

head of any department to transmit to either House of Congress on its demand any information whatever concerning the administration of his department, but the committee believes it to be clear that from the very nature of the powers intrusted by the Constitution to the two Houses of Congress it is a necessary incident that either House must have at all times the right to know all that officially exists or takes place in any of the departments of the Government.

"So perfectly was this proposition understood before and at the time of the formation of the Constitution that the Continental Congress, before the adoption of the present Constitution, in establishing a department of foreign affairs and providing for a principal officer thereof, thought it fit to enact that all books, records, and other papers in that office should be open to the inspection of any Member of Congress, provided that no copy should be taken of matters of secret nature without special leave of Congress. It was not thought necessary to enact that the Congress itself should be entitled to the production and inspection of such papers, for that right was supposed to exist in the very nature of things, and when under the Constitution the department came to be created, although the provision that each individual Member of Congress should have access to the papers was omitted—evidently for reasons which can now be quite well understood—it was not thought necessary that an affirmative provision should be inserted giving to the Houses of Congress the right to know the contents of the public papers and records in the public offices of the country whose laws and whose offices they were to assist in creating."

I do not read the remainder of the report, but I ask that it may be inserted in the Record without reading.

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

The remainder of the report, as found in Hinds' Precedents, is as follows:

It is believed that there is no instance of civilized governments having bodies representative of the people or of States in which the right and the power of those representative bodies to obtain in one form or another complete information as to every paper and transaction in any of the executive departments thereof does not exist, even though such papers might relate to what is ordinarily an executive function, if that function impinged upon any duty or function of the representative bodies.

A qualification of this general right may under our Constitution exist in case of calls by the House of Representatives for papers relating to treaties, etc., under consideration and not yet disposed of by the President and Senate.

The committee feels authorized to state, after a somewhat careful research, that within the foregoing limits there is scarcely in the history of this Government until now any instance of a refusal by a head of a department, or even of the President himself, to communicate official acts and information as distinguished from private and unofficial papers, motions, views, reasons, and opinions, to either House of Congress when unconditionally demanded. Indeed, the early Journals of the Senate show great numbers of instances of directions to the heads of departments, as, of course, to furnish papers and reports upon all sorts of affairs, both legislative and executive.

The instances of requests to the President and commands to the heads of departments by each House of Congress from those days until now for papers and information on every conceivable subject of public affairs are almost innumerable, for it appears to have been thought by all the Presidents who have carried on the Government now for almost a century that, even in respect of requests to them, an independent and coordinate branch of the Government they were under a constitutional duty and obligation to furnish to either House the papers called for, unless, as has happened in very rare instances, when the request was coupled with an appeal to the discretion of the President in respect of the danger of publicity, to send the papers if, in his judgment, it should not be incompatible with the public welfare.

Even in times of the highest party excitement and stress, as in 1826 and 1844, it did not seem to occur to the Chief Executive of the United States that it was possible that any official facts or information existing, either in the departments created by law or within his own possession could, save as before stated, be withheld from either of the Houses of Congress, although such facts or information sometimes involve very intricate and delicate matters of foreign affairs as well as sometimes the history and conduct of officers connected with the administration of affairs.

The Senate, on February 18, agreed to this resolution:

"Resolved, That it is, under these circumstances, the duty of the Senate to refuse its advice and consent to proposed removals of officers the documents and papers in reference to the supposed official or personal misconduct of whom are withheld by the Executive or any head of a department when deemed necessary by the Senate and called for in considering the matter."

Mr. WALSH of Montana. Mr. President, I will conclude simply by asking what does this message from the President mean? What does he want us to do or to omit doing? I should like to have some one who is able to speak for him tell us what he wants us to do; if he does not want us to quit every one of these investigations.

There is nothing peculiar about the investigation being conducted by the select committee of which the Senator from Indiana [Mr. WATSON] is the chairman. If that committee must cease its activities, why must not all of them cease? If that committee is proceeding in violation of the Constitution, every other investigating committee is proceeding in violation of the Constitution. If it has contravened the provisions of the fourth amendment to the Constitution guaranteeing citizens against unlawful seizures and searches, the other committees are equally guilty of the same offense.

Of course this means that the President wants us to stop these investigations; and he ought to say so. He wants us to stop these investigations, and to take our chances as to the faithful discharge of the duties of every department and the officials in every department—the Veterans' Bureau, the Department of the Interior, the Department of Justice, and now the Department of the Treasury.

Of course he is not asking anything of that kind; he does not come before the Senate of the United States and say "adopt a resolution canceling the powers which you have conferred upon these committees and desist from further investigating these matters"; no, but, Mr. President, the message unquestionably has been written in order to influence public opinion which, having its force upon Members of the Senate, shall result in exactly that thing.

INDEPENDENT OFFICES APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8233) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1925, and for other purposes.

RECESS

Mr. WARREN. Mr. President, I wish to state that we are right where we were, and I am glad that we have not gone backward any on the bill that is before us.

I failed to give notice to-day of asking the Senate to remain through the evening. I am about to move a recess; but I wish to say at this time that in connection with the next appropriation bills which come before us I shall be compelled to ask for better progress, or else it will be necessary to ask for evening sessions.

The PRESIDENT pro tempore. The Chair is of the opinion, until otherwise advised, that if a recess is taken until tomorrow the immigration bill will be laid before the Senate at the opening of the session.

Mr. WARREN. While that is a debatable point, I do not wish to interfere with the Chair's decision, because that matter will be arranged in the morning when it comes before us.

I now move that the Senate take a recess, the recess being, under the order previously made, until 12 o'clock to-morrow.

The motion was agreed to; and (at 6 o'clock and 32 minutes p. m.) the Senate took a recess until to-morrow, Saturday, April 12, 1924, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, April 11, 1924

The House met at 11 o'clock a. m.

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

O Lord, our God, give us the right spirit in our approach to Thee, in the resolutions we form, and in the petitions we offer. Not according to our deserts do Thou respond unto our prayer but according to the merits of our Saviour, according to the plentitude of Thy promises, and according to the greatness of our need. Forgive our mistakes, our waywardness, and our self-will. Thou hast set before us great tasks; may we fulfill them worthily. In all things O give us to understand that happiness and true success have their roots not alone in circumstances but in the inward condition of character and the breath of a good name that can be spoken without apology under all the conditions of society. Do Thou be with us all, O Lord, our God. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Welch, one of its clerks, announced that the Senate had passed bill and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 746. An act providing for the development of hydroelectric energy at Great Falls; and

S. J. Res. 106. Joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of an equestrian statue of General San Martin, which the people of Argentina have presented to the United States.

SENATE BILL AND JOINT RESOLUTIONS REFERRED

Under clause 2, Rule XXIV, Senate bill and joint resolutions were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 746. An act providing for the development of hydroelectric energy at Great Falls; to the Committee on the District of Columbia.

S. J. Res. 106. Joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of an equestrian statue of General San Martin, which the people of Argentina have presented to the United States; to the Committee on the Library.

S. J. Res. 110. Joint resolution to admit Leia, Gersch, and Civia Lipman, three Russian orphan children, to the United States; to the Committee on Immigration and Naturalization.

IMMIGRATION BILL

Mr. JOHNSON of Washington. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 7995) to limit the immigration of aliens into the United States, and for other purposes.

The SPEAKER. The gentleman from Washington moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the immigration bill.

The motion was being put when Mr. Box asked for a division, and made the point of no quorum.

The SPEAKER. The gentleman from Texas makes the point there is no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in the absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 343, not voting 89, as follows:

YEAS—343

Table listing names of members who voted 'YEAS' (343 total). Includes names like Abernethy, Aldrich, Allen, Allgood, Almon, Andrew, Arnold, Aswell, Ayres, Bacharach, Bacon, Bankhead, Barbour, Barkley, Beck, Beedy, Beers, Begg, Bell, Berger, Bixler, Black, N. Y., Black, Tex., Bland, Blanton, Bloom, Boies, Bowling, Box, Boyce, Boylan, Briggs, Browne, N. J., Browne, Wis., Browning, Brumm, Buchanan, Buckley, Bulwinkle, Burdick, Burtness, Burton, Busby, Byrnes, S. C., Byrnes, Tenn., Cable, Campbell, Canfield, Cannon, Carew, Carter, Casey, Celler, Chindblom, Christopherson, Clague, Clancy, Clarke, N. Y., Cleary, Cole, Iowa, Collier, Collins, Colton, Connally, Tex., Cook, Cooper, Ohio, Cooper, Wis., Cramton, Crisp, Croll, Crosser, Cullen, Cummings, Dallinger, Darrow, Davis, Minn., Davis, Tenn., Denison, Dickinson, Iowa, Dickinson, Mo., Dickstein, Dominick, Doughton, Dowell, Doyle, Drewry, Driver, Dyer, Elliott, Evans, Iowa, Evans, Mont., Fairchild, Fairfield, Faust, Favrot, Fenn, Fish, Fisher, Fitzgerald, Fleetwood, Foster, Fredericks, Free, French, Fulbright, Fuller, Fulmer, Garber, Gardner, Ind., Garner, Tex., Garrett, Tenn., Garrett, Tex., Gasque, Geran, Gifford, Gilbert, Glatfelter, Graham, Ill., Green, Iowa, Griest, Hadley, Hammer, Hardy, Harrison, Hastings, Haugen, Hawley, Hersey, Hickey, Hill, Ala., Hill, Wash., Hoch, Holaday, Hooker, Howard, Nebr., Howard, Okla., Huddleston, Hudson, Hudspeth, Hull, Iowa, Hull, Morton D., Hull, William E., Humphreys, Jacobstein, James, Jeffers, Johnson, Ky., Johnson, S. Dak., Johnson, Tex., Johnson, Wash., Johnson, W. Va., Jones, Jost, Keller, Kelly, Kendall, Kerr, Ketcham, Kiess, Kincheloe, Kindred, King, Kopp, Kurtz, Kvale, LaGuardia, Lanham, Lankford, Larsen, Ga., Lazaro, Lea, Calif., Leatherwood, Leavitt, Lehlbach, Lilly, Linthicum, Longworth, Lowrey, Lozier, Luce, Lyon, McClintic, McKenzie, McKeown, McLaughlin, Mich., McLeod, McNulty, McReynolds, McSwain, McSweeney, MacGregor, MacLafferty, Madden, Magee, N. Y., Major, Ill., Major, Mo., Manlove, Mansfield, Mapes, Martin, Mead, Merritt, Michener, Miller, Wash., Milligan, Mills, Minahan

Table listing names of members who did not vote (89 total). Includes names like Montague, Mooney, Moore, Ga., Moore, Ill., Moore, Ohio, Moore, Va., Moores, Ind., Morehead, Morgan, Morris, Morrow, Murphy, Nelson, Me., Nelson, Wis., Newton, Minn., Nolan, O'Connell, N. Y., O'Connell, R. I., O'Connor, N. Y., O'Sullivan, Oldfield, Oliver, Ala., Oliver, N. Y., Park, Ga., Parks, Ark., Peery, Perkins, Perlman, Pou, Prall, Purnell, Quin, Ragon, Raker, Rankin, Ransley, Rathbone, Rayburn, Reece, Reed, Ark., Reid, Ill., Richards, Roach, Robinson, Iowa, Robison, Ky., Rogers, Mass., Rogers, N. H., Romjue, Rosenbloom, Rouse, Rubey, Sabath, Salmon, Sanders, Ind., Sanders, Tex., Sandlin, Schafer, Scott, Sears, Fla., Sears, Nebr., Shallenberger, Sherwood, Simmons, Sinnott, Sites, Smith, Smithwick, Snel, Snyder, Speaks, Sproul, Kans., Stalker, Steagall, Stedman, Stengle, Stephens, Stevenson, Strong, Kans., Sullivan, Summers, Wash., Summers, Tex., Swank, Swing, Taber, Tague, Taylor, Tenn., Taylor, W. Va., Temple, Thatcher, Thomas, Ky., Thomas, Okla., Thompson, Tillman, Tilson, Timberlake, Tincher, Treadway, Tucker, Tydings, Underhill, Underwood, Upshaw, Valle, Vestal, Vincent, Mich., Vinson, Ga., Vinson, Ky., Voigt, Wainwright, Ward, N. C., Watkins, Watres, Watson, Weaver, Weller, Welsh, White, Kans., White, Me., Williams, Ill., Williams, Mich., Williams, Tex., Williamson, Wilson, Ind., Wilson, La., Wilson, Miss., Wingo, Winter, Wolf, Wood, Woodruff, Woodrum, Wright, Yates, Young, Zihlman

NOT VOTING—89

Table listing names of members who did not vote (89 total). Includes names like Ackerman, Anderson, Anthony, Brand, Ga., Brand, Ohio, Britten, Butler, Clark, Fla., Cole, Ohio, Connery, Connolly, Pa., Corning, Crowther, Curry, Davey, Deal, Dempsey, Drane, Eagan, Edmonds, Frear, Freeman, Frothingham, Funk, Gallivan, Gibson, Goldsborough, Graham, Pa., Greene, Mass., Greenwood, Griffin, Hawes, Hayden, Hill, Md., Hull, Tenn., Kahn, Kearns, Kent, Knutson, Kunz, Lampert, Langley, Larson, Minn., Lee, Ga., Lindsay, Lineberger, Logan, McDuffie, McFadden, McLaughlin, Nebr., Magee, Pa., Michaelson, Miller, Ill., Morin, Mudd, Newton, Mo., O'Brien, O'Connor, La., Paige, Parker, Patterson, Phillips, Porter, Quayle, Rainey, Ramseyer, Reed, N. Y., Reed, W. Va., Sanders, N. Y., Schall, Schneider, Seger, Shreve, Sinclair, Sproul, Ill., Strong, Pa., Sweet, Swoope, Taylor, Colo., Tinkham, Vare, Ward, N. Y., Wason, Wefald, Wertz, Winslow, Wurzbach, Wyant

So the motion to go into the Committee of the Whole House on the state of the Union was agreed to.

The following pairs were announced:

- Mr. Patterson with Mr. Drane.
Mr. Langley with Mr. Clark of Florida.
Mr. Reed of New York with Mr. Hawes.
Mr. Morin with Mr. Corning.
Mr. Wason with Mr. Brand of Georgia.
Mr. Beedy with Mr. Logan.
Mr. Gibson with Mr. O'Connor of Louisiana.
Mr. Parker of New York with Mr. Rainey.
Mr. Wyant with Mr. Gallivan.
Mr. Butler with Mr. Hayden.
Mr. Ackerman with Mr. Lindsay.
Mr. Edmonds with Mr. Taylor of Colorado.
Mr. Frear with Mr. Eagan.
Mr. Graham of Pennsylvania with Mr. Kent.
Mr. Hill of Maryland with Mr. Connery.
Mr. Lampert with Mr. Quayle.
Mr. McFadden with Mr. Davey.
Mr. Newton of Missouri with Mr. Deal.
Mr. Porter with Mr. Griffin.
Mr. Seger with Mr. Kunz.
Mr. Sinclair with Mr. O'Brien.
Mr. Vare with Mr. Lee of Georgia.
Mr. Winslow with Mr. McDuffie.
Mr. Shreve with Mr. Wefald.
Mr. Connolly of Pennsylvania with Mr. Greenwood.
Mr. Greene of Massachusetts with Mr. Goldsborough.

The result of the vote was announced as above recorded. A quorum being present, the doors were reopened.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. SANDERS of Indiana in the chair.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "immigration act of 1924."

Mr. ROGERS of Massachusetts. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Mr. ROGERS of Massachusetts offered the following amendment: Page 1, after line 4, insert the following as a new section:

"(1) After July 1, 1926, the maximum total number of immigrants that shall be admitted into the United States in each fiscal year shall be 200,000. On or before April 1, 1926, the Secretary of State, the

Secretary of Commerce, and the Secretary of Labor shall jointly make an estimate showing, as nearly as may be, the several national origins of the persons who in 1920 comprised the whole population of continental United States, excepting the descendants of such persons as were involuntarily immigrants into the territory now included therein. In the preparation of such estimate the said officers are authorized to call for information and expert assistance from the Bureau of the Census, and to receive and utilize any information that may be available from other sources.

"After July 1, 1926, the annual quota of each nationality shall bear the same ratio to said maximum total number of immigrants as the number of inhabitants of the United States having that national origin shall bear to the whole number of inhabitants—under the census of 1920—other than the descendants of involuntary immigrants. On or before April 1, 1926, said officials shall jointly proclaim and make known the quotas of each nationality, determined as aforesaid, and thereafter the said quotas shall continue with the same effect as if specifically stated herein, and shall be subject to correction and readjustment only if it shall be made to appear to the satisfaction of said officials that an error of fact has occurred in said estimate or in said proclamation: *Provided, however,* That no person included in the provisions of section 4 shall, for the purposes of this section, be regarded as subject to the quota herein established."

Mr. JOHNSON of Washington. Mr. Chairman, I make the point of order against the amendment on the ground that it is not germane to the bill or to the paragraph. As I heard the amendment read it delegates authority to the Bureau of the Census and away from Congress.

Mr. ROGERS of Massachusetts. Does the gentleman contend that the amendment is not germane as far as its present place in the bill is concerned, or that it is not germane at all?

Mr. JOHNSON of Washington. I think it is not germane at all; it undertakes to fix the maximum number of immigrants to be admitted at a future date, that number to be sent to the Census Office to be studied and prorated.

Mr. ROGERS of Massachusetts. Does the Chair care to hear an argument on both points or only on the question of whether the amendment is germane at this point?

The CHAIRMAN. The Chair would like to inquire of the gentleman from Massachusetts whether the amendment he has offered is the same as that printed in the RECORD?

Mr. ROGERS of Massachusetts. It is the same as printed in the RECORD, except that I have reduced the total number from 250,000 as printed in the RECORD to 200,000, and I have also inserted a proviso with reference to the census of 1926. In all essentials the other terms are identical.

The CHAIRMAN. The Chair is inclined to think that the amendment offered by the gentleman from Massachusetts is germane to the bill. Whether it is germane at this point or not the Chair is in doubt. The Chair would be glad to hear the gentleman from Massachusetts.

Mr. JOHNSON of Washington. Mr. Chairman, it is clearly not germane at this point.

The CHAIRMAN. The Chair will be glad to hear the gentleman from Washington on either point.

Mr. JOHNSON of Washington. Mr. Chairman, I have made the statement that in my opinion it is not germane to the bill, in that it contemplates the fixing of a positive number of immigrants to come to the United States, and delegates certain powers to the Census Bureau. Because it seeks to change the plan, it is clearly not germane at this point. We now merely have read what is to be the title of the bill. This is a plan to modify the provisions of section 10. It delegates to the Census Office the right to find a way to pro rate the number it provides shall enter. If it were to be offered as another plan, it should be offered in the form of a substitute to the entire measure, because it changes the whole scheme of the bill.

Mr. ROGERS of Massachusetts. Mr. Chairman, I call the attention of the Chair in the first place to the fact that this is a bill to limit the immigration of aliens into the United States, and for other purposes. An examination of the bill discloses that it is a very elaborate, very general, and very careful modification of practically all of the immigration requirements which have come into being within recent years. As far as the germaneness of the proposed amendment at the present point in the bill is concerned, the Chair will notice that the major theme which runs through the entire bill is the limitation of aliens by means of a quota method. The amendment which I have offered is for the limitation of aliens also by a quota method, but by a quota determined in a somewhat different way from that embraced within the text of the bill itself. The amendment which I have offered provides that after July 1, 1926, the annual quota of each nationality shall bear the

same ratio to the total immigration as the number of inhabitants of the United States having that national origin shall bear to the whole number of inhabitants other than the descendants of involuntary immigrants.

It is true that the bill before the committee bases its quotas upon foreign born by a certain census, but it is, none the less, because of that fact, a quota bill. I am proposing a quota substitute, so far as the period following July 1 two years hence is concerned. In the meantime the bill as offered, assuming the adoption of the amendment, would go into effect and be operative as it appears now in the printed text.

The gentleman from Washington [Mr. JOHNSON] says that, if this amendment is in order at all, it is in order to section 10, because section 10 deals with the question of quotas. In other words, the gentleman suggests that where the section relating to quotas is to be found, there and because of that fact the amendment which I have offered becomes in order. I call to the attention of the chair the uniformity with which almost all the sections of this bill deal with the quota subject. As early as section 2 we find in lines 5 and 6 an analysis of what are quota immigrants and what are nonquota immigrants. We proceed to section 4 on page 5, and we find a definition and discussion of nonquota immigrants. Section 5 on page 7 deals with quota immigrants and section 6, toward the end of page 8, deals with applicants as nonquota immigrants. Section 7 on page 10 deals with nonquota immigration certificates. Section 8 deals with other phases of nonquota immigrants, and section 10 is the section as to which the gentleman from Washington makes the suggestion that the amendment would naturally be germane if germane at all to the bill. As far as the parliamentary situation is concerned, my thought is that, this being a quota bill, the natural point to insert an amendment which in a measure is a substitute for the present quota plan is rather early in the bill before we get too deeply immersed in the definitions of quota and nonquota. I think that is of importance both from a parliamentary standpoint and also from the standpoint of the convenience of the Committee of the Whole. It may easily happen, if this amendment should receive the favorable consideration of the committee, that there would be changes which the gentleman from Washington or other members of the committee might feel should properly result from the adoption of the amendment. Because this is a quota bill in its essence, as well as an extensive modification and restriction of current laws, and because the convenience of the committee will be promoted by the consideration of the amendment at this time, I respectfully submit that the amendment is in order.

Mr. DICKSTEIN. Mr. Chairman, how does the gentleman propose to distribute his quota in respect to the 200,000?

Mr. ROGERS of Massachusetts. I do not think that is in order on the discussion of the parliamentary question.

The CHAIRMAN. The Chair is ready to rule. The section which has just been read is a section fixing the name by which the act may be cited. The section following is a section dealing with applications for certificates, wholly regulatory in character. There is nothing in either section 1 or section 2 which deals with the limitation of the number of immigrants. If the gentleman from Massachusetts shall offer an entire substitute bill as a substitute for section 2, with notice that he would move to strike out the subsequent sections, the Chair is inclined to think that the order in which the different sections appeared in the substitute would not be important and that it might be put in this order. However, the gentleman is merely offering an additional section to the bill, and under the uniform rulings it must be germane, even though it is a new section, to the preceding section. The same strictness is not required when it is a new section, but still the rule prevails. The Chair sustains the point of order with reference to the germaneness of the amendment at this place.

Mr. ROGERS of Massachusetts. And I understand the Chair expresses no opinion at the time as to the germaneness of the amendment at some other point of the bill?

The CHAIRMAN. The gentleman is correct.

Mr. CELLER. Mr. Chairman, I move to strike out the last word. Before going into the full and complete discussion of amendments to the bill I think it is well for the committee to understand something with reference to the importance of the foreigner in our midst. I have taken the trouble to go through certain census reports apropos of homicides in this country, and I find something which is most startling, to say the least. I have found that in States like Rhode Island, Massachusetts, Connecticut, Minnesota, New York, and New Jersey, where the proportion of our foreign white stock to the total population is 60 per cent, the homicide rates are

lower than in those States like Kentucky, Virginia, Mississippi, Tennessee, and North and South Carolina, where the proportion of our foreign white stock is under 10 per cent.

When I use the term "foreign white stock," I mean not only those who are foreign born or aliens in our midst but those who are born here and have one or two parents who have been born on the other side. If you plot a line in reference to homicide rates you would find where the white-stock foreigners in our midst are most predominant you have the least homicide rates. For example, in those States which have a predominant foreign population, like New York, New Jersey, Rhode Island, Massachusetts, Connecticut, Minnesota, they have a homicide rate for 100,000 of white population of 4.1. You go to the next group of States where the foreign-born population is from 50 to 60 per cent, like Wisconsin, Michigan, and Illinois, and you have a homicide rate which is even larger per 100,000 of white population, namely, a rate of 5.5. You go into the group of States like New Hampshire, California, Montana, Washington, Utah, Pennsylvania, Nebraska, where the foreign white population is between 40 to 50 per cent, and you have an even still higher homicide rate per 100,000 white population, a rate of 6.1. If you go into States like Oregon, Maine, Vermont, Colorado, and Ohio, where the foreign white stock is from 30 to 40 per cent, you have a still greater homicide rate of 6.6.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. CELLER. I will.

Mr. BYRNS of Tennessee. The gentleman speaks of the percentage in relation to white population. Now, in the States to which the gentleman refers there is a very large colored population. Does the gentleman think he is exactly fair in his comparison, taking that into consideration?

Mr. CELLER. I think it is an entirely fair comparison, because in the percentage I gave you of the foreign white stock I do not include the negro in the homicide rate. I think the comparison is eminently fair.

Mr. BYRNS of Tennessee. Does the gentleman mean to say in those States to which he has referred he only takes into consideration the homicides occurring within the white population?

Mr. CELLER. No; the homicides by white men. I am not taking the homicides occurring among black men. I leave out the black entirely.

Mr. WATKINS. Will the gentleman yield?

Mr. CELLER. Let me go further. The States that have a foreign white stock, with a proportion of 20 to 30, like Delaware, Maryland, Kansas—I wish the gentleman from Kansas [Mr. TINCHER] would keep this in mind—and Missouri, have in every 100,000 of white population homicides to the astounding amount of 6.6. When we go to States like Indiana, Florida, and Louisiana, where the total foreign white population is but 10 to 20 per cent, the very high homicide rate is 7.9. When you go to Kentucky, Virginia, Mississippi, Tennessee, South Carolina, and North Carolina, where the foreign white stock is under 10 per cent, you have the highest homicide rate, namely, 10.1. Now, I think we can reach a conclusion which is inescapable. The homicide rate varies inversely in proportion to the foreign white stock, and that the greater the proportion of natives of native parentage to the white population the higher the homicide rate. Gentlemen, I want you to take that into consideration in considering the bill which is before you to-day.

Mr. ASWELL. The gentleman does not intimate that the foreigners are better than the natives?

Mr. CELLER. Not at all. I intimate that we must give the foreigners their just dues, and we are not doing it in this bill.

Mr. JOHNSON of Washington. Mr. Chairman, I hope the Members will not attempt to prolong the debate until we get a little ways in this bill and see what we can develop. It is one of the most voluble subjects in all the world; and if we start in on it now by moving to strike out the last word, we would be here until the middle of next week.

Mr. MACGREGOR. Mr. Chairman, I move to strike out the last word. [Laughter.] The gentleman from Washington objects to anybody talking. I did not have any chance to talk before, and I think I ought to be given a little opportunity to talk now. [Applause.] For several days the gentleman from Colorado [Mr. VAILE] has been executing ghost dances around here for the purpose of terrifying the misguided Members of this House who do not seem to have any knowledge upon the subject, trying to put across that—I do not know what you call it, discriminating or nondiscriminating proposition. To me it is discriminating. He used the city of Buffalo, my home, as a horrible example, and therefore I think I ought to have an opportunity to get up and say something in its defense.

Mr. MADDEN. Well, the gentleman is up; go ahead.

Mr. MACGREGOR. He made the claim and he said that Buffalo is largely populated by the Polish people. The Polish people are wonderful people, and any city that has them is to be congratulated upon that.

Mr. VAILE. Will the gentleman yield?

Mr. MACGREGOR. I can not.

According to the census reports as reported from the Census Bureau, the total population of Buffalo is 506,775.

The foreign born reporting Polish as the mother tongue, 33,526; the number of native born reporting one or both parents as having Polish as the mother tongue, 49,818; making the total of native born, with one or both parents, and foreign born giving Polish as the mother tongue 83,344, as against the statement of the gentleman from Colorado, who gave the figures as 181,300 Polish people in the city of Buffalo. This figure is larger by 60,000 than the entire foreign population of the city.

The foreign-born white population is 121,824, of whom over 50,000 arrived in this country over 25 years ago.

They are solid, substantial citizens of this country and have contributed much to its growth, prosperity, and well being. [Applause.]

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

Mr. MACGREGOR. No; I decline to yield. I withdraw my pro forma amendment.

The CHAIRMAN. The gentleman declines to yield. The pro forma amendment is withdrawn.

Mr. QUIN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Mississippi moves to strike out the last word.

Mr. QUIN. Mr. Chairman and gentlemen, it is astonishing to me that so many gentlemen on this floor seem to think more of the foreigner or of the alien than they do of the real American. According to my judgment the incentive behind the opposition to this bill comes from those great corporations who desire cheap labor and also from the dominant political forces in the districts of certain gentlemen who want to represent the majority vote, who range from 60 to 80 per cent of alien population.

According to my conception of this bill, it is honest, just, and fair. No alien has any vested right to come into this Republic. Under our organic law we have them here by sufferance. It is true there was a time when the country needed to be populated, but at the present time the population has embraced such a large foreign element that the melting pot can no longer melt and assimilate the foreign races in this country, and the amalgamation of the foreign races can not take place properly at this time. The more of them that we can keep from coming into the United States the better it is for our country. I am supporting this bill, and if I believed in my heart that the President of the United States would sign such a bill I would vote to prevent all foreign immigration for at least 10 years.

Some men are advocating the letting down of the bars to let all foreigners who will come into this Republic. Those people, congested in the large cities of the United States, are becoming a positive menace to our civilization and to our institutions. As one I believe in upholding the laws of this country; I believe in the enforcement of the law, and we must, in order to keep the Constitution and statutory law properly safeguarded, prevent these foreigners from coming into this Republic any further until those who are now here shall have become familiar with our American institutions so that they will obey our laws.

Mr. JOHNSON of Washington. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto be now closed.

The motion was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

IMMIGRATION CERTIFICATES

SEC. 2 (a) A consular officer upon the application of any immigrant (as defined in section 3) shall (under the conditions hereinafter prescribed and subject to the limitations prescribed in this act or regulations made thereunder as to the number of immigration certificates which may be issued by such officer) issue to such immigrant an immigration certificate which shall specify (1) his nationality; (2) whether he is a quota immigrant (as defined in section 5) or a nonquota immigrant (as defined in section 4); (3) his name, age, sex, race, and personal description (including height, complexion, color of hair and eyes, and marks of identification); the date and place of his birth, and his last residence in the country from which he comes; and (4) such additional information as the Secretary shall by regulations prescribe

as necessary to the proper enforcement of the immigration laws and the naturalization laws.

(b) The immigrant shall furnish a copy of his photograph to the consular officer, which shall be permanently attached by the consular officer to the immigration certificate.

(c) The validity of an immigration certificate shall expire at the end of such period, specified in the certificate, not exceeding two months, as shall be by regulations prescribed. In the case of an immigrant arriving in the United States by water, or arriving by water in foreign contiguous territory on a continuous voyage to the United States, if the vessel, before the expiration of the validity of his certificate, departed from the last port outside the United States and outside foreign contiguous territory, and if the immigrant proceeds on a continuous voyage to the United States, then, regardless of the time of his arrival in the United States, the validity of his certificate shall not be considered to have expired.

(d) So long as an immigrant is required by any law or regulations or orders made pursuant to law, to secure the visa of his passport by a consular officer before being permitted to enter the United States, no immigration certificate shall be issued under this act in the case of such immigrant unless the consular officer has determined that, upon the issuance of such certificate, the immigrant would be entitled to the visa of his passport, or to be included in the passport of another which is so visaed. The passport of an immigrant shall not be visaed unless he has an unexpired immigration certificate. If an immigrant is included in the passport of another, such passport shall not be visaed as to such immigrant unless he has an unexpired immigration certificate, but this shall not prevent the visaing of the passport as to any alien who is not an immigrant, or who is an immigrant who has an unexpired immigration certificate.

(e) The manifest or list of passengers required by the immigration laws shall contain a place for entering thereon the date, place of issuance, and number of the immigration certificate of each immigrant. The immigrant shall surrender his immigration certificate to the immigration officer at the port of inspection, who shall at the time of inspection indorse on the certificate the date, the port of entry, and the name of the vessel, if any, on which the immigrant arrived. The immigration certificate shall be transmitted forthwith by the immigration officer in charge at the port of inspection to the Department of Labor under regulations prescribed by the Secretary.

(f) No immigration certificate shall be issued to an immigrant if it appears to the consular officer, from statements in the application, or in the papers submitted therewith, or otherwise, that the immigrant is inadmissible to the United States under the immigration laws, nor shall such certificate be issued if the application fails to comply with the provisions of this act.

(g) Nothing in this act shall be construed to entitle an immigrant, to whom an immigration certificate has been issued, to enter the United States, if, upon arrival at the port of inspection, he is found to be inadmissible to the United States under the immigration laws. The substance of this subdivision shall be printed conspicuously upon every immigration certificate.

(h) A fee of \$2 shall be charged for the issuance of each immigration certificate, which shall be covered into the Treasury as miscellaneous receipts.

Mr. JOHNSON of Washington. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Washington offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington for the committee: Page 2, line 4, strike out all after the word "shall" through and including the period in line 14 and in lieu thereof insert the following: "consist of one copy of application provided for in section 6 visaed by such consular officer. Such visé shall specify (1) the nationality of the immigrant; (2) whether he is a quota immigrant, as defined in section 5, or a non-quota immigrant, as defined in section 4; (3) the date when the certificate shall expire; and (4) such information as may be necessary for the proper enforcement of the immigration laws and the naturalization laws as may be by regulation prescribed."

Mr. JOHNSON of Washington. Mr. Chairman, the amendment I have just offered, simplifying the process of the application and the certificate, will be followed by three other committee amendments, perfecting amendments. We are undertaking here to set up an application process on the part of prospective immigrants, and we are endeavoring to give some power to the consular agents of the United States. All of this involves new machinery, and in the setting up of that machinery we are anxious to perfect it along the lines which meet the approval of our Department of State. Therefore the committee has given a great deal of attention to these paragraphs, has changed them frequently, and now offer amendments to perfect the plan.

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

Mr. JOHNSON of Washington. I yield.

Mr. MADDEN. I would like to ask the gentleman from Washington if the amendment that he is proposing will give the American consuls discretionary power to visé or not to visé, as they may deem proper?

Mr. JOHNSON of Washington. In case of immigrants; yes. Let me explain that.

Mr. MADDEN. Of course, that is very important.

Mr. JOHNSON of Washington. It is.

Mr. MADDEN. Of course, if they did not have that power, they could not examine prospective immigrants in foreign countries.

Mr. JOHNSON of Washington. Our present passport laws permit consular officers to refuse to visé a passport only if the consul has reason to believe that the man asking for the visé is opposed to an organized form of government or is an anarchist, and so forth. Our State Department has blanks upon which the application for the passport visé is written out.

Your committee, in setting up this plan for questionnaire examinations overseas, has adopted the form used in the State Department, and inasmuch as provision is made for examination of prospective immigrants on the other side we give the consuls the right to make the inquiry after receiving the information, and the right to reject the visé.

Now, in these committee amendments that we are offering we are attempting to simplify the paper work. Your committee has built up a plan for the application upon which the certificate is to be issued. Following that a visé is to be issued. Adopting the suggestions of the Secretary of State, we combine it all in one paper, so that the original copy of the application, when it is visaed, becomes the certificate which is used by the immigrant to travel, he is counted on it, and upon his arrival at the port of entry is taken up, properly noted, and placed on file in the records of the department, where it becomes his record to be used by him when the time comes to sign his naturalization papers.

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

Mr. JOHNSON of Washington. Yes.

Mr. WATKINS. This not only has the approval of the committee, but the approval of the Department of State?

Mr. JOHNSON of Washington. It has.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. NEWTON of Minnesota. The gentleman has spoken of the discretion of consuls. Now, just what rules are to govern him in the exercise of his discretion? Can he arbitrarily turn down one person and permit another to come in, or just what rules do govern him?

Mr. JOHNSON of Washington. All of the consuls with whom we have talked, have regretted that they had not the authority to refuse visés to persons they knew should not come to the United States. In the future when a man applies under this new plan, and it is clear to the consul that he can not be admitted under the immigration laws, that consul will refuse a visé and thereupon the man can not get his certificate, so there you are.

Mr. NEWTON of Minnesota. In the exercise of his discretion, then, he must follow what he believes to be the laws, and whether or not that immigrant would be admissible under our laws?

Mr. JOHNSON of Washington. Exactly so.

Mr. NEWTON of Minnesota. If, however, after he has conferred with the immigrant and he is satisfied he would be admissible, he then has no discretion to turn him down?

Mr. JOHNSON of Washington. No; if there is a quota opening for the quota immigrant. But on top of all this we reserve the right for the United States to make a further examination at the port of entry.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SABATH. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Illinois is recognized in opposition to the amendment.

Mr. SABATH. The amendment which the gentleman has offered in itself is not objectionable. All I desire to do is to call the attention of the committee to the fact that the system provided for, as stated by the gentleman from Washington, is not so simple as he is trying to make the committee believe. They still provide in this bill not merely for an immigration certificate but also for a passport, so that an immigrant not only must have a certificate from the consul but he must also have his passport visaed. I have been under the impression that either one of these two instruments would suffice; that it would save a great deal of money to the Government, it would simplify

the matter and at the same time it would protect our country from having anyone enter who is not entitled to come under the law.

Mr. CABLE. Will the gentleman yield?

Mr. SABATH. Yes.

Mr. CABLE. I ask the gentleman whether this proposed amendment does not save several hundred thousand dollars?

Mr. SABATH. As I have stated, I really do not object to this amendment but I object to the entire provision as drafted. I believe we should strike out the following paragraph which provides for passports, because we do make full provision for the immigration certificate.

Now, after a consul has made a thorough examination—as he has been given the power to do—as to each and every applicant or immigrant and he is satisfied that he is entitled to come in under the immigration law of 1917, as well as under this law, and he gives him a certificate, I can conceive of no reason why in addition to having that certificate he should also have a passport. But if there are some gentlemen who believe that we should retain the war-time provision as to passports, as my friend from Pennsylvania Mr. POTTER does, then let us add that to the provision, the passport provision.

Mr. WATKINS. Will the gentleman yield?

Mr. SABATH. Yes.

Mr. WATKINS. The Department of State and the administrative officers approve of this proposition as embodied here, do they not?

Mr. SABATH. The technical gentleman. But the Secretary of Labor and his department, which has jurisdiction of the Immigration Bureau, has recommended only one certificate.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER and Mr. LaGUARDIA rose.

The CHAIRMAN. The gentleman from New York [Mr. LaGUARDIA] is recognized as a member of the committee.

Mr. WATKINS. But, Mr. Chairman, the gentleman from New York is not a member of the committee.

The CHAIRMAN. The Chair was under the impression that the gentleman from New York is a member of the committee. The Chair will recognize the gentleman from California [Mr. RAKER], who is a member of the committee.

Mr. RAKER. Mr. Chairman, I move to strike out the last two words in order to explain this amendment.

Mr. Chairman and gentlemen of the committee, in just a few words may I say this: Under the present law a man not an immigrant has to have a passport. The chairman of the Committee on Foreign Affairs appeared before the committee and the testimony is that a man can not travel from one country to another in the Old World without a passport. Therefore we have retained the passports.

Now, the quota immigrants, as defined in section 5, make their applications, and instead of having a certificate attached to them this amendment places it on them, as defined in this section; and the nonquota immigrants, as defined in section 4, make application and state the facts as set forth in section 4.

Then the facts as provided for in this amendment are indorsed on that certificate. So an immigrant has his certificate, with the visé on it, and his passport, which is necessary for traveling in all European countries and in order to get from one to the other.

The bill as now written provides for attaching this certificate to the application, and the amendment provides for putting a visé on the application. The Secretary of State claims—and I think he is right—that it is clearly within our power to deal with the visés. Now, if you place it upon the application, no country can possibly complain that we are requiring the applicant to do more than must be done now in obtaining a passport, so that we comply with our treaties.

We put less burden on the applicant. He gets his passport and his certificate with the visé and then if he shows himself competent can land in the United States; but no man can ever land in the United States unless he gets this visé of his application, and in that application he has to state the record of his life, and the consular officer has the power to investigate those facts and determine whether or not he is capable of admission under the laws of the United States. Therefore, we have provided in this provision what seems to be desired by 99 out of every 100 people of the United States—that we may know who comes to our shores; and, second, that no man, if he tells the truth, can ever be wrongfully denied entrance into the United States; but always reserving the right to reject him at the port of entry if he is not admissible.

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

Mr. DICKSTEIN and Mr. LaGUARDIA rose.

Mr. LaGUARDIA. Mr. Chairman, I have an amendment to the gentleman's amendment.

The CHAIRMAN. The gentleman from New York [Mr. DICKSTEIN], a member of the committee, is entitled to recognition.

Mr. DICKSTEIN. Mr. Chairman and gentlemen of the committee, I think the committee is laboring under a wrong impression and I want to clear that up at this time. I again repeat to the committee that there is nothing in this bill whereby you can select the immigrant abroad. Under the procedure that is now in force all you have to do is to go into a consul's office, get an application, and that application can be filled out by anybody. The man then returns, and if the consul feels like granting a visé he grants such a visé. Under the proposed law the applicant must come to the consul, and the selection which the distinguished member of the committee called selection is the fact that the man who desires such a visé must come to the consul and some one in the consular office will fill out the application. That is all the selection there is in the whole bill, and as my friend from Illinois properly asked, Has the consul any power? Yes; he can say yes or no, and whether you are entitled to come in or not. There is no appeal provided from that decision. There is no right of appeal provided from the consul's decision, even if he is wrong. Therefore I say to you it is again discriminatory, because, for example, the consul at Warsaw visés all passports within the province of Poland. Some immigrants or some applicants are miles and miles away. Some applicants must travel at least two or three days before they reach the consul's office. Let us assume, for example, that A, an applicant, who traveled two days, comes to the consul's office and the consul fills out his application. Is the consul going back to his home town to find out who this man is? Is the consul going to be enlightened by the fact that this man comes before him and he sees him sign his name to the application? I say, gentlemen, there is no such thing as selection here. It is simply a question of who comes first.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. LaGUARDIA. The gentleman knows that under the European police system this selection will amount simply to permitting the foreign governments to select, because they will file a protest with the American consul on anyone they do not want to permit to go out of the country.

Mr. DICKSTEIN. And it will simply give an opportunity for fraud.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LaGUARDIA and Mr. JOHNSON of Washington rose.

The CHAIRMAN. The gentleman from Washington, the chairman of the committee, is entitled to recognition.

Mr. LaGUARDIA. Mr. Chairman, the gentleman from Washington has been recognized once on this amendment.

The CHAIRMAN. For what purpose does the gentleman from Washington rise?

Mr. JOHNSON of Washington. I am willing, Mr. Chairman, to hear the amendment to see if it is germane.

Mr. LaGUARDIA. If the Chair pleases, under the rules of the House, I do not have to submit my amendment to the chairman of the committee. I have an amendment at the desk and am entitled to be recognized.

The CHAIRMAN. Does the gentleman desire recognition?

Mr. LaGUARDIA. He does.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. LaGUARDIA to the amendment offered by Mr. JOHNSON of Washington: After the word "prescribed," at the end of the Johnson amendment, insert "Provided, That no information shall be required concerning an immigrant's religion."

Mr. LaGUARDIA. Mr. Chairman, the amendment offered by the gentleman from Washington, as pointed out by the gentleman from Illinois, seems to be innocent and innocuous, but you are really furnishing the means whereby the foreign government can control absolutely who shall emigrate. Can you not see that the mere presentation to the American consul that the alien is undesirable as to his political belief—and I refer to the local situation—will thereby exclude the possibility of that alien obtaining a visé prior to his application for admission into this country?

Gentleman, if you will read the hearings before the committee, you will find that the representatives from the State Department admitted they were going beyond the law in ascertain-

ing the political beliefs of the applicants asking for passport visés.

Under the act passed by the Congress as a war measure, prohibiting the entry into the United States of a certain class of immigrants of a defined political belief, the State Department is viséing passports. That act was extended, and the representatives from the State Department admit that they are going beyond the authority of that act and that there is a grave question whether they are authorized at this time to continue their duties under the original act, and they complain that they should have the power to refuse a visé. Gentlemen, instead of providing a wholesome amendment here for the physical inspection of aliens, you do not do that because the steamship companies do not want such inspection, a dangerous condition, and one detrimental to the best interest of this country.

Mr. ASWELL. Will the gentleman yield?

Mr. LaGUARDIA. Certainly.

Mr. ASWELL. Does this bill make any reference at all to the religion of the immigrant?

Mr. LaGUARDIA. I am coming to that.

Mr. ASWELL. You are making the reference. The bill does not make any reference to that.

Mr. LaGUARDIA. Under the provisions of this bill, I will say to the gentleman from Louisiana, you do not prescribe what information shall be obtained from the immigrant or the applicant, and you simply provide for such information as shall be prescribed by regulations.

Unless we specifically take religion out of the bill in the first section, you are going to get religion into it.

Mr. WATKINS. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. WATKINS. I think the gentleman is not correct. The bill says:

Such information as the Secretary shall by regulation prescribe as necessary to the proper enforcement of the immigration laws and the naturalization laws.

There is nothing in regard to religion as being necessary to enforce these laws.

Mr. LaGUARDIA. The gentleman knows that application has been made to insert the immigrant's religion on the ship's manifest. That is now being considered. I will say under the law the American consul has the power to inquire into the man's political belief, has the power to require that he state his religion or denominational sect, and under existing conditions in Europe we will play hand in hand with the religious warfare that is going on in some of the countries in Europe. Is the American Congress going to lend itself to a religious movement now being carried on in some of the countries in Europe? Let us be fair about it; let us not give any such latitude to the Secretary of State; let us not permit the law to be so loosely drawn as to permit at any time religious qualification in order to obtain a consular visé.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. NEWTON of Minnesota. Mr. Chairman, I want to call attention to a statement that was made in the Record on page 5924 on Tuesday evening by the gentleman from New York [Mr. PERLMAN] wherein he used language to the effect that our consuls and consular officers had been guilty of accepting bribes in viséing passports. I am quoting him substantially. I was in the chair at the time, or I would have called attention to it immediately thereafter. In the enforcement of the visé law and the provisions of this bill we must rely upon the ability and integrity of our consular officers. I was greatly surprised at the statement and I took the matter up with the State Department. I ascertained that no man in the State Department abroad or any American employee of any consular office had in any way been found guilty of any such practice or anything of the kind.

Mr. PERLMAN. Will the gentleman yield?

Mr. NEWTON of Minnesota. In a moment. We must bear in mind that we do have to employ in the clerical help citizens of other countries. The desire to get over here has prompted hundreds of people to try to get in and they have resorted to forgery and everything else in order to do so.

A few of these foreign employees have fallen to temptation. They have been promptly discharged. Not in a single instance has one of the American employees been involved.

Mr. PERLMAN. Will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. PERLMAN. Does not the gentleman know that the State Department and the Labor Department are making investigations into the affairs of the consul at Buenos Aires in connection with viséing passports?

Mr. NEWTON of Minnesota. I understand we have seven inspectors—two of them in Europe all the time. They are running down the reports from time to time, but they have been unable in a single instance to substantiate any charge against any American citizen. The gentleman did not say that they were being investigated, but he stated as a fact that the consuls had been bribed.

Mr. ROGERS of Massachusetts. Will the gentleman yield?

Mr. NEWTON of Minnesota. Certainly.

Mr. ROGERS of Massachusetts. Is it not inevitable that with the hundreds of thousands of would-be immigrants from every country that a charge should emanate as a result of disappointment that there had been unfair discrimination?

Mr. NEWTON of Minnesota. Certainly; there are people in foreign countries who claim to be intermediaries, who claim to have a pull with the State Department, and they get away with the money of the immigrants. They are the ones that ought to be proceeded against, not by our Government but by the other governments.

Mr. LaGUARDIA. Will the gentleman allow me to say that I have looked at that phase of it and I find that these immigrants or would-be immigrants are exploited by their own people?

Mr. JOHNSON of Washington. If the gentleman from Minnesota will yield, I want to say that in addition to that the steamships belonging to the British Government, or operating from that country, are selling tickets in advance. As near as I can learn, all steamships are selling tickets in advance, the pressure being so great that they are selling them without regard to what the quota may be. These poor people are robbed all along the line by their own people, and this whole bill is designed to protect them against it.

Mr. NEWTON of Minnesota. Yes; now the gentleman from New York, in proposing the amendment here, excepts religion, although most of his speech referred to the investigation as to a man's politics.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. NEWTON of Minnesota. I decline to yield now. The immigration laws provide certain prohibitions as to people coming from another country. They can not admit people who believe in or advocate the overthrow by force or violence of the Government of the United States or all forms of law, or who disbelieve in or who are opposed to organized government, or who advocate the assassination of public officials, or who advocate or teach the unlawful destruction of property, and so forth.

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

Mr. NEWTON of Minnesota. One minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. If a man believing any of these doctrines presents himself he should be denied a visé. The duty is enjoined upon our consular officials to ascertain these facts. In this connection, it seems to me, it is a part of their duty in inquiring who a man is, what he is, what he has done, to find out something about his ideas of government and his ideas of politics, and if the consuls do not do so they are not paying attention to the duties enjoined upon them.

Mr. LaGUARDIA. Is not there a well-defined line of demarcation between assimilation and one whose affiliations are purely local?

Mr. NEWTON of Minnesota. There are all kinds of political parties and blocs in every country in continental Europe, including those advocating even assassination as a means of attaining their ends.

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

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. I have had no opportunity to say anything on this bill. A country that is so weak and impotent that it can not protect itself deserves to fall. This Government is threatened at this time by an invasion of people who are not in sympathy with our form of government. The Constitution provides, and wisely so, that any man from any country can be prevented from coming here and becoming a citizen of the United States—so held and interpreted by the Supreme Court of our land. This country was founded upon the principle that it was a refuge for those who were persecuted politically and religiously, and we held open the doors to those people, and to-day the American people are still willing to open our doors to people who are persecuted on account of their religion or on account of their political faith. But, gentlemen, the trouble has been for the last few years that the men who have come here have

had no religion and they have no regard for government. That is the trouble now. It is not a question of coming to this country because they are persecuted on account of religion.

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

Mr. McKEOWN. Yes.

Mr. SABATH. Let me inform the gentleman that political refugees or religious refugees can not come under the 3 per cent quota act. That has been struck out.

Mr. McKEOWN. I am just saying that the purpose of this bill is to regulate the people who come into this country. I have always thought that this country offered to the people of the world great opportunities for the right kind of men with the right kind of ideas, and some of the men whose names are high in this country in science, in letters, in statesmanship, have been born in other countries. But that is no reason why we should endanger this country now by permitting men to come in here who were trying to destroy our form of government.

Mr. DICKSTEIN. Does the gentleman know that there is a statute on our books to-day under which we can deport the undesirable the gentleman is describing to the House?

Mr. McKEOWN. Yes; I understand that; but that is no reason why we should let any more come in. We have not yet gotten those out that ought to be sent out. [Applause.]

Mr. CABLE. The fact is that we never appropriate enough money to send very many out of the country.

Mr. McKEOWN. I try to be as broad as any man can be, and I hold no prejudice against good men from any other country.

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

Mr. McKEOWN. Mr. Chairman, I ask unanimous consent that I may proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McKEOWN. Personally, I admire the men who come to this country and by industry rise to places of importance. I sat the other day and heard Mr. Sarnoff, who is one of the greatest geniuses in this country in the matter of radio. He came to this country when he was about 12 years of age when he could not speak a word of English. To-day he commands a salary of \$50,000 a year in the great city of New York, because of his ability. This country still affords opportunities to men who can come here and learn something of our institutions and advance themselves, but I say to you now that you have got to take care to see that the fundamentals of our Government are instilled into the men who do come here. Gentlemen talk about nationalizing the foreigners that have been brought to this country. I will tell you some other fellows to work on. Go to work on some of these big companies that brought cheap foreign laborers in here to beat down the price of American labor. Americanize them, and you will help out the situation.

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

Mr. McKEOWN. Yes.

Mr. CELLER. Is it not possible that in this bill you are keeping out thousands of men who are like Sarnoff, and who will rise to just as great height?

Mr. McKEOWN. I have not examined the bill in that particular, but I believe if that sort of men come, it is well and good, but I am in favor of taking some steps now to see to it that the undesirable people do not come in to run over us.

Mr. MacLAFFERTY. Mr. Chairman, I move to strike out the paragraph. I want to sound a little keynote which I hope will be paid attention to in the further discussions of this bill. I have yet to hear a man who is opposing this bill plead for a thing because it is for the good of America. He always pleads for the good of the man that is outside the boundaries of our country. Do not do this or that, he pleads, because it will not be acceptable to the man who is over in Europe or in Asia. I want to hear one of the men who are opposing this bill plead for America just once, and I say that without malice toward anyone on the face of this earth.

In regard to the amendment offered by the gentleman from New York [Mr. LaGuardia] and which I think is still pending, why should we not ask a man's religion and tabulate him when he comes into this country? Is it any more of an insult, if it is claimed to be an insult, to ask an immigrant what his religion is than it is to ask an American citizen what his religion is when you are taking the census every 10 years? There are forms of religion that we do not want in this country under any consideration. I do not refer to the Christian religion, neither do I refer to the Jewish religion. I do not refer to the religions that we honor and respect in this country but there are religions that we do not want here, and I hope in the

future in this debate somebody that is opposed to this bill will rise and give as a reason for what is proposed or opposed the good of America, and not always the good of the man that is outside our borders. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York to the amendment offered by the gentleman from Washington.

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs upon the amendment offered by the gentleman from Washington.

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. JOHNSON of Washington for the committee: Page 2, strike out lines 15 to 18 and in lieu thereof insert the following:

"(b) The immigrant shall furnish two copies of his photograph to the consular officer. One copy shall be permanently attached by the consular officer to the immigration certificate, and the other copy shall be disposed of as may be by regulations prescribed."

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

Mr. JOHNSON of Washington. I will.

Mr. LaGuardia. Is this second paragraph required in anticipation of a registration law later on?

Mr. JOHNSON of Washington. No; the extra photograph is part of the plan for making the application blank in duplicate. This requires another photograph. The original application when properly viséd becomes the certificate, as I have explained.

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Washington. I offer another committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. JOHNSON of Washington for the committee: Page 2, line 20, before the word "certificate," insert the words "viséd in the."

Mr. PERLMAN. Mr. Chairman, I have a substitute for that, which I offer.

The CHAIRMAN. The Clerk will report the substitute.

The Clerk read as follows:

Amendment in the way of a substitute offered by Mr. PERLMAN to the amendment offered by Mr. JOHNSON of Washington for the committee: Page 2, line 20, after the word "of," strike out all the balance of line 20, all of line 21, and on line 22 the word "prescribed," and insert in lieu of the matter stricken out the words "four months."

Mr. JOHNSON of Washington. Mr. Chairman, a point of order. It can not possibly be a substitute. The amendment I am offering refers to the visé. This amendment is to change the time.

Mr. PERLMAN. It deals with the matter proposed to be stricken out by the gentleman from Washington. If it is not in order at this time, I ask that it be withheld until the amendment be disposed of.

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I have one more perfecting amendment to this section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. JOHNSON of Washington for the committee: Page 5, line 3, strike out the figure "2" and insert in lieu thereof the figure "9," and in line 4, after the comma, insert the following: "which shall be in lieu of any fee for the visé of the passport of the immigrant and."

Mr. CELLER. Mr. Chairman, a parliamentary inquiry. Will the chairman of the committee state for the edification of the Members exactly what the total fees are for the immigrant?

The CHAIRMAN. The Chair will state that that is not a parliamentary inquiry.

Mr. JOHNSON of Washington. I desire to say a word. The original bill proposed total fees of a prospective immigrant of \$14 for the visé of the application, registration, and so forth, \$10 of which are the regular visé and registrations required by law. But having reduced the number of papers and combined in one the application and the certificate we are now proposing to reduce extra fee required to \$1 only.

Mr. CELLER. What is the amount in the present bill?

Mr. JOHNSON of Washington. The fees are \$9 for visé, and \$2 for the registration.

Mr. CELLER. What is it in the present law?

Mr. JOHNSON of Washington. Nine dollars for the visé, and \$1 for registration.

Mr. LaGUARDIA. What is the head tax?

Mr. JOHNSON of Washington. That fee has nothing to do with this proposition. All aliens coming to the United States, whether visitors or immigrants, now pay \$10 in fees. Our plan adds \$1 to the fees for the immigrant alien, which is to help cover the cost of the application. Remember that the alien gets his passport from his country. Whether we continue to require it or not, most countries will require him to have it.

Mr. DICKSTEIN. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. There is an amendment pending. The Chair can not recognize the gentleman.

Mr. LaGUARDIA. Mr. Chairman, I rise in opposition to the amendment. I want to call the attention of the committee to the fact that we should not burden the immigrants with excessive fees. You have here a fee of \$9. Then you have a head tax besides all of this, and the head tax pays for the entire cost of the administration and enforcement of the immigration law. Just stop and consider the burden and the initial cost—

Mr. JOHNSON of Washington. If the gentleman will permit, the gentleman confuses the issue now. I will make it very clear once more.

Mr. LaGUARDIA. I only yielded for a question.

Mr. JOHNSON of Washington. The gentleman is anxious to have the fees reduced?

Mr. LaGUARDIA. Yes.

Mr. JOHNSON of Washington. That is what this does.

Mr. LaGUARDIA. If it does reduce it, I say \$9 plus the head tax, and the present head tax is \$8, \$17 with the head tax is what we put on these immigrants as an initial cost. Now, we have a very large sum in our immigration fund in excess of the actual cost of administering and enforcing the immigration law, and \$17 is a pretty heavy burden to put on the immigrant.

Mr. WATKINS. Will the gentleman yield? The gentleman is for the immigrant again. We placed in this law a selective—

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I think the gentleman from New York is perfectly right in his contention. If you will examine the report of the Commissioner General of Immigration, Mr. Husband, for the last fiscal year you will find that there is a surplus as a result of the fees and moneys taken in by the Immigration Service of over \$1,000,000.

You will further find that this Bureau of Immigration of all our departments throughout our executive system is the only department that more than pays for itself. In other words, the Immigration Service takes in more than it pays out for its entire personnel and entire maintenance and operation. I can therefore see no earthly reason why you should in any way increase the fee for passports or certificates. I believe you thus are placing on the immigrant who comes over here, and who is worthy, an undue burden, because we now have a surplus, and not a deficit. What we should do is to enact some legislation whereby that surplus may be taken out of the general fund in the Treasury and applied to the Immigration Service. It is not fair to place an increased burden on the immigrant.

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

Mr. CELLER. Yes.

Mr. WATKINS. You are arguing again for the immigrant. This bill provides for additional machinery for this work, which will cost the American people money. Why not make the fellow who is getting the benefit of this improved administration of the machinery pay the cost?

Mr. CELLER. What are you going to do, will the gentleman from Oregon answer me, with the surplus of over a million dollars that you have now in the Immigration Service? And what about the surplus that we have had for each year for the last decade or so past? Probably that accumulated surplus amounts to over twenty-five millions by this time.

Mr. WATKINS. The chairman of the Committee on Appropriations the other day was complaining because the cost of administration was too much.

Mr. CELLER. You surely do not want to increase the surplus, do you, by increasing the fees?

Mr. WATKINS. I want to prevent a deficit.

Mr. CELLER. First, find out what the system is going to cost, and then take the surplus, which has now been accumulating for years. It is admitted in a statement I read not long ago that there is possibly over \$25,000,000 in the Treasury to-day that has come from this yearly surplus.

Mr. VINSON of Kentucky. Mr. Chairman and gentlemen of the committee, the reason I rose at this time is to touch on

a matter that is of the nature of a question of personal privilege. It is not because of any attack that has been made on me personally, but it is because of attacks which have been made upon the State from which I hail, and which I love.

I heard this morning the distinguished and learned scholar from New York [Mr. CELLER] refer to "the homicidal rate" in my State of Kentucky. I will say, in response to that, that in Kentucky, as a general proposition—and if it is not in that manner, it is an exception to the rule—they shoot you in the face when they shoot. They do not hire a gunman for \$25 to creep around after a man in the dark and shoot him in the back, as is done in the gentleman's city. [Applause.]

I heard a reference about the illiteracy rate of Kentucky the other day made by the gentleman from New York who heads the Italian bloc in Congress.

Mr. LaGUARDIA. Mr. Chairman, I ask for a moment of time on a question of personal privilege.

Mr. VINSON of Kentucky. I did not refer to the gentleman.

Mr. LaGUARDIA. The gentleman pointed right at me. [Laughter.]

Mr. VINSON of Kentucky. That gentleman from New York and the gentleman to whom I referred a moment ago [Mr. CELLER] have maligned the State of Kentucky.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I make the point of order that the gentleman is not talking to the amendment pending before the committee. [Applause.]

The CHAIRMAN. The gentleman from Kentucky will proceed in order. The gentleman must confine himself to the pending subject matter.

Mr. McLAUGHLIN of Michigan. The paragraph refers to an amount of money.

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

Mr. VINSON of Kentucky. Yes; I will.

Mr. RAKER. I have here a report from the Secretary of State, and also a report from the Secretary of Labor, showing all the money expended on this account, and the money collected; and the same way with respect to immigration, the amount received and the amount collected for the last 10 years. Those statements show that we are collecting very little more in the way of passports than we are expending.

Mr. CELLER. Will the gentleman from Kentucky yield for a moment, so that I can ask the gentleman from California a question?

Mr. VINSON of Kentucky. No; I must decline to yield. My purpose in rising at this time was to acquaint the two gentlemen from New York of the manner in which they can reach Kentucky. [Laughter.]

Mr. HILL of Maryland. Mr. Chairman, I renew the point of order. The gentleman is not talking on the amendment.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is some latitude at least allowed in debate.

The CHAIRMAN. The gentleman from Maryland makes the point of order that the gentleman from Kentucky is not talking on the amendment. The point of order is well taken. The gentleman from Kentucky will proceed in order.

Mr. VINSON of Kentucky. Gentlemen, Kentucky is an American State. [Applause.] As a Representative of Kentucky, and speaking on behalf of the people of Kentucky, who have been maligned by the gentleman from New York, I want to say that the gentleman from Kentucky will stand for this bill and against all amendments that emasculate it.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I renew the point of order. The gentleman should confine himself to the subject matter pending.

Mr. VINSON of Kentucky. Mr. Chairman, I ask unanimous consent to proceed for two minutes out of order.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to proceed for two minutes out of order. Is there objection?

Mr. HILL of Maryland. I object.

The CHAIRMAN. The gentleman from Maryland objects.

Mr. VINSON of Kentucky. Mr. Chairman and gentlemen of the committee, it occurs to me that the bill now pending before this body, which seeks to limit the immigration of undesirable aliens into the United States, can well be supported by all who take pride in the high ideals of American citizenship and by all who want to see America saved to Americans. The question confronting us is one grave in import; it affects the whole future course of our country, and strikes at the very vitals of our national life. It occurs to me that our Nation is at the parting of the ways, and the decision of this Congress is epochal in nature.

THE POWER OF THE FOREIGN VOTE IS APPARENT

In respect of the attitude of the great political parties, perhaps it is of nonpolitical character, but in respect of the attitude of the individual Members, I submit that it is highly political. Ours is a representative form of government; we represent our constituency and are subject to recall at the expiration of our terms if we fail to voice their real sentiments. Therefore I respectfully submit that the Representative of any district in which there is a considerable foreign vote can not help but be influenced by such constituency. Contra, one representing a district in which the foreign element is negligible ordinarily can view the question free from fear of political power.

The district which honors me is situate in old Kentucky and contains a minimum of foreign born; in fact, the ethnologists of our day assert that in that district can be found the purest strain of the Anglo-Saxon blood coursing the veins of Americans.

AN AMERICAN QUESTION

At the very outset it must be recognized that the question of immigration is an American question, to be settled as America wants it settled. No foreign country has any inherent or other right to suggest the method by which this problem will be solved. There need be no issue of superiorities of races injected into the discussion. It is sufficient to say that it was people of similar characteristics and blood that has made America the great Nation that she is. It was people from northern and western Europe that colonized America; it was the people of northern and western Europe that wrote her Declaration of Independence, which sounded the death knell of monarchies. It was the people of northern and western Europe that fought the War of the Revolution, the War of 1812, the Civil War, and the Indian wars. In the main it was the people of northern and western Europe that waged the Spanish-American War to its successful conclusion. And the corner stone and the substructure of this Nation having been laid and builded by such people, and thereafter the edifice having been constructed with their sweat and their hearts' blood, I maintain that they should be permitted to occupy that national edifice and be permitted to accept the benefits that have accrued from the hardships and privations of their ancestors.

Our Nation is an edifice; it is an American edifice, conceived by Americans, born in American travail, nurtured and reared by the labor of her sons; and we maintain that this problem should be solved with the eye ever keen to discrimination against the American people.

THERE IS NO DISCRIMINATION IN THIS BILL

For the first time, in the census of 1890, this country segregated the persons immigrating to this country, and were thereby able to ascertain the number of emigrants from the various nations.

All the world recognizes the right of the American Congress to fix the quota of immigrants into this country. Until after the Civil War practically all of the immigrants coming to this country hailed from the countries of northern and western Europe. Since 1890, as we have seen, the "new" immigration many times exceeds the "old" immigration. Taking the census of 1890 as a basis, I must admit that the proportion of immigrants from the countries of northern and western Europe under the proposed law will be in larger proportion than the immigrants coming from eastern and southern Europe. But if you take the census of 1900, 1910, or 1920, during which periods the "new" immigration vastly exceeds the "old" immigration, there will be a larger proportion of immigrants from eastern and southern Europe than from northern and western Europe. The question boils itself down to this: Shall the Congress of America discriminate against the people who came to these shores for more than 100 years in the period of its formation or discriminate in favor of the immigration of the past 35 years?

According to the census of 1920, 85 per cent of the population of the continental United States were direct descendants of emigrants from the countries of northern and western Europe, with 15 per cent of such population either immigrants or direct descendants thereof from eastern and southern Europe. As we understood this bill, this ratio is maintained under the 1890 census, and it is in direct proportion to the present citizenship of this country. In consequence of which I maintain that there is no discrimination in this bill.

NO DISCRIMINATION AGAINST ENGLISH, IRISH, SCOTCH, WELSH, AND FRENCH

The people who made America great are not struck at in this bill. One must bear in mind that this measure has no real restrictive effect upon the emigrants from western Europe, among whom are the English, Irish, Scotch, and French. The

emigrants from these countries are designated as the "old" immigration, as contradistinguished to the emigrants from eastern and southern Europe, who are designated the "new" immigration. The "old" immigration will not be appreciably affected. It goes without argument that the traits and characteristics of the "old" immigration are of such nature as entails no danger to our country. Between the years 1882 and 1889 there were four and one-third times as many "old" immigrants as there were "new" immigrants; whereas, between the years of 1897 and 1914 there were four times as many "new" immigrants as there were "old" immigrants. And, whereas there were 2,500,000 "old" immigrants between 1897 and 1914, we find that there were more than 10,000,000 "new" immigrants during the same period.

Those favoring unrestricted immigration are wont to harken back to the days of the discovery, colonization, and settlement of our country. In respect of this argument, I want to be thoroughly understood. Were the immigrants now flooding our shores possessed of the same traits, characteristics, and blood of our forefathers I would have no concern upon this problem confronting us, because, in the main, they belonged to the same branch of the Aryan race. Americans and their forebears, the English, Irish, Scotch, and Welsh, are the same people.

These ancestors of the real American people were related one to the other and possessed, to a large degree, similar tastes, traits, and characteristics. And in the amalgamation of these people and their transition into Americans, we find the persons who created and now maintain the greatest nation on the globe.

But it is the "new" immigrant who is restricted in emigrating to this country. The emigrants affected by this bill are those from Italy, Greece, Russia, Poland, Bulgaria, Armenia, Czechoslovakia, Yugoslavia, and Turkey. I respectfully submit, with all the power within me, that the people from these countries do not yield their national characteristics, but retain them practically unimpaired by contact with others.

NO DISCRIMINATION AGAINST EASTERN AND SOUTHERN EUROPEAN IMMIGRANTS

In answer to those who endeavor to hold up the greatness of our country as conducing to prove that unrestricted immigration should be permitted, I make this statement. From the beginning of our Government until after the Civil War these nations furnished the immigrants set forth in the following table:

Italy	924
Spain	692
Portugal	365
Austria-Hungary	422
Russian Empire and Finland	183
Poland	165
Greece	5
European Turkey	11
Bulgaria	None
Serbia	None
Montenegro	None
Rumania	None
Asiatic Turkey	None

Compared to the 924 Italians who emigrated to this country prior to the year 1865, there have been a total of aliens from that country of 4,505,133 since 1865.

QUOTAS

To prove the foregoing statements, I include herewith a table showing the number of admissible immigrants under the proposed quota of 2 per cent of the census of 1890, census of 1900, census of 1910, and census of 1920:

Estimated immigration quotas based on census reports of 1890, 1900, 1910, and 1920—2 per cent plus 100 for each nationality

Country or region of birth	Estimated quotas based on 2 per cent of census plus 100			
	Census of 1890	Census of 1900	Census of 1910	Census of 1920
Albania	104	121	292	212
Armenia (Russian)	117	141	252	419
Austria	1,090	1,891	4,994	11,510
Belgium	609	749	1,142	1,350
Bulgaria	100	100	302	311
Czechoslovakia	1,973	3,531	11,472	7,350
Danzig, Free City of	323	314	300	250
Denmark	2,882	3,298	3,845	3,844
Estonia	202	337	998	1,481
Finland	245	1,365	2,714	3,113
Fiume, Free State of ¹	110	117	148	210
France	3,978	3,734	3,920	3,177
Germany	45,229	43,081	40,172	28,705
Great Britain and North Ireland	41,772	37,282	34,508	29,152
Irish Free State	20,886	18,641	17,254	14,576

¹Fiume is to be added to Italy.

Estimated immigration quotas based on census reports of 1890, 1900, 1910, and 1920—2 per cent plus 100 for each nationality—Continued

Country or region of birth	Estimated quotas based on 2 per cent of census plus 100			
	Census of 1890	Census of 1900	Census of 1910	Census of 1920
Greece	135	259	2,142	8,625
Hungary	588	1,232	3,932	8,047
Iceland	136	142	150	150
Italy	4,689	10,815	28,138	82,315
Latvia	217	371	1,126	1,681
Lithuania	402	655	1,852	2,801
Luxemburg	158	161	162	352
Netherlands	1,737	2,000	2,504	2,728
Norway	6,553	6,857	8,234	7,425
Poland	8,972	16,277	20,752	22,902
Portugal	574	1,016	1,744	1,616
Rumania	731	1,512	5,046	2,157
Russia	1,892	4,596	16,370	25,161
Spain (including Canary Islands)	224	245	708	1,320
Sweden	9,661	11,772	13,462	12,649
Switzerland	2,181	2,414	2,602	2,477
Yugoslavia	835	1,504	4,384	8,500
San Marino	110	110	110	110
Andorra	100	100	100	100
Liechtenstein	100	100	100	100
Monaco	100	100	100	100
Palestine	101	104	138	164
Syria	112	167	688	1,142
Turkey	123	218	1,870	841
Hejaz	105	105	105	105
Persia	125	125	125	125
Egypt	106	108	112	117
Liberia	100	100	100	100
Abyssinia	100	100	100	100
Morocco	100	100	100	100
Union of South Africa	110	110	110	110
Australia	220	240	298	323
New Zealand and Pacific Islands	167	152	154	178
Total	161,184	178,769	239,930	240,400

NOTE.—By reason of alteration of bases of computation, principally the elimination of "Other Europe," "Other Asia," and "black" Africa, certain quotas are materially changed. The German quotas are reduced by reason of the allocation of quotas to Czechoslovakia, Poland, etc. The Danish quota increases at the expense of the German quota by reason of the award of Schleswig to Denmark. The British quota increases by absorption of quotas from Cyprus, Gibraltar, and Malta (heretofore part of "Other Europe"), but is decreased by allocation of a quota to the Irish Free State. The Italian quota increases by reason of absorption of Rhodes, Dodecanese, and Castellorizzo. All these estimates, therefore are subject to considerable revision. They can not be considered as final.

THE LOVE OF FAMILY IS RECOGNIZED

Many who otherwise might not be permitted to enter our country on account of their nation's quota having been filled are, under the proposed law, permitted to enter this country. The bill permits and assists in the reuniting of families of American citizen. It is provided that an immigrant who is an unmarried child under 18 years of age, a father or mother over 55 years of age, husband or wife of a citizen of the United States may be admitted outside and irrespective of the quota. Application is made by the citizen to the Commissioner General of Immigration, who, if he finds it in order, shall, through the Secretary of State, authorize the consul to issue a nonquota certificate.

If approved by Congress, the number of quota immigrants and quota relative immigrants admitted under the proposed act would compare as follows with the number of immigrants admitted under the laws which have been in force during the last two years:

Nationality	Quota immigrants admitted under the act of May 19, 1921	Quota and quota relative immigrants admitted under proposed Johnson bill	Relative percentage
United Kingdom	77,342	125,316	162.0
Germany	67,607	102,854	152.0
France	5,729	8,228	143.6
Norway	12,202	13,308	109.0
Denmark	5,619	5,970	106.3
Sweden	20,042	19,522	97.2
Poland	21,076	10,712	50.8
Eastern Galicia	5,788	2,140	37.0
Austria	7,451	2,606	35.0
Yugoslavia	6,426	2,112	32.9
Czechoslovakia	14,557	4,462	30.7
Hungary	5,638	1,348	23.9
Italy	42,057	8,224	19.6

"ALL MEN ARE CREATED EQUAL"

Oh, yes; spellbinders representing the foreign element can take the Declaration of Independence and plead its language that "all men are created equal" in their attempt to prove

the case of unrestricted immigration. We submit that this utterance was and is an axiomatic truth; that equality does exist in the eyes of the benevolent Creator; but generalities such as the one quoted must be viewed with care as applied to the particular instance, because we know that in the natural course of our life there are racial distinctions that are recognized by everyone. God made the different races and instilled into their bosom race distinction. Created of God, I submit that it can not be wrong to make distinction between races, and any person who states that he considers all other persons as his equal, when pinned down to the question of association and marriage undoubtedly gives the lie to such utterance.

This question should have no part in the consideration of this bill, in view of the fact that every leader to the opposition of the bill unequivocally states that they do not favor unrestricted immigration. All agree that the immigration should be restricted. It is the manner that is under consideration at this time.

JEFFERSON FEARED UNRESTRICTED IMMIGRATION

In connection with the argument, based upon the quotation from the Declaration of Independence in support of unrestricted immigration, I do not care to do more than submit a quotation from the pen of Thomas Jefferson, he who wrote the Magna Charta of American liberty. Jefferson not only advocated restricted immigration but stood forth with all his might in favor of a very careful selection of such restricted immigration. In his Notes on Virginia, writing on the subject of the population of America, he said:

The present desire of America is to produce a rapid population by as great importation of foreigners as possible. * * * But is this founded in good policy? * * * Are there no inconveniences to be thrown into the scale against the advantages expected from the multiplication of numbers by the importation of foreigners? It is for the happiness of those united in society to harmonize, as much as possible, in matters which they must of necessity transact together. Civil government being the sole object of forming societies, its administration must be conducted by common consent. Every species of government has its specific principles. Ours perhaps are more peculiar than any other in the universe. It is a composition of the freest principles of the English constitution, with others derived from natural right and reason. To these nothing can be more opposed than the maxims of absolute monarchies. Yet from such we expect the greatest number of immigrants. They will bring with them the principles of the governments they have imbibed in early youth, or if able to throw them off, it will be in exchange for an unbounded licentiousness, passing, as is usual, from one extreme to another. It would be a miracle were they to stop precisely at the point of temperate liberty. Their principles, with their language, they will transmit to their children. In proportion to their number they will share with us in the legislation. They will infuse into it their spirit, warp and bias its direction, and render it a heterogeneous, incoherent, distracted mass. I may appeal to experience during the present contest for a verification of these conjectures; but if they are not certain in event, are they not possible? Are they not probable? May not our Government be more homogeneous, more peaceable, more durable?

THE CONSTITUTION PROVIDES AGAINST FOREIGN CONTROL

The Constitution of our country is appealed to as an argument favoring unrestricted immigration. In this connection we maintain that the Constitution of our land can only have application to those who are under the sovereignty of this Government. It is mere sophistry to state that this immortal document could have applied to the immigrant before he becomes a citizen of this country. In the opening words of our Constitution the purpose of its creation was set forth as follows:

In order to form a more perfect union, establish justice, insure domestic tranquillity, * * * promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.

Can one doubt that this Government was established for any purpose other than that stated in its preamble? Apply the conditions now prevailing to the preamble, and I respectfully submit that unrestricted immigration does not tend toward "a more perfect union, establish justice, insure domestic tranquillity, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

If ever a time existed when there was a semblance of necessity for the gates of America to be thrown wide to the undesirable foreign horde it was at the time of the adoption of our Constitution and the years next succeeding the advent of America into the world of nations. Then America was an infant in its swaddling clothes; it was necessary for sustenance to be procured from this undeveloped land to nurture this newborn babe. The forests were to be cleared, the deserts reclaimed, the fields broken by the plow of cultivation, the mountains tunneled, the rivers bridged, the railroads con-

structed, and the cities built for habitation. It was a new world and there was then need for the peopling of our vast domain. Yet in the Constitution there is unmistakable evidence that the power of foreign influence in the inner workings of our Government was guarded against.

In this wonderful document we find limitations upon the officers of its Government. A Representative of this Government must have been "seven years a citizen of the United States"; to be a Senator one shall have been "nine years a citizen of the United States"; and "no person excepting natural-born citizens, or the citizens of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President." With this language in its organic and fundamental law we see that the builders of our Government guarded against the foreign element.

WASHINGTON WOULD HAVE FAVORED THIS BILL

Again harking back to the formative days of our Government, we find the famed Father of our Country in open opposition to the unrestricted commingling of foreign with American blood. The immortal Washington set forth his views in unmistakable language in a letter dated 1794 to the then Vice President, John Adams, which is, in part, as follows:

My opinion with respect to immigration is that, except of useful mechanics and some particular descriptions of men or professions, there is no need of encouragement, while the policy or advantage of its taking place in a body—I mean the settling of them in a body—may be much questioned, for by so doing they retain the language, habits, and principles, good or bad, which they bring with them, whereas by an intermixture with our people they or their descendants get assimilated to our customs, measures, and laws; in a word, soon become one people.

Subsequent to this utterance, in a letter to Sir John St. Clair, of England, the Father of his Country said:

I have no intention to invite immigrants, even if there are no restrictive acts against it; I am opposed to it altogether.

Washington undoubtedly possessed the belief that America had no need to encourage immigration, except those people who because of their work might add something to our civilization, and then only to the extent in quantity and quality as such immigrants might be assimilated without losing the American identity. He wanted them "assimilated to our customs, measures, and laws," and did not want Americans assimilated to their customs, measures, and laws.

Not only did Washington and Jefferson fear the influx of the foreign population upon the future of America and advocate restricted immigration, but other statesmen of their day, among whom we find Hamilton and Madison, advocated such immigration as would be gradual in nature and which would permit of the rapid assimilation of the alien into an American people.

THE FEARS OF THE FOUNDERS OF THIS GOVERNMENT ARE JUSTIFIED

With your permission, we will pass from the voiced judgment of the builders of our governmental structure and deal with present-day conditions which, in our judgment, are justifications of their splendid judgment upon this subject. Jefferson feared that the foreign element would "infuse into it their spirit, warp and bias its direction, and render it a heterogeneous, incoherent, and distracted mass." Without argument, I ask those living in the metropolitan cities of our country if, in large measure, the fear of Jefferson is not on the road to realization? Can anyone say that the establishment of foreign cities within our American cities could conduce to the making, in the language of Jefferson, of "a more homogeneous, a more peaceable, more durable Government?" In the vast centers of population we have a Chinatown; we have a ghetto; a Japanese settlement; a Russian group; we have a Hungarian colony; the Czechoslovakia, Lithuania, Greek, and Polish colonies, and so on ad infinitum. Water will not mix with oil, neither will peoples of diverse habits, traits, and characteristics.

Millions of foreign born are within our midst; I quote from the address delivered on this floor on March 26 by the gentleman from New York [Mr. CELLER], who rose in opposition to the bill under consideration:

Anyone familiar with the immigration problem knows that immigrants as a group are faced with the necessity of finding work immediately. They tend to settle in or be drawn to those sections in which the industries are concentrated and in which chances for employment are greatest. The natural preference of immigrants for living among their kind or for certain occupations has also affected their distribution. The population census of the United States shows that, while in 1920 the foreign-born whites constituted 13 per cent of the total population, they comprised over one-fourth of the population of the

New England States, over one-fifth of the population of the Middle Atlantic States, and about one-sixth of that in the east North Central States. Taking the more important industrial States, it is found that in 1920 the ratio of the foreign-born whites to the total population was: In Rhode Island, 28.7 per cent; Massachusetts, 28 per cent; Connecticut, 27.3 per cent; New York, 26.8 per cent; New Jersey, 23.4 per cent; New Hampshire, 20.6 per cent; Minnesota, 20.4 per cent; North Dakota, 20.3 per cent; Michigan, 19.8 per cent; Illinois, 18.6 per cent; Wisconsin, 17.5 per cent.

Of all the foreign-born whites in the United States in 1920, 35.8 per cent were living in the Middle Atlantic States (New York, New Jersey, and Pennsylvania) and 23.5 per cent in the east North Central States (Ohio, Indiana, Illinois, Michigan, and Wisconsin). Thus approximately three-fifths of all the foreign born in the United States were located in eight important manufacturing States.

It is passing strange that the above-mentioned States never complain of immigration. They are probably the most progressive and most prosperous of all our States. They never complain, furthermore, that the immigrant is "indigestible," nor do they discriminate between "old" and "new" immigration.

According to the gentleman from Ohio [Mr. CABLE], in his splendid speech upon this subject delivered February 26, 1924:

The United States has passed the point of assimilation. Of the 14,000,000 of foreign born residing here less than half are American citizens. The naturalization process averages 10 years. One and one-half million of our foreign population can not speak English. Alien colonies have sprung up in the large cities, where the circulation of foreign press papers runs into 6,000,000. Seventy-five per cent of those who come from other countries to the United States live in large cities. The population in many cases is one-third foreign born. In the States of New York, New Jersey, and Pennsylvania, 35.4 per cent of the male population 21 years of age and over is foreign born; the New England States, 38.2 per cent; in Massachusetts, 41.9 per cent; Boston, 46.3 per cent; and in New York City, 53.4 per cent. These large alien colonies still hold to their foreign ideas and institutions. Our Nation is dotted with unassimilated groups—"alien islands" they may be called. It is thus necessary to reduce immigration.

Such figures are astounding and the only hope for the future of our country is that this influx of the foreign born has permeated only a small area of our great land. The gentleman from New York [Mr. CELLER] uses as an argument that the States having these large percentages of foreign born never complain of immigration. He is probably right about that. Particularly is it true that upon the floor of the House in this debate there probably will be no Representative from the districts containing this tremendous foreign influence who will voice his sentiments in favor of this bill.

From the statistics produced by the gentleman from New York [Mr. CELLER], and the gentleman from Ohio [Mr. CABLE], and from our observations, actual sight, and the study of the question, we are thoroughly convinced that America is at the parting of the ways. Upon the one hand we can permit the influx of the undesirable foreign hordes, fleeing from an overpopulated Orient, or war-ridden eastern and southern Europe, who liken this country to the proverbial "land of milk and honey," and who, if permitted, would swarm over our land like bees. Or with limited immigration as our national policy we, as a nation, are big and strong enough, possibly, to assimilate the millions now in our midst not possessed of our traits and characteristics. Never without effect upon the national identity, but in the generations to come America would still be America.

UNRESTRICTED IMMIGRATION AFFECTS AMERICAN LABOR

There is an economic consideration to be given this important problem. It is the effect that excessive immigration will have upon the standards of living of those here in America. Undoubtedly, economic forces operate to lower the standard of living of our citizen workers. Under our form of government it is essential that this standard shall be zealously guarded and kept upon a high plane. Its loss means inevitable disaster to our democracy.

Excessive immigration—

Said the late Professor Mayo-Smith—

may overstock the labor market and reduce wages; or immigrants accustomed to fewer of the comforts of life may supplant the native workmen. In either case we have brought undue pressure to bear on the mass of the people and have forced them down to a lower level. We have substituted the lower for the higher, and preferred that which is inferior. Economic well-being is a difficult thing for a nation to acquire, and once acquired is too precious to give up without a struggle. Once lost it may require generations to attain again, even if the economic conditions are favorable.

Professor Commons said—

The future of American democracy is the future of the American wage earner. To have an enlightened and patriotic citizenship we must protect the wages and standard of living of those who constitute the bulk of the citizens.

Many consider this phase of the problem as the bedrock upon which to rest their opposition to unrestricted immigration, and that such immigration would tend to lower the social standard of the American workingman and his dependents. To-day there are thousands of persons in America who are idle because of the supply of workmen in their particular industry being filled. Now, add to this condition and permit untold millions of foreigners from eastern and southern Europe, who can work for a cheaper wage because of their living conditions, and just in proportion to the number of millions permitted to enter, just so many millions of Americans now here will be forced into idleness. Therefore the effect upon the economic condition of the country by permitting unrestricted immigration can not be calculated.

A PEACEFUL INVASION

The invasion of the undesirable foreign element which we carelessly permit to flow in upon us will, in time, permeate the very fiber of our body politic. What, then, shall be the fate of our great Nation? Though the steady stream of foreigners coming to our shores can not be termed a "military" invasion, as was the Hun invasion of the Roman Empire, it is an invasion which, if permitted to go on unchecked, may have in the centuries to come the same fatal effect upon our country as did the Hun invasion of old.

For 100 years the Hun knocked at the gates of Rome in his effort to conquer that proud empire. For 100 years the Hun crept down, mile by mile, from the north and the east, and finally Rome, proud mistress of the ancient world, the victim of disruption, corruption, and deterioration, succumbed to the invasion.

For 300 years the original inhabitants of this country retreated before the imperceptible invasion of the American people. At the time the Atlantic coast line was settled and the Indian pushed westward from its waters, little would the Indian chief and his splendid braves have thought that in three centuries hence his people would have lost their country. Tempestuous at first, later as a friend, the White Father pushed the red man into limited scopes of territory—reservations—and that which was once his land was overrun by the white race.

THE POINT OF SATURATION NIGH

I know of no illustration which can as well present my fears of this foreign invasion as that afforded by a very common experiment in the study of chemistry. It is that experiment which patently discloses, in the terminology of chemistry, the point of saturation. Mixing common salt with pure water, there comes a time when the water will no longer take salt into the solution. When this condition obtains it is said that "the point of saturation has been reached." From this time any quantity of salt may be placed in the solution but it will not be taken into the solution and will be precipitated, in its natural form, to the bottom of the receptacle.

Just so the immigrant problem. America may be represented by the pure water. The foreign element may be represented by the salt. Now, mixing the foreign element with the pure American element we have, up to a certain point, a solution which assimilates the foreign element, still retaining, in a way, the American traits and characteristics. The identity of this solution is American. But continuing to throw into the solution the undesirable foreign element, the point of saturation will finally be reached. Then what happens? The undesirable foreign element is precipitated in their elemental nature upon the bottom of the receptacle. When this happens the identity of America will have been lost.

One of two things must happen. With unrestricted immigration either the foreign blood must unite with the American blood, thereby losing forever to the world the identity of the American people, or, failing to mix, with the numbers of the undesirable immigrants ever increasing, the American blood in the centuries to come will have been lost by extinction.

PROTECT AMERICA AND HER PEOPLE

If real selective immigration could be had this problem would not be of such serious nature, but when Bulgaria sends 200 convicts in one shipment it is high time for America to protect herself from being a dumping ground for Europe. Two hundred Bulgarians were convicted of crime and were sentenced to prison. The prisons were overflowing and these convicts were given, as an alternative to their prison confine-

ment, the right to leave Bulgaria and emigrate to America. To escape their sentence to imprisonment they came en bloc to America.

The laws are placed upon our statute books to protect particular industries in our country; health requirements are in effect regulating the importation of livestock into this country; this Congress has seen fit to exclude the importation of bees as a protection to the bee industry of America; and yet they have failed, until this bill was presented, to regulate the admission of immigrants by having a selective basis and numbers restricted to the proportion that their countrymen bears to the whole population of this country.

America has many things of which to be proud. In these days of science she has progressed far among the nations. Last year saw the blooded Zev take the measure of the English champion Papyrus. In the lower animal kingdom much care is given to the selection of mates to the end that there will be no inferior blood coursing the veins of the progeny. This thought has come into common usage in every phase of the domestic life of America. Men draw munificent salaries for studying the pedigrees of animals and giving deep thought to the selection of mates therefor. We find this point overlooked to a marked degree in respect to the make-up of the would-be citizens of this country. I submit that it is high time that America protects her people.

AMERICA CAN YET BE SAVED

With the boasted East of our Nation saturated with foreign born; with the metropolis of our Nation, New York City, possessed of more than 50 per cent of its voting population foreign born—actually, in percentage of its population, a foreigner rather than an American city—I maintain that it is high time for Americans to awake to the perilous condition which confronts them. But America can yet be saved, because in the vast reaches of her domain, as yet uncontaminated by the undesirable foreign-born element, there is a sufficiency of Americanism to assimilate the foreign element within our midst; but permit untold millions from the Orient and the undesirable from the eastern and southern portions of Europe to continue indiscriminately to flock into this country and the doom of America is sealed.

Mr. SABATH rose.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. SABATH. Mr. Chairman, I fully appreciate the fact that the fee of \$9 and the additional charge of \$2 added to the head tax of \$8, making in all \$19, is too high, but I do not object to it, because I am in favor of the department having all the money that it needs for the proper investigation and examination of every immigrant before he is permitted to enter the United States.

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

Mr. SABATH. Yes; I yield to the gentleman from Texas.

Mr. BOX. I wish the gentleman would state for the benefit of the House exactly what fees are paid now and what fees will be paid under the present bill, altogether, so that the matter may be clear to the minds of the Members of the House.

Mr. SABATH. Under the present immigration law there is a head tax of \$8, a fee for a passport of \$9, and \$2 additional for the certificate, making, all in all, \$19. Of course, it is a great deal of money to the immigrant, but I am not looking at it from the immigrant's point of view. I want all the money placed in the fund that we can secure, or that we need for proper care, inspection, and examination. That has always been, at all times, my position.

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

Mr. SABATH. Yes; I yield.

Mr. BERGER. You said under the present law it was \$8. Did I understand you aright?

Mr. SABATH. Under the present law it is \$8 as a head tax, and there is an additional charge of \$10.

Mr. BERGER. Then the gentleman said that you propose under this bill, \$9 and \$2, making \$17, but to me \$9 and \$2 mean \$11.

Mr. SABATH. This bill provides for \$11, while the old law provides for a head tax of \$8, making all in all \$19.

Mr. BERGER. You add the \$8 under the old law?

Mr. SABATH. Yes; that still remains as the amount of the head tax. I hope that by securing this large fund those whom we do permit to come will be treated as human beings or that we shall not permit them to come at all. [Applause.] Gentlemen, that is what I have at all times been interested in. I am not in favor of any undesirables—

The CHAIRMAN. The time of the gentleman has expired.

Mr. SABATH. I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for one additional minute. Is there objection? [After a pause.] The Chair hears none.

Mr. SABATH. I have never advocated the admission of any undesirables. I have always striven to provide a law which would protect our Nation from the coming of anyone who in any way would be opposed to our institutions. And I point with pride to the 1917 act that provides that very protection.

Mr. SNYDER. Will the gentleman yield?

Mr. SABATH. Yes.

Mr. SNYDER. Then, as I understand the gentleman's argument, it will cost, if this amendment prevails, \$5 more than if an immigrant comes to this country under the law which is now in existence?

Mr. SABATH. No; only \$1 more.

The CHAIRMAN. The time of the gentleman has again expired. The question is on agreeing to the amendment offered by the gentleman from Washington [Mr. JOHNSON].

The amendment was agreed to.

Mr. DICKSTEIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DICKSTEIN: Page 2, line 14, insert: "Provided, That in the event of a refusal to issue such certificate by the consular officer the said applicant, or one he may designate in the United States for the purpose, shall have the right to appeal from the decision of such consular officer to the Secretary of Labor. The procedure for such appeals shall be prescribed by the Secretary of Labor, with the approval of the Secretary of State."

Mr. RAKER. Mr. Chairman, I reserve a point of order against that amendment.

Mr. DICKSTEIN. Mr. Chairman and members of the committee, this amendment is offered in good faith. This amendment is offered by the minority to improve this bill so that an American citizen who is interested in an immigrant seeking to enter our shores, upon the refusal of a consul to permit him to enter, or upon his refusal to visé a passport, shall have the right to appeal to the Secretary of Labor.

Now, gentlemen, the fundamental principles of our law have been such that we never deny any man the right of an appeal. By this amendment that is what we ask you now. We ask you in all sincerity and we ask you in all fairness to give us that amendment, because it will affect no one, it will not admit any undesirables, and it will not admit any additional persons into the United States outside of the quota you are going to fix to-day, but it will simply say that one who is denied admission shall have the right, by a properly designated person in the United States, to take an appeal and bring up the facts for review before the Labor Department.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. NEWTON of Minnesota. Will not the effect of the gentleman's amendment be this, that it will practically transplant every case that is turned down overseas to this country? Will not that be the case?

Mr. DICKSTEIN. I have more faith in the consuls than the gentleman has. I have faith in every consul we have abroad.

Mr. NEWTON of Minnesota. We both have faith in the consuls, but I have not the same confidence in the disappointed applicants that the gentleman has.

Mr. DICKSTEIN. I disregard them entirely.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. JOHNSON of Washington. The danger of the amendment is that it will hold up all the rest of the applicants while these disputed cases sent to the United States are awaiting decision. There is that danger if there is a limitation on immigration.

Mr. SABATH. I think the gentleman is in error.

Mr. DICKSTEIN. One wrong does not make two rights, or whatever you may call it. The point of the matter is this: We have discussed it in committee and the sentiment of the committee was in favor of that provision.

Mr. VAILE. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. VAILE. Are you going to make our Secretary of Labor a court of appeals for a half million aliens who have some dispute as to whether they are entitled to admission under the laws of the United States?

Mr. DICKSTEIN. Where does the gentleman get half a million?

Mr. VAILE. There will be a half million who will carry their appeals to him.

Mr. DICKSTEIN. You have been talking about millions all the week, but you do not know what you are talking about.

Mr. VAILE. Well, there will be at least 500,000 appeals.

Mr. SNYDER. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. SNYDER. There has been some discussion about the immigrants being robbed in getting their visés. If the gentleman's amendment should prevail, the immigrants would not have money enough left to pay the \$19 to get into the country, but they would use up all of their money on appeals.

Mr. DICKSTEIN. That is not the point.

Mr. SNYDER. But that is the point.

Mr. DICKSTEIN. What I am trying to ask the committee is to write in—

The CHAIRMAN. The time of the gentleman has expired.

Mr. DICKSTEIN. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for one additional minute. Is there objection? [After a pause.] The Chair hears none.

Mr. DICKSTEIN. What I am asking the committee to do is to write in the law the principles of America as to the right of appeal.

Mr. SNYDER. But the gentleman knows that every one of these people who appealed would have to employ a lawyer.

Mr. DICKSTEIN. I do not agree with the gentleman. I am fixing regulations and I am placing those regulations within the authority of the Secretary of Labor.

Mr. SNYDER. And in that event you would have the United States paying for these appeals?

Mr. DICKSTEIN. Oh, no.

Mr. WATKINS. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. WATKINS. As a matter of practicability, suppose 100,000 appealed, or, we will say, Italy has 3,500 people; suppose 3,500 Italians appealed; when are you going to let the 3,500 in under the quota?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. WATKINS. The gentleman's amendment is absolutely impracticable.

Mr. DICKSTEIN. I would like to have the time to answer the gentleman.

Mr. CELLER and Mr. BUSBY rose.

The CHAIRMAN. Does the gentleman from California [Mr. RAKER], a member of the committee, desire recognition?

Mr. RAKER. The gentleman from Mississippi [Mr. BUSBY] desires to be recognized.

The CHAIRMAN. Is the gentleman from Mississippi opposed to the amendment?

Mr. BUSBY. Yes.

The CHAIRMAN. The gentleman from Mississippi is recognized.

Mr. BUSBY. Mr. Chairman and gentlemen of the committee, I was somewhat refreshed awhile ago to hear the gentleman from California rise on this floor and call your attention to America's interest in connection with this bill. The amendment which is before you now absolutely seeks to give the foreigner a status in the United States and a claim against our Government when that is absolutely impossible under the Constitution, according to the holdings of our Supreme Court.

Now, in connection with this immigration question, the thing which we ought to ask ourselves is whether or not it is necessary for America's interest for us to open the door to any extent to admit foreigners.

If it is not good for America's interest, we have no other interest to consider. A great deal has been said here about discrimination. What I have said with reference to this particular amendment applies just as well to the expression "discrimination." I take it that they mean when they say they have been discriminated against that we are robbing them of some rights that they possess.

Mr. VAILE. Will the gentleman yield?

Mr. BUSBY. I will.

Mr. VAILE. Is it not a fact that practically all the argument that has been heard on this floor against this measure has been buttressed on the theory that somebody outside of the United States has certain rights to come in here?

Mr. BUSBY. That is exactly the fact and that is what has so impressed me.

Mr. SABATH. I differ with the gentleman.

Mr. BUSBY. I decline to yield further just now. I will yield a little later.

Gentlemen, I want to call your attention to another thing which I do not believe has been mentioned. We hear a great deal about conserving our forests, conserving our oil supply, and our coal supply, but not once have I heard any man on this floor raise his voice in behalf of conserving America for future generations. [Applause.] I stand firmly for that.

I want to call your attention to some things that I believe will be worth your consideration. Since 1880 the average increase for each decade of our people has been a little over 20 per cent. This increase runs in a compounding ratio. It has been suggested that America could comfortably and satisfactorily, without the crowding of her people, support about 300,000,000 people. At our present rate of increase of 20 per cent, how long will it take America to have 300,000,000 people? Did you ever stop to figure on that? I have gone into that proposition briefly. On a 20 per cent increase each 10 years, in 1930 we would have 129,000,000 people; in 1940, 155,000,000 people; in 1950, 187,000,000; in 1960, 224,000,000; in 1970, 269,000,000; and in 1980, 324,000,000.

Now, there are two things that have caused people to not multiply in great numbers on a natural basis. One is famine and the other is migration to some other country. Instead of our expecting either one of those things we are crying out here, by our actions, for other people to come into the country. We are almost recognizing rights in those people to set their feet upon the shores of America, and even claim a right to set their feet on the shores of America before they ever leave their country or sever their allegiance to their foreign government. I am against any such proposition.

An exhaustive and scholarly publication of the United States Census Bureau, "A Century of Population Growth, 1790-1900," contains a chapter on the races that made up the American population in 1790. The results were as follows, taking into consideration only the white populations, nationality as indicated: English 2,345,845, 83.5 per cent; Scotch 188,589, 6.7 per cent; German 156,457, 5.6 per cent; Dutch 56,623, 2 per cent; Irish 44,273, 1.6 per cent; French 13,384, 0.5 per cent; Hebrew 1,243, less than one-tenth of 1 per cent; all others 3,835, 0.1 per cent.

These are the peoples who made America what it was up to the year 1790. These peoples, the English, the Scotch, the German, the Dutch, the Irish, and French, all belonging to a single ethnological stock from northwestern Europe, formulated the foundation for the liberties now enjoyed in our great country.

We are now considering a subject which presents one of the great questions for solution by our Nation—the question of immigration. It has grown to be one of the problems about which there is universal concern. During a period of 100 years—from 1820 to 1920—more than 33,000,000 foreigners entered the United States. At the present time one-third of our population are foreign born or are the children of foreign-born parents. The number of foreigners who came to our shores increased from decade to decade until during the 10-year period of 1901 to 1910 we received 8,795,386 such people. For a number of years it has been apparent to the student of immigration that the United States must, if it is to preserve those ideals on which our Government was founded, enact legislation to control, select, and determine the number and kind of aliens who shall share the great privileges and benefits our country affords. It is only within recent years that we have had general immigration laws of any kind. However, under the law of nations it has always been conceded that our country had a right to object to another country dumping its criminal, pauper, and undesirable classes on our shores. The concern of our Nation with the problem that immigration presents dates back to the year 1798. In that year during the Irish rebellion many of its supporters had been cast into prison. It was believed that England intended sending these prisoners to America. Our ambassador to England, Rufus King, wrote the Duke of Portland of the British Government:

I feel it to be a duty to my country to express to your grace my earnest wishes that the United States may be excepted from the countries to which the Irish state prisoners shall be permitted to retire.

To this letter the Duke of Portland replied:

I can assure you with the most perfect confidence that the King will never permit any of the persons in question to set his foot in the territory of any state in amity with His Majesty by whom there is any reason to suppose that such a visitor would be objected to.

On further complaint of Mr. King the Duke of Portland wrote Lord Cornwallis, Lord Lieutenant of Ireland:

That your excellency may have no doubts of the sentiment of the King's confidential servants upon the question generally of the right which one state possesses to transport its subjects into the territories of another, I am to inform you that we are clearly of opinion that no such right exists according to the law of nations, and consequently that His Majesty has not the power to banish any one of his subjects to the dominions of any other state or to authorize him to settle or land them there without the consent of the state having been first specifically obtained.

Even in the absence of a statute dealing with the subject it was early settled that by the principles of international law our country could control the class of immigrants admitted into our territory.

Indeed, the right of a nation to perpetuate its existence presupposes the right of that nation to say what foreign peoples shall come into its territory and what shall not.

The right of self-preservation is the first law of nations as it is of the individual. A society which is not in a condition to repel aggression from without is wanting in its principal duty to the members of which it is composed and to the chief end of its institution. All means which do not affect the independence of other nations are lawful to this end. No nation has a right to prescribe to another what these means shall be or to require any account of her conduct in this respect. (Phillmore's International Law.)

All writers on international law agree on this principle. No foreign country has any right to complain because of the kind of immigration statutes enacted by us, however stringent these statutes may be. America belongs to Americans, and a foreign country which would presume to suggest what our immigration policy should be would be presumptuous indeed.

Calvo says:

One of the essential rights inherent in sovereignty and the independence of States is that of self-preservation. This right is the first of all absolute or permanent rights and serves as a fundamental basis for a great number of accessory, secondary, or occasional rights; it constitutes, it may be said, the supreme law of nations as well as the most imperative duty of citizens, and a community which neglects the means to repel aggressions from without fails in its moral obligation to the members which compose it.

The duty of our Government to the people who compose it to meet and repel evils coming from other governments is absolute. It can make no difference whether these evil influences are war, destructive immigration, or whatever other thing it may be. It is beyond the power of the United States Government to shun this obligation. These powers can not be delegated, nor can they be surrendered by treaty. They are held in trust, to be exercised for the benefit of the people who granted them. Our Government has not failed to recognize this duty. Mr. Everett, Secretary of State, said in 1852:

This Government could never give up the right of excluding foreigners whose presence they might deem a source of danger to the United States.

The Supreme Court has said:

The power of exclusion of foreigners being an incident of sovereignty belonging to the Government of the United States, as a part of those sovereign powers delegated by the Constitution, the right to its exercise at any time when, in the judgment of the Government, the interest of the country requires it, can not be granted away or restrained on behalf of anyone. The powers of government are delegated in trust to the United States, and are incapable of transfer to any other parties. They can not be abandoned or surrendered, nor can their exercise be hampered, when needed for the public good, by any consideration of private interest. The exercise of these public trusts is not the subject of barter or contract. (130 U. S. 809.)

Mr. Foster, Secretary of State, said in 1893:

The subject of conventional agreements to the power of self-preservation must be implied, for it can not be presumed that when governments contract with each other they will fail to take notice of the existence of so inherent a right of sovereignty and attempt to grant away that which, by the very nature of things, is incapable of being granted.

Our first immigration law was an act of Congress of March 3, 1875. It prohibited the immigration of aliens who were undergoing a sentence for conviction in their own country of felonious crimes and women imported for immoral purposes. In 1882 a broader law was enacted forbidding vessels to land aliens in this country who were convicts, lunatics, idiots, and so forth.

Our labor conditions became seriously affected by business interests which employed much labor, importing great numbers of aliens to work in mines, build railroads, and to perform various other kinds of services. In southeastern Europe and southwestern Asia organizations conducted a business of corraling persons who had been attracted through advertisements and delivering them en bloc under contract to employers of labor in America. For the sake of the profit to be extracted from them penniless laborers were gathered, dispatched, and cared for during their long journey to a destination on the other side of the globe as if they were so many cattle. The seller not only incited the peasant to migrate but took a mortgage on his home for the passage money or took the bond of some relative that the migrant would repay the passage money. These parties were through billed from their native village to some part of America. There they were met by a confederate of the shipper, who took them in charge and finally delivered them in this country to some one who had contracted with this organization for so much labor, or he would deliver these foreigners to some one who was recruiting labor on commission for a construction gang.

This condition our Congress attempted to remedy when it passed the act of 1885 forbidding the importation of labor under contract.

In 1891 Congress enacted a much broader immigration law, embodying in it all the features of former acts and greatly extending its terms to remedy other evils. In 1903 a still broader law was passed by Congress. This class of legislation was considered by almost every Congress from that time down to 1917, when the law containing the literacy test was passed over the President's veto. Then followed in 1921 the law fixing immigration on a percentage basis. We are now to consider a bill which changes the percentage basis for fixing immigration from 3 per cent, based on the census of 1910, to 2 per cent, based on the census of 1890.

The causes affecting immigration are mainly economic. In our own country the main considerations having weight with the intending immigrants, causing them to emigrate into the United States, have been (1) economic prosperity as against excessive population and poverty existing in many foreign countries; (2) political freedom which a republic affords as contrasted with oppression of monarchies; (3) religious freedom and equality guaranteed to all as compared with the disabilities under which many peoples are held; (4) class barriers and castes, which so largely prevail in many countries of the Old World. A great change in the racial composition of immigration and in the ideals of immigrants has taken place in recent years. In the beginning America was an unsettled wilderness filled with savages, dangers, and hardships. It served as a retreat for those who were of strong heart; a retreat for those who rather than surrender religious principles or ideals were willing to quit the shores of their nativity and face the dangers and uncertainties certain to be encountered on uncharted seas and in an unsettled land. High ideals were their prompting motives, and not commercialism and love of gain.

In those days came the Puritans, the Pilgrims, the Quakers, the Huguenots, the immediate ancestors of our forefathers who founded this Government. For the most part they were from northern and western Europe. Until 1850 more than four-fifths of our immigrants were from these sections. The situation gradually shifted; more and more peoples year by year coming from southeastern Europe and western Asia. In 1910 northern and western Europe, the source of our original stock, supplied only one-sixth of our immigrants. America for the most part is no longer sought except as a land of economic and commercial advantage. Hordes of people seek admittance who know nothing of the principles or ideals of our Government.

They bring their ideals and principles with them, and millions of foreigners never surrender their allegiance to foreign governments and become naturalized citizens. So mixed has our population become that national political parties have found it necessary to print their campaign literature in as many as 16 different languages. The so-called "hyphenated American" has become a familiar figure, because the World War has made native-born citizens take serious notice of the polyglot political situation. The activity of organizations of foreign elements in the campaign of 1916 is an idea of how dangerous to the national welfare the meddling of racial groups among the voters may become.

The first socialist parties in the United States were organized by German-Americans in the years following the Civil War. The red flag of the communist is not without standard bearers in America to-day. Violence and anarchism were first introduced into the American labor movement in the eighties by

Johann Most and his associates, the greater number of whom, like Most himself, were of alien birth. The contemporaneous I. W. W. movement found its chief strength in the support of the migratory foreign-born laborer. To the immigrant must also be assigned the responsibility for the accelerated growth of political and industrial radicalism in this country. One writer has said:

It is not fantastic to believe that during three centuries of history the immigrant elements in our population have not only profoundly influenced the culture, institutional, and material development of the United States but have also been largely responsible for diluting that precious essence which we call American idealism. The bold man falters when asked to define American idealism.

The last census shows that New England, the home of the Puritan, is to-day the home of a population of whom two-thirds were born in foreign lands or else had parents who were. Faneuil Hall, "The Cradle of Liberty," is a curiosity of bygone days left stranded on the shores of the Italian quarter. In 15 of the largest cities of the United States the foreign immigrants and their children outnumber the native whites. Alien racial elements are in the majority in 13 of the States of the Union.

The minority report filed on this bill states that approximately 280,000 of the 357,000 immigrants who came to the United States last year settled in the six States mentioned. These six States had the rest in foreign population. The report further says there is no complaint from these States because of this influx of immigrants. We would hardly look for the objection to come from this quarter. I have one county in my district which, according to the 1920 census, has only one foreign-born person. From this county I have received a petition from the citizens for me to support this bill. The objection comes not from the centers overcrowded with foreigners, but from the portion of the country where the unmixed Anglo-Saxon element is most solid.

Mr. Chairman, I ask for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none.

Mr. BUSBY. I have asked for this short time in order to point out to you one other thing that perhaps has not been stressed.

The present day presents a most serious situation with regard to immigration because of the safety and facility with which man may change the place of his abode. Within the memory of men now living, conditions of the mass movement of peoples have been utterly revolutionized. In former times travel on the ocean was more or less hazardous. Ships sailed slowly, many weeks are often required to cross the ocean, danger from storms and other sources were not uncommon. Means of communication were poor. When an alien departed from his native shore to come to America he severed his connection forever with all his surroundings, friends, and relatives. He burned the bridges behind him, and thought of no allegiance to a foreign government. This is not true to-day. Travel by the modern ship is as safe as it is on land. Steam has supplied the place of sails, and a voyage can be made across the Atlantic in less time than a week. One vessel can carry thousands of people, as against a few hundred in former times. Fast international mails, ocean cables, wireless telegraphy, and radio make it possible to communicate with the most foreign points within an unbelievably short time. No part of the inhabited world is inaccessible to any other part. We demonstrated during the late war that it was possible for our country, even in the face of the impediments with which it had to contend, to transport as many as 300,000 people each month across to Europe.

The world has just come out of the Great War; never has there been such a state of general unrest. Who can imagine what the consequences would be to our country if the doors were thrown open to indiscriminate immigration? Europe is in a seething turmoil; China is overcrowded with her 400,000,000 people; Japan is anxious to gain a foothold on our western shore for commercial and other purposes. She shows herself restive in the presence of anything which savors of exclusion. The theory that America is a melting pot becomes absurd in a time when population rolls hither and thither about the globe like particles of quicksilver. It is impossible to pour muddy water into a clear stream and not affect its purity. Neither can alien peoples, with foreign ideals, biases, languages, and ignorance, be poured into America without pro tanto affecting us.

Mr. Chairman, I am for the bill now before us for consideration. I wish that its terms were stronger. I believe we should save America for Americans, and hand our country down untarnished by foreign elements to our posterity. [Applause.]

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

Mr. McLAUGHLIN of Michigan. Mr. Chairman, a point of order has been reserved—

Mr. BANKHEAD. Mr. Chairman, I think we ought to have the regular order. A point of order has been reserved on this amendment.

Mr. McLAUGHLIN of Michigan. That was my inquiry. A point of order has been made and I demand the regular order.

The CHAIRMAN. The gentleman from California has reserved a point of order. Does the gentleman make the point of order?

Mr. RAKER. I make the point of order, Mr. Chairman.

The CHAIRMAN. The Chair overrules the point of order.

Mr. SCHAFER. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Wisconsin rise?

Mr. SCHAFER. Has the Chair ruled on the point of order?

The CHAIRMAN. The point of order has been overruled.

Mr. SCHAFER. Mr. Chairman. I move to strike out the last word.

Mr. Chairman and gentlemen of the House, I want to speak in favor of the amendment. I agree that without the amendment we will make provisions whereby the American consul will have arbitrary powers and such powers as have only been vested in the Czar and the former Kaiser of Germany. One of the preceding speakers has stated that it would give the alien the right to appeal before he entered this country. Under our immigration laws to-day, an alien has a right to appeal to the Secretary of Labor, if perchance he is turned down at the port of entry. Therefore, if it is right and lawful to grant him that right under the existing immigration laws, I think it would be just as proper and lawful and constitutional to grant him the right when he is over there. I want to have faith in all our Government officials, but granting there is no American consul who would use his high office to discriminate against an alien, what would happen if we had in some of these consular offices in the near future men of the caliber of some of the former public officials who have been exposed in recent investigations, especially Teapot Dome.

One gentleman has stated on the floor his version of discrimination. I differ with him. The bill is discriminatory—not that our Nation is discriminating against the foreigner, but discriminating as between the prospective immigrants of the different foreign nations. I think that this amendment should be incorporated in this immigration bill. I do not believe in vesting in any one person arbitrarily, the authority, perhaps to determine who shall come and who shall not unless provision is made for appeal from his decision. They talk about its being unconstitutional to grant the right of appeal. I think the Constitution has been stretched during the late war when our Government sent soldiers to Russia, whose immigrants are being discriminated against in this bill, when they sent our soldiers to fight side by side with the Czar's troops and the Russian Cossacks. I do not find any provision in the Constitution which authorized our soldiers to be sent to Russia, as they were, to fight side by side with the remnants of the Czar's autocracy and the Russian Cossacks.

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

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in five minutes.

Mr. CELLER. I object.

Mr. JOHNSON of Washington. Mr. Chairman, I move that all debate close in five minutes.

The CHAIRMAN. The gentleman from Washington moves that all debate on this amendment close in five minutes.

The question was taken, and the motion was agreed to.

Mr. BLANTON. Mr. Chairman, if this were an inherent right that foreign subjects should come to this country and not a mere privilege extended by us, I would be in favor of giving them an appeal to the Secretary of Labor, as proposed by the amendment.

Mr. CELLER. Will the gentleman yield?

Mr. BLANTON. No; I can not yield; I need my whole five minutes. But this is not an inherent right that they have; this is something that we are giving them. It is a special privilege that we are giving them. They have no inherent right to come here. It is so easy to get up and offer an amendment and not know what is going to be its results. Now, what would be one result of this amendment? You would have thousands of such appeals before the Secretary of Labor all the time.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. BLANTON. No; I regret that I can not. I am not going to have my few minutes consumed by interruptions. After I state my objections to this amendment I will gladly yield. Why, you would have to have a bunch of lawyers down before the Secretary of Labor to represent the Government on these appeals that would outnumber the pay roll of the present great army of lawyers in the Department of Justice. You would have to have a horde of them employed all the time. That is what the amendment would cause in the way of added expenses. I am not in favor of it, and I do not believe any member of the committee is in favor of it except perhaps the two who have signed the minority views. Now I will yield to the gentleman from New York.

Mr. CELLER. Has the gentleman read Pierce's report on the Consular Service?

Mr. BLANTON. No; and, so far as this amendment is concerned, I do not care anything about that report.

Mr. CELLER. Does the gentleman know that a consul in South America is charged with having accepted bribes for passports?

Mr. BLANTON. If he did, he ought to be in the penitentiary. I am presuming that the American consuls will do their duty, and, if they do not, I am presuming that we will have an administration that will kick them out of office and properly punish them for any crimes they commit. Now I will yield to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Under the proposed amendment you do not increase your quota, but when the Secretary of State in his own opinion finds merit in the applicant and that he has a right to come in he will give him a visé.

Mr. BLANTON. How many such appeals does the gentleman think would accumulate in a year? I want to say that there could be 100,000 of them.

Mr. DICKSTEIN. Suppose the gentleman had a sister abroad and she was denied a visé, does not the gentleman think she ought to have a right to go before the Secretary of State and file an appeal and have that determined?

Mr. BLANTON. No, I do not. If I were a foreigner, and the Government had been good enough to let me come in and the Government decided thereafter that my sister did not have a right to come in I should say that the Government nevertheless was a good Government in letting me come in, because it was a privilege extended that it did not have to extend. [Laughter and applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

Mr. PERLMAN. Mr. Chairman, I offer the following amendment.

The Clerk read, as follows:

Amendment by Mr. PERLMAN: On page 2, line 21, after the word "exceeding" strike out the word "two" and insert in lieu thereof the word "four."

Mr. PERLMAN. Mr. Chairman, some of the proponents of this measure have wrapped the American flag about themselves and have shouted "America" as an argument for this bill. Let me say to these gentlemen that there is not a man in the House against this bill who is not a good American. Our concern is not only for the desirable immigrants but rather because if the 1890 census is adopted as a basis for immigration quotas there will be established by law a principle that in the United States citizens who may have been born in southern or eastern Europe, or whose ancestors may have been born there, are inferior to those citizens who were, or whose ancestors were, born in northern and western Europe. We say that such a principle or any such law is un-American. We claim further that no immigrant has any claim to America, and likewise that no class or race of people in this country has any greater right than has another class or race of people in the United States.

The amendment which I have offered amends subdivision c of section 2, which provides that immigration certificates shall be valid for only two months. In the last section of the bill there is provided that immigration certificates may be issued prior to July 1, 1924, which means that if this law is passed before the 1st of May immigration certificates may be issued on the 1st of May or at any time before July 1, 1924. These certificates will not be valid at all, because since they can not be used by the 1st of July, the new quota law will not be operative until July 1, 1924. Here is another point. Your certificate plan will insure to the immigrant that he need not break up his home until he gets his certificate. He will not make preparations to go to America, for travel, until he gets

his certificate. You give him only 60 days after he gets the certificate during which to sell his effects, secure his passage to America, and board the steamer.

Mr. VAILE. Does not the gentleman think his amendment should properly come in the last section of the bill so as to make certificates issued prior to July 1 have their validity start from that date?

Mr. PERLMAN. I think that it should come here for two reasons. First, that you may issue these certificates before on the 1st of May or at any time before July 1, 1924. These grants may start coming here, and, second, to cover the situation where a certificate is issued after July 1, 1924, and then the immigrant and his family arranges to come here. It will take some time after the immigrant receives his certificate for him to get steamship accommodations, and it may take him more than 60 days to board the steamship. Give the immigrant a chance to come here. Let him have at least four months. I may say that I understand the Senate committee has agreed that the certificates should be valid for four months and not for two months. It gives the immigrant an opportunity to come here and does not invalidate his certificate until four months after it is issued. I hope this amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. PERLMAN) there were—ayes 25, noes 69.

Mr. PERLMAN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty-eight Members present, a quorum.

So the amendment was rejected.

Mr. ASWELL. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Page 3, lines 8 to 24, strike out all of subdivision (d) of section 2 and insert in lieu thereof the following:

"(d) A passport or other instrument in the nature of a passport issued by any foreign Government shall not be required of an immigrant for any purpose under the immigration law."

Mr. ASWELL. Mr. Chairman, the purpose of this amendment is to make the bill, if enacted into law, workable. It was my personal information, discussing the situation with the heads of 10 central European Governments, that they are deliberately and openly, and they think rightly, refusing passports to any of their people who are good citizens. They are permitting only those who are undesirable in their midst to secure passports to come to the United States.

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

Mr. ASWELL. In a moment. It is clearly my judgment that the control of the immigrant to the United States should be in the hands of this Government and not in the hands of any other Government. [Applause.] It is my candid judgment that if you will put this provision in, doing away with all passports and permitting the immigrants to come to this country upon the immigrant certificate issued by the American consul, you will have control of the situation, and you will handle it effectively and efficiently for this Government and not for the governments who want to get rid of their undesirables. You will handle it in the interest of the American people and of this Republic and not in the interest of alien sympathizers who are in our midst and on the other side.

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

Mr. ASWELL. I can not yield. If I had my way, I would strike out of this bill the words "nonimmigrant" and I would confine the number of immigrants that come to this country to the 2 per cent and not permit all these rat holes and exceptions. I would hold them down to 2 per cent, giving preference to families, and I would appoint a board to look after the administration of the bill and let that board select the immigrants in proportion to the needs of America and not according to the wishes of undesirables on the other side. That would be my proposal, and I ask that this amendment I now offer be adopted so as to cut out the passports from the foreign governments and let this Government be responsible for our future, for the character and quality of our people in the years to come. Let the board decide whether this or that applicant should be admitted and not depend upon a foreign government that will not give a passport to a good citizen.

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

Mr. BLACK of Texas. Mr. Chairman and gentlemen of the House, in many respects the problem of restricting foreign im-

migration is the most important problem before the American Congress. Important because it affects not only the present generation but is of vital concern to generations yet unborn. If the stream of foreign immigration which has been pouring into the United States for the last 15 years, amounting to the enormous total of 10,000,000 people, is not definitely checked, it will bring serious social, economic, and political disaster to the Republic. We had better deal with the situation and deal with it vigorously before it is yet too late.

This is the third restrictive immigration bill which has been passed by Congress since I became a Member. Each one more rigid in its restrictive provisions than the one which went before it. The first of these bills was enacted in 1917. I voted for it. After the bill had passed the House and Senate, it was vetoed by the President. A similar bill had been vetoed by President Taft, but in his administration there was not a sufficient number of Members of the House and Senate favorable to the legislation to pass it over his veto. In 1917, however, the advocates of restrictive immigration had grown to sufficient numbers in the House and Senate to pass it over the President's veto, and it was done by a vote of 287 to 106 in the House, and a vote of 62 to 19 in the Senate. I was one of the 287 voting in the House to pass the bill over the President's veto. I have never for a moment doubted the wisdom of my vote on that occasion. This act of 1917 remained the law until it was supplanted by the act of 1921.

During the war and for the first year thereafter there was very little immigration, but by 1920 the tide had begun to flow again, and it was plain that the most elementary considerations of self-preservation demanded that we impose additional and more drastic restrictions upon it. So the act of 1921 was passed. As an evidence of the growth in sentiment among the people in favor of these additional restrictions, it may be cited that the act of 1921 passed the House by a vote of 276 to 33, and passed the Senate by a vote of 78 to 1. I was one of the 276 who voted for it in the House. This act of 1921 fixed the quota at 3 per cent admissible in any one year and based the quota upon the census of 1910. The act expires on June 30, 1924, and unless Congress enacts something in its place, then, at the expiration of that date, there will be no quota limitation, and we will again be subjected to an avalanche of immigration which the American people do not need and do not want.

This bill was introduced by Representative ALBERT JOHNSON, of the State of Washington, and is therefore known as the Johnson bill. Its principal features are: Preserves the basic immigration law of 1917; retains the principle of numerical limitation as inaugurated in the act of May 19, 1921; changes the quota basis from the census of 1910 to the census of 1890; reduces the quota admissible in any one year from 3 to 2 per cent; provides a method of selection of immigrants at the source rather than to permit them to come to this country and land at the immigration stations without previous inspection; reduces classes of exempted aliens; places the burden of proof on the alien to show that he is admissible under the immigration laws rather than upon the United States to show that he is not admissible; provides entire and absolute exclusion of those who are not eligible to become naturalized citizens under our naturalization laws.

Altogether this Johnson bill represents the most advanced, intelligent, and constructive effort to deal with this great problem which has yet been made by Congress. It should receive the approval of an overwhelming majority of our membership, and I am certain will be indorsed by the country at large.

One of the well-recognized laws of diet and hygiene is that the human body only profits from the eating of such foods and in such amounts as it can assimilate. I do not think the rule is different as to immigrants. The United States will only profit from such immigration as it can assimilate or, as some frequently put it, can Americanize. When I read some time ago of the shipload of aliens that was deported back to Russia, including those two anarchists, Emma Goldman and Alexander Berkman, I thought of the youngster who attended a picnic and ate a liberal supply of victuals and later on in the day his mother saw him standing around with a woe-begone look and said, "Son, what's the matter? Haven't you had enough to eat?" "Oh, yes'm," said the boy, "I've had enough, I feel as though I don't want all I've got."

So, gentlemen, it seems to me that the United States is not suffering from any lack of foreign immigration. The main trouble is we do not want all we have got.

IMMIGRATION RESTRICTION DOES NOT SIGNIFY RACIAL HATE

I do not advocate a policy of rigid immigration restriction because I entertain in my heart any element of racial prejudice

or hate against any nation of people in the world. I harbor no such feeling. I am anxious to see every nation, kindred, and tongue to earth's remotest bounds climb the ladder of success and improve their standards of living, health, and moral welfare. I would like to see ill feeling and distrust and sectional animosities vanish from the face of the earth. Such a consummation is the Utopia to which we all would look with longing eyes and fond desire. I would like to see the United States of America play the largest possible part toward the achievement of a better feeling and a more perfect understanding among the nations, but we do not have to sacrifice any of our national aspirations and desires in order to play this useful part in the world's affairs. In fact, the more we would allow our cherished institutions, builded and established by generations of Anglo-Saxon blood, to be undermined and destroyed by an inundation of immigrant masses, either hostile to those institutions or unable to understand them, the less we would be able to contribute to the onward march of humanity.

The very best service we can render to the world, and the largest contribution we can possibly make to the sum and total of human happiness, is to keep our country a land of improving standards of living, of cleaner moral perceptions, of more robust physical and mental health, and of finer ideals of government. We can not do this if we are careless and indifferent about the elements which make up our composite citizenship. There are two outstanding considerations which make restriction of immigration imperative. There may be other reasons, but these two impress me most. They are—

First, Protection of American standards of living for American labor against the demoralization which would result from unrestricted immigration.

Second, Protection of American Government and American institutions against the imperfect and distorted ideas of those who have never been trained to self-government and who have but little understanding of its true meaning and significance.

These reasons not only satisfy me as to the correctness of my vote in favor of this bill but they go further than that—they make it my imperative duty to vote for it.

PROTECTION OF AMERICAN LABOR

Nowhere else in the world are wages as high and living conditions as good as in the United States of America. Some time ago Mr. Frank Hodges, secretary of the British Federation of Miners, made a visit to the United States, and upon his return to Great Britain he wrote an article for publication in the United Mine Workers Journal of America, published at Indianapolis, Ind., and it is a very interesting article, and among other things he says:

Prosperity abounds in the United States as compared with Europe. The standard of living among the workers in the United States is the highest I have ever seen.

Now, of course, conditions are far from being perfect in this country, as, indeed, they will be under any system of government ever devised by man. And the good things which we as a nation and people enjoy should not dampen our ardor or cool our zeal for the attainment of better things. Our efforts should be to constantly improve conditions and help the lot of the average man. But, while giving full force and effect to that statement, the fact remains that in average per capita wealth, in wages, and in living conditions the United States leads the world, and we want to keep it that way. We want to prevent any lowering of these standards.

It is a very shortsighted policy for certain large business interests in the United States to advocate lax immigration laws to get cheap labor. It is sowing to the wind, to afterwards reap the whirlwind. Capital in the long run can only prosper in the truest and best sense by doing full justice to labor. And while a temporary advantage might be gained in the way of larger profits by beating down wages and lowering the American standards of living through a wholesale and unrestricted foreign immigration, yet the results in the end would be disastrous. Radicalism and discontent would stalk abroad and would fasten their tentacles to the vitals of American business and commerce and, Samsonlike, would pull down the pillars of our whole economic structure on our heads.

If I were a business man of large affairs, I would not want to do a better thing than to contribute all the intelligence and effort I could to obtain a prosperous and contented labor personnel, enjoying American standards of living and interested in improving their condition. It should be said to the credit of American business men in general that comparatively little effort is now being made on their part to open up the flood-gates of immigration. There are some who are still so selfish and shortsighted as to advocate that foolish policy. But

most of them, either through a broader and better and more sympathetic understanding of the problems of labor or through fear of the radical menace have changed their attitude and are now advocating restrictive immigration. I am glad they have changed, and I trust their example will be emulated by every employer of labor in America.

PROTECTION TO THE AMERICAN GOVERNMENT

And in the last place, we need restrictive immigration laws to safeguard the very citadel of our Government itself. The liberties which we enjoy come to us in such a matter-of-fact way that we are apt to undervalue the treasures which we possess. Our liberty we inherit from the fathers who by their blood and sacrifice established this Republic upon the twin foundations of freedom and justice. It is our duty to preserve and protect it, and as heirs to whom has been bequeathed a goodly heritage to hand these blessings on down to the generations which shall follow us.

I heard the lamented Speaker Champ Clark say upon one occasion that "The very essence of our American form of Government is found in two documents—the Declaration of Independence and the Constitution of the United States." Of course, there was nothing new in that statement, and yet, coming as it did from a man of his long experience in public life and his unquestioned ability, it made a lasting impression upon me.

Upon one occasion a lawyer came to the Savior and said: Master, which is the greatest commandment in the law?

And Jesus answered and said:

Thou shalt love the Lord thy God with all thy heart and with all thy soul and with all thy mind. This is the first and greatest commandment, and the second is like unto it. Thou shalt love thy neighbor as thyself; and upon these two—

He said—

hang all of the law and the prophets.

Does anyone dispute it? Take out of the Bible these two commandments and that which clusters around them and there would be but little left in the Book. The whole life of Jesus and His wonderful teachings were based upon these two commandments, and it was these which He had in mind when He said:

I came not to destroy the law but to fulfill it.

Likewise upon the Constitution of the United States and the Declaration of Independence rest our whole system of laws and structure of Government. If ever in an evil hour, either through motives of indifference or considerations of expediency, we cast them aside, then our whole system of laws and structure of government will be imperiled.

Mr. Chairman, at this very time there are many strange and radical doctrines abroad in the land and which are being preached and propagandered from one end of our country to the other. Some of these doctrines challenge the very foundation and citadel of our Government, and the boldness with which they are uttered and the systematic vigor with which they are preached will not permit of their being ignored. We must prepare to combat them, to demonstrate their absurdity, and point out their destructiveness. The influx of certain foreign immigration to our shores during the last 20 years or more has brought to us many of the unwholesome and vicious doctrines of the Old World, which have grown up there in an atmosphere of poverty, ignorance, and oppression, and these have received an added impetus by the present Russian experiment in communism, an experiment which promises to be the greatest tragedy in history, not excepting the French Revolution. These agitators, who are variously named, such as the I. W. W.'s, communists, socialists of the left, syndicalists, and so forth, are all going in the same direction and have their roots in foreign soil, and their end is destruction. They freely talk about the dictatorship of the proletariat and the establishment of their system of communist control of all property, which the experience of the world has discredited over and over again through the period of a thousand years. Failing to convince us of the merits of their vagaries by argument, some of them at times are foolish enough to think they can force them upon us by a reign of violence and terrorism. But in this they sadly mistake the temper of the American people. Our people are patient and long-suffering in their indulgence, but when aroused they are swift and certain in the execution of their judgments. One of the judgments which they have commanded us, as their representatives, to execute is to speedily put into effect this Johnson restrictive immigration bill.

NO PLACE FOR MEN WHO ADVOCATE DICTATORSHIP

This country has no place for any man or set of men who advocate the overthrow of our Government and the establishment of a dictatorship, whether that dictatorship is to be of the proletariat or whether it is to be of the plutocracy.

We have room for the man with an honest dream,
With his heart on fire and his eyes agleam;
We have room for the man with a purpose true,
Who comes to our shores to start life anew;
But we haven't an inch of space for him
Who comes to plot against life and limb.

We have room for the man who will learn our ways,
Who will stand by our flag in its troubled days;
We have room for the man who will till the soil,
Who will give his hands to a fair day's toil;
But we haven't an inch of space to spare
For the breeder of hatred and black despair.

Dictatorship? No; this country will never tolerate a dictatorship of any kind. Our ideal is that of a representative democracy, where every citizen is a sovereign and where the man of humble circumstances and the man of large means meet at the ballot box on terms of equality and the voice of one is as potent as the other. Yes; but says some one, "Elections have not always been clean and the voice of wealth and privilege has often been heard in the corruption of the electorate and the vote of the honest man has been stifled by the ballot of the vicious and dishonest." Quite true; that has sometimes happened, but it does not follow in the least that the principle of our representative democracy is unsound. Slowly but surely we are weeding out the corrupt element in American politics. And we will not stop until every corrupt element, high or low, is driven out of politics, so that the expression of the ballot will be clean and free from fraud and corruption, and, equally as important, from intimidation and coercion. And let all the world be assured that America, the cradle of liberty, the world's best example of representative democracy, will have none of the dictatorship of the proletariat or any other kind of despotism by a particular class or group, either domestic or foreign.

We should always bear in mind that it takes ability and genius to construct, but that any fool can tear down and destroy. It took the genius of a Raphael to paint the Sistine Madonna and of a Michelangelo to create with his wonderful imagination the scenes of The Last Judgment. It took the ability of Phidias to adorn the city of Athens with his sculptures and the matchless oratory of Demosthenes to charm the people with his eloquence, but a man of very ordinary ability or with no ability at all, as for that matter, can tear down and destroy what it took them a lifetime to build and construct. It took ability of the very highest order to write our Constitution and frame our system of laws, and we had better be mighty careful how we allow some of these high-brow socialists and parlor Bolsheviks with foreign ideas and conceptions to experiment with it.

Of course I know our Government and the civilization which has grown up under it are not perfect. The home can no doubt much improve the sacredness of its altars. The church can no doubt increase its usefulness a thousandfold, and our Government itself can extend its sphere of influence in many helpful ways, but these improvements will not come at the hands of the man who hurls the cynic's ban or who arrays himself in hostile attitude against our Constitution and system of laws, but will be the product of those who are in thorough sympathy and accord with the best American history and traditions.

WE MUST EDUCATE OUR YOUTH IN THE FUNDAMENTALS OF DEMOCRACY

To keep our representative Government free from the dangerous stream of anarchy and disorder from without and free from fraud and corruption from within is one of the responsibilities that is now upon the present generation. In the discharge of this responsibility we can do no better thing than to educate our youth in the fundamentals of democracy, so that they may learn allegiance to the faith of our fathers, a holy faith which they translated by blood and sacrifice into liberty and justice under the dominion of law and order.

Often we can best have the proper appreciation of a thing if we pause to think what our condition would be if we had to do without it. Take the air that we breathe. We take but little thought of that, and yet deprive it of its life-giving oxygen and we would all soon sicken and die. Take the sparkling water that we drink. We take but little thought of that; yet pollute it with the germs of disease and decay and it will sow the seeds of death in everyone that drinks it. Take the brilliant sunshine, which drives away the darkness of the night

and envelops a sleeping world in glorious light. We take but little thought of that. We get up, rub our sleepy eyes, and go on our way; and yet shut us up in a darkened cell where its rays can not penetrate and we would all soon sicken and die. And just as it would be impossible for the physical man to live without the pure air and the clear water and the bright sunshine, just so would it be impossible for the citizen to enjoy life, liberty, and property and the pursuit of happiness without the protecting arm of a strong, well-organized government.

Those who denounce and abuse our Constitution and form of government, and who would, if they could, overthrow it and set up a reign of tyranny and disorder little realize that they would be the worst victims of their own insane folly. No one in Russia to-day is suffering more than the poor peasants who but a few years ago proclaimed Lenin and Trotski as their deliverers and fell eagerly into their schemes of property looting and class exploitation.

The men who would cut away and destroy the Constitution as a protecting shield to the people of the United States would be the worst victims of their own folly. For more than a hundred years it has rung true in every storm and crisis, and has protected us from the despotism of the autocrat as well as the tyranny of the mob; and faded will be the glory of the country and dim the majesty of its laws whenever the humblest citizen of the land will not be able to retire to his citadel and say: This is my castle, and my family and I are safe. I am an American citizen and I invoke the protection of the Constitution and its law.

That is the kind of Government our fathers founded, and I am going to do the best I can to help hand it down unimpaired to my children and my neighbor's children. As one of the means to that end I have voted, and I shall continue to vote, for rigid restriction of immigration and careful selection of those who do come. It is a thing which has been too long neglected. There should be no further postponement. The time to act is now.

Mr. JOHNSON of Washington. Mr. Chairman, I desire to move that debate on this amendment and all amendments thereto close.

Mr. LAGUARDIA. I desire to be heard on this amendment.

Mr. JOHNSON of Washington. I will withdraw the motion and move that debate on this amendment close in five minutes.

Mr. LAGUARDIA. I desire to be heard on this amendment.

The CHAIRMAN. The motion is not debatable. The gentleman from Washington moves that all debate on this amendment close in five minutes.

The question was taken, and the Chair announced that the ayes seemed to have it.

On a division (demanded by Mr. LAGUARDIA) there were—ayes 81, noes 21.

So the motion was agreed to.

Mr. SABATH. Mr. Chairman, I hope in the future when we have a very important amendment pending that the chairman of the committee will not deprive Members who desire to speak to the amendments that are actually of great importance to our country of that opportunity but that some time will be given to them. Contrary to the views of some of my friends on the other side and some of the rabid restrictionists on this, I want to say that I agree with the gentleman from Texas [Mr. BLACK], who preceded me, and with the gentleman from Louisiana [Mr. ASWELL]. I agree with him, and I am heart and soul for his amendment. His amendment will do this: It will stop the foreign governments from saying who can come to the United States and gives us the right to say who shall be admitted. Under the provisions of the bill no one can come unless he first secures a passport of the government of which he is a member. By adopting the amendment no one will be able to come but a man who will receive from the United States official an immigration certificate that he is a man in good standing, that he complies with all the provisions of our law, and that he can be admitted under the immigration act of 1917 as well as under this act. When he receives that immigration certificate, and not until then, can he be admitted. Then he will be subject to examination in Ellis Island or the port of entry. For that reason I believe, if we desire and if we are sincere in protecting the rights of our country, we should adopt the amendment of the gentleman from Louisiana and thereby protect ourselves against any undesirables who may desire to come or who wish to come.

I again repeat to those rabid restrictionists that I am not viewing this legislation from the immigrant's point of view, that I have been viewing it from the American point of view—what is for the best interest of America and America's institutions. I believe that the amendment offered by the gentle-

man from Louisiana is in the right direction and it should be adopted.

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

Mr. SABATH. I will yield.

Mr. RATHBONE. Then if the amendment were adopted and had a good effect on this side of the ocean, how could it prevent foreign governments from still exercising pressure and preclude people who were desirable immigrants from coming over here? That is to me the principal question.

Mr. SABATH. We can not control the action of foreign governments and ordinarily we do not wish to control the action of foreign governments, but what I am interested in is to protect our own United States and our own institutions.

Mr. RATHBONE. I did not know but what some method might be devised by treaty or otherwise to prevent foreign governments from exercising that discrimination on their side of the ocean.

Mr. SABATH. Well, we might have that now if we adopt this amendment that the gentleman from Louisiana has offered.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on agreeing to the amendment offered by the gentleman from Louisiana.

The question was taken, and the Chair announced that the Chair was in doubt.

On a division there were—ayes 31, noes 48.

So the amendment was rejected.

The Clerk read as follows:

DEFINITION OF "IMMIGRANT"

SEC. 3. When used in this act the term "immigrant" means any alien departing from any place outside the United States destined for the United States, except (1) a government official, his family, attendants, servants, and employees; (2) an alien visiting the United States as a tourist or temporarily for business or pleasure; (3) an alien in continuous transit through the United States; (4) an alien lawfully admitted to the United States who later goes in transit from one part of the United States to another through foreign contiguous territory; (5) a bona fide alien seaman serving as such on a vessel arriving at a port of the United States and seeking to enter temporarily the United States solely in the pursuit of his calling as a seaman; and (6) an alien entitled to enter the United States solely to carry on trade under and in pursuance of the provisions of a present existing treaty of commerce and navigation.

Mr. VESTAL. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 5, at the end of section 3, in line 22, insert: "(7) an immigrant previously lawfully admitted to the United States who is returning from a temporary visit abroad."

Mr. VESTAL. Mr. Chairman, I am offering this amendment and I think it is only fair to say that if this amendment is adopted I propose to offer an amendment striking out section 4. I do not care to take a great deal of time in discussing this proposition now, but my judgment is that we ought not in any immigration law to have nonquotas. Now, it is not a question of the number, but if you fix the restriction at 2 per cent we ought to have 2 per cent, just as the gentleman from Louisiana has stated. Every immigrant who comes in under this immigration law ought to be counted. There ought not to be any nonquota immigrants.

Mr. CABLE. Will the gentleman yield?

Mr. VESTAL. In just a moment. I propose to offer, if this amendment should carry, in lieu of section 4 another section which will give preference to (a) under section 4.

As to "an immigrant who is the unmarried child under 18 years of age, father or mother over 55 years of age, husband, or wife of a citizen of the United States who resides therein at the time of the filing of a petition," of course, I think they ought to have the preference when it comes to permitting immigrants to come to this country, but I do not believe that they ought to be allowed to come without being counted. I think they ought to be counted in the quota, and for that reason I think we ought to strike out absolutely section 4.

Now, there is another reason for striking out section 4 that I want to go on record upon. You talk a great deal about closing the front door against undesirable immigrants. What is the use in closing the front door to keep out the undesirables from Europe when you permit Mexicans to come in here by the back door by thousands and thousands? In the city of Gary, Ind., right now, in the great steel industry, there are thousands of Mexicans crowded in together and standing at the doors waiting to get places in the factories, the places of those who are now on the job. It seems to me if we are going

to have an immigration law the Mexican ought not to be put before the Italian, such as my good friend here, who is a citizen of the United States. Yet you propose in this bill to close the front door and permit only a few Italians and a few people on the other side to come in, while you are leaving the back door wide open to these people from Mexico. I believe we should treat them all alike and make the quota apply to Mexico.

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

Mr. VESTAL. Yes.

Mr. WATKINS. The gentleman must remember that the act of 1917 is still in effect, and this is in addition to that, and that act, properly enforced, would cut out 98 per cent of the Mexicans, so that the back door is not left open.

Mr. VESTAL. I will say to the gentleman that in the main he is right, if we can enforce the law. If we have enough money and enough people on the Mexican border to properly patrol it to keep these people out, or, in other words, enforce the law, it is all right. But the way they are coming in here now is a shame.

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

Mr. VESTAL. Yes.

Mr. LaGUARDIA. Does the gentleman know that the Mexicans are permitted to come because the big employers can get the Mexicans to work for 75 cents a day?

Mr. VESTAL. This particular amendment ought to be adopted. I do not see why, even if you are going to keep the nonquotas in, you should want to include as a nonquota immigrant a person previously lawfully admitted to the United States and is returning from a visit. I think that ought to be an exception instead of being placed among the nonquotas, even if you keep the nonquotas.

Mr. JOHNSON of Washington. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Washington is recognized for five minutes.

Mr. JOHNSON of Washington. I hope the amendment just offered, which leads to doing away with the nonquota immigrants, will not be adopted. Your committee has spent a great deal of time on these provisions. If you do not have some of the nonquota-immigrant provisions, you will have some of the trouble that we have under the present law, which makes some immigrants either quota or nonquota, some countable or not. Thus, a minister under the present quota law may be counted if the quota is open, and then comes without being counted if the quota is exhausted. That has resulted in a man who ought to be exempted all the way through being counted at the point of entry, to the detriment of a man standing by his side, who is sent back as in excess of the quota. To continue this would be a mistake. In the nonquota clause we permit an alien here either with first papers or without. He can go out for a year. He can not get a passport from his own country or a passport from the other country. This is not really a passport, but a traveling permit, and in a way it seeks to let him know that he can come back. We do not want to set him up against a quota limit. We give him the right to come back under certain conditions.

Now, as to the Mexican-border situation; you have had read here the partial plan requiring a certificate and examination there; and, my friends, I beg to assure you that the Mexican laborer of the kind that is being brought in here now in violation of the contract labor law will not be able to do much with the questionnaire. You will not be bothered much with Mexican cheap labor if this bill is passed.

Mr. VAILE. If we had sufficient means to enforce the immigration laws, the mass of the Mexicans would be kept out on account of their illiteracy?

Mr. JOHNSON of Washington. Yes; quite so.

Mr. PERKINS. Why are they permitted to come in?

Mr. JOHNSON of Washington. Because they have violated the labor laws by dealing with agents in Texas cities who go down into Mexico, and the head taxes are paid for them. If a Mexican can read and he is healthy he is allowed to come in, apparently qualifying under the act of 1917. If this bill passes, we have some additional deportation clauses in it, and with them we think we can clean up and send back all those who have come in contrary to law, even if they have paid head tax.

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

Mr. JOHNSON of Washington. Yes.

Mr. MILLER of Washington. An immigrant from Mexico or Canada can be admitted provided he has spent 10 years continuously preceding the time of his admission in the Dominion of Canada or in Mexico?

Mr. JOHNSON of Washington. Yes; he can be admitted.
Mr. MILLER of Washington. What is the philosophy of letting a man go to Mexico or Canada, however undesirable he may be from the citizenship standpoint, and after he has resided in either of those countries for 10 years letting him come in?

Mr. JOHNSON of Washington. For the reason that the old 1917 act added one year, and certain conditions which could be fulfilled on the Canadian border, and certain conditions which could not be fulfilled on the Mexican border, and ships have been dumping European aliens into contiguous territory.

Mr. BOX. Is it not true that one coming from Mexico under that provision would be subject to all the selective tests?

Mr. JOHNSON of Washington. That is true.

Mr. MILLER of Washington. What kind of a line will the authorities have on the sort of a citizen this man has been during his 10 years' stay in Mexico?

Mr. JOHNSON of Washington. He may have come from Switzerland.

Mr. MILLER of Washington. Or he may have come from some other place.

Mr. JOHNSON of Washington. He may have come from any place under the sun. This detains him, if his ultimate destination is the United States, for 10 years in Mexico. If this law stands for the whole 10 years, and he has stuck it out for 10 years, he could come in under the restrictions then provided or under the tests we now provide.

Mr. MILLER of Washington. The gentleman from Texas [Mr. Box] says he must be examined.

Mr. JOHNSON of Washington. Yes; and he must have a quota certificate.

Mr. RAKER. Mr. Chairman, may I just call the committee's attention to the amendment offered by the gentleman from Indiana [Mr. VESTAL]. I am sure the gentleman from Indiana has not given this bill the usual careful consideration that he gives other matters.

Under the amendment he proposes a man returning from a trip abroad could come in without a passport or without any consideration on earth. We would throw the doors open and permit them to come back whenever they wanted to do so.

Now, I want to call your attention to the fact that we place those in subdivision (b) of section 4, on page 6:

An immigrant previously lawfully admitted to the United States, who is returning from a temporary visit abroad—

May be admitted how? Turn to page 13 and you will find that a certificate is required; that a record is required; and that something is required in advance of the immigrant's leaving the United States and intending to come back to the United States. He can not get a passport from his own country and, therefore, we require something from him before he returns, and that something is issued by our own officers. So we keep track of those who leave, and then those who claim they are departing with the intention of returning simply have to show they have been abroad temporarily. The committee gave that subject—with all the departments before it—every consideration possible for the purpose of protecting this country.

Mr. GILBERT and Mr. LAGUARDIA rose.

The CHAIRMAN (Mr. TILSON). The gentleman from New York [Mr. LAGUARDIA] is recognized.

Mr. LAGUARDIA. Mr. Chairman, this is an instance in which I can agree with the committee. [Applause.] I hope the amendment of the gentleman from Indiana will be voted down.

Now, gentlemen, this is not my first day in this House. I have gone through some very heated debates on other questions, and I fail to see why it is necessary for those who differ with some of us on this bill to charge us with any improper motive.

Mr. VINSON of Kentucky. Mr. Chairman, I rise to a point of order.

Mr. LAGUARDIA. I did not raise a point of order on the gentleman.

The CHAIRMAN. The gentleman from Kentucky will state it.

Mr. VINSON of Kentucky. The gentleman is not addressing himself to the amendment.

The CHAIRMAN. The gentleman has hardly proceeded far enough for the Chair to ascertain whether the gentleman is addressing himself to the amendment. The gentleman will proceed in order.

Mr. LAGUARDIA. It comes with very bad grace for the young gentleman from Kentucky as he did a few moments ago—

Mr. VINSON of Kentucky. I insist on the point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will proceed in order. He understands the rules of the House.

Mr. LAGUARDIA. The section under consideration is that of a definition of an immigrant, and the gentleman's amendment would limit the scope and purpose of this section.

Now, gentlemen, in discussing this section, and every other section of the bill, I say there is sufficient importance and sufficient merit to limit ourselves to the subject matter of the bill, and I say it is against the dignity of this House and unbecoming a Member to charge anyone who differs with him with any improper motive.

Mr. VINSON of Kentucky. I rise to a point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. VINSON of Kentucky. The gentleman is not addressing himself to the amendment under discussion. I insist upon the point of order.

The CHAIRMAN. The gentleman from New York will suspend. As a rule, a reasonable amount of liberality is allowed in the opening part of a gentleman's address, even under the five-minute rule. The Chair has not been able to ascertain yet whether the gentleman from New York has strayed very far from a discussion of the amendment under consideration. Simply with the admonition to the gentleman from New York that he shall address himself to the matter before the committee in accordance with the rules, the Chair will overrule the point of order.

Mr. LAGUARDIA. It does seem strange, gentlemen, that we can not discuss sections in this bill or refer to any previous debate without irritating Members who have not studied the bill, Members who do not understand what is in the bill, and Members who I know now do not know what the amendment is that is before the House. That is what I am talking about.

Mr. VINSON of Kentucky. Mr. Chairman, I rise to a point of order, and I insist upon it.

The CHAIRMAN. The gentleman from New York will suspend. Without objection, the Clerk will report the amendment for the information of the gentleman from New York.

The amendment was again reported.

The CHAIRMAN. The gentleman from New York will proceed in order.

Mr. LAGUARDIA. That would refer, for instance, to an alien that has lived in the mountains of Kentucky and did not have an opportunity to go to school because of scarcity of schools there. [Laughter.] That would refer to children who went down to Kentucky and sought to find honest labor, but could only work on starvation wages, because that is how they treat their laborers down there. [Laughter.] You talk about an alien and you say you want to assimilate him. If you want to assimilate him, do not let him go to the mountains of Kentucky [laughter], because he will have no opportunity there to learn much of our institutions. He would certainly have no opportunity there to learn and see a good example of law and order and law enforcement.

Mr. JOHNSON of Washington. I want to ask, in all seriousness, if the distinguished gentleman from New York really thinks he is helping his cause or helping the progress of this bill in any way by making statements of that kind?

Mr. LAGUARDIA. The gentleman from Washington knows—

Mr. JOHNSON of Washington. I ask that in all good faith.

Mr. LAGUARDIA. The gentleman from New York has been very patient here. [Laughter.] I do want to help this bill, and I say right now, gentlemen, you have the votes to pass this bill in any way you want it, and I say now if you are really and honestly in favor of restriction stop immigration entirely and let us take inventory; then we will know just where and how much we should restrict. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. VINSON of Kentucky. Mr. Chairman, I move to strike out the paragraph.

Mr. VAILE. Mr. Chairman, I move that debate on this amendment do now close. I do not want to shut off the gentleman from Kentucky.

Mr. VINSON of Kentucky. It does shut him off, and I think, as a matter of fair play, it should not be done.

The CHAIRMAN. The gentleman from Colorado [Mr. VAILE] moves that all debate on this amendment and all amendments thereto do now close.

The motion was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Indiana [Mr. VESTAL].

The amendment was rejected.

The Clerk read as follows:

NONQUOTA IMMIGRANTS

SEC. 4. When used in this act the term "nonquota immigrant" means—

(a) An immigrant who is the unmarried child under 18 years of age, father or mother over 55 years of age, husband, or wife, of a citizen of the United States who resides therein at the time of the filing of a petition under section 8;

(b) An immigrant previously lawfully admitted to the United States, who is returning from a temporary visit abroad;

(c) An immigrant who has resided continuously for at least 10 years immediately preceding the time of his application for admission to the United States in the Dominion of Canada, Newfoundland, the Republic of Mexico, the Republic of Cuba, the Republic of Haiti, the Dominican Republic, the Canal Zone, islands adjacent to the American continents, countries of Central or South America, or colonies or dependencies of European countries in Central or South America, and his wife, and his unmarried children under 18 years of age, if accompanying or following to join him;

(d) An immigrant who continuously for at least two years immediately preceding the time of his application for admission to the United States has been, and who seeks to enter the United States solely for the purpose of, carrying on the vocation of minister of any religious denomination or professor of a college, academy, seminary, or university;

(e) An immigrant who is a skilled laborer, if labor of like kind unemployed can not be found in this country, and the question of the necessity of importing such skilled labor in any particular instance shall be determined by the Secretary upon the written application of any person interested; such application to be made before the issuance of the immigration certificate, and such determination by the Secretary to be reached after a full hearing and an investigation into the facts of the case;

(f) The wife, or the unmarried child under 18 years of age, of an immigrant admissible under subdivision (d) or (e), if accompanying or following to join him; or

(g) An immigrant who is a bona fide student over 18 years of age and who seeks to enter the United States solely for the purpose of study at an accredited college, academy, seminary, or university, particularly designated by him and approved by the Secretary.

Mr. DICKSTEIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York [Mr. DICKSTEIN] offers an amendment, which the Clerk will report. The Clerk read as follows:

Amendment by Mr. DICKSTEIN: Page 6, line 12, after the word "Newfoundland," strike out "the Republic of Mexico."

Mr. DICKSTEIN. Mr. Chairman and members of the committee, if you want to do the justice that you talk about and all the charity that has been handed out by some of the Members of the House in the last few days since this bill has been under discussion, why do you discriminate against southern and eastern Europe and allow as many as want to come from Mexico as long as they reside in Mexico for 10 years?

Mr. CABLE. Will the gentleman yield?

Mr. DICKSTEIN. If the gentleman will wait until I get through, I will yield then. The provision on page 6, subdivision (c), is very clear. They come under the exemption of the nonquota immigrants beginning on page 5, section 4, all Mexicans and the members of their family including their children are classified as nonquota immigrants, who may come here, as I said before, at any time and as many as want to, and the only qualification you have is that they shall reside in Mexico for 10 years.

You are trying to keep the undesirables away from the shores of America. Are you doing that by the provision of this bill? What is to stop anyone from bringing in 100,000 undesirables who you are seeking to debar? Is the fact they will be kept in Mexico 10 years going to purify their blood or change their status so that you may put a stamp of approval on them? Is that going to purify them to such an extent that after a period of 10 years they may come into the United States upon proof that they lived in Mexico for 10 years?

Gentlemen of the committee, I think you are discriminating when you incorporate into the law such a provision and open the bars. This is the back door that my colleague was talking about. Why was it done? Who was behind this proposition? The steamship interests, cheap labor interests, or interests that are opposed to labor, and yet you justify that provision in the bill by saying, "Yes, Mr. Mexican, or those residing in Mexico 10 years, regardless of where you come from so long as you have been there 10 years, we will allow you to come in. You can come in, all Mexico can come into the United States, and you can bring your children, you can

bring the whole family, as many as want to come." You are inviting them by the provisions of this bill, and, gentlemen, if that is what you call consistency, if that is what you call fair play, take me home and let me stay there and not face a proposition of this kind; when in one breath you contend that we want to keep America for America and in the other breath you say to Mexico and to Canada, "We will allow in any of your citizens in any number and all persons having resided in your country for 10 years, in exempt of the quota, also their wives and children." This simply and conclusively proves to any intelligent mind that you are discriminating and you are now telling the American people that you are doing your mightiest to shut out all of southern and eastern Europe, because you say they are undesirable, and yet you open the back door and permit, for the benefit and interest of capital, all those coming from Mexico and Canada.

Mr. BOX. Mr. Chairman and gentlemen of the committee, as has been stated by the chairman in presenting this bill and by others of us in general debate, our effort has been to write a bill that would be workable and not have it broken and torn to pieces by amendments. They now attack it from every angle. This is an attack in an effort to kill it.

Every Member of this House who has given any attention to my attitude about the admission of Mexican laborers or Mexicans generally knows that I have opposed that. They also know, at least some of them, that I have introduced a bill, or have supported a bill actively in the committee, providing an additional guard for the Mexican and the Canadian borders to keep these people out under present law. The great problem there is enforcement. The Mexicans are coming in now, as my colleagues have told you, in violation of the law. I have repeatedly stated to the House that there are two great weaknesses in our immigration laws. The first is that the laws themselves are deficient. I am in doubt as to whether the greatest difficulty and the greatest peril is not in their nonenforcement.

If you begin to break up the bill by inserting provisions that will not work except to the undoing of the bill, we will pass no bill. We will have to deal with American Republics, neighboring Republics, on much the same basis. We have treaties with nearly all of them containing the "most favored nation clause," which entitles them all to equality of treatment in this. Your committee seriously considered all the countries of America, consulted with the State Department, considered what would be involved in dealing with Mexico and Canada alike or differently. While we know the problem is going to have to be dealt with hereafter, the committee found great difficulty in handling the immigration from Canada and Mexico and South America and adjacent islands. I have not personally agreed with the committee, but the committee has presented to this House a bill that can be passed. We must not load it with difficulties designed to kill it.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. BOX. I will yield to the gentleman.

Mr. DICKSTEIN. The gentleman thinks that by striking out the Republic of Mexico and putting it in the quota it would destroy the bill?

Mr. BOX. No; I would be tremendously gratified if that could be inserted and carried into a workable bona fide law, but I think this is one of a series of attacks being made by those who oppose the bill.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. BOX. I yield.

Mr. MOORE of Virginia. If the bill should be passed the act of 1917 still remains in force and effect?

Mr. BOX. It does.

Mr. MOORE of Virginia. If that act was properly enforced there would be very few coming across the border from Mexico, would there not?

Mr. BOX. That is true. By the law passed in 1917, which remains in full force and effect, there were three tests—the literacy test, the head tax, and contract labor law.

Mr. MOORE of Virginia. And the physical test?

Mr. BOX. And the physical test, which with these other tests properly applied, will exclude 75 to 90 per cent of those people.

Mr. PERKINS. Will the gentleman yield?

Mr. BOX. I will.

Mr. PERKINS. Can the gentleman inform the House how many Mexicans came across?

Mr. BOX. Officially reported, 63,000 or 73,000, and those coming in by stealth reach a much greater number.

Mr. PERKINS. Can the gentleman tell how many came legally and illegally?

Mr. BOX. As to those smuggling themselves in or being smuggled in, that would be the wildest kind of a guess.

Mr. PERKINS. If we adopt this amendment will it not tend to keep them out?

Mr. BOX. I think not.

Mr. MILLER of Washington. Will the gentleman yield?

Mr. BOX. I will.

Mr. MILLER of Washington. I notice on page 5 of this immigration bill under the definition of "immigrant" it says that immigrant means any alien departing from any place outside the United States destined for the United States. I want to ask the gentleman if an emigrant coming from Europe into Mexico with a view of consequently entering the United States after the expiration of the 10-year period will upon his entry into Mexico have to be accompanied by any showing of a certificate that he is destined for the United States ultimately?

Mr. BOX. In the administration of the measure I think he will be required to prove that he has been in Mexico for the required time, but that will probably be all that is required, except that he is admissible under the act of 1917. I will explain that under the first quota act which did not apply to Mexico that period was made one year. When the committee found it was being abused, when that act was extended, it was made five years, and we found there was abuse of that and so we have made it so long now that we think that a man coming from any other part of the world to the United States would not hazard 10 years in Mexico in order to get into the United States.

Mr. RAKER. Will the gentleman yield?

Mr. BOX. I will yield to the gentleman from California.

Mr. RAKER. Will the gentleman state whether or not the testimony was not presented to our committee that hundreds of thousands came across the Mexican line fraudulently, and also swam the river—they were called wet backs—and the only thing that can keep them out is a proper patrolling of the border?

Mr. BOX. That is true. That is what is needed much worse than more unenforced law.

Mr. CELLER. Will the gentleman yield?

Mr. BOX. I can not yield. The Mexican border is some 2,000 miles or longer in extent. In the eastern portion in most places it is marked by a shallow river running through mountains, deserts, broken country, sparsely settled, and the task of properly guarding that border is a very great one. Your committee thought it better not to do anything than to make a further farce of the effort to enforce that by additional law when the present law is not being enforced. Difficult as the task is, serious as the obstacles are, the question must soon be dealt with. But, gentlemen, Rome was not built in a day, and we can not overcome all of the difficulties at once. I will say that I never heard of these gentlemen who oppose this bill making any objection to Mexican immigration in all the fight I have for years been making here against it. They are much concerned now when we are proposing to keep some one else out. I think that the record will show that some of these gentlemen who are complaining now voted against my every effort to keep them out at the time. They now want to kill this bill. I want the Mexicans kept out, but I do not want this bill killed by men who want these and all others admitted in unrestricted numbers.

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

Mr. SABATH. Mr. Chairman, the gentleman from Texas in answering the question of the gentleman from Virginia stated that the law, if we adopt this measure, the 1917 act, will still be in force and consequently we will be able to keep them out under the immigration act of 1917. If that is so, why can not we keep them out now, because it is the law now? Under the law they are not permitted to come, but they do come.

However, I am not going to argue that point. I do want to call your attention to this fact, that they do come now under the law as it is now. They are permitted to come by the Department of Labor and of Immigration. Some one has asked the question how many do come legally. I have the figures here, and I will say to the gentleman that in 1923 there were 63,768 Mexicans that came in. And, mind you, the first nine months of this fiscal year there were 63,757 Mexican immigrants admitted legally. If you take that number, together with the number that came from Canada, the total will be over 300,000 for the present fiscal year. What I want to know is this: If some of you gentlemen here are so vitally interested to protect the American wage earners, why do you not treat the Mexican and the Canadian immigration situation in the same way as you do the Europeans, unless you believe the Mexicans are superior people to those who are coming from Europe? I feel that there are very few of you who would be ready to go on record to prove that a Mexican makes a better American citizen than the European immigrants.

Mr. DICKSTEIN. Could not these Mexicans be placed in a quota just as the others are?

Mr. SABATH. Yes. I would not discriminate against Mexico or Canada. I believe they should have the same status, the same privilege, the same rights, as any other people, and I believe they should be put on the same quota basis as are the other immigrants. It is for that reason that I indorse and favor the amendment that has been offered, and if we are on the square, if we are sincere and honest in our efforts to protect the American laboring man, I do not see what else you can do but vote for the amendment.

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

Mr. SABATH. Yes.

Mr. WATKINS. Many of us have been charged with discriminating against races. Does the gentleman think it is fair to single out any nation and slip it out of the paragraph and leave all of the others in?

Mr. SABATH. Oh, no.

Mr. WATKINS. Was not that clause put in there in order that the Government might control those that it did not control who come over on steamship lines which never ply between the United States and other ports?

Mr. SABATH. The gentleman means the 10-year period?

Mr. WATKINS. Yes.

Mr. SABATH. Oh, it is again manifestly unfair, because a European may be of splendid character, may be able to comply with every restrictive provision in our law, and yet could not be admitted unless he remained and lived in Canada and Mexico for 10 years; on the other hand, a Mexican or Canadian, who may be a scoundrel or of an undesirable type, has the privilege of coming at any time because the quota restrictions do not apply to those countries.

The CHAIRMAN (Mr. SANDERS of Indiana). The time of the gentleman from Illinois has expired.

Mr. SABATH. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SABATH. I do agree with the gentleman from Oregon that we should not pick out only Mexico. I think we should make the quota applicable to all the nations. Let us be fair and just to all and eliminate the charge that we have been discriminating against this, that, or the other nation. I believe that the amendment which the gentleman from New York [Mr. DICKSTEIN] has offered should be enlarged, and I shall later on offer an amendment that would also include Canada and other countries, so that we can then reduce the large immigration not only from Europe but also from Mexico and Canada, which immigration in the last seven years has nearly exceeded the immigration from Europe. I do not think you gentlemen know that, but that is the fact. The total net increase from Mexico and Canada in the last seven years, since the literacy test has been adopted, is 611,000, as compared to 761,000 from Europe for the same period. The total net immigration from Mexico and Canada for the first nine months of the fiscal year, July 1, 1923, to March 31, 1924, is 224,209. With no quota restrictions it is easy to see that the immigration from these two countries for the year will exceed 300,000, and perhaps exceed the number that are permitted to come from Europe under the quota.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. RAKER. Mr. Chairman, I rise in opposition to the amendment. There is nothing like being absolutely candid on these matters. You gentlemen have been on other committees and you know what occurs before the committee. It is strange to me that men might vote one way in the committee and take another attitude on the floor of the House. I do not know whether I ought to say that I voted for a like amendment in the committee—

The CHAIRMAN. The Chair will admonish the gentleman not to state what occurred in the committee.

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

Mr. RAKER. Not now. I do not refer to anybody particularly.

Mr. SABATH. The gentleman can not refer to me.

Mr. RAKER. Oh, do not crowd me.

Mr. SABATH. I am willing to crowd the gentleman. I am willing that he should state anything and everything that I ever stated in the committee.

Mr. RAKER. I am referring to no one.

The CHAIRMAN. The gentleman from California will proceed in order.

Mr. RAKER. My distinguished colleague, Judge Box, has been a consistent advocate relative to the Mexican situation,

that they do not belong to this country, and they are a detriment. That has been his attitude in the committee when we had hearings, something like a month ago, when they tried to break down the law and let the Mexicans come in here for labor. I want to call attention now to some testimony and then read the law on the statute books. The witness, F. J. Klump, the head of the labor department of the Michigan Sugar Co., of Saginaw, Mich., testified as follows, on page 129 of the hearings:

Mr. RAKER. All right; let us get down to Mexico now. You say you have been paying \$2 per head to labor agents in Texas for securing Mexicans for the sugar-beet industries. Is that right?

Mr. KLUMP. Yes, sir.

Mr. RAKER. What towns did you go to to select these?

Mr. KLUMP. San Antonio, Houston, and Fort Worth.

Mr. RAKER. Name us your agent at San Antonio.

Mr. KLUMP. At the present time he is I. M. Garza.

Mr. RAKER. A Mexican?

Mr. KLUMP. Yes; he is a citizen of this country, born in Mexico.

Mr. RAKER. And your agent at Fort Worth?

Mr. KLUMP. The same man.

Mr. RAKER. At the other city?

Mr. KLUMP. At Houston we had a man by the name of Helder this past year.

Mr. RAKER. Is he your agent now?

Mr. KLUMP. No, sir.

Mr. RAKER. Who is your agent?

Mr. KLUMP. Mr. Garza.

Mr. RAKER. He represents you at all these cities?

Mr. KLUMP. Yes, sir.

Mr. RAKER. He has a general contract with your company to secure this labor?

Mr. KLUMP. Yes, sir.

Mr. RAKER. It is wholly immaterial to you people how he gets them so long as he gets them?

Mr. KLUMP. That is probably true in a sense; yes. We do not ask any questions.

Mr. RAKER. If they are there, that is all you care for?

Mr. KLUMP. Yes.

Mr. RAKER. Does that include the man, the wife, and the children, at \$2 per head?

Mr. KLUMP. No.

Mr. RAKER. If there is a man, wife, and three children, five in all, that will be \$10.

Mr. KLUMP. We pay him 50 cents for the females.

Mr. RAKER. How much for the minor children from 14 to 16, 18, or 19 years of age?

Mr. KLUMP. We pay him \$2 a head from 16 years up.

Mr. RAKER. From 16 years up you pay \$2?

Mr. KLUMP. Yes, sir; for all males; for females, 50 cents.

Mr. RAKER. From what age?

Mr. KLUMP. Same age.

Mr. RAKER. Sixteen?

Mr. KLUMP. Yes, sir.

Mr. RAKER. Married, single, or otherwise, it makes no difference?

Mr. KLUMP. It makes no difference.

Now, I shall read to you the law. This matter has been before the department, and there has been a request that prosecutions be made:

persons hereinafter called contract laborers who have been induced, assisted, encouraged, or solicited to migrate to this country by offers or promises of employment, whether such offers or promises are true or false or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled.

Witnesses appeared before our committee, and there is no question but that over 90 per cent of those Mexicans who come here come in violation of the law, and the people know it. They go down there to the border and drive them across the border like you would drive sheep through a chute or cattle in a corral, and this man testifies they have a man in charge that places them on the train, and that he locks the doors and hauls them to Gary and to the railroads and other places for employment.

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

Mr. RAKER. One minute, and I have finished.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. All that I ask is that we appropriate enough money to enforce the laws of our land so that men in this country, railroad men, corporations, and others, may not violate the law. The railroad official whose business all over the United States is to gather these men told me last summer

that it takes three of these men to do one white man's work, and they pay them as much as they do a white man to do the work. But when they get these started white men will not work with them, and therefore they have got the job and the American citizen is deprived of making a living, and for his wife and children as well, just simply because we have not got the courage, because we have not got the stamina, simply because some of the large institutions are making money out of these poor unfortunate devils and we let them come into this country.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LAGUARDIA. Mr. Chairman, I have a substitute to the gentleman's amendment.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Substitute offered by Mr. LAGUARDIA to the amendment offered by the gentleman from New York [Mr. DICKSTEIN]: Page 6, strike out all of paragraph (c) of section 4 and insert in lieu thereof the following: "(c) An immigrant who has resided continuously for 10 years immediately preceding the time of his application for admission to the United States in the Republic of Cuba or the Canal Zone."

Mr. LAGUARDIA. Mr. Chairman and gentlemen of the committee, if this bill passes, and in all likelihood the bill will pass, we will change labor conditions in this country, and I believe that the gentlemen on the committee will agree with that. The minute that you do that there is going to be a great demand for labor, and the conditions just described by the gentleman from California [Mr. RAKER] should convince you of the existence of the traffic going on in the unlawful importation of cheap Mexican labor. Now unless you cut off entirely the islands near by and Mexico, you are going to establish a systematized importation of the cheapest kind of labor and you will destroy the very purpose that you believe you are going to carry out by the restrictive measures contained in the present bill. Now, I fail to see why—if the gentleman from California will give his attention for just a moment—first, if those conditions are true, why we do not compel the Department of Labor to enforce the law; and secondly, why we do not make sure to prevent by law a continuance of the existing evil.

Mr. RAKER. Will the gentleman yield right there?

Mr. LAGUARDIA. I will.

Mr. RAKER. A few years ago they took off about 68 rangers along the border because we gave them too little money.

Mr. LAGUARDIA. I am sure it is a good investment for the United States to put a patrol on the border and not to permit this condition to destroy the standard of living and the present standard of wages. I do not see why we can not unite the Department of Labor, the customs service, the Immigration Service, and the prohibition service for border-patrol purposes.

Mr. RAKER. Just one question. Next week a bill will come up whereby we will have an opportunity to place a sufficient amount of money in it so as to protect the southern as well as the northern borders of the United States.

Mr. LAGUARDIA. I will go with them on that.

Mr. WATKINS. If the gentleman will permit, what provision has the gentleman made in his substitute for the wife and children of that particular immigrant?

Mr. LAGUARDIA. My attention has been called to it, and I hope the gentleman will amend my substitute by adding "and his wife and his unmarried children under 15 years of age if accompanying or following to join him."

The CHAIRMAN. The gentleman from New York asks unanimous consent to amend his amendment as reported by the Clerk. Is there objection?

Mr. VINSON of Kentucky. I object, Mr. Chairman.

Mr. LAGUARDIA. Oh, do not do that, please.

Mr. VINSON of Kentucky. Mr. Chairman, I will say, as I am a good sport, coming from the grand old State of Kentucky, I will withdraw it. [Applause.]

Mr. LAGUARDIA. Thanks.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the LaGuardia amendment insert "and his wife and his unmarried children under 15 years of age if accompanying or following to join him."

Mr. HUDSPETH. Will the gentleman yield?

Mr. LAGUARDIA. I will.

Mr. HUDSPETH. In the appropriation bill two years ago I offered an amendment to increase the patrol guard on the Rio Grande and Mexican border by 500 men. I shall offer a

similar one to the next appropriation bill. Will the gentleman support such an amendment?

Mr. LAGUARDIA. I will support it. I think we ought to unite our services and have a real effective patrol.

Mr. HUDSPETH. You can not have it until you place competent men there and pay them, and then the conditions described by the gentleman from California will not prevail in this country any longer.

Mr. LAGUARDIA. I think all of that bears out the necessity of my substitute to the amendment offered by the gentleman from New York, and that when we create a new labor condition, as we will by this bill, we ought to prevent the importation of labor from the adjoining islands and from Mexico in order to destroy the present standard of living and wages of labor. Aliens you are excluding in this bill no longer lower wages, and there are sufficient of their race to educate them and train them to meet their new conditions.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. LAGUARDIA. I will.

Mr. DICKSTEIN. By this bill does not the gentleman take away the entire right of the Mexicans to come here?

Mr. LAGUARDIA. No; they will come in under the law, as everybody else. My substitute to the gentleman's amendment simply takes in adjoining islands and other countries on the Western Hemisphere.

Mr. WILSON of Louisiana. Will the gentleman yield?

Mr. LAGUARDIA. I will.

Mr. WILSON of Louisiana. The effect of the gentleman's amendment will be to put all countries except Cuba—

Mr. LAGUARDIA. And the Canal Zone.

Mr. WILSON of Louisiana. Under the quota?

Mr. LAGUARDIA. Exactly.

Mr. WILSON of Louisiana. And Canada?

Mr. LAGUARDIA. Exactly.

Mr. WILSON of Louisiana. And the South American Republics?

Mr. LAGUARDIA. I would; that is exactly what I would do.

Mr. WATKINS. Mr. Chairman, will the gentleman allow me to ask him a question right there?

Mr. LAGUARDIA. Yes.

Mr. WATKINS. If that amendment is adopted and that is done, will the gentleman support the bill?

Mr. LAGUARDIA. The gentleman is not fair in asking that.

Mr. WATKINS. Then, I withdraw the question. I do not want to be unfair.

Mr. LAGUARDIA. I will say this, that you have the votes to pass the bill.

Mr. WATKINS. I hope so.

Mr. LAGUARDIA. If you pass the bill and leave that gap open, you will have a worse condition than you have to-day. If I were convinced that the labor condition would not permit the letting in of more people I would vote to adopt the most restrictive measure. But I repeat, I do not believe the conditions of our country requires restriction to the extent carried out in this bill, and the reductions in the number from certain countries is not justified.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WILSON of Louisiana. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Louisiana is recognized.

Mr. WILSON of Louisiana. Mr. Chairman and gentlemen of the committee, the effect of the amendment just offered would be to apply the quota to Canada and to all the South American republics. The only argument that could be offered in favor of that would be on account of the influx of cheap labor from Mexico. If the proper arrangement were made and proper patrol on the Mexican border were organized and the law enforced it would not be necessary. The object of the committee in making up the bill as it is was to carry out our friendly relations with the various republics of this continent.

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

Mr. WILSON of Louisiana. Not now.

From South and Central America very little immigration comes; practically none from that section. Why should we offend them and interrupt our good relations with them by such an amendment when it is not necessary? All that it would be necessary to do would be to provide against Mexicans.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. BYRNES of South Carolina. Does this provision apply to Mexico only, or to other nations?

Mr. WILSON of Louisiana. No. The amendment now pending would apply the quota to all South and Central American countries.

Mr. BYRNES of South Carolina. If it does not disrupt our relations with the rest of the world or offend the rest of the nations, why should it disrupt our relations with and offend Mexico? There is no considerable immigration from any of those countries except Mexico.

Mr. WILSON of Louisiana. It is not the immigration from South America that is affecting us so much as it is the immigration from Europe.

Mr. BYRNES of South Carolina. Does the gentleman say that all the immigration from the south that comes to this country is from Mexico?

Mr. WILSON of Louisiana. No; but the only influx that would be of any danger would come from Mexico. We do not want to apply the quota to our sister nations on this continent, and why should we offend them on account of Mexico? Practically no immigration comes from South and Central America.

Mr. LAGUARDIA. You are putting them all on the same basis.

Mr. WILSON of Louisiana. I am talking about these countries over here. It is not necessary to enumerate them. They are not a source of danger.

The CHAIRMAN. The time of the gentleman from Louisiana has expired. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now is on the substitute for the amendment offered by the gentleman from New York [Mr. LAGUARDIA].

The question was taken, and the substitute was rejected.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. DICKSTEIN].

The question was taken, and the amendment was rejected.

Mr. JOHNSON of Washington. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Page 7, line 15,

after the word "college," insert a comma.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KINDRED. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KINDRED: Page 6, line 24, after the word "denomination," insert the words "or member of a religious order."

Mr. KINDRED. Mr. Chairman and gentlemen, the evident purpose of my amendment is to exclude from the quotas provided for in the bill the worthy class mentioned in the amendment. I hope the amendment will prevail on its own merits, and I will not take the time further to discuss it. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment. The question was taken, and the Chairman announced that the yeas appeared to have it.

Mr. KINDRED. A division, Mr. Chairman.

The CHAIRMAN. The gentleman from New York demands a division.

The committee divided; and there were—ayes, 14, noes 94.

So the amendment was rejected.

Mr. BERGER rose.

The CHAIRMAN. The gentleman from Wisconsin is recognized.

Mr. JOHNSON of Washington. Mr. Chairman, I move that all debate on this section and all amendments thereto be closed.

The CHAIRMAN. The gentleman from Wisconsin has been recognized to offer an amendment.

Mr. BERGER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BERGER: Page 6, line 3, after the word "a," strike out the word "citizen" and insert in lieu thereof the words "resident who has declared his intention of becoming a citizen."

Mr. PERLMAN. Mr. Chairman, I offer a substitute.

Mr. BERGER. Mr. Chairman, I do not yield.

The CHAIRMAN. The gentleman from Wisconsin is recognized.

The gentleman from Wisconsin is recognized.

Mr. BERGER. Mr. Chairman and gentlemen, the object of this amendment is plain. I will read the paragraph as it will be when amended. It will admit as nonquota immigrants:

(a) An immigrant who is the unmarried child under 18 years of age, father or mother over 55 years of age, husband, or wife, of a resident who has declared his intention of becoming a citizen of the United States who resides therein at the time of the filing of a petition under section 8.

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

Mr. BERGER. I have only five minutes. Please, do not interrupt me. I am not taking up much of the time of this House.

The purpose of my amendment is simply to protect the family.

The basis of our present civilization is the family. The tribe and the Nation are only enlarged families. If you destroy the family you destroy the fabric of our civilization as we know it. If you let an alien come in to make this country his home you ought to make it possible for him to bring in his wife and children, especially after he has declared his intention of becoming a citizen. The amendment is humane and necessary.

Mr. CABLE. Will the gentleman yield?

Mr. BERGER. I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. BERGER. I may say that the admission of the wife and children will improve the moral standard of the immigrants and will not disturb your quota. I am not afraid of any disturbance of quota, however, because there is no inspired law or commandment saying that this country must remain Anglo-Saxon.

I for one have not the inferiority complex. I feel that I am as good as any man living in the United States, including this House—even though I was born abroad and not even in England.

Mr. BARBOUR. The gentleman is modest.

Mr. BERGER. I am just as modest as is the gentleman from California.

All thinking people will agree that the wives and children of the immigrants we have permitted to come in will not be a disturbing element in our civilization or in our country. On the contrary, if you do not encourage them to send for their families as soon as these immigrants have the necessary money, you help immorality; in fact, you create it. And for that reason, gentlemen, I hope that every one of you will vote for this amendment. The proposition as it stands now is not only unjust and inhuman; it is positively immoral.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. BERGER. Yes.

Mr. DICKSTEIN. What does the gentleman propose to do by this amendment—to allow the wives of declarants to come in?

Mr. BERGER. Yes; the wives and children of declarants.

Mr. DICKSTEIN. That does not belong to the section to which the gentleman offers his amendment.

Mr. BERGER. Yes, it does; it belongs to this very section.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. BERGER. Yes.

Mr. NEWTON of Minnesota. When the gentleman read his amendment to the committee he omitted the term "citizen," so that the effect of the gentleman's amendment would be to exclude the wives and children of citizens. I do not believe the gentleman intended to do that?

Mr. BERGER. No; I did not.

Mr. NEWTON of Minnesota. But the gentleman merely intended to add to the section, as it is now drawn, the wives and children of declarants.

Mr. BERGER. That is evidently an oversight. I shall therefore add the word "citizen" to the word "resident."

Mr. Chairman, I ask unanimous consent to modify my amendment in that respect, so as to make the amendment of the provision absolutely clear.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to modify his amendment. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment as modified.

The Clerk read as follows:

Page 6, line 3, after the word "citizen" insert the following: "or of one who has declared his intention of becoming a citizen."

Mr. BERGER. We heard so much about the dangers lurking in our present immigration. Now, here is an amendment which every Member ought to support. It will not add much to the number of immigrants admitted. It will appeal to the best and most natural instinct of the immigrant—his family instinct.

It will make a more reliable workingman of him, for the simple reason that workers who have families are more reliable, and most of those who come here are workingmen.

It will even make for a more satisfied population and, for that matter, it will add to the safety of the country.

Gentlemen, you will most assuredly build up a better citizenship if you encourage the immigrant to send for his wife, his children, or his parents, as the case may be.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SABATH. Mr. Chairman, I offer a substitute for the amendment offered by the gentleman from Wisconsin.

The CHAIRMAN. The gentleman from Illinois offers a substitute for the amendment offered by the gentleman from Wisconsin, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SABATH: Page 6, line 5, insert the following: "An immigrant who is the husband, wife, or unmarried minor child under 18 years of age, of an alien (1) who has been legally admitted to the United States; (2) has resided in the United States continuously for at least two years prior to the time of the filing of the petition under section 8; (3) has, at least one year prior to the time of the filing of the petition under section 8, declared his intention, in the manner provided by law, to become a citizen of the United States."

Mr. SABATH. Mr. Chairman, I fully subscribe to everything that the gentleman from Wisconsin [Mr. BERGER] has stated. My amendment only attempts to do what the gentleman proposes in his amendment, with this exception, and it is a little broader in this respect: It requires that a man must be a resident in the United States for two years and must have filed a declaration of intention. I know that the gentleman from Wisconsin will agree that that should be embodied in his amendment.

Mr. BERGER. No; it is an entirely different proposition. The gentleman's amendment adds a new section, while my amendment is simply a change of the original section as reported by the committee. The gentleman's amendment provides a new law, while all my amendment does is to enlarge the term "citizen" by adding those who have declared their intention of becoming citizens. That is all.

Mr. SABATH. That is what I am trying to do by my amendment.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. SABATH. Yes.

Mr. NEWTON of Minnesota. If I understand the gentleman's amendment correctly, it not only takes in declarants; that is, the wives and children of declarants; but also alien residents, provided they have been residents for two years or more, even though they have not declared their intention to become citizens.

Mr. SABATH. No. I think the gentleman from Wisconsin has not embodied declarants, but I believe they should be included. Do I make myself clear?

Mr. NEWTON of Minnesota. I did not so understand the gentleman's amendment.

Mr. SABATH. That is, it is provided that they must have resided here for two years and that they must have filed a declaration of intention a year prior to that. Now, I offer this amendment because I do not believe in the separation of families. I believe it is an amendment in the right direction; I think it is a humane provision and I think it is for the best interests of America that these people should be permitted to come.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VINSON of Kentucky. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kentucky moves to strike out the last word, and is recognized for five minutes. [Applause.]

Mr. VINSON of Kentucky. Mr. Chairman, I ask unanimous consent to speak out of order for five minutes.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to speak out of order for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. VINSON of Kentucky. Mr. Chairman and gentlemen of the committee, in virtue of the attack made upon my native State—Kentucky—by the gentleman from New York [Mr. LA-GUARDIA] I arise from my seat for the purpose of defending my State and to discuss whether or not such charges have a foundation in fact.

There is more involved in this discussion than the colloquy, dealing to some degree in personalities, between the gentleman from New York and myself. The good name of a great State and its greater people is sought to be brought into disrepute by his statements made upon this floor that Kentucky had no

schools and her people were illiterate. Not only do I deny such accusations, but in my humble way I intend to resent it.

It will not be my purpose to enter into contest with the gentleman in regard to the respective collegiate attainments possessed by either of us, but were such issue joined I would be proud to boast as my alma mater, in both arts and law, that grand little school in Kentucky—Centre—which, upon the gridiron hurled into the dust the proud colors of Harvard.

If it be crime, I plead guilty to being a new Member; if the gentleman considers it a crime, I plead guilty to have come from old Kentucky, and further plead guilty to being a native of the mountains of that State, born and reared among them and now living there as a matter of choice. I am proud to acknowledge my nativity.

From the remarks of the gentleman, it is evident that he does not know Kentucky. He has yet to learn—with all his scholarly attainments—that when the radiant sun rears its majestic head above the waters of the Big Sandy and the mighty Ohio on its eastern shores, throughout the day it retains a most happy status in its journey across Kentucky; and when its golden glow, in the even time, sinks into the turbulent waters of the Mississippi it leaves Kentucky with a feeling of gloom and sadness exhibited in its very face. Can it be that the learned gentleman never heard, in that world-famous song, that "The sun shines bright in my old Kentucky home."

Diversified in topography and in its people, I maintain that in the creation the Omnipotent One gave special favor to Kentucky. It is a scientific fact that the blue grass within her confines brings to a horse more speed, endurance, and stamina than the product of any other soil. Man-o-War, the greatest horse of the age, was bred, born, reared, and now is quartered in our State. Soon the Kentucky Derby will be here, and the moneyed sports from the gentleman's city will hie themselves westward to Churchill Downs to participate in the pleasure incident to the sport of kings. Occasionally an eastern horse finishes in the money, but oftentimes the Kentucky horses finish one-two-three; and the cultured folk from the gentleman's city, with drooping head and sagging purse, wend their way back to the so-called superior East. In the days of the ancient mythology the blue grass would have been heralded as the playground of the gods.

Subject to the criticism of including myself within the terms, I state upon my responsibility as a Member of this House that no finer American type can be found in these United States than those who populate Kentucky. I make this statement irrespective of the location of her people, whether they come from the blue grass, the pennyroyal, the purchase, or the mountains.

I deny that the people of Kentucky are illiterate. Without the same problem, common to the Southern States, confronting us, our statistical rate of literacy would be much higher. Contrary to the statements of this Member, we have schools, colleges, and universities in our midst. In former days the educational advantages of the mountains were to some extent limited, but that condition is fast passing away.

I challenge the statement of the gentleman in respect of the illiteracy of the mountain folk in our State; and if the gentleman would come with me among my mountain people I feel sure that he would retract and strike from the Record the maligning remarks in respect of her great citizenship. And if possessed of a trading spirit, I venture the assertion that the keen intellect of the mountaineer would soon prove to him that his utterances were ill-founded.

If the gentleman came among them in a Rolls-Royce, he would soon be riding in a Ford; and, if he continued the test of wits, I daresay that he would soon be journeying upon a plug mare; and, if a disloyal utterance were made, the general treatment is a ride upon a thin rail. I certainly would be glad to see the gentleman educated in respect of the greatness of our State, and the true worth of her citizenship.

I love Kentucky. All her sons and daughters love her. None but a Kentuckian can know the thrill that creeps up the spine of one "to the manor born" when, away from her borders, the strains of My Old Kentucky Home are wafted to his ears. It is the same feeling of pride that obtains when the American soldier stands at retreat, in the glow of the setting sun, when all nature is subdued, and listens to the band playing "To the Colors." In either instance this emotion is evoked because of love of country.

Mr. WEFALD. Will the gentleman yield?

Mr. VINSON of Kentucky. Yes.

Mr. WEFALD. I think the gentleman forgot to tell us about the most precious thing that Kentucky ever gave to the world. What is it?

Mr. VINSON of Kentucky. The fine womanhood of Kentucky. [Applause.]

From the attitude of the gentleman I am led to believe that he has never visited our State; that he is ignorant of the real conditions in Kentucky; that he does not understand the worth of her great people. In consequence of which, to guide him right and to acquaint him with the real Kentucky, should he take an unaccustomed journey from his city of New York, I will paint for him its picture:

When you see a field where grass is blue,
And everything looks good to you,
You're in Kentucky, sure as you're born.
When a million sunbeams light your way,
Say "Come on stranger; won't you stay?"
You're in Kentucky, sure as you're born.

When the shadows creep, you can go to sleep;
On a carpet of moonbeams you can dream your dreams,
'Neath a blanket of gleaming stars.
If you wake at dawn, 'mid glistenin' dew,
And find old Dixie kissin' you,
You're in Kentucky, sure as you're born.

Mr. JOHNSON of Washington. Mr. Chairman, is there an amendment pending?

The CHAIRMAN. There are two amendments pending.

Mr. JOHNSON of Washington. Mr. Chairman, I move that all debate on this amendment and all amendments thereto do now close.

Mr. WATKINS. Mr. Chairman, I submit an amendment to the motion, that debate close in three minutes.

Mr. CELLER. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Oregon offers an amendment to the motion of the gentleman from Washington—

Mr. GRIFFIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GRIFFIN. Mr. Chairman, I would like to ask the question whether it would not be possible to agree upon some parliamentary practice here whereby every man in this House who has an amendment pending at the desk might at least have an opportunity to say a few words in favor of it.

The CHAIRMAN. The Chair will state to the gentleman from New York that that is not possible under the rules.

Mr. VESTAL. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Indiana rise?

Mr. VESTAL. Mr. Chairman, I want to offer a substitute for the motion of the gentleman from Washington, the substitute being that debate shall close at the end of 10 minutes on all amendments.

Mr. LUCE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The committee will please be in order. Was the gentleman's amendment a substitute for the motion of the gentleman from Washington or the amendment to the motion offered by the gentleman from Oregon?

Mr. VESTAL. Mr. Chairman, I want to submit an inquiry. I probably did not understand the motion.

The CHAIRMAN. The motion of the gentleman from Washington was that debate close now.

Mr. VESTAL. On what?

The CHAIRMAN. On the amendment and all amendments thereto.

Mr. VESTAL. I withdraw my substitute, Mr. Chairman.

The CHAIRMAN. By unanimous consent the substitute is withdrawn.

Mr. SABATH. Mr. Chairman, I offer a substitute. I move that the debate close in 20 minutes. This is an important provision.

The CHAIRMAN. The gentleman from Illinois offers a substitute to the motion of the gentleman from Washington that debate close in 20 minutes.

Mr. JOHNSON of Washington. Does the gentleman offer that to this amendment and all amendments to the section?

Mr. SABATH. No; not on the section but on the paragraph.

Mr. JOHNSON of Washington. My motion was to close the debate on the pending amendment and all amendments thereto.

The CHAIRMAN. The question first comes on the amendment of the gentleman from Oregon to amend the motion of the gentleman from Washington.

The question was taken, and the amendment to the motion was rejected.

The CHAIRMAN. The question now recurs on the substitute motion of the gentleman from Illinois.

Mr. SABATH. Mr. Chairman, I ask to make it 10 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to modify his substitute as suggested. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The question now recurs on the substitute motion of the gentleman from Illinois to limit debate to 10 minutes.

Mr. SABATH. On the paragraph.

The CHAIRMAN. There is no paragraph pending.

Mr. JOHNSON of Washington. On the section and all amendments thereto was the substitute.

Mr. SABATH. Then on the amendments pending.

The CHAIRMAN. The question now recurs on the substitute motion of the gentleman from Illinois that all debate on the pending amendments close in 10 minutes.

The question was taken, and the substitute was rejected.

The CHAIRMAN. The question now recurs on the motion of the gentleman from Washington.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The question now comes on the substitute amendment offered by the gentleman from Illinois to the amendment offered by the gentleman from Wisconsin [Mr. BERGER].

Mr. SABATH. Mr. Chairman, I ask unanimous consent that I may withdraw my substitute, because the amendment of the gentleman from Wisconsin [Mr. BERGER] really does all that I sought to accomplish.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to withdraw his objection. Is there objection?

There was no objection.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. BERGER) there were—ayes 31, noes 78.

So the amendment was rejected.

Mr. SABATH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. SABATH: Page 6, after paragraph (a) 1, insert "or of an alien who served in the military or naval forces of the United States at any time between April 6, 1917, and November 11, 1918, inclusive, and was not discharged therefrom under dishonorable conditions."

Mr. SABATH. Mr. Chairman, this amendment would except from the operation of the quota the wife and the children of those who have served in the military or naval forces of the United States. I am of the opinion that the number would be very small.

Mr. VAILE. Will the gentleman yield?

Mr. SABATH. Yes.

Mr. VAILE. Why could not these men have become citizens of the United States since the World War? They have had plenty of time.

Mr. SABATH. Yes; they have had plenty of time, but many of them are in the hospital, and some are still suffering and have been unable to earn money enough to aid or assist their wives and children to come over here.

Mr. PERLMAN. Will the gentleman yield?

Mr. SABATH. I will.

Mr. PERLMAN. This morning's paper contains a statement by Secretary of Labor Davis that because of lack of appropriation they could not naturalize all those who had served in the World War.

Mr. JOHNSON of Washington. We passed a special act providing for those who served in the Army.

Mr. SABATH. Yes; but the trouble is the gentleman from Washington [Mr. JOHNSON] and the gentleman from Colorado [Mr. VAILE] failed to take notice that while we did pass a law making it possible for the foreign-born people in the Army to be naturalized during the war, many of them were on the way across and there were thousands of them on the way, and there were thousands and thousands on the other side that could not be reached and could not avail themselves of the high privilege of becoming American citizens.

Now, I believe we ought to be fair. I am not asking anything unreasonable; you are going to pass this bill, but do not let us discriminate against the wives and children of the men who offered their lives to our country and to our flag. That is all I am asking for and that is all I am proposing, and if it is not fair—all right, vote it down. But I felt it was my duty to bring it to the attention of the Members of this House so that it would not be said later that they had had no opportunity to vote for any such provision. I am giving you the opportunity, and I believe this amendment should in all fairness to ourselves be adopted.

Mr. CLARKE of New York. Will the gentleman yield?

Mr. SABATH. I will yield.

Mr. CLARKE of New York. Has the gentleman any estimate of the number that would be affected by this amendment?

Mr. SABATH. I could only guess at the figures. I understand the number is small; it might mean 500 or 1,000, and it might be less than that. I have no positive figures, and therefore I am not going to mislead the gentleman or anyone else by giving numbers that I am not positive of. It can not be any large number.

Mr. VAILE. It is a very appealing thing when anybody makes a request in behalf of a man who has been an American soldier. In the first place, those relatives of any who served in the Army of the United States, an alien, have a preference now under existing law. They have the preferential right to come to the United States under the existing quota.

All of our soldiers had a short form of naturalization which they could go through with while in the service. Most of them took advantage of that. I do not see why they could not all have taken advantage of it, but it is now more than five years since the armistice. A man after he was discharged from the Army had plenty of time to file his papers and complete his naturalization up to this time. He did not even have to make a declaration of intention, because his military service was acceptable in lieu of that. The gentleman says that some of them were in the hospitals; but a man could be naturalized even if he was in a hospital.

Mr. CELLER. Will the gentleman yield?

Mr. VAILE. Yes.

Mr. CELLER. Did not the gentleman say the other day when I was stressing the fact that some immigrants were being naturalized, "Off with the old and on with the new"?

Mr. VAILE. I said those people who have the best government were slow in giving it up, but here we have an amendment putting the privilege of a man's relatives on the ground that he rendered military service. Why did he not become a citizen since the war?

Mr. RAKER. Will the gentleman yield?

Mr. VAILE. Yes.

Mr. RAKER. Is it not a fact that during the war, in France as well as in the United States, we had naturalization officers where these men could be naturalized?

Mr. VAILE. Yes, sir.

Mr. RAKER. And all these men had to do was to sign an affidavit, and in five minutes they could be naturalized; and, being naturalized, they could bring their wives and children here.

Mr. LAGUARDIA. If the applicant had a wife on the other side, would that prevent his filing his affidavit?

Mr. RAKER. No; all he has to do is to take two witnesses and go to the court and swear to it, and in five minutes he is naturalized.

Mr. LAGUARDIA. Even if his wife and children were on the other side?

Mr. RAKER. That would not make any difference.

Mr. LAGUARDIA. In some districts, I think, the judge refused to take the application.

Mr. RAKER. Never, yet. The gentleman can not point out where a soldier has been denied because his wife is on the other side.

The CHAIRMAN. The time of the gentleman from Colorado has expired. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. SABATH) there were—ayes 23, noes 74.

So the amendment was rejected.

Mr. VESTAL. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. VESTAL: At the end of line 17, page 7, add a new section as follows:

"SEC. 4½. (a) Whenever the Secretary of Labor and the Secretary of Commerce shall jointly certify that unemployment exists in the continental United States or any specified Territory or insular possession thereof to such an extent as in their opinion immigration thereto should be suspended in whole or in part from all or certain designated foreign countries, the President of the United States shall by proclamation suspend immigration for the time and to the extent set forth in such certificate, and during such time immigration certificates shall not be issued to any immigrant who is a national of any country designated in such proclamation, nor shall such immigrant be permitted to enter the continental United States or such specified Territory or insular possession thereof.

"(b) Whenever the Secretary of Labor is satisfied that any foreign government has restricted the issuance of passports to certain of its

nationals, or limits the issuance of passports to certain classes or individuals, or otherwise discriminates in the issuance of such passports, he may so certify to the Secretary of State, who shall thereupon order and direct American consular officers to refuse the issuance of immigration certificates to the nationals of such government, and no application for immigration certificate made by or on behalf of a national of such foreign government shall be considered nor shall an immigration certificate be issued to such national during the time such order remains in force.

"(c) Whenever the duly accredited and authorized diplomatic or consular officers of any foreign government upon written application to the Commissioner General of Immigration, approved by the Secretary of Labor, shall fail or refuse to issue to an alien duly ordered deported under the act of February 5, 1917, or any amendment thereto, passports or other documents necessary to the removal and deportation of such alien from the United States to the country of birth or to the country of which such alien is a citizen, the President of the United States may at the request of the Secretary of Labor suspend all immigration from the country whose diplomatic or consular officer fails or refuses to issue such passport or other document for the removal or deportation of such alien to such country: *Provided*, That such order shall be revoked by the Secretary of State when the Secretary of Labor further certifies that such restriction and limitations are removed or that such discrimination is no longer practiced."

Mr. JOHNSON of Washington. Mr. Chairman, I make the point of order against the amendment upon the ground that it is not germane and is new legislation. It carries a number of matters that do not affect this paragraph.

The CHAIRMAN. Certain gentlemen have asked the Chair for recognition to offer amendments to the section that we are now considering. The amendment just offered by the gentleman from Indiana is a new section. In order that those gentlemen shall not lose their rights to offer their amendments, unless some gentleman asks unanimous consent to consider it and then return to it, the Chair would like to recognize those gentlemen first for that purpose.

Mr. LaGUARDIA. Will this be held in abeyance?

The CHAIRMAN. The point of order has been made to this, and the Chair will consider it pending.

Mr. GRIFFIN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GRIFFIN: Page 6, line 2, after the word "mother," strike out "over 55 years of age."

Mr. GRIFFIN. Mr. Chairman and gentlemen of the committee, the object of this amendment is to give a humane turn to the law. The avowed reason for the submission of this bill is to mitigate some of the hardships of the old law; and I submit my amendment in order to help you fulfill your promise and in order that certain very grievous conditions may be altered and improved. I can not understand why the concession of exemption from the quota should be made to the parents of citizens over 55 years and denied to those under 55 years of age. If you are considering their mere practical utility as an asset to the country, surely parents under 55 years have more value as factors to produce and will be less likely to become public charges than those over 55 years of age. It seems to me that, from the standpoint of utility if not from that of humanity, we ought to allow the parents who are under 55 to enter this country.

I have had a great deal of experience in the past with the existing immigration law, and on many occasions it has torn my heart to observe the anxiety and the pain and distress of these people who have come to our shores and made good here and have then sought to bring in their parents. I recall one case of a young man who came here with a relative. He went to school and graduated, became a citizen, and was very successful in business. He sought my intervention in order to obtain the admission of his mother. She was a widow. She came to Ellis Island and was held there upon some pretext or other. There were appeals filed and correspondence to and fro between New York and Washington. In the meantime the poor woman suffered from anxiety and distress over her predicament at Ellis Island and was taken sick. I had about succeeded in getting her in when the boy came in to see me one day with tears in his eyes. He said to me: "I asked you, Congressman, to help me get my mother into this country and I thank you for what you did; but they sent me her dead body yesterday." They had held her there practically incommunicado for weeks and weeks, and when the red tape was finally unwound they sent the devoted son a corpse instead of his living mother. I submit that such a condition as this ought not to exist in a civilized country.

Well might the loyal son paraphrase the despair and wrath of Bernardo del Carpio in the beautiful and spirited poem of Mrs. Hemans:

Into these glassy eyes put light!
Be still! keep down thine ire.
Bid these white lips a blessing speak—
This earth is not my sire!

I am not going to discuss your quotas or the merits of the fundamental theory upon which the bill depends. I do not care whether you make the quota 1 per cent or 2 per cent or any other per cent; but by all means, for the honor of our country, put a little humanity into this bill and give some respect to the Ten Commandments. "Honor thy father and thy mother, that thy days may be long in the land." Encourage these men who are here, aliens within our doors, to love, honor, and respect their parents. Do not draw arbitrary lines as to the ages of parents. All mankind are kin. Parental love and filial devotion know no racial lines or barriers elsewhere that I know of except in this bill. A parent is a parent, a mother is a mother, and a father a father, whether they are 40 or 50 or 55 years of age. In all earnestness I ask you to give thought and consideration to this proposal. You should admit the parents of a citizen of the United States irrespective of his or her age.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CABLE. Mr. Chairman, I rise in opposition and trust the amendment will not be adopted. This bill is filled with humane provisions; but if you load it down too much, this section (a) will be eliminated altogether from the bill. The amendment proposed will destroy the very efforts of the committee to admit certain relatives of citizens into the United States outside of the quota. The Senate committee has reported a bill. It is under consideration, and in that bill it is proposed to count the relatives of American citizens.

In this bill which we have presented to you is a humane provision, and it is proposed to admit the husband, the wife, and unmarried children under 18 years of age and fathers and mothers over 55 years of age of American citizens outside the quota. They may come in and are not counted as a part of the quota.

Mr. CONNERY. Why over 55 years of age?

Mr. CABLE. You have to draw the line somewhere. It was intended at one time in some of the bills introduced to admit the relatives of a declarant, but you have to have a limit somewhere.

Mr. CONNERY. If they are 54 years old, then they will not be permitted to come in?

Mr. VAILE. I call attention to the fact that that age particularly was put in because it corresponded with the provisions of the present law of 1917 with regard to the literacy test.

Mr. CONNERY. Then I understand if they are 54 years old they can not come in?

Mr. VAILE. Yes; under the quota.

Mr. CABLE. The father and mother could come in under the quota as any other person; but if you are not going to provide a limit somewhere, you will have this section defeated and all the relatives of American citizens would have to come within the quota. If you keep it as it is, you will have a humane provision. Two years ago this House passed a law saying that when an alien girl married an American citizen that girl did not by that marriage ceremony become an American citizen. Up to that time she ipso facto became an American citizen and could come in as such. Since that law we have had cases where we have had wives of American citizens seeking admission to the United States, and because the quota of her nationality was filled she could not come in. The idea is to admit first the wives and husbands of American citizens, and it is adding humanity to humanity by having this very provision. If you adopt one amendment and then another, you are going to defeat the very purpose of the bill itself.

Mr. HILL of Maryland. Mr. Chairman, I ask recognition in favor of the amendment.

The CHAIRMAN. The gentleman is not entitled to recognition.

Mr. HILL of Maryland. I move to strike out the last word.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. HILL of Maryland. Gentlemen of the committee, you see the value of technicalities. I am in favor of this amendment, because when we adopt a bill which purports to be, but which is not, a permanent policy of immigration we ought to make it as reasonably consistent as possible.

I appeared before the Committee on Immigration and Naturalization in favor of an amendment to the bill to admit mothers and fathers, brothers and sisters, sons and daughters of American citizens, and at the proper time I shall offer that amendment to this bill. The Committee on Immigration and Naturalization did not accept that suggestion. The committee now suggests, however, that the father or mother over 55 years of age may come in. They do not apply the age limit to the husband or wife, although they do apply the age limit to the children, preventing any children of American citizens from coming in who are over 18 years of age.

Mr. GILBERT. Will the gentleman yield?

Mr. HILL of Maryland. I will yield in just a moment. I can understand a permanent immigration policy, which this purports to be, which would shut out all immigration. The United States has got the right to shut all out. I can understand a policy which deliberately and avowedly discriminates. The United States can discriminate if it wants to, although I am against any discrimination, but I can not understand a bill that shuts out or attempts to shut out all but 161,000 immigrants from Europe and permits over 200,000 immigrants to come in from Mexico and Canada. Nor can I understand a bill which shuts out the father or mother under 55 years of age and permits the father and mother over 55 years of age to come in. It is an absurd and illogical discrimination. If you are going to permit mothers and fathers to come in, why not recognize that the mother or the father of 54 or 53 years of age is just as much entitled to entrance because of the citizenship of the son as of other age? I want all mothers and fathers let in of any age.

Mr. GILBERT. The gentleman of the committee who has just spoken said minor children. The gentleman now speaks of children over 18 years of age and above 18 are excluded, and I do not see any reason, although I am in favor of this bill, why an unmarried daughter 18 years of age should be prohibited from joining her father.

Mr. HILL of Maryland. Well, as I understand the bill, an unmarried child under 18 years can come in, but beyond 18 years it can not.

Mr. GILBERT. But they have to be under 18 years of age.

Mr. HILL of Maryland. Yes.

Mr. GILBERT. But an unmarried daughter of 18 can not join her father.

Mr. HILL of Maryland. That is exactly as I understand the bill, and I submit to this committee that it is utterly illogical to prevent the mothers and fathers of a certain age if you are going to let other mothers and fathers come in, and I say the time has come when we, in this country, should not refuse to permit mothers and fathers of American citizens to come in. I am for the admission of all the fathers and mothers of American citizens. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Washington. I would like to move that all debate on this amendment and all amendments to this section close in 15 minutes.

The CHAIRMAN. The gentleman from Washington moves that all debate on this section and all amendments thereto close in 15 minutes.

Mr. SABATH. Pending that motion, will the gentleman yield? Now, I have two amendments on which I wish to use about 10 minutes.

Mr. JOHNSON of Washington. The debate is similar on all of them.

Mr. SABATH. No; this is something—

The CHAIRMAN. The Chair will state that the matter is not debatable.

Mr. BROWNE of Wisconsin. Mr. Chairman, I move to amend the motion of the gentleman from Washington by making it 30 minutes.

The CHAIRMAN. The gentleman from Wisconsin moves to amend by making it 30 minutes. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. JOHNSON of Washington. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 27, noes 72.

So the amendment was rejected.

The CHAIRMAN. The question recurs on the motion of the gentleman from Washington [Mr. JOHNSON].

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. SABATH. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 98, noes 15.

So the motion was agreed to.

The CHAIRMAN. Debate is limited to 15 minutes.

Mr. PERLMAN. Mr. Chairman, I have a substitute at the desk.

The CHAIRMAN. The gentleman from New York offers a substitute.

Mr. GILBERT. Does this limit to the debate apply to all amendments to the section or amendments to the amendment?

The CHAIRMAN. To amendments to the section.

The Clerk read as follows:

Substitute offered by Mr. PERLMAN for the amendment offered by Mr. GRIFFIN: Page 6, line 1, after the word "the," strike out the balance of subdivision (a) and insert in lieu thereof the following: "husband, wife, father, mother, unmarried minor child, unmarried minor brother or sister of a citizen of the United States who resides therein at the time of the filing of a petition under section 8."

Mr. PERLMAN. Mr. Chairman, toward the close of the last Congress the gentleman from Washington [Mr. JOHNSON], chairman of the Committee on Immigration, reported from his committee an amended Senate bill in which the gentleman from Washington provided as nonquota immigrants, among others, an immigrant who is the husband, wife, father, mother, unmarried minor child, unmarried minor brother or sister, or unmarried minor niece or nephew of a citizen of the United States. I appreciate that it would be difficult to pass an amendment to include an unmarried orphan, niece, or nephew, and so my amendment includes only the husband, wife, father, mother, unmarried minor child, or unmarried minor brother and sister.

If you desire to do anything in this bill for humanity, you should unite the family of a citizen of our country. Why say a parent over 55 shall come in and one of 54 can not come in? Why say that a child under 18 years of age can come in and a child over 18 and under 21 years of age can not come in? We have always considered minors to be those under 21 years of age. You so considered them in the last Congress. Minor sisters and brothers are close relatives of the citizen. In all fairness and justice, I think the committee, and the chairman of the committee, ought to support my amendment, and subscribe to the plan submitted by them to the last Congress, to permit the uniting of families of at least our own citizens. [Applause.]

The CHAIRMAN. The question is on agreeing to the substitute offered by the gentleman from New York [Mr. PERLMAN] to the amendment offered by the gentleman from New York [Mr. GRIFFIN].

Mr. BROWNE of Wisconsin. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. BROWNE of Wisconsin. Mr. Chairman and gentlemen, I propose an amendment here in regard to this provision of this bill respecting skilled laborers. Under the interpretation now made by the Department of Labor there is no such a thing as a skilled farm laborer. Consequently, no matter how skilled a farm laborer is, he can not come in as a skilled laborer.

I propose an amendment here that will treat skilled farm labor just the same as skilled artisan labor or skilled mechanical labor, subject to all the conditions and safeguards surrounding the admission of other skilled labor. I ask that in part of my time my amendment be read.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. BROWNE of Wisconsin: Page 7, line 9, after the word "case," insert "Provided, Skilled farm labor shall be determined the same as skilled mechanical and skilled artisan labor and subject to the same rules and regulations.

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

Mr. BROWNE of Wisconsin. In a moment.

Everybody knows that there is a great scarcity of farm labor in the United States. Farmers are going out of business because they can not get help. I was in Europe last summer, and I was informed that hundreds of thousands of skilled laborers in Germany and some of the Scandinavian countries and in England and Scotland want to come to this country.

Now, the farm laborer certainly can be skilled as much as any class of labor. A man who can go onto a farm nowadays and who knows how to do all kinds of farm work and understands the soils and understands animal husbandry and how to take care of stock dairies and to do general farm work

is a skilled laborer. Over in Europe there are many thousands of these skilled farm laborers.

Many of them live in the cities and go out in the country to work and come back to the cities or villages at night. Yet under a technical ruling of the Department of Labor these skilled farm laborers are prevented from coming here as other skilled labor. I do not see any sense in it, and I believe the people of this country want the class of immigrants who will go into the rural districts and will go out to the farms to work.

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

Mr. BROWNE of Wisconsin. Yes.

Mr. LAGUARDIA. The gentleman realizes that his amendment would bring these skilled laborers under the jurisdiction of the contract labor law?

Mr. BROWNE of Wisconsin. No. This amendment comes in right under that section, with other skilled labor, and is safeguarded by all the safeguards regarding skilled artisan and mechanical labor.

Mr. FISH. Mr. Chairman—

The CHAIRMAN. Will the gentleman from New York yield until the Chair disposes of the pending amendments?

Mr. FISH. I will.

Mr. STEAGALL. Mr. Chairman, I ask recognition in opposition to the pro forma amendment.

Mr. SABATH. Mr. Chairman, there are several amendments pending that ought to be disposed of, so that we may proceed. I have several amendments which I desire to offer later, but I do not wish to encroach upon the time of the committee.

The CHAIRMAN. The Chair asked the gentleman from New York [Mr. FISH] to yield until the Chair had disposed of the pending amendments, but if objection is made the Chair will have to recognize the gentleman from Alabama [Mr. STEAGALL].

Mr. STEAGALL. Mr. Chairman, I desire to read in my time a report in this morning's Washington Post.

Mr. SABATH. Mr. Chairman, I rise to a point of order, not because I do not desire to hear from the gentleman but because the time on this paragraph has been limited to 15 minutes. There are several amendments pending and several gentlemen desire to be heard.

Mr. STEAGALL. I yield the floor for the moment, and will seek recognition later.

The CHAIRMAN. The Chair will, then, recognize the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, the amendment I have introduced merely permits the mothers and fathers of naturalized veterans who served in our military or naval forces for at least 60 days during the war to enter the United States, regardless of the age limitation or quota. My amendment would not probably apply to more than a few hundred mothers and fathers who are under 55 years of age, as those over that age are included in the present bill.

We drafted our naturalized citizens and those who had taken out first papers, and nearly all of these later became naturalized. Many of these men volunteered and others were drafted at 18, so that now five years after the war many of their mothers and fathers are in their forties and well under the age limit set in the bill. I think you will agree with me that we owe something to those naturalized citizens who served in our armed forces, and that it would be a simple act of justice to let the mothers and fathers of these former service men, who are citizens of the United States, enter the country if they are under 55 years just as much as if they were above that arbitrarily fixed age. I know there are cases of this kind. I have one in my own district, and I am sure there must be others, but they are very few in number; certainly less than a thousand.

It is very little to ask of Congress, and it should be adopted as an act of gratitude and appreciation for the naturalized citizens who fought in our Army.

There is no class of ex-service men more deserving of appreciation from this House than these naturalized citizens. It seems scarcely conceivable that I should be obliged to come before the membership of this House and plead with you to permit the mothers and fathers of these defenders of our country to enter America, who are under the age limit prescribed in the bill. These men, in my opinion, won the right to bring their mothers and fathers here by the very act of serving in our Army in time of war. I would be willing to send an American transport, escorted by a battleship, to bring to the United States free of charge the mothers and fathers of these naturalized citizens who wore the American uniform. I would go further and arrange such a welcome for them in New York City that every naturalized citizen would remember to his dying day that the

people of the United States are proud and grateful for the splendid services of its adopted sons. If this could be arranged I am sure that every war veterans' organization and every patriotic and American organization would be there to extend a heartfelt welcome and, if necessary, to raise a purse to provide for the comforts and to speed these mothers and fathers on their way to good citizenship.

Gentlemen, remember this: There were 400,000 aliens and naturalized citizens who were in our armed forces during the war; they served shoulder to shoulder with the native-born Americans; their record is comparable with the native born for loyalty, patriotism, and bravery. Consider the make-up of the Seventy-seventh Division, composed to a considerable extent of men of Italian and Jewish origin. The record of these men is written in letters of blood upon the annals of that famous division. The New York National Guard Division, known as the "Fighting Twenty-seventh," which broke through the Hindenburg line, had a large sprinkling of naturalized citizens within its ranks, and many of them are still buried in the American cemetery at Bony, France. In New York City there are plenty of ex-service men of Italian origin, of Jewish origin, and of Polish origin who received the very highest decorations for gallantry in battle, and there are also thousands of them who paid the supreme sacrifice on the fields of Flanders and France. I think this amendment would be acceptable to all the veterans of the World War and I think it should be acceptable to everybody who understands it. It is only a very, very little thing to do by way of expressing our appreciation of their services during the war. [Applause.] You and I have spoken before Legion posts and told them we wanted to do everything we could for the ex-service men; we have repeated the same thing here in Congress, and we now have a chance, without any cost and without any appropriation whatever, to simply show our gratitude to these naturalized soldiers who fought for their adopted country and went forth asking no favors, but ready even to lay down their lives for America. I hope this amendment will prevail. [Applause.]

Mr. OLIVER of New York. Mr. Chairman, I offer an amendment which I send to the desk.

The CHAIRMAN. There are several amendments already pending.

Mr. OLIVER of New York. I thought the Chair was allowing us to present these amendments and then voting on them in sequence?

The CHAIRMAN. The gentleman may have his amendment read for information, if he desires, or the Chair will dispose of the pending amendments and then the gentleman may offer his amendment.

Mr. OLIVER of New York. I will withhold my amendment for the present.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. PERLMAN] as a substitute for the amendment offered by the gentleman from New York [Mr. GRIFFIN].

Mr. BOX. Mr. Chairman, may we have the substitute reported?

The CHAIRMAN. Without objection, the Clerk will again report the substitute.

The Clerk again read the substitute.

The question was taken, and the substitute was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from New York [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Chairman, I ask that the amendment proposed by me may be read with the text of the paragraph so that it will be understood.

The CHAIRMAN. Without objection, the amendment will again be read with the text of the paragraph.

The Clerk read the amendment, as follows:

(a) An immigrant who is the unmarried child under 18 years of age, father or mother, husband, or wife, of a citizen of the United States who resides therein at the time of the filing of a petition under section 8.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. GRIFFIN].

The question was taken; and on a division (demanded by Mr. GRIFFIN) there were—ayes 44, noes 68.

Mr. GRIFFIN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GRIFFIN and Mr. JOHNSON of Washington.

The committee again divided; and the tellers reported—ayes 48, noes 78.

So the amendment was rejected.

Mr. GILBERT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GILBERT: Page 6, lines 1 and 2, after the word "child," strike out "under 18 years of age."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky.

The amendment was rejected.

Mr. OLIVER of New York. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. OLIVER of New York: Page 7, after line 17, insert a new subsection to read as follows:

"(h) Any person admitted under the following power: The President shall have power to permit the admission to the United States, under such terms and conditions as he shall prescribe, in excess of any quota hereinbefore provided, any person who, in his judgment, is seeking asylum from tyranny or persecution in any other country."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. CONNERY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts [Mr. CONNERY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 7, after line 17, add the following paragraph:

"(h) An immigrant who served in the armed forces of the United States during the period of any war, or the wife, husband, child, father, mother, brother, or sister of such immigrant."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. CONNERY].

The amendment was rejected.

The CHAIRMAN. The gentleman from New York [Mr. FISH] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FISH: Page 7, after line 17, insert a new subsection, to read as follows:

"An immigrant who is the father or mother of any citizen of the United States who served for 60 days or more in the military or naval forces of the United States at any time after April 5, 1917, and before November 12, 1918, and was honorably discharged therefrom."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. FISH].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. FISIL. Mr. Chairman, I demand tellers.

The CHAIRMAN. The gentleman from New York demands tellers. Those in favor of ordering tellers will rise and stand until counted. [After counting.] Eighteen gentlemen have risen, not a sufficient number.

Mr. FISH. Mr. Chairman, I ask for a division.

Mr. JOHNSON of Washington. Mr. Chairman, I make the point of order that that request comes too late.

The CHAIRMAN. There was not a sufficient number for tellers.

Mr. FISH. Mr. Chairman, I ask for a division.

The CHAIRMAN. The gentleman from New York asks for a division. As many as are in favor of the amendment—

Mr. VAILE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VAILE. Can a division be asked for after a demand for tellers has been made and refused on account of an insufficient number?

The CHAIRMAN. Does the gentleman make a point of order to that effect?

Mr. VAILE. I do. I think the demand for a division comes too late.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. VAILE. Mr. Chairman, it is a new proposition to me, I will admit, but the demand for tellers is a demand for a higher form of count and it seems to me that a demand for a division must necessarily precede a demand for tellers.

Mr. BUTLER. Mr. Chairman, the gentleman from New York [Mr. FISH] was asking for a division and he could not be heard and somebody else demanded tellers. I stood right by him.

Mr. BROWNE of Wisconsin. Mr. Chairman, in reference to the point of order, if the contention of the gentleman from

Colorado [Mr. VAILE] was correct, then in any case some one could jump up and make a motion for tellers and be voted down and that would preclude anyone else from calling for a division or making a motion for a yea-or-nay vote.

Mr. VAILE. No; quite the reverse, because a yea and nay vote is a still higher form of count.

Mr. BROWNE of Wisconsin. I mean making a motion for a division, and I submit that because a person asks for tellers that does not preclude him from asking for a division.

Mr. BUTLER. Mr. Chairman, it was within the rights of the gentleman from New York to demand a division, and the gentleman did demand a division—I was standing by him—and somebody else demanded tellers, and I do not think it is right—

Mr. VAILE. Mr. Chairman, if the gentleman was on his feet demanding a division, I withdraw my point of order.

The CHAIRMAN. The gentleman from Colorado withdraws his point of order.

Mr. RANKIN. Mr. Chairman, I make the point of order. The gentleman from Colorado has argued it, and I ask for a ruling.

Mr. MURPHY. Mr. Chairman, I ask unanimous consent that the amendment of the gentleman from New York [Mr. FISH] be again reported.

Mr. BYRNS of Tennessee. Mr. Chairman, I submit the point of order should be acted on before such a unanimous-consent request is made.

The CHAIRMAN. A viva voce vote had been taken on the amendment offered by the gentleman from New York [Mr. FISH]. The Chair declared the amendment lost. Whereupon the gentleman from New York, or some other gentleman, the Chair was under the impression it was the gentleman from New York himself, asked for tellers. On a demand for tellers, tellers are not ordered unless the demand is supported by 20 Members. There was not a sufficient number rising to order tellers. The question that is presented here is whether a demand for tellers having been made the proceedings have elapsed so that the gentleman from New York loses his right to demand a division. The Chair is of the opinion that the gentleman from New York at the time that a demand for tellers was made, whether he made it himself or not, was entitled to a division, and that that request for a division would have had precedence of a demand for tellers. The gentleman from New York [Mr. FISH] not having demanded a division then, and subsequent proceedings having occurred, the Chair is of the opinion that it then is too late to demand a division. The Chair is of that notion, but being a novel question, if any gentleman desires to discuss the matter, the Chair will be very glad to hear him.

Mr. FISH. Mr. Chairman, I ask unanimous consent for a division on this amendment.

Mr. QUIN. I object, Mr. Chairman.

Mr. WINGO. Mr. Chairman—

Mr. FISH. Mr. Chairman, a parliamentary inquiry. Is it in order to offer an amendment? I would like to offer an amendment striking out one word of the amendment.

The CHAIRMAN. The Chair will state to the gentleman that his amendment having been lost, if the gentleman desires to offer a new amendment it will be in order, but the Chair will not rule on the point of order until he has heard the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Chairman, I was in the rear of the Hall and I may be in error. Did I understand the Chair to take the position that a demand for a division took precedence over a demand for tellers? I am not sure, but my understanding has always been that a demand for tellers takes precedence over a demand for a division, just like a demand for the yeas and nays takes precedence over a demand for a division. In other words, the most cumbersome demand takes precedence over the simplest demand, and, as I recall, that is the reason. My recollection is that it certainly has been the practice in the House when somebody was demanding a division and some one else demanded tellers that the question of whether or not the call for tellers was sustained was immediately put. I am under that impression, and I think if the Chair will reflect the Chair will recall that that has been the custom of the House.

The CHAIRMAN. Let the Chair ask the gentleman from Arkansas whether, in his opinion, additional proceedings having occurred after the demand for a division should have been made, whether or not the gentleman then has waived his right to demand a division.

Mr. WINGO. No; I will say to the Chair. Here is what I have in mind: Take as an illustration an occasion that most frequently arises on the question of a demand for yeas and

nays. If you demand the yeas and nays while a division call is pending, then the Chair must ascertain whether or not you will have the yeas and nays; and if that demand fails, then there stands the call for a division which the gentleman who made it or anyone else can renew. As I understand it, the gentleman from New York [Mr. FISH] first made a demand for a division. [Cries of "No!" "No!"] Or for tellers. The gentleman first made a demand for tellers.

The CHAIRMAN. And that demand was refused.

Mr. WINGO. Yes. I am inclined to think that he is entitled to a demand for a division.

Mr. RAKER. Mr. Chairman, if the gentleman will permit, suppose a demand for tellers was made first, could you then have a division? Does the gentleman tell the Chair that you could go back and be deprived of the right of having tellers, which is always paramount and which is the final judgment so far as the committee is concerned? That is the highest vote you can have in the committee.

Mr. WINGO. But that demand for tellers failed.

Mr. RAKER. Does the gentleman hold that they can go back and ask for a division after having failed to get tellers?

Mr. WINGO. No; I think you can have but one demand for tellers on one vote. If that demand fails and you have not had a division, you can have the division.

Mr. RAKER. Is not the teller vote the highest in the committee?

Mr. WINGO. Yes.

Mr. RAKER. If you have had the highest vote and it is lost, how can you go back and have a division?

Mr. WINGO. The gentleman misunderstands me. If you have the vote by tellers, that wipes out the division; but if the call for tellers is not sustained and the House does not divide by tellers, then you can have a division by a standing vote.

Mr. RAKER. The highest vote is that by tellers.

Mr. WINGO. Yes; in the committee, but it was refused. I am simply giving my opinion; I do not care about it one way or the other.

Mr. TILSON. Mr. Chairman, this is an important matter, and if the Chair has no precedent that controls, I should like to be heard. It is clear that a viva voce vote having been taken there exists a right to have a division. Any one Member can demand a division, and it must be granted to him. The demand for tellers is a higher demand, or at least it is a more accurate method of taking the vote. Tellers having been asked for and refused, it does not seem to me that a Member should be deprived of his right to demand a division.

Mr. WINGO. The committee has a right to decide whether the division shall be by standing vote or by tellers, and for that reason they might vote down the taking the vote by tellers.

Mr. TILSON. That is my contention, that a Member ought not to be deprived of his right to have a division. If it were so that he could be deprived of it by some one demanding tellers and then voting down the demand, the Member would be deprived altogether of his right to a division. It seems to me that this might lead to a practice of tellers being asked for and refused, thereby defeating the right to even a division, with the result that a vote might be decided without an opportunity for determining its accuracy otherwise than by a viva voce vote.

Mr. RANKIN. Mr. Chairman, we first took a vote on the question which the Chair put, "those in favor of the amendment say aye, and those opposed no." The motion was lost. Then the gentleman from New York [Mr. FISH] demanded tellers, and an insufficient number rose to give tellers. What does that indicate? One of two things, either that the Members of the House are afflicted with physical indolence, or else they were satisfied with the vote already taken and did not care to vote on it again. It was a confirmation.

When they refused to rise in a sufficient number to take another vote—and that is what tellers are for, to count a vote of the committee—when they refused to rise in sufficient numbers to ask for tellers, that was a confirmation of the vote already taken.

Mr. BLACK of Texas. Will the Chair hear me for a moment on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BLACK of Texas. Suppose this proceeding was in the House and not in the Committee of the Whole and a demand was made directly by a Member for the yeas and nays. That is the highest form of a vote—and suppose the yeas and nays should be refused. Would that cut the party off from demanding tellers? No. We have a precedent for that on page 25 of the manual in section 80. It says:

A demand for tellers is not precluded or set aside by the fact that the yeas and nays are demanded and refused.

Suppose a Member should demand the yeas and nays and the yeas and nays are refused. Then he gets up and says, "Mr. Speaker, I demand tellers" and you could not raise the point that the failure to get the yeas and nays precluded him from having the next best record vote. I submit that the precedent, which I have just cited, would certainly be in line with the situation we now have.

Mr. RAKER. Will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. RAKER. Take your own argument, the demand for tellers has been refused and then you permit a division, would you be entitled to ask for tellers again on the same matter?

Mr. BLACK of Texas. I do not think it is necessary to answer that inquiry at this time because in the face of the precedent I have just cited to the Chair—and we go by precedents—it is clearly the right of the gentleman to ask for a division.

Mr. WATKINS. The man has a right to ask for a division; when he demands tellers does he waive that right?

Mr. BLACK of Texas. I think not.

Mr. STEAGALL. The House has a right to divide and have a vote by tellers or have the yeas and nays?

Mr. BLACK of Texas. In the House.

Mr. STEAGALL. Yes; does the denial of one vote preclude you from the other?

Mr. BLACK of Texas. I do not think so. I think the gentleman from New York is entitled to a division.

The CHAIRMAN. The Chair is ready to rule. At first blush the Chair was of opinion that failure by the gentleman from New York [Mr. FISH] to demand a division at the time, and to at least have it pending, was a waiver of his right to later demand it. The precedent in Volume V, section 5998, cited by the gentleman from Texas [Mr. BLACK] is not quite in point, but it comes very near it. In that case there was a demand for tellers and another Member demanded the yeas and nays. The yeas and nays were refused. The Chair then held that the pending demand for tellers was not obliterated by the failure to get the yeas and nays. In the present case there was no demand pending for a division. However, this seems to be a novel question, and the Chair is not going to follow his first-blush opinion but is going to follow the suggestions later made and not deprive the Member of the right to a definite division upon his amendment. The Chair overrules the point of order. The question now recurs upon the amendment offered by the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, may we have it again reported?

The CHAIRMAN. Without objection it will be again reported.

There was no objection and the Clerk again reported the Fish amendment.

The committee divided, and there were—ayes 47, noes 84.

So the amendment was rejected.

Mr. CELLER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CELLER: Page 7, line 9, after the word "case" insert as a new paragraph, to be known as paragraph LL:

"An immigrant, who is an unskilled laborer, if unskilled labor be scarce in this country, and the question of the necessity of importing such unskilled labor in any particular instance shall be determined by the Secretary of Labor upon written application of any person interested; such application to be made before the issuance of the immigration certificate and such determination by the Secretary to be reached after a full hearing and an investigation in the facts of the case."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. DICKSTEIN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DICKSTEIN: Page 7, line 17, after subdivision "g" of section 4 and immediately preceding section 5, insert the following section:

"QUOTA RELATIVE IMMIGRANTS"

"(a) When used in this act the term "quota immigrant" means any immigrant who is not a nonquota immigrant.

"(b) When used in this act the term "quota relative immigrant" means an immigrant who is the husband, wife, or unmarried minor child of an alien who (1) has been legally admitted to the United States, (2) has resided in the United States continuously for at least

two years immediately prior to the time of the filing of the petition under section 8, and (3) has, at least one year prior to the time of the filing of the petition under section 8, declared his intention in the manner provided by law to become a citizen of the United States.

"(c) In the issuance of visé certificates preference shall be given to a quota relative immigrant who is the unmarried child under 21 years of age, the husband, or the wife of a declarant of the United States."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. BROWNE of Wisconsin. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BROWNE of Wisconsin: Page 7, line 9, after the word "case," insert "Provided, Skilled farm labor shall be determined the same as skilled mechanical and skilled artisan labor and governed by the same rules and regulations."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was rejected.

Mr. HILL of Maryland. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 7, line 17, strike out the paragraph and substitute the following: "That the parents, brothers, sisters, and children of American citizens who otherwise comply with the mental, moral, and physical standards prescribed by immigration laws of the United States, shall be admitted into the United States regardless of limitations imposed by quota regulations."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Maryland.

The amendment was rejected.

Mr. SABATH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SABATH: Page 7, line 16, after the word "university," strike out the following words: "particularly designated by him."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

Mr. SABATH. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

Mr. FREE. Mr. Chairman, I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was rejected.

Mr. SABATH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SABATH: Page 6, lines 20 and 21, strike out after the word "who" "continuously for at least two years immediately."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was rejected.

Mr. SCHAFER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER: Page 7, strike out all of subsection (e).

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The amendment was rejected.

The CHAIRMAN. The question now recurs upon the amendment offered by the gentleman from Indiana [Mr. VESTAL] as a new section, to which there was a point of order reserved. The Chair will hear the gentleman from California on the point of order.

Mr. RAKER. Mr. Chairman, I have not had the time to really read the amendment or to go into it fully, but I call the Chair's attention to the fact that it takes the handling of immigration out of the hands of Congress and places it in the hands of the Secretary of State, and if he determines certain things he can admit or reject.

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

Mr. RAKER. Yes.

Mr. BEGG. Does the gentleman deny that the Congress has that right?

Mr. RAKER. I do.

Mr. BEGG. Why we did the same thing with the tariff act.

Mr. RAKER. But this is not the tariff act.

Mr. BEGG. No; but it is the same principle of legislation.

Mr. SABATH. Oh, the gentleman is wrong. This is an immigration bill.

Mr. RAKER. Mr. Chairman, I think the point of order is good, although others may differ with me, because this amendment is legislation not relating to the bill.

Mr. BEGG. What does the bill relate to.

Mr. RAKER. It relates to turning this whole subject over to the Secretary of State.

Mr. BEGG. Oh, no.

Mr. RAKER. Read the amendment and see.

Mr. BEGG. I did read it.

Mr. RAKER. I hope the gentleman will read it again.

Mr. BEGG. Mr. Chairman, I think it is almost a waste of time to argue the question of germaneness if that is the point of order. I ask if that is the point of order? The only thing necessary, it seems to me, to say on the proposition, is that the whole bill deals with the subject of regulating the number of immigrants who are to be admitted into this country. That being true, if the bill regulates down to 200, it certainly is germane to regulate it down to nothing. I think that is all that is necessary to be said.

The CHAIRMAN. The Chair is ready to rule. The amendment offered by the gentleman from Indiana [Mr. VESTAL] as a new section reads as follows:

Sec. 4j. (a) Whenever the Secretary of Labor and the Secretary of Commerce shall jointly certify that unemployment exists in the continental United States or any specified Territory or insular possession thereof to such an extent as in their opinion immigration thereto should be suspended in whole or in part from all or certain designated countries, the President of the United States shall by proclamation suspend immigration for the time and to the extent set forth in such certificate, and during such time immigration certificates shall not be issued to any immigrant who is a national of any country designated in such proclamation, nor shall such immigrant be permitted to enter the continental United States or such specified Territory or insular possession thereof.

(b) Whenever the Secretary of Labor is satisfied that any foreign government has restricted the issuance of passports to certain of its nationals, or limits the issuance of passports to certain classes or individuals, or otherwise discriminates in the issuance of such passports, he may so certify to the Secretary of State, who shall thereupon order and direct American consular officers to refuse the issuance of immigration certificates to the nationals of such government, and no application for immigration certificates made by or on behalf of a national of such foreign government shall be considered, nor shall an immigration certificate be issued to such national during the time such order remains in force.

Then (c) gives the Commissioner of Immigration, approved by the Secretary of Labor, certain powers in reference to deportation. The question of germaneness in this latter section is not entirely clear, but the Chair is inclined to the opinion that the amendment is germane. The whole bill deals with the question of restricting the number of aliens who can come to this country, and it seems to the Chair that an amendment providing that all could be kept out for a certain time would be germane, and that, regardless of the fact that it departs from the general trend of the bill, it does not depart to such an extent as to affect the germaneness, and therefore the point of order is overruled.

Mr. JOHNSON of Washington. Mr. Chairman, I want to see if we can not agree that debate on this paragraph close in seven minutes, five to the gentleman from Indiana, and two to myself.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that debate on this amendment and all amendments thereto close in seven minutes.

Mr. LAGUARDIA. Mr. Chairman, I move to amend by adding one minute.

The CHAIRMAN. It is a unanimous-consent request.

Mr. LAGUARDIA. Make it eight minutes.

Mr. JOHNSON of Washington. I will make it eight minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. VESTAL. Mr. Chairman and gentlemen of the committee, I hope that the chairman of the Committee on Immigration does not think that I am offering amendments in any way to impede or obstruct the passage of this measure. That is not my purpose at all, but it seems to me that the amend-

ment which I have offered here will help this bill. I think that the proposition that the President may in an emergency suspend immigration in part or entirely is a sound proposition.

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

Mr. VESTAL. I have not the time; I have only five minutes.

Mr. RAKER. Does the gentleman argue that the provisions of this amendment would be within the provisions of the Constitution and we as a Congress could turn over these powers?

Mr. VESTAL. Absolutely. It has been done before in other measures here. Suppose we have an emergency in the United States like we did have here a few years ago, when we had 5,000,000 men out of employment in this country. Do you think it would not be a proper thing to absolutely suspend immigration into this country in the interest of labor? My amendment is in the interest of labor in this country under such conditions.

Mr. SCHNEIDER. Will the gentleman yield?

Mr. VESTAL. For a question; yes.

Mr. SCHNEIDER. In case there was a demand for a million or two workers this year and the President suspended the law and admitted them, what would be the situation in case there was unemployment the year following?

Mr. VESTAL. The proposition in this bill—I have not the time to answer that sort of a question, because the gentleman does not understand the amendment. If there is an emergency or if an emergency should arise in this country, under my amendment the President would have the right to further restrict or to suspend immigration entirely from any of those countries or from all of them. The amendment does not permit an increase in the number of immigrants at any time, but in an emergency allows the President to further restrict. The second proposition is very important, too, if you will stop and think about it. Whenever the Secretary of Labor is satisfied that any foreign government has restricted the issuance of passports to certain of its nationals or limited the issuance of passports to certain classes or individuals or otherwise discriminates in the issuance of such passports the President may by proclamation stop immigration from such country so discriminating.

Mr. BEGG. Will the gentleman yield?

Mr. VESTAL. I will.

Mr. BEGG. I think there is a misunderstanding and that the gentleman did not make himself clear. His amendment, if adopted, does not permit the President to lift immigration and let a greater number in.

Mr. VESTAL. Oh, certainly not. On the other hand, it permits the President to further restrict or absolutely prohibit immigration.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. VESTAL. I can not yield.

I understand that some of these foreign countries from which immigrants are coming in here refuse to grant passports to men under 45 years of age. They discriminate. They want to send into this country the people they want to send. I want an immigration bill that will give America the right to say whom she will permit to come. I understand that in other countries they debate the question as to whether or not they are going to spend a certain amount of money in building great penal institutions or whether they will use that money to help pay for the passports to send their criminals into the United States. In a case of that kind I think we ought to have the right—the President ought to have a right—to prohibit immigration entirely.

Then I am informed by the Secretary of Labor that we have another proposition. That is under paragraph (c):

Whenever the duly accredited and authorized diplomatic or consular officers of any foreign government, upon written application to the Commissioner General of Immigration, approved by the Secretary of Labor, shall fail or refuse to issue to an alien duly ordered deported under the act of February 5, 1917, or any amendment thereto, passports or other documents necessary to the removal and deportation of such alien from the United States to the country of birth or to the country of which such alien is a citizen, the President of the United States may, at the request of the Secretary of Labor, suspend all immigration from the country whose diplomatic or consular officer fails or refuses to issue such passport or other document for the removal or deportation of such alien to such country: *Provided*, That such order shall be revoked by the Secretary of State when the Secretary of Labor further certifies that such restrictions and limitations are removed or that such discrimination is no longer practiced.

That thing has occurred in the last year, and in the last two years. We ought to have some recourse, and if this amendment is adopted and the President be given the right under such circumstances to stop immigration entirely from that country, it would have a very salutary effect. I shall for myself oppose all amendments to this bill that seek to increase the number of immigrants permitted to come to our shores and support amendments seeking to more effectually restrict.

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

Mr. VESTAL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman has that permission.

Mr. JOHNSON of Washington rose.

The CHAIRMAN. The gentleman from Washington is recognized.

Mr. JOHNSON of Washington. Mr. Chairman, I wish to say in the few minutes that I have reserved to oppose this amendment that while it has some good features, it contains at least one dangerous proposition. We are trying to write a bill here that will conform with the treaties that we have made with other nations. We are too big a country to put a threat into a law. We are giving power here to consuls to reject for certain causes. If there is anything that may properly be used to prevent certain persons from coming as immigrants, it may and will be done. That is one thing; but, gentlemen, to provide in the law that we are now writing that if a nation does not conform with what we have written into law we will do so and so is dangerous, and may involve us in trouble with respect to our treaties. The matter has been considered by the committee, and some of the proposals here proposed have been before the committee many times, considered carefully, and rejected.

Mr. LAGUARDIA. Mr. Chairman, the amendment offered by the gentleman from Indiana [Mr. VESTAL] gives the necessary elasticity to a scientific immigration policy. There should be power to stop immigration at any time that the economic condition requires, and the economic condition of the country should be the only test and only measure affecting immigration regulations.

Now, then, if we have a condition in the country at a time when Congress is not in session I do not share with the gentleman from Washington [Mr. JOHNSON] the belief that our proposed action would be in violation of an existing treaty. We have the power to stop immigration entirely if the economic condition requires.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on agreeing to the amendment offered by the gentleman from Indiana [Mr. VESTAL].

Mr. FISH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FISH: Page 7, line 17, add a new section as follows:

"An immigrant who is the mother of any citizen of the United States who served for 60 days or more in the military or naval forces of the United States at any time after April 5, 1917, and before November 12, 1918, and was honorably discharged therefrom."

Mr. JOHNSON of Washington. Mr. Chairman, I make the point of order that it has already been voted on.

Mr. FISH. Mr. Chairman, the difference between this amendment and the one already voted on is simply that I have stricken out the word "father." This is an entirely different amendment.

The CHAIRMAN. The Chair overrules the point of order. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Indiana [Mr. VESTAL].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

QUOTA IMMIGRANTS

Sec. 5. When used in this act the term "quota immigrant" means any immigrant who is not a nonquota immigrant.

Mr. NEWTON of Minnesota rose.

The CHAIRMAN. For what purpose does the gentleman from Minnesota rise?

Mr. NEWTON of Minnesota. To offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Minnesota.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: Page 7, line 21, strike out section 5.

Mr. NEWTON of Minnesota. Mr. Chairman and gentlemen, I want to preface the few remarks I shall now make in expressing my appreciation of the excellent work that has been done on this important question by the Committee on Immigration and the distinguished gentleman from Washington, its able chairman.

We are now considering who are quota immigrants. This is most important, for if a mistake is made here we weaken the quota provisions to that extent. I regret to say that the United States Court for the Southern District of New York, and even the circuit court of appeals for that circuit, have so construed the quota law as to take most of the teeth out of it, if their construction should happen to be sustained by the United States Supreme Court. The effect of the decisions caused the steamship companies to give great publicity to them, for it would have meant thousands of additional immigrants in excess of the quota. I have read the law carefully, and the decisions. I think the court is clearly wrong and one can not read the opinion without getting the distinct impression that the court has been unconsciously influenced by local environment or the claimed humanities of the case to change the express will of Congress.

The first case is the Gottlieb case, found in Two hundred and eighty-fifth Federal, page 295 (C. C. A.). It involved the wife and child of a declarant, a Jewish rabbi. They were excluded as in excess of quota. There is no question but what he was entitled to enter, regardless of the quota provisions.

The court held that the quota law did not apply to them as the wife and child of a minister of a religious denomination, and that they also were without the quota. In its opinion the court refers to the hardships connected with the separating of the family. They apparently proceeded upon the theory that the father was obliged to come here. This, of course, was not the case. He came voluntarily and he could return at any time if he desired to do so. However, the principal point is that these are questions of policy for the legislative branch of the Government to determine, and not the judicial.

The next case was the Markarian case found in 290 Federal, 198 (C. C. A.). Here they went much further. Markarian was an Armenian merchant. He was a declarant and had lived here about eight years. He went home for a temporary visit and brought back a wife with him. The quota was exhausted. He was admitted under the law, because his visit abroad was but temporary. She was excluded because in excess of quota. The court, however, held that the quota law did not apply to the wives or children of resident aliens returning to their country temporarily for a visit only.

Mr. Chairman, you can see what these two decisions would do to the quota law. I am informed that the district court in New York City has also sustained adoption proceedings where the child was not in court, being overseas and appearing by a guardian ad litem, or something of that sort. If this were practiced, it would permit thousands to come in in excess of quota. The next step would be to have nonresident aliens appear by proxy or through some other device in some one of the 48 States of the country and adopt resident children. Thereupon these nonresident aliens, being the "parents" of these resident children, could come in in excess of quota. Then these parents upon arriving here could in turn appear in the court, and through the medium of a guardian ad litem adopt alien nonresident children, and so the endless chain would go on.

Then there was the case of United States ex rel Berjoohi et al. against Tod. I do not recall the citation. The quota from Armenia was exhausted. Two young women were permitted to enter here without regard to the quota as "students." They were not intending to go to any academy or college, or any cultural place of learning. The courts permitted them to come in without regard to the quota and pursue a business course in one of the business or commercial schools. I do not know but what it may have been an evening course.

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

Mr. NEWTON of Minnesota. In a moment.

Mr. LAGUARDIA. You are in error about the evening college.

Mr. NEWTON of Minnesota. Certainly; or commercial college.

Mr. JOHNSON of Washington. Or business college.

Mr. NEWTON of Minnesota. What is the difference between a student in a commercial college and in a business college? The vast majority of the students attend classes in the evening.

The effect of these several decisions, if sustained, will be to destroy the numerical limitations contained in the present quota law.

Mr. Chairman, I believe that a careful reading of the 1917 immigration act and the 1920 quota law and the decisions of these courts will convince you that the courts are wrong in their construction of the quota law. The Government has appealed some of these cases and possibly all of them.

The Attorney General clearly shows the error of the Circuit Court of Appeals in the brief that he has submitted to the Supreme Court in the Gottlieb case. I do not see how that court can do otherwise but reverse.

However, the Committee on Immigration in drafting this bill have taken steps to clear up any possible ambiguity (and I do not think there is any ambiguity). They have done this out of an excess of caution, so to speak. From my examination of the bill I take it that they have endeavored to take care of each and every proposition involved in these New York decisions and to avoid any possibility of any such construction in connection with the application of this particular law. It is largely for this reason that I am calling attention to these propositions at this time. Is not my understanding correct?

Mr. JOHNSON of Washington. Exactly so, the key being the definition of "immigrant."

The CHAIRMAN. The time of the gentleman has expired.

Mr. LUCE. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Massachusetts rises in opposition to the amendment, and is recognized for five minutes.

Mr. LUCE. It chanced that the New England States have no member on the Committee on Immigration; it chanced also that the New England States, by their neighborhood to what we call the Provinces, have a particular interest in this legislation. Recognizing that we had nobody on the committee who might call to the attention of its members our peculiar needs I conceived it my duty, as one member of the delegation from the New England States, to devote some attention to this bill. I studied it through many hours, and I desire to congratulate the chairman of the committee on its most excellent workmanship.

Of the notes I made for possible changes, only one relates to any paragraph after the point that we have reached. I did, however, make from six to eight memoranda about the section over which we have just passed. My experience in that regard was evidently like that of other Members, judging from the large number of amendments offered to that section, many of which were wholly deprived of opportunity for explanation.

I rise now simply to record, for the benefit of the people of New England and the district that I represent, that my earnest and serious attempt to present these amendments and the considerations relating thereto did not meet the approval of the chairman of the committee.

Mr. WATKINS. Will the gentleman yield?

Mr. LUCE. I decline to yield.

The result was that I was prevented from submitting here the considerations which seemed to me of such grave importance to that part of the country where I reside. I also desire to put on record the fact that with the most microscopic examination I can give to this measure I do not find in it one ounce of the humanity which we were promised should be here placed. I do not find a lessening by one atom of the burden that is put upon the Members of Congress by the present law as a result of the harassing situations in regard to divided families and those unfortunates in dire straits.

Yesterday the Senate passed a resolution—which I suppose has reached here by this time and which therefore may, with propriety, be discussed—a resolution adopted solely for the purpose of admitting into this country three Russian waifs, three little children, all under 10 years of age, kept at Ellis Island for four months by the brutal provisions of the present law.

You have done nothing to lessen this sort of thing. You have not relieved us. Our own burdens, however, are of small account compared with the far more important consideration that by this bill you have done nothing to lessen the miseries of mankind.

Therefore, inasmuch as you will not listen to the needs of New England, and inasmuch as you will not keep your own promises that the hardship of the situation should be relieved

you may not be surprised if you do not receive our approval of this measure when it comes to a final vote. [Applause.]

Mr. WATKINS. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The Chair will state to the gentleman that that motion is already pending.

Mr. WATKINS. Let me say that the gentleman from Massachusetts, in spite of his apparent interest in the bill, during all the time this committee has been holding hearings on this matter has not appeared before the committee, to my knowledge, and has not given us a single suggestion, constructive or otherwise. This belated zeal, certainly the criticism, is I submit somewhat out of order.

Mr. NEWTON of Minnesota. Mr. Chairman, I ask unanimous consent to withdraw the amendment I offered.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. SABATH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. SABATH. Mr. Chairman, a few moments ago I offered an amendment, and, of course, due to the motion which prevailed, I was precluded from explaining it. The amendment to which I have reference is that which sought to amend paragraph (g) in section 4, which has to do with excluding students from American institutions.

Now, I want you gentlemen to know that, unfortunately, I am not connected with nor do I control any university or any college, but I am interested in each and every one of our universities and colleges, because, due to these universities and colleges, we have been able to bring enlightenment, education, and the American point of view to the entire civilized world.

This paragraph in the bill will make it nearly impossible for any of the foreign nations to send any of their students here because of the harsh provisions. What I did desire to exclude was the provision whereby a student would beforehand have to designate the university or college he intended to attend before he would be admitted.

Now, I know in many instances when the student would arrive here he would ascertain that some other college or some other university would be of greater benefit to him than the one he originally had in mind.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. SABATH. I can not yield now. I will yield later, if I have the time. Gentlemen, this will not affect the passage of the bill.

What I want to bring home to you is that Great Britain is pursuing an altogether different policy. The Rhodes scholarship and every other conceivable opportunity is being offered to the students of India and all the world. Why? To familiarize those young men from every section of the world with the British point of view, and I know of instances where engineers after being educated in our schools went back to India and ordered certain machinery and certain implements, and the British Government insisted that the order should be changed. I know what that means for the future of the commerce of the United States.

Of course you gentlemen are not paying any attention to the humane provisions of this bill, but I thought it was my duty to call your attention to what effect this provision will have on the future commerce of our Nation. Great Britain is doing everything possible to penetrate every section of the world, and instead of inviting these young men and bringing these young men in here to familiarize them with our country, with our institutions, and with the things we produce here, we say to them, "No; you can not come; go to England." [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

Mr. SABATH. For those that are interested I insert the following statement I just received from one of the students here:

One of the cardinal principles of the Government of the United States is to have better relations with all nations. In the past this principle has been furthered by opening the doors of the American universities to students from all parts of the world. This policy of spreading the idea of good will and cooperation has been practiced by other nations, particularly Great Britain, by establishing the Rhodes scholarship. One of the principal objects of the establishment of the Rhodes scholarships is to have Anglo-American understanding by training able American scholars, at the cost of British money, to British points of view in world affairs. America has given up the Boxer indemnity money to have Chinese students in

America. This act of America has been a great political asset so far as American-Chinese relations are concerned. The British Government sees it and is now trying to follow the footsteps of America to secure a large number of Chinese students in England by the Boxer indemnity money, and over and above there is a plan in consideration to establish a great university in Singapore to train Chinese students.

The provision in the Johnson bill is going to hurt America by classing all students as immigrants and not as "exempt class" as it used to be the case; it places the students as "nonquota immigrants" who must, before entering America, decide about colleges where they would study, and then they must secure approval of the Secretary of Labor about the choice of their schools before they could leave their countries.

This is rather a plan to check the students from coming to America. It is mighty difficult for American parents to choose suitable educational institutions for their children in this country at once. In this bill we force the students to decide all about their studies and colleges from abroad, and that will be subject to approval of the Secretary of Labor. It may take a year or more at times to decide about the institutions and to carry on correspondence so far as students from India and even other countries are concerned, and then the Secretary of Labor may disapprove it. This will be a way of discouraging students from coming here, which the British Government is particularly anxious to do, the British Government not wanting to have students coming to American universities. It is the commonest experience that the American trained Indian engineers and others want to trade with America and that is not to the interest of Great Britain. I want to cite a concrete case of an Indian student who studied electrical engineering in Massachusetts Institute of Technology, of Boston. When returned to India he wanted to use water powers in certain sections of the country for generating electricity, and he ordered American machineries from the General Electric Co., because he was familiar with those machines while working at General Electric Co.'s shop at Lynn, Mass. The British merchants did not like it and protested, and it was later decided that it should be split in two for future orders, a part of the orders going to England.

The question of selecting colleges beforehand will be a matter of hardship, and I want to illustrate the case. One Indian student chose Ohio Agricultural College for his studies before he left India. This student had to go to Ohio, although he found after his landing that he could secure better education in Cornell, with less expense, and so forth.

Then, again, there are many students with high school and college training in India who are willing to come to this country to continue their studies, but their not having university degrees often works as a great difficulty, because it is not very easy for the American institutions to decide about their status. It is rather unjust that no other student than those who can secure a standing, before leaving his country, in certain American educational institutions, would be allowed to come to America as students.

It seems that the policy of making the law harder for foreign students to enter America means playing the game of Great Britain and other competing nations in world commerce against American interest.

It may be said that America is helping various nations of the world with food and other contributions. America is anxious to send missionaries all over the world, but when the students from all parts of the world wish to come to learn and acquire knowledge from the fountain of educational institutions and get the spirit of real democracy and a republican form of government we wish to make it harder for them to enter.

Mr. DALLINGER. Mr. Chairman, I offer an amendment.

Mr. JOHNSON of Washington. Mr. Chairman, I move that all debate close now on section 5.

The CHAIRMAN (Mr. LEHLBACH). Section 5 has been passed, and the gentleman from Massachusetts offers an amendment as a new section, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DALLINGER: Page 7, line 21, after the word "immigration," insert a new section to be known as section 6, as follows:

"Sec. 6. Except as otherwise provided in this act, from 60 days after the passage of this act and until the expiration of 24 months next after its passage, the emigration of aliens to the United States is prohibited, and during such time it shall not be lawful, except as hereinbefore provided in this act, for any alien to enter the United States from any foreign port or place, or having so entered, to remain in the United States."

Mr. JOHNSON of Washington. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. In view of the decision by the incumbent of the chair a few moments ago, the present incumbent feels constrained to rule in accordance with the previous ruling, and overrules the point of order.

Mr. DALLINGER. Mr. Chairman, this is the exact language of section 2 of House bill 14461, which was reported by the gentleman from Washington [Mr. JOHNSON] in the Sixty-sixth Congress, third session, and the amendment is in the same language as it passed the House at that time. The House of Representatives by a large majority, as I recall, was in favor of stopping all immigration for a period of time, and it was in the Senate that this percentage basis, which has caused so much trouble to the country and so much hardship and suffering, was suggested and proposed. I simply offer this amendment—and I do not intend to discuss it—for the purpose of giving the Members an opportunity to vote in favor of prohibiting all immigration into the United States for the next two years, except the relatives and excepted classes that have been provided for in the earlier sections of this bill.

Mr. SABATH. Mr. Chairman, I ask unanimous consent that we may have the amendment read again for information.

The amendment was again reported.

Mr. JOHNSON of Washington. Mr. Chairman, I rise in opposition to the amendment. Gentlemen, you want to be careful in deciding just what this amendment means. There is contained in the amendment the words "hereinbefore provided." The intention, as stated by the words of the gentleman who proposed the amendment, is to suspend immigration with certain exemptions; but the wording of his amendment, in my opinion, would prevent the coming to the United States of every living soul. No one wants to throw a wall around this country and cut out the merchant who might come or cut out the student—

Mr. DALLINGER. No.

Mr. JOHNSON of Washington. Read the text of your amendment.

Mr. DALLINGER. Mr. Chairman, I expressly provide for that.

Mr. JOHNSON of Washington. But you have hung it on what precedes it in the bill.

Mr. DALLINGER. The amendment states "except as hereinbefore provided."

Mr. JOHNSON of Washington. Yes; but be careful what you do. This committee has gone into this phase of the proposition by the hour and hour and hour. I will not take any more time on the subject.

Mr. RAKER. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California is recognized.

Mr. RAKER. Mr. Chairman and gentlemen—

Mr. JOHNSON of Washington. Mr. Chairman, I move that debate close at the end of two minutes.

Mr. RAKER. Will the gentleman make it five minutes, because I have already been recognized, and I am entitled to that much time?

Mr. JOHNSON of Washington. I modify my motion and make it five minutes.

The CHAIRMAN. The gentleman from Washington moves that all debate on the proposed section and all amendments thereto close in five minutes.

The question was taken, and the motion was agreed to.

Mr. RAKER. I want to say first that there was no subject discussed more thoroughly, more testimony taken, than there was on this subject. I am going to be frank. Personally, I think that the suspension of immigration for five years would be a good thing; but after going into the matter fully and completely I have come to the conclusion that the committee have provided every humane question that anybody suggested regarding the admission of aliens to the United States, and they are unable to point their finger to a single one that is not provided for in this bill.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. RAKER. I will.

Mr. CHINDBLOM. The gentleman has all the time remaining for debate on this section. Will he ask the gentleman from Massachusetts [Mr. DALLINGER] whether he proposes to strike out the balance of the bill if his amendment carries?

Mr. RAKER. I do not want to take the time to do that. I want to say that the record will show that what I have stated is the fact, that those who were in favor of the suspension of immigration are those who are opposed to any restriction on immigration.

Mr. SNYDER. Will the gentleman yield?

Mr. RAKER. I yield.

Mr. SNYDER. Does not the gentleman realize at this time that with all these motions that are filed from time to time it is unnecessary for Members to get up and make a defense or an offense against them?

Mr. RAKER. The gentleman knows that this bill is brought in for consideration of the House. Many of the Members have neglected their business for four months to attend the hearings on this bill, and we have brought it in in a proper way, backed, based, and buttressed on the law and the facts so that we would intelligently and honestly present this matter before the House and get some legislation.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Massachusetts [Mr. DALLINGER].

The question was taken; and on a division (demanded by Mr. DALLINGER) there were—ayes 7, noes 80.

So the amendment was rejected.

The Clerk read as follows:

APPLICATION FOR IMMIGRATION CERTIFICATE

SEC. 6. (a) Every immigrant applying for an immigration certificate shall make application therefor in duplicate in such form as shall be by regulations prescribed.

(b) In the application the immigrant shall state (1) the immigrant's full and true name; age, sex, and race; the date and place of birth; places of residence for the five years immediately preceding his application; whether married or single, and the names and places of residence of wife or husband and minor children, if any; calling or occupation; personal description (including height, complexion, color of hair and eyes, and marks of identification); ability to speak, read, and write; names and addresses of parents, and if neither parent living, then the name and address of his nearest relative in the country from which he comes; port of entry into the United States; final destination, if any, beyond the port of entry; whether he has a ticket through to such final destination; whether going to join a relative or friend, and, if so, what relative or friend and his name and complete address; the purpose for which he is going to the United States; the length of time he intends to remain in the United States; whether or not he intends to abide in the United States permanently; whether ever in prison or almshouse; whether he or either of his parents has ever been in an institution or hospital for the care and treatment of the insane; (2) if he claims to be a nonquota immigrant, the facts on which he bases such claim; and (3) such additional information as the Secretary shall by regulations prescribe as necessary to the proper enforcement of the immigration laws and the naturalization laws.

(c) The immigrant shall furnish to the consular officer, with his application, two copies of his "dossier" and prison record and military record, if any, two certified copies of his birth certificate if required by the country of his birth, and two copies of all available public records concerning him kept by the Government to which he owes allegiance. One copy of the documents so furnished shall be permanently attached to each copy of the application and become a part thereof.

(d) In the application the immigrant shall also state (to such extent as shall be by regulations prescribed) as to each class of individuals excluded from admission to the United States under the immigration laws, whether or not he is a member of such class; and such classes shall be stated on the blank in such form as shall be by regulations prescribed.

(e) If the immigrant is unable to state that he does not come within any of the excluded classes, but claims to be for any legal reason exempt from exclusion, he shall state fully in the application the grounds for such alleged exemption.

(f) The application shall be signed by the immigrant in the presence of the consular officer and verified by the oath of the immigrant before the consular officer. One copy of the application shall be permanently attached to the immigration certificate at the time of issuance and become a part thereof, and the other copy shall be disposed of as may be by regulations prescribed.

(g) In the case of an immigrant under 18 years of age the application may be made and verified by such individual as shall be by regulations prescribed.

(h) A fee of \$2 shall be charged for the furnishing and verification of each application, which shall include the furnishing and verification of the duplicate, and which shall be covered into the Treasury as miscellaneous receipts.

Mr. JOHNSON of Washington. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Page 8, lines 24 and 25, strike out the words "as the Secretary shall by regulation prescribe as," and on page 9, line 2, after the word "laws," insert a comma and the words "as may by regulation prescribe."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I offer another committee amendment.

The Clerk read as follows:

Page 10, line 2, after the word "application," strike out all down to and including the word "thereof," in line 4, and insert in lieu thereof a comma and the following: "If viséed by a consular officer it shall become the immigration certificate."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I offer another committee amendment.

The Clerk read as follows:

Page 10, line 11, after the word "duplicate," strike out the comma and the words "and which" and insert in lieu thereof a period and the following: "Such fee shall be in lieu of any fee for executing the application of the immigrant for visé of his passport."

The CHAIRMAN. The question is on the committee amendment.

The question was taken, and the committee amendment was agreed to.

Mr. SABATH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 9, strike out all of lines 12, 13, 14, 15, 16, 17, and 18.

Mr. SABATH. Mr. Chairman, I move to strike out a provision which says:

(d) In the application the immigrant shall also state (to such extent as shall be by regulations prescribed) as to each class of individuals excluded from admission to the United States under the immigration laws, whether or not he is a member of such class; and such classes shall be stated on the blank in such form as shall be by regulations prescribed.

In this he is asked to state what excluded classes he belongs to. If he does not belong to any of the excluded classes and he does not answer that in fact he is not capable of stating to what excluded classes he belongs because he does not belong to any excluded classes, but he is permissible to come in under the provisions of the law.

Mr. JOHNSON of Washington. It permits the immigrant to answer the questions on the other side as to whether he is a polygamist or any other of the matters that is required by him to answer at Ellis Island.

Mr. SABATH. That is all right; and the gentleman knows how I feel about the immigrant on the other side. I want him to answer every possible question that can be put to him.

Mr. JOHNSON of Washington. That is the point of this paragraph.

Mr. SABATH. No; if the gentleman reads it he will see he will come to the same conclusion that I have come to, that you are asking the immigrant to answer something that is impossible, and in addition to that the following paragraph (e) has about the same ridiculous meaning.

Mr. WATKINS. All he has got to do if he does not belong is to say "none."

Mr. SABATH. I know; but why should he be asked to what undesirable, excluded class does he belong?

Mr. WATKINS. Do we not want to know if he does belong to any?

Mr. SABATH. If he does not belong to any such class, why should he be asked to say that he belongs to it?

Mr. VINCENT of Michigan. Mr. Chairman, will the gentleman yield?

Mr. SABATH. Yes.

Mr. VINCENT of Michigan. The question that it requires him to answer is whether or not he belongs to either or all of those classes.

Mr. SABATH. Can the gentleman read that into the paragraph? If he can, I am satisfied; but I do not think he can read it in. Where is it?

Mr. VAILE. Lines 15 and 16.

Mr. VINCENT of Michigan. Whether or not he is a member of such class. He does not have to say that he is. If he is not, he says that he is not.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The question is on the amendment offered by the gentleman from Illinois.

The amendment was rejected.

Mr. BERGER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BERGER: Page 9, line 3, after the letter (c), strike out the entire paragraph.

Mr. BERGER. Mr. Chairman and gentlemen, it is an axiom of civilized nations to consider a person honest and innocent until the contrary is proven. According to the proposition before us every immigrant is supposed to have a prison record. He is supposed to be a crook simply because he wants to come to this country to live. But the great bulk of the immigration of the last 100 years was honest. It was nothing like the immigration of the seventeenth century, when every immigrant to certain parts of the American Colonies had a prison record, because Great Britain used large sections of her possessions as penal colonies. We know from history that in those days English judges were in the habit of deporting Anglo-Saxon criminals instead of hanging them. For many years this was considered a part of the regular court procedure, and in many instances the judges would simply send pickpockets, thieves, and prostitutes to these shores, because here was the penal colony. Great Britain did the same for New South Wales, Australia, and Tasmania—now New Zealand—for a while. And many of these criminals became useful citizens and some descendants even "Revolutionary sires," I suppose.

But I can not see why we should ask questions of that kind from the present immigration. Moreover, under the provisions of this bill the burden of proof is put upon the immigrant. He must prove that he has no prison record. Why should we put the proof on the immigrant?

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

Mr. BERGER. I have only five minutes, and if I have time left I shall be glad to yield.

Mr. WATKINS. I thought I could help the gentleman out.

Mr. BERGER. I will let the gentleman help me out afterwards. [Laughter.] Is it any business of ours what the military record of an immigrant was in Bulgaria or Russia or Germany or France or in any other country? It is none of our business. Suppose he had no military record at all; that might make him a very desirable immigrant. What business is that of ours, whether the man has served in the army of the Russian Czar, the Kaiser of Germany, or the King of England?

Mr. ROGERS of Massachusetts. But suppose he was court-martialed for burglary?

Mr. BERGER. If he is a criminal, that is a different story. That, however, is covered in other portions of the bill.

Then there are also two copies of the birth certificate to be produced, besides many other things. Some countries have no birth certificates. We know that he was born, because he makes the application to come here. The certificate would not prove his existence if the man did not exist; and the application states his age, sex and race, date and place of birth, and about 100 other matters.

Another thing, you want a dossier, and that means all of the official documents about his life, I suppose. The term "dossier" I heard for the first time when the French tried Dreyfus for high treason. The whole proposition smacks of pernicious delirium and persecution.

If I had lived in Russia during the last 10 years I am sure that the czar would have hanged me for being opposed to him, and that later the Bolsheviki would have shot me, if the czar had not hanged me, for being opposed to them. At any rate, I can not see how I could have escaped having a prison record in Russia. Fortunately, I never was in Russia. Talk about getting a dossier from Russia!

I am sure that if any one of you gentlemen fond of public life, any one of my learned friends here believing in some liberty, had lived in Russia, every one of you would have been in prison at some time. Moreover, the Quakers and the Puritans had been in jail before they came to America, and what kind of a "dossier" could they have produced? This provision is hateful. It must have been copied from some ukase of a Russian Czar and used by the Russian secret police to extort money from the poor subjects. Why should a man or a woman need a "dossier" to come to this country? That is an unjust and silly provision.

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

Mr. BERGER. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. Is there objection?

Mr. FREE. I object.

The CHAIRMAN. Objection is heard. The question is on the amendment.

Mr. WEFALD rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. WEFALD. Mr. Chairman, this is one time I can not agree with my friend the gentleman from Wisconsin [Mr. BERGER].

Mr. RAKER. Mr. Chairman, a point of order. Is the gentleman recognized?

The CHAIRMAN. The gentleman has the floor. The gentleman has been recognized to debate the amendment.

Mr. WEFALD. Mr. Chairman, I myself have at one time been an immigrant, and I remember well the day when I left my home and went to get my papers in shape so that I could emigrate. I went up to see the parish priest or preacher, I got my vaccination certificate, my birth certificate, my certificate of good moral character. When I had those things in order I went and got my military record that showed that I had the right to emigrate, and for my part I do not think any man should come into these United States unless he brings with him a certificate of good moral character.

Mr. BERGER. Will the gentleman yield for one question? I will not take much of the gentleman's time.

Mr. WEFALD. Yes, sir.

Mr. BERGER. How could you get a certificate of good character in Latvia when a certificate of that kind can not be obtained by anybody?

Mr. WEFALD. I will answer that by saying I have lived in Minnesota during the years of the war, and I have a certificate of good moral character—

Mr. BERGER. I am talking of Latvia.

Mr. WEFALD. I lived in Minnesota, where Judge McGee and the public safety commission ruled high-handed during and after the war—

Mr. BERGER. That is a pretty tough place to live in.

Mr. WEFALD. It was in those days, but I have still a certificate of good moral character. I say, I, for one, that as a man who was an immigrant, who has bought his citizenship here and paid full price for it; I say that any man who has not got his papers and his record in shape ought not be permitted into these United States. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was rejected.

Mr. DICKSTEIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 3, after the word "furnish," insert "if available."

Mr. DICKSTEIN. Now, Mr. Chairman and members of the committee, I would like to have your serious consideration of this amendment, because we will find some of these immigrants might not be able to obtain such documents as are required under this provision. There is no way for them to request a visa unless they supply the very things that are demanded. Now, for example, suppose they can not find a certain record like a birth record. Why should not an affidavit setting forth these facts by the immigrant and of his inability to do so be permissible, or why should not an affidavit of the loss of any other document be sufficient? Under the proposed bill admissions will be denied, as a matter of fact, unless the proposed applicant can produce his dossier, his prison record, his military record, if any. Now, suppose he can not locate the sergeant or the commander or the place to obtain his military record. Why can not he have an affidavit of some respectable or responsible citizen who served in the war with him that he did serve in the war and he was honorably discharged? Under a provision of this kind he is absolutely precluded from presenting anything else but what they call for. The proposed amendment simply conforms with an amendment of the Senate bill now under consideration.

Mr. WATKINS. Will the gentleman yield?

Mr. DICKSTEIN. For a question.

Mr. WATKINS. Do not the two words in line 5, "if any," and the two words in line 6, "if required," and the four words in lines 7 and 8, "all available public records," answer the gentleman's question absolutely?

Mr. DICKSTEIN. No, sir; if you will read line 3, it says that the immigrant shall furnish to the consular officer with his application two copies of the foregoing papers. Now, the point the gentleman referred to is simply a question of whether he is able to get these certificates. Now, if he can not get those certificates he can not come in in spite of the fact he may be a desirable person whom we want in this country. All I ask is that upon failure or inability to obtain a proper certificate and record under the provisions of the bill that he may present an affidavit or such proof as will justify his admission.

The CHAIRMAN. The time of the gentleman has expired.

The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

Mr. JOHNSON of Washington. Mr. Chairman, I move that all debate on this section and all amendments thereto be now closed.

The motion was agreed to.

The CHAIRMAN. The debate is closed. The Clerk will read.

The Clerk read as follows:

NONQUOTA IMMIGRATION CERTIFICATES

SEC. 7. A consular officer may, subject to the limitations provided in sections 2 and 8, issue an immigration certificate to a nonquota immigrant upon satisfactory proof, under regulations prescribed under this act, that the applicant is entitled to be regarded as a nonquota immigrant.

Mr. LONGWORTH. Mr. Chairman, I would like the attention of gentlemen in charge of the bill.

Mr. SABATH. There is the gentleman who is in charge of the bill [Mr. JOHNSON of Washington].

Mr. LONGWORTH. I said "gentlemen in charge of the bill." It seems very evident that, if we are to have a vote within a reasonable time to-morrow, we shall have to make some arrangement as to whether or not we shall have a night session to-night. I have consulted with a number of gentlemen managing this bill, most of them, at least, and they feel that it would be a very satisfactory arrangement if we could recess shortly and then take up that part of the bill which is not especially controversial. I would like to inquire now informally as to whether we can have that understanding? If so, we can rise at about 6 and move to recess until 8, with the understanding that we continue with the bill, eliminating certain sections that we can agree upon. Would it be objected to?

Mr. SABATH. That would be agreeable to me, by eliminating section 11.

Mr. LONGWORTH. And section 12?

Mr. SABATH. Yes; section 12 and section 23, the burden-of-proof provision. There is not much contention on the rest of the bill.

Mr. LONGWORTH. That would be very satisfactory to the gentlemen on this side.

Mr. RAKER. And I may say that would be satisfactory to the gentlemen on this side.

Mr. DICKSTEIN. Mr. Chairman, I shall object to any night sessions. I favor going along until 6 o'clock.

Mr. LONGWORTH. The alternative is—I will tell the gentleman what the alternative is—that we proceed continuously.

Mr. RAKER. If you do not get unanimous consent to-night, you will understand that we run on with the bill?

Mr. LONGWORTH. Yes; but if we have an agreement for a recess and then proceed with the noncontroversial sections of the bill until 11 o'clock, we shall be in a position here to proceed to-morrow with the controverted sections.

Mr. RAKER. That would be satisfactory.

Mr. LONGWORTH. You will save time.

Mr. SABATH. I will say this to the gentleman from Ohio, that there is not anything in these other sections, outside of the sections that have been mentioned, where there is a great deal of contest. In fact, I do not think there is any. There might be one or two amendments offered to perfect some of the provisions, but there is really no contest on my part, and I do not think on the part of the gentleman from New York [Mr. DICKSTEIN].

Mr. LONGWORTH. Of course there will be a number of gentlemen who will want a vote on these very vital amendments. If we can eliminate those to-night, we shall be here to-morrow and vote on them. I think it will save time and annoyance if we can have that understanding; the understanding that I would at 6 o'clock move to rise and recess until 8 o'clock, and ask unanimous consent to take up the bill except certain portions, three or four sections. Do I understand informally that there will be no objection to that? That is the condition on which we will rise at 6 o'clock.

Mr. BERGER. Does the gentleman need the unanimous consent of the Socialist Party?

Mr. LONGWORTH. We should like to have it. [Laughter.]

Mr. TAYLOR of West Virginia. Mr. Chairman, I would like to understand the program, inasmuch as I have an amendment to section 10, which if adopted will be a perfecting amendment, and then amendments to sections 11 and 12. They are in controversy.

Mr. LONGWORTH. Yes. Have I such an assurance?

Mr. GARRETT of Tennessee. Mr. Chairman, I regret to say that I do not think the gentleman has that assurance, because

I have not been able to get such assurance from the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. May I say a word in explanation?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from New York?

Mr. LONGWORTH. I yield.

Mr. DICKSTEIN. The trouble is that agreements made are laid down at a man's table without consulting him or anybody else about them.

Mr. LONGWORTH. I am consulting the entire House.

Mr. DICKSTEIN. I appreciate the gentleman's position, but I am talking about some of my colleagues on this side who have already made an agreement for me. I say that out of courtesy to me they should have come to me and asked me whether a night session would be agreeable, and the probabilities are I would have agreed in order to save the time of the Members of the House. However, I withdraw my objection.

Mr. GARRETT of Tennessee. The gentleman from New York, then, states that he will not object when we go into the House?

Mr. DICKSTEIN. No.

Mr. LONGWORTH. Very well. At 6 o'clock the gentleman from Washington [Mr. JOHNSON] will move that the committee rise, and I will move a recess until 8 o'clock and ask unanimous consent—

Mr. BLANTON. Will not the gentleman do that now?

Mr. LONGWORTH. I can not in Committee of the Whole.

Mr. BLANTON. Then ask that the committee rise now, because there is a conference report to come up.

Mr. LONGWORTH. Then we will move to rise now, under those conditions.

Mr. JOHNSON of Washington. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SANDERS of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 7995) to limit immigration of aliens into the United States, and for other purposes, and had come to no resolution thereon.

MEMORIAL EXERCISES

Mr. CAREW. Mr. Speaker, I ask unanimous consent that on Sunday, May 4, 1924, at 3 o'clock p. m., the House may assemble to hold memorial exercises in honor of the late WILLIAM BOURKE COCKRAN, DANIEL J. RIORDAN, LUTHER W. MOTT, and JAMES V. GANLY, all Members elected to this House and who have since died.

The SPEAKER. The gentleman from New York asks unanimous consent that there may be a session of the House on Sunday, May 4, 1924, at 3 o'clock in the afternoon, for the purpose of holding memorial exercises in honor of the deceased Members named. Is there objection? [After a pause.] The Chair hears none.

EVENING SESSION

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that to-night at 8 o'clock the House resolve itself into Committee of the Whole House on the state of the Union and proceed with the consideration of the immigration bill, with the understanding that sections 10, 11, 12, 22, and 23 be passed over.

Mr. RAKER. How did section 22 get into the agreement?

Mr. BERGER. At my request.

Mr. JOHNSON of Washington. We have all we can attend to to-night if we also leave that section out, and, if the gentleman wants it left out, we will leave it out.

Mr. BERGER. All right, then; I would like to have it left out.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the House recess until 8 o'clock to-night for the consideration of the immigration bill, at which session sections 10, 11, 12, 22, and 23 shall be omitted. Is there objection? [After a pause.] The Chair hears none.

IMMIGRATION

Mr. JACOBSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by inserting a table on immigration.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the Record in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. JACOBSTEIN. Mr. Speaker, under the leave to extend my remarks in the Record, I include the following:

A NEW BASIS FOR FIGURING IMMIGRATION QUOTAS
(Prepared by Congressman MEYER JACOBSTEIN)

The present 3 per cent quota law based upon the 1910 census favors the nations of southern and southeastern Europe. The 1890 census of the Johnson bill favors the countries of northern Europe. All quotas based on national origins put a premium on racial stock. I suggest as a basis for computing the quotas that an average for the last four census periods be taken. This would represent a cross section fair to all peoples. The operation of these various methods is shown in the following table:

Columns 1, 3, and 4 are taken from the tabulation presented by Senator REED, printed in the Record of April 9, 1924. The quotas for 1890 are taken from the figures given in the majority report of the House Immigration Committee (Rept. No. 350, p. 17). The last column is the combined average for 1890, 1900, 1910, and 1920 from this same report:

Nationality	Present law	Johnson bill—2 per cent of 1890 with minimum of 100	Senate committee recommendation—2 per cent of 1910 with minimum of 100	National origins method—1920 census	2 per cent on average of 1890, 1900, 1910, and 1920
Albania.....	288	104	192	36	182
Armenia.....	290	117	152	101	232
Austria.....	7,342	1,090	4,894	3,685	4,871
Belgium.....	1,563	609	1,042	519	964
Bulgaria.....	302	100	202	65	203
Czechoslovakia.....	14,357	1,973	9,572	2,639	6,467
Danzig.....	301	323	200	98	311
Denmark.....	5,619	2,882	3,746	2,183	3,467
Estonia.....	1,348	202	898	442	755
Finland.....	3,921	245	2,614	995	1,859
Fiume.....	71	110	100	36	146
France.....	5,729	3,978	3,820	5,526	3,702
Germany.....	67,607	45,229	45,072	44,035	39,297
Great Britain and Ireland.....	77,342	62,658	61,862	182,221	153,517
Greece.....	3,063	135	2,042	1,072	1,540
Hungary.....	5,747	588	3,832	2,518	3,449
Iceland.....	75	136	100	24	145
Italy.....	42,057	4,689	28,038	11,755	18,989
Latvia.....	1,540	217	1,026	506	849
Lithuania.....	2,622	402	1,752	888	1,427
Luxemburg.....	97	158	100	153	208
Netherlands.....	3,602	1,737	2,404	5,339	2,345
Norway.....	12,205	6,553	8,134	4,866	7,267
Poland.....	30,979	8,972	20,652	9,019	17,225
Portugal.....	2,465	574	1,644	550	1,237
Rumania.....	7,419	731	4,946	773	2,361
Russia.....	24,405	1,892	16,270	8,004	12,005
Spain.....	912	224	608	282	624
Sweden.....	20,042	9,661	13,362	7,413	11,886
Switzerland.....	3,752	2,181	2,502	1,562	2,418
Yugoslavia.....	6,426	835	4,284	1,203	2,555
Other Europe.....	86	100	100	66	127
Palestine.....	57	101	100	20	127
Syria.....	682	112	588	324	527
Turkey.....	2,654	123	1,770	229	763
Other Asia.....	92	100	100	44	110
Africa.....	104	100	100	39	269
Egypt.....	18	106	100	7	110
Australia.....	279	220	196	96	269
New Zealand.....	80	167	100	40	163
Atlantic Islands.....	121	100	100	267	163
Japan.....	(?)	(?)	1,443	360	(?)
Total.....	357,801	161,184	240,459	300,000	207,748

¹ This figure of 62,658 is the combined total for Great Britain, North Ireland, and the Irish Free State.

² No quota.

³ Including quotas for San Marino, Angorra, Liechtenstein, Monaco, Hejaz, Persia, Abyssinia, Morocco, and Union of South Africa.

THE McNARY-HAUGEN BILL

Mr. TIMBERLAKE. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record by printing an article which I wrote for my home paper discussing the McNary-Haugen agricultural bill.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks in the Record on the McNary-Haugen bill. Is there objection? [After a pause.] The Chair hears none.

Mr. TIMBERLAKE. Mr. Speaker, under leave to extend my remarks, I insert the following article:

[From the Sterling Advocate, Sterling, Colo., Tuesday, April 8, 1924]

TIMBERLAKE EXPLAINS THE McNARY-HAUGEN BILL

WASHINGTON, D. C., March 19, 1924.

THE EVENING ADVOCATE,

Sterling, Colo.

MY DEAR MR. WOODRING: I know that you and your readers, like myself, are deeply concerned regarding the serious condition surrounding the agricultural industry, and desire that some aid be ex-

tended for its relief by the Government along proper and sane lines which would bring relief, and yet avoid price-fixing features, which I personally believe to be unsound.

During the past seven months 311 National and State banks have failed, all in the agricultural sections of our country. This demonstrates the necessity for immediate action. To this end there is now pending in Congress the Haugen-McNary bill. I have carefully studied and analyzed the bill, and in my judgment it will go very far at least to reduce these conditions, and will give the farmer a fair selling price for his products.

This bill is indorsed by all of the farm organizations and approved by the Secretary of Agriculture, and I hope for its early enactment. My mail is so congested by the many inquiries I am receiving concerning the bill that I have thought you might deem it of sufficient importance to your readers to give them a complete analysis, from my standpoint, of the provisions of the bill and how it is to be administered.

EUROPEAN MARKET GOVERNS

The Haugen-McNary bill recognizes that the price of the export surplus of our great agricultural crops fixes the price of the whole crop, both the small part that is exported and the great part that is consumed at home. It is really the European market that fixes the prices of our wheat, flour, corn, hog and other meat products, and cotton. With Europe suffering economic and industrial chaos and unable to give paying prices, the home prices of our products are so low that farmers are being driven into bankruptcy, farms by the thousands are being deserted, and their owners are moving to industrial towns. A condition is growing that can not fail ultimately to hurt city business and industrial conditions the same as farming has been hurt since 1920.

This bill proposes to take the export surplus of the products that are suffering disastrously off the domestic market and to sell them in the world market at the world price, and by removing them from the domestic market bring the domestic price level up to a fair point for the great staple farm products. It will really do for export products exactly what the tariff does for manufactured products and for such agricultural products as are on a domestic or an import basis instead of on an export basis. When the world price of wheat, corn, cotton, and pork products is made in Liverpool and the domestic price is made by the foreign price, it is perfectly evident that the tariff can not give efficient protection.

The final aim and end of the bill is to give the specific farm products the same buying power now in terms of the things that the farmer must have that these farm products enjoyed on the average period from 1905 to 1914.

FEATURES OF BILL OUTLINED

I will first describe the bill as briefly as possible and then give an illustration of its application. As drawn it covers only the following commodities: Wheat, flour, corn, raw cotton, wool, cattle, sheep, and swine, and any food products of livestock.

The five most salient features of the bill are:

1. The agricultural export commission.
2. The agricultural export corporation.
3. Ratio prices.
4. Distributing losses and expenses through scrip.
5. Making tariff protection effective.

(1) The agricultural export commission is a supervisory body of eight members, constituted as follows: The Secretary of Agriculture, chairman; the Secretary of Commerce, vice chairman; the Secretary of the Treasury; the chairman of the United States Tariff Commission; an administrative commissioner appointed by the President, by and with the consent and advice of the Senate; the managing director and two ordinary directors of the agricultural export corporation described later.

It would be difficult to select, in my judgment, a body of workable size more certain to look out for the interests of all of the people, particularly in view of the fact that the determinations of price ratios and average prices utilize the Secretary of Labor and his department in a highly important fashion.

CORPORATION'S FUNCTIONS OUTLINED

(2) The agricultural export corporation is the body on which the power to carry on all the necessary business functions is conferred. Its authorized capitalization will be \$200,000,000. Its personnel would be as follows: The Secretary of Agriculture, chairman; the Secretary of Commerce, vice chairman; a managing director appointed by the President, by and with the advice and consent of the Senate; two ordinary directors, also appointed by the President.

Constituted in this manner and selected on their knowledge and experience as the bill requires, it is believed that the corporation would command the respect and confidence of the farmers of the United States.

(3) The commodities brought under the bill are termed "basic agricultural commodities." When a special emergency has been proclaimed by the President with respect to a specific basic commodity, the commission is required to publish monthly for that commodity the ratio prices.

The ratio price of a basic commodity is that value in relation to the current price of all commodities that would give a unit of the basic commodity the same purchasing power at the present time that such unit had in terms of all commodities in the 10-year period 1905-1914.

WOULD RAISE WHEAT PRICE

To illustrate, the average money price of No. 1 Northern wheat at Minneapolis during all of the Decembers for the period 1905-1914 combined was 98.7 cents. Use the base of 100 for all commodities during 1905-1914. The price index of all commodities for December, 1923, was 161.3. Then to put wheat for December, 1923, X, in the same relation to wheat in the 10-year period we have the following proportion: 100:161.3 :: 98.7 : X. Multiplying the means and dividing by the extreme, we find that the ratio price of wheat for December, 1923, to place it on a parity with all commodities, is \$1.59. The actual average price was \$1.098, so the law would give 50 cents a bushel more.

The Secretary of Labor computes the price indices to be used under the bill, both as to all commodities pre-war and all commodities currently. The Secretary of Labor and the Secretary of Agriculture jointly prepare the average commodity prices for the individual basic commodities with respect to which the President may from time to time proclaim a special emergency.

(4) In order that producers may pay their equitable share of the losses arising from selling in the export market at a lower price than cost of products in the domestic market and to cover the expenses of the corporation, a plan of equalization is laid down under which there is withheld at the time of sale by the producer a part of the price of the product. The part thus withheld is called an equalization fee, and the fund into which all such fees for each product are placed is known as the equalization fund for such product. The commission estimates in advance for each year the probable expense and probable losses and fixes the amount of the fee to be withheld.

PAYMENT PARTIALLY SCRIP

The equalization fund is created and maintained by the sale of scrip or stamps covering the determined part of each sale. In other words, the producer will be paid part in cash and part in scrip, the amount of scrip in all cases to be uniform with respect to value and quantity of product sold to the corporation.

It is made the duty of every buyer to tender, and of every purchaser to accept, scrip as provided equal to the total equalization fee on each sale. Persons who fail either to tender or accept or demand scrip are liable not only for the equalization fee but for an additional penalty of one-half the amount of the fee.

Scrip will be prepared in cooperation with the Treasury Department and will be sold in all of the post offices of the United States, and will no doubt be available at all banks and similar institutions in the same way as revenue stamps at the present time.

As soon as possible after the end of the crop year, expenses and losses are to be determined accurately, and thereafter dividends will be declared from the equalization fund to cover the balance of their selling price, in which all producers will be entitled to share in accordance with the amount of scrip held by them. Scrip may be presented for redemption to any postmaster under regulations made by the corporation. The corporation will furnish to the Postmaster General for distribution to postmasters from the equalization fund the money necessary to redeem all scrip when presented at the rate of dividend declared by the corporation.

PRESIDENT TO FIX RATES

(5) The effectiveness of any plan to increase the domestic price of export commodities necessarily depends on the prohibition of imports of such commodities or competing substitutes from foreign countries. So the bill authorizes the President, after investigation made at his direction either by the Secretary of Agriculture or the United States Tariff Commission, to fix and proclaim rates of duty that will assist in maintaining the domestic price of any commodity as to which the special emergency has been declared at the level of the ratio prices determined therefor.

Whenever a special emergency has been proclaimed by the President, he may, by proclamation, declare the rate of duty determined on the basis of the investigations of the Tariff Commission or the Secretary of Agriculture. Such rate of duty shall become effective 30 days from the date of the proclamation.

In order to assist in the adjustment of production of the export surplus crops and products more accurately to probable consumptive demands, the bill authorizes the Secretary of Agriculture and the commission to collect and disseminate information regarding crop and livestock conditions throughout the world, and to advise producers as to acreage or quantities that it may appear wise to produce.

To avoid duplication of efforts and expenditure of funds cooperation between Government establishments that can be helpful is provided. The President may also direct any such establishment to furnish the export commission with information and data pertaining to the functions of the commission and corporation contained in the records of executive

departments and other establishments. Cooperation with States, business agencies, and persons is also authorized, as is the use of the Secret Service upon request to the Secretary of the Treasury.

SUITABLE PENALTIES PROVIDED

Suitable penalties for counterfeiting scrip and for other misdemeanors, including bribing of officers or employees of either the commission or the corporation, are provided. The laws regarding embezzlement, conversion, improper handling, use, or disposal of moneys of the United States are made to apply to equalization fees and other moneys of the corporation.

This is the way the plan will work: There is a legislative finding in the bill declaring the existence of a general emergency in respect to agricultural commodities. Only the great important commodities and their most important derivatives can be reached by the plan. They are wheat, flour, corn, raw cotton, wool, and cattle, sheep, and swine, or any food product thereof.

For the purpose of illustration, I will confine myself to wheat and hogs. The export commission will immediately find upon a comparison of pre-war and existing prices that both of these commodities are far below a parity compared with the experience of the 10 years from 1905 to 1914, inclusive. Wheat in the past December had a purchasing power of only 80 per cent of pre-war. Swine had a purchasing power of only 56 per cent of pre-war.

The commission advises the President in writing that the ratio of price would be higher than the current prevailing domestic price, and that the domestic price is determined by the world price. Thereupon the President issues a proclamation declaring a special emergency with respect to wheat and hogs. When an emergency has passed the same procedure is used in proclaiming its termination.

CALCULATIONS ARE SIMPLE

Immediately after the President's proclamation declaring special emergency as to the two basic commodities mentioned, the commission, cooperating with the Secretary of Labor and the Secretary of Agriculture, performs the necessary calculations for determining the average price of these two commodities during the 10-year period and also calculates the index price to be used in computing the calculated or ratio price that is to apply for the current operations of the export corporation.

These arithmetical calculations are usually considered abstruse. They are very simple, as a matter of fact, and any high-school boy to whom the facts are explained can make the calculations, as they involve only addition, multiplication, and division. The procedure will be the same, no matter what the product, so we will use wheat as an illustration.

First, there is constructed for the base period an index number. The basing period under this bill is the 10-year period from 1905 to 1914. To arrive at this index figure the average price for the given period and the total quantity of the commodity marketed in the period are used, each commodity being given a certain weight based on its importance to the total of all commodities. The figure thus obtained for the basing period is taken as equal to 100. To get the relationship for any subsequent period the same process as to all commodities for that period is used. The use of the 10-year average is certainly an extraordinarily fair one. Inasmuch as a very wide range of products is included in all commodities index, there can be no manipulation worthy of note.

Now, to reach the results we have an equation with certain members. The first member is the index figure for the period from 1905 to 1914. This is 100. The second member is the index number for the comparative period at the present time. The third member is the average price of the particular commodity during the 10-year period, or for any month of that period. The latter is necessarily the case if we are seeking to find the proper ratio price for a current month. The fourth member of the equation is the unknown quantity X, which, when determined, will be the ratio price of the particular commodity for the current month for use in the operation of the export commission. The following, then, summarizes what has been said above:

WOULD ASSIST FARMERS

All commodities for each month, 1905 to 1914, are to all commodities for the particular month in 1923 as the average price of wheat for the same month in 1905 to 1914 is to X. X, when this equation has been solved, will be the ratio price of wheat for the current operating period. To make the application specific, let 100 equal the general index of all commodities for the month of December for the 10-year period, and 161.3 the general index number for December, 1923, and 98.7 the average money price of No. 1 Northern wheat at Minneapolis during December for the period 1905 to 1914. Then $100:161.3::98.7:X$. Multiplying the means, namely 161.3 by 98.7, and dividing by 100, you get 159, the ratio price of wheat for December, 1923.

The actual average price of wheat, based upon Chicago and Minneapolis, in the month of December was about \$1.09; hence the effect of the application of this bill would be to add approximately 50 cents per bushel to the contract grade. This price, minus the loss on the

export market and the expense of operation would determine the farmer's final net price per bushel. If the losses and expenses totaled 10 cents a bushel, the net returns to the farmer would have been not less than 40 cents per bushel more than he actually has received.

The commission having determined the ratio price and the President having appointed the managing director of the corporation, buying operations are ready to begin.

MAY SELL IN DOMESTIC MARKET

There is no guaranteed fixed price for the whole crop. The law only lays down the price at which the corporation shall buy the export surplus. The commission determines the total surplus and the amount that shall be purchased each month. If the rate of purchase first determined upon is not enough to sustain the domestic market at the ratio price level, the commission may direct the corporation to increase its rate of purchase. If the rate of purchase lifts the price unduly, thus too greatly enhancing the cost of bread to the consumer, the commission may order the corporation to resell in the domestic market any stocks still in its hands unexported.

All expense of operation and the loss in buying at a high domestic price and selling at a lower foreign price are to be borne by the producer. The Government merely furnishes the operating capital and otherwise helps the farmer to do what he can not do for himself. To do this a part of the purchase price in every transaction when the farmer sells to the first buyer will be withheld and paid to the corporation. This payment will be accomplished by placing scrip in the form of stamps or other convenient form on sale at all of the post offices of the United States. The amount per bushel or the percentage of each sale of the farmer's wheat is called for convenience an equalization fee. The scrip that passes represents this fee.

The farmer receives more money to begin with, and the scrip is added. The fund arising from the sale of scrip is known as the equalization fund. It is created through all of the post offices selling scrip to grain buyers, millers, and others who buy wheat from the farmer. They pay cash at face value to the postmaster for their scrip, and he transmits it through the proper channels to the corporation.

Every farmer through receiving this scrip has an interest in the equalization fund. Some persons profess that the farmer will not be willing to accept part payment in scrip. They conceal the fact that by reason of the corporation's activities the buyer will be able to pay the farmer more than the world price which he otherwise would have received, and that he will have the scrip in addition, which will return him further money when the operating year is over. To try to discredit this plan by calling the scrip worthless is unfair and merely means that these persons are unwilling to accept the only practical plan that has been offered to help the farmer out of his difficulties.

FARMER'S WHEAT TRACED

We can now trace an individual farmer's wheat to see how the plan operates. John Jones is threshing and hauls his wheat to the elevator direct from the machine. At the end of his hauling he finds that he has delivered 1,000 bushels. As it was not all of the same grade, it brings different prices.

Assume—

500 bushels of No. 1, at \$1.59	-----	\$795.00
250 bushels of No. 2, at \$1.52	-----	380.00
250 bushels of No. 3, at \$1.45	-----	362.50
Total	-----	1,537.50

The commission, after making the necessary studies, has decided that on the basis of the probable world crop and the probable domestic crop and the probable expense of operating the corporation it will be necessary to hold out an equalization fee of 12 per cent on every sale of wheat. Now, 12 per cent of \$1,537.50 is \$184.50. The grain buyer will therefore pay the farmer as follows: One hundred and eighty-four dollars and fifty cents in scrip and the balance of same, \$1,353, in check or cash.

The law requires every buyer to tender and every seller to accept this scrip, and each is required to demand performance of the other. If they do not pass the scrip as required, the equalization fee may be collected by law and, as a penalty, one-half again as much. The grain buyer goes to the post office or bank and buys scrip sufficient to carry on his usual trading operations. His grain has now cost him, not the world price of around \$1.10, but a ratio price of over \$1.50. He will sell his grain to the miller or to other buyers of every kind in the domestic market so as to cover his expenses and show him a profit.

If the corporation buys from him for export, he will sell to the corporation on the advanced price basis. The corporation will operate through existing agencies of trade in all products and will not set up duplicating machinery unless forced to do so by unfair tactics on the part of the trade.

DIVIDEND ON SCRIP PROVIDED

The farmer now has his cash and his scrip. The scrip he will probably keep until the end of the crop year. The corporation as quickly

as possible after the close of the crop year will determine from its records the cost of operation and the loss due to buying high at home and selling low in the foreign market and will determine the rate of dividend to be declared from the equalization fund. Public notice will then be given throughout the United States, and every wheat grower or other person who may have bought scrip from the wheat grower who wishes to sell because he needs cash or for other reasons will present his scrip at the post offices and banks, where it will be redeemed at the rate of dividend declared by the corporation.

Post offices and other agencies will then return the redeemed scrip to the corporation, which will cancel it, and the producer's interest in the transaction will be closed.

Now, just a word as to the benefits the producer will receive from the operation of this plan. If you reduce the available supply of a commodity in the consuming market, you inevitably increase the price. So we may dismiss any thought that the operation of the corporation will not be effective for the purposes intended.

Speaking in terms of bushels now, merely for convenience, assume the world price is \$1 and that the ratio price is \$1.50. If the expenses of the corporation and the loss in the export market turns out to be 10 cents a bushel and if the percentage withheld at the time of the farmer's sale was equal to 25 cents on each bushel, a dividend will then be declared on scrip of 15 cents a bushel and the farmer will have received \$1.40 instead of the world price of \$1. Observe that the original cash payment would be \$1.25; hence, approximately 25 cents more than the total cash the farmer would receive under world price conditions. On top of this, he has his interest in the equalization fund.

Utilizing all the possible exporters now engaged in the trade, the corporation would sell in the foreign market at the best price obtainable.

EXISTING AGENCIES TO REMAIN

As the measure is an emergency measure, one of its definite objectives is to treat fairly the business agencies now in operation. They will be necessary when the emergency ceases to exist and the operation of the act is brought to an end.

Applying now to an average crop of 750,000,000 bushels, 600,000,000 of which is kept at home for consumption, seed, and carry-over, and 150,000,000 bushels of which is exported, ignoring details in order merely to make the picture, at the world price of \$1 per bushel the whole crop would bring \$750,000,000. Under the export commission plan, 600,000,000 bushels would bring \$1.50 per bushel, or \$900,000,000 and 150,000,000 bushels would bring the world price, or \$150,000,000; a total of \$1,050,000,000.

Assuring you of my deep interest in this measure, and with kindest personal regards, I am

Very sincerely yours,

CHAS. B. TIMBERLAKE.

RENT COMMISSION

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that I may have until to-morrow night at 12 o'clock to file minority views on H. R. 7962, the Rent Commission bill, which comes up Monday.

The SPEAKER. The gentleman from Texas asks unanimous consent that he may have until to-morrow evening at 12 o'clock to file views of the minority on the Rent Commission bill. Is there objection? [After a pause.] The Chair hears none.

DEFERRING PAYMENT OF RECLAMATION CHARGES

Mr. SMITH of Idaho. Mr. Speaker, I call up from the Speaker's table the bill (S. 1631) to authorize the deferring of payments of reclamation charges, and I ask unanimous consent that the House insist on its amendments and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Idaho calls up the bill (S. 1631) and asks unanimous consent that the House insist on its amendments and agree to the conference asked for. The Clerk read the title of the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER appointed the following conferees on the part of the House: Mr. SMITH of Idaho, Mr. SINNOTT, and Mr. HAYDEN.

TAX ON MOTOR-VEHICLE FUELS

Mr. ZIHLMAN. Mr. Speaker, I call up a conference report on H. R. 655 entitled "An act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes. I ask unanimous consent, Mr. Speaker, that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. The gentleman from Maryland asks unanimous consent that the statement of the managers on the part of the House be read in lieu of the report. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, is the gentleman going to insist on final disposal of the conference report this evening?

Mr. ZIHLMAN. Not if there is any objection, I will say to the gentleman.

Mr. GARRETT of Tennessee. I think the gentleman had better let that matter go over for a time.

Mr. ZIHLMAN. I will say to the gentleman from Tennessee that the Senate has already agreed to the conference report.

Mr. GARRETT of Tennessee. This bill, in order to procure reciprocal arrangements with Maryland, levies a tax on gasoline in the District of Columbia, without any justification whatever for the levying of that tax. I do not know that I would accomplish anything by objecting and I am not going to press the objection, but I do not favor the idea of levying a tax on gasoline in the District of Columbia, when that tax is not needed, in order to secure reciprocal arrangements about automobile travel in the State of Maryland.

Mr. ZIHLMAN. I will say to the gentleman that the two Houses of Congress have added about half a million dollars to the taxes raised in the original bill. So that the tax is not being imposed to bring about reciprocal arrangements. It is what the two committees and the two Houses of Congress themselves consider a fair and equitable tax.

Mr. GARRETT of Tennessee. I would much prefer that the matter should go over until to-morrow.

Mr. ZIHLMAN. I shall not insist upon it, if there is any objection.

The SPEAKER. The gentleman from Maryland withdraws the report.

SPEAKER PRO TEMPORE

The Chair designates the gentleman from Connecticut [Mr. TILSON] as Speaker pro tempore, to preside at the evening session.

ENROLLED BILLS SIGNED

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

S. 2597. An act to authorize the construction of a bridge across the Fox River in St. Charles Township, Kane County, Ill.
S. 1724. An act to amend section 4414 of the Revised Statutes of the United States as amended by the act approved July 2, 1918, to abolish the inspection districts of Apalachicola, Fla., and Burlington, Vt., Steamboat Inspection Service.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to—
Mr. FROTHINGHAM, for three days, on account of illness.
Mr. WURZBACH, for four weeks, on account of urgent business.

RECESS

Mr. LONGWORTH. Mr. Speaker, I move that the House do now stand in recess until 8 o'clock this evening.

The motion was agreed to; and accordingly (at 5 o'clock and 40 minutes p. m.) the House stood in recess until 8 o'clock p. m.

EVENING SESSION

The recess having expired at 8 o'clock p. m., the House was called to order by the Speaker pro tempore (Mr. TILSON).

IMMIGRATION

Mr. JOHNSON of Washington. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 7995) to limit the immigration of aliens into the United States, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. SANDERS of Indiana in the chair.

The CHAIRMAN. The Clerk will read.

The Clerk, continuing the reading of the bill, read as follows:

PERMIT TO REENTER UNITED STATES AFTER TEMPORARY ABSENCE
SEC. 9. (a) Any alien about to depart temporarily from the United States may make application to the Commissioner General for a permit to reenter the United States, stating the length of his intended absence, and the reasons therefor. Such application shall be made under oath, and shall be in such form and contain such information as may be by regulations prescribed, and shall be accompanied by two copies of the applicant's photograph.

(b) If the Commissioner General finds that the alien has been legally admitted to the United States, and that the application is made in good faith, he shall issue the permit, specifying therein the length of time, not exceeding one year, during which it shall be valid. The

permit shall be in such form as shall be by regulations prescribed, and shall have permanently attached thereto the photograph of the alien to whom issued, together with such other matter as may be deemed necessary for the complete identification of the alien.

(c) On good cause shown the validity of the permit may be extended for such period or periods, not exceeding six months each, and under such conditions, as shall be by regulations prescribed.

(d) For the issuance of the permit, and for each extension thereof, there shall be paid a fee of \$6, which shall be covered into the Treasury as miscellaneous receipts.

(e) Upon the return of the alien to the United States the permit shall be surrendered to the immigration officer at the port of inspection.

(f) A permit issued under this section shall have no effect under the immigration laws, except to show that the alien to whom it is issued is returning from a temporary visit abroad; but nothing in this section shall be construed as making such permit the exclusive means of establishing that the alien is so returning.

Mr. YOUNG. Mr. Chairman, the subject of immigration may be approached from many angles. I wish to direct my remarks chiefly to the problem of assimilation.

The people of the first settlements in the United States were of British blood. The British race came almost entirely from two stocks, Teutonic and Celtic. The original British base was Celtic. Then came a great infusion of Teutonic blood with the invasion of the Angles, Saxons, and Jutes. Later there were fresh or further infusions of Teutonic blood with the invasions of Danes and Norwegians. These races, with comparatively slight admixtures of other bloods, have produced the great British democracy. Even at the time of the first American settlements the British had made very great progress in self-government, and in literature had reached their highest level. It was the age of Shakespeare, Spenser, and Milton; Bacon, Newton, and Harvey; Cromwell, Hampden, Jeremy Taylor, and John Bunyan. If the history of a nation is the history of its people, these immortals belong to us, and the great development in character and science of government which occurred during 12 centuries after the landing of the Angles and Saxons in England is a part of our history.

It is desirable to get this perspective. In other words, to have a proper understanding of this problem one must study the history of the American people, and to understand the American people one must study the history of the peoples from which they sprang, particularly Great Britain, from whom we got our language and laws. Also Ireland, Germany, Holland, and the Scandinavian countries, from whence later came so many people of Teutonic and Celtic blood; and to understand the problem of assimilation; also study the history of the countries of eastern Europe, from whence has come considerable of the immigration of recent years.

It is interesting also to trace the various settlements in the United States from the racial standpoint. The first settlements in the East, at Jamestown and Plymouth Rock, were from Great Britain, and for a considerable time thereafter the predominant immigration was from England. Then came additions from Holland, Sweden, and Germany. About the middle of the nineteenth century there was a decided increase of immigration, happily of Teutonic or Celtic blood. Large numbers came from Celtic Ireland, and later in the eighties and nineties there was a great influx from Norway, Sweden, Denmark, and Germany. These immigrants of Teutonic and Celtic blood were readily assimilated. They did not change American character, because they came to stocks which were largely Teutonic and Celtic. It is plain that American institutions are safe so long as immigrants come here who are substantially of the same blood as those races which came here during colonial days and up to three decades ago.

But what about assimilating people of other bloods, such as Slavs, Greeks, Assyrians, and Armenians? There are doubtless very good people among these; but if people of excitable or revolutionary types are admitted without limit, what will their influence be upon American character and American institutions, say, in 50 years, or 100 years, or 300 years? We owe so much to the generations which have gone before we should, if we are patriotic, have serious thought for the generations in America which will follow us. That should be our chief concern in voting on this immigration bill.

Mr. Chairman, I would like to get some information from the chairman of the Immigration Committee in respect to section 9. Is it largely new matter?

Mr. JOHNSON of Washington. This is entirely new, and it is planned by the committee to permit those persons who propose to go out of the United States on a visit, to be gone a year, to be extended.

Mr. YOUNG. If an alien were to leave Niagara Falls in the United States and go to Niagara Falls, Canada, would it be necessary for him to have a permit in order to return?

Mr. JOHNSON of Washington. No; there is another provision to take care of those who go back and forth.

Mr. YOUNG. There may be something else to show they are from this side and only go over temporarily?

Mr. JOHNSON of Washington. Yes.

The Clerk read as follows:

DEPORTATION

SEC. 13. Any alien who at any time after entering the United States is found to have been at the time of entry not entitled under this act to enter the United States, or to have remained therein for a longer time than permitted under this act or regulations made thereunder, shall be taken into custody and deported in the same manner as provided for in sections 19 and 20 of the immigration act of 1917.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 20, line 15, at the end of line 15, add the following: "Any alien hereafter convicted of a felony or more than once convicted of a misdemeanor by any court in the United States, if such felony or misdemeanor involves violation of the Constitution of the United States, in lieu of or in addition to such punishment as may be imposed, may be, and if the court shall so determine shall be, deported and cease thereafter to be eligible for admission to the United States."

Mr. RAKER. Mr. Chairman, I reserve the point of order on the amendment.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, the amendment I have offered is, I believe, easily understood. There can be little, if any, doubt in the minds of the committee as to the purpose of it, why I offer it, or what it will accomplish if it shall become law.

Mr. MILLER of Washington. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I will.

Mr. MILLER of Washington. I note that the gentleman uses the language "any court in the United States." Does the gentleman mean the United States court or a State court?

Mr. McLAUGHLIN of Michigan. I mean any court in the United States. I used the words "in the United States" and not "of the United States," so as to include State courts as well as Federal courts.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. JOHNSON of Washington. The committee deliberately left this proposition out of the bill and made an order commencing deportation of those convicted in courts of record of violation of the liquor or narcotic act.

Mr. McLAUGHLIN of Michigan. I had in mind putting in "in courts of record." In our State only a court of record can try one who is charged with a felony.

Mr. JOHNSON of Washington. If the amendment should be adopted my firm belief is that unless the plan that is outlined in the gentleman's amendment should be taken or unless there is in conference between the two bodies an arrangement it might just as well pass as a separate act. It is the plan of the committee to carry that provision as an addition to the act to deport certain undesirable aliens and thereby to use the full machinery for deportation. Make it apply to these cases in case of conviction in courts of record. The committee paid a good deal of attention to this.

Mr. McLAUGHLIN of Michigan. I think very likely, in view of the law and the practice in the several States, the words "in a court of record" ought to be included in the amendment I offer. In case the words are included will there be any objection on the part of the committee to the adoption of the amendment?

Mr. PERLMAN. I reserve a point of order on it.

Mr. JOHNSON of Washington. The chairman would like to say that inasmuch as we have the bill perfected in committee now, the committee made this rule a little while ago after debating various matters on the calendar.

Mr. McLAUGHLIN of Michigan. The gentleman means the Committee on Immigration?

Mr. JOHNSON of Washington. Yes; it decided to place nothing else on the calendar until it had handled the immigration bill.

Mr. McLAUGHLIN of Michigan. It seemed to me that the amendment I have offered could very properly be made a part of this bill, and I have waited until the section relating to deportation has been reached. If it is acceptable to the chairman and other members of the committee, or to the majority of those who are present here, I do not see why it can

not be enacted here as well as in a bill under preparation now before the Committee on Immigration.

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

Mr. McLAUGHLIN of Michigan. Yes.

Mr. HOLADAY. I am in full accord with the purpose of the gentleman's amendment. The Committee on Immigration has been working on this very question, and the bill is almost ready to report.

There is one point I notice in the reading of the gentleman's amendment which it appears to me is not taken care of, and that is as to when the order of deportation shall take effect.

Mr. McLAUGHLIN of Michigan. I provide that he shall be forthwith deported.

Mr. HOLADAY. What about a man convicted of murder?

Mr. McLAUGHLIN of Michigan. He is not finally convicted until the entire proceeding is had by appeal and otherwise to determine finally his guilt.

Mr. JOHNSON of Washington. The gentleman wants him to serve his sentence?

Mr. McLAUGHLIN of Michigan. The amendment provides "in lieu of or in addition to the punishment that may be imposed," and only if the court shall so determine, the immigrant shall be deported.

Mr. JOHNSON of Washington. We can not afford in an immigration act to provide deportation as the sole punishment, or there will be cases where you will have men violating the Constitution and laws, to the extent of committing murder, in order to get themselves deported. That is quite positive. It has been the case in Western States in my experience, where they did not know that before they would be deported they would have to serve a term in the penitentiary.

Mr. McLAUGHLIN of Michigan. The amendment I have drafted covers that. I do not care to hasten matters; I do not care to force it on the committee; but it is very proper for the Committee of the Whole to consider it. I believe it is very important.

Mr. HOLADAY. I fully agree with the gentleman that it is important, but I believe that the amendment as introduced is not full enough, especially upon the point as to when the order of deportation shall take effect. I do not think the gentleman would want to provide for the deportation of a man who had committed murder.

Mr. McLAUGHLIN of Michigan. I would; yes.

Mr. HOLADAY. Before his sentence?

Mr. McLAUGHLIN of Michigan. It could be in addition to the sentence. Of course, there are States where the death penalty follows conviction for murder, in which case there would be sufficient deportation.

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

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. RAKER. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for five minutes.

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

Mr. McLAUGHLIN of Michigan. Yes.

Mr. RAKER. I call the gentleman's attention to this: This matter is on the calendar in the committee and the next thing in order after this bill is disposed of is that matter. I know that if the gentleman will study his amendment he would let it go over and let the committee act upon it.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan to proceed for five minutes more?

There was no objection.

Mr. RAKER. The amendment provides—

If such felony or misdemeanor involves a violation of the Constitution of the United States—

Mr. McLAUGHLIN of Michigan. Yes; if it involves a violation of the Constitution of the United States.

Mr. RAKER. Let me call the gentleman's attention to the fact that that would not cover the Volstead Act.

Mr. McLAUGHLIN of Michigan. Why not?

Mr. RAKER. Because that is an act of Congress.

Mr. McLAUGHLIN of Michigan. Surely; but the sale and manufacture of liquor is expressly forbidden by the Constitution of the United States.

Mr. RAKER. There is no law making it a crime to violate the Constitution. It is a crime to violate the provisions of the Volstead Act.

Mr. McLAUGHLIN of Michigan. A violation of the Volstead Act involves a violation of the Constitution itself.

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

Mr. McLAUGHLIN of Michigan. Yes.

Mr. VAILE. The gentleman's amendment would not take care of violations of the narcotic act. That is not a violation of the Constitution of the United States.

Mr. HOLADAY. It would not take care of anything but treason.

Mr. MILLER of Washington. It would not take care of larceny.

Mr. McLAUGHLIN of Michigan. That is a State matter. It is in my mind that it is the duty of the United States to take care of the violations of Federal laws. I had chiefly in mind the prohibition act, because we hear on all sides, and the reports are to be credited, that a large number of the violations of the Volstead Act are by unnaturalized foreigners, and I think if the fear of God be put into their hearts, if there was before them the imminent danger of deportation, it would have a deterrent effect.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. OLIVER of Alabama. There seems to be a very unanimous sentiment in favor of the general purpose the gentleman has in mind in offering the amendment, and the committee seems to object to it upon the ground that they are now considering a law of this kind. What assurance, may I ask, has the committee that that will really be allowed to come up at an early date?

Mr. JOHNSON of Washington. It is the order of business on the committee's calendar, and is the next thing to be attended to.

Mr. OLIVER of Alabama. When does the committee have a call?

Mr. JOHNSON of Washington. Our regular call is Thursday, but we meet nearly every day. If the gentleman will remember—he was in a previous Congress—a bill to provide for the deportation of certain offenders against the narcotic and liquor laws did pass the House. It did not pass the other body. It was never debated on the floor of the other body, but our committee learned that the flaw in the bill that we passed was that we did not provide for conviction in a court of record.

Mr. OLIVER of Alabama. The gentleman from Michigan probably has in mind that unless it is put on this bill it may not become a law.

Mr. McLAUGHLIN of Michigan. I wish to say a word or two more; I do not wish my time all taken up. Mr. Chairman, I must admit that the amendment I have offered was somewhat hastily drawn. It may not be properly worded; it may be too inclusive or not inclusive enough. I do not care to press it if I can be assured, and I believe others wish to consider it if they can be assured, that language covering this very important matter carefully drawn will at an early time be brought before the House.

Mr. RAKER. It is the next bill from the Committee on Immigration.

Mr. McLAUGHLIN of Michigan. That being the case, I ask unanimous consent to withdraw the amendment.

Before this time I have been listening, have not spoken on the pending immigration bill, not because of lack of interest, but because of the unusually large demand by others for time to speak, many of whom are better able than I to give the House information it evidently so much wishes to have.

I am and for years have been deeply interested in the subject of immigration, although I am pleased to say the State from which I come, particularly the district I represent, is and has been fortunate in the character of its immigrants. We are to a large extent, if not altogether, free of conditions which, if we credit speeches we listen to, as well as newspapers and magazines we read, are very unfortunate in some parts of the country and call for prompt and firm action by our Government, looking to the correction, if possible, of those conditions and prevention of their recurrence.

I am prompted to speak because some speeches made here have attracted my serious attention, as they must challenge the attention of others who, like myself, are unprejudiced and whose only wish and purpose is to influence, by votes and otherwise as they may be enacted relating to this very important matter.

Speeches attracting my attention, and of which I wish briefly to speak, are those which set forth the strange but not entirely new doctrine that people of foreign countries wishing to come to this country have a right to come; that while our Government has some more or less limited and indefinite right to regulate their coming, it has no right to prohibit it or materially to restrict it; that our immigration laws not only ought to be

but must be such as will provide equal opportunity for peoples of all foreign countries to come without any kind of discrimination, certainly without any right on our part to express an opinion or to make a selection of or as to those who can be or can not be admitted.

It is only fair to say that those who make the kind of speeches to which I refer do not, in so many words, assert the right of foreign citizens to come to our country regardless of our duly expressed wishes, nor do they, in so many words, deny to our Congress the right to enact immigration laws with regulatory and restrictive provisions, but they do say, and seem to believe, that such provisions must apply alike to peoples of all countries and in their practical operation must be acceptable to all; and they boldly assert that our Government has no right to exclude the people of any country. Strangely enough they say nothing of our policy of exclusion of the Japanese and the Chinese. If they have heard of that policy it is safe to say they approve and commend it.

There are comparatively few Japanese or Chinese in some congressional districts, and such as are domiciled there do not vote, whereas there are large numbers of European immigrants, most of whom sooner or later become American citizens and vote as their interests and the interests of their people seem to require.

These speeches do not openly deny the right of our Congress to enact immigration legislation, but the tone and evident purpose of many of them are such as to evidence a deliberate attempt to overcome and remove from our minds the old-fashioned, deep-seated conviction which many of us have that the right to regulate, restrict, or to prohibit immigration, even to the extent of permitting and encouraging immigration from one country while refusing like privileges to others, or to provide a system of selective immigration which might not be entirely satisfactory to any foreign country, is inherent in our Government in the exercise of its rights as a sovereign Nation, a right which must under no circumstances be denied, a right which under no circumstances is a joint right to be shared with or the exercise of which is dependent upon the wishes or interests of governments or peoples of other countries. This is indisputably a right of our Government, to be expressed and made effective by the Congress, and with this right is the duty of the Congress to act always and only in the interest of and for the protection of our own Government and our own people.

The time seems to have come when it is necessary for our Government to emphasize the indisputable fact that enactment of immigration laws in our own interest and for our own protection is its right and duty.

Peoples of foreign countries have come and will undoubtedly be permitted to come to our country, not at any time or in any sense as a matter of right, but as a privilege extended to them by our Government under laws enacted and to be enacted by the Congress, a privilege which may be modified and, if seems advisable or necessary, may be withdrawn.

While the right of the Congress to enact immigration laws which do not meet the wishes or the needs of peoples of other countries is not openly or directly questioned, it is very strenuously and evidently in good faith asserted that the Congress has no right to discriminate in favor of the people of one country and against those of another country; that any right or privilege relating to immigration extended by our Government to one or more countries must be extended to all others.

The position of those who make that assertion is untenable. The fact is, the Congress has a perfect right to exercise the very power which these speakers so vigorously would deny to it. It has a perfect right to discriminate, and if conditions in this country or in foreign countries are such as to make it necessary, in the judgment of the Congress, to do so, it is its duty to discriminate. If the Congress shall so determine, the very purpose of an immigration law may be to discriminate; and in expressing this determination it is the duty of the Congress to consider and have in mind the interests, the present and future welfare, only of our own country and its people.

It is frankly admitted by all whose duty it is to consider immigration measures that discriminatory features are exceedingly disagreeable and that inclusion of them in an immigration law ought if possible to be avoided; that is, as far as conditions in our country and in foreign countries permit. It is and always will be unfortunate if it shall be deemed necessary by the Congress to enact laws which extend privileges to one country while denying them to another.

The purpose and effect of all laws of our Government relating to foreign governments and their citizens ought, as far as possible, to be free of discrimination in favor of or against any of them; but as to our immigration, there is no room for doubt as

to the right as well as the duty to discriminate at any time and to any extent the Congress shall deem necessary.

It has been said that in many of the treaties our Government has entered into with foreign governments it promises and agrees not to discriminate respecting immigration and that discriminatory features of this bill are contrary to the terms of such treaties. The fact is that every treaty in which any limitation of our right to discriminate is assumed by or imposed upon our Government relates to trade and commerce; in no treaty is there any limitation whatever of our right to discriminate as to immigration.

It is not necessary, in this connection, to speak of the remarkable results of immigration, as it has contributed to and influenced the growth and development of our country. Immigrants imbued with and carrying out their worthy purpose of becoming loyal American citizens have been welcome, and the helpful influence they have exerted and the value of the contribution they have made can not be overestimated. But conditions in some foreign countries inducing emigration to this country are in some respects different from those existing during the years when emigration from those countries to ours was highly desirable and eminently satisfactory and helpful from our standpoint. If conditions as they now exist make it advisable and necessary for the Congress to enact a law to regulate and restrict immigration, it is justified in enacting such a law and to provide for its strict enforcement. And such a law being necessary, the Congress ought to act without delay.

Why do I say that? It is evident that some features of the bill we are considering are distasteful to and are vigorously opposed by those who assume to express the sentiment of States and districts in which there are large numbers of foreign voters; that is, voters of foreign birth and descendants of men and women who came from foreign countries. If that sentiment, expressed here and elsewhere, influences the form and effect of regulatory and restrictive provisions to be written into this bill, if that is now the condition of affairs, when, at what time in the future, do you believe the Congress will be able to enact a law, if such a law shall be advisable or necessary, uninfluenced by considerations of political expediency such as now threaten to interfere with the passage of this bill?

As time goes on do you believe these unfortunate conditions, due to some extent to unrestricted immigration, will improve and disappear? Do you not know that without a properly restrictive immigration law properly enforced such unfortunate conditions as now exist will continue and continue to get worse?

I am not now expressing an opinion as to the necessity of enacting into law this bill or any of its restrictive features. The bill will be fully discussed and carefully examined by the House, and we shall later be better able than we are now to express an intelligent opinion.

I am speaking now only of the indisputable right of the Congress to enact this bill into law if, after full consideration, it shall determine to do so, and of the duty of the Congress to consider the present and future welfare of the people of the United States and of no other country. And I wish to repeat and to emphasize my belief that if a more restrictive law than we now have is necessary, this Congress ought to enact it, enact it now, because enactment at a later time, although necessity of such a law may be even greater than now, will be more difficult and may be impossible.

The bill is now being read section by section for debate and amendment. I shall, if opportunity offers, speak further of some features of it that are causing discussion and much difference of opinion here and throughout the country.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to withdraw the amendment. Is there objection?

Mr. SABATH. I object for the purpose of speaking to the amendment.

The CHAIRMAN. The gentleman from Illinois rises in opposition to the amendment.

Mr. SABATH. Mr. Chairman, I do so in order that I may impress upon you the fact, namely, that section 19 of the immigration law that is now in force provides the following:

Any alien who is hereafter sentenced to imprisonment for a term of one year or more because of conviction in this country of a crime involving moral turpitude, committed within five years after the entry of the alien to the United States, or who is hereafter sentenced more than once to such a term of imprisonment because of conviction in this country of any crime involving moral turpitude, committed at any time after entry; any alien who shall be found an inmate of or connected with the management of a house of prostitution or practicing prostitution after such alien shall have entered

the United States, or who shall receive, share in, or derive benefit from any part of the earnings of any prostitute; any alien who manages or is employed by, in, or in connection with any house of prostitution or music or dance hall or other place of amusement or resort habitually frequented by prostitutes, or where prostitutes gather, or who in any way assists any prostitute or protects or promises to protect from arrest any prostitute; any alien who shall import or attempt to import any person for the purpose of prostitution or for any other immoral purpose; any alien who, after being excluded and deported or arrested and deported as a prostitute, or as a procurer, or as having been connected with the business of prostitution or importation for prostitution or other immoral purposes in any of the ways hereinbefore specified, shall return to and enter the United States; any alien convicted and imprisoned for a violation of any of the provisions of section 4 hereof; any alien who was convicted, or who admits the commission, prior to entry, of a felony or other crime or misdemeanor involving moral turpitude; at any time within three years after entry, any alien who shall have entered the United States by water at any time or place other than as designated by immigration officials, or by land at any place other than one designated as a port of entry for aliens by the Commissioner General of Immigration, or at any time not designated by immigration officials, or who enters without inspection, shall, upon the warrant of the Secretary of Labor, be taken into custody and deported.

So we have a very strong provision in the present law. I want to call your attention to the fact that there is a very stringent deportation provision in this section of the present act, and I do not desire to take up the time of the committee now by reading the entire provisions of that act.

Mr. McLAUGHLIN of Michigan. I want to say that I hope the gentleman's committee feels as I do, that some additions to this provision are necessary.

Mr. HUDSON. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. Does the gentleman from Illinois yield for a parliamentary inquiry?

Mr. SABATH. I yield to the gentleman from Alabama [Mr. OLIVER].

Mr. OLIVER of Alabama. In view of the very great interest the House seems to feel upon this question, it may not be out of place to suggest to the gentleman from Illinois that the Department of Labor informed the subcommittee who are handling the appropriations for the department that the appropriations which have been approved by the Budget were entirely inadequate to deport many who should be deported; that to deport many that they would like the funds are inadequate. I make that mention because the bill will come up next week and the House will consider it.

Mr. SABATH. I will say it is unfortunate, indeed, that the department takes that position and say we do not appropriate enough money to deport all those who should be deported, and I am ready to vote with the gentleman or any of the committee to enforce any and every section of this law.

Mr. TINCHER. Will the gentleman yield?
Mr. SABATH. I yield to the kind gentleman from Kansas.
Mr. TINCHER. Does not the gentleman think the best way to be sure to have enough money to carry on the deportation business is to be more careful in a selection of those whom we import?

Mr. SABATH. That is what I am trying to do, if I can make myself understood; that is what I am trying to do.

Mr. HUDSON. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. HUDSON. Do I understand, if we pass this section over to-night, that the amendment that some gentlemen would like to see in it would be precluded by so doing?

The CHAIRMAN. If the section is passed over, it can only be returned to by unanimous consent.

Mr. HUDSON. It seems to me we are allowing the matter to go over on the assurance of the committee that they are going to bring in a bill covering the subject.

The CHAIRMAN. The Chair will state the parliamentary situation. The gentleman from California has made a point of order on this amendment. The gentleman who offered the amendment asked unanimous consent to withdraw it, and it was refused.

Mr. SABATH. I withdraw my objection.
The CHAIRMAN. The question now before the Chair is to rule on the point of order.

Mr. RAKER. The gentleman from Illinois withdraws his objection to the unanimous consent.

The CHAIRMAN. The gentleman from Illinois withdraws his objection, and the question is, Is there objection to the withdrawal of the amendment? [After a pause.] The Chair hears none. The amendment is withdrawn, and the Clerk will read.

Mr. ASWELL. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Amendment offered by Mr. ASWELL: Page 20, line 15, after the figures "1917," insert four new sections as follows:

"Sec. 13 (a). The Secretary of Labor shall from time to time in cooperation with the various States and Territories desiring or in need of immigration collect and publish for distribution in foreign countries information concerning the resources, products, and physical characteristics of each such State or Territory and the opportunities for profitable employment existing therein, and such other information as will enable consular officers to select immigrants of the class and occupation needed and who are qualified by education, training, or previous experience to meet the necessary requirements. The publication herein provided for shall be in the language of the country where distributed, and shall be in such form as shall by regulations be prescribed. Consular officers shall post such information in public or other places or otherwise distribute the same in such manner and to such extent as will bring the information to the notice and attention of prospective immigrants.

"Sec. 13 (b). Consular officers shall give preference in the issuance of immigration certificates to such immigrants as are of the class or occupation desired by any particular State or Territory as set forth in the publication provided for in section 15 and who signify an intention to go to the designated place in such State or Territory where immigration of such class or occupation is desired for the purpose of engaging in the needed occupation, and who shall in writing agree to such conditions as may by regulations be prescribed to insure that the immigrant will in good faith engage in such occupation in such place in such State or Territory and otherwise carry out the intent and purposes of this and the preceding section."

Mr. RAKER. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. RAKER. When a section of an amendment has been read and you get down to the point where it is shown that it is clearly not in order and not germane, is it necessary to read the whole amendment?

The CHAIRMAN. It is only necessary to read a sufficient amount to show that the amendment is not germane. The Clerk will continue to read.

The Clerk read the remainder of the amendment, as follows:

"Sec. 13 (c). The written agreement provided for in section 13 (b) hereof shall be executed in duplicate, the original of which shall be delivered by the immigrant to the immigration officer in charge at the port of arrival, who shall make such notation thereon and such disposition thereof as shall by regulation be prescribed. Upon his arrival at his final destination the immigrant shall deliver the duplicate of said agreement to the postmaster located at such place or place nearest thereto, who shall indorse thereon the date and place of immigrant's arrival and forthwith forward the same to the Bureau of Immigration.

"Sec. 13 (d). Immigrants given preference as provided in section 13 (b) hereof shall, on or before the 15th day of each month after their arrival at their final destination in the United States and for such period as may by regulations be prescribed, personally deliver to the postmaster of the place where such immigrant resides a report in writing in such form and containing such information as may by regulations be prescribed, which report shall be immediately forwarded by such postmaster to the Bureau of Immigration; and any such immigrant who willfully refuses or neglects to so deliver such report for more than three successive months, or who willfully fails or refuses to comply with the terms and conditions of the written agreement executed by him under section 13 (b), or who, without the consent and approval of the Secretary of Labor, abandons the occupation specified in such agreement and engages in another, or who without such consent and approval is absent from the State or Territory therein specified continuously for more than six months, or without such consent and approval establishes his residence in another State or Territory, shall at any time thereafter be deported in accordance with sections 19 and 20 of the immigration act of 1917 at the expense of the appropriation."

Mr. RAKER. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from California reserves a point of order on the amendment.

Mr. ASWELL. Mr. Chairman and gentlemen, the provisions of this amendment are in part the immigration laws of Canada. The title of this bill is "To limit the immigration of aliens into the United States, and for other purposes." In my opinion, this amendment is the crux of this bill. If you are concerned first of all, as most of us have claimed to be, in the welfare of the American people, you will vote for this amendment.

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

Mr. ASWELL. In a minute. It is my humble opinion—and I have gone through this bill with two experts—that if adopted as it stands, with its ratholes, the nonquota immigrant provision, and the other exceptions, it will admit into the United States annually not fewer than 500,000 immigrants. Under the recent decisions of the Supreme Court, with the enactment of this bill—and I shall vote for it, though it can not be amended—immigrants who came to this country 10 or 20 years ago forgetting all about their wives and children can now bring them to the United States under the nonquota immigrant clause.

You will find that there will be admitted to the United States, without selection, at least from 200,000 to 300,000 non-quota immigrants, while the country believes that it will limit immigration to 2 per cent on the census of 1890, as has been advertised. I shall not object to the number if you will put into this bill a provision that will select and distribute these immigrants throughout the United States among the industries in which they are needed to do the work for which they are fitted, and to which they are accustomed.

Somebody may immediately say that this amendment violates existing law. This question is of such superlative importance to the American people that, in my opinion, we would be amply justified in modifying or repealing any law that might be in conflict with this amendment. I believe that this amendment would be a most important part of this bill and the most far-reaching and beneficial step that the American Congress has ever taken in the interest of the welfare of the American people. I believe if you will read it carefully, your unanimous opinion will be that it ought to be adopted, and I believe if the question was left to the American people, 70 per cent of the people of the country would vote for just such an amendment as this.

The people of the country want the Congress to shut out and keep out all except the man who proves to the American officer on the other side that he seeks to work and is eager to become an American citizen—ready as such to support and perpetuate the institutions, not those transplanted from Europe but of this Republic.

Mr. RAKER. Just one word, Mr. Chairman, not on the point of order but on just the other feature. The gentleman's amendment would, notwithstanding Article XIII of the Constitution of the United States, permit and authorize slavery. The Supreme Court of the United States has repeatedly rendered decisions on that question. The last decision on that question was rendered by Mr. Justice Hughes. If you put a man in a certain place and keep him there and make him stay there you impose upon him virtual slavery.

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

Mr. RAKER. I yield for a question.

Mr. ASWELL. There is nothing in this amendment that suggests slavery or punishment. It merely arranges with the immigrant on the other side to do a certain thing. If he decides not to do it he either must get permission from the Secretary of Labor not to do it or he goes back home.

Mr. RAKER. It is the old doctrine respecting the man who agrees to stay with you, but this agreement does not allow you to deny him a volition.

Mr. ASWELL. This does not do that, as anyone who reads it can readily see.

Mr. RAKER. I say it does. He can not go from State to State, and if he does he is deported.

Mr. ASWELL. He goes at will, but under the authority of the Secretary of Labor.

Mr. RAKER. It is involuntary slavery so plain and clear that it does not require the citation of any decisions on the question. I make the point of order against the amendment.

Mr. ASWELL. I ask the gentleman not to make a point of order, and let us discuss it and have a vote on it.

The CHAIRMAN. Does the gentleman from California withdraw his point of order?

Mr. ASWELL. The gentleman from California is mistaken on the point of servitude, because if he had read the amendment correctly he would see that it provides that the applicant on the other side, seeing the attractive fields of opportunity here, agrees to go to a certain section voluntarily, which he selects from the advertising matter sent to him; and if he does not keep his agreement, he can be deported. He is allowed to select the place and go where he pleases, but the Government should have authority to keep track of him and see to it that he becomes not a charge upon the State but a contributing citizen. It is clearly the duty of the Congress to thus protect our Government and our own people for our own defense. It will be the greatest possible blessing to the alien in America. Several

gentlemen on this floor have argued eagerly all day, not for the American people but for the alien. Now is your chance to aid the alien, whom you seem to represent here.

Mr. LAGUARDIA. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. LAGUARDIA. The section under consideration provides for the deportation of aliens. The gentleman's amendment as an amendment to this section does not relate to deportation at all, but relates to the importation of aliens and to advertisements soliciting the importation of aliens.

Mr. ASWELL. You will find it deals with the deportation and immigration of aliens.

Mr. LAGUARDIA. It can not be connected in any way with section 13.

The CHAIRMAN. The Chair is ready to rule. The amendment offered by the gentleman from Louisiana [Mr. ASWELL] is composed of four or five different sections dealing with the question of advertisements in the different foreign countries with respect to prospective immigrants, and dealing subsequently with the conduct of the immigrants who are admitted to this country.

The point of order is sustained.

The Chair is of the opinion that the amendment is not germane to the point in the bill at which it is offered, and the point of order is sustained.

Mr. ASWELL. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. ASWELL. Is any one of the four sections germane?

The CHAIRMAN. The Chair will decide that question when it is presented to him.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 20, line 8, after the word "time," insert the words "within five years."

Mr. LAGUARDIA. Mr. Chairman, I want to appeal to the committee for their attention just a moment. There is no crime in any jurisprudence but what a statute of limitations is fixed, and it occurs to me that the purpose of keeping a possible deportation indefinitely open—

Mr. JOHNSON of Washington. We will save time on this. This does not deal with crime at all; this is deportation for having been found, at the time of entry into the United States, not to be entitled to enter the United States under the act.

Mr. LAGUARDIA. Exactly. For the purposes of comparison, even if a man commits a heinous crime there is a statute of limitations providing for a time after which you can not indict him. It seems to me that if a man enters unlawfully and you give the Government five years' time in which to deport that man, you have surely given sufficient time, and I do not think you want to hold that over his head for 15 or 20 years, or even longer. Such a man is permanently established in this country, and I am sure the gentleman from Washington believes this is too severe.

Mr. JOHNSON of Washington. No; because, when this is perfected, no person will come here without one of these certificates, not a single person, and that being the case, no person can be found here without having a certificate to his credit in the Department of Labor showing his right to be here.

Mr. LAGUARDIA. If that is true, why do you provide for the deportation of an alien at any time, say, 15, 20, or 25 years?

Mr. JOHNSON of Washington. I will tell the gentleman why. Among other things, the reason why is that we now have 10,000 requests in the Labor Department from men who are asking for nunc pro tunc consideration; they want to have it said that they arrived properly in the United States and, as I say, there are 10,000 such requests. They want to be the voters of the United States; yet the supposition is that they came in surreptitiously, and the ones who came in surreptitiously are the first ones who want to have the record made clean, and are asking for that determination.

Mr. LAGUARDIA. The gentleman from Washington will not charge they are not law-abiding citizens?

Mr. JOHNSON of Washington. No; but there is some flaw in the way they came into the country.

Mr. LAGUARDIA. Let us assume that to be true for the sake of argument only, namely, that there is some flaw in the manner in which they entered the country. They have been here, some of them, for 10, 15, and 20 years, and they have been peaceful, law-abiding citizens, and that being so, why do you want to enact a provision whereby, 15 or 20 years afterwards, they can be picked up and sent back?

Mr. JOHNSON of Washington. This paragraph does not apply to that at all.

The CHAIRMAN (Mr. CHINBLOM). The time of the gentleman has expired. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. LA-GUARDIA].

The amendment was rejected.

The Clerk read as follows:

MAINTENANCE OF EXEMPT STATUS

SEC. 14. (a) The admission to the United States of an alien excepted from the class of immigrants by clause (2), (3), (4), or (6) of section 3, or declared to be a nonquota immigrant by subdivision (e) or (g) of section 4, shall be for such time as may be by regulations prescribed, and under such conditions as may be by regulations prescribed (including, when deemed necessary, the giving of bond with sufficient surety, in such sum and containing such conditions as may be by regulations prescribed) to insure that, at the expiration of such time or upon failure to maintain the status under which admitted, he will depart from the United States, together with, in case of an immigrant admitted as a skilled laborer under subdivision (e) of section 4, his wife and children admitted as nonquota immigrants under subdivision (f) of section 4.

(b) For the purposes of this section the marriage of an immigrant ineligible to citizenship admitted as a student under subdivision (g) of section 4 shall be considered to be a failure to maintain the status under which admitted.

Mr. SABATH. Mr. Chairman—

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. SABATH. Of course, again I will be criticized by some of my friends for calling attention to this provision. On page 7, in section 4, we permit—

Mr. LITTLE. That is the one I had in mind.

Mr. SABATH (continuing). The importation of skilled labor when such labor can not be found in the United States. I understand that during the last year there were about 3,000 or 4,000 skilled mechanics permitted to come outside of the quota provision. Now, some of these men, by chance, are married men, and we give them the privilege, of course, of bringing their wives and their children; but if for any reason after a few years such skilled mechanic or laborer loses or quits that employment he is obliged to depart. Now, the provision to which I have reference provides that if he does depart, as he is obliged, that his wife and his children—whom we have permitted to come—must also depart with him.

Now, it might be that such a man might be here three or four years and he might have a child or two born in the United States. Notwithstanding that fact, however, under this provision, as I understand it, he would have to depart with his wife and children. Of course, he could leave his minor children, 2 or 3 years old, here and they would not be subject to deportation. I appreciate that, but as I read it, I am of the opinion that is what will be done and will have to be done in such cases, under this provision, unless the Secretary of Labor or the people who have charge of the enforcement of the law fail to do their duty, as it is continuously charged they are failing to do it.

Mr. VAILE. Will the gentleman yield?

Mr. SABATH. Yes.

Mr. VAILE. I want to call attention to the fact that only those would be required to go out who have been admitted as nonquota immigrants.

Mr. SMITH. Yes.

Mr. VAILE. And it is a matter discretionary with the Secretary, in any event.

Mr. SABATH. I say that under that provision I think they would have to be deported. But realizing that the gentleman from Colorado is a student and a deep student—

Mr. VAILE. I thank the gentleman.

Mr. SABATH (continuing). And knows each and every provision of the law so thoroughly, I hope he will give the proposition a little bit of his time and inform the House, as well as myself, as I am rather dull in understanding some of these provisions, whether my contention is right, and whether I am right or whether I am wrong. I hope I am wrong. Of course, I understand that the children born of men in the United States will not be subject to deportation, but I would like to be informed as to whether the wife of such a man and his other children, who have been admitted under that other clause, would have to be deported or not.

Mr. VAILE. If the gentleman asks me, I think the gentleman is straining at a gnat. Of course, they would not be deported.

Mr. SABATH. How do you construe the provision when you say they would not be deported? Do you do so as a lawyer or member of the Immigration Committee?

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

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kansas is recognized in opposition to the motion to strike out the last word.

Mr. LITTLE. I rise to ask a question of the Chairman. On page 21 I find a section which refers back to page 7. On page 7 I find that an immigrant who is a bona fide student over 18 years of age can come to this country and go to college. On page 21 I find that for the purposes of this section the marriage of an immigrant ineligible to citizenship admitted as a student shall be considered as a failure to maintain the status under which she was admitted. That would deport the lady, would it not?

Mr. JOHNSON of Washington. No; it would deport the man.

Mr. LITTLE. Suppose she marries a good American citizen and has a baby. What becomes of this baby?

Mr. JOHNSON of Washington. In actual deportation cases the child goes with the parents.

Mr. LITTLE. This child is an American citizen.

Mr. JOHNSON of Washington. That is all right. Under all laws in regard to nationality of the various countries a presumption is made. Of course, the child born here is an American citizen. I will tell the gentleman of a case we had very recently. We had the case of a man born in Ireland who got into some trouble on account of a crime committed in one of the western States. On his way to the United States, however, he stopped three years in Canada, and two children were born there to his wife. He had two when he came from Ireland, and he brought the two Irish and two Canadian children on to the United States, where his wife had two more children. Then this fellow got into the penitentiary and the case got to a point where the Federal Government desired to deport him. Ireland would not take him because, they claimed, he had been domiciled in Canada. Canada would not take him because they have a very peculiar law as to domicile, and none of them would take him because he had the two American children, and he is still on our hands.

Mr. LITTLE. This boy baby may some day be President. What becomes of the American Constitution, if you can deport an American citizen?

Mr. JOHNSON of Washington. You can not deport the child, and if the mother elects to go out of the country and take the child, that child is not deported.

Mr. SABATH. But what will you do with the child if the father and mother are deported?

Mr. LITTLE. Mr. Chairman, I would like to ask the gentleman another question.

Mr. QUIN. Mr. Chairman, I would like to know whether the gentlemen are holding a private conversation over there or whether we are considering the bill.

Mr. LITTLE. I would like to ask the gentleman what becomes of the child unborn?

Mr. JOHNSON of Washington. It travels out with the mother, probably.

Mr. LITTLE. The father is an American. Suppose he seeks to restrain deportation on the ground that the baby would not be an American if his mother is deported, and he is born abroad? If the baby is in arms and must have his mother, can you deport the mother; and if so, what becomes of the future President? I am not sure that this business is constitutional.

Mr. FREE. This only applies to ineligible citizens.

Mr. MILLS. Mr. Chairman, I move to strike out the last two words. I would like to ask the chairman of the committee whether paragraph (b) of section 14 would not have to come out of the bill in the event the committee decides to strike out the section with reference to immigrants ineligible for citizenship?

Mr. JOHNSON of Washington. Of course, this applies to that provision, but it would not necessarily have to come out. There are other cases that might be affected by this language.

Mr. RAKER. I would like to call the gentleman's attention to Koreans, Hindus, Chinese, Malays, and all others of that class. This is put in here to let everybody come in who wants to go to school; but let them attend to their school business, and when they get ready to raise families, let them go home.

Mr. MILLS. But if the section with reference to those ineligible for citizenship went out of the bill, would not that necessarily require the amendment of this particular subdivision?

Mr. JOHNSON of Washington. I think not.
The Clerk read as follows:

PENALTY FOR ILLEGAL TRANSPORTATION

SEC. 15. (a) It shall be unlawful for any person, including any transportation company, or the owner, master, agent, charterer, or consignee of any vessel, to bring to the United States by water from any place outside thereof (other than foreign contiguous territory) (1) any immigrant who does not have an unexpired immigration certificate, or (2) any quota immigrant having a certificate specifying him as a nonquota immigrant.

(b) If it appears to the satisfaction of the Secretary that any immigrant has been so brought, such person, or transportation company, or the master, agent, owner, charterer, or consignee of any such vessel, shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of \$1,000 for each immigrant so brought, and in addition a sum equal to that paid by such immigrant for his transportation from the initial point of departure, indicated in his ticket, to the port of arrival, such latter sum to be delivered by the collector of customs to the immigrant on whose account assessed. No vessel shall be granted clearance pending the determination of the liability to the payment of such sums, or while such sums remain unpaid, except that clearance may be granted prior to the determination of such question upon the deposit of an amount sufficient to cover such sums.

(c) Such sums shall not be remitted or refunded, unless it appears to the satisfaction of the Secretary that such person, and the owner, master, agent, charterer, and consignee of the vessel, prior to the departure of the vessel from the last port outside the United States, did not know, and could not have ascertained by the exercise of reasonable diligence, (1) that the individual transported was an immigrant, if the fine was imposed for bringing an immigrant without an unexpired certificate, or (2) that the individual transported was a quota immigrant, if the fine was imposed for bringing a quota immigrant whose certificate specified him as being a nonquota immigrant.

Mr. JOHNSON of Washington. Mr. Chairman, I offer a committee amendment to perfect the text.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. JOHNSON of Washington: Page 21, lines 18 and 19, strike out the word "specifying" and insert in lieu thereof the words "the visa in which specifies."

Mr. SABATH. Mr. Chairman, I rise in opposition to the amendment for the purpose of asking a question of the chairman. What will this amendment do?

Mr. JOHNSON of Washington. This amendment is made necessary on account of the plan to change the certificate to the application which, when viséed, becomes a certificate. It does nothing but perfect the text to accomplish that purpose.

The CHAIRMAN. The question is on the committee amendment.

The question was taken, and the committee amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I have another amendment of similar import to the same section.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. JOHNSON of Washington: Page 22, line 21, after the word "immigrant" insert the words "the visa in."

Mr. SABATH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I really do not know, but I presume the amendment is all right and means to perfect the provision; but what I desire to do is this: I do not want to do anything that might aid specially the British Steamship Co. I picked up to-night the Washington Times, and on the first page I see that the British company and various subsidiaries are getting control of many American industries in the United States, including the oil industry; and knowing that they have nearly complete control of the steamship business, I am not ready to give them any more than I can possibly help.

I know in the last two years I have called attention of this fact to the Department of Commerce and the Department of State, that the British lines were securing all the steerage passengers, that they were advertising that people could come to Canada and then it would be easy for them to penetrate into the United States.

They have caused a great deal of hardship through misrepresentation and false pretenses. Some of the steamship companies between Great Britain and Canada have brought

thousands of people over there who were made to believe that they could enter the United States through Canada, and then they were left stranded in Canada. I think it is manifestly inhumane and unfair and unjust that we should in any way help, aid, or assist in such practice. It is for that reason that I have risen to bring this home to the membership of the House.

In connection with that I want to say that I can not quite grasp, I can not quite understand, how it is possible in the year 1923 that we should receive from Canada alone 117,000 immigrants, and in the first nine months of 1924 we should receive 163,000 immigrants from Canada. I do not think they are all Canadians. I think there is something wrong somewhere. If it is all on the square, if they are all Canadians and there are 163,000 arriving in nine months I want to ask whether that meets with the approval of this House?

Mr. QUIN. I would like to ask the gentleman how we are going to visé the passports of British ships?

Mr. SABATH. I do not know what system they use in England in bringing people to Canada. I have explained that they have misled many immigrants in getting them on their ships from Great Britain into Canada.

Mr. QUIN. They have got to stay in Canada; they can not come into the United States.

Mr. SABATH. They have promised the people that they can enter the United States after they once reach Canada.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SABATH. I take the leave to insert the article from the Washington Times I referred to.

FOREIGN OIL COMPANIES USE UNITED STATES AS CAT'S-PAW—AMERICANS GUARD AS OTHERS FILCH—BRITISH COMPANIES, THROUGH SUBSIDIARIES HERE, GET PROTECTION OF EAGLE AND LION

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(By Jonathan Wickwire)

Threatening as are the facts of the alien invasion in the American petroleum industry heretofore disclosed, their significance is of but picayunish importance compared with the possibilities—they came near to flaming actualities but recently—of national undoing that lie in the facts yet to appear.

The main fact is that foreign oil interests, through the medium of their camouflaged American subsidiaries, can and do influence the foreign policy of the United States—did help to influence it but lately, almost to the point of war upon Mexico.

MONEY FOR PROPAGANDA

Americanized units of foreign oil companies and domestic concerns with foreign contracts have been liberal contributors, as their officials have been active workers in those propaganda agencies which, with former Senator Albert B. Fall as their principal governmental mouthpiece, lavished fortunes of time, effort, and money to influence this Government and people in its attitude toward Mexico; to accept the blackmailing Colombian treaty; to protest mining laws restrictive of their rapacity in Central America, the Islands of the Caribbean, Venezuela, and other South American countries.

Dutch-Shell, Anglo-Persian, Cowdray, among the greatest foreign monopolists, not to mention numbers of the smaller fry, throughout the most troublous period of our relationship with Mexico were represented substantially in the membership of those various "American" agencies that were pressing hardest for a "firm and aggressive" American solution of the Mexican problem, which later were most active in driving the Colombian treaty through the Senate, spending untold sums to create a public opinion which, if not exactly favorable, at least would remain quiescent while the deal was being put through.

A HANDY CAT'S-PAW

Uncle Sam is a handy cat's-paw to claw out rich concessions from the weaker nations of this hemisphere and to threaten with if disturbance of their feast is feared. Even further afield they see it of potential influence, it appears.

Take the case of Kern River Oil Fields (Ltd.), a £1,500,000 British company, mentioned earlier as operating in the United States through California subsidiaries. The Kern Co. recently acquired petroleum concessions in far-away Rumania, for the exploitation of which Kern Romana was organized, not as a subsidiary of the parent concern in London, but as a subsidiary of its major California unit.

Evidently the British company management figured that though the possibility of physical intervention would be negligible, "moral support" of British protests, should they think their property endangered, would not fall amiss. There are other somewhat similar trials that lead into other corners of the world, but it is in activities in nearer-by Latin-American countries that greatest danger lies.

Thus the Scottish-American Oil & Investment Co. (Ltd.), a £10,000,000 subsidiary of the British Government controlled Anglo-Persian, owns controlling interest in the \$25,000,000 New York corporation, the Southern Oil & Transport Co.

The Southern Oil & Transport Co. in turn controls the Scottish-American, Tal Vez, Tampico Navigation, Fuel Oil Distribution, Tank Shipbuilding, and Sunset Fuel Co.'s, and owns interests in the Producers' Terminal and the Investment Co. of Mexico, and through them 46 square miles of oil lands in the Panuco district, with pipe lines, storage reservoirs, wharves, tank steamers, and all the what-not of a great producing and distributing concern.

DIFFICULT FOR MEXICO.

It must be a bold Mexican Government that would dare challenge the rectitude of any act of this company, braving the talons of the American eagle and the heavy paws of the British lion.

Then there is the Oil Fields of Mexico Co., incorporated in Delaware, with \$1,000,000 preferred stock and 900,000 shares of no par common, valued at upward of \$10,000,000 in the market, operating under the aegis of Lord Cowdray's \$75,000,000 Mexican Eagle Co., now controlled under an operating agreement by the all-persuasive Dutch-Shell.

This concern withdrew its membership in the Petroleum Producers' Association in 1921 when it appeared that efforts to bring about American intervention might fail, and sought unsuccessfully to bargain directly with the newly elected Obregon for preferred position in the Mexican field. Whether or not it has since returned to the Producers' Association fold seems to be in dispute. At any rate, it is in position, through the Oil Fields of Mexico Co., to renew its clamor for protection by the American State, War, and Navy Departments whenever it feels its interests threatened.

Colombia, with its \$25,000,000 sweetened treaty—what are American interests in petroleum in that South American country? Here, at least, is one of them: The Tropical Oil Co. was incorporated in Delaware in 1919 with \$50,000,000 authorized capital, to exploit a great Colombian concession. The Tropical Oil Co. is a subsidiary of the International Petroleum Co. of Canada, which itself is controlled by Imperial Oil (Ltd.), a \$50,000,000 Canadian corporation closely affiliated with Standard Oil. Tropical Oil should be safe with the armies and navies of both Great Britain and the United States to call upon at need.

TWO BIRDS UNDER ONE WING

Venezuela also has its "American" company, the Standard Oil subsidiary American-British Oil Co. of Delaware, with \$5,000,000 initial capital, which is under contract with British Controlled Oilfields (Ltd.), a \$45,000,000 corporation of Montreal, Canada, to develop approximately one-third of that company's practical monopoly of the Venezuelan oil fields. Another third, British Controlled (Ltd.), has contracted to Dutch-Shell interests, reserving the balance for its own exploitation. It is scarcely conceivable, though, as the country lies, that American marines, if called in emergency, could successfully protect the American-British company interests without affording almost equal protection to the properties of its British parent and its Anglo-Dutch uncle.

The British-Mexican Petroleum Co., a £6,000,000 English company, is another example of the mysterious workings of alien control. Organized in 1919, this company is reported by British financial agencies to have a contract, with 20 years to run, with Edward L. Doheny's Mexican Petroleum Co., and all its Mexican subsidiaries, for so much of their production as it can find a market for in the Eastern Hemisphere.

The British-Mexican company was reported organized to take over, with modifications, a similar contract first entered into between Doheny and a group of great British shipping interests in 1916, before the United States entered the World War. And from that time to the present Doheny has been the generally accepted head and front of the Mexican interventionist movement in this country.

If space were available it would be possible to follow many more such covered trails into lands near and far. But it seems better to get back for a moment, before closing this series, to some figures that seem to reveal something of the fundamentals of the petroleum problem as it especially affects the United States.

The alien oil companies are here and the evils they have brought and increasingly threaten can be minimized only partially by a knowledge of the facts. American oil companies, could they be induced to turn back from their wild race to saturate the world with American petroleum products, concentrating their efforts now, as later they must, solely on supplying American needs, might stave off by many years the day when the United States, her own reserves gone, will be at the mercy of foreign producers.

EXPORT CUTS DOUBLE

The export trade cuts double, as authoritative figures show. The United States, by the latest estimate of the United States Geological Survey, produced 735,000,000 barrels of crude oil, in the year 1923. Domestic consumption for the same year, as estimated by the American Petroleum Institute, was but 589,630,976 barrels. Exports and oil bunkered by foreign ships totaled 137,000,000. The surplus was put in temporary storage to await a market. Figures as to imports shows a wide discrepancy, the institute showing a little less than 100,000,000

barrels imported from Mexico, while the Mexican petroleum department reports 135,000,000 barrels exported here. The divergence is explainable and the Mexican figures probably would be safe enough.

Mr. QUIN. Mr. Chairman, I move to strike out the last word. Our good friend from Illinois [Mr. SABATH] wants the United States to appear and act, if not as real guardian at least as guardian ad litem, for the foreign population in all the countries across the seas, because, as he says, the passports on British ships are improperly viséed. He says we are aiding and abetting the British shipowners in bringing the people as immigrants to Canada—aiding and abetting by not having their passports viséed. I want to make it so hard for the immigrant to come to this country that not only would he have to have his record from his birth up but he would have to have all kinds of passports to get over to the United States. [Applause.]

I can not see why some Members of Congress should be called upon on all occasions to be the special sponsors of the people abroad. In all this oratory by these gentlemen who are so much interested in these aliens I have not heard a single one of them speak of their interest in the old stock of America. Is it possible that these gentlemen are so much interested in Africa, Europe, Asia, and other lands on the globe that they want to take out all the good solid stock of people in the United States, knock them in the head, to make room for all these undesirable foreigners to come into our country. [Laughter and applause.]

It appears to me it is high time for us to consider the United States of America. [Applause.] The interest of these speakers seems to be all in the down-trodden people of Europe and other lands, and they think we ought to hold out all the inducements that the United States has to these foreigners and let our own laboring people know that they are going to be kicked out to give room for some other fellows—give them the right to come over and take their places in the factory, in the mines, and in the workshops at low wages. These gentlemen, who seem to be so much interested in the foreigners, seem to forget our own people, who are descendants of parents who arrived in the United States centuries ago. [Applause.]

When old Columbus discovered the United States in 1492 he found some original Americans here, and yet I have not heard a single one of you special pleaders here for the foreigners of the Old World say a single good, kind word in behalf of the original North American Indian. I have not heard a single one of these distinguished special speakers for the aliens say a single kind word for the founders of this Government, or the men who went out and fought the battles of the Revolution to save us from being under the power of King George. [Applause.]

The CHAIRMAN (Mr. SANDERS of Indiana). The time of the gentleman from Mississippi has expired.

Mr. QUIN. Mr. Chairman, I would like to have a little more time, and I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. QUIN. I have not at any time forgotten that the United States of America was one time an asylum for the whole world. I recognize the fact that the forebears of these very men who made the Constitution, who fought for the flag of this country and preserved it, came from abroad; but, gentlemen, the time has come when the people who now come from abroad, leaving the despotic power of kings, having lived over there through their ancestors for thousands of years, the inheritors of all their weaknesses, the bearers of germs of disease, and who now seek to come into this country must be restricted. They have been brought here by the great shipowners for the purpose of being put into the mines and factories to reduce the legitimate wages of our laboring people. They have been brought here in such numbers until they have become a positive political and social menace to this Republic. Many of you know that in some great States of this Republic people who do not know anything of American ideals, who know nothing of the pulpit and the schoolhouse and what it stands for in the United States, absolutely control and dominate politics. They hold the power politically in the presidential electoral college of the United States. They can name the President of the United States.

They can name the United States Senators in several States. They name many Congressmen, and some men who are on this floor talking for these aliens all of the time are, in my judgment, advocating the potential causes for which they stand here, and they stand up for the aliens and all they believe in, whether or not it be in conflict with the legitimate efforts and ideals of the real Americans of this Republic. It is time to let

the people of the United States know that we stand for our flag and our Government and that we will not permit our country to be overrun by these aliens who have been coming here at the rate of one and a half millions per annum. [Applause.] This bill will prevent their coming in such numbers. We can not frame any law here and get the President to approve it and the Senate of the United States to stand by us which will bar them out forever or for a period of years, but we can restrict them so that our country can have time to digest this great mass of population that we have which has already become a menace to American civilization.

The patriotic societies of the United States, from one end of it to the other, composed of men and women who are unselfish, who have no ax to grind, realizing the dangers of this foreign element in the United States, are appealing to this Congress to pass this restricted immigration measure; and, Mr. JOHNSON, your name is known right now in the households of every true American in this Republic, because this worthy bill which has been brought before this House bears your name. [Applause.] The 1890 census is the thing to base the quota on in order to keep as many undesirables out of this country as is possible, and, sir, you stand by it, and do not let this crowd who are the proponents of these aliens run over you and put in the 1910 census or any other thing. We will stand by you on this bill, and you stand for the 1890 census on which to base the number of aliens who will be permitted to come into this country, and the American people will stand behind you. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The amendment was agreed to.

Mr. McCLINTIC. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. McCLINTIC: After the word "immigrant," in line 22, page 22, insert a new paragraph, as follows:

"(a) No adult immigrant shall be admitted to the United States until a written declaration is executed stating that an application will be made for the purpose of becoming a naturalized citizen within a period of five years.

"(b) The Commissioner of Immigration shall require every adult immigrant to execute the proper declaration with respect to naturalization, and a complete record with respect to every adult shall be made and a copy of each declaration shall be filed in the office of the Department of Labor.

"(c) Every adult immigrant shall be required at the end of the five-year period to file with the Commissioner of Immigration a copy of the application made for the purpose of becoming a naturalized citizen of the United States, and any person failing or refusing to comply with this regulation shall be subject to be immediately deported to his or her native country under such regulations as shall be provided by the Commissioner of Immigration.

"(d) The Secretary of Labor shall have the power to render final decisions in all matters covered by this paragraph."

Mr. RAKER. Mr. Chairman, I reserve the point of order.

Mr. JOHNSON of Washington. I make the point of order that it is not germane.

Mr. McCLINTIC. Will the gentleman reserve the point of order?

Mr. JOHNSON of Washington. I will reserve it.

Mr. McCLINTIC. Mr. Chairman and gentlemen of the committee, I have prepared an amendment with the hope that the committee will see the wisdom of including the same in this bill in order that adult aliens shall be forced to become citizens of this country within a period of five years after being admitted to the same, realizing that if they do not there will be many who will avoid shouldering any responsibility looking to the protection and maintenance of our Government in the future. My amendment is as follows:

After the word "immigrant," in line 22, page 22, insert a new paragraph, as follows:

"(a) No adult immigrant shall be admitted to the United States until a written declaration is executed stating that an application will be made for the purpose of becoming a naturalized citizen within a period of five years.

"(b) The Commissioner of Immigration shall require every adult immigrant to execute the proper declaration with respect to naturalization, and a complete record with respect to every adult shall be made and a copy of each declaration shall be filed in the office of the Department of Labor.

"(c) Every adult immigrant shall be required at the end of the five-year period to file with the Commissioner of Immigration a copy of the application made for the purpose of becoming a naturalized citizen of the United States, and any person failing or refusing to comply with

this regulation shall be subject to be immediately deported to his or her native country under such regulations as shall be provided by the Commissioner of Immigration.

"(d) The Secretary of Labor shall have the power to render final decisions in all matters covered by this paragraph."

Every Member of Congress within the hearing of my voice remembers full well that during the war there was a class of aliens in this country who absolutely refused to do anything toward supporting our country when it was necessary to mobilize the best brawn and brain for military duty. There were thousands of aliens who claimed their exemption because of the fact they had never become naturalized citizens; and all during the war this class of aliens, who were engaged in various profitable occupations, charged the American people the highest prices that they were ever called on to pay for the necessities and conveniences of life. A large per cent of them refused to aid the Red Cross; others were negligent when it came to purchasing Liberty bonds; in fact, this class of profiteers were nothing more than parasites sucking the lifeblood from our citizenship during the time when our people were making sacrifices in order that our armies might have the kind of support to keep up the proper morale and bring the war to an early close.

I have no patience with any foreigner who comes to this country for the purpose of making a livelihood and who is not willing to share the same kind of responsibility as that borne by the rest of the people.

This amendment, if adopted, would require every adult alien to make application for citizenship within a period of five years. This would not work a hardship on any person, but, on the other hand, would cause those who came to our fair land to have a better understanding of the economic and social conditions of our country and at the same time instill into them a higher degree of patriotism, which would in the end make them better-satisfied citizens.

The adoption of this amendment would not make it mandatory on the part of any bureau of our Government to deport any alien citizen, but, to the contrary, would leave the matter entirely to the discretion of the Commissioner of Immigration to say whether or not adult persons failing or refusing to comply with this amendment should be subject to be returned to their native country.

Therefore I hope the chairman of this great committee will not make a point of order against this amendment. I am just as strong for safeguarding the citizenship of our country against a flood of foreigners as any person can be. I would possibly go a step further than you, Mr. Chairman, in writing the provisions of this bill.

If it were not for violating our treaties with certain foreign countries I would gladly vote to put a padlock on every port of entry into the United States for a sufficient number of years or until economic conditions in this country would justify the bringing in of more people to take care of the needs of the Nation.

Mr. Chairman, regardless of whether my amendment is adopted or not, I intend to support this bill, for I realize that the time has come when our American citizens must be protected from a horde of foreigners who, if admitted indiscriminately, would surely undermine the foundation of this Government. Early in the session, I introduced a bill containing some of the very provisions that have been included in this measure, and I am especially gratified that a plan has been worked out so as to avoid the dumping of a lot of immigrants at our ports in excess of the quotas applicable to the various countries. This is one of the points that I was especially interested in, and I desire to congratulate the committee for having taken care of the situation in such a satisfactory manner.

Mr. Chairman, I can not see how any patriotic citizen could object to my amendment, which, if enacted into law, would cause every person who lives under the Stars and Stripes to be placed in the position where he would have to perform the same kind of duty as his neighbor, in case it became necessary to protect our Nation in another struggle for the rights of humanity. Therefore, in the interest of good government, in the interest of the Nation that we love, in the interest of the citizenship of our people who are entitled to every protection that can be thrown around them, I urge my colleagues to stand by me in fighting for the kind of principles that will make our homes better places to live in. [Applause.]

The CHAIRMAN. The gentleman from Washington makes the point of order that the amendment is not germane. The Chair is of the opinion that the amendment is not germane to this section. The amendment that is proposed deals with the question of naturalization which is not involved in the paragraph. The Chair sustains the point of order.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment. The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Amendment by Mr. LAGUARDIA: Page 21, line 16, strike out "other than foreign contiguous territory," and insert, line 15, after the word "water" the words "or otherwise."

Mr. LAGUARDIA. Mr. Chairman, the purpose of this section is to penalize the illegal transportation of aliens, but with the exemption which you have here "other than foreign contiguous territory" you limit that penalty to steamship companies who transport by water only, and you make it possible for steamship companies knowingly to bring immigrants to any contiguous territory and you leave the doors open for the railroads to transport your aliens illegally. Now, you have an excellent provision here in penalizing these companies \$1,000 each, because, do not forget, these aliens who come in illegally are generally the victims of persons who should know better and who bring them here. Now, I wish the committee would extend this penalty to all transportation companies whether railroad or steamship companies that take these aliens and bring them here unlawfully and not put all the burden on the unfortunate victims.

Mr. JOHNSON of Washington. Of course it would be highly desirable to make sure that no one can transport an alien into the United States without being subject to a penalty, but it would be hard to apply to railroad trains, the conductors could not do this, and the next section has a provision by which the United States Government itself makes a contract with those who are willing to observe our laws and conditions that the passengers going back and forth on the Great Lakes or trains into Canada are inspected.

Mr. LAGUARDIA. In the next section you have no penalties.

Mr. JOHNSON of Washington. The penalty is this. If they do not do that they lose the privilege by the fact that the trains will be held up and a complete inspection made.

Mr. LAGUARDIA. But if they knowingly transport these aliens and bring them in I should say that you ought to impose a penalty of \$1,000 on the railroad company as well as on the steamship company.

Mr. JOHNSON of Washington. As a matter of fact we have had little or no trouble with the transportation lines that have an agreement with the United States Government. The entry on the northern border is mainly by water transportation and the public highways, and on the southern border it is by the railroads.

Mr. LAGUARDIA. Surely the gentleman must know that these people are brought here from Canada by the steamship companies.

Mr. JOHNSON of Washington. Some may come across the border in that way, of course.

Mr. RAKER. Does the gentleman realize that in New Hampshire and Vermont there are 25 open public highways, unguarded now, over which people can come from Canada simply because we have not sufficient money to employ a force sufficient to guard them?

Mr. LAGUARDIA. They should be guarded, and the railroad companies should be held responsible.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ENTRY FROM FOREIGN CONTIGUOUS TERRITORY

SEC. 16. The commissioner general, with the approval of the Secretary, shall have power to enter into contracts with transportation lines for the entry and inspection of aliens coming to the United States from or through foreign contiguous territory. In prescribing rules and regulations and making contracts for the entry and inspection of aliens applying for admission from or through foreign contiguous territory due care shall be exercised to avoid any discriminatory action in favor of transportation companies transporting to such territory aliens destined to the United States, and all such transportation companies shall be required, as a condition precedent to the inspection or examination under such rules and contracts at the ports of such contiguous territory of aliens brought thereto by them, to submit to and comply with all the requirements of this act which would apply were they bringing such aliens directly to ports of the United States. After this section takes effect no alien applying for admission from foreign contiguous territory (except an alien previously lawfully admitted to the United States who is returning from a temporary visit to such territory) shall be permitted to enter the United States unless upon proving that he was

brought to such territory by a transportation company which had submitted to and complied with all the requirements of this act, or that he entered or has resided in such territory more than two years prior to the time of his application for admission to the United States.

Mr. LINTHICUM. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from Maryland offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LINTHICUM: Page 23, line 23, after the word "than," strike out "two" and insert "three."

Mr. LINTHICUM. Mr. Chairman, it is a well-known fact that many aliens go to Canada with the idea of getting into the United States from that country. I think we ought to throw every safeguard around it possible. We ought to let them know in advance that they must remain in Canada for several years. It seems to me that three years is little enough. I feel that if we want to restrict immigration and carry this law into effect, we ought to throw every safeguard around it, both as to Canada and Mexico. Many Members receive applications for assistance from men who have gone to Canada and then they want you to help them come into the United States. If one was able to tell them that they must stay in Canada for some years, they would come direct to the United States.

Mr. JOHNSON of Washington. The provisions as to 10 years and 2 years seem to be confusing, but they really are not. Ten years are provided in the bill with reference to aliens. That is to say, if a man comes on a tramp steamer by way of Canada he must be in Canada for 10 years before he gets to the United States. But here is another kind. They come in on regular steamers at Halifax, and the United States places a commissioner there. The prospective immigrant is detained on his way in Canada for two years, even if he should be a quota immigrant, or if he be properly coming in any other way. If he does not come properly, he must have been there two years.

Mr. LINTHICUM. I do not see how we will ever keep the quota in shape if we allow people to stop off in Canada two years and then come into the United States on their original certificate.

Mr. JOHNSON of Washington. The certificates that we have provided in the bill will be good for two months only. In the report we have undertaken to explain that carefully; why it is 2 years in one case and 10 years in another.

Mr. LINTHICUM. Does the gentleman think this provides sufficient safeguards in the way I have suggested?

Mr. JOHNSON of Washington. Yes. What we want for the protection of the United States is the border patrol.

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

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

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

There was no objection.

Mr. LINTHICUM. With the explanation of the gentleman, that they have to remain in Canada for 10 years, that is a different proposition; but it does seem to me that we ought not to legislate in the interest of British shipowners bringing people to Canada who desire to reach the United States. We have our own shipping interests, bringing people by ocean transportation across; and if we allow these people to go to Canada for two years and then come in on a certificate, many will come that way. I think if they are going to stay in Canada we should reduce his allowance in Canada to one year instead of two years. I therefore ask unanimous consent to modify my amendment.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to modify his amendment. The Clerk will report the gentleman's amendment as modified.

Mr. LINTHICUM. I am in favor of this immigration bill, because I believe if there is any one question which seriously confronts the American people more than another it is the question of immigration. There has been much said against the restriction, but it narrows itself down to the question whether we desire the protection of those now living in America or to favor those living in Europe. If immigration continues as it did prior to the war, certainly the large cities would soon become more European than American. Why should we bring Europe to America? If any of our people prefer to live as Europeans, it would be better for them to go to Europe and live rather than jeopardize our Americanism and, through competition, destroy our prosperity by bringing Europe to America.

It has been said that this bill is discriminatory in that under the census of 1890 it will favor certain nations above others. Certainly it is not discriminatory in respect to those who are now living in our country. Fathers and mothers over 55 years of age, husbands and wives of citizens of the United States, as well as their unmarried children under 18 years of age, will be admitted regardless of the quota. Why should any of our people, therefore, complain if we are admitting those who are near and dear to them and at the same time are protecting them from increased competition of cheap labor from abroad?

The necessity for immigration legislation can not be denied by anyone. The present temporary laws must certainly be followed by a permanent act which will remove this subject from controversy. There are about 58,000,000 native whites of native parentage; about 37,000,000 of foreign born or of foreign-born or mixed parentage; about 10,000,000 colored people; of the 37,000,000 there are 14,000,000 foreign born, and of the 14,000,000 foreign born less than half are American citizens, and 1,500,000 of the foreign-born population can not speak English. We can readily see, therefore, that America has admitted to its fullest capacity and more than she can assimilate.

The census of 1920 shows our 105,000,000 inhabitants to be composed as follows:

Foreign-born white.....	13,712,754
Foreign parentage.....	15,694,539
Mixed parentage, one parent born abroad.....	6,991,665
Indians, Chinese, Japanese, etc.....	426,574
Total foreign extraction or mixed parentage.....	36,825,532
Negroes.....	10,463,131
Total foreign extraction and negroes.....	47,288,663
Native white parentage.....	58,421,957
Total population.....	105,710,620

The most important feature of this bill is the reduction of the quota from 3 per cent to 2 per cent plus 100; that is to say, that every nation shall have 100 allowance and in addition thereto 2 per cent, based upon the census of 1890 instead of as now—8 per cent on the census of 1910. This is admittedly for the purpose of giving to the northern and western nations of Europe a larger percentage of immigration than to the southern and southeastern sections of Europe. It is done because it is believed that those people, being of Nordic origin, are more easily assimilated with the peoples of America and can easier grasp our system of government, having lived under governments largely based upon the same fundamental principles and doctrines as are those of America.

The Committee on Immigration has well said:

Since it is an axiom of political science that a government not imposed by external force is the visible expression of the ideals, standards, and social viewpoint of the people over which it rules, it is obvious that a change in the character or composition of the population must inevitably result in the evolution of a form of government consonant with the base upon which it rests. If, therefore, the principle of individual liberty, guarded by a constitutional government created on this continent nearly a century and a half ago, is to endure, the basic strain of our population must be maintained and our economic standards preserved.

With full recognition of the material progress which we owe to the races from southern and eastern Europe, we are conscious that the continued arrival of great numbers tends to upset our balance of population, to depress our standard of living, and to unduly charge our institutions for the care of the socially inadequate.

Notwithstanding the position taken by the Immigration Committee, I deem it unwise to discriminate between the nations whose people are to be admitted. I should be in favor of 1½ per cent on the basis of 1910 census, which would decrease the number of quota immigrants admitted to one-half of the present law or 178,900, and at the same time satisfy the vast number of persons who have come to live among us. [Applause.]

Then there is the abolition of the gentlemen's agreement with Japan, which has certainly not worked well, because while both nations agreed that immigration of Japanese to America was not in the best interests of either nation, yet the fact remains that the United States has more Japanese population than any other English-speaking nation in the world. Other nations have prohibited Japanese immigration, and certainly America has the same right.

It is a recognized fact that they can not be assimilated with our people, and their increase in numbers would prove both irritating and inexpedient.

Some may say it is un-Christian and unfair, but we may just as well recognize the fact that there is a certain racial cleavage

between nations that can not be denied nor explained. Whenever that fact is ignored and oriental peoples in large numbers are established among the white races the result has been very unsatisfactory and racial prejudice has developed.

Let the relations of the Americans with the Japanese—as also all other oriental races—be friendly. We welcome their travelers and their students. We wish to learn from them and they from us, but for citizenship or permanent residents I am opposed.

Some persons have opposed restriction of immigration because they say we need additional labor in the country. While I admit we need the labor, yet it is a fact that the immigrants we have been receiving confine themselves almost entirely to the cities and certainly do not join in performing the labor which is most desirous. There are advocates of immigration who say that we should receive them and allocate them to the various sections of the country where farm labor is needed, and yet it is shown that of the 800,000 immigrants coming to America in 1921 only 2 per cent of them were farmers and 3 per cent farm laborers, so that it will be seen that, according to the present census, there is very little addition to the laborers of the country, both on the farm and in lines of industrial pursuit. America has erected a tariff wall, said to be for protection against cheap labor and cheap living. Why, then, bring cheap labor and cheap living to America to compete with our people?

If the present bill becomes a law, no relative of any American within the class mentioned will be excluded, and yet we will reduce immigration some 200,000 below the present number admitted. The following table will afford information as to the number admissible from various nations, in addition to which are those admitted as relatives of Americans:

Number admissible from various nations, in addition to which are those admitted as relatives of Americans

Nationality	Present law	House bill—2 per cent of 1890 with minimum of 100	Senate committee recommendation—2 per cent of 1910 with minimum of 100	National origins method—1920 census	2 per cent on average of 1890, 1900, 1910, and 1920
Albania.....	288	104	192	38	182
Armenia.....	230	117	152	101	232
Austria.....	7,342	1,090	4,894	3,685	4,871
Belgium.....	1,563	609	1,042	519	964
Bulgaria.....	302	100	202	65	203
Czechoslovakia.....	14,357	1,973	9,572	2,639	6,467
Danzig.....	301	323	200	98	311
Denmark.....	5,619	2,882	3,746	2,183	3,467
Estonia.....	1,348	202	898	442	755
Finland.....	3,921	245	2,614	995	1,859
Fiume.....	71	110	100	36	146
France.....	5,729	3,978	3,820	5,526	3,702
Germany.....	67,607	45,229	45,072	44,035	39,297
Great Britain and Ireland.....	77,342	62,658	51,562	182,221	163,517
Greece.....	3,063	135	2,042	1,072	1,540
Hungary.....	5,747	588	3,832	2,518	3,449
Iceland.....	75	136	100	24	145
Italy.....	42,057	4,689	28,098	11,755	18,889
Latvia.....	1,540	217	1,026	506	849
Lithuania.....	2,622	402	1,752	888	1,427
Luxembourg.....	97	158	100	153	208
Netherlands.....	3,602	1,737	2,401	5,339	2,245
Norway.....	12,205	6,553	8,134	4,866	7,267
Poland.....	30,979	8,972	20,652	9,019	17,225
Portugal.....	2,465	574	1,644	550	1,237
Rumania.....	7,419	731	4,946	773	2,361
Russia.....	24,405	1,892	16,270	8,004	12,005
Spain.....	912	224	608	282	624
Sweden.....	20,042	9,661	13,262	7,413	11,886
Switzerland.....	3,752	2,181	2,502	1,562	2,418
Yugoslavia.....	6,426	835	4,284	1,203	2,555
Other Europe.....	86	100	100	66	127
Palestine.....	57	101	100	20	127
Syria.....	882	112	588	324	527
Turkey.....	2,684	123	1,770	229	763
Other Asia.....	92	100	100	44	100
Africa.....	104	100	100	39	100
Egypt.....	18	106	100	7	110
Australia.....	279	220	196	96	209
New Zealand.....	80	167	100	40	163
Atlantic Islands.....	121	100	100	267	100
Japan.....	(?)	(?)	1,443	360	(?)
Total.....	357,801	161,184	240,459	300,000	207,748

¹ This figure of 62,658 is the combined total for Great Britain, North Ireland, and the Irish Free State.

² No quota.

³ Including quotas for San Marino, Andorra, Liechtenstein, Monaco, Hejaz, Persia, Abyssinia, Morocco, and Union of South Africa.

There is another feature of the bill which I believe we can all agree is of great benefit, that is the selective feature, which

gives the consul abroad power to decide as to whether an applicant should be admitted to the United States. Great distress has often been brought about by reason of immigrants being allowed to come to the States and then found not admissible; many have been compelled to return, thereby causing great hardship, as the home in Europe had been broken up, and financial loss, in many cases the expenditure of all the immigrant possessed.

I wish to see America continue as she is to-day—the greatest nation in all the world. I wish to see the dominant character and composition of her population continue as it is; that life, liberty, and the pursuit of happiness shall be abundantly protected and guarded under the Constitution prescribed by the fathers of our country; that every American shall be imbued with the doctrines and principles of Americanism. We are the greatest democracy that the world has ever produced, and if we would keep so, we must assimilate those who come to our shores, and by precept and example inspire them with the ideals and aspirations for which we stand. [Applause.]

The Clerk read as follows:

Modified amendment offered by Mr. LINTHICUM: Page 23, line 23, after the word "than," strike out "two" and insert "one."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Maryland, as modified.

The question was taken, and the modified amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

UNUSED IMMIGRATION CERTIFICATES

SEC. 17. An immigration certificate in addition to the number provided in section 10 may not be issued to a quota immigrant of any nationality even though a quota immigrant of such nationality having an immigration certificate is excluded from admission to the United States under the immigration laws and deported, or does not apply for admission to the United States before the expiration of the validity of the certificate; or even though an alien of such nationality having an immigration certificate issued to him as a quota immigrant is found not to be a quota immigrant.

Mr. DICKSTEIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DICKSTEIN: Page 24, line 3, after the word "may," strike out the words "not be issued" and insert "may be reissued."

Mr. DICKSTEIN. Mr. Chairman and members of the committee, it seems to me that we are applying a bad policy in bookkeeping in the issuance of certificates of arrival in the United States. Under the provisions of section 17, which you will find on page 24, it is provided that no certificate may be issued to any quota immigrant, no matter whether the certificate has been used up or not. In other words, for example, if Russia or Poland is entitled to 1,000 certificates a month, and 1,000 certificates were issued, and upon entrance at the port of arrival it was found that 15 or 20 or 50 or 100 out of the 1,000 certificates allotted under your quota law are turned back by deportation, you say under the provision of this law that the consul has no right to reissue any certificates to take the place of those canceled by reason of deportation during the fiscal year from the quota.

Now, it might be more profitable to this country if we would allow the admission of them by reissuing the certificates and letting them come to this country. That does not increase the quota; it does not destroy the standards of your bill, but it simply means the substitution of one for another when one is returned by reason of some ailment or defect designated by our medical officers at the port of entry, and the same certificate which is canceled is reissued within the same number and within the same quota to some one that the consul might find as being fitted to come in under our immigration laws.

Gentlemen, I think there will be no harm done if the consul has a right to reissue any certificates—I mean those which have been canceled by reason of deportation—because it will not affect the quota in the slightest degree and it will not affect the mentality of those who seek admission to the United States. They will come under the same rule and regulation with regard to inspection and examination.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Mr. Chairman, in opposition to the amendment, just one word. The purpose and object of this provision is that we fix the number that can come in within the quota. If a man gets a number and gets a certificate, the purpose of the

committee and of this law is that he can not peddle that around in the country in which he lives and say, "Here, I have succeeded in getting a certificate; how much will you boys give me for it? The highest bidder come forward."

Mr. SABATH. Will the gentleman yield?

Mr. RAKER. Not now. The testimony before the committee shows that passports were sold for high prices. In Constantinople men did nothing else but sell passports, and the purpose now is that when a certificate has been issued it shall be used or the certificate is forever canceled. This will instigate and this will propagate more perjury and fraud in the sale of certificates than anything that could possibly be done. The committee believes in writing some teeth in this business, so that these men can not barter and sell these documents.

Mr. LITTLE. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. LITTLE. Did the committee learn why they were so valuable in Constantinople, for example?

Mr. RAKER. Yes.

Mr. LITTLE. Why?

Mr. RAKER. Because they wanted to get to the United States.

Mr. LITTLE. They wanted to live in peace in Turkey under the American flag.

Mr. RAKER. That is not all.

Mr. LITTLE. But that is the biggest thing.

Mr. RAKER. They want to get rid of that country, and they do not care what they have when they come here. They have been trying to destroy other governments, and they got into Constantinople and other countries under those protectorates, and now they want to get to the United States in order to tear down what has been built up here, and they will sell and barter those certificates. We should so provide that when a man gets a certificate he shall use it himself and that it never can be used by anybody else.

Mr. SABATH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. SABATH. Mr. Chairman, my colleague from the coast becomes unduly excited at any and every proposition. He forgets that he himself aided and assisted in inserting in this bill a provision providing that each certificate issued to an applicant or to an immigrant shall have that person's photograph attached to it; in fact, every immigrant must furnish two photographs, which are attached to the certificate or to the visé. Now, in view of that fact surely it will be impossible for any such man to dispose of these certificates to every Tom, Dick, and Harry, as the gentleman from California would want you to believe.

Mr. RAKER. Will the gentleman yield?

Mr. SABATH. I will yield as much to the gentleman from California as he yielded to me. Now, if it is true that there have been these sales of certificates and there has been so much fraud, then we should in every way guard against it, but when an effort has been made to guard against fraud and protect against fraud being perpetrated I have not seen the gentleman aid or assist in adopting any such amendment.

Now, there is nothing to this talk about wholesale fraud. Here and there, perhaps, some people, in their anxiety to reach America, may have gone to the extreme and perhaps they would be willing to bribe some person in order to secure such a certificate, but I honestly believe that all in all in the last few years there have not been more than 20 or 30 such cases, and I know there is no great danger that a large number of those would barter or sell these certificates.

Mr. LINTHICUM. Will the gentleman yield?

Mr. SABATH. Yes.

Mr. LINTHICUM. Suppose a man having one of these certificates should contract some disease while abroad or become unfit to come into the United States, what protection would we have against that?

Mr. SABATH. The certificates do not give them any right to enter the United States. After a man succeeds in passing the stringent investigation which is made on the other side—

The CHAIRMAN. The time of the gentleman has expired.

Mr. SABATH. I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for two additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SABATH. When such an immigrant receives a certificate, after being thoroughly investigated and examined under this law, that does not give him the right to come right in; he is then subjected to medical examination on this side in the

port of entry, and he must submit to an examination here. So it will be absolutely impossible for him to come in if he can not pass the examination. He must have that certificate, and to that certificate is attached his photograph so that there can not be any fraud, because the inspectors could easily ascertain whether a man was a proper person, and if he is not or if he is not the same man, of course, he will not be admitted; he will be deported immediately.

Mr. LINTHICUM. Could we deport him if he held this certificate?

Mr. SABATH. He would not be admitted.

Mr. LINTHICUM. Not if he held a certificate?

Mr. SABATH. If he has a certificate and if he is not the same man or if he is suffering with any disease he will not be admitted; he will be sent back. That is the difference between not being admitted and being deported.

Mr. KINDRED. Will the gentleman yield?

Mr. SABATH. Yes.

Mr. KINDRED. And the medical examination, if unfavorable, would nullify the certificate?

Mr. SABATH. Yes; of course. He must pass the medical examination.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LITTLE. Mr. Chairman, I move to strike out the last 10 words. Referring to the remarks of the gentleman from California [Mr. RAKER], he is probably right to some extent, but there is still another reason for the sale of passports. For many centuries the foreign Christians in the Turkish Empire could not be tried by a Turkish court. They were tried by their own diplomatic officers or consuls in all the ports of the Turkish Empire and in all such countries. That was a perfect safeguard. If you were a Turk, a Syrian, an Armenian, an Arab, or an Egyptian, if you came to America and became naturalized and got a passport and went home and committed some offense against the police and they came to arrest you, all you had to do was to run up the American flag and they had to let you alone. For some time I had the honor of representing this country in Egypt, and one of my most numerous duties was to take care of American citizens that were being "hounded by the police" and would run up the American flag. A passport is very valuable for that reason.

Mr. RAKER. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. RAKER. A man who came over here and then went back to that country, you gave him sanctuary, did you not?

Mr. LITTLE. There was no option in the matter. You sent him back with a passport.

Mr. RAKER. I was really somewhat facetious about that. They got sanctuary when they really were not entitled to it, did they not?

Mr. LITTLE. Would you like to have me tell you how I really handled that?

Mr. RAKER. Yes.

Mr. LITTLE. I will give you a concrete case. Every two years they had to turn up and ask me to reissue their passports or O. K. them. I found there was some trouble of that kind, and there came a specially notorious instance.

A man in 1866 went to New York and was there for about six months, as near as I could figure, and came back with a passport. He went to Rabat, Morocco, where he was born, and then he went to Egypt and lived there afterwards. I found the decisions were that if a man returned to his own country for 20 years and evidently was going to stay there, I did not have to O. K. the passport. He forfeited the right. I did not find any law that covered my case, so I made a new one. I held that if such a man settled for 20 years or more in still another country, he forfeited his citizenship. This man had been married. He, unfortunately, married a woman who kept a scarlet house very notorious in Alexandria. As soon as she was married and was the wife of an American citizen, she put up the American flag and for many years defied the police. For years my predecessors opposed his claims. When I got there the passport was up for another O. K., and in looking into it—

Mr. RAKER. Will the gentleman yield right there?

Mr. LITTLE. No; I am afraid my time will run out, and I do not want to be left hung up with this. I investigated that matter and I finally decided that if a man went back to a foreign country and stayed 20 years and could not speak the American language and was only in this country six months, that he did not show that he ever intended to be an American citizen, and I canceled his permit to be an American citizen. [Applause.]

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

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to proceed for two minutes in order to finish this statement.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none.

Mr. LITTLE. Now, gentlemen, you are dealing with a great gift and a great trust—American citizenship. It is a bigger thing in the world outside than you think it is. This man stood there finally, and I passed sentence on him because it was a judicial office. I stood up and recounted his conduct and said, "You are no longer an American citizen." He staggered. They caught the old man and sat him down. I never want to ever again tell any man that I strip him of his American citizenship. It is worth more than life to a good many of them in foreign lands.

In the growth of this country we have raised the standards of living for many millions of people who have come over here. We have gradually reached the limit of our powers in that respect for the present. The American people have reached the conclusion that they must begin to take care of themselves and their children and preserve the nationality which our fathers handed down. We have reached the point where we must administer the inexorable tyranny of justice. Our first duty is to our own country, and this bill proposes to maintain these high standards here forever, and this will be a great example to the rest of the world. We must do this and this great bill will accomplish it, but in doing so we must be as kindly and as charitable as is possible with prudence. There should be no vindictive spirit at any point and the excitement of debate should endeavor to avoid any such feeling. This is a very great Nation and we can afford to be gentle. I have been sorry to see one native-born American citizen who fought gallantly for this country in Europe being criticized and found fault with because he showed a somewhat natural sympathetic interest in the citizens who came here, as his father did, from a foreign land. During the war this country sent him to his father's homeland and his ability to speak that tongue made it possible for him to be, as he was, a very powerful force in that country to preserve their morale in the great struggle of the war as an efficient ally of this American Republic. Justice to the American people demands the enforcement of the rules for their high standards, but this proposition is so universally the will of the Nation that its enunciation should reflect their will calmly and with dignity comporting with the vastness of the Republic. I am very glad to vote to preserve the nationality which my forefathers fought to establish. More than two centuries have elapsed since they brought my family name here and 132 years have gone by since the last ancestor of mine to leave Europe came from Wales to this country. With the exception of that one lady, every drop of blood in my veins is from my ancestors who came to America before the Revolution. I should be forgetful of my people and what they did in the great Revolution and even before if I did not do my duty by assisting in this great legal preservation of America for Americans and their children; but let us do this bearing in mind the great words of Abraham Lincoln after the Civil War when he said, "With malice toward none, with charity for all."

Mr. DICKSTEIN. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. Has the gentleman spoken once on this amendment?

Mr. DICKSTEIN. I have.

The CHAIRMAN. The gentleman is not entitled to extend his time by offering a pro forma amendment. The question is on the amendment offered by the gentleman from New York [Mr. DICKSTEIN].

The question was taken, and the amendment was rejected.

Mr. NELSON of Wisconsin. Mr. Chairman, I want to prefer a unanimous-consent request. Is the next section section 18?

The CHAIRMAN. It is.

Mr. NELSON of Wisconsin. Mr. Chairman, I ask unanimous consent that sections 18, 19, and 20 be passed over until to-morrow.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that sections 18, 19, and 20 be passed over until to-morrow. Is there objection?

Mr. JOHNSON of Washington. Mr. Chairman, reserving the right to object, have we the right in Committee of the Whole to make such an agreement? The other agreement was made in the House proper.

The CHAIRMAN. The Chair will state that the Committee of the Whole has the right to pass temporarily any sections that they may desire by unanimous consent, so long as it does not interfere with an order of the House.

Mr. JOHNSON of Washington. I would like very much to get along with these provisions.

Mr. NELSON of Wisconsin. Mr. Chairman, a number of gentlemen who are very much interested in these sections did not know that this agreement was going to be entered into and I am asking this in order to give them an opportunity to be present.

Mr. CHINDBLOM. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. CHINDBLOM. The House having fixed an order of procedure specifically, and having defined that certain sections shall not be considered this evening by the Committee of the Whole, does it not follow that the inclusion of certain sections to be omitted excludes the omission of other sections.

The CHAIRMAN. The Chair does not think so. The House directed that the committee should omit certain sections.

The Chair is of the opinion that the committee can not by unanimous consent modify the question so far as it relates to the omission of those sections. The Chair, however, is of the opinion that the Committee of the Whole may by unanimous consent proceed with the remaining sections as it may desire.

Mr. FREE. I object.

The CHAIRMAN. The gentleman from California objects.

The Clerk read as follows:

ALIEN SEAMEN

SEC. 18. No alien seaman excluded from admission into the United States under the immigration laws and employed on board any vessel arriving in the United States from any place outside thereof shall be permitted to land in the United States, except temporarily for medical treatment, or pursuant to such regulations as the Secretary may prescribe for the ultimate departure, removal, or deportation of such alien from the United States.

Mr. SCHNEIDER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 24, line 13, strike out all of section 18 and insert the following:

"SEC. 18. (a) Every alien employed on board of any vessel arriving in the United States from any place outside thereof shall be examined by an immigrant inspector to determine whether or not (1) he is a bona fide seaman, and (2) he is an alien of the class described in subdivision (f), section 19 hereof; and by a surgeon of the United States Public Health Service to determine (3) whether or not he is suffering with any of the disabilities or diseases specified in section 35 of the immigration act of 1917.

"(b) If it is found that such alien is not a bona fide seaman he shall be regarded as an immigrant, and the various provisions of this act and of the immigration laws applicable to immigrants shall be enforced in his case. From a decision holding such alien not to be a bona fide seaman the alien shall be entitled to appeal to the Secretary; and on the question of admissibility as an immigrant he shall be entitled to appeal to the Secretary except where exclusion is based upon grounds nonappealable under the immigration laws. If found inadmissible such alien shall be deported, as a passenger, on a vessel other than that by which brought, at the expense of the vessel by which brought, and the vessel by which brought shall not be granted clearance until such expenses are paid or their payment satisfactorily guaranteed.

"(c) If it is found that such alien is subject to exclusion under subdivision (f) of section 19 hereof, the inspector shall order the master to hold such alien on board pending the receipt of further instructions.

"(d) If it is found that, although a bona fide seaman, such alien is afflicted with any of the disabilities or diseases specified in section 35 of the immigration act of 1917, disposition shall be made of his case in accordance with the provisions of the act approved December, 1920, entitled 'An act to provide for the treatment in hospital of diseased alien seamen.'

Mr. JOHNSON of Washington. Mr. Chairman, I reserve a point of order on the amendment.

Mr. SCHNEIDER. Mr. Chairman, in dealing with the immigration question we have touched upon one of the most important problems affecting the Nation. Congress has often hesitated to legislate on this very perplexing question. But why should Congress ever need to hesitate to take up a problem that directly concerns the American people? Surely the immigration question is as much an American problem as any other matter that has as yet received the deliberation of this body, and no one can fairly challenge our right to deal with it and in such manner as we may choose. We are legislating for our people, and whatever our immigration policy may mean to any foreign power our prime concern must at all times be the interest and welfare of the American people.

One thing is certain, and that is that America will, for the present at least, continue its policy of restriction. I am not going to indulge in any lengthy discussion of our general immigration policy. We now have a definite proposition before us in the form of the Johnson bill. I shall not even attempt to discuss all the merits or demerits of the provisions of this bill.

We may differ as to what the quota ought to be, but whatever our exclusion policy may be, once an immigration bill is passed and becomes the law of the land, I am sure that we are all agreed that the policy therein expressed should be able to be enforced to its full intent and purpose. Thus any bill that proposes to restrict the influx of immigrants must make ample provision to see that that policy will be carried out, and only those permitted under the law shall be admitted, and that no gaps be left open through which thousands of aliens will be able to seep into this country.

The proposed Johnson immigration bill, as it is now constructed, is open to grave dangers that may defeat the entire policy of restriction. I make special reference to those provisions dealing with the question of alien seamen landing in American ports.

Under the guise of seamen, thousands of aliens have landed in American ports and have helped to swell the ranks of our foreign population. It is mostly the worst type of undesirables who have used this means left open to them by our immigration laws. Smuggling immigrants into this country in this way is becoming a very lucrative business for many shipowners.

Perhaps you will be able to appreciate the importance of this question when you consider the fact that in 1922, 973,804 alien seamen landed in American ports. In 1923, the number of alien seamen that landed here increased to 1,018,000. If but 10 per cent of these alien seamen landing in American ports annually came into this country in violation of the law, the ranks of our foreign population would be increased by 101,800 of the most undesirable class of people, while under the entire quota, as proposed by the Johnson bill, only 169,083 men and women of the best class of our European immigrants would be permitted to enter.

Think, gentlemen, what this means to our immigration policy—1,018,000 alien seamen landing in American ports annually and unquestionably thousands upon thousands of these, by the aid of unscrupulous steamship companies, are making their way into this country in this way. This is a serious situation and must be remedied. Sections 18 and 19 of the proposed bill are but feeble attempts to solve this problem. Not only will these provisions, in my humble judgment, fail to check illegal immigration of this kind but they are pregnant with dangers to the seamen's act, which you know was designed to protect bona fide seamen. Section 18 of the proposed bill reads as follows:

No alien seaman excluded from admission into the United States under the immigration laws and employed on board any vessel arriving in the United States from any place outside thereof shall be permitted to land in the United States, except temporarily for medical treatment or pursuant to such regulations as the Secretary may prescribe for the ultimate departure, removal, or deportation of such alien from the United States.

Now, gentlemen, you will note that the very language used is negative and of no effect. It proposes to leave the question whether or not an alien seaman will be permitted to land entirely at the discretion of the Secretary. This is indeed a very indefinite and undesirable way of handling such a problem. Is it not incumbent upon Congress itself to lay down the regulations upon which such seamen may enter? Certainly the committee will not charge this body with being incompetent to handle this problem, nor that it is improper for this body to do so, and would delegate this task to the Secretary. I say, gentlemen, that we should state in positive language the conditions under which alien seamen shall be permitted to land, and I deem this absolutely essential from the standpoint of justice to the seamen and especially for the success of the American immigration policy.

Mr. Chairman, I therefore submit the following substitute in place of section 18:

(a) Every alien employed on board of any vessel arriving in the United States from any place outside thereof shall be examined by an immigrant inspector to determine whether or not (1) he is a bona fide seaman, and (2) he is an alien of the class described in subdivision (f) section 19 hereof; and by a surgeon of the United States Public Health Service to determine (3) whether or not he is suffering with any of the disabilities or diseases specified in section 35 of the immigration act of 1917.

(b) If it is found that such alien is not a bona fide seaman, he shall be regarded as an immigrant, and the various provisions of this act and of the immigration laws applicable to immigrants shall be enforced in his case. From a decision holding such alien not to be a bona fide seaman the alien shall be entitled to appeal to the Secretary; and on the question of his admissibility as an immigrant he shall be entitled to appeal to the Secretary except where exclusion is based upon grounds nonappealable under the immigration laws. If found inadmissible such alien shall be deported as a passenger on a vessel other than that by which brought at the expense of the vessel by which brought, and the vessel by which brought shall not be granted clearance until such expenses are paid or their payment satisfactorily guaranteed."

(c) If it is found that such alien is subject to exclusion under subdivision (f) of section 19 hereof, the inspector shall order the master to hold such alien on board pending the receipt of further instructions.

(d) If it is found that, although a bona fide seaman, such alien is afflicted with any of the disabilities or diseases specified in section 35 of the immigration act of 1917, disposition shall be made of his case in accordance with the provisions of the act approved December, 1920, entitled "An act to provide for the treatment in hospital of diseased alien seamen."

In discussing this substitute amendment I can only touch upon some of the salient points. The provisions of this substitute are positive, concise, and specific in language. There is no question as to the requirements laid down for the admission of seamen into American ports. It provides ample protection to our country against dangerous and loathsome contagious diseases. Furthermore, it insures justice to our alien seamen by extending to them the right to appeal to the Secretary from a decision holding them not to be bona fide seamen. Indeed, a very important provision of my substitute is found in section (b) of this amendment, which reads as follows:

If found inadmissible such alien seaman shall be deported as passenger on a vessel other than that by which brought, at the expense of the vessel by which brought—

And so forth.

Note particularly these words, "shall be deported on a vessel other than that by which brought." The significance of this provision is that it eliminates the danger of such alien seaman becoming prisoner on the boat on which he came in, thus virtually reducing him to a slave, a condition which Congress intended to remedy by the passage of the La Follette Seamen's Act.

But equally faulty and ineffective in its attempt to further solve this problem of trying to plug up the flow of undesirables who penetrate this country under the guise of seamen is section 19 of the proposed bill. I will but very briefly call your attention to some of the important differences between my substitute amendment and section 19 of the proposed bill.

I will first read section 19 as is proposed by the committee in the original bill, and then I will read my substitute for this section. Section 19 of the bill reads:

(a) Upon the arrival (after the expiration of four months after the enactment of this act) of any vessel in the United States, it shall be the duty of the owner, agent, charterer, consignee, or master thereof to deliver to the immigration officer in charge at the port of arrival, in respect of each alien seaman employed on such vessel, a landing card in triplicate, stating the position such alien holds in the ship's company, when and where he was shipped or engaged, and whether he is to be paid off and discharged at the port of arrival, and such other information as may be by regulations prescribed, and having permanently attached thereto a photograph of such alien.

(b) If the alien seaman after examination, which examination in all cases shall include a personal physical examination by the medical examiners, is found to be temporarily admissible to the United States, he shall be permitted to land during the stay of the vessel in port, or temporarily for the purpose of reshipping on board any other vessel bound to a place outside the United States, and the immigration officer shall cause a fingerprint of the alien to be placed upon each copy of the landing card and indorse upon each copy the date and place of arrival, the name of the vessel, and the time during which the landing card shall be valid. Thereupon one copy of the landing card shall be delivered to him by the immigration officer, one copy shall be transmitted forthwith to the Department of Labor under regulations prescribed under this act, and the third copy shall be retained in the immigration office at the port of arrival for such length of time as may be by regulations prescribed. It shall be unlawful for any alien seaman to remain in the United States after the expiration of the validity of his landing card.

(c) Any alien who has received a landing card under this section and who departs from the United States shall, prior to his departure, surrender such card to the master of the vessel, who shall, before the departure of the vessel, deliver such card to such individual as may be by regulations prescribed.

(d) An alien seaman who departs from the United States temporarily at frequent intervals in the pursuit of his calling may be admitted to the United States under such regulations as may be prescribed without the requirement of a landing card in respect of each entry into the United States.

(e) Landing cards shall be printed on distinctive safety paper prepared and issued under regulations prescribed under this act at the expense of the owner, agent, consignee, charterer, or master of the vessel. The Secretary of Labor, with the cooperation of the Secretary of State, shall provide a means of obtaining blank landing cards outside the United States.

(f) The owner, agent, consignee, charterer, or master of any vessel who violates any of the provisions of this section shall pay to the collector of customs for the customs district in which the port of arrival is located the sum of \$1,000 for each alien in respect of whom the violation occurs; and no vessel shall be granted clearance pending the determination of the liability to the payment of such fine, or while the fine remains unpaid, except that clearance may be granted prior to the determination of such question upon the deposit of a sum sufficient to cover such fine.

My proposal reads as follows:

(a) Upon the arrival (after the expiration of four months after the enactment of this act) of any vessel in the United States it shall be the duty of the owner, agent, charterer, consignee, or master thereof to deliver to the immigration officer in charge at the port of arrival, in respect of each alien seaman employed on such vessel, a landing card in duplicate containing such seaman's name, age, nationality, personal description, and the capacity in which employed, and having permanently attached thereto a photograph of such seaman.

(b) If such alien employee is found, upon examination, not to be subject to detention or exclusion under any of the provisions of section 18 hereof he shall be permitted temporarily to land during the stay of the vessel in port or for the purpose of reshipping on board any other vessel bound to a place outside the United States, and the immigration officer shall cause a fingerprint of the alien to be placed upon each copy of the landing card. Thereupon one copy of the landing card shall be delivered to said seaman and the other copy shall be filed in the archives of the immigration office at the port of arrival and properly indexed for future reference.

(c) If such a temporarily landed alien seaman remains in the United States without reshipping foreign for a period in excess of 60 days, such circumstance shall constitute prima facie evidence of abandonment of calling and becoming an immigrant, and such alien shall thereupon be taken into custody by immigration officials and examined as though he were an immigrant applying for admission, and unless such alien shows either that he has not abandoned his calling, but is still a bona fide seaman, or that he is in all respects admissible under this act and the immigration laws, such alien shall be deported in the manner prescribed by sections 19 and 20 of the immigration act of 1917.

(d) Landing cards shall be printed on distinctive safety paper prepared and issued under regulations prescribed under this act at the expense of the owner, agent, consignee, charterer, or master of the vessel. The Secretary of Labor, with the cooperation of the Secretary of State, shall provide a means of obtaining blank landing cards outside the United States.

(e) All vessels entering ports of the United States manned with crews engaged and taken on at foreign ports shall, when departing from the United States ports, carry a crew of at least equal number, and any such vessel which fails to comply with this requirement shall be refused clearance.

(f) No vessel shall enter a port of the United States, except in distress, having on board as a member of the crew any alien who if he were applying for admission to the United States as an immigrant laborer would be subject to exclusion under the Chinese exclusion laws, or under the sixth proviso to section 3 of the immigration act of 1917 and rule 7 of the immigration rules of February 1, 1924, or under the clause of section 3 of the immigration act of 1917, excluding by territorial limitations certain natives of Asia and of islands adjacent thereto; except that any ship of the merchant marine of any one of the countries, islands, dependencies, or colonies immigrant laborers coming from which are excluded by the said provisions of law shall be permitted to enter ports of the United States having on board in their crews aliens of said description who are natives of the particular country, island, dependency, or colony to the merchant marine of which such vessel belongs. Any alien seaman brought into a port of the United States in violation of this provision shall be deported either to the place of shipment or to the country of his

nativity as a passenger on a vessel other than that on which brought at the expense of the vessel by which brought, and the vessel by which brought shall not be granted clearance until such expenses are paid or their payment satisfactorily guaranteed.

(g) The owner, agent, consignee, charterer, or master of the vessel who violates any of the provisions of this section shall pay to the collector of customs for the customs district in which the port of arrival is located the sum of \$1,000 for each alien in respect of whom the violation occurs; and no vessel shall be granted clearance pending the determination of the liability to the payment of such fine or while the fine remains unpaid, except that clearance may be granted prior to the determination of such question upon the deposit of a sum sufficient to cover such fine.

In comparing my substitute with the section as provided in the bill, you will note that one provision of my substitute is the requirement of landing cards in duplicate only. This is a great saving in time and money over the committee's proposal for landing cards in triplicate which is in no wise essential to the efficient registration of the seamen landing in our ports. This is a point that needs no further elaboration. Then, too, in the committee's proposal each time the alien seaman is to reshuffle from this country he is to give up his landing card. This will naturally necessitate reissuing of new cards upon his second arrival.

If section (d) of their proposal providing that—

An alien seaman who departs from the United States temporarily at frequent intervals in the pursuit of his calling may be admitted to the United States, under such regulations as may be prescribed, without the requirement of a landing card in respect of each entry into the United States—

were actually put in operation this would completely vitiate the entire purpose of the landing card provision and would afford an opportunity for much abuse.

In my proposal I permit the seaman to retain his card. Now, there is absolutely no danger of transferring his card to a stranger for each card is so descriptive of the individual to whom it is issued and which also bears attached to it a photograph and fingerprint of that owner, that it is entirely out of the question for it to be transferable. That my provision in this respect is another time and money saver is apparent.

Another important change in my proposal is that Congress will specify definitely what shall be the time limit during which the seaman may remain in this country after his arrival. If the individual who has landed as an alien seaman exceeds his 60-day stay, which is the legal period suggested, then the violation of that 60-day limit will be prima facie evidence against him, and the burden will be upon him to prove that he is still a bona fide seaman or be subjected to immediate deportation and the usual penalty will also be levied against the boat which brought him here.

The Johnson bill, in dealing with this point, leaves the matter of determining the length of stay for the seamen landing in our ports entirely in the hands of the immigration officials. By doing this, it is placing the seamen at the mercy of the individual immigration officers.

That is a dangerous policy. It is fraught with autocratic power and opportunity for abuse. My proposal, as I have shown, deals with this in a fair, efficient, and practical manner and merits your approval.

The substitute also amply provides against the constant abuse under the present law, of our absolute exclusion policy of all Asiatics. Smuggling Chinese coolies in this country will be extremely difficult, if not almost impossible, under my provision on that question, by permitting only such alien seamen of the far eastern countries to land in American ports who sail under the flag of their mother country, which will make it very unlikely that alien seamen landing from such boats will desert their ship.

Last, but not least, my provision that all vessels entering our ports must, when departing from the United States, take back as large a crew as they brought, is the final and absolute guaranty against any possible danger to our immigration policy through channels which heretofore were comparatively easy means for thousands of undesirables to penetrate this country in defiance of the law.

I submit to you, gentlemen, that if we wish to have an effective immigration law, we can not close the front door and leave the back door wide open. My substitute amendments, if adopted, will bar this avenue of entry by the back door on the part of would-be seamen that are being smuggled into this country by the thousands and will also safeguard the rights secured to the seamen by the La Follette Seamen's Act.

Mr. JOHNSON of Washington. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 19. (a) Upon the arrival—after the expiration of four months after the enactment of this act—of any vessel in the United States, it shall be the duty of the owner, agent, charterer, consignee, or master thereof to deliver to the immigration officer in charge at the port of arrival, in respect of each alien seaman employed on such vessel, a landing card in triplicate, stating the position such alien holds in the ship's company, when and where he was shipped or engaged, and whether he is to be paid off and discharged at the port of arrival, and such other information as may be by regulations prescribed, and having permanently attached thereto a photograph of such alien.

(b) If the alien seaman after examination—which examination in all cases shall include a personal physical examination by the medical examiners—is found to be temporarily admissible to the United States, he shall be permitted to land during the stay of the vessel in port, or temporarily for the purpose of reshipping on board any other vessel bound to a place outside the United States, and the immigration officer shall cause a fingerprint of the alien to be placed upon each copy of the landing card, and indorse upon each copy the date and place of arrival, the name of the vessel, and the time during which the landing card shall be valid. Thereupon one copy of the landing card shall be delivered to him by the immigration officer, one copy shall be transmitted forthwith to the Department of Labor under regulations prescribed under this act, and the third copy shall be retained in the immigration office at the port of arrival for such length of time as may be by regulations prescribed. It shall be unlawful for any alien seaman to remain in the United States after the expiration of the validity of his landing card.

(c) Any alien who has received a landing card under this section and who departs from the United States shall, prior to his departure, surrender such card to the master of the vessel, who shall, before the departure of the vessel, deliver such card to such individual as may be by regulations prescribed.

(d) An alien seaman who departs from the United States temporarily at frequent intervals in the pursuit of his calling may be admitted to the United States, under such regulations as may be prescribed, without the requirement of a landing card in respect of each entry into the United States.

(e) Landing cards shall be printed on distinctive safety paper prepared and issued, under regulations prescribed under this act, at the expense of the owner, agent, consignee, charterer, or master of the vessel. The Secretary of Labor, with the cooperation of the Secretary of State, shall provide a means of obtaining blank landing cards outside the United States.

(f) The owner, agent, consignee, charterer, or master of any vessel who violates any of the provisions of this section shall pay to the collector of customs for the customs district in which the port of arrival is located the sum of \$1,000 for each alien in respect of whom the violation occurs; and no vessel shall be granted clearance pending the determination of the liability to the payment of such fine, or while the fine remains unpaid, except that clearance may be granted prior to the determination of such question upon the deposit of a sum sufficient to cover such fine.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word. An examination of this section relating to admission of alien seamen to this country clearly shows how comprehensive the subject is and how dangerous it is or may be to permit the entry, without proper examination, of men who ought not to be admitted and who after being admitted will in all probability remain. It is difficult to frame an amendment which will meet the difficulties which I suggest. I appreciate that enactment of a law and the drafting of necessary regulations for the apprehension and return of aliens who fail to comply with the law or with conditions imposed upon them when they enter our country is indeed a difficult matter. I think anyone who has had anything to do with immigration matters knows that when an immigrant once enters the country he is rarely if ever apprehended and sent back. Enactment of a suitable law and preparation of suitable regulations will enable immigration officials to perform an important duty which they now find it difficult, if not impossible, to perform.

Immigration officials practically lose sight of them, I am not blaming them for that, because we appreciate the difficulty of keeping in touch with them. In our experience we have had occasion to inquire in regard to permission given to aliens to enter the country temporarily, and have attempted to learn what attention, if any, is given to their movements,

to their conduct, to where they are, what they are doing, whether or not they comply with the requirement that after a limited time they shall return to the country from which they came. All who have had this experience will appreciate the difficulty of following the movements of one who comes in under restriction or perhaps with a limitation set upon the time he may legally remain. My impression of this section is that it is not properly drawn, and that enactment of it into law as here presented is dangerous, although, as I say, reading it as I have, and the limited time at my disposal to prepare an amendment, I am not able now to suggest a satisfactory one. I therefore suggest more careful examination of the section before it becomes law.

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

Mr. McLAUGHLIN of Michigan. Yes.

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

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAKER. Three experts from the Department of Labor, the attorney of the Department of Labor, the Department of Commerce, and the expert of the committee, together with the head of the seamen's organization, spent much time upon this provision, and if they all agreed to it, surely the gentleman from Michigan would feel that we came pretty nearly covering the situation.

Mr. McLAUGHLIN of Michigan. I can not agree with the gentleman that a wise conclusion has been reached if this is the result. To my mind it emphasizes the necessity of systematic registration of aliens when they enter and while they remain in this country, so that those who are responsible for their coming, and perhaps responsible for sending them out, will know at all times where they are, and whether or not they should be permitted to remain or should be returned to the countries from which they came.

Mr. SABATH. Mr. Chairman, I rise to oppose the pro forma amendment. The gentleman from California [Mr. RAKER] has stated that three different representatives appeared before the committee and aided and assisted in drafting this provision. Notwithstanding that fact, the gentleman from Michigan [Mr. McLAUGHLIN] is not satisfied that it has been properly drafted. I desire to ask the gentleman this: The gentleman from California has stated that we complied with the recommendations of the representative of the seamen's organization. If I am not mistaken, a tentative agreement was framed that we were to offer or that the committee would offer an amendment. If it has been included, I have not as yet been able to find it. Perhaps the gentleman from California or the chairman of the committee can enlighten me as to what became of that amendment, which the gentleman from California states it was promised the representative of the seamen's union would be offered. I do not know, and that is the reason I would like to have information on that subject. Can the gentleman from Washington inform me what has been finally done with that amendment which was requested by the gentleman representing the seamen's union?

Mr. LaGUARDIA. It was just voted down.

Mr. SABATH. That was not the amendment.

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

Mr. SABATH. Yes.

Mr. SCHNEIDER. I do not know anything about the amendment to which the gentleman refers. The seamen did have an amendment that they submitted to the committee.

Mr. SABATH. Yes. That is the amendment I am asking about.

Mr. SCHNEIDER. One of the amendments was the one which I proposed. The two, of course, should have gone together. The amendment provided for taking out as many seamen as they brought in on each and every vessel coming into the ports of America.

Mr. SABATH. I do not quite remember the last amendment they asked for, and I have reason to believe they have secured assurance that it would be offered.

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

Mr. SABATH. That is splendid information that I have obtained from the Chairman. [Laughter.]

The Clerk read as follows:

Sec. 20. (a) The owner, charterer, agent, consignee, or master of any vessel arriving in the United States from any place outside thereof who fails to detain on board any alien seaman employed on such vessel until the immigration officer in charge at the port of arrival has inspected such seaman, and delivered to him a landing card (in cases

where a landing card is required), or who fails to detain such seaman on board after such inspection or to deport such seaman if required by such immigration officer or the Secretary to do so, shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of \$1,000 for each alien seaman in respect of whom such failure occurs. No vessel shall be granted clearance pending the determination of the liability to the payment of such fine, or while the fine remains unpaid, except that clearance may be granted prior to the determination of such question upon the deposit of a sum sufficient to cover such fine.

(b) Proof that an alien seaman did not appear upon the outgoing manifest of the vessel on which he arrived in the United States from any place outside thereof, or that he was reported by the master of such vessel as a deserter, shall be prima facie evidence of a failure to detain or deport after requirement by the immigration officer or the Secretary.

(c) Section 32 of the immigration act of 1917 is repealed, but shall remain in force as to all vessels, their owners, agents, consignees, and masters, and as to all seamen, arriving in the United States prior to the enactment of this act. Sections 33 and 34 of such act are repealed, to take effect after the expiration of four months after the enactment of this act, but the provisions of such section 34 shall thereafter remain in force in the case of any alien seaman who has landed in a port of the United States before such repeal becomes effective.

Mr. HOWARD of Nebraska. Mr. Chairman, I move to strike out the last word. I do that for the purpose of gaining information from the gentleman from Illinois [Mr. SABATH]. I was listening very carefully while he was asking information just a moment ago. I did not exactly catch the tenor of the information borne to his ears, and as he is a younger man than I, I want to ask if he will not tell me the information that he received in response to his inquiry a moment ago.

Mr. SABATH. Mr. Chairman, I appreciate the compliment with respect to age. As to the information I received, if I could impart it, the gentleman would not have a great deal of light. The chairman of the committee did not answer the inquiry, not that he could not do so, but in haste I presume he omitted to do so.

Mr. ABERNETHY. What is it all about?

Mr. SABATH. I suggest that the gentleman from Nebraska propound the inquiry in my name, or even better, in his own, for probably he would succeed a little better than I did.

Mr. MILLER of Washington. Would the gentleman from Nebraska yield?

Mr. HOWARD of Nebraska. Yes.

Mr. MILLER of Washington. I merely rise to ask whether it is perfectly clear to the gentleman from Nebraska now? [Laughter.]

Mr. HOWARD of Nebraska. I would say frankly that the matter is not quite as much muddled in my mind as it was, but still I am in some doubt, and taking the answer given by the gentleman in charge of the bill, relayed to me by the gentleman from Illinois [Mr. SABATH], I am still disposed to say that the matter must be regarded by me as more or less in the light of a ghe-be.

Mr. ABERNETHY. And what is that?

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

PREPARATION OF DOCUMENTS

Sec. 21. Immigration certificates and permits issued under section 9 shall be printed on distinctive safety paper and shall be prepared and issued under regulations prescribed under this act.

Mr. JOHNSON of Washington. Mr. Chairman, I have a committee amendment to perfect the test.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Committee amendment by Mr. JOHNSON of Washington: Page 28, line 16, strike out the words "immigration certificate and permits" and insert in lieu thereof the word "permits."

The amendment was agreed to.

Mr. JOHNSON of Washington. The next section to be read under the agreement is section 26.

The Clerk read as follows:

STEAMSHIP FINES UNDER 1917 ACT

Sec. 26. Section 9 of the immigration act of 1917 is amended by adding after the third sentence thereof a new sentence to read as follows: "If a fine is imposed under this section for the bringing of an alien to the United States, and if such alien is accompanied by another alien who is excluded from admission by the last proviso of section 18, the person liable for such fine shall pay to the collector of customs, in

addition to such fine but as a part thereof, a sum equal to that paid by such accompanying alien for his transportation from his initial point of departure indicated in his ticket, to the point of arrival, such sum to be delivered by the collector of customs to the accompanying alien when deported."

Mr. STEAGALL. Mr. Chairman, I have a news report in the Washington Post of this morning which I think will be of some value as a contribution to this discussion. The report reads as follows:

QUITS BOOTLEGGING AT DAUGHTER'S PLEA—CHILD IN FAR-AWAY ITALY IS SHAMED BY FATHER'S REPUTATION IN NEW YORK

NEW YORK, April 10.—Mike Cusamano doesn't mind being called "king of the bootleggers" in New York or even in America. But, he explained to-day to David Siege, assistant United States district attorney, to be known by such a name in the old country and to have the opprobrium bring scorn and unhappiness to an 11-year-old daughter over there—that's different.

"They pass her by on the street, her playmates," Mike said. "They make faces at her in school and say, 'Daughter of the king of bootleggers in America.' She writes me that she is unhappy, and sends me newspaper clippings of dispatches from New York calling me that name, and begs me to come home."

So Cusamano has turned his wealth into cash—nearly \$1,000,000, some say—and is sailing Monday for his native town of Cinegat, Italy, "to be the richest man in town and make my daughter happy." He visited the Federal attorney because he didn't want it thought he was running away to avoid prosecution.

"But we haven't a thing on Mike," Mr. Siege explained. "A lot of complaints, but no evidence that would convict. We're glad to wish him bon voyage."

The case of this man, Mike Cusamano, may not be a typical one, but it is not unfair to say that it represents a class—entirely too numerous—that has taken advantage of the hospitality and liberality unwisely indulged by our Government in our careless immigration policy. According to the report, this man cared little for his standing in America, but was solicitous for his good name and the standing of his family in the country of his nativity. His only interest in America rested upon a desire to accumulate money, which it seems he succeeded in doing in a business operated in violation of the Constitution and laws of the United States.

Just here let me say that I have often wondered why people who are so much opposed to our prohibition laws should desire to open our doors to indiscriminate immigration from all parts of the world when it is well known that the presence of so many of foreign birth and millions of negroes among us is in large part responsible for the sentiment which brought about national prohibition. I have always voted for prohibition, but it has been a source of great regret to me that we have been forced to legislate, and even to amend our Constitution, to meet conditions created by the classes to which I have just referred. In my humble judgment, it is time to call a halt in enlarging that class of our population that has proven unfit to enjoy the blessings secured under our laws and that is wholly incapable of preserving our liberties and our institutions.

It is to be regretted that we did not act with wisdom and prudence in this matter years ago. Our policy was bad enough in normal times. Millions and millions have been brought to our shores in recent years as the result of an effort to obtain cheap labor to carry on a great program of industrial development. The practice was never wise nor helpful. It is absolutely unjustifiable and inexcusable now. No economic development can compensate for the lowering of social standards or jeopardizing our racial integrity at this critical time in our history. I think I know how the people of the section in which I live have suffered because of relying in part upon the labor of a race vastly inferior in intellect and morals. The only fault with the bill before us is that it is too lax and will further complicate and extend the greatest problem that confronts the Nation. It does not go far enough. We are admitting under the present law more than half a million annually. Reports and advices fairly reliable indicate that fully 1,000,000 have entered contrary to law during the past year. Up to 10 years ago 70 per cent of our immigration was from northern Europe. At the present time only 30 per cent is coming from northern Europe, while the remainder comes from southern Europe, a vast horde wholly incapable of appreciating our institutions and impossible to be assimilated by our people. Mexicans in large numbers are crossing into the United States and Chinese and Japanese, to an alarming extent, are overrunning the Pacific States. No stronger argument could be made for the passage of the bill before us than the opposition which it has developed.

No higher proof of the wisdom and necessity of this legislation could be offered than the effort that is made to thwart the will and judgment of the Members of this House who are trying to act for the best interests of this country. To listen to the arguments against this bill is almost enough to leave the impression that even now we have no right to exclude undesirable immigrants from our borders. If we fail to act now, it will not be long before we shall be powerless in the face of the great influences that will be put forth to control the action of Congress.

The world is upset and disturbed as never before. The Great War has left us an accumulation of problems that calls for all that is best in American statesmanship. We are burdened with a debt of more than twenty billions of dollars. Our international relationships involve difficulties and obligations never known before. The years of the early future will test our wisdom and our patriotism to the very core. The tasks that confront us can only be solved by real Americans who appreciate the birthright of American citizenship. We should exclude from our midst all who are unfit to aid in making the America of our children and our children's children. This is not selfishness; it is self-preservation. It is not only self-preservation; it is service to mankind. The preservation of this Republic is the greatest benefit we may hope to render humanity, and the greatest service we may do the world is to preserve American ideals and American institutions. [Applause.]

Mr. LAGUARDIA. Mr. Chairman, I rise in opposition. Mr. Chairman, I intended to introduce an amendment providing for the immigration inspectors the same consideration we give customs inspectors for overtime work to be paid by the steamship companies. I just conferred with the chairman of the committee and he stated he would take that up in conference when the bill goes to conference. I want to say a word right here, gentlemen, for the employees of the Immigration Service. Many of them, a greater part of them, have been in the service for 15 or 20 years and more. I served at Ellis Island with them some 15 years ago, and most of those men are still in that service, overworked and underpaid, and they pay an interpreter at Ellis Island a great deal less than they do in New York, and in the State courts. They pay an inspector who has to pass upon human beings less than they pay a customs inspector. Why, gentlemen, you have at the port of New York a Custom Board of Appeals, with three judges with a decent salary, judges trained in the law, specialists in their work, and they pass upon the question of whether a fish is an anchovy or a sardine, and yet you have an inspector pass upon the admission of a human being, he must decide the fate of this person, and you permit him to work down there for \$1,400, \$1,500, and \$1,700, and if he is in the service 15 or 20 years the best he can look forward to is \$1,800 when he has devoted his whole life to this service.

I hope when the proper time comes, gentlemen, you gentlemen who are urging this restrictive measure, you give some consideration to these splendid men who have given their whole lives to the service, who are deserving of a great deal more consideration than what they are getting now. The salaries that are being paid are far too low for that work. These men must be specialists, linguists, know the law and exercise a great deal of judgment, and there is a lot of responsibility on an inspector passing upon these questions, and we are not treating these men right, we are not treating them fairly unless we give them an adequate and decent salary upon which they can live properly.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

GENERAL DEFINITIONS

SEC. 28. As used in this act—

(a) The term "United States," when used in a geographical sense, means the States, the Territories of Alaska and Hawaii, the District of Columbia, Porto Rico, and the Virgin Islands;

(b) The term "alien" includes any individual not a native-born or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed, nor citizens of the islands under the jurisdiction of the United States;

(c) The term "ineligible to citizenship," when used in reference to any individual, includes an individual who is debarred from becoming a citizen of the United States under section 2169 of the Revised Statutes, or under section 14 of the act entitled "An act to execute certain treaty stipulations relating to Chinese," approved May 6, 1882, or under section 1996, 1997, or 1998 of the Revised Statutes, as amended, or under section 2 of the act entitled "An

act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, as amended, or under law amendatory of, supplementary to, or in substitution for, any of such sections;

(d) The term "immigration certificate" means a certificate issued by a consular officer under the provisions of this act, together with the application therefor;

(e) The term "consular officer" means any consular or diplomatic officer of the United States designated, under regulations prescribed under this act, for the purpose of issuing immigration certificates under this act. In case of the Canal Zone and the insular possessions of the United States the term "consular officer" (except as used in section 24) means an officer designated by the President, or by his authority, for the purpose of issuing immigration certificates under this act;

(f) The term "immigration act of 1917" means the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States";

(g) The term "immigration laws" includes such act, this act, and all laws, conventions, and treaties of the United States relating to the immigration, exclusion, or expulsion of aliens;

(h) The term "person" includes individuals, partnerships, corporations, and associations;

(i) The term "Secretary" means the Secretary of Labor;

(j) The term "Commissioner General" means the Commissioner General of Immigration;

(k) The term "application for admission" has reference to the time of the application for admission to the United States and not to the time of the application for the issuance of the immigration certificate;

(l) The term "permit" means a permit issued under section 9;

(m) The term "landing card" means a landing card issued under section 19;

(n) The term "unmarried," when used in reference to any individual as of any time, means an individual who at such time is not married, whether or not previously married;

(o) The terms "child," "father," and "mother," do not include a child or parent by adoption unless the adoption took place before January 1, 1924.

Mr. JOHNSON of Washington. Mr. Chairman, I have a committee amendment to offer.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. JOHNSON of Washington: Page 34, line 3, strike out the comma and the words "together with the application therefor."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Washington offers another committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. JOHNSON of Washington: Page 35, line 17, strike out the period and in lieu thereof insert a semicolon. After line 19, insert a new section as follows: "(p) The terms 'wife' and 'husband' do not include a wife or husband by a proxy or 'picture' marriage."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SABATH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. SABATH. I desire to ask the chairman of the committee whether he is going to move to rise now. There are only a few more lines here. I am asking the question because I have an amendment that I desire to offer later on for the purpose of equalizing the salaries of these inspectors, and the only place where it could be offered would be right here, after paragraph (p).

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

Mr. SABATH. Yes.

Mr. RAKER. I want to say that I am heartily in favor of that matter when the legislation comes up properly. It is not germane to this bill, and it ought not to be put on this bill for the purpose of defeating it. There are people who will make a fight on it, and it might injure this bill. A bill will come out of the committee in due course with the purpose of properly

providing for these people, and we ought not to load this bill down.

Mr. SABATH. The gentleman knows that although I am opposed to some of the provisions of the bill, I have not been doing anything to defeat the bill. I am really interested in these men. I believe these men ought to be compensated to the same extent as the men who are doing a less important work in other departments.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. SABATH. Yes.

Mr. JOHNSON of Washington. The proposed amendment is clearly subject to a point of order. Could we not read sections 29 and 30?

Mr. RAKER. I will make a point of order on such an amendment. I am in favor of paying these men adequately, but I believe that instead of the United States paying them they should be paid by some corporation or steamship company.

Mr. JOHNSON of Washington. Can we not make some arrangement as to this?

Mr. SABATH. If we can make the steamship company pay it, we should make them do it. We should not have undue consideration for the steamship companies.

Mr. RAKER. I am not in favor of a man getting pay from two masters. A man can not serve two masters.

Mr. LaGUARDIA. It is to be paid by the steamship company in the end. The Government would be repaid by the steamship company.

Mr. RAKER. Yes; but it is a roundabout way of making the steamship company pay.

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

Mr. SABATH. Mr. Chairman, may I have two minutes more?

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for two minutes more. Is there objection?

Mr. MacGREGOR. I object.

The CHAIRMAN. Objection is heard.

Mr. MacGREGOR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. MacGREGOR. I want to ask whether this controversy is over the general subject of the pay of customs inspectors?

The CHAIRMAN. Does the gentleman from New York object to the extension of the time for two minutes?

Mr. MacGREGOR. I will withdraw my objection.

The CHAIRMAN. The Chair hears no objection.

Mr. SABATH. I had in mind the equalization of these inspectors, so that they would receive the same compensation as the inspectors in the revenue service receive. That is all I am trying to accomplish.

Mr. MacGREGOR. The chairman of the Committee on Appropriations has stated that if the Classification Board does not make a report before the 1st of July it is the intention to reclassify the field service so as to give them the same pay as the Government employees in the District of Columbia.

Mr. SABATH. I know they have been receiving a lot of promises, but they can not live on promises.

Mr. MacGREGOR. That is more than a promise. The Committee on Appropriations has been authorized to prepare and report such a bill.

Mr. SABATH. My suggestion would not meet with the approval of the chairman of the Committee on Appropriations, because the increase would involve legislation for overtime work, to be paid by the steamship company.

The CHAIRMAN. The time of the gentleman from Illinois has again expired. The Clerk will read.

Mr. LaGUARDIA. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LaGUARDIA. The gentleman from Illinois [Mr. SABATH] moved to strike out the last paragraph, which was paragraph (o). Whether a pro forma amendment was offered or not, I do not know; but I want to offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LaGUARDIA: Page 35, lines 15 to 17, inclusive, strike out paragraph (o).

Mr. LaGUARDIA. Mr. Chairman, I understand that a few days ago a decision was handed down by the court in New

York holding that an adopted child was not a child within the meaning of the statute in New York. It often happens that an uncle or an aunt adopts a child, and it seems to me to be harsh and cruel to exclude a child legally adopted. That is what this section does.

Mr. JOHNSON of Washington. The law regarding adopted children is various in different States. This applies to the United States.

This provides a definition which will protect the United States.

Mr. LAGUARDIA. In paragraph (o) it is provided:

The terms "child," "father," and "mother" do not include a child or parent by adoption unless the adoption took place before January 1, 1924.

Mr. PERLMAN. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. PERLMAN. Does not paragraph (o) reverse a court decision?

Mr. LAGUARDIA. I am just referring to that, and the decision was rendered a few days ago.

Mr. NEWTON of Minnesota. Is it not pretty near time that Congress changed the law as made by some of the decisions of the United States court for the southern district of New York with reference to immigration matters? [Applause.] I think it is, and the adoption matter appears to be one of them. They appear to go a long way so as to pick out a way whereby they can circumvent the will of Congress as expressed in the immigration laws. [Applause.]

Mr. LAGUARDIA. I will say to the gentleman from Minnesota that I have a constitutional amendment which will give Congress the power to reverse the courts, and I understand the gentleman is opposed to that.

Mr. NEWTON of Minnesota. Yes; the gentleman is opposed to it.

Mr. LAGUARDIA. But in this case the gentleman reverses himself.

Mr. NEWTON of Minnesota. The gentleman from Minnesota believes in standing by the Constitution and in Congress controlling legislative acts and letting the judiciary do the interpreting of laws instead of making them.

The CHAIRMAN. The time of the gentleman from New York has expired. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

TIME OF TAKING EFFECT

SEC. 31. (a) Sections 2, 7, 12, 13, 14, and 15, and subdivision (b) of section 10, shall take effect on July 1, 1924, except that immigration certificates and permits may be issued prior to that date, which shall not be valid for admission to the United States before July 1, 1924. In the case of quota immigrants of any nationality, the number of certificates to be issued prior to July 1, 1924, shall not be in excess of 10 per cent of the quota for such nationality, and the number of certificates so issued shall be deducted from the number which may be issued during the month of July, 1924.

(b) The remainder of this act shall take effect upon its enactment.

Mr. JOHNSON of Washington. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington for the committee: Page 36, line 18, after the period insert a new sentence to read as follows: "In the case of immigration certificates issued before July 1, 1924, the two-month period referred to in subdivision (c) of section 2 shall begin to run on July 1, 1924, instead of at the time of the issuance of the certificate."

Mr. JOHNSON of Washington. Mr. Chairman, I would like to say that this amendment was suggested by the gentleman from New York [Mr. PERLMAN].

The CHAIRMAN. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Page 36, after line 20, insert a new section, as follows:

"SAVING CLAUSE IN EVENT OF UNCONSTITUTIONALITY"

"SEC. 32. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provision to other persons or circumstances, shall not be affected thereby."

Mr. CHINDBLOM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CHINDBLOM. Should not this amendment occur after the amendment just adopted rather than after line 20?

Mr. PERLMAN. This is a new section, is it not?

Mr. CHINDBLOM. It should follow the previous amendment.

Mr. JOHNSON of Washington. It does.

Mr. PERLMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PERLMAN. I have an amendment to offer to section 31. This appears to be a new section.

Mr. JOHNSON of Washington. The amendment was suggested by Mr. PERLMAN, and it is after line 20.

The CHAIRMAN. The Chair will state that the amendment offered by the gentleman from Washington, which purports to be an amendment suggested by the gentleman from New York [Mr. PERLMAN], was adopted as a part of section 31. This is a new section, but if the gentleman from New York has any amendment to offer to section 31, the Chair will recognize him for that purpose before he recognizes the gentleman from Washington to offer his amendment.

Mr. PERLMAN. I do desire to offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment to section 31, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PERLMAN: Page 36, line 20, after the period, insert:

"(c) This act shall be operative until June 30, 1925."

Mr. PERLMAN. Mr. Chairman, I rise, first, to answer the gentleman from Minnesota [Mr. NEWTON], who just made some reflections upon New York. The decision referred to by the gentleman from Minnesota was written by a recent appointee, one of the ablest judges we have on the bench, and he based his decision on decisions made by judges throughout the United States and some, I think, by the Supreme Court. I am very much surprised at the gentleman from Minnesota saying that he would have Congress reverse such decisions, even if they do come from New York, for that is contrary to good government policy.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. PERLMAN. Yes.

Mr. NEWTON of Minnesota. Oh, no; the gentleman is not quite stating my position correctly. I stated that it is the business of Congress to do the legislating and that where the courts make a decision that is not what we believe to be what the law should be, it is our duty to change the law.

Mr. PERLMAN. But the courts merely interpret what Congress enacts as law. Up to the time Judge Bondy made his decision, Congress had not passed any law defining what adoption means as far as quota law is concerned. By subdivision (o) of section 28 you are trying by legislation to reverse a court decision, and I do not believe you want to do that.

I want to say a word about this last amendment. I am satisfied this law ought not to be the permanent law of the land. Any law basing immigration on place of birth is not good American law, and for that reason I have offered an amendment that this shall continue to be, as the original quota law was, just an emergency law until the congressional committees can bring in some constructive, permanent immigration policy that is really American.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. PERLMAN].

The question was taken; and on a division (demanded by Mr. SARATH) there were—ayes 16, noes 55.

Mr. PERLMAN. Mr. Chairman, I object to the vote.

The CHAIRMAN. The gentleman from New York objects to the vote on the ground there is no quorum present.

Mr. JOHNSON of Washington. Mr. Chairman, I move the committee do now rise.

The CHAIRMAN (after counting). Sixty-five Members present; not a quorum. The gentleman from Washington moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore having resumed the chair, Mr. SANDERS of Indiana, Chairman of the Committee of the Whole House on the state of the Union,

reported that that committee, having had under consideration the bill (H. R. 7995) to limit the immigration of aliens into the United States, and for other purposes, had come to no resolution thereon.

IMMIGRATION—ADDRESS OF SECRETARY OF LABOR

Mr. COOPER of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks by having printed in the RECORD a speech by the Secretary of Labor, Hon. James J. Davis, at Youngstown, Ohio, on the question of immigration.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing a speech delivered by the Secretary of Labor, Hon. James J. Davis, on the subject of immigration. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Ohio. Mr. Speaker, under leave to extend my remarks I insert herewith a speech delivered in my home city of Youngstown, Ohio, recently by the Secretary of Labor, Hon. James J. Davis:

ADDRESS OF THE SECRETARY OF LABOR, HON. JAMES J. DAVIS, AT YOUNGSTOWN, OHIO

A visit to Youngstown to me is always like a return to the past, for I have many, many memories of Youngstown that will live with me always. There have been many changes since I first visited this city. The Youngstown of those days was hardly the prosperous, growing city of 150,000 people which we find here to-day. Great business institutions, fine schools, and stately churches have grown up in the meantime, and the city has acquired a new cosmopolitan and metropolitan standing among the great municipalities of our country. It is to-day the second largest steel manufacturing center of this country.

I remember many visits to Youngstown under circumstances quite different than those surrounding my present visit. I remember my visits to the mills where, as a representative of the workers, I sought to settle the dispute which arose between the mill managements and their men. I can see in this audience many of those whom I worked with and for in those days, and I know that this gathering holds a representative body of the magnificent man power of the Mahoning Valley. The character of the people of Youngstown has not changed since those days, although they have kept pace with the forward movement of political, economic, and social progress.

The sons of the struggling millmen of those days are to-day occupying the leading places of the community. I look about me and see them as upright judges, as able lawyers, as successful business men. Here we can find true proof of the opportunity which means America.

Youngstown has always been in the forefront of industrial progress. It has always found the way toward organization and cooperation in industry, the principles upon which have been built up this vast steel industry which dots the Mahoning Valley with the belching chimneys and forge and furnace, and which has brought prosperity to this great community. Of course, you have had your strikes, and I remember well the annual struggles over the fixing of the wage scale in the steel industry. But when an agreement was reached both management and worker strove, with the best that was in them, to do their respective shares toward turning out the best product of which they were capable.

I hope, and I believe, that this same spirit prevails throughout the Industries of Youngstown to-day. For America's great need to-day is cooperation in industry, a mutual recognition by employer and worker of the rights and duties of each other. We are gradually learning that the day of the master and man is gone in American industry, and that the man whose labor makes industry possible is full partner with the man who manages industry. We are learning that the worker and the employer have mutual interests, that if one gains both must gain; if one loses both must lose; if one fails both must fail. We are finding that each must recognize the needs, the aspirations, and the difficulties of the other, and that both must recognize their joint duty to the public upon whose patronage the success of any industry ultimately depends.

You have seen in Youngstown, as I have seen throughout the country, the restoration of prosperity and progress during the last three years, following a depression induced by the post-war readjustment of industry, which at one time had upward of 5,000,000 American workers walking the streets looking for jobs. Our recovery from that depression can be traced to the ability and honesty, the devotion to duty, and the calm judgment of the national leadership which has been in charge of our Federal Government. We were fortunate to have at the helm of the ship of state, when disaster threatened, the late President Warren G. Harding, who followed the path of public service and devotion to the people to his grave, a martyr to his labors for the Nation. He worked with courage as well as prudence, for he was the first President of the United States who was brave enough to give his signature to legislation restricting immigration and protecting the American worker from a flood of foreign labor which sought to abandon

the war-torn countries of Europe. The man who works in America owes a great debt of gratitude to Warren G. Harding, and the worker may well enshrine in his heart, as a memorial to that great President, the words of his wage creed:

"The workman's lowest wage must be enough for comfort, enough to make his house a home, enough to insure that the struggle for existence shall not crowd out the things worth existing for."

And when God in his wisdom relieved President Harding of the tremendous burdens which public service had imposed upon him there rose up another to take his place. Vice President Coolidge came to the White House from the little rock-bound Vermont farm of his father. There in the old-fashioned farmhouse by the light of a kerosene-oil lamp that father, a justice of the peace, administered the oath which inducted into the Presidency of the United States a plain, upstanding man of cool and calm judgment who has behind him the strength of generations of Americans who struggled with the bleak New England soil for a livelihood and a long life of honest work. In him the American worker finds a true friend, for he knows what work means.

The United States to-day faces the immediate necessity of arriving at a clear and permanent policy in a matter which is fundamental in our national life—the matter of immigration. It is a question which affects our whole scheme of national existence, our whole program of national development. It bears upon our continued growth, yes, upon our very existence as a homogeneous self-governing people.

The importance of this problem has been during the last few years gradually forcing itself upon the attention of the American people. We are beginning to realize the far-reaching consequences of a policy of unrestricted immigration, and for several years we have sought by legislation fixing a percentage limitation on the aliens to be admitted from countries outside of the Western Hemisphere to restrict the numbers that may come to us. For nearly 100 years after the United States became an independent nation we prescribed no qualifications for those who wished to come to America. We accepted all—good, bad, or indifferent. It is only since 1880 that we have sought to bar even the physically and mentally diseased and the morally corrupt who applied for admission. Our immigration laws have grown up haphazard during the last 40 years, and it is within the lifetime of many of us that a great poet, watching the flood of aliens passing through the Port of New York beneath the towering form of the Statue of Liberty, was inspired to warn the Nation in these words:

"O Liberty, white goddess, is it well
To leave the gates unguarded? On thy breast
Fold Sorrow's children, soothe the hurts of Fate,
Lift the downtrodden, but with hand of steel
Stay those who to thy sacred portals come
To waste the gifts of freedom."

We are realizing to-day that during the past 135 years this country has been the goal of the greatest movement of peoples that the world has ever known. None of the great migrations of history since the Saracens swept over eastern Asia and northern Africa has even approached in numbers the tide which has come to the United States since there was founded here a government based on human rights. More aliens have passed through our ports of entry within a few months than there were in all the hosts of Goths and Huns and Vandals who begged their way into Italy to accomplish the downfall of the Roman civilization. Since 1820 there have come to the United States approximately 35,000,000 foreigners, and about one-third of that number have come to us since 1900.

The tremendous influence which the quality of our alien residents must exert upon the physical, mental, and moral make-up of our people, both to-day and in the future, is clearly demonstrated by our last census. Out of a total white population of 94,820,915, only 58,421,957 are of pure native-born parentage. In other words, there are in this country to-day upward of 36,000,000 individuals who in the present generation or the last generation have been linked with a foreign allegiance, a foreign standard of living, a foreign code of social existence. Of these, nearly 14,000,000 are foreign born. Less than one-half of these foreign-born residents are naturalized American citizens, and the records show that the average alien is in this country for 10 years before he assumes the duties and responsibilities of American citizenship.

We have for years sought to exclude the diseased, the insane, the imbecile, the idiot, the feeble-minded, criminals, and all aliens likely to become a charge upon the community. But a survey made during the last year by an eminent scientist for a congressional committee showed that despite our efforts in this direction the foreign-born population, 14.70 per cent of our people, supplies 20.63 per cent of the population of our jails, almshouses, insane asylums, and other public institutions housing social inadequates. If the purpose and intent of our laws were adequately carried out there ought properly to be practically no foreign born in such institutions.

I yield to no man, native born or naturalized citizen, in my reverence and respect for those of foreign birth who have brought to America the power and genius which has contributed so much to American progress and the development of a truly American civilization. I yield to no man in pride in men of the type of Nikola Tesla, of Nathan Straus, of Pupin, or of Steinmetz. I know the service that the immigrant has rendered to America. I was an immigrant boy myself. I have been brought up among immigrants for the 50 years of my life. But I can not be fooled by any sickening sentimentality, any false sophistry, into the belief that the feeble-minded boy who was deported from the United States a few months ago, despite a clamor of propaganda which swept the country, would ever become a Straus or a Steinmetz. No pretty plea for mercy for the oppressed can force me to look with anything but indignation upon efforts to violate the law and bring into America those afflicted with loathsome and communicable diseases. My sympathy lies close to the surface. I am a great believer in humanity. But with me humanity begins at home.

I am firm on one proposition. The immigration question is an American question to be settled by Americans for the benefit of America now and in the future. In its determination no foreign influence, no radical intrigue should have any part. The sole thought in the minds of every American who considers this question should be "What is best for America?" On that proposition I shall stand or fall.

It is with these thoughts in mind, and after three years of study of the administration of our immigration laws, that I have thought it my duty to lay before the proper committees of the House and Senate certain suggestions as to immigration legislation. I have not so far volunteered any suggestion as to numerical restriction of immigrants, as to the fixing of quotas for any country, or as to the basis to be used in computing any such quotas as may be imposed. I have, however, proposed that any quota limitations imposed shall be applied without exception to all countries from which we permit aliens to come. The present law excepts from the quota restrictions British North America, Mexico, Central and South America. I would include these. The reasons are plain. By failing to impose a quota upon these countries we are in the position of barring the front door to America while we leave the back door wide open. Aliens from any country in the world, by obtaining citizenship in these nations on the American Continent, either by continued residence, by fraud, or otherwise, can qualify themselves for admission to the United States. These exceptions we have found in practice make for evasion and violations of the law, and provide a ready means for the alien smuggler, the bootlegger of humanity. The smuggling of aliens, linked with the illicit traffic across our borders in rum and narcotics, has become a widespread industry. It is made easy by the exemption of our nearest neighbors from the restrictions of the quota law, for it provides convenient bases for the assembling of aliens seeking to enter the United States in violation of the law, and convenient routes of travel for their transportation across our borders. Furthermore, I can see no reason or justice in excepting the nationals of any nation from a law enacted as a matter of general national policy.

As a primary and basic principle I have suggested the selection and examination abroad of all immigrants. First, I would eliminate all present requirements of passports from a foreign government for immigrants. I can not stress too strongly the fact that the admissibility of aliens to the United States is a matter for the United States and the United States alone to determine. No foreign government has the slightest claim to the right to say who shall or who shall not enter the United States. If any alien qualifies under our laws to come, we ought not to be a party to preventing his entrance, and his departure from his homeland is purely a matter between himself and his government.

I know that some foreign countries are anxious to keep at home their young, robust, sturdy men, to maintain their man power, and that many are willing to permit the departure of the old and infirm or the diseased. I was frankly told by a high official of one government in Europe recently that his country was interested in emigration to the United States only in so far as it helped to dispose of the "old men and the rubbish." Through passport control, of course, these nations may control emigration. Representative Cable, of Lima, Ohio, recently asked me what could be done to prevent this control becoming a means of prohibiting the immigration of sound young men. The remedy is plain. We can authorize the President of the United States, when he is satisfied that this "old men and rubbish" system is being fostered through the passport system, by any country, to prohibit all immigration from that country until the practice is discontinued.

America is our home, and every man has a right to protect his home.

To accomplish this proposal for the examination and selection of immigrants abroad I propose that every prospective immigrant be required to secure from an American consular office an immigration certificate based upon a verified questionnaire to be filed by the applicant and verified by the consular officer. The immigration certificate would issue only when the applicant had made clear his admissibility under the immigration laws of the United States. Where-

ever necessary I would provide for the detaching of immigration officials and Public Health Service officers to consular offices to assist in handling the details of this system. As a means of selection I would provide for the issuance of immigration certificates to qualified immigrants of these classes in this order of preference:

First. The husbands, wives, and minor children of alien residents in this country who have declared their intention to become citizens of the United States. There is no more heart-rending circumstance incidental to the administration of our immigration laws at present than the separation of families, one or more members of which have succeeded in entering the United States. This preference is proposed as a matter of common humanity.

Second. Immigrants who served in the military or naval forces of the United States during the World War. It is obvious that we should offer every opportunity that America can afford to those who offered their lives in the service of American ideals under the American flag.

Third. Ministers of any religious denomination. We will practically all admit the prior claims of the religious instructor, no matter what his faith.

Fourth. Professors or scholars. We can not have too much of learning, too much of knowledge in America.

Fifth. Skilled laborers; and, sixth, all other laborers, including domestic servants. These two classifications would provide within the quotas for that man power which our industry may need to draw from foreign sources.

After all of these classes, certificates would be issued to all other immigrants who could qualify under the quota restrictions.

I would provide for the admission to the United States, regardless of quota limitations if the quota is exhausted, of the husband, wife, minor child, or dependent father or mother of a citizen of the United States. Here again humanity dictates that we facilitate the reuniting of families, but the policy indorses that plan, for the man who can live in the bosom of his family is a better worker, a better citizen, a better man, than the man who must be separated from those he loves. This case I would cover through special immigration certificates to be issued at the direction of the Secretary of Labor upon the verified showing of the citizen of the United States seeking to have his relative or relatives admitted.

By the same process I would provide for the admission, regardless of quota, of farmers and skilled or unskilled labor where labor of like kind can not be found unemployed in the United States, provided that no strike or lockout exists or impends in the industry seeking to import such labor. There can be no doubt that there are times in our economic history when we need man power. Our immigration history has proved that it is folly to seek to satisfy this need by throwing down all of the bars and admitting aliens indiscriminately. That policy results in securing a heterogeneous mass of immigrants, only a small proportion of whom will fit into the economic structure where they are needed. Europe is not a reservoir of all kinds of labor waiting to be tapped.

When we need a special class of worker we should admit that special class, in order that all other workers in the industry dependent upon the labor which is lacking may not be thrown out of employment. This proposal is safeguarded by provisions for full and ample hearing and investigation by the Secretary of Labor into the conditions under which it is sought to bring labor into the country. It is furthermore balanced by the proposal that authority be vested in the President of the United States by proclamation to suspend immigration for the time, in the manner, and to the extent necessary whenever the Secretary of Labor and the Secretary of Commerce shall jointly certify that in their opinion unemployment in this country makes such suspension necessary. The need for this provision is plain. It is but a few years since millions of American workmen were walking the streets looking for jobs in the industrial depression which followed the World War. Despite our hastily imposed quota limitations, thousands of alien workers were admitted to the United States only to be added to the army of idleness and to become a burden upon American industry. We can not afford to burden the American economic structure with man power which we can not use and which might easily be used in time of industrial depression to undermine the American wage scale and the American standard of living.

I propose to limit the immigration certificates issued to immigrants of any nationality during any one year to the quota allotted to that nationality under any limitation proposed by Congress. Further, I would limit the number of such certificates to be issued by any consul to one-twelfth of the quota allotted to that consul for the year. At present the law permits the entrance of 20 per cent of any nation's quota in a single month, thus crowding the whole annual quota of the countries supplying the heaviest immigration into the first five months of the fiscal year. Immigration certificates would be valid for one year after the date of issue.

This system of issuing immigration certificates abroad and of distributing the quotas evenly throughout the year would put an end to many of our immigration difficulties. It would end once and for all

the appalling spectacle of racing steamships, risking the lives of thousands, in a monthly rush to be first into an American port, in order that their human freight may be brought within the monthly quota. It would end the periodic overcrowding of our immigrant stations with thousands of immigrants and the consequent delays in examination and admission of aliens. It would prevent all of the misery and distress now entailed in the rejection at an American port of the immigrant who has torn himself from his home, his source of livelihood, and his familiar surroundings, and who has probably expended all of the savings of a lifetime on a 3,000 mile journey across the sea. It would end for all time the constant clamor and criticism which now arises out of the rejection of aliens at our ports through the well-meant but misdirected efforts of relatives, friends, and fellow countrymen to have the immigration laws set aside in special cases for false reasons of "humanity" and "mercy" and "sympathy." It would lighten the burden on the alien, because if he was plainly inadmissible he could not obtain an immigration certificate, and it would strengthen the administration of the law by preventing undue hardships. I propose, however, to retain in the hands of immigration officials at the ports of entry the ultimate authority to reject any immigrant whether he holds an immigration certificate or not. There are many reasons for this, but it is clearly necessary to protect the United States against disease or physical defects which might be acquired between the time an immigrant obtained a certificate and the time he presented himself for admission. We must make sure that the alien when he is admitted can pass the physical, mental, and moral tests prescribed by law, that he is ready and willing to take a place in our American life to add something to the sum total of American civilization.

I would rigidly exclude the aliens who fail to obtain immigration certificates or special immigration certificates except the following classes: Officials of foreign governments; aliens once lawfully admitted to the United States and returning from a temporary visit abroad; bona fide students seeking to enter to study at an accredited college; bona fide alien seaman seeking to land in pursuit of their calling; aliens who having resided for at least five years in foreign contiguous territory are authorized to enter the United States for the purpose of laboring at a specified occupation at a specified place for a definite time; and aliens habitually crossing and recrossing boundary lines between the United States and foreign contiguous territory upon legitimate pursuits. These classes are plainly entitled to enter the United States and to remain so long as they maintain their right to the classifications exempted. But we have found in the past that exempt classifications open the door to fraud and evasion, and that we are without adequate machinery to insure that a nonimmigrant will remain a nonimmigrant after he arrives. To meet this situation I would provide that the Secretary of Labor have authority to fix the rules and regulations under which such nonimmigrants would be admitted in order to insure that they maintain their exempt status during their stay in the United States, and I would authorize the exaction of a bond for this purpose.

I have proposed special provisions to cover alien seamen landing at American ports. A humane provision of our seamen's law which permits foreign sailors to land in an American port to seek further employment on foreign-bound shipping has been used to evade our immigration laws and to smuggle undesirable and inadmissible aliens into the country. The seaman or pretended seaman simply leaves his ship and wanders off to seek other employment regardless of immigration qualifications. We found one group of these not long ago at work in an industrial plant as strike breakers. Many of them were diseased and one was insane. To meet this situation I have suggested the regulation of the landing of alien seamen through a permit card properly indorsed by an immigration officer at the port of arrival, and providing complete identification of the holder, including photograph and fingerprints. No landing card will be issued unless the seaman complies with the immigration laws of the United States. In the case of seamen of excluded races, such as the oriental, I would provide for the exaction of bond to insure their departure. By this arrangement and the penalties imposed for violations of the provisions of the law, we would be enabled to keep track of the alien seaman who sought to evade the immigration laws and to insure his deportation.

I have suggested that in all of this scheme of immigration control safeguards be thrown about every operation to prevent fraud, perjury, and evasion, with severe and rigid penalties for violations of the law. I am convinced that it is necessary, if we are to safeguard the social, economic, political, and moral life of America.

For I believe, and I think every true American believes, that the time has come when we must absolutely prohibit the admission to this country of every individual who will prove a drag upon progress, who will fail or refuse to grasp those American ideals which must be perpetuated if we are to maintain a representative form of self-government and an enlightened, forward-moving Nation of homogeneous people.

Let us provide for the admission of aliens who can be naturalized under our laws where the individuals seeking admission are physi-

cally, mentally, and morally normal and can contribute something to the advancement of our civilization. Let us absolutely bar from our shores those races which can not win American citizenship under our laws and those individuals of all races who are physically, mentally, morally unfit and whose standards menace our national life. Above all and no matter what numerical restriction we place on immigration let us be just to the alien by providing for selection and examination of prospective immigrants abroad.

Linked with this proposal for selective immigration I favor a plan for the enrollment or registration of the alien following his arrival in the United States, with provision for an annual census of the un-naturalized and a system of education in Americanism which will give every alien an opportunity to learn the English language and something of American history, traditions, ideals, and institutions. There is nothing radical or revolutionary in this proposal. It is based upon a principle which has always been recognized in our American political scheme of things. I am asking the alien to do nothing that I would not readily do myself. Every American citizen must register to qualify himself for exercising the right to vote. I must travel from Washington to Pittsburgh to register, give my name and age and birth-place, my description, and establish the fact that I am a citizen. Practically every State in the Union provides for the compulsory education of our children, both of the native born and of the alien. We insist that the alien child must learn to know America and American ways, but we leave that child's parents to struggle for what knowledge of their new land they can pick up among their own neighbors, who in almost all cases are aliens themselves, unfamiliar with the land of their adoption.

The neglect of the alien in this country is a terrible indictment of our people. A Federal judge recently told me that if the case of the neglected alien could be submitted to an American jury to-day the verdict would stagger the Nation. I know the difficulties which confront the immigrant when he arrives here, for my father came to this country, with little education, and struggled for years to gain a true place in the life of America. He knew but little of American ways and there were few to help him to that knowledge until he brought from Wales my mother and her six children, a family turned loose in a world entirely new and entirely strange. I know what a great help it would have been to my father and to all of us if he had been able to establish at once a real contact with the American Government and to find an opportunity to learn the lessons which every alien must learn if he is to take a proper place in American life and is to contribute something to the advancement of American civilization.

Do you doubt the need of educating the alien? Remember that the average foreigner who comes to this country is here for 10 years before he wins to American citizenship, and that half of our 14,000,000 aliens are to-day un-naturalized. Do you know that there is a great State in this Union which finds it necessary to maintain interpreters and translators in its legislature and courts because so many of its people do not speak or understand the English language? Do you know that under the arbitration system used in the courts of New York there are many occasions when arbitration proceedings are conducted entirely in an alien tongue? I maintain that no alien who comes to this country and lives for years without acquiring a knowledge of our language can either win the best that America has to offer him or give to America the best that is in him.

One great service that enrollment would give America would be that it would reveal the presence of the alien who is here in violation of the law, or who seeks by words or action to induce the violent overturn of our institutions. It has been estimated that 100 aliens a day evade our immigration laws and enter the United States through bootleg channels. They come from all directions and by all means of transportation. They are huddled in the dark holds of smugglers' vessels which ply from the islands of the Caribbean Sea with illicit rum and vile narcotic drugs. They steal across our vast expanse of land border; they come by railroad, automobile, and airplane. The smuggled alien means no good to America. What kind of an American can we develop out of the individual whose first acquaintance with America comes through defiance of our laws and contempt for our authority? He is a law violator when he arrives, and he remains a law violator. He ought to be weeded out and sent back whence he came.

Enrollment would enable us to know those among our alien population who are here to preach the downfall of all law and order and the destruction of all authority. No one knows how many agents of anarchy there are to-day in America. They come by devious ways, and they operate by stealth and concealment. That they ought to be found and deported no true American can deny. We are constantly finding traces of their propaganda and concrete results of their teachings.

This is no proposal for enforced naturalization. Naturalization can not be forced. It is not a matter of empty forms or of legal action. You can not make American citizens to order. Belief in American ideals and a determination to support American institutions must come from the soul and must be a consistent growth. Let us have no citizenship upon compulsion. But let us offer every alien who comes to us the opportunity of learning what America means, that we may foster

in his heart a respect for American political methods, a love for American traditions, and a devotion to the ideals for which America stands.

There are those who oppose this enrollment plan on the ground that it is an attempt at espionage. I can not follow their reasoning. There can be no espionage system in the United States so long as the true spirit of American lives. The American temperament would not permit it. You could not find American officials to enforce an espionage law in time of peace.

In particular, some of our labor leaders object to this proposal on the ground that employers might use it to oppress their workers and might find in it, in some strange fashion, a means of weeding out of industry those who seek to improve the conditions of the worker. Now, I know something about organizing workers. I have worked at it. I know that the hardest worker in the world to organize or to interest in the improvement of his condition is the ignorant, illiterate worker. Better conditions in industry come automatically when the bulk of the workers are intelligent and educated. The fate of the labor movement lies in the hands of the worker who thinks. No proposal which seeks to educate the worker, whether he be native born or alien, can hamper labor in its march to better things. On the contrary, every man who seeks the improvement of working conditions and the proper adjustment of wages will find his work facilitated and facilitated immensely by any program which makes for the instruction of the worker. We will reach the heights of prosperity in American industry when every man who works is an educated, intelligent, thinking American citizen. It is in this direction we are moving when we seek to enroll and educate the alien in the principles of American freedom.

ADJOURNMENT

Mr. JOHNSON of Washington. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 48 minutes p. m.) the House, in accordance with the order previously made, adjourned until to-morrow, Saturday, April 12, 1924, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

432. Under clause 2 of Rule XXIV, a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Agriculture for the fiscal year ending June 30, 1924, to remain available for expenditure until June 30, 1925, for the eradication of foot-and-mouth and other contagious diseases of animals, \$1,500,000 (H. Doc. No. 236), was taken from the Speaker's table and referred to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. COOPER of Ohio: Committee on Interstate and Foreign Commerce. H. R. 8578. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended; without amendment (Rept. No. 490). Referred to the Committee of the Whole House on the state of the Union.

Mr. MOORE of Ohio: Committee on the Post Office and Post Roads. S. 2111. A bill authorizing the Postmaster General to conduct an experiment in the Rural Mail Service, and for other purposes; with amendments (Rept. No. 492). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLER: Committee on Claims. H. R. 5481. A bill to provide for the carrying out of the award of the National War Labor Board of July 31, 1918, in favor of certain employees of the Bethlehem Steel Co., Bethlehem, Pa.; without amendment (Rept. No. 493). Referred to the Committee of the Whole House on the state of the Union.

Mr. MOORE of Illinois: Committee on the Territories. H. R. 6950. A bill to authorize the incorporated town of Cordova, Alaska, to issue bonds in any sum not exceeding \$100,000 for the purpose of constructing and equipping a public-school building in said town of Cordova, Alaska; with amendments (Rept. No. 494). Referred to the House Calendar.

Mr. WURZBACH: Committee on Military Affairs. H. R. 5084. A bill to amend the national defense act approved June 13, 1916, as amended by the act of June 4, 1920, relating to retirement, and for other purposes; with an amendment (Rept. No. 495). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 8229. A bill granting the consent of Congress to the city of St. Paul, Minn., to construct a bridge across the Mississippi River; without amendment (Rept. No. 496). Referred to the House Calendar.

Mr. GRAHAM of Illinois: Committee on Interstate and Foreign Commerce. H. R. 8304. A bill granting the consent of Congress to the city of Chicago to construct a bridge across the Calumet River at or near One hundredth Street in the city of Chicago, county of Cook, State of Illinois; without amendment (Rept. No. 497). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. KELLER: Committee on the District of Columbia. H. R. 5517. A bill authorizing the sale of certain Government property in the District of Columbia to Jeremiah O'Connor; with amendments (Rept. No. 489). Referred to the Committee of the Whole House.

Mr. BOYLAN: Committee on Military Affairs. H. R. 6737. A bill for the relief of James A. Hughes; with an amendment (Rept. No. 491). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 8511) granting a pension to Mrs. John Petty, and the same was 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. REED of Arkansas: A bill (H. R. 8613) to amend section 71 of the Judicial Code, as amended; to the Committee on the Judiciary.

By Mr. FLEETWOOD: A bill (H. R. 8614) to authorize the acquisition of a site and the erection of a Federal building at Rutland, Vt.; to the Committee on Public Buildings and Grounds.

By Mr. BRAND of Ohio: A bill (H. R. 8615) to establish standard weights for loaves of bread, and for other purposes; to the Committee on Agriculture.

By Mr. CHRISTOPHERSON: A bill (H. R. 8616) to prohibit campaign contributions by corporations; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. BRAND of Georgia: A bill (H. R. 8617) to prevent the sale of cotton and grain in futures markets; to the Committee on Agriculture.

By Mr. RATHBONE: A bill (H. R. 8618) to amend section 2 of an act entitled "An act to regulate the sale of viruses, serums, toxins, and analagous products in the District of Columbia, to regulate interstate traffic in said articles, and for other purposes," approved July 1, 1902; to the Committee on the District of Columbia.

By Mr. O'CONNELL of Rhode Island: Memorial of the Legislature of the State of Rhode Island approving Senate bill 2600 relative to radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

By Mr. ALDRICH: Memorial of the Legislature of the State of Rhode Island urging passage of Senate bill 2600 relative to radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GREENWOOD: A bill (H. R. 8619) granting a pension to Eva L. Little; to the Committee on Invalid Pensions.

By Mr. HICKEY: A bill (H. R. 8620) granting a pension to Lucinda Lucas; to the Committee on Pensions.

By Mr. HUDSON: A bill (H. R. 8621) granting a pension to Mary J. Wimbles; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 8622) for the relief of Abraham Lincoln Harper; to the Committee on Claims.

Also, a bill (H. R. 8623) to provide for an examination and survey of the Mississippi River at or near Quincy, Ill., for the purpose of determining the practicability and estimating the cost of a highway bridge over said river; to the Committee on Interstate and Foreign Commerce.

By Mr. LOZIER: A bill (H. R. 8624) granting a pension to Elizabeth M. Humphreys; to the Committee on Pensions.

By Mr. McLEOD: A bill (H. R. 8625) granting an increase of pension to John T. Petty; to the Committee on Pensions.

By Mr. ROBINSON of Iowa: A bill (H. R. 8626) granting an increase of pension to Susan K. Bentz; to the Committee on Invalid Pensions.

By Mr. SALMON: A bill (H. R. 8627) granting an increase of pension to Anita de Garmendia Stephens; to the Committee on Pensions.

By Mr. SNYDER: A bill (H. R. 8628) granting a pension to Helen W. Cree; to the Committee on Invalid Pensions.

By Mr. SWEET: A bill (H. R. 8629) granting a pension to Elizabeth Jabas; to the Committee on Pensions.

By Mr. SWOOPE: A bill (H. R. 8630) granting an increase of pension to Ursula Bayard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8631) granting an increase of pension to Melissa Bigler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8632) granting a pension to Margaret Ellen Ulrich; to the Committee on Invalid Pensions.

By Mr. CABLE: A bill (H. R. 8633) granting a pension to Sarah L. Shill; to the Committee on Invalid Pensions.

By Mr. CANFIELD: A bill (H. R. 8634) granting a pension to Mary O. Shaw; 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:

2354. By Mr. BARBOUR: Petition of M. E. Rinehart and Mrs. L. M. Rinehart, of Oakdale, Calif., protesting against any and all amendments to the Federal prohibition act; to the Committee on the Judiciary.

2355. By Mr. GALLIVAN: Petition of Master House Painters and Decorators' Association, Somerville, Mass., recommending early and favorable consideration of the Ladd pure paint bill; to the Committee on Interstate and Foreign Commerce.

2356. Also, petition of Thayer Foss Co., Boston, Mass., protesting against any reduction in appropriation for Bureau of Foreign and Domestic Commerce, as recommended by Director of the Budget; to the Committee on Appropriations.

2357. Also, petition of Miss Annie M. Butler, 84 Seldon Street, Dorchester, Mass., recommending favorable consideration of the Dill radio bill; to the Committee on the Merchant Marine and Fisheries.

2358. Also, petition of Franklin M. Hull, superintendent of construction United States public buildings, Boston, Mass., recommending early and favorable consideration of House bill 6896, entitled "An act to amend the act for the classification of civilian positions within the District of Columbia and in the field services"; to the Committee on the Civil Service.

2359. By Mr. GARBER: Petition of citizens of Dacoma, Okla., indorsing and urging passage of the Dill bill regarding free radio service; to the Committee on the Merchant Marine and Fisheries.

2360. Also, petition of citizens of Ringwood, Okla., urging passage of Dill bill regarding free radio service; to the Committee on the Merchant Marine and Fisheries.

2361. By Mr. GARRETT of Tennessee: Petition of citizens of the ninth congressional district of Tennessee, favoring the Johnson immigration bill and the 1890 basis; to the Committee on Immigration and Naturalization.

2362. By Mr. HUDSON: Petition of the citizens of Flint, Mich., favoring drastic restrictions of immigration legislation and that the quota of 1890 be used as a basis for determining the number of aliens to be admitted; to the Committee on Immigration and Naturalization.

2363. Also, petition favoring the passage of Immigration legislation and the fixing of the quota to be based on the census of 1890; to the Committee on Immigration and Naturalization.

2364. Also, petition of several hundred citizens of Flint, Mich., urging a stricter enforcement of the immigration laws of the United States; to the Committee on Immigration and Naturalization.

2365. By Mr. KING: Petition of W. D. Sherrill and 20 other voters of Henry County, Ill., demanding drastic restriction of immigration; to the Committee on Immigration and Naturalization.

2366. Also, petition of Mr. Fred A. Uhland and 15 other citizens of Payson, Ill., in behalf of the McNary-Haugen bill; to the Committee on Agriculture.

2367. Also, petition of F. J. Demarville and 14 other citizens of Atkinson, Ill., demanding drastic restriction of immigration; to the Committee on Immigration and Naturalization.

2368. Also, petition of Funston Camp No. 101, Spanish War Veterans, of Quincy, Ill., in support of House bill 5394; to the Committee on Pensions.

2369. Also, petition of Harry Gehring, president, and 20 members of the Knox County, Ill., Farm Bureau, favoring the McNary-Haugen bill; to the Committee on Agriculture.

2370. By Mr. PERKINS: Petition of Miss Carrie Dufford, Washington, N. J., comprising 63 signatures, protesting against legislation to amend the Federal prohibition act to legalize alcoholic content of 2.75 per cent in beverages; to the Committee on the Judiciary.

2371. By Mr. RAINEY: Petition of Waverly, Ill., maintenance of way and railway shop laborers, favoring the Howell-Barkley bill; to the Committee on Interstate and Foreign Commerce.

2372. Also, petition of Philathea Class, Jerseyville Methodist Episcopal Sunday School, against legalizing 2.75 per cent beer; to the Committee on the Judiciary.

2373. By Mr. ROUSE: Petition of citizens of Covington, Kenton County, Ky., indorsing the immigration bill; to the Committee on Immigration and Naturalization.

2374. By Mr. THOMPSON: Petition of 61 citizens of Delta, Ohio, protesting against an increase of parcel-post rates; to the Committee on the Post Office and Post Roads.

2375. By Mr. WERTZ: Petition of citizens of the twentieth congressional district of Pennsylvania, against immigration restriction; to the Committee on Immigration and Naturalization.

2376. Also, petition of citizens of the twentieth congressional district of Pennsylvania, favoring restrictive immigration; to the Committee on Immigration and Naturalization.

SENATE

SATURDAY, April 12, 1924

(Legislative day of Thursday, April 10, 1924)

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

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

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

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

Adams	Ernst	Kendrick	Shields
Asburst	Fernald	Keyes	Shipstead
Ball	Ferris	King	Shorridge
Bayard	Fess	Ladd	Simmons
Borah	Fletcher	McKellar	Smith
Brandegee	Frazier	McKinley	Smoot
Broussard	George	McNary	Spencer
Bruce	Gerry	Mayfield	Stephens
Bursum	Glass	Moses	Sterling
Cameron	Gooding	Neely	Swanson
Capper	Hale	Norris	Trammell
Caraway	Harrell	Oddie	Underwood
Colt	Harris	Overman	Wadsworth
Copeland	Harrison	Phipps	Walsh, Mass.
Cummins	Heflin	Pittman	Walsh, Mont.
Curtis	Howell	Ralston	Warren
Dale	Johnson, Calif.	Reed, Mo.	Watson
Dial	Johnson, Minn.	Reed, Pa.	Weller
Dill	Jones, N. Mex.	Robinson	Willis
Edge	Jones, Wash.	Sheppard	

Mr. CURTIS. I wish to announce that the Senator from Wisconsin [Mr. LENROOT] is absent owing to illness. I ask that this announcement may stand for the day.

The PRESIDENT pro tempore. Seventy-nine Senators have answered to their names. There is a quorum present.

INDEPENDENT OFFICES APPROPRIATIONS

Mr. REED of Pennsylvania. I ask that Senate bill 2576, the unfinished business, be temporarily laid aside and that the Senate proceed to the consideration of House bill 8233, the independent offices appropriation bill.

The PRESIDENT pro tempore. Is there objection? The Chair hears none; and the Senate, as in Committee of the Whole, resumes the consideration of the appropriation bill.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. HATTIGAN, one of its clerks, announced that the House insisted on its amendment to the bill (S. 1631) to authorize the deferring of payment of reclamation charges, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SMITH, Mr. SINNOTT, and Mr. HAYDEN were appointed managers on the part of the House at the conference.