your Committee on Interstate and Foreign Commerce is composed of 18 lawyers and 3 business men of experience. It is no exaggeration to state that there were some provisions in the Senate bill which were not understandable by a single member of this committee, and there were other provisions upon the interpretation of which the committee divided, part believing that a section meant one thing and part believing that it meant entirely another thing.

The proponents of the bill, supported by an intensive propaganda, have advocated a measure which I am quite convinced would not have met with such enthusiastic indorsement if they had given it the same careful consideration as that bestowed by your committee.

The proponents of the bill—its real friends—had in mind in its advocacy but one thing: To stimulate, encourage, and aid the several States in promoting the welfare and hygiene of maternity and infancy by appropriating money for that purpose, and to cause to be made studies and investigations, and report to the various State agencies the result of these studies and investigations.

This revised bill provides for these things, removes national control over State agencies, and confines the object of the act to this specific purpose.

It further limits the whole operation to a period of five years, in which time it is assumed that State agencies will be developed to such a point of efficiency that both the management and the support of such agencies will be reserved for the States without further assistance or stimulation from the National Government.

I think it will be admitted that some few of the publications of the Children's Bureau were unfortunate, or at least subject to criticism, wherever they wandered from the expressed objects of the bill and discussed, or even presented for the consideration of the public, questions relating to the maternity benefits or birth control.

There were no direct bulletins issued specifically advocating these things, but their discussion and consideration caused many people to view with suspicion the real object of this enactment.

As barnacles attach themselves to the bottom of a mighty ship, some unsolicited supporters espoused the cause of this bill. Their unwelcome support brought most of the criticism and nearly all of the strong opposition which has developed.

Unfortunately, we have in our great Republic more than our fair share of cranks, parlor bolsheviks, and theorists, who seem to derive some pleasurable excitement from a discussion of the sacred things of pregnancy, maternity, and infant control. Whether their interest is the result of an abnormality or a moral perversion it undoubtedly exists, and in the name of decency should be condemned by all right-thinking people.

It would seem that common sense should limit the direction and control of these matters to the physician or to mothers or to women of scientific medical education or to those nurses who have been taught by physicians.

#### PROPAGANDA.

Laws by propaganda are becoming a dangerous menace.

Congress desires information above all things. It particularly requires specialized information. It is impossible for the human brain to intelligently consider even a small proportion of the 30,000 bills which usually flood each Congress. Whether this information comes through the mail or is delivered personally, it is welcomed by the conscientious Representative.

But there is another form of so-called information which is not information at all.

A small group of citizens conceive an idea. They finance the idea. They employ attractive men and women to travel from State to State and from city to city to promote this idea. Hurdled, without investigation, and in nine cases out of ten without even hearing the proposed bill read, with no comprehensive understanding of the enactment, acting merely upon the delightful tale related by the propagandist, a resolution is passed, an indorsement is given, a local committee appointed, and then the attractive gentleman or lady proceeds to the city of Washington, and at the proper time the pounding process begins. Resolutions, telegrams, and letters pour in upon the Congressman, warp his own intellectual judgment, distort his personal view, and curtail his capacity by pounding and pushing him into a position which does not agree with his own intellectual conviction.

In many cases this artificially organized propaganda distorts the public mind and beguiles to its support intelligent men and women, who, upon explanation, become ashamed of their support or opposition to a measure. This has notably happened in this bill.

People have supported it because it had the word "mother" and the word "child" connected with it. They have not considered cost. They have not considered national control of a State function. They have not considered State control of the sacred and intimate things of life. They have not considered the possibilities of an opening, by way of precedent, for the promulgation of theories and doctrines totally antagonistic to the American idea of the rights of the home, the privacy of the individual, and the fundamental fact that motherhood is the fruition of love and not of science.

The propaganda favorable to this bill was met by a propaganda in opposition which is exaggerated, which attributed to the real proponents of the measure ideas and opinions which they did not possess. This opposition read into the bill imaginary things which it did not contain. It built up imaginary horrors for the purpose of knocking them down. Because a very small, insignificant support came from a group of sex neurotics, it falsely charged that theirs was the view of the leaders of the movement. The evidence it produced was not convincing and finally dwindled to mere mischievous assertion, unaccompanied by proof.

This bill, as now presented for your consideration, is not the measure which the propaganda of the proponents indorsed; and it can be stated with equal emphasis that it does not now contain in its provisions those things to which the antagonists of this bill so strenuously objected.

1. National control over the State agency is removed.
2. No expectant mother or child can, without the consent of such mother, or the guardian or custodian of the child, be interfered with in any way.
3. The right of entrance into a private home without permission is prohibited.
4. There is nothing in the bill which would permit the introduction, or even discussion, of maternity benefits, compulsory registration of pregnancy, or birth control.

5. It does not permit the selection of a physician for the patient by any officer or agent of the United States Government.

6. It does not permit the Chief of the Children's Bureau to dictate the plans of States, to control the allotments to States, to select agents for the States, or to doudnate the control in the States.

7. It creates a national board of maternity and infant hygiene, which is composed of the Surgeon General of the United States Public Health Service, the United States Commissioner of Education, and the Chief of the Children's Bureau, and provides that this board shall select its own chairman, and that rules, regulations, and conditions under which the Children's Bureau shall operate shall be controlled by a United States Government medical expert, a United States expert in the matter of education, cooperating with the Chief of the Children's Bureau, who becomes the administrative and executive officer, subject, however, to the rules and decisions of this board.

We have preserved in the law the real objects sought to be attained by the vast majority of the proponents of this bill. We have eliminated those provisions which made it possible to interject objectionable doctrines, socialistic control of the home, and, more important still, we have reserved for the medical profession the actual work which belongs to that science.

#### THE PHYSICIAN.

The scientific physician commences his career and his preparatory studies when about 15 years of age. He prepares the foundation with a college education. He adds to this four or five years in a university of medicine. He supplements this scientific education by work in hospitals.

It usually means that 10 or 12 years of his life are devoted to study or preparation before he receives his first \$3 fee as a doctor.

Ten years in time, 10 years of expense, 10 years of concentrated thought and study entitle him to believe that in all matters pertaining to health, sickness, and disease his opinion and his advice in all matters relating to pregnancy and childbirth should be given first consideration. He believes that 95 per cent of the causes of death and infant mortality are occasioned by sickness and disease, and that death comes from causes for which he alone should prescribe.

The trained nurse is the right arm of the doctor. If properly equipped, she is his trained assistant, working under his direction and as the result of his investigation.

To put aside the scientific training of the physician and to attempt to substitute for it unskilled advice carries danger and might have a tendency to increase, not decrease, the mortality rate.

A laywoman, uneducated in the science of nursing and acting on her own initiative, with lack of experience, can bring death as quickly as disease.

To send an unmarried woman—who is not a physician or a trained nurse—into the sickroom to advise and direct the expectant mother is criminal.

One witness before our committee made the following impressive statement:

People do not die of sociological conditions. They die of actual ailments. Of course, nobody will deny that sociological conditions have an important effect upon the condition of the health of the individual. If a person can not get any food, of course, he will starve to death. In the winter time, if he can not get adequate clothing and shelter, he is likely to suffer from the effects of the cold weather in the form of pneumonia or diminished vitality that causes him to be a prey to infection. Of course, there is a sociological side to the question. But there are only two ways in which you are going to effectively protect the lives and health of the people. In the first place you would if you could get it, give them money enough to buy all they desire. That, of course, is absurd. The question then becomes one of proper public health protection, leaving the individual to work for himself under proper health conditions. You can do that. You can go ahead with those measures which will protect the health of the people. Those are not sociological measures; they are public health measures, medical measures, and every public health measure of any consequence, or every efficient measure that we know for the protection of the public health, is directed by physicians and their aides.

One witness claimed that the cause of maternal and infant mortality was subject to division into three parts: The social, the economic, and the medicinal, all affecting the health of the mother and the child. The social element naturally includes the subject of environment, education, and heredity. The economic relates to the matter of property, the ability to provide proper food, heat in winter, ice in summer, pure air, and pure water. The medicinal relates to diseases, organic and acquired, which can be treated only by the physician.

The relative part which each of these factors bears to the whole was a matter of some dispute, though physicians declared that 95 per cent was medicinal and only 5 per cent social and economic.

This proportion was varied by other witnesses, but I do not think that any witness reduced the proportion of the medicinal as against the social and economic to as low as 50 per cent.

To eliminate the advice and direction of the doctor from any local or national health agency would be indefensible. By placing on the board the Surgeon General of the United States and leaving to the health departments of the various States the local administration of the law, the influence, advice, and direction of the physician, as the law is now amended, is not removed, and the national portion of the act is confined largely to what might be termed the social and economic elements.

The following questions and answers given by the head of one of the great national medical associations gives the physician's viewpoint:

Mr. HAWES. Doctor, the nurse is the assistant to the physician?

Dr. KOSMAK. Yes.

Mr. HAWES. Primarily trained by the physician?

Dr. KOSMAK. Yes.

Mr. HAWES. And as new knowledge comes to the medical profession, that is imparted to the trained nurse by the physician?

Dr. KOSMAK. Yes.

Mr. HAWES. And one of your objections to this bill is that 95 per cent of the effective work done in the interest of protecting maternity and the child is medicinal?

Dr. KOSMAK. Yes.

Mr. HAWES. So that you object to the 5 per cent controlling the 95 per cent in the matter of administration. Is that your idea?

Dr. KOSMAK. I do.

Mr. HAWES. I understand, Doctor, that you favor full and ample investigation and proper appropriations by the Federal Government in the matter of investigations, statistics, reports, and advice to be sent to the States?

Dr. KOSMAK. Yes, sir.

Mr. HAWES. So that your objection to this bill can be analyzed as about three or four objections. First, you believe that it should be directed by a skilled physician?

Dr. KOSMAK. Yes.

Mr. HAWES. Second, that national control should not dominate local control?

Dr. KOSMAK. No; it should not.

Mr. HAWES. And probably your third objection is that this bill does not define in any way what the national function will be, but leaves it to some board to be appointed in the future. In other words, Congress does not say how this money shall be spent, but some board which will be created in the future will say how it shall be spent?

Dr. KOSMAK. Yes.

Mr. HAWES. Not in the volume of money, but in the manner of expenditure?

Dr. KOSMAK. Yes.

It must be kept constantly in mind that the law we are discussing is not the law that went before the committee, but the law that came out of it.

#### NATIONAL VERSUS STATE CONTROL.

There seems to be a growing tendency to send all problems for solution to the National Government. This is not done in the European nations. The counties and cities in England, and certainly its Provinces, have all preserved their measure of self-control and local self-government. This is so in Germany, France, and Belgium, and even in Spain. The city and the province has its separate laws and institutions. Each of these nations has a much smaller population and is much more closely knit by blood lines than those of America. And yet, without much thought and little consideration, year after year Congress is called upon to take away from the States their powers and functions and repose these powers in the National Government. For the mere purpose of expediency we break down a great fundamental principle and set the precedent for other legislation.

No profession has suffered more from this attempt at national control than the medical profession. Tied down by restrictions, inhibitions, and regulations, a great, scientific, learned, and indispensable public factor is being deprived of its initiative and freedom of action.

Soon the National Government will be called upon to regulate the clothes we wear, the food we eat, the kind of houses we should live in. It will be invited to perform marriages and grant divorces; and, latest of all, it was to have been invited into the sacred precincts of the home to examine the prospective bride and groom, to record the cases of pregnancy, direct the mother, and control the child.

There are persons so thoroughly un-American in their understanding who think that the barber who trims a man's hair, the tailor who clothes him, the chiropodist who treats his feet, the shoemaker who makes his shoes, all are to be regulated and controlled by some bureau of the United States Government.

The bill, as originally presented, did provide for national direction and control over the State agencies, but this has been entirely eliminated, and it was eliminated with the consent and approval of the leading proponents of this bill.

The first witness called by them was a woman physician, Dr. Baker, of the Public Health Service of New York, who immediately won the approbation of our committee by her broad views and intelligent grasp of this legislation. She said:

When this bill was first introduced in Congress there was a clause in this bill which provided for the organization in each State of a separate committee to work out a program under the general control of the Federal Children's Bureau, and I appeared before the House committee in

opposition to the bill on that ground. I am absolutely opposed to any Federal administrative functions in the State, and if this bill were so amended as to give administrative functions to a Federal department, to come into the States and carry on the work, I think I can promise you I will be down here to appear against it again.

The restrictions placed upon national control which have been inserted by your committee are as follows:

SEC. 4. *Provided*, That in any State having a child welfare or child hygiene division in its State agency of health, said State agency of health shall administer the provisions of this act through such divisions.

Thirty-three States have this State agency and the balance of the States are expected to write them into their laws as legislatures convene.

SEC. 8. *Provided*, That the plans of the States under this act shall provide that no official or agent or representative, in carrying out the provisions of this act, shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of such child.

SEC. 9. No official, agent, or representative of the Children's Bureau shall, by virtue of this act, have any right to enter any home over the objection of the parents, or either of them, or of the person standing in loco parentis or having custody of such child.

Nothing in this act shall be construed as limiting the power of a parent or guardian or person standing in loco parentis to determine what treatment or correction shall be provided for a child or the agency or agencies to be employed for such purpose.

SEC. 14. This act shall be construed as intending to secure to the various States control of the administration of this act within their respective States, subject only to the provisions and purposes of this act.

Each State is left free, in its own way, through its own legislature, to provide for its own State agency.

The provisions of old section 4 of the bill, relating to advisory committees both by the State and local agencies to be under the direction of the Children's Bureau, was eliminated. This section sought to legislate for the States by providing, among other things, that at least half of these advisory committees should consist of women. This was stricken out because it was not considered proper for the head of the Children's Bureau to determine any matter concerning an advisory committee of a State, how many members it should consist of, or what its sex should be. If a State desires to appoint an advisory committee composed exclusively of women or of men, it can do so; or if it desires to make a provision of one-half women and one-half men, it is left free to pursue that plan.

A further and fundamental objection to this provision was the recognition of sex in the creation of public office. That is a matter which should be left either to the discretion of the appointing officer or for the voters of the various States and Nation to determine.

Followed to its logical conclusion, if introduced into one department of the Government, we would soon have the proposition presented of providing a sex for the President, a different sex for the Vice President, and so on through the list of Cabinet officials, determining a matter by law which should be left exclusively to the voters to be determined in exercising their right of suffrage.

Whether the Children's Bureau shall be controlled by female officials or male officials is left to the discretion of the appointing power. In this particular case this discretion has been wisely exercised in the appointment of women, and if I were governor of the State of Missouri and the question of a State advisory board came before me for consideration I should unhesitatingly appoint women to half of the board, as I consider them well qualified in every way to hold such positions.

Section 9 of the old bill, which gave the United States Commissioner of Public Education the right to designate and select certain colleges in each State for the purpose of introducing lectures upon the question of maternity and hygiene, was stricken out entirely because, in the opinion of your committee, the designation of these State agencies should be left to a State and not to a National official.

In each of the States there are a number of educational institutions where this work could be carried on, but the selection of one or all should be left to a State and not to a National officer who is not a resident of the State and may never have crossed its border.

The principle of having a national commissioner, who may have been raised in the State of New Mexico, to dictate the educational policy of, for instance, the State of Missouri, is totally repugnant to anyone at all conversant with the theories upon which our Government was established.

Section 10 was also eliminated as tending to direct or control the agencies of a State.

So it will be observed that both by the process of elimination and the further and emphatic process of express statements, the direction and control over State agencies has been removed.

#### THE COST.

For some unknown reason some of our thoughtless citizens seem to consider that National expenditures for State benefit

come out of some mysterious treasury for which they do not have to pay. It is well for them to understand now that for every dollar of Federal money appropriated for State purposes the people of the State pay their part under some form of national taxation.

The Utopian idea of a national administration of public health worked out in dollars and cents presents an appalling cost which I am sure will convince anyone of its impracticability.

The relative proportion of county and State public health appropriations can be illustrated by the amount of money spent in one State. This State has for its budget on public health, not including local agencies and the vast sums spent by volunteer organizations, \$6,000,000 annually, and it will receive from this Federal allotment only \$40,000, and yet under the original provisions of the bill before amended by our committee the \$40,000 had it in its power to dictate to the \$6,000,000.

Mr. STAFFORD. Will the gentleman yield?

Mr. HAWES. Yes.

Mr. STAFFORD. Is it the theory of the bill that by national appropriations the National Government will stimulate activity in the 15 States that have not undertaken this work, or is it the policy that the 33 States that have undertaken it do not provide sufficient money and must necessarily call upon the National Government for appropriations to carry it out in its proper functioning?

Mr. HAWES. The effort is joint. I understand that Pennsylvania appropriates \$6,000,000 a year for the purpose of public health. That is probably doubled by benevolent associations, so we might say there is \$12,000,000 spent in public health in the State of Pennsylvania, but from the National Government under this act it would only receive approximately \$40,000 a year.

Mr. STAFFORD. Will the gentleman yield further?

Mr. HAWES. Yes.

Mr. STAFFORD. Is it the policy then that Pennsylvania is not appropriating enough and this \$40,000 contributed under this bill will make the requisite amount necessary for the proper functioning in the State of Pennsylvania, or is it just merely a contribution to the State in addition to that which they have at present?

Mr. HAWES. As a financial contribution to the State of Pennsylvania \$40,000 would be ridiculous.

Mr. STAFFORD. Then why contribute it when they are not asking for it?

Mr. HAWES. It is a contribution for the stimulation of educational work on the line of hygiene, economics, and sociology. The State of Pennsylvania might be inspired to increase its agencies, and in smaller States in the West, where they have no agencies of any kind, we offer them a mere promotion fee, if you please, to establish some agency.

Another illustration: If the Children's Bureau ever invades the field of the doctor and the Department of National Health it will find its financial contribution so small that it will be ridiculous. For instance, there are 3,000 counties in the United States, some of them containing over 100,000 inhabitants and covering an acreage of 30 or 40 square miles. To give any public nursing aid to these counties would require the constant employment of at least two trained nurses; that is, provided it was intended to give direct free medical assistance in maternity cases. At the minimum this would require two trained nurses, who would cost \$5 each, or \$10 a day. This would make an annual cost to each county of \$3,650, or for the 3,000 counties an annual expenditure for only two nurses to a county of \$10,950,000. This would not include buildings, physicians, medicines, and a dozen other items which would multiply this sum tenfold.

It becomes apparent that the welfare of maternity and child hygiene is a local and not a national function in its larger aspects.

#### THE NATIONAL WELFARE DEPARTMENT.

President Harding has suggested a wise coordination of all departments of health, hygiene, and sanitation under a department which is to be called the National Welfare Bureau, which bureau will ultimately have a place in the Cabinet. The present Children's Bureau is now under the Secretary of Labor. Enough has been said to show that it is not properly placed. Over 50 per cent of maternity mortality is medicinal, another large per cent is educational, and only that portion which might be determined economic properly belongs to the Department of Labor.

It is therefore much to be desired that the President's program will be carried out, and I believe it will be under the direction of Gen. Sawyer.

Gen. Sawyer's testimony before our committee was illuminating and is well worth careful consideration. He presented a

breadth of view and a practical understanding of what the Children's Bureau ought to do and what it ought not to do, which I quote:

It must get its inspiration from the soul that inspired this measure. As I say to you, my understanding of this bill is that it handles the sociological side. Do I make myself clear? It does not handle the medical side of maternity. It handles the social relations; it handles the natural conditions that stand for the highest type of motherhood, for the best preparatory educational care or, I should say, precept that can be established. This is my understanding. As I said, this bill, its purposes, is to distribute information; and as I interpret the bill it does not mean that it is going to tell Mrs. Smith how she shall treat some disorder that she may have, but it is only to teach Mrs. Smith the things that are well for her to do that she may be in the best physical condition to meet maternity requirements. If Mrs. Smith has a disorder, such as comes to women, that requires medical treatment and medical attention, certainly those in charge of this affair would not attempt to treat that case medically.

If there is any way in which this bill can be interpreted to mean that it gives to the Children's Bureau the power to treat diseases of mothers or children, then I do not understand it.

This is a clear statement of what the objects of this bill should be, and if the bureau of public welfare is projected, then Public Health, Children's Bureau, and all departments will come under the head of this new bureau, and, from the testimony of witnesses who are proponents of this measure, I find there will be no objection; and it may not be too much to say that in presenting this bill your committee had in mind the ultimate depository of this power under the bureau of public welfare.

#### THE BASIC PURPOSE.

The benefits to be derived from this bill were exaggerated by its proponents. Its evils were equally exaggerated by its antagonists.

Judge TOWNER in opening the hearing made this very commendable statement:

Let me say to you, gentlemen, that if there is anything in the bill yet existing that in the slightest degree would, in your judgment, show an indication of autocratic exercise of power, let us have it taken out. It will meet with no objection on the part of the proponents of this bill. It is to aid, to encourage, and to stimulate, not to control.

Accepting the invitation of Judge TOWNER, your committee has been very liberal with its objections and its additions, but has preserved the basic things which the intelligent proponents of the bill had in mind and to which its thoughtful opponents should have no objection.

The first of these is to stimulate and assist State efforts to undertake a broader field of activity in an educational way, promoting the economic and social conditions which will improve the health of the mother and make more safe and agreeable the life of the child.

Second. To cooperate with the States by what might be termed the contribution from the National Treasury of a promotion fund, an advancement, to put on foot a proper State agency.

Third. To call to its councils the head of the great Public Health Service and the head of our national educational system and, with their assistance, to administer through the Children's Bureau a stimulating and sympathetic interest in the welfare and hygiene of maternity and infancy.

Fourth. This interest and education not to be intruded upon, not to be compulsory, not to be directory, but to be given when acceptable, asked for, and approved.

Fifth. The field of medicine is not to be invaded; the physician and the trained nurse to remain supreme in their own domain; nor shall the recipient of this public assistance be directed in the employment of any particular medical advice or help.

If these are not the objects of the bill they are not understood by our committee.

If any of the objectionable doctrines previously discussed should be accepted or engrafted upon this simple and splendid object, I believe we can count upon the influence of the women to cause the removal of such official and to restore to the bureau the American idea of the American treatment of this delicate subject.

Personally, I have the old-fashioned idea of maternity, that marriage is the result of love; that maternity is the result of marriage; that the child's care is dependent upon parental affection; that any attempt, by scientific management or governmental regulation, to change this natural order of life would be to undermine the welfare of the Nation and put love, marriage, and maternity upon that lower animal basis of stock-farm management, where regulations are provided for the stable and the cow barn. [Applause.]

Mr. KINDRED. Mr. Chairman, will the Chair state how much time I have left?

The CHAIRMAN. The gentleman has 36 minutes remaining.  
Mr. KINDRED. Mr. Chairman, I yield to the gentleman from Vermont [Mr. GREENE] 10 minutes.

Mr. GREENE of Vermont. Mr. Chairman, I am convinced with great earnestness that it is my duty to the people of my State and my duty to the Nation to oppose the passage of this so-called maternity bill and to vote against it.

In doing so I am fully aware that its enactment into law is urged by many high-minded men and women who are persuaded that it is a beneficent measure designed to do much good to humanity. I heartily respect the noble aspirations of these people and only regret that in this particular instance I can not see my own duty in the light of their good intentions.

These people urge the passage of this bill mainly on the ground that it is calculated to relieve suffering and to save life. That these are among the loftiest of motives that can be embraced in human interest nobody can deny. Indeed, it is only to be regretted that many folks are so fervently advocating this measure, so enthusiastically committed to its purpose and policy, that those who dare to obstruct it are not infrequently put under color of the suspicion, absurd as it may seem, that they are stubbornly opposed to such a consecrated cause as this particular relief of suffering and saving of life. And, of course, no man in his right mind can be willing to rest under such an ignominious indictment.

But the answer to it is easy enough, if one will but analyze the subject and the situation and apply a little practical logic to the test. It is not defensible to do a wrong thing in order that good may come thereof. After many trials of one ethical and moral code after another, this wise old world has learned at last that the end does not justify the means. Granted, without argument, that it is urgently desirable to relieve suffering and to save life, the question still remains, Is this an instance when that duty should be performed by the Federal Government at Washington, or is it an obligation that rests upon organized society at home? And what will become of organized society, and how long will it, indeed, remain organized if it shirks off onto the agencies of a distant Government to be done officially and for hire the most sacred duties that devolve upon the home?

I am opposed to this bill for two general reasons:

First, because in my opinion it invokes a wrong theory and principle of civics or governmental policy in that it causes the Federal Government to do for its individual citizens that which they ought to do for themselves, or at least through their own voluntary and nonpolitical associations. It is paternalism, the most subtle and sinister enemy of popular government.

Second, I am opposed to the bill because it is economically unsound in the money obligations it creates between the several States and the Federal Government and in the financial relations of the peoples of the several States to each other and to the Federal Government, and because of the loss of the right to local self-government that ensues to the people of the several States in consequence.

I know well enough that the suggestion that there is paternalism in this measure and that behind it lurks the menace of State socialism will provoke a smile of incredulity on some faces. But anybody here in Washington familiar with the artful propaganda that has been maintained in support of the idea of embarking the Federal Government upon the policy of "the public protection of maternity and infancy," knows how cleverly that propaganda has been made to appeal to some of the warmest sentiments of humanity and how skillfully it has sought to engage the earnest interest of the women of the land thereby. Anybody here in this Capitol familiar with the stages through which this bill passed up to the time that it was reported out to the House in its amended form knows full well what a battle has been waged by the influences that would have given the measure over completely to the forces that in unhesitating avowal are making for the most radical principles of Government control of maternity, infancy, education of youth, and so on through the whole catalogue of Government regulation and Government standardization of the individual citizens of the land, including birth control itself. There is no secret about it.

The committee has stripped the original proposition down to a measure that does, indeed, bear the marks of simplicity, that closely resembles other enterprises upon which the Federal Government has cooperated with the States and now cooperates with them, and bids now for its support in this House on the theory that the bill is harmless, so far as any socialistic tendencies are concerned, and that men may vote for it with a freedom of mind that assures them that they have thereby committed themselves to no more than the text of the bill as it reads to-day.

But men familiar with the history of legislation must know, as indeed they do, that no Congress can bind its successors.

This bill is dangerous because it is the entering wedge for a policy that, once opened and in active operation, can have no other end than that broader and more insidious scheme of

Government regulation and control that was in the minds of those who first proposed such a policy. To-day, happily, the Government does not seek officially to concern itself in any degree with the domestic relations of the care of maternity and infancy. Once this bill becomes a law, no matter how cautiously drawn, no matter how honestly advocated, the camel's nose has got under the tent.

The Government by that token has departed from its former policy and has begun to interest itself in this matter. Every man of experience in public affairs knows that from that day on the forces that have up to this time failed to get full recognition of their theories in this particular bill will never rest from their labors until upon the Government foundation here laid down they will erect an institution in which shall be found every one of their principles and agencies thus far rejected. Year by year, detail by detail, line upon line, precept upon precept, they will seek through amendment of law to work out a statute that realizes their fullest aspirations.

And the agencies and officers authorized even by this simple bill must inevitably, in the very nature of the development of such things, soon become the missionaries that will beset every home in the land with propaganda for the further extension of the law. [Applause.]

The time to stop such a thing is now, when, for the only time, we can prevent its beginning. [Applause.]

Why, for that matter, the very fact that the bill sets a time limit of a few years upon the continuance of any operations under it is a bald confession by its own framers of distrust of the principle and frank admission that it can only be entertained, if entertained at all, as a rigorously circumscribed experiment. [Applause.]

If it is a good thing, why should it not go on forever?

I say again this is the entering wedge, to be followed in season by the grosser thing. The time to kill it is now.

Do you remember the old rhyme born of a fierce struggle in the British Parliament years ago that is very apt just now in its relation to this particular parliamentary situation here?

I hear a lion in the lobby roar;  
Say, Mr. Speaker, shall we shut the door  
And keep him there, or shall we let him in  
To try if we can turn him out again?

[Laughter.]

I know it must seem to some people that perhaps I am a bit old-fashioned in my views about such matters. Many folks are very earnestly and honestly hopeful that advancing social order will inspire Governments everywhere to do a great many benevolent and beneficent things for the good of mankind. And sometimes these people are not a little annoyed when they find men in my place who are not so eager about some of the proposals of this kind and are inclined to class such men with "standpatters," "reactionaries," and such like undesirables. Very likely, however, if many of these same high-minded folks were face to face with the stern responsibility of sifting these propositions one by one, of scrutinizing their details and the theory upon which they are based, of inquiring back into their antecedents to determine their reason for being, and of looking equally far ahead to conjecture their probable outcome—very likely, I say, many of these same people would themselves come to be somewhat conservative about adopting every new proposition that kept springing up in a period of such restless theorizing as that in which we now live. Very likely when they soberly realized that it was no longer academic speculation with them but direct personal responsibility for the thing to be done and all its consequences, they would listen to the voice of St. Paul coming down the ages to them:

Prove all things; hold fast that which is good.

Personally, from my youth up, I have believed myself to be moved by ideas and ideals of a progressive social order. In times past I have engaged in many a battle along that line of ceaseless warfare for social betterment. My heart is with it still. But, however hopeful and ambitious we may be for a progressive and ever more exalted and useful social order, we must not make the fatal mistake of confusing the agencies that are to accomplish it with the agency that the social order itself is to accomplish. Government is the creature of social order, not the parent of it. And government will be just as healthy and just as strong as that social order has proved itself to be, no more, no less.

When society, through its own agencies and forces and inspired by its own exalted sense of self-preservation and self-responsibility, works itself up to higher and higher levels of social order, then society is strong and healthy, as all mortals are who take care of themselves and do for themselves. And the government such a society sets up is strong and healthy,

too, because, being a popular government, it comes out of the ranks of strong and healthy people.

But when society reaches that stage of vain speculation and aimless endeavor that it seeks to shirk off onto government the duties that belong to itself, individually and in the mass, society grows more and more lazy, inefficient, irresponsible, incompetent, helpless, and dependent in proportion as it drops its own burdens. For a while, it is true, government appears to carry the additional load; and then it is discovered, little by little, that society, having little responsibility to bear for itself, is only breeding parasites and dependents and is no longer sending strong recruits from its own ranks into the government. And the government, on the other hand, being no better than the people who make it, sinks to the level of incompetency and helplessness of the very multitude that looks to it for help. [Applause.] Then follows the inevitable process of sloth, decay, corruption, and collapse, and another one of mankind's heroic attempts to work out for himself on this planet an exalted civilization is gathered to its own dust for archaeologists of after ages to explore and a few crumbling monuments for historians to write books about.

I believe this bill is economically unsound.

In the first place, it is one more instance in which we show our disregard for that which grieved the fathers who declared their independence of King George on the charge, among other things, that—

he has erected a multitude of new offices and sent hither swarms of officers to harass our people and eat out our substance.

[Applause.]

And here we are 145 years later still doing the very self-same thing to ourselves!

Here we have once more the familiar story of the Federal Government making a proposition to the States that, if they will raise a certain sum of money for a purpose, the Federal Government will match it with a similar sum—but this must be done under conditions that the Federal Government lays down, and the money must be spent subject to the approval of the Federal authorities.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. I regret that I can not; I regret the seeming discourtesy.

Once in a while, maybe, there is some variation in the terms, as in this instance, but they all amount to the same thing in the end. They all amount to this:

First. The Federal Government has to spend more money and, therefore, as it has no money of its own that it makes for itself and its own uses (contrary to an apparently rather widespread mistaken popular notion), it has to raise more money by taxing the people of the several States. The States are hard put to it now to raise at home the money to pay their own legitimate expenses, and the counties and towns as well. And now the Federal Government is combing the same territory, taxing the same people over and again to raise its own extra money also. Where is it going to end?

Second. The States that are thrifty and up-to-date pay the great bulk of the taxes that go into the Federal Treasury at Washington, only to receive in the general redistribution under the terms of just such bills as this but a very small part of what they put into the common fund. Vermont, it has been said, pays about \$32 into the Federal Treasury for every one she gets back. Whether these figures are accurate or not, they are near enough to it to illustrate the injustice that is done the State. But, under this vicious system, States that are backward or thriftless or unprogressive, or whatever it may be called, are encouraged to rely upon their thrifty sister Commonwealths for the money they ought to raise for themselves by and among their own people, because it is to be spent for their own benefit. And so much is this true that it is no secret here in Washington that this policy is openly advocated by various influences in those States in order that they may profit by it at the expense of their neighbors.

Third. Inasmuch as the Federal Government insists that no money shall be forthcoming or employed except under its own policy and general direction, it follows that the States little by little surrender to the bureaucrats at Washington the control of the work thus to be done within their own borders, and even change their own laws to comply with the regulations that come down from Washington in order to give the freer scope to the Federal administration of what amounts, after all, to their local affairs. Thus, persistently and ceaselessly, the Federal Government is sucking away from the States the powers of local self-government that belong to them of ancient right and

appropriating those powers to itself to be administered by bureaus here in Washington. And that means, in turn, that armies of tax gatherers, agents of the law, inspectors, supervisors, overseers, and swarms of bureaucrats and their clerks descend from the Federal Government down upon the land, spy out the people's business or actually do it for them, and so, even as in the days of much-despised King George, "eat out our substance." Over and again, under this same old delusion of "getting something for nothing," the States have met the Federal proposition and lost just so much more of their original inheritance of the right to manage their own home concerns by doing it. Over and again has American Esau sold his birthright for a mess of pottage. [Applause.]

Where is all this to end? How can we square ourselves with our own knowledge and best judgment based upon that actual knowledge, with our own sense of public duty, and still keep saying to ourselves: "I will vote for just this one. This one shall not count," and still keep on piling up the score? Some day they will be counted, they will all be counted together; then we shall realize the cumulative mischief that the aggregate of all these little things has done; and then it will be too late. In the language of Scripture, these are, indeed, "the little foxes that spoil the vines."

There are presently opposed in the American world of civics two schools of thought. One adheres to the philosophy of the American fathers, that the security of our individual liberties rests in the maintenance of the greatest amount of local and home government that is consistent with national security and responsibility. It rests upon the time-proven fact that a popular government can be no stronger than the homes it comes out of; that the greatest practical amount of local self-government in a Republic like ours is a nursery and school for strong and sturdy citizenship and the reservoir of self-reliant and capable men and women experienced in responsibility from which it can constantly draw its own personnel and thus keep itself healthy and strong. Whereas a paternalistic government in time makes dependents of its people, weakens their moral fiber, causes them to be undisciplined in responsibility, and thus cuts off the supply of strong forces for the maintenance of the government at its very root. The other school is frankly paternalistic in government on the theory that, all men and women being partners in the State, it is the duty of the State to act as guardian of and for them in order to fit them for that partnership and then to fit them generally for the activities and duties of life and to father them through those activities and duties from the cradle to the grave.

It is only a step from the ultimate realizations of a paternalistic government to State socialism. Once paternalism is the established policy of government, through steadily intensifying degrees of State regulation we gradually develop the doctrine of State standardization of men and things. After which we shall be ripe for the open and avowed policy of raising or leveling all men and things to the compulsory State-fixed standard. And then State socialism is upon us at last.

We must choose between those two schools of thought, because we are at the parting of the ways. And just such propositions as this maternity bill itself emphasizes that sober fact.

It is all very well to argue that we have done other things in government that are of the same order as this measure. Two wrongs never did make one right. A bad precedent does not justify another like performance. It is true that our social order has become so complicated in some respects that society can no longer tolerate with safety all the individualism that once obtained of right. It is true that we have made experiments of a paternalistic character, perhaps some of which have become so incorporated into our system now that they are not easily, perhaps not wisely, to be uprooted. But in this particular measure, no matter how we gloss its phrases or simplify its apparent objective, we have opened the door to a train of measures and a line of policy that, once under way, will not in the very nature of things evolutionary come to an end until we have adopted a theory of State regulation and control that would make many friends of this bill gasp if it were called by its true name.

We may try to deceive ourselves now and then by writing sleek phrases into our laws, by miscalling things, perhaps, and by employing apt and alluring rhetorical devices under which the naked truth may masquerade for a time. We may keep on for a while, as we have been doing, setting up one after another the agencies of centralized and bureaucratic National Government, growing more and more paternalistic every day, and still think to lull ourselves into fancied security from the terrors of State socialism.

But it is the effect of these laws, not their titles, that stamps our public policy for what it really is.

And one of these days this country is going to wake up to the sober realization that for a long time back the legislative signboards have been misleading, and that America has actually left the straight and narrow path that the fathers laid out for it, and left it long ago, and is on the broad highway to all the ills of bureaucracy and the corruption that goes with it that those very same fathers fled from Europe to escape.

Back of this unpretentious, simple looking bill to-day are the agencies that for a long time have been persistently and insidiously working to incorporate into our American system of public policy in some degree and form or another, Government supervision of mothers; Government care and maintenance of infants; Government control of education; Government control of training for vocations; Government regulation of employment, the hours, holidays, wages, accident insurance, and all; Government insurance against unemployment; Government old-age pensions; and much more of the same kind and to the same end. Not all these agencies are working for all these things, to be sure, but collectively they serve the same purpose, and they expect never to cease their efforts until they get it.

And this is no mere idle charge. Many friends of this so-called maternity bill to-day would be amazed to see the forces that are eagerly awaiting its passage, ready to welcome it as one great accomplishment that will ultimately lead to more and greater realization of the dreams of the bolshevik and the soviet. Of course, the true American people that are behind this measure indignantly repudiate all community of interest with such forces. And they are honest about it, too. But whether or no they are innocently working to the very same end, just the same.

There are in this land to-day radicals of various degrees, from the mild parlor Socialist to the revolutionary and the red, who are determined to change the constitutional character and policy of the American Government. Some of them hope to do it peaceably and through popular education and the ballot box. The extremists are determined to attempt it by direct action and physical force at the first favorable opportunity. Meantime—and here is the pity of it—every change of policy along this same line now proffered that is introduced into the Government through the activities of often well-meaning but mistaken and misled theorists, whose loyalty to the constitutional principles is above suspicion, by just that much weakens the Government itself and prepares the way for the red. So long as the red is prevented from destroying the Government by his own physical assault, he is gratified enough to see its structure more and more breached and broken down because some part of his doctrines and philosophy are introduced into it by infiltration, and, strangely enough, on the part of its would-be friends at that. And thus the way is prepared to make easier the eventual destruction of government by the red and his physical force.

There was a Pharaoh once who ruled over a people whom at times he feared. It was this Pharaoh who sent forth instructions to the midwives of the land, and they may be read in Exodus 1:15-22. That was a pretty severe and autocratic enforcement of a maternity law, to be sure, and it happened a long time ago, and people think that such things are no longer possible. Of course they are not possible in this generation and in this land, and I do not want to be thought merely absurd in referring to it. And yet these same people might do well to look over into soviet Russia and see what has been done there in our recent day or, if they like, listen right here at home to the voices of those that preach the nationalization of the mother and her child, birth control, and various other similar devices and institutions. Government can do, it does do, mighty drastic things when it once gets under way with them.

I hope still to be a forward-looking man with fond expectations of the new and higher levels that social order will successively reach. I am not unmindful of the new color and the renewed warmth of beneficent concern for the public welfare that will be given to our public policy through the reinforcement of political influences by the great body of women voters and women participants in the activities of the Government, and know that much of lasting good may come of it.

I am not cast down in thought by occasional discouraging developments in our affairs, nor am I now lamenting a hopeless situation or terrifying myself with shadows.

But I can not bring myself to believe that the people of this country, could they be consulted home by home to-day, want this bill or anything like it to become a law of the land. I can not bring myself to believe that the families of America in the millions of homes, once they have analyzed the situation for

themselves coolly and thoughtfully, want to embark this country upon the new policy indicated in this bill, with all the sinister possibilities that lie beyond its present text. I do not believe that the great body of the women, those mothers and daughters, sisters, sweethearts, and wives, that seldom raise their voices in public affairs, actually want this law put upon them and their hearthstones.

I fervently believe that the home, with its sacred domestic obligations, is still the bulwark of American civilization and social order, and I can not bring myself to help in its surrender to eventual control in any degree by politicians and bureaucrats in Washington.

If a great and benevolent work in educating any part of the women and the households of this country in the responsibilities of maternity should be undertaken anywhere at all, then let it be done in the home, by the home, and by the community of homes [applause], sister ministering to sister, neighbor to neighbor, and friend to friend, in whatever concerted action or perhaps organized effort may be necessary, perhaps eventually in some degree officially countenanced by the home State, but always in that sweet sympathetic understanding of united womanhood that has in all time mothered the race.

Let us not, in any event, decree here and now that this most holy function of womanhood and the home shall be placed under any possible menace of hereafter passing under the scrutiny and regulation of that soulless corporation that we call the State and become the mere professional duty of distant strangers, working in a national political bureau for their daily hire.

For my part I do not believe that the women of my plucky little State of Vermont are yet ready to admit that our social order has so far broken down that they must cry out to Washington for help in the care and safeguarding of maternity and infancy in the homes that lie among our old green hills and valleys, where for nearly two centuries the flower of American manhood and womanhood has been bred and reared by their ancestors and themselves. I can not make myself believe that the women of the Commonwealth of Vermont, whose noble pioneer mothers once upon a time went with their sturdy husbands into the wilderness and made a government for themselves, are now willing to confess that they have fallen so far from the high estate of their grand dames that they, in their day, must depend upon that Government for money and counsel in order to continue to rear generations of Green Mountain patriots. [Prolonged applause.]

(During the delivery of the foregoing remarks Mr. GREENE of Vermont was granted 13 minutes' additional time.)

Mr. KINDRED. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. HILL].

The CHAIRMAN. The gentleman from Maryland is recognized for 10 minutes.

Mr. YATES. Mr. Chairman, I would like to make an inquiry as to the time the debate shall run this evening?

Mr. KINDRED. I may answer the gentleman's question by saying that I do not intend to allot any more time after the conclusion of the speech of the gentleman from Maryland [Mr. HILL]. I shall have but seven minutes' time, and I shall reserve it.

Mr. HILL. Mr. Chairman and gentlemen of the committee, this bill, although called a maternity bill, does not appropriate one cent for any child or any mother in this country. This bill authorizes the appropriation for expenditure during the next five years of \$7,680,000 for investigation and instruction as to matters relating to maternity.

I have listened with a very great deal of interest to the statement of the chairman of the committee [Mr. WINSLOW], and that statement was such a fair statement of this particular bill that the reasons set forth in that statement are sufficient basis for my intention to vote against this bill. I think that this House should vote against this bill for four reasons. In the first place, the bill appropriates \$7,680,000 out of the Public Treasury, when we, every one of us, are pledged to the strictest national economy.

There is no politics in this bill in the sense of Democratic or Republican politics, but every one of us has been seen by various members of our district. We have been told that if we voted against a bill which was labeled a "maternity bill," that every woman in our district would be against us. But I say to you, gentlemen, that I believe that the rank and file of the mothers and to-be mothers of this country are against this form of bill. [Applause.]

I know that those of us who propose to vote against this bill must defend our vote, and I for one shall welcome the opportunity to defend my vote against this bill, because not only is this bill ultra extravagant, not only is it an entering wedge for enormous millions to be expended in the future, but

It is an absolute departure from the theory upon which the Federal Constitution and the Federal Government were inaugurated. This Nation was formed for general national defense and for definite purposes set forth in the Constitution concerning the general welfare of all the States.

It was perfectly right and it is perfectly right that the State of Maryland should be taxed in order to provide for the general defense of this country, the general post office, or other constitutional matters, but it is not right that the State of Maryland—and it was not the intention of the State of Maryland when it signed the Constitution—should be taxed in order that such taxes might be divided up among the States and divided up for matters not described in the Constitution. It was not the purpose of the State of Maryland in coming into this Union that it should pay into the Federal Treasury sums to be expended for purely individual State matters, because, my friends, if there ever was an issue that is a local issue it is the issue of health and police. The Federal Government by such bills as this is attempting to take away the duties of the States. If we go on at this rate we shall absolutely do away with the powers of the State and local governments and center everything in the Federal Government.

Take an illustration: There is not a gentleman in this House who is not against common, ordinary murder. There is not a gentleman who would not laugh if I said, "Are you against murder?" But, I ask you, have we come to the point where we could pass a law in this House against common murder, such law providing penalties and providing that the Federal Government should take charge of prosecutions for murder in all the States? I submit, gentlemen, such a bill would be on the same principle as this. In other words, we are all against murder; but I do not believe that the radical element in this House, irrespective of their views of the Constitution, have yet come to the point where they are in favor of the Federal Government taking over all the remaining police powers of the States.

Now, let us look for one minute to what this bill does. The State of Maryland contributes 1.508 per cent of the total taxes of this Nation. The State of Alabama contributes 0.340 per cent. The State of Georgia contributes 0.801 per cent of the total taxes of this Nation. This is not a bill for the general welfare. It is a bill for distribution by the Federal Government of money from the Federal coffers. Consider the contribution to the Federal Government made by Alabama, Maryland, and Georgia and look what they, respectively, get out of it under this bill. I only take these States for illustration. I have no objection to Alabama or Georgia getting its just due, but I say from the point of view of Maryland it is unwise for its Representatives to vote for this bill. Under this bill Maryland gets \$14,777, while Alabama will get \$20,837 and Georgia \$24,531. In the same way Mississippi gets \$17,077 and contributes only 0.218 per cent to the Federal Treasury. Do not mistake me, for the purposes for which the Government was organized it makes no difference what each individual State contributes; but this is not for the general welfare; it is not for the common defense; it is simply a distribution of money to the various States to help in what certain cities and villages are doing at the present time, or should be doing, with thorough efficiency. Maryland should spend its money at home.

We can not afford to spend the money now, because both sides of this House are pledged by their national platforms to economy. In the second place, we are not voting in this bill for any definite plan. Under section 8, page 12, we are voting for unknown plans, to be submitted later on by the individual States. I have heard in the House so much about Congress ceding its rights and about letting other agencies do the work that Congress should do that I ask if you could have a greater cession of rights than for Congress to pass a blanket bill by which each of the 48 States shall bring in a separate plan organizing investigations and Chautauqua parties for training the mothers of this Nation.

We are all sincerely for proper measures to protect the American people. There is no politics in this bill, and no attempt to make partisan politics, but at least this bill is of doubtful constitutionality, and I submit as a third objection to it that whether it is technically so or not, it is against the Constitution, which gave the Federal Government definite rights and reserved for the States certain rights. Go back and read the Federalist. I submit to you that if such a proposition had been made to the various States they would not have gone into the Federal Union.

Now, in regard to the last point. This bill provides for the organization of Federal investigators—I do not call them Federal spies—but for Federal investigators to go all over the country, but it does not give the individual mother or the sepa-

rate child a penny. When you vote for this bill you must not vote under that misapprehension. I said to-day that I was particularly interested in this bill because the people of my district were against it. I rely on the individual canvass of mothers more than I do upon certain women who take prominent parts as leaders. I want to say to you that the Johns Hopkins Hospital is situated in my district. From one of its heads, the famous Dr. Howland, in a report to your committee here, you will find the opposition of surgeons which he voices, and I will ask unanimous consent that I may incorporate the letter from Dr. Howland which appears on page 269 of the hearings:

THE JOHNS HOPKINS HOSPITAL.

[Winford H. Smith, M. D., director; William S. Halstead, M. D., surgeon in chief; William S. Thayer, M. D., physician in chief; J. Whitridge Williams, M. D., obstetrician in chief; John Howland, M. D., pediatrician in chief; Adolf Mayer, M. D., psychiatrist in chief; William G. MacCallum, M. D., pathologist.]

JULY 12, 1921.

Hon. SAMUEL E. WINSLOW,

House of Representatives, Washington, D. C.

MY DEAR MR. WINSLOW: Your courteous invitation to appear before the Committee on Interstate and Foreign Commerce of the House of Representatives with reference to the consideration of the Sheppard-Towner bill, H. R. 2366, has been received. I am sorry that illness will prevent me from doing so. May I, however, state briefly my objections to the bill?

In the first place, I am unwilling to believe that such emergency exists as has been claimed regarding maternal care in this country, and I am quite sure from considerable experience with statistics that there is no basis for the statement that the United States stands seventeenth in maternal death rate. Even civilized countries have not sufficiently accurate statistics to enable anyone to make a definite statement such as this.

I do not believe that the way to improve health matters in States, except those that have a distinctly national or interstate application, is by Federal supervision or control. Public-health work depends upon enlightened local interest. It can not be improved by influence directed from a distance.

If such work as the Sheppard-Towner bill provides is to be undertaken, it should be undertaken by the United States Public Health Service and not by a subdepartment of the Department of Labor. Indeed, it appears peculiar to most physicians who are interested in work for the benefit of children that the care of children should be a function of the Department of Labor. The work is now in improper surroundings. To increase and expand the work of the Children's Bureau where it now is only to make matters worse.

Finally and chiefly I am opposed to the bill because I am opposed to the granting of subsidies to States by the Federal Government for work which is purely local in the States. It is to my mind an unsound financial policy and a dangerous step toward the centralization in Washington of matters which properly belong to the States themselves.

Respectfully, yours,

JOHN HOWLAND.

Gentlemen, I do not like to rise here on this question after it has been so fully discussed but for the reasons which I have given I feel that I must vote against this bill. [Applause.]

Mr. COOPER of Ohio. Mr. Chairman, in the first place, I want to say that I, for one, do not agree with the statement made by the gentleman from Delaware [Mr. LAYTON] when he insinuated that every Member of Congress who is going to vote for this measure is moved to do so for political purposes. I want to say that I am moved to vote for this measure from the standpoint of principle, because I believe it is a bill that will do much toward the preservation of the human race. I fully realize that I can not say anything here this afternoon that will change the vote of one Member of this House, but, as a member of the committee that had this bill under consideration, I do at this time for just a few moments want to express my views upon it.

Mr. Chairman and gentlemen of the committee, the bill which we are considering to-day, known as the Sheppard-Towner maternity and infancy bill, has attracted much attention throughout the country, because of what has been said and written about it. Let us consider for a few moments what it does and does not do and the reasons for its enactment into law.

By passing this bill Congress goes on record as indicating an interest in the welfare of the mothers and children of our Nation and in the future generations which in the natural course of events will fall heir to our country. Surely it is of the greatest importance that the children of to-day shall be strong, healthy, sturdy men and women of to-morrow. To call the provisions of this bill radical and revolutionary is absurd unless we would call all progressive, forward-looking legislation radical and revolutionary.

AIDS MOTHERS AND CHILDREN.

The Sheppard-Towner maternity and infancy bill does this, and nothing more than this: It provides that the Federal Government may stimulate, encourage, and aid the several States of the Union in promoting the welfare and hygiene of maternity and infancy if the several States themselves desire to do so.

For many years the Federal Government has aided in the protection and development of crops and live stock. Does any-



one dare say that the protection and development of the human race itself is not infinitely more important? If it is socialistic for the Federal Government to encourage and aid in the protection of maternity and infancy, then it is equally socialistic for the Government to aid in the protection of the cotton crop against the boll weevil and of the farmers' swine against hog cholera. Does anyone argue that cotton and pigs are more important than babies?

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Ohio. I yield to the gentleman from Indiana.

Mr. SANDERS of Indiana. In furnishing money to aid in the propagation of cotton, however, we do not study to see which State furnishes the most money. Those States that have no cotton whatever contribute to the money that goes to help cotton.

Mr. COOPER of Ohio. I am glad the gentleman from Indiana has made that point.

SMALL SUM APPROPRIATED.

To those who would claim that our Federal Treasury and our taxpayers can not afford to spend the money which the maternity and infancy bill proposes to appropriate I need only say that many times the amount appropriated in the maternity bill has been expended by the Government each year through the Department of Agriculture for the encouragement and protection of crops and domestic animals; and, furthermore, we have at last established a budget system to control the expenditure of the Federal funds. It is the duty of the Budget Commissioner to determine definitely what the Federal income is going to be for the coming fiscal year and also what the needs of the various Government activities will be, and make recommendation to Congress accordingly. By this method we expect to be able to control economically and equitably the relative financial outlays of the Government for all purposes, including the small amount which it is proposed to appropriate in this bill.

The Sheppard-Towner bill, as it has been reported to the House of Representatives by the Committee on Interstate and Foreign Commerce, of which I have the honor to be a member, appropriates for the fiscal year ending June 30, 1922, the sum of \$480,000, to be distributed in amounts of \$10,000 to each State. For each subsequent year for five years each State will get \$5,000 under the provisions of this bill. In addition provision is made for the expenditure of not more than \$1,000,000 a year for the next five years, to be distributed among the various States according to population whenever these States offer to match each dollar from the Federal Government with a dollar from their own funds. According to this bill, the greatest possible amount that the United States Government can spend for the aid and protection of maternity and infancy during the next five years is \$6,200,000.

CHILDREN'S BUREAU ADMINISTERS LAW.

The administration of the law is placed by the bill under the control of the Children's Bureau of the Department of Labor, and a board of maternity and infancy hygiene, consisting of the Chief of the Children's Bureau, the Surgeon General of the United States Public Health Service, and the United States Commissioner of Education, is created to have advisory supervision. The bill provides that all positions in the Government service made necessary by the law shall be filled under the civil-service regulations, and that the cost of supervision by the bureau shall be not more than \$50,000 a year. This amount is included in the total appropriation provided in the bill.

The bill states specifically that no agent, Federal or States, acting under its authority, may enter any home unless it is the desire of the mother or parents that the agent do so. It is also specifically provided that nothing in the bill shall limit the power or control of parents over their children in any way. In other words, there is nothing in the entire bill of a compulsory nature or which forces medical attention upon anyone, despite the misleading statements which have been made by opponents of the measure.

I want to say at this time that there is a propaganda going all over this country which is absolutely misrepresenting the provisions of this bill. In the last two days I have received many letters from the good women of my district protesting against the passage of this bill because they have been informed, by the opponents of this measure that if this bill becomes a law, no child will be permitted to be born in the mother's own home, but that the Federal authorities will take supervision over every maternity case and will bring every expectant mother to a Federal hospital where she may give birth to her child. That is the propaganda that is going all over this country, being sent out by the opponents of this measure.

GREAT NEED OF AID.

Let us examine for a moment the reason why those interested believe that this law is desirable and necessary for the welfare and benefit of the mothers and children and of the Nation as a whole. Evidence presented to our committee showed that in a single year in this country 23,000 mothers died in childbirth, that 250,000 infants died under 1 year of age, and that most of these deaths were preventable. It is stated with authority that it is safer to be a mother in 17 important foreign countries than it is in the United States, and that babies have a better chance to live in 10 foreign countries than in our own.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Ohio. Yes. I yield to the gentleman from Massachusetts.

Mr. WALSH. Will the gentleman give the authority for that statement?

Mr. COOPER of Ohio. That statement was made by some of the very prominent people who appeared before our committee in behalf of this measure.

Mr. WALSH. The gentleman says it was stated with authority.

Mr. COOPER of Ohio. These facts were stated with authority. I can not just remember the people's names, but the hearings will show.

Mr. BARKLEY. The statement was made before the committee, I think, by Dr. Van Ingen, who is connected with Johns Hopkins University, and who I think is at the head of the obstetrical department, if I am not mistaken.

Mr. COOPER of Ohio. And that statement is based upon the report of the Bureau of Census of the United States and of all the available governmental authority.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Ohio. Yes.

Mr. GARRETT of Tennessee. The gentleman has stated very clearly and succinctly what the bill does not do. May I ask the gentleman just what will be done under the bill?

Mr. COOPER of Ohio. I am coming to that in a moment, if the gentleman will permit.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Ohio. Yes. I yield to the gentleman from Vermont.

Mr. GREENE of Vermont. Is it not an axiomatic fact in sociology that with increasing civilization and higher levels and standards of civilization the birth rate decreases?

Mr. COOPER of Ohio. I am not an authority upon that.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Ohio. Yes.

Mr. GRAHAM of Illinois. I have the information which I think the gentleman desires. The information upon which he made the statement referred to a moment ago was based upon the statements of Dr. Philip Van Ingan, clinical professor of the diseases of children, College of Physicians and Surgeons, Columbia University, New York City; Miss Julia Lathrop, former chief of the Children's Bureau in the Labor Department; Dr. S. Josephine Baker, director of child hygiene division, New York City board of health; and William Travis Howard, dean of the department of vital statistics of Johns Hopkins University.

Mr. WALSH. Mr. Chairman, will the gentleman yield further?

Mr. COOPER of Ohio. Yes.

Mr. WALSH. Will the gentleman inform us what he means by its being safer to be a mother in 17 foreign countries than in the United States? I suppose that includes Russia.

Mr. COOPER of Ohio. I will say to the gentleman from Massachusetts that it means this, that in 17 other countries the number of deaths of mothers during the period of maternity and childbirth is far below the number of deaths from the same cause in our own country.

Mr. WALSH. Proportionately?

Mr. COOPER of Ohio. Yes.

Mr. GREENE of Vermont. May I still further ask the gentleman if he does not associate with that the proposition I put to him a moment ago. It is an undisputed fact in sociology, according to the study of the races of man generally, that with increasing civilization and all that civilization brings the birth rate decreases, and we certainly have a superior civilization on this continent to pretty close to 17 other countries, have we not?

Mr. COOPER of Ohio. I would say this: That in many of these countries where the death rate of mothers at childbirth and the death rate of the children born is less than it is in the United States, they have provided such legislation as we are presenting to the House to-day.

Mr. WALSH. Will the gentleman yield for a further question?

Mr. COOPER of Ohio. I will.

Mr. WALSH. I do not like to interrupt the very interesting statement the gentleman is making.

Mr. COOPER of Ohio. I would be glad to yield.

Mr. WALSH. Is it not a fact that there is not a foreign country, with the possible exception of Germany, that keeps a birth rate and death rate with the accuracy which is done in the United States, with the exception of perhaps some institutions that are maintained abroad?

Mr. COOPER of Ohio. I can not answer that question.

Mr. LONDON. If the gentleman will permit, as a matter of fact we have the rates of birth in only 26 States of the United States.

Mr. GREENE of Vermont. How do they figure the rate of the entire United States, then?

Mr. LONDON. We have no exact data relating to the whole United States, but they take into consideration those States which do maintain records of births.

Mr. GREENE of Vermont. And apply it as an average?

Mr. LONDON. Yes.

Mr. GREENE of Vermont. Would you take the average of New York State as the the average of New England?

Mr. LONDON. The most remarkable thing is that New York bears up well with the other States that do maintain a system of registration of births. The climate is exceptionally good in New York, the soil is good in New York, and it has a number of very intelligent men.

Mr. GREENE of Vermont. In New York City?

Mr. LONDON. Yes.

Mr. TINCHER. Does not the gentleman from Vermont think it would be a good idea to resolve the doubt in favor of the mothers and babies?

Mr. GREENE of Vermont. I do not resolve doubts in that way.

Mr. COOPER of Ohio. I shall only take a few more minutes, and I would like to proceed at this time.

It was pointed out that, due to ignorance, poverty, and other causes, not only in congested centers of population but also in isolated rural localities the loss of life and suffering among mothers and helpless babes has been terrific. It is a startling and disgraceful fact that in this enlightened age and in this rich country more women between the ages of 15 and 45 lose their lives from conditions connected with childbirth than from any other cause except tuberculosis. It is not necessary to go into details regarding present conditions, but it should be stated that wherever this class of welfare work is now being conducted it has resulted to great benefit. Miss Fox, of the American Red Cross, said:

Wherever there is a public-health nurse provided and her presence in town or country becomes known, she is immediately surrounded by women of that territory, begging and imploring her to come to their homes and help them in their problems. The nurses will tell you they are distressed beyond measure because there are so few of them and they have such large territories to cover that they can not possibly at present respond to all the demands made upon them.

#### MISS LATHROP'S VIEWS.

Miss Julia Lathrop, Chief of the Children's Bureau, who has made a study of the situation and conditions, and is recognized as an authority on the subject, said:

The bill is designed to avoid an obnoxious governmental authority. It respects the rights and duties of the State and requires no rigid control of their appropriations. But experience shows that there should be a central source affording to the different States, when they make their plans, the best experience of all of the other States and of the world, and a central body competent to assure taxpayers and the special beneficiaries of the measure that its spirit is effectively carried out and that intelligent use is made of every dollar.

The actual public-health nursing anticipated under the bill would be done by local employees and not by the Federal Government. The percentage of the appropriation that may be spent for administrative purposes by the Federal Government can not exceed 5 per cent, and at least 95 per cent must be allotted to the States.

The bill does not contemplate the creation of new machinery in the States. It is its purpose to have the work done in the States by State child-hygiene or child-welfare divisions, and 35 of the 48 States already have such divisions, most of them under the State boards of health.

I disagree with my good friend from Maryland [Col. HILL] when he said that he believed most of the women of this country were against this bill.

#### WOMEN KNOW THE NEED.

This bill is undoubtedly being enacted in response to the wishes of the newly enfranchised women of the country. It is the first measure to be passed by Congress which women as a whole have specially supported. And it is to their great credit that they should support such a law, because its purpose and object must be near and dear to the heart of all womanhood. For all true women earnestly wish to see the sufferings of

their sisters relieved and want to place their protecting arms around the helpless little children. Women know far, far better than men what women must undergo and what are the real needs of mothers and infants.

And so practically every woman's organization in the country, regardless of party, race, or creed, is enlisted in support of this bill to authorize the United States Government to extend a helping hand to mothers and children.

And I want to ask the gentleman from Maryland [Col. HILL] to listen to what I am going to say now relative to the question as to whether or not the women of our country are supporting this bill. Among those on record in favor of this legislation are the General Federation of Women's Clubs, the National Congress of Mothers, the Republican and Democratic Women's National Committees, Daughters of the American Revolution, the National League of Women Voters, the National W. C. T. U., Y. W. C. A., Council of Jewish Women, college women, business women, and working women. Added to their voices comes the indorsements from governors of 34 States of the Union and the resolution of hearty approval adopted by the last Methodist general conference.

Just a word about the opposition. I believe most of it comes from misunderstanding and misrepresentation. A few conservative women have been misled as to the provisions and purposes of the bill. I understand that the Woman's Antisuffrage Association is against the bill, but I am sure all their fears and misgivings are groundless.

The leader of the Woman's Antisuffrage Association, who comes from the same State as our good friend from Maryland [Col. HILL], who appeared before our committee voiced her most vigorous protest against the passage of this bill. For I believe that the enactment of this bill into law will be a decided step toward the better recognition by the Federal Government of the human needs of our people of this generation and those who are to follow.

Mr. WINSLOW. I would like to ask a question of the gentleman from Ohio in his time. Would the gentleman be willing to state again the reference he made as to the indorsement by governors of this bill?

Mr. COOPER of Ohio. I think the chairman of the committee will recall, if the chairman does not I am sure some other members of the committee will, that the testimony was presented before our committee where the governors, and you will find it in the hearings, I am quite sure, in the last session of Congress—

Mr. WINSLOW. In the last session of Congress, but not on this bill?

Mr. COOPER of Ohio. Where the governors of 34 of the States of this Union had indorsed the provisions of this bill, and heartily approved the same.

Mr. WINSLOW. I just wanted to get it right so we will be fairly right. Does not the gentleman mean to refer to the consideration of the bill taken up in the preceding Congress?

Mr. COOPER of Ohio. Well, I do, but the principle is the same. The principle that was involved in the bill which was reported at the last session of the Congress does not differ in any way, shape, or form from this.

Mr. JOHNSON of Mississippi. I would like to ask the gentleman if both bills were not the Sheppard-Towner bill?

Mr. COOPER of Ohio. Yes; and in principle and purpose both bills do not differ in any respect.

Mr. WALSH. Does the gentleman find among the list of indorsers the name of Rose Pastor Stokes and Victor Berger?

Mr. COOPER of Ohio. I do not.

Mr. WALSH. The gentleman will find they have worked for it.

Mr. COOPER of Ohio. So far as I know from my personal knowledge, there has never been at any time any statement made before the committee indicating that Victor Berger or Rose Pastor Stokes have indorsed this bill.

Mr. WALSH. Of course, there are a lot of people in the country die of old age each year. Is the gentleman in favor of the Government stepping in and helping to stimulate the activities of the States in combating the death rate?

Mr. COOPER of Ohio. I want to say to the gentleman from Massachusetts on general principles I am opposed to the Federal Government going into paternalism, but I do not consider this bill in any way, shape, or form paternalistic. I believe it is a step on the part of the Federal Government to aid the mothers and the children of our country, and, after all, these are the ones we have to look forward to if we are going to be a great nation of people and contribute our part to a Christian civilization and in trying to make the world a better place in which to live.

Mr. Chairman, I reserve the balance of my time. [Applause.]

## BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 7108. An act authorizing a per capita payment to the Chippewa Indians of Minnesota from their tribal funds held in trust by the United States;

H. R. 8298. An act to amend section 1044 of the Revised Statutes of the United States, relating to limitations in criminal cases;

H. R. 7051. An act to authorize the Secretary of the Interior to execute deeds of reconveyance for certain lands in the city of Mount Pleasant, Isabella County, Mich.;

H. R. 8442. An act to amend an act entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," approved March 12, 1914, as amended; and

H. R. 2232. An act in reference to a national military park on the plains of Chalmette, below the city of New Orleans.

## EXTENSION OF REMARKS.

Mr. HILL. Mr. Chairman, I rise to ask unanimous consent to include in my remarks the letter of Dr. Howland to which I referred.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to include in his remarks the letter to which he refers. Is there objection. [After a pause.] The Chair hears none.

Mr. WINSLOW. Mr. Chairman, I move that the committee do now rise.

Mr. JOHNSON of Mississippi. Will the gentleman withhold that request for a moment?

Mr. WINSLOW. I will.

Mr. JOHNSON of Mississippi. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record by placing therein resolutions passed by the National Women's Council at Philadelphia.

The CHAIRMAN. Does the gentleman from Massachusetts yield for that purpose?

Mr. WINSLOW. Yes; I yield for that purpose.

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

There was no objection.

The following are the resolutions referred to:

WOMEN ASSAIL CIGARETTES IN FEMININE LIPS—SOCIETY DAMES AND 60-YEAR-OLD "PILL"-PUFFING "VAMPS" TARGET AT PHILADELPHIA.

PHILADELPHIA, November 17.

Bitter criticism of the sex freedom which permits women to smoke was made at yesterday's meeting of the National Council of Women when their resolution committee submitted a measure asking for more strict enforcement of laws forbidding sale of tobacco to minors.

Another clause in this resolution, later unanimously passed by the council, representing 10,000,000 women of the Nation, asked for the promotion of better dress for women as an influence on their morals and health.

"One sees beautiful young women in hotel dining rooms, nonchalantly lighting cigarettes and as nonchalantly exhaling," Mrs. Frances E. Burns, of St. Louis, Mich., said when the resolution was offered for action.

"It is a most deplorable condition which detracts from womanly appeal, and is in addition injurious to the health. Smoking is not confined to young and single women, but also to prospective mothers, who by their addiction to the tobacco habit injure the health of the unborn child. And many mothers continue smoking after birth of the baby, injuring the child more.

"Enforcement of laws prohibiting sale of tobacco to minors should not be confined to them but extended to women. I am astounded and too full to express my opinion of the fact that a transcontinental railroad recently opened smoking compartments exclusively for the use of women."

Mrs. Burns related how, when she paid a recent visit to Louisville, she was horrified to see young women with cigarettes between their lips driving their automobiles through the streets.

"Even more disgusting than smoking among young women," Dr. K. Walter Barrett, of Alexandria, Va., added, "is to see a 60-year-old vamp smoking and cast languishing glances at some young fellow." At the conclusion of Dr. Barrett's remarks the resolution was passed without a dissenting vote.

Mr. WINSLOW. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Thereupon the committee rose; and Mr. WALSH having resumed the chair as Speaker pro tempore, Mr. HOUSTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 1039, and had come to no resolution thereon.

## ORDER OF BUSINESS.

Mr. WINSLOW. Mr. Speaker, if possible I would like to have an arrangement for limiting the time for general debate to-morrow, and for the control of that time. If it would be agreeable, and we could get unanimous consent, I would suggest that we extend the time beyond what has already been

allotted by four hours, half of the time to be controlled by the gentleman from Kentucky [Mr. BARKLEY] and the other half by the Chairman of the Committee on Interstate and Foreign Commerce. And I make the further request that we adjourn until 11 o'clock to-morrow.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent that general debate upon the bill S. 1039 be limited to four hours, one-half to be controlled by himself and one-half by the gentleman from Kentucky [Mr. BARKLEY].

Mr. WINSLOW. Four hours in addition to the time already allotted.

The SPEAKER pro tempore. Is there objection?

Mr. JOHNSON of Mississippi. Mr. Speaker, reserving the right to object, I want to ask the chairman if it is his purpose to vote on this bill before 8 o'clock to-morrow evening?

Mr. WINSLOW. I hope so.

The SPEAKER pro tempore. Does the Chair understand that the gentleman from Massachusetts included the 11 o'clock meeting arrangement in his request?

Mr. WINSLOW. Yes.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent that general debate on the bill S. 1039 be limited to four hours in addition to the time already allotted, and that when the House adjourns this evening it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

Mr. LONDON. Mr. Speaker, reserving the right to object, I would like to have the assurance that I shall have at least 20 minutes. So much has been said about my having made converts I want to refute that statement.

Mr. RAKER. Mr. Speaker, will the gentleman from Massachusetts yield for a question? I understand the time is to be allotted to the gentleman from Massachusetts, the chairman of the committee, and the gentleman from Kentucky [Mr. BARKLEY].

Mr. WINSLOW. That was included in the motion.

Mr. RAKER. Is there any way that I can have 15 minutes in favor of this bill from either side?

Mr. WINSLOW. I hope so.

Mr. RAKER. Will the gentleman give me seven minutes and a half—

Mr. WINSLOW. I would not like to make an agreement like that contingent on the request to meet at 11 o'clock to-morrow. It is like trading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts that the general debate on the bill S. 1039 continue for four hours in addition to the time already allotted, one-half to be controlled by himself and one-half by the gentleman from Kentucky [Mr. BARKLEY], and that when the House adjourns this evening it adjourn to meet at 11 o'clock to-morrow morning? [After a pause.] The Chair hears none.

## ADJOURNMENT.

Mr. WINSLOW. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 52 minutes p. m.) the House, under its previous order, adjourned until Saturday, November 19, 1921, at 11 o'clock a. m.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 9110) granting a pension to William N. Hupp; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9118) granting an increase of pension to John M. Jeans; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CHANDLER of Oklahoma. A bill (H. R. 9198) to amend section 1 of the act entitled "An act to pension soldiers and sailors of the War with Spain, the Philippine insurrection, and the China relief expedition," approved June 5, 1920; to the Committee on Pensions.

By Mr. RAKER: A bill (H. R. 9199) to defer the time for payment of grazing fees for the use of national forests during the calendar year 1921; to the Committee on Agriculture.

By Mr. KLINE of New York: A bill (H. R. 9200) to authorize the Secretary of the Navy to accept certain land at Rockaway Beach, Long Island, N. Y., for aviation and other naval purposes; to the Committee on Naval Affairs.

By Mr. DENISON: A bill (H. R. 9201) to regulate divorces in the Canal Zone; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 9202) to amend sections 7, 8, and 9 of the Panama Canal act and for other purposes; to the Committee on Interstate and Foreign Commerce.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOWELL: A bill (H. R. 9203) granting a pension to Lizzie Brown; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 9204) granting a pension to Theresa L. Matthewson; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 9205) granting a pension to Mary E. Sargent; to the Committee on Invalid Pensions.

By Mr. MEAD: A bill (H. R. 9206) granting an increase of pension to Fred A. Stout; to the Committee on Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 9207) for the relief of Ellen Moore; to the Committee on Claims.

By Mr. PARRISH: A bill (H. R. 9208) granting a pension to Lewis H. Tubbs, jr.; to the Committee on Pensions.

By Mr. SCOTT of Tennessee: A bill (H. R. 9209) granting a pension to Sam Wells; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 9210) granting a pension to Risseller Everhart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9211) granting a pension to Isaac Pierce; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3100. By Mr. CRAMTON: Petition of George Newberry and other residents of the seventh district of Michigan, protesting against the passage of House bill 4388; to the Committee on the District of Columbia.

3101. Also, resolution of the Sebewaing Woman's Club, of Sebewaing, Mich., urging a comprehensive and effective program of disarmament without delay; to the Committee on Foreign Affairs.

3102. By Mr. FULLER: Petition of the International Association of Machinists, opposing section 8 of the reclassification bill; to the Committee on Reform in the Civil Service.

3103. By Mr. GOLDSBOROUGH: Petition of Woman's Home Missionary Society of Cambridge, Md.; Social Service Club of Baltimore, Md.; Susquehanna Council, No. 8, Sons and Daughters of Liberty, Port Deposit, Md.; and Victory Council, No. 10, Sons and Daughters of Liberty, Athel, Md., praying for reduction in armament; to the Committee on Foreign Affairs.

3104. By Mr. KETCHAM: Petition of the Cassopolis Woman's Club, of Cassopolis, Mich., favoring limitation of armaments; to the Committee on Foreign Affairs.

3105. Also, petition of 12 members of the Disciples of Christ, of Glendora, Mich., urging reduction of naval program and some form of international cooperation for prevention of war; to the Committee on Foreign Affairs.

3106. Also, petition of the Colon Country Club, of Colon, Mich., representing 22 members, favoring limitation of armaments; to the Committee on Foreign Affairs.

3107. Also, petition of the Ganges Home Club, of Fennville, Mich., favoring limitation of armaments; to the Committee on Foreign Affairs.

3108. Also, petition of the Church of the Brethren of Woodland, Mich., favoring disarmament; to the Committee on Foreign Affairs.

3109. Also, petition of Methodist Episcopal Church of Hastings, Mich., consisting of 850 members, favoring the reduction of armament by agreement; to the Committee on Foreign Affairs.

3110. Also, petition of First Baptist Church of Sturgis, Mich., consisting of 195 members, favoring the limitation of armament; to the Committee on Foreign Affairs.

3111. Also, petition of Benton Harbor Federation of Women's Clubs, favoring limitation of armaments; to the Committee on Foreign Affairs.

3112. By Mr. KISSEL: Petition of A. I. Namm & Son, Brooklyn, N. Y.; to the Committee on Ways and Means.

3113. Also, petition of American committee on Cuban emergency, New York City; to the Committee on Ways and Means.

3114. By Mr. MacGREGOR: Resolution adopted by the committee of management of the West Side Branch of the Young Men's Christian Association, of Buffalo, N. Y., most heartily indorsing the steps taken at Washington for the universal reduction of armaments; to the Committee on Foreign Affairs.

3115. Also, resolution adopted by the board of directors of the Ellicott Drug Co. heartily indorsing the steps taken at Washington for the universal reduction of armaments; to the Committee on Foreign Affairs.

3116. By Mr. MONTOYA: Petition of residents of Magdalena, N. Mex., asking the United States Government to extend relief and protection to the imperiled people of the Near East; to the Committee on Foreign Affairs.

3117. Also, resolution of the board of directors of the chamber of commerce, Clovis, N. Mex., protesting against section 402, Fordney tariff bill, known as the American valuation plan; to the Committee on Ways and Means.

3118. By Mr. SMITH of Idaho: Resolution adopted by the chamber of commerce, Moscow, Idaho, urging enactment of the French-Capper truth in fabric bill; to the Committee on Interstate and Foreign Commerce.

3119. By Mr. SNYDER: Petition of members of the Congregational Church, Camden, N. Y., and the Methodist Episcopal Church, Hinckley, N. Y., and the Methodist Episcopal Church, Prospect, N. Y., against legalizing the manufacture and sale of 2.75 per cent beer; to the Committee on Ways and Means.

3120. Also, petition of L. R. Steel Service Corporation, of Utica, against the enactment of the so-called maternity bill; to the Committee on Interstate and Foreign Commerce.

3121. By Mr. SPEAKS: Papers to accompany House bill 9177, granting an increase of pension to Harriet Gale; to the Committee on Invalid Pensions.

3122. By Mr. TEMPLE: Petition of American Society of Agronomy, in support of House bill 5230; to the Committee on Interstate and Foreign Commerce.

3123. By Mr. YOUNG: Memorial of the Woman's Christian Temperance Union, of Barton, N. Dak., remonstrating against the ruling of the Treasury Department permitting the sale of beer by druggists; to the Committee on the Judiciary.

3124. Also, petition of the Keeping-Up Club, of Monango, N. Dak., protesting against the imposition of a tax on musical instruments; to the Committee on Ways and Means.

3125. Also, memorial of sundry citizens of Van Hook, N. Dak., remonstrating against the imposition of a sales tax on musical instruments; to the Committee on Ways and Means.

3126. Also, memorial of sundry citizens of the State of North Dakota, remonstrating against the proposed tax on medicine; to the Committee on Ways and Means.

3127. Also, resolution of the Bismarck Commercial Club, of Bismarck, N. Dak., favoring the passage of the so-called French-Capper truth in fabric bill; to the Committee on Interstate and Foreign Commerce.

#### SENATE.

SATURDAY, November 19, 1921.

(Legislative day of Wednesday, November 16, 1921.)

The Senate reassembled at 10 o'clock a. m., on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ball	King	Page	Sterling
Brandegee	Ladd	Penrose	Trammell
Curtis	McCumber	Phipps	Walsh, Mass.
Dial	McNary	Pomerene	Walsh, Mont.
France	Nelson	Robinson	Williams
Gooding	Norbeck	Sheppard	Willis
Harris	Norris	Smith	
Harrison	Oddie	Smoot	
Heflin	Overman	Spencer	

Mr. CURTIS. I wish to announce the absence of the Senator from Maine [Mr. FERNALD] and the Senator from Washington [Mr. JONES] on official business. I also announce that the Senator from Washington [Mr. POINDEXTER] is detained at a committee meeting.

Mr. ROBINSON. I wish to announce that the Senator from Louisiana [Mr. RANDELL] and the Senator from Tennessee [Mr. MCKELLAR] are absent on business of the Senate.