William E. Baker, Lubec.
Sumner A. Fickett, Millbridge.
May C. Thorpe, Sabattus.
Earll W. Gott, South West Harbor.
Lewis P. Philbrick, Thorndike.
Orrin V. Drew, Vinalhaven.
Ernest F. Poulin, Waterville.

MARYLAND

Jacob R. L. Wink, Manchester.
Francis H. Blake, Sparks.
Joseph Wilmer Baker, Union Bridge.
Nellie T. Reed, Williamsport.

MASSACHUSETTS

George F. Cramer, Amherst.
Henry J. Cottrell, Beverly.
Frances A. Rogers, Billerica.
Arthur A. Hendrick, Brockton.
Francis K. Irwin, Cataumet.
Thomas V. Sweeney, Harding.
Josephine R. McLaughlin, Hathorne.
George M. Lynch, Somerset.
Thaddeus F. Webber, Winchendon.

MISSISSIPPI

Frances G. Wimberly, Jonestown.
Mamie L. Harvey, Mathiston.
John R. Oliver, Natchez.
William C. Mabry, Newton.
Robert A. Dean, Okolona.
Henry Boswell, Sanatorium.
James C. Lamkin, Yazoo City.

MISSOURI

Harold Stewart, Bolivar.
Joseph W. McMenus, Conway.
James F. Hughes, Greenville.
Alexander W. Graham, Kansas City.
Hugh M. Price, La Monte.
Elisha O. Bryeans, Oran.
Orlo H. Bond, Sheridan.
Leah M. White, Smithton.
Emmett R. Burrows, Van Buren.

NEW HAMPSHIRE

Clarence A. Burt, Concord.
Benjamin H. Dodge, New Boston.
Robert E. Gould, Newport.
H. Leslie Thompson, North Haverhill.
Richard U. Cogswell, Warner.

NORTH DAKOTA

Karl E. Fischer, Hague.
Bennie M. Burreson, Pekin.

OHIO

Walter E. Cole, Andover.
Mary E. Bakle, Antwerp.
William J. Grandy, Byesville.
Harry H. Weiss, Canton.
Leita Tuttle, Chardon.
Thomas G. Moore, East Orwell.
Myrtle Grant, Grove City.
Harlan B. Merkle, Hartville.
Thomas Kyer, Jackson.
Daniel L. Pokey, Lakeside.
Clelland R. Polen, Lewisville.
Benjamin E. Bowden, Lowell.
Anna M. Cook, Lucasville.
Harry W. Gordon, McConnelsville.
Howard D. DeMar, Madeira.
Everett Bennett, Morrow.
Fred A. Stratton, Mount Orab.
Palmer Phillips, Mount Sterling.
Garrett W. Bowen, Newtown.
Lester Overfield, North Lewisburg.
John O. Entrikin, North Lima.
Michael J. Gumbriell, North Olmsted.
Charles O. Frederick, Norwalk.
Carl S. Corvin, Oak Hill.
Agnes O. Schritz, Olmsted Falls.
Wilver T. Naragon, Osborn.
James M. McCrone, Poland.
Thomas F. Short, Seaman.
Homer H. Dearth, Summerfield.
Urn S. Abbott, Tiffin.
Frank H. Waldeck, Warren.
Harry A. Higgins, Xenia.

OREGON

William J. McLean, Kerby.
Bryan Dieckman, Myrtle Creek.

TEXAS

Lee Brown, Blanco.
Joseph Y. Fraser, Colorado.
Opal Farris, Daisetta.
Joe C. Martin, Itasca.
Asbury R. Odom, Rusk.
William C. Wells, Tahoka.
Mollie S. Berryman, Willis.

VERMONT

Gertrude L. Cutler, Cambridge.
Hollis S. Johnson, Castleton.
William T. Johnson, Hardwick.
Mabel M. Hemenway, Jeffersonville.
Mary F. Brown, Readsboro.
Thomas E. Flynn, Underhill.
Waldo K. Powers, Vergennes.
Peter E. Kehoe, West Pawlet.
Martin H. Bowen, Wolcott.

VIRGIN ISLANDS

Bartholin R. Larsen, Christiansted.

HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 25, 1934

The House met at 12 o'clock noon.

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

Blessed be the Lord our God, beneath whose mighty hand we bow. We rejoice that to those who come to Thee with hungry hearts Thy help is revealed; those who come to Thee with humility will find Thy yoke easy and Thy burden light; and those who come with penitence will find Thy mercy like the broadness of the sea. Heavenly Father, give us a growing conception and appreciation of the divine law whose seat is in the bosom of the merciful God. Brighten our ideals, that they may rebuke past sins and lend inspiration for the future. We believe that the Man of Galilee is the purest and the most radiant Teacher of the ages. Father in Heaven, encourage us to follow His example, to help the helpless as He helped them, to bear their burdens as He bore them, and in the cool of the evening may we find our way to some secret place and pray as He prayed. Amen.

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

PERSONAL EXPLANATION

Mr. BYRNS. Mr. Speaker, yesterday there appeared in one or two of the newspapers, not all of them, a statement which might have been construed as a criticism on my part of the leadership in the Senate. I certainly uttered no criticism and had none in my mind and made no statement which would reflect upon the magnificent leadership in the Senate. I have the highest admiration for that leadership, and I admire the skill with which it is conducted and has been conducted during the incumbency of the present distinguished leader. I have not only not criticized the leadership of the Senate but, on the contrary, I have on numerous occasions expressed my admiration of it.

I feel in justice to myself I should not permit the statement to appear in the newspapers to which I refer without making this correction. [Applause.]

ORDER OF BUSINESS

Mr. McGUGIN. Mr. Speaker, I ask unanimous consent to proceed for 6 minutes.

The SPEAKER. Is there objection?

Mr. BANKHEAD. Mr. Speaker, yesterday we had what I regard as a rather ironclad agreement with reference to the order of procedure this morning. This women's citizenship bill has had the right-of-way for some time but has been delayed for one reason or another. In compliance with the request of many Members yesterday afternoon for an adjournment, the rule for the consideration of this bill was adopted without debate, and the gentleman from Kansas [Mr. McGUGIN] will find by looking in the RECORD that it was understood and agreed by all parties that immediately after the reading of the Journal the gentleman from New York [Mr. DICKSTEIN] could move to go into Committee of the Whole to proceed with the consideration of this bill. I hope the gentleman will withdraw his request for the present time.

Mr. McGUGIN. Certainly after the other side proceeded for 1 hour yesterday the gentleman will not object to my proceeding for 6 minutes.

Mr. CARPENTER of Nebraska. Mr. Speaker, I object.

Mr. RICH. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas be given 10 minutes at the conclusion of the bill referred to by the gentleman from Alabama.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the gentleman from Kansas may be permitted to address the House for 10 minutes at the conclusion of the bill (H.R. 3673) in order today. Is there objection?

Mr. DOUGLASS. Mr. Speaker, I object. We have a vocational education bill here which has been waiting for 3 weeks to get the floor.

The SPEAKER. Objection is heard.

Mr. RICH. If they are not going to give some recognition to the gentleman from Kansas, we will have to object to any business they want to do.

Mr. BANKHEAD. Mr. Speaker, I have no disposition, as I am sure the gentleman from Kansas will believe, to object to his speaking, but after we have had a hard-and-fast agreement with respect to the order of business today, I trust the gentleman from Kansas will accept the situation.

Mr. RICH. Cannot the gentleman suggest a time today when the gentleman from Kansas may proceed for 10 minutes?

Mr. BANKHEAD. Personally I have no objection to the gentleman from Kansas proceeding as soon as we have finished this business.

Mr. RICH. That was the request that I made.

Mr. BANKHEAD. I have no objection to that.

Mr. McFARLANE. Mr. Speaker, I demand the regular order.

Mr. SNELL. This is the regular order.

The SPEAKER. Is there objection to the request?

Mr. RICH. Mr. Speaker, I repeat my request, that the gentleman from Kansas be given 10 minutes to proceed at the conclusion of the business before the House today.

The SPEAKER. Is there objection?

Mr. DOUGLASS. I object.

Mr. SABATH. Mr. Speaker, I reserve the right to object. Is it not a fact that there has been a tentative agreement to take up today the De Priest resolution and get that out of the way? That may take a little time.

Mr. BANKHEAD. I have no objection to taking up that resolution when we conclude the debate on this bill.

Mr. SABATH. That is the reason I feel that should be the next order of business.

Mr. DOUGLASS. Mr. Speaker, my objection is not an unfriendly or personal one, but I make it because of the fact that the Committee on Education has had before the House, under a rule reported sometime since, a bill for vocational education. That bill will have to be passed within a few days or a week, or there will be no Federal vocational education, and, because of the importance of considering that, I must object.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. DOUGLASS. I yield.

Mr. RICH. To give the gentleman from Kansas 10 minutes certainly would not delay the gentleman's bill any great length of time.

Mr. DOUGLASS. I am willing that the gentleman may proceed for 10 minutes after the consideration of my bill.

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. DICKSTEIN].

CITIZENSHIP AND NATURALIZATION

Mr. DICKSTEIN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3673) to amend the law relative to citizenship and naturalization, 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 for the consideration of the bill (H.R. 3673) to amend the law relative to citizenship and naturalization, and for other purposes; with Mr. MARTIN of Colorado in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

Mr. DICKSTEIN. Mr. Chairman, I yield myself 10 minutes.

Mr. DICKSTEIN. Mr. Chairman, the bill, H.R. 3673, deals with amendments of the law relative to citizenship and naturalization, and for other purposes, and is commonly known as the "equalization bill", for it seeks to equalize the citizenship rights of male citizens and female citizens of the United States.

The primary purpose of the bill is to equalize the status of female citizens, so that they may have the same rights in regard to citizenship and naturalization as are enjoyed by male citizens, and especially with regard to the question of derivative citizenship, so that a child may derive citizenship through the mother as well as through the father.

The bill in no way raises any question with regard to the relative status of a citizen by nativity as compared with that of a citizen by naturalization. Under this bill, a female citizen is a citizen regardless of whether she was born in this country or was naturalized or derived her citizenship from father or husband.

I will now proceed to an analysis of the bill and will ask your indulgence, because it is rather complicated. The first section of the bill provides that persons born abroad, one of whose parents is an American citizen, may derive citizenship either from the mother or from the father. Under existing law such children may derive citizenship only through the father. This bill grants to female citizens of the United States the right enjoyed by male citizens, in that if a child is born of the union between an American citizen woman and a man who is not American citizen, the child, under the provisions of this bill, may derive American citizenship through the mother, whereas at the present time it cannot.

To illustrate the inequality of the present law, let us consider on the one hand the case of children born out of the United States to a couple, the man being of Chinese ancestry but a native-born American citizen and the woman an alien ineligible to citizenship, and on the other hand the case of children born out of the United States of the union between a native-born white woman and a Britisher. In each instance the children were born outside the limits of the United States. In the case of the Chinaman the children arriving at the port of entry, Ellis Island or San Francisco, or be it where it may, are admitted as American citizens, whereas the white child of the native-born American woman married to the Britisher is held back and is called an "alien." Because of the inequality of the present law, that child derives the citizenship of the alien father, even though the mother is a native-born white American citizen.

The committee has studied this bill for over a year. As a matter of fact, we requested the various departments and the President to call into conference the various group leaders in this administration to study the inequality and the hardships of the naturalization laws, and I am glad to say that the various departments have withdrawn their objection upon realizing the hopeless inequality between male and female citizens.

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

Mr. DICKSTEIN. I yield.

Mr. DIES. I want to clarify this: Is it not a fact that under the present law the child of an American father born outside the limits and jurisdiction of the United States becomes an American citizen?

Mr. DICKSTEIN. The gentleman is correct.

Mr. DIES. He becomes an American citizen although the child does not have to return to the United States, does not have to reside in the United States. Under this bill, however, as amended by an amendment I proposed in the committee and which the committee accepted, the child must return to the United States before he reaches his eighteenth birthday and reside here for 5 years before he can become an American citizen.

Mr. DICKSTEIN. The gentleman is correct. I am coming to that feature; I will explain it.

Mr. HASTINGS. And the child must come to the United States before he is 18 years of age.

Mr. DIES. Yes; the child must come to this country before he is 18 years old.

Mr. DICKSTEIN. Should this bill become a law—and I hope it will be passed at the earliest possible moment—a safeguard has been provided by the committee with respect to these children. Although under the provisions of this bill the child may derive nationality from either the mother or the father, still the child must come to the United States before the eighteenth birthday, and the child must live in the United States for at least 5 years before citizenship could attach to him. But the bill takes away the stigma of inequality to children of male and female citizens. As I pointed out in my illustration, the children born abroad of a Chinese father, an American citizen, could come in as citizens; yet in the case of the female American citizen marrying the Britisher, the white child of the white American woman is deprived of citizenship.

Now, these children would have to make a declaration. In other words they cannot have dual nationality. If they come into this country under the terms of this bill, not only would they have to reside in this country for a period of 5 years but they would also have to take an oath of allegiance to the United States of America and reside here for at least 5 years.

Mr. ELTSE of California. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. ELTSE of California. If an American-born Chinese man goes to China and marries and of the union a child is born before his return to the United States, the child would not be entitled to citizenship, would he?

Mr. DICKSTEIN. If a native American Chinese or Japanese, one who was born here, goes to China or Japan and has a family of a dozen or more or less, under the present law these children are citizens of the United States ab initio from the beginning.

Mr. ELTSE of California. Under the present law?

Mr. DICKSTEIN. Under the present law.

Mr. ELTSE of California. But if this bill is passed and becomes a law, those children never can become citizens.

Mr. DICKSTEIN. I grant the gentleman that is true, but the purpose is to create a dead line some place, because the committee has found that there has been a continuation, in some cases deliberately, where a native American Chinese goes to China and marries. He transmits citizenship to his children. His sons come to the United States, stay here long enough to claim to have lived here, then go back and get married, and their children in turn are citizens of the United States under the existing law.

So it goes right down the generations. This bill puts a stop to this endless chain.

Children whose birth takes place after the bill is enacted into law, where an alien parent is an alien ineligible to citizenship by naturalization, would not derive citizenship from their citizen parent, either mother or father. In other words, after this bill is enacted into law they cannot bring children back here that were born in China for the purpose of giving derivative citizenship to their heirs, who could not become citizens through naturalization proceedure. A practice which goes on indefinitely under existing law.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I yield myself 5 additional minutes.

Mr. ELTSE of California. As a matter of fact, do not most of these American-born Chinese who go to China to marry, immediately return to the United States and their children are born in this country and not in China?

Mr. DICKSTEIN. No. We find that they keep their children there for many years and then bring them in when they are big and able to do some work in this country. They do not bring them in right away. They do not educate them in this country. They go over there, get married, and raise a family. They may go to China or Japan every 10 years; they may go over there every second year. A child is born. On the birth of that child it receives derivative citizenship from the father, who was born here. If these children should come in at the age of 18 or 19, then go back to China and they marry again over there, the children of the father born here transmits citizenship to their children. So it goes on right down the line through generations.

This puts a stop to this practice upon the basis of elimination.

A person ineligible to citizenship but who is nevertheless a United States citizen by birth here or by derived citizenship under existing law may marry another person who likewise is ineligible to citizenship but nevertheless also is a United States citizen by birth here or by derived citizenship under existing law or, to illustrate, an American citizen Chinese may marry another American citizen Chinese, and in such a case the committee does not deprive the children of such unions to citizenship derived through either mother or father.

Mr. COX. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Georgia.

Mr. COX. My question may not be friendly to the gentleman's proposition.

Mr. DICKSTEIN. That is all right. This is an open discussion.

Mr. COX. The question I wish to propound is whether the gentleman knows of any other first-class government of the world that has ever proposed anything similar to that which is before us in the pending bill?

Mr. DICKSTEIN. This is not discriminatory against any race as much as it may appear to be. You take a white man who may marry a Chinese girl in China, she is excludable because she is ineligible to citizenship. Their children born abroad do derive citizenship under present law; under this bill as reported they would not do so.

Mr. COX. Does the gentleman know of any government in all the world that has proposed anything similar to what is contained in this bill?

Mr. DICKSTEIN. There are now about 13 or more countries whose laws now give the mother absolutely equal rights with the father to transmit nationality to the minor legitimate children. The Equal Nationality Treaty, which was recently signed by all of the 21 nations of the Pan American Union at Montevideo, when ratified, will give full equality to men and women on the Western Hemisphere in all matters pertaining to nationality, citizenship, and naturalization.

Mr. COX. However, does it not run counter to the laws of all the great powers of the world affecting nationality? Does not the gentleman set up a condition where a child of an American mother and an English father may be properly claimed to be both an Englishman and an American? That is what the gentleman does here.

Mr. DICKSTEIN. What we do is very simple.

Mr. COX. Is it in the law of any other country that a mother may transmit her nationality to the child?

Mr. DICKSTEIN. Yes; there are 13 or more countries where that is written in their laws now.

Mr. COX. Is not the gentleman in error in that statement? Is not the law in all of the first-class powers that the father transmits his nationality to the child?

Mr. DICKSTEIN. That is true. That has been the basic law, the father transmits his nationality to the child. But the constant trend of world legislation on nationality seems to be toward the full recognition of the right of equality for both men and women in matters of nationality.

Mr. COX. That is our law.

Mr. DICKSTEIN. That is our law, as to the child's citizenship at birth. It is not clear under our law now as to the child's citizenship when the mother, after the birth of her child, is repatriated as a United States citizen.

Mr. COX. That is a part of our naturalization law.

Mr. DICKSTEIN. That is right.

Mr. COX. The change that we undertake to make here in this pending proposal makes it possible for the mother to transmit her nationality to the child. What is the situation now in the case of an American mother marrying a subject of Germany? Under the German law and under the laws of all other nations the father transmits his nationality to the child, whereas under the law as it would be if we pass this bill the mother would likewise transmit her nationality to the child. Cannot the gentleman imagine complications which might arise as a result of the enactment of this pending proposal? For instance, what would the situation be in case of war between America and Germany? Of course, Germany would claim the citizen; America, under this law, would likewise claim the citizen. Cannot the gentleman appreciate the fact that international complications might arise as a result of the operation of such a law as is proposed here?

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I yield myself 1 additional minute.

On the other hand, Mr. Chairman, under our Constitution and our naturalization laws the United States recognizes the right of women to become citizens in their own right, independently of whatever the citizenship may be of their husbands. In other words, women in the United States do not, under our law, lose their United States citizenship by marriage to an alien, neither do they gain United States citizenship by marriage to a citizen. I do not see any logical reason why we should continue an unequal policy which is to give certain rights to men who are citizens while the same rights are withheld from women who are citizens in their own right. This bill will equalize the rights enjoyed of each, the man-citizen and woman-citizen.

I may further answer the question of the gentleman from Georgia [Mr. Cox] by stating that if the gentleman will read the bill he will find we make provision for times of war and times of peace. The gentleman, as I understand, asked me the simple question of whether there will be dual nationality of such a child if this bill is passed; in other words, such a child will have the citizenship of the father, and also under this measure he will have the nationality of the mother. Is that correct?

Mr. COX. That is correct; yes.

Mr. DICKSTEIN. We have provided for the situation insofar as a war may be concerned, but assuming there is no war, such a child would have to make an election at his eighteenth birthday and would have to make a declaration prior to his eighteenth birthday when he enters the United States.

Mr. COX. That is, so far as the United States is concerned.

Mr. DICKSTEIN. Yes.

Mr. COX. But how can we set up a condition requiring an election that will strip him of his foreign nationality?

Mr. DICKSTEIN. The gentleman overlooks the fact that the advantages of this resolution do not take effect until the alien son or the alien daughter of an American woman actually enters the United States physically; in other words, such an alien child is still an alien so long as it remains in a foreign land.

Mr. COX. And he does not escape his foreign sovereignty and there would be no dual citizenship so long as the child stayed in a foreign country?

Mr. DICKSTEIN. No. But for the clarification of this problem I will read a memorandum prepared to show the history of this measure and designed to answer objections to the enactment of this bill:

Immediately after the enfranchisement of women in 1920, it was recognized that a next necessary step for the removal of the stigma of unequal citizenship between men and women was the equalization of nationality rights for all citizens of the United States.

Work toward this end was begun by the late Representative John Jacob Rogers of Massachusetts, and was continued, after his death, by Representative Cable of Ohio.

The Cable Act, passed by the Congress in 1922, was intended to establish equal rights in nationality, but it was found that certain amendments were needed to accomplish this end. In 1930, and again in 1931, equalizing amendments were passed by the Congress. The present bill would remove the last remaining discriminations against women in our nationality laws.

The remaining discriminations which would be removed by the passage of the equal nationality bill are:

1. Denial of the right of the mother to transmit nationality to the minor child born abroad of an alien father. The father now has this right, under jus sanguinis (right derived by blood relationship as opposed to jus soli, right derived by place of birth). Women certainly have the same blood relationship to their child as the father has.

2. Denial of the right of the husband to renounce citizenship on the same terms as the wife, upon marriage to an alien. This right is equalized by the present bill.

3. Denial of the right of the alien woman to transmit nationality to her minor children upon her own naturalization, on the same terms that an alien father can transmit nationality to them by his own naturalization. The present bill equalizes this right.

4. Denial of the right of the alien husband of an American wife to acquire nationality on the same terms that an alien wife can be naturalized. The present bill would equalize this right by declaring that a residence of 3 years is required of an alien spouse of an American citizen before he or she can be naturalized. This lowers the residence requirement by 2 years for the alien husband and raises it by 2 years for the alien wife.

5. A few minor discriminations in the present law would also be repealed by this bill.

A. At present the widow of a foreign man who has died before completing his naturalization may receive credit for the steps her deceased husband had taken, and proceed from that point to naturalize herself. Inasmuch as the naturalization of women is no longer derived through the naturalization of the husband, that part of the law would be repealed by the present bill.

B. At present, when a foreign man who has taken out his naturalization papers becomes insane, his alien wife can proceed to her own naturalization with credit for the steps previously taken by her insane husband. For the reason stated above, this provision of the law would be repealed by the present bill.

C. The remaining amendments are pro forma, to eliminate matter outlawed by the present bill if passed.

The equal nationality bill, as submitted by women, consisted of provisions on the above points which merely equalize the existing law, in order to establish at every point the principle of equal nationality rights between men and women citizens. The House Committee on Immigration and Naturalization, in its judgment, decided to make, at the same time, certain changes in the laws themselves. On these changes women are taking no stand. They are matters for the Congress to decide upon. The general principle of equality in nationality is what women seek to establish. Women feel that the fundamental principle of equality in nationality should not be sacrificed to differences of opinion on these committee amendments.

ANSWERS TO OBJECTIONS

Objections have been raised to this principle of "equality in nationality" on the ground that "no first-class power has ever established by its statutes 'equality of citizenship'", and "every other nation holds that a married woman takes her husband's nationality, and a child takes the nationality of his father."

It is further stated that "no first-class power, in the years since we adopted the Cable Act, in 1922, has ever followed our experimental step to assert that diversity of citizenship within the family is a proper principle."

Taking the last objection first, the fact is that, since 1922, the following nations have recognized the propriety of that principle by radically amending their nationality laws toward giving women equality of citizenship in their own right: Great Britain, Canada, France, Spain, Norway, Sweden, Denmark, Finland, Iceland, Belgium, Estonia, Rumania, Jugoslavia, Turkey, China, Persia, and Albania. Great Britain, in November 1933, followed the lead of Canada (in 1932) in granting to its women the absolute right to retain their British nationality in certain circumstances on marry-

ing an alien. Many nations had recognized this right prior to action by the United States in 1922.

The constant trend of world legislation on nationality is toward the full recognition of the right of equality in nationality for both men and women.

Argentina, Chile, Paraguay, Uruguay, and the Soviet Union have already fully equalized nationality rights in all respects between men and women.

The Equal Nationality Treaty, recently signed by all the 21 states of the Pan American Union, at Montevideo, will, when ratified, give full equality on all matters pertaining to nationality, including naturalization and immigration, to the men and women of the Pan American Union.

As to the objection that "every other important nation holds that a child takes the nationality of his father", the following 13 countries—Argentina, Chile, Colombia, Dominican Republic, Ecuador, Nicaragua, Panama, Paraguay, Peru, the Soviet Union, Turkey, Uruguay, and Venezuela—give to the mother absolutely equal rights with the father to transmit nationality to the minor legitimate child.

As to the statement that "every other nation except the United States holds that the wife takes the nationality of her husband", as a matter of fact, only 22 of the 77 principal countries of the world—Afghanistan, Bolivia, Czechoslovakia, Germany, Australia, British India, Irish Free State, Newfoundland, New Zealand, South Africa, Haiti, Hedjaz, Honduras, Hungary, Iraq, Lichtenstein, Luxembourg, Netherlands, Palestine, San Marino, Transjordania, and Vatican City, but in several of these countries laws giving men and women equal nationality rights are now being drafted by their governments—compel their women citizens to assume the nationality of their alien husbands under all circumstances. None of them are classed among the great powers.

Of the remaining 55 countries of the civilized world, 14 countries—the United States, Argentina, Brazil, Chile, China, Colombia, Cuba, Liberia, Panama, Paraguay, Peru, Uruguay, Turkey, and the Soviet Union—give their women citizens the absolute right to retain their nationality under all circumstances on marriage to an alien.

Six more countries—Albania, Belgium, Estonia, Guatemala, Rumania, and Jugoslavia—give a woman citizen, on marriage to an alien, the right to retain her nationality if she takes legal action to preserve it.

In the remaining 35 countries—Andorra, Austria, Bulgaria, Canada, Costa Rica, Danzig, Denmark, Dominican Republic, Ecuador, Egypt, Ethiopia, Finland, France, Great Britain, Greece, Iceland, Italy, Japan, Latvia, Lebanon, Lithuania, Mexico, Monaco, Nicaragua, Norway, Persia, Poland, Portugal, El Salvador, Siam, Spain, Sweden, Switzerland, Syria, and Venezuela—women citizens lose their nationality on marriage to an alien only under certain circumstances.

As to the problem of dual nationality raised as an objection to the equalization of our own laws, it is of interest to note that of the 58 countries which automatically confer citizenship on alien women who marry their nationals, more than half of them give their own women the right to retain their own nationality on marrying aliens. Dual nationality is a problem that can be settled only by treaty action between nations, but the fact that this complication exists—for men as well as women—is no fair reason for any country, under its own laws, to deny justice and equality to women.

[Here the gavel fell.]

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this measure, H.R. 3673, comes before us today with the unanimous approval of the Committee on Immigration and Naturalization and the unanimous vote of the Rules Committee.

Mr. COX. Mr. Chairman, will the gentleman yield there?

Mr. TAYLOR of Tennessee. I yield.

Mr. COX. The gentleman is in error in his last statement. While I did commit the error that so many of us commit, in committing myself to the support of this proposition before I knew anything about it, but between the time I made that commitment and the time the Rules Committee took action, I obtained some information and was impressed with the absurdity of the proposal. I happened not to be present at the meeting of the Rules Committee and did not vote. If I had been there, of course, I would have voted against giving a rule for the consideration of this monstrosity.

Mr. TAYLOR of Tennessee. I based my statement on the declaration made by the Chairman of the Rules Committee on the floor of the House yesterday. I assumed, of course, that that statement was correct.

Mr. BANKHEAD. If the gentleman will pardon me, I did not make that statement. The gentleman from New Jersey [Mr. LEHLBACH] is the one who made the statement.

Mr. TAYLOR of Tennessee. My recollection is that the gentleman from Alabama made the statement also.

Under existing law citizenship by birth outside of the United States is derived only through the American father. This is manifestly an unjust discrimination against American motherhood.

It seems to me that in view of the fact that 14 years have elapsed since we granted the voting franchise to American women, and 12 years have passed since the passage of the Cable Act, it is now proper that we confer upon our American women the same right enjoyed by American men in the transmission of nationality to their minor children.

Section 1993 of the Revised Statutes reads:

All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States.

This bill which we are considering today adds the word "mothers." If it has been deemed wise that the protection and privileges of our Government should be extended to the children of American fathers, it would seem to be extraordinary that the same principle should not apply to the children of American mothers since certainly the mother more than any one else stands in closest relationship to her child.

The remainder of the bill seeks to remove minor discriminations in the field of nationality in order to conform to the general principle of equality in nationality. It is a pleasure to me to go on record today in support of the contention of the proponents of this measure that in this day and age, on a continent that has for years been consecrated to justice we include women in the provisions of an act that has been already satisfactorily tested.

This measure has the enthusiastic endorsement and support of the following women's organizations: The General Federation of Women's Clubs, the National Federation of Business and Professional Women's Clubs, the National Association of Women Lawyers, the National Council of Jewish Women, the National Women's Party, the National Zonta Club, the National Association of Women's Physicians, the National Association of Women Real Estate Operators, the Women's International League for Peace and Freedom, the Southern Women's National Democratic Association, the National Soroptimists, and by many smaller organizations of women as well as by practically all the women leaders in the county.

Recognizing the common justice of the principle involved, it is with very great pleasure that I support the resolution and vote for the bill. [Applause.]

[Here the gavel fell.]

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. MILLARD].

Mr. MILLARD. Mr. Chairman, as a member of the Committee on Immigration and Naturalization, I am delighted to support this measure with the greatest power I possess.

The Committee on Immigration and Naturalization, of which I am a member, had H.R. 3673 referred to it, to amend the law relative to citizenship and naturalization, and for other purposes.

We have given the same most careful consideration and the committee has reported the same to the House with certain amendments and has recommended that the bill do pass.

There has been some discussion that the dual nationality will complicate the matter of class. It is a fact, however, that this would not make any additional complication but would just give to mothers the same rights as to fathers.

Immediately after the enfranchisement of women in 1920 it was recognized that a next necessary step for the removal of the stigma of unequal citizenship between men and women was the equalization of nationality rights for all citizens of the United States.

Work toward this end was begun by the late Representative John Jacob Rogers, of Massachusetts, a distinguished Member of this House and husband of our present colleague, Mrs. ROGERS, and was continued after his death by Representative Cable, of Ohio.

The Cable Act, passed by the Congress in 1922, was intended to establish equal rights in nationality, but it was

found that certain amendments were needed to accomplish this end. In 1930, and again in 1931, equalizing amendments were passed by the Congress. The present bill would remove the last remaining discriminations against women in our nationality laws.

The remaining discriminations which would be removed by the passage of the equal nationality bill are:

First. Denial of the right of the mother to transmit nationality to the minor child born abroad of an alien father. The father now has this right, under jus sanguinis—right derived by blood relationship—as opposed to jus soli—right derived by place of birth. Women certainly have the same blood relationship to their child as the father has.

Second. Denial of the right of the husband to renounce citizenship on the same terms as the wife, upon marriage to an alien. This right is equalized by the present bill.

Third. Denial of the right of the alien woman to transmit nationality to her minor children upon her own naturalization, on the same terms that an alien father can transmit nationality to them by his own naturalization. The present bill equalizes this right.

Fourth. Denial of the right of the alien husband of an American wife to acquire nationality on the same terms that an alien wife can be naturalized. The present bill would equalize this right by declaring that a residence of 3 years is required of an alien spouse of an American citizen before he or she can be naturalized. This lowers the residence requirement by 2 years for the alien husband and raises it by 2 years for the alien wife.

Fifth. A few minor discriminations in the present law would also be repealed by this bill.

At present the widow of a foreign man who has died before completing his naturalization may receive credit for the steps her deceased husband had taken, and proceed from that point to naturalize herself. Inasmuch as the naturalization of women is no longer derived through the naturalization of the husband that part of the law would be repealed by the present bill.

At present when a foreign man who has taken out his naturalization papers becomes insane his alien wife can proceed by her own naturalization with credit for the steps previously taken by her husband. For these reasons this provision of the law would be repealed by the present bill.

The remaining amendments are pro forma, to eliminate matter outlawed by the present bill if passed.

A suggestion was presented to me yesterday by the gentleman from New York [Mr. TABER], who believes that these children, upon becoming 21 years of age, should take an oath of allegiance. I agree with this suggestion and I hope the Chairman will also agree to an amendment providing that within 6 months or some other reasonable time after becoming of age, they shall take an oath of allegiance, because I can see where such a child might not have the best interests of this country at heart and not be willing to take the oath of allegiance and perhaps would become a bad citizen.

The equal nationality bill, as submitted by women, consisted of provisions on the above points which merely equalize the existing law, in order to establish at every point the principle of equal nationality rights between men and women citizens. The House Committee on Immigration and Naturalization, in its judgment, decided to make, at the same time, certain changes in the laws themselves. The general principle of equality in nationality is what women seek to establish. Women feel that the fundamental principle of equality in nationality should not be sacrificed to differences of opinion on these committee amendments.

The United States has taken a stand before the world for equality in nationality. We have five times announced to the world our support of equality between men and women in nationality—once, in 1930, in a vote by the United States delegation, acting under instructions from President Hoover, at the World Conference on the Codification of International Law at The Hague; once again in the same year, in a vote by the House of Representatives; once, in 1931, in a letter from former Secretary of State Stimson, to the League of Nations, and once, in 1932, in a second letter from the Secretary of State to the League, and once, last year, December 1933, when the United States under the Secretaryship of Mr. Hull signed a nationality treaty at Montevideo.

The party to which I belong has always stood before the world for equality in nationality.

The United States delegation at the World Conference on Codification of International Law, The Hague, voted for equality in nationality in April 1930.

In March and April 1930 the first World Conference on Codification of International Law was held at The Hague under the auspices of the League of Nations. At this Conference there was proposed a convention on nationality which discriminated against women. The United States delegation, acting under instructions from the President, voted against this discriminatory convention. One of the grounds given by the Acting Secretary of State for the opposition of our Government to the convention was:

> We do not in our laws make differences—or make few or relatively unimportant differences—as to rights of men and women in matters of nationality. (Statement issued by Acting Secretary of State, Apr. 15, 1930.)

This House endorsed the vote of the United States delegation at The Hague in support of equality in nationality in May 1930.

Following the vote of the United States delegation at The Hague, the House of Representatives again on May 21, 1930, adopted a resolution, introduced by my distinguished colleague, HAMILTON FISH, Jr., of New York, commending the vote of the United States representatives at The Hague against the proposed nationality convention discriminating against women. This resolution read:

> That the Congress of the United States of America expresses its approval of the action of the United States delegation at The Hague Conference, 1930, on the Codification of International Law in voting against the "Convention on certain questions relating to the conflict of nationality laws"; and
>
> That it is hereby declared to be the policy of the United States of America that there should be absolute equality for both sexes in nationality, and that in the treaties, law, and practice of the United States relating to nationality there should be no distinction based on sex.

And recently at Montevideo the United States, in December 1933, signed an equal nationality treaty declaring there would be no distinction on account of sex in law or practice in regard to nationality.

The passage of the equal nationalities bill, H.R. 3673, would bring the United States law on nationality into harmony with the declared policy of the Government upon this subject.

The enactment into law of the equal nationality bill would remove all of the discriminations against women in nationality and would place men and women on a basis of complete equality in this field. Not only would the passage of this measure be a long-delayed act of justice but it would bring the United States law on nationality into harmony with the principles which the Government has repeatedly proclaimed at home and abroad.

The bill had careful consideration by the committee, and both Secretary Hull and Secretary Perkins have now withdrawn their objections to the bill.

Someone has said that it is a bill to add to and increase the complexities of nationalities. That is not true, as this bill does not complicate nationality but simply adds the word "mother" and gives her the same rights as a father.

The aim of the bill is to confer upon a child born abroad of an alien father and an American mother, citizenship. This meets with the hearty approval of any thinking person as it only does justice and grants equality.

Objections have been raised to this principle of "equality in nationality" on the ground that "No first-class power has ever established by its statutes 'equality of citizenship'", and "every other nation holds that a married woman takes her husband's nationality, and a child takes the nationality of his father."

It is further stated that "No first-class power, in the years since we adopted the Cable Act, in 1922, has ever fol-

lowed our experimental step to assert that diversity of citizenship within the family is a proper principle."

Taking the last objection first, the fact is that, since 1922, the following nations have recognized the propriety of that principle by radically amending their nationality laws toward giving women equality of citizenship in their own right: Great Britain, Canada, France, Spain, Norway, Sweden, Denmark, Finland, Iceland, Belgium, Estonia, Rumania, Jugoslavia, Turkey, China, Persia, and Albania. Great Britain, in November, 1933, followed the lead of Canada (in 1932) in granting to its women the absolute right to retain their British nationality in certain circumstances on marrying an alien. Many nations had recognized this right prior to action by the United States in 1922.

The constant trend of world legislation on nationality is toward the full recognition of the right of equality in nationality for both men and women.

Argentina, Chile, Paraguay, Uruguay, and the Soviet Union have already fully equalized nationality rights in all respects between men and women.

The Equal Nationality Treaty, recently signed by all the 21 states of the Pan American Union, at Montevideo, will, when ratified, give full equality on all matters pertaining to nationality, including naturalization and immigration, to the men and women of the Pan American Union.

As to the objection that "every other important nation holds that a child takes the nationality of his father", the following 13 countries: Argentina, Chile, Colombia, Dominican Republic, Ecuador, Nicaragua, Panama, Paraguay, Peru, the Soviet Union, Turkey, Uruguay, and Venezuela give to the mother absolutely equal rights with the father to transmit nationality to the minor legitimate child.

As to the statement that "every other nation except the United States holds that the wife takes the nationality of her husband"—as a matter of fact only 22 of the 77 principal countries of the world—Afghanistan, Bolivia, Czechoslovakia, Germany, Australia, British India, Irish Free State, Newfoundland, New Zealand, South Africa, Haiti, Hedjaz, Honduras, Hungary, Iraq, Lichtenstein, Luxembourg, Netherlands, Palestine, San Marino, Transjordania, and Vatican City, but in several of these countries laws giving men and women equal nationality rights are now being drafted by their governments—compel their women citizens to assume the nationality of their alien husbands under all circumstances. None of them are classed among the great powers.

Of the remaining 55 countries of the civilized world, 14 countries—the United States, Argentina, Brazil, Chile, China, Colombia, Cuba, Liberia, Panama, Paraguay, Peru, Uruguay, Turkey, and the Soviet Union—give their women citizens the absolute right to retain their nationality under all circumstances on marriage to an alien. Six more countries—Albania, Belgium, Estonia, Guatemala, Rumania, and Jugoslavia—give a woman citizen, on marriage to an alien, the right to retain her nationality if she takes legal action to preserve it. In the remaining 35 countries—Andorra, Austria, Bulgaria, Canada, Costa Rica, Danzig, Denmark, Dominican Republic, Ecuador, Egypt, Ethiopia, Finland, France, Great Britain, Greece, Iceland, Italy, Japan, Latvia, Lebanon, Lithunia, Mexico, Monaco, Nicaragua, Norway, Persia, Poland, Portugal, El Salvador, Siam, Spain, Sweden, Switzerland, Syria, and Venezuela—women citizens lose their nationality on marriage to an alien only under certain circumstances.

As to the problem of dual nationality, raised as an objection to the equalization of our own laws, it is of interest to note that of the 58 countries which automatically confer citizenship on alien women who marry their nationals, more than half of them give their own women the right to retain their own nationality on marrying aliens. Dual nationality is a problem that can be settled only by treaty action between nations, but the fact that this complication exists—for men as well as women—is no fair reason for any country, under its own laws, to deny justice and equality to women.

Mr. DICKSTEIN. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes out of order.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for 10 minutes out of order. Is there objection?

Mr. DICKSTEIN. Mr. Chairman, I yielded 3 minutes to the gentleman from Missouri. His request is to speak 10 minutes out of order. Only 3 minutes of that 10 should be taken out of my time.

The CHAIRMAN. The gentleman from Missouri is recognized for 3 minutes.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to speak out of order on a matter of general interest for 10 minutes.

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

Mr. CANNON of Missouri. Mr. Chairman, we have established many new records in this session of Congress, and one of them in particular is deserving of more than passing attention.

From time immemorial we have operated the House restaurant at a loss. Every year the Committee on Accounts has reported to the House, and charged to the contingent fund, an annual deficit of from $25,000 to $40,000 in the maintenance of the restaurant. And the loss in the operation of the Senate restaurant has run as high as $80,000 for one session.

I had the honor to serve as a member of the Committee on Accounts at one time, and it seemed so unreasonable to lose this large sum in the operation of the restaurant, notwithstanding the fact that we paid the highest prices charged anywhere in Washington for similar services, that I insisted on having the books audited by a certified public accountant. The accountant checked the books from every possible angle, and in the course of his examination reported the amount made or lost on each article of food served in the restaurant. His audit showed that we lost money on everything we served except soup and coffee, so I offered a motion that we serve only soup and coffee. [Laughter.] Unhappily, my motion was not entertained, and we have continued to lose money at every session of Congress until the present Chairman of the Committee on Accounts, the gentleman from North Carolina, Mr. LINDSAY C. WARREN, assumed charge of the committee and the restaurant.

I rise this morning to call attention to the report recently filed by Chairman WARREN showing that for the first time in the history of the committee's management of the restaurant it has paid all expenses and made a slight profit, notwithstanding the fact that it has rendered better service and charged more moderate prices than ever before within my recollection. So it occurs to me, Mr. Chairman, in view of this remarkable and unprecedented record, that some of the executive departments which are struggling to overcome chronic deficits might very well enlist the efficient services of the gentleman from North Carolina [Mr. WARREN] with credit to themselves and profit to the Government. [Applause.]

Mr. Chairman, the Seventy-third Congress will be remembered for many notable accomplishments, but for one especially notable achievement which will be recalled when all others are forgotten—the completion in this session of the parliamentary revolution begun in the Sixtieth Congress. In that Congress, and the preceding Congresses under the administrations of Speaker Reed and Speaker Cannon, the Speakership had attained such preeminence as to overshadow the Presidency itself. The Speaker dominated every function of the House. No measure, however important or however trivial, could be so much as considered without his approval. And as the power of the Speaker was enhanced, the influence of the individual Members of the House declined in proportion, until Speaker Cannon held even his party colleagues in such slight esteem politically that Representative Victor Murdock, of Kansas, writes that he was accustomed to pass them in the corridors and cloakrooms

without so much as deigning to acknowledge their greetings. And Champ Clark, of Missouri, relates that when he was introduced to Speaker Reed on his election to the House and mentioned the name of his predecessor who had served the previous 4 years in the House, Speaker Reed said he was unable to recall ever having heard of him.

The revolution of 1910 deprived the Speaker of many of his powers, but as it made no provision for the exercise of such powers by the organized membership of the House, they passed largely to small groups selected and controlled by the Speaker, and the effect was to supplant a despotism with an oligarchy through which the Speaker, with the aid of unofficial kitchen cabinets chosen by himself, still governed the House with little regard for the great body of its Membership.

It remained for two great men—by a singular coincidence from the same State—to complete the work begun in the Sixtieth Congress and return control of the House to its membership, as contemplated by the Constitution. On the other side of the aisle the change was effected by James R. Mann, of Illinois, characterized by Speaker Clark as knowing more about House procedure than any other man who ever sat in the American Congress, and named by Asher Hinds, of Maine, as his most valued consultant in the preparation of Hinds' Precedents. In the Republican conference of the Sixty-sixth Congress Mr. Mann secured the adoption of the plan under which the policies of the party—formerly dictated by a small coterie of the Speaker's lieutenants—were determined by a steering committee elected in the conference and geographically representative of the party. This system, preserving the rights of the individual Member and insuring the adoption of policies responsive to the will and sentiment of the country as expressed through its Representatives in Congress, has proven so effective and so satisfactory that it has been readopted in every succeeding Congress and is the system so ably maintained and administered today by the great leader of the minority, the distinguished gentleman from New York [Mr. SNELL].

On this side of the aisle the reform proceeded more slowly, and it was not until this Congress that we were able to secure the adoption of a similar provision completing the transfer of the control of party policies from the Speaker's antechamber to the floor of the House. Speaker RAINEY, another Illinoian, introduced in the Democratic caucus and secured the adoption of a resolution providing for the election of a similar steering committee by the Democratic caucus to which are referred questions of party polity and expediency. Already the high character of the men elected to the committee, the reflection through them of the attitude and sentiments of their constituent colleagues, the facility with which they have transmitted administration views on which a plebescite was desired, and especially the ready cooperation which they have enlisted in support of administration measures, has more than justified this long-delayed reform. Through these elective party committees, subject to recall at will, the newest Member of the House may express his views and register his wishes as effectively in the formulation of party programs as the oldest Member of the House, or the highest ranking member of its most important committee. No longer can a Speaker of the House say, as in the past a Speaker has said, in reaching out for unconstitutional authority through the unwarranted exercise of the prerogatives of that high office, that the House is too large and unwieldly a body to permit consultation with the rank and file of its membership in the determination of party policies or, as another Speaker said, that actual participation by the average Member in the legislative functions of the House is an admirable theory but wholly impracticable.

When George III came to the throne the English Crown had long before become a mere figurehead in the actual government of the realm; but, prompted by the insistent admonition of his mother, "Be King, George; be King", he spent his life in a disastrous and futile effort to reestablish despotic power. Many Speakers have been urged by sycophantic satellites, "Be king, Mr. Speaker; be king", and some Speakers have listened to the siren suggestion, always at the expense of the prerogatives of the House and the liberties of the people, and with the ever-present possibility of control by sinister interests seeking special privilege. The adoption of these reforms by the party organizations of the House effectually preclude such usurpation of power and constitute a divisional milestone in the evolution of representative government.

But, Mr. Chairman, when the parliamentary annals of this Congress are finally written, Speaker RAINEY's place in history will be fixed, not so much by his institution of this epoch-making reform as by the probity and impartiality of his interpretation of the law of the House and his enforcement of the letter and spirit of its rules of procedure. There have been Speakers whose ruthless disregard for established procedure amounted to parliamentary piracy. I recall decisions in which a Speaker, in order to serve the petty partisan exigency of the moment, violated the law as laid down in express decisions by his three immediate predecessors.

It was for Champ Clark, of Missouri, and Frederick H. Gillett, of Massachusetts, two outstanding parliamentarians, whose terms fortunately supplemented each other, to first divorce the judicial functions of the Speakership from the partisan requirements of party leadership. While the scientific codification of the rules was completed under Reed and Cannon, neither hesitated to sacrifice precedent or consistency to party needs when occasion required. And party majorities sustained them on appeal. But a careful perusal of the opinions rendered by Clark and Gillett fails to disclose a single instance in which either of them subordinated principle to opportunism.

Expressing his conviction on the subject, Speaker Clark said in one of his early decisions:

> I would rather have it said of me, when I have finally laid down the gavel, that I was the fairest Speaker than that I was the greatest. No Speaker can afford to render a decision for temporary benefit to his party fellows.

The philosophy which these two great Speakers expressed and practiced in their rigid adherence to stern and exact justice in interpretating the law of the House had been well exemplified by the immortal Bard of Avon when, 300 years before, Bassanio had urged:

> And I beseech you wrest the law to your authority; to do a great right, do a little wrong, and curb this cruel devil of his will.

And Portia replied:

> It must not be; * * * 'twill be recorded for a precedent, and many an error by the same example will rush into the state.

Speaker RAINEY, by his adherence to these splendid traditions, by his scholarly knowledge of the rules and procedure of the House, his keen analysis and equitable solution of the parliamentary problems presented, and especially his wise and impartial administration of the exacting duties of the Speakership, ranks as one of the ablest of the long line of able men who have served in that great office. [Applause.]

The next Congress promises one of the most momentous sessions in the history of the Nation. Complicated and bitterly contested issues vitally affecting the standard of living of every American citizen and involving the very perpetuity of the Republic itself must be taken up, and their disposition challenges the capacity of the wisest and most patriotic statesmen. But great crises have always produced great men to meet and master them, and with Speaker RAINEY in the chair and the able and resourceful gentleman from Tennessee [Mr. BYRNS], who has so successfully piloted the administration's program on the floor in this Congress as majority leader [applause], the House and the country may look forward to the Seventy-fourth Congress with confidence and enthusiasm. [Applause.]

The warm and unconditional approval and endorsement of their leadership expressed by President Roosevelt, as reported in this morning's papers, insure a continuation of the close cooperation between the executive and legislative branches of the Government in the coming Congress,

and with it the successful solution of every national problem and the speedy return to national prosperity. [Applause.]

Mr. Chairman, in this connection I am constrained to also refer to two other men who have rendered exceptional service in this Congress. By a further coincidence they also are from the same State.

One of the key men in the working organization of the House is the Chairman of the Committee on Appropriations. He holds the purse strings of the Nation and supervises the appropriation of every dollar spent by the Federal Government. As a matter of fact he is probably as important a factor in the Government as any other man in the Congress. The present Chairman of the Committee on Appropriations, the gentleman from Texas [Mr. BUCHANAN] has made a record in that position in this Congress which is without parallel in the 145 years since the adoption of the Constitution. [Applause.] He has reduced the cost of operating the Government from the peak of peace-time appropriations more than 40 percent for the coming fiscal year.

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

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, in 1932 we appropriated for the maintenance of the executive departments $3,454,933,066.07. In the supply bills which have passed the House at this session we are providing for the same purpose $2,178,524.905.94. In other words, under the administration of the present Chairman of the Committee on Appropriations, we are reducing Government expenditure from a round figure of three and a half billion dollars to approximately $2,000,000,000, an annual saving of something like a billion and a half dollars—and the Government is being better served than ever before. The entire Nation is indebted to Chairman BUCHANAN for that remarkable accomplishment. The times demand economy in government, and the gentleman from Texas is supplying it most effectively. [Applause.]

Mr. Chairman, no reference to the personnel of this Congress would be complete without mention of the other of the two brilliant Texans to whom I have just referred. It has been my privilege to serve in various capacities on the floor of this House for 23 years this month. In that time I have observed no Member who has rendered abler or more conscientious service than the gentleman from Texas, Judge BLANTON. In the legislation which he has supported, in the legislation which he has opposed, and especially in the vast sums of money which he has saved the Federal Treasury, no Member of the House in the last quarter of a century has surpassed the wise and courageous and resourceful gentleman from Texas, THOMAS L. BLANTON. [Applause.] And speaking in behalf of the people of my State—and expressing, I am certain, the sentiments of those of every other State in the Union—I desire to thank the citizens of the Seventeenth District of Texas for sending Judge BLANTON here and keeping him here all these years. His services to the House and to the country have been invaluable. [Applause.]

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

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD and to include therein an excerpt from the preface to the forthcoming second edition of the Supplement to Hind's Precedents, now in the press.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, under the authorization granted, and in connection with my remarks just made, I include the following:

The period covered most intimately by the Precedents had witnessed the rise of the Speakership to a position of commanding influence. In the last years of the nineteenth century especially, when turbulent minorities welded their historic functions of criticism and protest into ruthless instruments of obstruction, the power of the Speaker, necessarily enhanced to meet the emergency, approached absolutism. Fostered by the arbitrary exercise of the power of recognition by Speaker Carlisle, supplemented by utilization of special orders under Speaker Crisp, the growing ascendancy of the Speakership was further augmented under Speaker Reed and reached its flower under Speaker Cannon. Entrenched behind the power to appoint committees, with authority to extend or refuse control of the floor, sitting as chairman ex officio of the Committee on Rules, and exercising the right to count a quorum or declare a motion dilatory, the Speaker became an arbiter from whose decisions in chambers there was no appeal. So autocratic was the power of the Speakership that contemporary historians characterized the office as "second in power only to the Presidency",[1] or considered the Speaker of the House as "more powerful than the President of the United States."[2] Such was the situation at the opening of the Sixty-first Congress.

The reaction came with startling suddenness. Almost overnight the slowly accumulated prerogatives of the great office crumbled. Within 3 short years (1909–11) a bipartisan revolution swept away every vestige of extrajudicial authority. The power of recognition was circumscribed by the establishment of the Unanimous Consent Calendar, the Discharge Calendar, the provision for Calendar Wednesday, and by the restoration to the minority of the motion to recommit. The appointment of committees was lodged in the House, and the Speaker was made ineligible to membership on the Committee on Rules. Reference of bills to committees was standardized by rigid enforcement of the rules of jurisdiction; recalcitrant committees and managers of conference were rendered subject to summary discharge; and the determination of legislative policies and programs was delegated to party caucuses and steering committees. The tidal wave of reform culminated with the adoption of the rules for the Sixty-second Congress and Speaker Clark succeeded to an office which, aside from the outstanding position he occupied in his party, was hardly more than that of moderator.

The control of the House thus wrested from the Speaker has been more than maintained. Command has passed from the Chair to the floor, and the prerogatives of the Speaker have been jealously limited by the rules of each succeeding Congress. Administrative functions are vested in party caucuses and their all-powerful steering committees which meet as party boards of strategy and on occasion have been attended by the Speaker on invitation and not by right of membership.[3]

The restoration of the judicial character of the speakership is reflected both in the decisions of the Chair and in their reception by the House and by the country at large. Supported by citation of clearly defined and long-established principles of procedure as enunciated in the Precedents, the opinions of the Chair are no longer subject to the criticism of the press and the distrust of the minority which regularly featured sessions of Congress in former years. At liberty to disregard political considerations, and no longer under the onus of serving party interests, the decisions of the Speaker are judicial and academic rather than polemic and partisan, a change which has served to add distinction to the office and its incumbents.

At the same time the prestige of the House and its influence in legislation has been largely enhanced. Through the establishment of the Budget system and the concentration of the power of appropriation in a single committee, the House has strengthened its grip on the national purse strings. Its insistence on the observance of recognized rules of conference and the maintenance of its privilege in revenue legislation have further contributed to its influence. In the reenactment of the Holman rule in 1911, and the adoption of the amendment of 1920 interdicting fiscal legislation in conference, it has affirmed its primacy in the formulation of the supply bills and emphasized its constitutional prerogatives.

To recapitulate, the quarter century which has elapsed since the publication of the Precedents has witnessed a more radical amendment of the rules and a more fundamental change in the unwritten law of the House than any similar period since its establishment. It has been a period of change, not only in House procedure but in world relations, economic standards, scientific formulas, and every phase of human progress. A World War with its attendant problems, the adoption of constitutional amendments of far-reaching effect, the enfranchisement of women, the authorization of new bases of Federal taxation, increased membership of the House, decisions of the Supreme Court affecting the Congress and its powers, extensions of the activities of the Federal Government into new channels, and vast national readjustments have precipitated legislative proposals in such volume and

[1] No one who looks beneath the surface of our national political system can fail to see that the Speaker is, next to the President, the most powerful man in the Nation, and that his influence increases.—Albert Bushnell Hart, The Speaker of The House of Representatives, p. xi.

This system in reality made him more powerful than the President of the United States; without his consent and assistance, legislation was practically impossible.—Brown, Leadership of Congress, p. 3.

[2] The President might recommend, but the Speaker dictated, legislation. He not only decided what legislation should be permitted, but he even shaped the form of that legislation to conform to his own personal ideals.—Fuller, The Speaker of the House, p. 269.)

[3] Speaker Gillett was not a member of his party's steering committee.

of a character so unprecedented in the practice of the House as to render a revision of the Precedents incorporating the modern practice indispensable.

Mr. DICKSTEIN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I am heartily in favor of this bill and was active in causing it to be reported by the Rules Committee. The Rules Committee held two extended hearings relating to this matter. We received communications from some of the governmental departments; and I had some personal communications with those departments in reference to its provisions.

I believe the principle of equality of sex set forth in this bill should have been enacted into law some time ago. I believe that the children of a male American citizen should not be entitled to any more recognition than the children of a female American citizen. For at least 150 years in this country we have proceeded on the contrary theory, however. It is time we abandoned the old theory.

Let me call the attention of the Committee to the bill in certain particular respects. Like other members of the Rules Committee, I felt that it would have been a very simple matter to have reported a bill from the Immigration Committee granting equality to both sexes in the matter of children born abroad, and that it could be done in about five lines. The Cable Act could have been amended to the effect that the children born of an American woman who was a citizen should have the same rights as the children born of an American man who was a citizen. That would have ended it; that would have accomplished the purpose of the bill; it would have accomplished what the women of this country so strenuously request.

This bill, however, contains some matters which do not pertain to the issue of equality of sexes. They pertain more properly to immigration legislation. In the first place, the proviso at the bottom of page 1, line 9, in my opinion, is grossly unfair. It is grossly unfair to single out any race and take away from it what the male members of that race now possess, their right to devolve citizenship upon their children; to take away from them existing rights. I can understand the argument of not further extending such rights, but the fact is that today the child of a Chinaman or a Japanese, born in this country, is an American citizen just as much as the child of an Italian, a Pole, an Irishman, or a German. The child is an American citizen, ipso facto, having been born in this country. Yet if that male child goes to China and has children, you take away from him rights he now possesses, while at the same time you are extending to the females of other races new rights to give birth to American citizens. I have no interest in the matter except to suggest that it seems grossly unfair.

Mr. MARTIN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. MARTIN of Oregon. Does the gentleman understand that the Chinese race bitterly resents this gross discrimination against them?

Mr. O'CONNOR. I think any race should resent the extreme principle of discrimination involved in this bill. We have always given them these rights, but this bill does the unusual thing of extending rights to other people while taking away existing rights of American citizenship of certain races.

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

Mr. O'CONNOR. I yield.

Mr. KRAMER. The gentleman understands, of course, there now exists a quota with respect to Chinese and Japanese entering the United States.

Mr. O'CONNOR. I understand, but this bill has nothing to do with quotas; it has nothing to do with the immigration of Chinese or Japanese; it just deprives them of rights they now have, while at the same time it gives additional rights to other races.

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

Mr. O'CONNOR. I yield.

Mr. HOEPPEL. Does the gentleman know that the San Francisco Chamber of Commerce is opposed to the very provisions to which the gentleman refers? And does the gentleman further know that we have distinctive posts of the American Legion composed of Chinese who served over there. If they return to China and marry and perchance have children, their children are denied the right to return to the United States with their parents.

Mr. O'CONNOR. And, of course, today, before this bill is enacted, those same children are American citizens.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I yield 3 additional minutes to the gentleman from New York.

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

Mr. O'CONNOR. Yes; for a brief question.

Mr. DIRKSEN. This bill, fundamentally, is an equality bill, and with due regard to those who proposed the bill, the provision to which the gentleman refers was not incorporated in the original draft of the bill.

Mr. O'CONNOR. That is what leads me to make the criticism I do. I am for the equality in this bill. I know the ladies are for it; but what I fear is that before the House finishes consideration of the bill the legislation may be turned into restrictive immigration legislation. I understand that one member of the committee will propose at least four amendments to this bill pertaining to immigration. Those amendments should not be in this bill, I respectfully submit to the committee and to the House. This bill should not be turned into a restrictive immigration bill. It should be maintained as a bill which has for its purpose the granting of equality between the two sexes.

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

Mr. O'CONNOR. I yield.

Mr. DICKSTEIN. I fear the gentleman is misinformed. The bill has nothing to do with the opening of quotas, with letting in anybody.

Mr. O'CONNOR. I know that is not the purpose behind the legislation, and I hope amendments are not adopted which will turn it into an immigration bill.

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

Mr. O'CONNOR. I yield.

Mr. WEIDEMAN. I am sure it is not the intention of the Committee on Immigration to turn it into such a bill, but that it will be kept within the scope of its purpose to grant equality in the matter of citizenship rights between the sexes.

Mr. O'CONNOR. I hope the committee will defeat such immigration amendments if they are offered, and I hope further that the House will eliminate this unfair and un-American provision on page 1.

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. McGUGIN].

Mr. McGUGIN. Mr. Chairman, I make the same request as previously made by the gentleman from Missouri [Mr. CANNON], that I may speak out of order.

Mr. WEIDEMAN. Mr. Chairman, I shall have to object.

Mr. SNELL. Mr. Chairman, we have been very liberal on this side. The gentleman from Missouri [Mr. CANNON] asked to speak out of order for 10 minutes, and his time was extended twice in order to make a political speech to help some Members come back to this House. If the objection is insisted upon, we will not do very much more business here today. The gentleman from New York [Mr. SIROVICH] spoke for an hour yesterday. We are going to have a little fairness here.

Mr. DICKSTEIN. Mr. Chairman, do I understand that the time will be taken out of the time allowed for debate?

Mr. SNELL. Yes; we on this side have yielded the gentleman 10 minutes.

Mr. WEIDEMAN. Mr. Chairman, I withdraw my objection.

Mr. BANKHEAD. Mr. Chairman, in order to expedite the conclusion of this bill—and it is not my responsibility—I give notice that I shall object to any further requests of this sort.

Mr. FISH. Mr. Chairman, I asked yesterday for 5 minutes to speak on a nonpartisan matter, and it was generally

understood that I could have time under this bill. The subject is nonpartisan, and I should like to get 5 minutes when the time of those who want to speak on the bill has been exhausted.

Mr. O'CONNOR. What is the nonpartisan subject?

Mr. FISH. It is in reference to an article that appeared in an American monthly yesterday advocating revolt in the armed forces of the United States.

Mr. BANKHEAD. If the gentleman from New York can get time yielded from one side or the other, I shall not object to his speaking out of order, but I think we ought to go ahead under the time allotted for the consideration of this bill.

Mr. SNELL. This time is being yielded by the gentleman from Tennessee [Mr. TAYLOR] to the gentleman from Kansas [Mr. MCGUGIN].

Mr. WEIDEMAN. I am anxious to get this bill passed, so I withdraw my objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas to proceed out of order for 10 minutes?

There was no objection.

Mr. McGUGIN. Mr. Chairman, yesterday the President proclaimed that the present program is evolution and not revolution, that the program is based upon planning, in brief, that planning is evolution and not revolution. Let us see what is the price which we must pay for planning. Professor Tugwell is admittedly the leader of the "brain trust" planners. It was upon Professor Tugwell that the President yesterday placed his stamp of approval by elevating him to the position of Under Secretary of Agriculture.

In December 1931, before the American Economic Association Professor Tugwell set forth the things we have to do in order to have a limited acceptance of the planning idea. According to the Tugwell formula, he prescribed: "We have a century and more of development to undo." He further stated, that there must be three great changes: First, changing statutes, constitutions, and government once and for all; second, destroying business as it has existed; and third, destroying the sovereignty of the States. After summing of these three requirements for planning, Professor Tugwell boldly and bluntly said:

> All three of these wholesale changes are required by even a limited acceptance of the planning idea.

Undoing a century and more of development, changing statutes, constitutions, and government once and for all, destroying American business as it has existed, and destroying the sovereignty of the States may not be revolution in the sense of blood running down the gutters of the streets, but as far as the Republic under the Constitution is concerned, it is as complete a revolution as if the Republic were replaced by force of arms.

From the "new dealers" we are learning much of ourselves and our forefathers which the most of us have not heretofore known. The most of us have thought that there was behind us a century and a half of progress and achievement, and the development of the greatest civilization the world has ever known. Yesterday the President referred to our past development as a nation that developed haphazardly. A few days ago Secretary Wallace referred to us as "sons of David, licenticus and contentious." A few weeks ago in a speech at Chicago Secretary Ickes indicted the American civilization as having been developed by greed and selfishness. If the "new dealers" are right, then we should be grateful to a merciful God for 150 years of patience with the country of Washington, Jefferson, Jackson, Lincoln, Theodore Roosevelt, and Woodrow Wilson.

Yesterday the President advised the use of gray matter, ".brain trust" or otherwise. Upon that statement we can all agree. The trouble is, as far as many of us are concerned, we do not have the vision or the brains to see where the use of gray matter is involved in placing a man in jail for making a living for his family by pressing pants for 35 cents a pair. We cannot see where gray matter is involved in one day enacting legislation which will put an American citizen in jail for raising cotton and on the next day reading the report in the press that Poland, a former purchaser of American cotton, has decided to cease purchasing American cotton and in the future purchase her cotton from Soviet Russia.

The Bankhead cotton bill provides for a tax which will confiscate any amount of cotton which a citizen produces in excess of the amount authorized by the Secretary of Agriculture, and then if he undertakes to escape the tax, the bill provides for sending him to the penitentiary. Remember, it is not a tax to support government. It is a shameful, tyrannical tax for the purpose of impoverishing the man who does not reduce his normal production of cotton by approximately 40 percent.

Recently George Farrell, in charge of the wheat allotments, in a speech at Pratt, Kans., was reported in the Hutchinson (Kans.) News of March 31 as saying:

> Our delicate task is to steer the price of wheat so that the man outside of the allotment makes no money and the man inside does.

Thus the power of government is being used to manipulate the wheat market and to rig the price of wheat so as to impoverish one citizen of the country and to enrich another. That may be evolution, but it is also sufficient revolution that the Government which carries out such a policy is not the Republic under the Constitution, which for over 150 years protected the equal rights of American citizens.

Yesterday David Cushman Coyle, another of the foremost "new dealers", spoke before the nurses' association and is reported as having said:

> Everything we were taught in school is exactly wrong. Thrift is no longer a virtue, saving for a rainy day makes it rain all the harder.

Maybe I am dumb and without vision or gray matter, but I still believe Benjamin Franklin was a smarter man than is Coyle. I still believe that a reprint and wide distribution of Poor Richard's Almanac would be of more service to the American people and this civilization than all the new-deal ballyhoo that has been or ever will be broadcast over the radio into the ears of the American people.

Following thrift and the wisdom of the ages has balanced the budget of England, is returning the unemployed to work in England, Canada, and other parts of the world, while following this new and strange philosophy of the "new dealers", which philosophy condemns all of our program of the past and promises a future which can neither be seen nor touched, but only visualized by those with the faith, has in 1 year's time increased the national debt approximately $5,000,000,000, or $40 for each man, woman, and child in the United States; all this in spite of the fact that the "new dealers" are now in office, elected by the people on a platform pledge promising a balanced Budget and a 25 percent reduction in the cost of government.

These remarks are in no sense personal criticism of the overwhelming majority of Democrats in both Houses of Congress. I know that at least 90 percent of the Democratic Members of this House are heartsick and weary of the day-by-day repudiation of all the fine traditions of the Democratic Party of Jefferson, Jackson, Cleveland, and Wilson. I realize the helplessness of the great majority of Democrats in Congress. They cannot criticize that which so many of them dislike without losing their patronage and thereby the support of their party organization. In their dilemma I do not criticize the great majority of Democratic Members of Congress; on the contrary, I commiserate them. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, I was very much interested in what the gentleman from New York [Mr. O'CONNOR] had to say with reference to the fact that this was not supposed to be an immigration bill. I was also very much pleased to hear those responsible for this measure on the Democratic side, members of the committee, state that this was not an immigration bill.

I should like to press the point home to you, if I may, that the purpose of the bill, as I understand it, is not to lay down

the bars in any way to admit additional immigrants. If I am wrong in this premise I should like to be corrected, because, as I stated a few days ago, I have been probably the principal opponent to this bill on this side of the House, and I should not want to withdraw my opposition if this brings in any additional immigrants. In times gone by I have opposed it strenuously, but I have never opposed it from the standpoint that it was an immigration measure, because I thought it was not an immigration measure. My opposition was based upon the fact that the Secretary of State's Office and the Secretary of Labor's Office were against it, claiming that it could not be administered. This is in line with the fear expressed by the gentleman from Georgia [Mr. Cox] when he asked certain questions a few minutes ago. He brought out the fact that he was afraid it would carry with it some very serious consequences in the way of administration.

The former Secretary of State thought it would be difficult of administration, and the former Secretary of Labor also thought it would. The present Secretary of Labor apparently thinks it will not, but just speaking for myself and not for anyone else, I do not think the present Secretary of Labor has ever done anything to indicate that she would, if she had a chance, put up the bars against an influx of immigrants, but rather her past record would indicate that she would let them down. To make myself clear, I would not be very much impressed with the opinion of the present Secretary of Labor, because her past record does not indicate that she would be very strict so far as restrictive immigration measures are concerned, but, on the contrary, it indicates clearly that it is not safe for those of you who in the past have prided yourselves on being restrictionists to rely on her. The present Secretary of State, I may say, and those who officiate with him, is just as strict and just as patriotic in that respect as anyone on either side of this House, and since they have taken the position that they do not find much opposition to this bill, and that it will administer reasonably well, and since it is purely a matter of administration, I felt it was not incumbent upon me to take the individual responsibility to oppose this measure, although I fail to bring myself to the position of being willing to proclaim its virtues from the housetops and to say it will work out well. If it is a question of administration, those whose duty it is to administer should know their duty and their capacity to discharge that duty. If it is not a question of immigration—if it is purely a question of administration—the Secretary of State has the responsibility, and I do not want to say he would not discharge this responsibility fairly in an American manner. I hope though that if this bill is passed that it will be administered in line with the sentiments expressed here today, that it will not infringe upon our quotas now established for immigrants.

Mr. McFADDEN. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Pennsylvania.

Mr. McFADDEN. The gentleman spoke about increasing immigration. Is it not a fact that this measure will give citizenship to the children of an American woman married to a foreigner, whether he is British, German, or Italian?

Mr. JENKINS of Ohio. This bill does this——

Mr. McFADDEN. Is not that a fact?

Mr. JENKINS of Ohio. It might not give citizenship to their children in every case. Generally it would.

As I understand it here is where the most trouble is likely to come. If the father and the mother separate and both desire the custody of the child this might prove troublesome. Of course, an American woman can, if she wants to, go across the ocean and marry and start out on a program of raising children to bring them into this country and thereby build up the list of immigrants from some foreign country, but people do not usually marry with any ideas like that in mind. Let us take the thing as it comes to us in a reasonable way. There are extreme cases both ways. Here is an American woman living in America. Under the present law she marries a German and moves to Italy and a child is born, this child might be an Italian citizen if it chooses when it becomes old enough to make a choice, but until then it receives its citizenship from its father and will be a German. Under the proposed new law it might be either a German or an American for it may inherit citizenship from either. If we reverse the procedure and suppose that a German husband and an Italian wife should come to the United States on a trip and a child should be born here, that child is an American citizen if it stays here long enough so that it can exercise its choice, and it will always be an American citizen until it expatriates itself. But, if the German father and Italian mother get into the divorce court, what would be the outcome? Some civil judge would determine the custody of that child and such determination would probably end all the trouble so far as we might be concerned. I mean that we would probably not have to decide between Germany and Italy and it is extremely improbable that we would have any trouble about that.

If an American wife married to a German should go to Italy and a child should be born there and domestic troubles should occur, it is safe to assume there would be some civil court that would take care of the child in that case and would determine which parent should have the custody of the child. If that court should say the custody should go to the father, no doubt the father, being a German citizen, would take his child to Germany, if he wanted to do so, and the American woman, under the present law, could come back to America as she is still a citizen, but if the court should give her the child, she could not under the present law, transmit her citizenship to that child. Under the proposed law she would have the same right as the husband to transmit her citizenship to the child just as he did, and if the court should grant the custody of the child to her she could then bring it to the United States and it would have American citizenship.

What this bill does, under such circumstances, is to say that this American woman shall be free to bring this child back here just the same as the father of the child could do if he were an American citizen.

As I have said, I admit there are instances where this might be abused, but at present, according to my understanding there are very few cases to which this change will apply—many of these women who marry foreigners deserve no sympathy when they find they have bargained for a count and got a no account. Still there are, no doubt, some deserving cases. I am sure that some of the women who will find themselves in this predicament will be American cititzens of the best type, and under these circumstances the advocates of this bill claim that they should be able to bring their progeny back just the same as a man would be able to bring his children back to this country.

With respect to this bill, in good faith and on behalf of others vitally interested, I have exacted an understanding from members of the committee and those vitally interested, that there is going to be an amendment offered providing that before such can become an American citizen, it must come to the United States for permanent residence before it is 18 years of age and must reside in the United States for 5 years, so that it may become acquainted with our schools and institutions so as to be capable of espousing Americanism, and of being a real, good American citizen.

Mr. McFADDEN and Mr. DIES rose.

Mr. JENKINS of Ohio. I yield first to the gentleman from Pennsylvania.

Mr. McFADDEN. The gentleman is suggesting that this is not an immigration bill. I should like to ask the gentleman if it is not a fact that this bill takes citizenship away from women, and if it does take citizenship away, is not that prima facie evidence that this is an immigration bill?

Mr. JENKINS of Ohio. No; I do not think it takes citizenship from any woman whatever. I think it is in line with the Cable bills which have been passed heretofore and is in line with acts seeking to give uniform naturalization and citizenship privileges to the children of American women citizens.

Mr. McFADDEN. The proviso on the first page of the bill certainly does that.

Mr. JENKINS of Ohio. I cannot agree with the gentleman about that.

Mr. RICH. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. RICH. Are we liable to get into any entanglements with foreign countries by enacting this measure into law and providing that a child although born in a foreign country can be given citizenship under this bill?

Mr. JENKINS of Ohio. Yes; we are liable to get into some entanglements, and that was the objection of the Secretary of State in times gone by.

Mr. McFADDEN. If the gentleman will permit, I want to correct the misuse of a word. I said "women" when I meant to say "child." If this proviso is enacted into law a child of an American woman who goes abroad loses its citizenship.

Mr. JENKINS of Ohio. I do not agree with the gentleman.

Mr. DIES. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. DIES. The gentleman said something about an amendment which is to be offered. I wish to call the attention of the gentleman to the fact that under the bill as it is now written it carries an amendment which I offered in committee and which provides that the child has to come to the United States and reside here for 5 years. There is some doubt about whether or not the child has to complete its residence of 5 years prior to its eighteenth birthday; and I propose to offer a clarifying amendment requiring that every child, whether the father is an American citizen or not, shall have to reside 5 years in the United States in order to become an American citizen.

Mr. JENKINS of Ohio. I thought I understood that the proposed amendment——

[Here the gavel fell.]

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. JENKINS of Ohio. I thought I understood the purpose of the amendment to be that the child should be here to familiarize himself with our institutions.

There is one provision of the bill that applies to immigration, and that is one of the repealing sections. It repeals a portion of the immigration laws. I am very pleased to be able to talk about this for the remaining time assigned to me.

Some of you will remember a nefarious law passed here over the protest of many of us 2 or 3 years ago. It was passed as a special law, and I have always been ashamed of it. It was passed expressly to admit into this country one individual woman. The immigration laws of the country were changed for the purpose of admitting this one individual woman. Ever since I have been a Member of this House I never have seen any legislation that was brought about purely by the power of money regardless of merit. I do not mean that this money was used in any illegal way, but this individual had enough to keep a lobby here for years and to lay carefully the foundations for a long fight. For several years this high-powered lobby hung around here and finally, by the power which can come only from such well-laid plans, it circumvented the law by the enactment of a special bill designed to meet only one case.

I am referring to the Ulrich bill, admitting one single individual woman, who married one of the descendants of the rich Borden-milk family.

That bill was opposed by many of us, but our opposition was not sufficient to prevent the passage of that bill.

This will repeal that law.

These are the facts upon which that law was enacted:

An American soldier after the war became enamored of a woman in Germany who had a criminal record and could not meet the requirements of the immigration laws. Before the marriage this man made inquiry of the American authorities whether she could be admitted if he married her and was advised that she could not. He defied the authorities and married her, and then sought to bring her in as his wife. Her criminal record barred her.

The law was amended so that if an American soldier, honorably discharged, who had married a woman a citizen of a foreign country wished to bring her to America he could do so if it appeared that the only charge against her was for larceny committed before she reached her majority, and the sentence for which was for less than 3 months, and which crimes had been committed more than 5 years. The exceptions are all made to fit this one individual case.

I am glad that somebody had an idea of fairness and wants to repeal this shameful legal monstrosity.

So I say, as far as I am able to find out, this bill has no effect on immigration. It does not let down the bars. I reserve the right to say that, although I do not expect to oppose this measure, I will oppose it if anybody can show me that it is letting down the bars. I have never been in favor of letting down the bars and I am not now. I have always opposed letting down the bars, and I oppose it now. I am not trying to keep the women from accomplishing what they want, although I think that this is not nearly so important a measure as they seem to think it is. I think the women have used much more energy in pressing this measure than it deserves.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from New York.

Mr. DICKSTEIN. The gentleman made a statement about the Secretary of Labor. I do not think that she has violated any law.

Mr. JENKINS of Ohio. The gentleman is not asking a question. I do not want to argue with him. We cannot agree upon that at all. I made my statement, and I am entirely satisfied with it.

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

Mr. JENKINS of Ohio. Yes.

Mr. FULLER. Does not this bill provide that if an American woman should marry a Frenchman and raise four or five children they can become American citizens if they come over here before they are 18 years of age and stay here for 5 years—not, as the gentleman says, 5 years before they become 18 years of age? The language of this bill does not say that.

Mr. JENKINS of Ohio. The gentleman was not present when the gentleman from Texas said that they would offer an amendment to clarify that language, so that there will be no misunderstanding about it.

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

Mr. DICKSTEIN. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. DUNN].

Mr. DUNN. Mr. Chairman, I am under the impression that the American Federation of Women's Clubs have endorsed this measure. I believe the American Federation of Women's Club know what they are talking about when they say that the women of our country do not get a square deal. Therefore, Mr. Chairman, this bill should be enacted into law because it will give American women the rights that they are entitled to.

Mr. DICKSTEIN. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. HOEPPEL].

Mr. HOEPPEL. Mr. Chairman and Members of the Committee, I doubt whether there is any Member of this House who will oppose this bill because of the provision contained therein pertaining to equal rights, but I should like to see the women of America who are so much and honestly interested in obtaining equal rights interest themselves more actively in the welfare of their sisters in our own country.

In the latest available census it is shown that 7,041,841 unmarried women and 3,710,302 married women are employed. To be more specific, for every two single women employed, there is at least one married woman holding a position of some sort in our industrial life. Inasmuch as there must be a million or more unemployed single women

in the United States, it would seem that women's organizations could best serve the interests of their sisters now if they would use their influence in urging Congress to enact legislation which would prevent the needless employment of married women while the list of unemployed single women maintains this huge proportion. The needless employment of married women, causing as it does untold suffering, deprivation, and other distress to single women unemployed appears to me as a more paramount issue for consideration by the various women's clubs than does the granting of equality of citizenship to a comparatively small number, as proposed in this bill, undeniably meritorious as it is.

The latest census yields further statistics significant in an analysis of our unemployment problem. There are 3,281,687 foreign-born men and 3,002,926 foreign-born women now residing in the United States who, in many instances, are taking jobs which rightfully belong to our own citizens. No one should criticize a foreigner, legally in our country, who is law-abiding and who intends to take out United States citizenship. But included in these totals of more than 6,000,000 aliens residing in this country, it is safe to assume that 1,000,000 or more have no intention of becoming citizens of the United States. I think that our American women should aggressively interest themselves in the welfare of the families of America by urging laws to be enacted which will deport from American shores every alien who refuses to accept American citizenship.

I introduced a bill in the Congress providing that aliens who are eligible to United States citizenship and who, after the expiration of the proper period of time as provided by law, fail to take advantage of the opportunities offered them in this respect, should be deported to the country of origin. The Immigration Committee has not held a hearing on this bill which, if enacted into law, would tend to free our Nation from the disloyal, communistic, racketeering element which takes advantage of the hospitality of our country, its industrial advantages, and the protection of our flag without returning one iota of fealty or loyalty to our Government.

There are individuals in our midst who have absolutely no regard for our institutions, our laws, or our form of government, and who, in many instances, are occupying positions of prominence in business, in journalism, and in other fields from which they diffuse their obnoxious ideas among those with whom they come in contact, either openly or covertly. To permit individuals who come within this category to remain in the United States tends to destroy respect for law and order on the part of loyal, unsuspecting citizens who become more or less imbued with their subversive doctrine. In times of economic depression especially do such aliens seem to find a fertile field for inculcating their insidious theories into our body politic and through their open and secret activities, they add to our law-enforcement problem and consequent expenditures to reduce crime.

The Immigration Committee, in my opinion, would be rendering a patriotic service to the people of our Nation if it would favorably report legislation providing for the deportation of aliens who are eligible for citizenship under every requirement of law, but who fail to avail themselves of this privilege. Any individual who seeks the hospitality of our shores and who, incidental to his residence here, is keeping a citizen from employment, owes it to our Nation to swear to uphold and defend it against all enemies whatsoever, and if he fails to do this he should be summarily deported.

"America for the Americans" is an appropriate slogan, and especially should it be used against those who absorb our sustenance, but who give nothing in return. [Applause.]

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, I disagree with the observation made a moment ago that this is not such an essentially important bill. I think it is important because it is a link in the endeavors of women to secure equal rights and an important part in an effort which has continued for a century or more. You do not get such things as equality in the large any more than that liberty comes all at once. It might be rather interesting to read the essay of Milton on liberty, under the name of "Areopagitica", and there find that we have gotten it piecemeal, and the very fact that the gentlewoman from Arizona [Mrs. GREENWAY] sits in this Chamber today, and that the gentlewoman from Massachusetts [Mrs. ROGERS] and others sit here, sharing all the prerogatives of Membership, is a commentary on the efforts women have made to secure not only equal rights in the law as citizens, but to secure rights under the nationality law, equal property rights, equality of suffrage, and equality before the law generally.

This is not a particularly complicated bill when administered in a practical way. There are no particular difficulties that I can discern. I am going to address myself to the sections of the bill to bring before you a concrete idea of what it seeks to do. I point out first of all that section 1 of the bill does nothing more than to give to an American mother the same rights that an American father now has. If any Member of this Chamber were to go to France, and there take an alien spouse, a French woman, and issue should be born of that union, the American father could transmit nationality to the child; if, however, a woman citizen goes from this country over there and marries a Frenchman, the nationality cannot be transmitted by the mother to children born of that union. That is simply one of those absurd inequalities in the law, and all that section 1 of the bill seeks to do is to amend section 1993 of the Revised Statutes of the United States by substituting the words "father or mother" in place of "parent", so that the mother shall have the same right to transmit nationality as the father.

The gentleman from Georgia [Mr. COX] raised the objection that difficulty may arise because of the dual nationality of the American mother and the French father, that the child would perhaps take citizenship from the French father and also from the American mother. The point is made that under the terms of the bill, if the mother also is given the right to transmit nationality, there would be dual or double nationality. That is quite true, but the same difficulty exists under the law at the present time, because there are some 58 different countries where women are entitled to retain their nationality after marriage to a foreigner and there is presented the same problem of dual nationality. That difficulty applies to men and women alike, and is a matter that can be ironed out only by treaty; but while we are waiting for the necessary treaty or treaties to be negotiated, shall we sit inertly and supinely by and allow the inequalities in the present law to continue? I can cite you letters that came from the State Department to the Naturalization Committee over the last few years. They came to the Seventy-second Congress and they came to the special session of the Seventy-third Congress, stating that we should not now modify the nationality laws because a special commission had been appointed to study the matter; that we should wait instead of correcting these inequalities at once. We might have to wait 10 years before the commission reported its recommendations. New legislation like that proposed in this bill will be affected by the so-called "nationality code", if it is ever reported. So there is therefore no reason why this legislation should be withheld. It constitutes a progressive step in the further emancipation of women.

Now, getting to section 2 of the bill, it provides that where an alien mother or father comes back to this country to resume citizenship, that the children born of that union, if born outside of the United States, shall also have the right of citizenship if the child is a minor at the time that the alien father or mother comes over to resume citizenship, and provided also that the citizenship of such minor children shall start at the time they actually become permanent residents of this country. I submit that there is nothing radical about this section. What it does is to amend the existing law that was passed on the 2d day of March 1907 so that, if an alien father refuses to become naturalized, the mother can proceed with naturalization and secure the benefits of citizenship for her children.

In this section we are simply conferring a status of equality upon the mother along with the father. There is noth-

ing revolutionary about that, nothing particularly radical. The only quarrel I have with it is that it was not done long ago when the Cable Act was passed.

Now we come to section 3 of the bill, which confers the right to renounce citizenship upon an equal basis. At the present time there exists another of those strange inequalities where a man can legally do something that is legally denied to a woman. This section does nothing more than to confer upon women and men alike an equal right of renunciation of citizenship before a competent court in this country. This is something that should have been done long ago. This simply equalizes the status between men and women in the matter of renunciation of citizenship before the law.

Finally, the fourth section of the bill, instead of being a little more liberal, is perhaps somewhat restrictive, because, in effecting equality, it enlarges naturalization requirements for women and then applies the same requirements to men. At the present time the alien wife of an American citizen does not have to make a declaration of intention. The residence qualifications were somewhat liberalized years ago so that she need show but 1 year's residence. In this particular section we once more seek to equalize the status of men and women before the law, and instead of providing that she shall be required to reside here or to be domiciled here but 1 year to comply with the requirements of naturalization and citizenship, the bill provides that both men and women must reside here 3 years. It is a little more restrictive in that respect.

Now, in substance, that is all there is in this bill. Some amendments were written in by the committee, such as the requirement of a child born outside of this country coming back to this country and having to actually and permanently reside here for 5 years before the inchoate right of citizenship becomes complete.

I understand an amendment will be offered to require that such children must also take the oath of allegiance as provided by the Bureau of Naturalization.

After all, these are not so material to the fundamental principle of the bill, although I heartily approve of them. What the bill seeks to do is to bring about an effectuation of equality between American fathers and American mothers so far as children born outside our borders are concerned, and in respect to renunciation of citizenship and the right to qualify under our naturalization law. It is not of particular consequence insofar as immigration is concerned because it will not let down the bars nor is it intended as an immigration bill.

I believe this bill should be enacted into law without delay, today, so that it can receive proper treatment at the other side of the Capitol and be engrossed upon the statute books of the Nation.

Mr. MARTIN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. MARTIN of Oregon. The gentleman has explained this bill as it affects equality between male and female citizens in the matter of citizenship. I should like the gentleman to explain why there was slipped into section 1993 the proviso:

> That if one parent is an alien such alien is not of a race ineligible to citizenship.

Why was that discrimination inserted in the bill?

Mr. DIRKSEN. I think the gentleman from Oregon will admit that he has in mind the orientals?

Mr. MARTIN of Oregon. Yes; and I live out there among the orientals. Such a provision has no place in a bill, the ostensible purpose of which is to equalize the rights of fathers and mothers. The committee has no right to slap these people in the face by any such amendment as that.

Mr. DIRKSEN. I want to be entirely fair in the matter. Personally, I have no bias in the matter. The gentleman is aware, however, that there is a prejudice against orientals, and there is always a certain degree of objection against permitting any additional orientals to come into this country. There are not many Chinese or Japanese citizens who might be affected by the bill. The number is so very small that it does not affect the general purposes of the bill.

Mr. MARTIN of Oregon. Regardless of what their number may be, we are not called upon to slap them by such a provision as this. It will do nothing but engender ill feeling against unjust treatment.

I am going to offer an amendment to cut out that provision.

Mr. PIERCE. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Oregon.

Mr. PIERCE. I also come from the State of Oregon and live in the eastern part of the State. This does not change the status of the oriental at all.

Mr. DIRKSEN. Not one bit.

Mr. PIERCE. Even with that provision in the bill.

Mr. DIRKSEN. No indeed.

Mr. PIERCE. Then my colleague from Oregon is simply giving them rights that they do not now possess under the terms of the bill.

Mr. DIRKSEN. As I interpret that section, it simply eliminates from the benefits of the bill those citizen Chinese mothers who might go over to the other side and marry one of their race, and then seek to confer American nationality upon their children, if permitted to do so, and bring them to this country.

Mr. PIERCE. Why should they be excepted?

Mr. DIRKSEN. There are two gentlemen from the Pacific coast who disagree.

Mr. ELTSE of California. Under the present law an American-born Chinese man or Japanese man may go to China or Japan and marry and have children there. He transmits citizenship to his children.

Mr. DIRKSEN. Does the gentleman assume they are marrying a Caucasian or an oriental?

Mr. ELTSE of California. A Japanese lady or Chinese lady.

Mr. DIRKSEN. I think it is correct.

Mr. ELTSE of California. Is that not the effect?

Mr. DIRKSEN. Under present law, yes; but oriental citizen women will not have that right under this bill. One is of a race that is ineligible to citizenship. That is the direct point made by the gentleman from Oregon.

Mr. ELTSE of California. If we pass this bill we are depriving the Chinese and Japanese of something.

Mr. PIERCE. We are not changing their status one bit.

Mr. CELLER. If the law applies at the present time to a Chinaman born in the United States, why should not this bill apply to a Chinese woman born in the United States?

Mr. DIRKSEN. That answers the objection made by the gentleman from New York [Mr. O'CONNOR], when he was talking about discrimination. What the gentleman says is precisely correct. It affects one side in the same proportion as the other. It affects the man as much as the woman, therefore this bill does not aggravate the circumstances.

Mr. DONDERO. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Michigan.

Mr. DONDERO. On page 2, I notice that the child must come into the United States before its eighteenth birthday. Suppose the child comes into the United States when 20 years of age. What does the bill provide as to when the child may become a citizen of the United States?

Mr. DIRKSEN. If it did not comply with the provisions of this bill, it would have to go through the ordinary course of naturalization.

Mr. DONDERO. The same as any other alien?

Mr. DICKSTEIN. Will the gentleman yield in order that I may answer the question?

Mr. DIRKSEN. I yield to the gentleman from New York.

Mr. DICKSTEIN. The gentleman is asking a legal question. He is asking when and what. If the child does not take advantage of this act, he comes in as an alien. If he does not comply with the terms of this law, he comes in as an alien.

Mr. DONDERO. I am assuming that the child does not come in when 18, but waits until he is 20.

Mr. DICKSTEIN. Then he comes in as an alien.

Mr. DIRKSEN. May I say, in conclusion, that prior to 1855, if an American male citizen went abroad and married, not even he could transmit his nationality to a child that was born outside of this country. This was corrected in February 1855. Since that time there has been a tendency to liberalize and to equalize so that the same rights and powers of nationality could be enjoyed by men and women alike. In 1920 we engrossed upon the statute books and the Constitution the right of suffrage for women. In 1922 we gave women the independent right of naturalization. This is the next logical step in bringing about full equalization under the nationality laws, and that is why this bill deserves to be passed. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. DICKSTEIN. Mr. Chairman, I yield 5 minutes to the lady from Arizona [Mrs. GREENWAY].

Mrs. GREENWAY. Mr. Chairman, I have listened to some very good speeches this morning; therefore, it is with just a little regret that I take exception to the one I just heard, but I would hardly call it an exception. It makes me wonder if perhaps we do not talk too much and too long on the matter of equal rights. This is a singular statement for a woman to make, but I make it because I believe the day has come—and we thank the men for it—when we should call our position rather one of equal responsibility and with it the accompanying privileges.

It was stated today that we should share the responsibility with men of looking out for our sisters. I agree with the statement. The motive underlying this bill is good and just. American mothers desire to share responsibility with American fathers of giving the greatest of all gifts to their children, that of American citizenship; and I hope this bill will pass. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. WEIDEMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. HENNEY].

Mr. HENNEY. Mr. Chairman, we have come a long way since the founding of this Government in giving to the women of America their rightful place in our governmental program. This has been an evolutionary change since the dark ages, when a woman was considered as a chattel who should behave simply as a vassal toward her husband, the liege lord. It is a fact that in many civilized countries of today—and I am sorry indeed that it is true in many Christian countries and even in a number of our States—women are still considered as property assets. It is an incontrovertible fact that every piece of liberalization of the traditional and accepted overlordship of the male has been bitterly fought by many of our most erudite statesmen. The crowning event in this fight was when President Wilson signed the nineteenth amendment, giving the right of franchise to 20,000,000 American mothers. As a child I never could understand why my mother, whom I respected as the molder of my destiny, was not given the privilege of voting. It impressed me as an implication that she was not sufficiently intelligent to pass upon legislation that affected her and her family. Many male citizens whom I knew and who were, in many instances, scarcely above a moronic level were permitted the right of franchise and were privileged to assist in shaping the laws of the Nation that would govern hundreds of thousands of women citizens who were far superior intellectually. A woman teacher of political economy, a woman physician, lawyer, or minister was obliged to allow some dumbbell who might be a janitor or a hostler to do her voting for her. True, there are many subnormal women, but the two sexes are more or less on a parity in this matter, and therefore the argumentative point that women were not sufficiently enlightened was void. I believe all are agreed that justice has been done to the women of America in giving them the right to vote, and I think likewise all will agree that their entrance into and their interest in national politics has had a very salutary effect.

The question now arises, Shall many other restrictions that are heritages of the dark ages be equalized? The accepted belief that women should not be allowed to transmit nationality to her offspring under the same conditions as her brother is one of those nonunderstandable laws which it is the purpose of this bill to rectify.

In my home State of Wisconsin, which I am proud to believe is one of the most forward-looking and progressive States in our Union in the matter of being in the vangard of democratic legislation, we enacted an equal rights law in 1921. It was a general and not a specific law, in that it corrected all domestic phases of sex inequality and not some special inequity. Section 1 of this law reads as follows:

> Women shall have the same rights and privileges under the law as men in the exercise of suffrage, freedom of contract, choice of residence for voting purposes, jury service, holding office, holding and conveying property, care and custody of children, and in all other respects.

The greatest objection to that legislation at that time was to women serving on juries. Many lawyers, judges, professional people, and those who opposed any change in the existing order contended that because of woman's emotional nature she would be unfit for jury service. The law was enacted after a bitter fight, and today those same lawyers and judges are the loudest in their praises of the competency and analytical judgment of women jurors, and nearly every jury now has a goodly number of women sitting on it who are frequently chosen by the lawyers and judges in preference to men. Their ability and efficiency are not questioned in Wisconsin.

In support of this view, I wish to quote Miss Zona Gale, my fellow townswoman, a famed and internationally known author:

> In many States today the common-law disabilities of women are comparable to the barbaric laws of the chattel-slavery days. In our Federal laws there are many inequalities that should be removed. Common justice to the women of America requires that both in the Nation and in the States these obstacles and injustices be removed. The Wisconsin law recently enacted is a model for State action. But in the last analysis, as in suffrage, a constitutional amendment will best meet the complex situation.
>
> Will you bear with me for a moment to note this abstract truth: That every man knows what a woman's point of view, when it is wise and sane and kindly, can contribute to life. Of his understanding of this we catch glimpses in his book dedications and in all his moments of greatest articulacy. The difficulty is to generalize, to realize that more women have that wisdom and that sanity or, when they haven't, that we must help them to develop these broadly social qualities. The opportunities of men to express a social spirit in their living are still double and triple those of women. Yet women have a spiritual genius which has never been given social expression. It is precisely this which they could liberate into the world for the general welfare, if all these meshes of little circumstances hampering them could be swept away and they could be given the moral backing of a general consciousness of equality of opportunity. That is all that any equality can mean in the new status of women—equality of opportunity to express themselves politically and legally, without discriminations against them.
>
> Lady Astor spoke a profound truth when she said at Baltimore recently that women trust to the spiritual, and that they can bring the spiritual through to the material world—in time. * * * I am not saying that the Wisconsin equal rights law or any other equal rights law is going to do all that. But I am saying that the Wisconsin equal rights law or any other equal rights law equally well drawn is to be taken as one step in that long progress which women are making—through the doors of education, of the professions, of business, of the franchise, and on to full equality with men. The doors not of their own advancement alone but of the advancement of a race struggling toward the conditions of a just freedom. The status of women in Wisconsin even under our equal rights law is but a stage in that long march.
>
> Most of the barbaric laws dating from the days of chattel servitude have never existed in Wisconsin, but some of them did exist up to the time of the passage of the equal rights law. And all discriminations against women must be removed. All discriminative laws against women are remnants of serfdom days, and all these remnants must disappear.
>
> I see no conspicuous holy of holies in these discriminative laws. And in some States the pedestal does not seem to be high enough to prevent a husband from scaling it to collect his wife's earnings. Whether the discriminations are great, as they are in some States, or less, as they are in Wisconsin, the principle involved is the same—all discriminations against all women must be removed.
>
> In every State in the United States, except Wisconsin, there are discriminations against women. You see how invaluable is our Wisconsin law to the women still working to remove these discriminations.
>
> In this matter there is no woman's standpoint and there is no man's standpoint. There is only the need of our common citizenship to rid our statute books of these vestiges of the old Eng-

lish common law and to bring our law down to date. To do this for women—yes; and for men, and for the general welfare, and for the children and the children's children.

Mr. Chairman, I submit that many of our States are trailing the sovereign State of Wisconsin in the matter of true Jeffersonian legislation, and I predict that in due time all States will deal just as fairly with their women in the matter of equal rights as has Wisconsin.

It cannot be gainsaid that the present law, the Cable Act of 1922, deals unfairly with American citizen women relative to their transmitting of nationality as compared with the privileges granted American male citizens.

In regard to the capacity of an American father and an American mother to transmit American nationality to a child born abroad: The principal change which this legislation will make in the nationality laws of the United States will be to remove the present inequality between a father and mother with regard to the capacity to transmit nationality to a legitimate child born outside the United States. The present law of the United States on this subject discriminates against the mother. This law is as follows:

"A legitimate child born outside the jurisdiction of the United States of a father having United States citizenship at the time of the child's birth has United States citizenship (regardless of whether the father is a native or a naturalized citizen) if the father has at some time prior to the child's birth resided in the United States. In order to receive the protection of the United States, such a child, if it should continue to reside outside the United States, must record at an American consulate upon reaching the age of 18 its intention to become a resident and remain a citizen of the United States, and must take the oath of allegiance to the United States upon reaching majority. On the other hand, a legitimate child born outside the jurisdiction of the United States of a mother having United States citizenship and a foreign father has no claim to United States citizenship."

Considerable objection has been raised against this legislation because of the possibility of increasing immigration. It was stated on the floor a few days ago by the gentleman from Ohio, and a former member of the Committee on Immigration, Mr. JENKINS, who, in explaining that he had previously opposed this bill, stated that such opposition was not on the grounds of immigration, which latter he considered to be negligible. If the sole desire of those opposing it on such grounds were to decrease immigration by denying admission to either sex entering into marriage with foreigners, immigration, indeed, would be much more greatly restricted by turning the tables and allowing only female American citizens the right to transmit nationality to their children, for, indeed, Mr. Speaker, it is a well-accepted fact that at least 10 males contract foreign marriages to that of 1 female.

Another point which is very pertinent to this discussion is that of assimilibility of the child born to a dual nationality union. It is the mother who shapes the intellect and who molds the character of her offspring. Indeed, until a child is 12 years old it is with its mother almost constantly and with the father occasionally. It has been stated that in a certain European regime the contention is made that if they are given the custody and training of children until they are 10 years old that they care not what other influences may be brought into the after-life of those children. We all know that the first few years of a child's life is the formative period of its character. There is an old adage, "As the twig is bent, the tree inclines." Certainly a child born to a foreign mother, even though the father be an American citizen, will be brought up under the influences of foreign traditions and training. That child will be taught foreign folk lore and will be taught obedience and loyalty to every foreign tradition. Indeed, when that child reaches America, even up to the age of 18, it is foreign in its every fiber. On the other hand, in the case of a child born to an American woman abroad, we can rest assured that that child's training during the formative period of its life will be almost entirely along the lines of American ideals and American traditions; and, indeed, should that child enter America along with the other child just mentioned, the child of the American mother will become a citizen much more easily adaptable to and assimilable in American life than the child reared under maternal influence that is entirely foreign to American ideals.

There can be no valid reason or sound argument why an American mother should not be allowed the same privilege as her brother, an American father, both of whom had married foreigners, in declaring her intention of accepting American citizenship for her children under the restrictions and regulations as those accorded her brother. This legislation asks simply for equality between the sexes in transmitting nationality to their children. It is fair legislation—it is progressive legislation—let us take that step today. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield 2 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I feel very sure that the Membership of this House will vote to do away with the present unjust discrimination against our women and their children. One reason I feel so sure of this is because the men of the United States are fairer and kinder to the women of their country than are the men of any other nation in the world. [Applause.] The men will agree with me when I say the child is always closer to the mother than to the father. Every court in our land when ruling on a divorce case gives the custody of the child to the mother rather than to the father.

May I give one more reason why I feel very sure the Members of this House will vote for this bill.

If any Member of this House had a daughter who married a foreigner—of course he would prefer to have her marry a citizen of the United States—but if perchance she fell in love with a foreigner and married him, and she had a child, I know perfectly well the grandfather of that child would want his grandchild to become an American citizen and to have that right. This is not a perfect bill. The proposed cruel ruling against the American citizens of Chinese and Japanese descent should be corrected and will be by amendment this afternoon. [Applause.]

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I ask unanimous consent to speak out of order.

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

There was no objection.

Mr. FISH. Mr. Chairman, I have just received this telegram which is self-explanatory:

Urge you to spike dastardly article in American Mercury for May entitled "How to Make a Revolution", in which it is urged to contaminate our glorious Army and Navy with red propaganda.

This is signed "Twelve members of Harvard Club of New York."

I am not one of those who want to interfere with freedom of speech. I believe in the fullest freedom of speech. Nor am I one of those who believe we are going to have a communist revolution tomorrow morning at dawn or the next day or the next year. I am in no respect an alarmist. There are only a limited number of Communists in this country and they would not be foolish enough to try to bring about any kind of revolution by force or violence. If they did, using a Russian word, they would be liquidated in a few weeks' time by the Regular Army, the National Guard, the American Legion, and the Veterans of Foreign Wars. But I do not believe there is any room in this country for such foreign importations as inciting class hatred and violence in America under our free institutions and our republican form of government, which is guaranteed to each State by the Federal Constitution. Nor do I believe there is any place in America for those who seek to incite insurrection, mutiny, and rebellion among our armed forces. The article referred to is in the American Mercury, Menken's old magazine, which had a great intellectual clientele and is now owned by a new and radical group. In this magazine there is an article by Raymond Postgate, a former Communist, or at least, according to his own words in the article, a former editor of the official British Communist journal, directly stating not only how to make a revolution, but advocating and urging at least indirectly a revolt or an insurrection among the enlisted personnel of our armed forces, particularly among the Air Corps and among the police in the United States. It goes into details as to just how this should be done and he does not mince words at all, because he says they ought to organize the mechanics of the air

force and use them for revolutionary purposes. The article is clearly seditious and written avowedly to incite a revolt among our soldiers and sailors against their officers and our Government.

I do not know any law that exists that can take care of this situation in time of peace. There is a law that prohibits anyone in time of war from inciting mutiny and insurrection in our armed forces, and I believe this law ought to be extended in time of peace to cover articles of this kind. No American citizen should have the right to urge the overthrow of our Government by armed force or to urge rebellion and insurrection among the enlisted personnel of the Army, Navy, Marine Corps, or Air Corps. Postgate is so brazen in his article as to set forth in detail the methods how to create a revolt and how to implant the seeds of communism, sedition, and mutiny in the minds of American soldiers, sailors, and policemen.

This article, How to Make a Revolution, goes on to say:

> How shall the cautious revolutionary who fears or hopes that in armed revolt lies his only chance of success deal with this last development (the Air Corps)? How shall revolutionary feeling be spread among flying men? * * *
>
> But the organization of support in the air force for a revolutionary coup is an integral part of the whole problem of the armed forces—the Navy, Army, and police—and will have to be considered separately. * * *
>
> All that a revolutionary can say is that it is the obvious duty of any well-to-do and earnest advocate of social change not only to learn to fly himself but to pay for the training of at least one class-conscious and reliable worker. That, indeed, is a duty which, like the organization of a union of pilots, lies upon the most peaceful as well as the most ferocious of us. * * *
>
> Revolutionary propaganda could conceivably be turned like a jet upon the armed forces and the police, and it might be that concentration of energy here would prove a short cut to the revolution. Instead of fighting the Army, the Army might fight for us.

The amazing part of the article is the statement of this former British Communist editor that there is nothing in our law to prevent him from writing such an article, although he admits that in almost all other countries such an article would be illegal and punishable.

I hope some law will be put on the statute books to cover this situation similar to the proposed Jeffers bill against inciting revolt in the armed forces of the United States and the overthrow of the Government by force and violence. [Applause.]

[Here the gavel fell.]

Mr. BYRNS. Mr. Chairman, the gentlewoman from Indiana [Mrs. JENCKES], who is unavoidably absent from the House today, has prepared a very forceful and able address in support of the pending bill, and, at her request, I ask unanimous consent to insert the speech in the RECORD at this point.

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

There was no objection.

Mrs. JENCKES of Indiana. Mr. Chairman, the enactment of H.R. 3673 is a matter of great interest to American women of every political party in every part of the country, because it concerns their rights of full citizenship as American women.

Next to the stigma of disenfranchisement within their own country—now happily removed—they felt that the stigma of unequal nationality rights was the most shameful badge of inferiority which their country could put upon them.

Immediately after the national enfranchisement of women in 1920, women all over America began the work for the removal of the stigma of unequal nationality, and in 1922 the Cable Act, which was intended to equalize the nationality rights of American men and women, was passed by the Congress. I desire to pay sincere tribute to the women and women's organizations whose efforts advanced this great cause to its present status, and I appeal to all organizations of women to immediately enroll in this movement for the welfare of all women.

When the Cable Act was put into operation it was soon found that certain amendments were needed to carry out its intent, and work was begun to draft amendments to carry out its original purpose. Certain nationality officials in the Department of State at once opposed all such amendments on the ground that many changes in our nationality laws were desirable, and they urged that no further changes be made in nationality laws until they could complete the revision which they were then making. In spite of this opposition the Congress did in 1930 and again in 1931 amend this Cable Act toward equalization of our nationality laws on the ground that women, as full citizens, were entitled to the equal application of existing law at once.

Now after 14 years of arduous, unremitting work, an agreement has been reached between all shades of opinion in Congress on the final amendment needed to establish complete equality between American men and women on nationality rights. But, again certain employees of the State Department Nationality Bureau have advanced the identical demand which they have made all these past 14 years, and are insisting that American women wait for justice until they can evolve a new and perfect nationality law. It is frankly admitted by these subordinates that no report can be made in time for action at this session of Congress—which would mean continued unjust application of our present laws for more than a year at the very least.

One of the most cruel wrongs suffered by American women and their children during the late war was the denial of their right—a right possessed by every American man—to transmit nationality to their minor children born abroad. This gross injustice will be removed by H.R. 3673. It is eminently unfair to American women to deny them this act of justice now merely to satisfy minor department executives in the State Department who intend writing the needed changes in the law. Moreover, the changes which they have already suggested will never, in my opinion, be approved by the Congress, since they have determined that hereafter no minor child born abroad may have American nationality transmitted to it unless both its parents are American citizens. Will American men submit to such dictation and meekly surrender their right to transmit their nationality to their children if they have married an alien wife? Furthermore, indefinite postponement of this act of simple justice—that of equalization of our laws as they now stand, leaving further changes in the laws themselves until the commission now studying them has presented its report in some future year—would throw the question of equal nationality into what would be bound to be a bitter fight on new nationality and naturalization laws—a situation women have sought to avoid.

Women did not make the laws now in force. They do not say they are perfect laws. They did not propose the minor changes suggested in the present bill; they were made by the Committee on Immigration. All that women are asking is that our laws, as they stand today, as they are being daily enforced, shall be completely equalized at once without further delay. This is a just request, one that the Congress intended to grant in the original Cable Act of 1922. Justice delayed is justice denied.

Practically every organized group of women in the country stands behind this appeal for equal nationality. The only question at stake now is, Shall this act of fundamental justice be granted now, or must women wait for justice from their country until minor executives of the State Department have decided what new laws they want and have converted Congress to their way of thinking? Will the Congress surrender the fundamental liberties of all American women to the whims of employees of the State Department whose salaries are paid in great part by these same American women whose rights of citizenship these gentlemen oppose? In defending their position of opposition to this equality legislation, a minor executive of the State Department told a group of women:

> You must remember that we have the trouble of applying these laws after Congress makes them, and it gives us a lot of extra trouble whenever a new regulation is made; so we think you women should wait for equality legislation until we have decided upon a new code of nationality law.

I submit that women should not be called upon to endure any longer the stigma of unequal nationality or the injustice of the present laws merely to save a little extra trouble for the Government employees who are paid to enforce the law.

The question of equal nationality is not a party or political question in any sense. It is a measure which every Member

of Congress must act upon as a statesman in whose keeping lie the basic rights, as well as the dignity, of all women citizens of our country.

In that spirit, the spirit of fair play to American women, we should pass unanimously this final act of justice to equalize the nationality laws of our Nation. It will be another forward step in the progress of civilization, and it is an obligation we owe to the present and future welfare of our country.

I thank you.

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. McFADDEN].

Mr. McFADDEN. Mr. Chairman, notwithstanding what has been said about the pending bill, I have the feeling it is an important immigration bill. There is no question that the proviso on the first page, if left in the measure, takes citizenship away from American citizens, and in this respect the bill should be amended.

Under provisions of this bill it will be possible for a girl born in Germany or Poland coming to the United States in infancy acquiring American citizenship by the naturalization of her parent to proceed abroad to her native land, marry a German or a Pole, as the case may be, bring forth children, and have those children termed "American citizens." This notwithstanding the fact that all the rest of the world would call such children of the nationality of their father. Complications inevitably would arise.

In the same way a Negro woman born in the United States, married to a Jamaica British Negro, could be transplanted to Jamaica and her children born there would be called American citizens by our Government, although claimed as British citizens by the British Government.

The bill multiplies complexities of dual nationality. Under present law the child of an American citizen mother and a German father born in the United States is a citizen of the United States. If born abroad, the child is a citizen of the country of his father's nationality. Under the terms of the bill such a child born abroad would have an American nationality for a period of 17 years 11 months and 29 days; then should he be brought to the United States his nationality would be an open question, because the bill would require a continuous 5-year residence in the United States in order to confirm American nationality.

The United States has no business claiming for anyone what it would not willingly grant if a situation should be exactly reversed. Thus we would not tolerate a claim of German nationality in the case of the child born of an American citizen father and a German mother. Why, then, should we undertake to assert a claim of American nationality in the case of the child born of an American mother and a German father unless such child is born within the United States?

The entire question is so intricate and technical that it deserves long and patient study, which apparently was not given in the Committee on Immigration and Naturalization before the bill was reported 11 months ago. In the meantime the President has set up an interdepartmental nationality committee, which the Secretary of State says will be ready shortly to submit its report and recommendations.

Now, in the face of this, and the study that is being made under the instructions of the President, what is the great haste in putting this resolution through at this time? Is it that they fear the committee will not, after a study, be willing to pass this legislation?

Now, under this situation the opposition has been withdrawn because of the endorsement of the Department of Labor and the Department of State. I have read the statements that have come from the Department of State, and I confess that I cannot see where the Department of State has expressed an approval of this bill.

Mr. COX. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. COX. Has the Department indicated a willingness to take any part whatever in the approval of the bill—in other words, have they done anything but give a qualified withdrawal of express opposition to the bill?

Mr. McFADDEN. The gentleman is correct. The State Department opposition has been withdrawn because they were put under pressure. Evidently some unusual pressure has been brought to bear on the State Department from some source. I believe that if you could get at the facts in the State Department you would find that they are very much in doubt as to the wisdom of passing this bill, regardless of what has been said.

The whole idea of equality of nationality is fallacious. It is in derogation of the dignity and the unity of the family upon which all civilized society rests. From the time when the Moabitish Ruth was gleaning in the fields, the identity of nationality of husband and wife has been a part of the law of nations. Not until the Cable Act of 1922 was this principle abandoned. Neither equal suffrage nor any other condition or circumstance of modern life has altered or eliminated the responsibility of the male for the support and protection of the family. Any step that may be taken in an attempt to minimize this responsibility is a mistake.

If I have an opportunity, I shall offer an amendment, as follows:

Page 1, line 9, after the word "States", strike out the colon and all the words following down to and including the semicolon at the end of line 10, inserting in lieu thereof a period after the word "States."

And in support of this amendment I desire to point out that by the fourteenth amendment to the Constitution all persons born within the United States are citizens thereof. By section 1993, United States Revised Statutes, a child born abroad, whose father is a citizen and has resided in the United States, is a citizen. By this bill a child born abroad, whose father or mother is a citizen and has resided in the United States, is to be a citizen. It is claimed that this bill will remove a discrimination against citizens of the female sex. If the aim of the bill is to remove a discrimination, why should it create one? If the privilege of conferring nationality by maternity is extended, why is the American citizen woman of oriental race excluded from the benefit? If the privilege is desirable for one woman citizen—white or black—is it not just as desirable for another, though she be yellow? She is equally a citizen. Therefore a distinction in her case is inequitable and unjust. The amendment would strike out a proposed inequality and assure a complete equality. If the body of the section places the sexes on a parity in the matter of the privilege of conferring nationality, then the amendment, striking out the proviso, emphasizes the disposition and intention to create equality.

Mr. MARTIN of Oregon. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. MARTIN of Oregon. The gentleman will find that he will have some other Members on the floor with him.

Mr. McFADDEN. I am glad of that.

Mr. Chairman, I ask unanimous consent to extend my remarks by inserting a table showing the census figures which are taken from the statistical abstract (1931), page 4:

	1870	1880	1890	1900	1910	1920	1930
Chinese males					66,856	53,891	59,802
Chinese females					4,675	7,748	15,152
Total	63,199	105,465	107,488	89,863	71,531	61,639	74,954
Japanese males					63,070	72,707	81,771
Japanese females					9,087	38,303	57,063
Total	55	148	2,039	24,326	72,157	111,010	138,834

American citizens of Chinese race admitted and departed, as shown by official reports:

Fiscal year 1933:	
Admitted	2,785
Departed	(1)
Fiscal year 1932:	
Admitted	3,252
Departed	3,367
Fiscal year 1930:	
Admitted	3,220
Departed	3,300

[1] No record.

The above figures illustrate some interesting facts: (1) In the early days it was not the custom of the Chinese to bring their women to the United States; (2) after 1910 the number of females both Chinese and Japanese increased, but the Japanese increase was far greater than the Chinese; (3) the disposition of the Japanese is to remain in the United States, intermarry here, and settle permanently; (4) the disposition of the Chinese is to return to China, even citizen Chinese customarily returning there at intervals and many permanently. While the Chinese population of the United States has declined greatly since 1890, the Japanese population has risen steadily and is still rising notwithstanding exclusion, for the reason that the preponderance of males is not so heavy, intermarriage here is more the settled custom, and the tendency of children born in the United States is to remain here. Hence there is a greater number of citizen Japanese than Chinese. Hence the maintenance of section 1993 is of slight importance to the Japanese and of great importance to the Chinese.

Gentlemen looking over the figures will see that it is a distinct discrimination against the Chinese, and I am wondering whether the House at this time, of all times, wants to get into a situation discriminating against the Chinese. I do not think so.

Mr. DICKSTEIN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. KELLER].

Mr. KELLER. Mr. Chairman, I am glad, indeed, to speak for this bill. It is a thing that we ought to have done long ago. I am glad that we are doing it now. There is no reason or excuse for having denied equality to the women of this country under the law when we have granted it to them under the Constitution. I was one of those who believed, or hoped, rather, that the adoption of the constitutional amendment giving the right of suffrage to women would of itself automatically operate to bring the law into accord with the constitutional amendment. I was disappointed to find otherwise, and I am glad that we have discovered how it ought to be done.

It was my great pleasure as well as, I hope, some honor, to have been a member of the State Senate of Illinois when we passed the first law of any State east of the Mississippi River giving the women of Illinois the right to vote for President of the United States, and that was back in 1913. Following that, in my judgment, the adoption of the nineteenth amendment resulted. I, therefore, think I am justified in having some pride in participating to a large extent in the success of that movement in my own State.

I have not tried to study the details of this bill; I have not tried to master the intricacies of it. My training as a lawyer has been in abeyance for a great many years, and I expect it will remain there the rest of the time. So I am not trying to say what I know about it, but I am following the committees of this House, because my observation has been that, when a committee studies a proposal such as this, it arrives at a better legal conclusion than I could possibly do alone. Therefore, I am glad to follow the committee in this regard. I am glad to be here as a Member of this body at the present time and repeat to you that my State, Illinois, was the first State east of the Mississippi River to recognize the justice of giving women equality with men, legally as well as otherwise.

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

Mr. KELLER. Certainly.

Mr. COX. The gentleman insists on all equality and equal treatment to men and women in all things?

Mr. KELLER. Certainly.

Mr. COX. Miss Smith marries Mr. Jones, and they have a child. Is it a Jones or is it a Smith?

Mr. KELLER. It is both.

Mr. COX. That is exactly what happens under this bill. If the mother marries a German, the child is both an American and a German.

Mr. KELLER. The child has a perfect right in most cases, and I think in this, to take whatever name it pleases. I know in countries existing under the Roman code that sometimes they take the mother's name and sometimes the father's name. I have known brothers, one of whom took the father's name and the other the mother's name. I know of no reason why it should not be done here if they desire to. I think they ought to have that right if they want to. I am glad that I am half my mother, a Bradley, and half my father, a Keller.

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

Mr. KELLER. Certainly.

Mr. FOCHT. The gentleman speaks of the Romans. Is it not a fact that 90 percent of the Romans did not have citizenship—they were slaves?

Mr. KELLER. I did not say Romans. I said countries accepting the Roman code—Mexico and the Latin American countries among others.

Mr. BRUMM. Does the gentleman mean to say that under the laws of Illinois a child may select its own name and take its father's name or its mother's name?

Mr. KELLER. It is unquestionably permitted under the laws of the State of Illinois.

Mr. BRUMM. That is not the case in most States.

Mr. KELLER. I do not know about that. I think if the gentleman will go into his own State he will find the courts there will hold that a child may take whatever name it pleases, either its father's or its mother's.

Mr. BRUMM. No. It is a long and rather tedious proceeding to change your name.

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

Mr. KELLER. Certainly.

Mr. OLIVER of New York. In my State a man has a right to take whatever name he pleases.

Mr. KELLER. Of course.

Mr. OLIVER of New York. But if he asks the court to give him a certain name and the court fixes the name, then he cannot change it without the consent of the court.

Mr. KELLER. Certainly.

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

Mr. DICKSTEIN. Mr. Chairman, I yield the gentleman 1 minute more. I want to ask the gentleman a question. Take the case of an American woman who marries an Englishman. The husband dies. In that case the child of that issue is an alien. With this law it would give the mother the right to bring her own flesh and blood to this country and have her child a citizen of her country.

Mr. KELLER. That is clearly the intention.

Mr. DICKSTEIN. Under the present law she cannot do it?

Mr. KELLER. That is correct.

Mr. COX. In other words, they are changing the bill here which as it reads is a bill that deals with the question of nationality and converting it into an immigration bill.

Mr. KELLER. I do not follow that. I do not so understand. It does not change the quota that may come into this country at all.

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

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield the gentleman 2 minutes more.

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

Mr. KELLER. Certainly.

Mr. DONDERO. I am wondering if the gentleman can enlarge on that phase of this, because the claim has been made that this is an immigration and not a naturalization measure. Can the gentleman give the House any information as to whether it would increase immigration?

Mr. KELLER. I believe so. That is the same question in different form which the gentleman from Georgia [Mr. COX] just now asked, a gentleman for whose legal ability I have very great respect. This is not an immigration bill, and does not in any way affect the quota that may come into this country, because there is no provision that lets anybody in anywhere. It is purely a matter affecting citizenship or nationality. It is a just bill because it does give equal nationality to the American mother that the law has heretofore given to the American father. This is the object of the

bill; this will be the effect of it; and I certainly am for it with all my heart.

Mr. COX. But it confers nationality which may possibly increase immigration which otherwise could not possibly happen.

Mr. KELLER. There may be exceptions, but they will be the exception rather than the rule. [Applause.]

Mr. DICKSTEIN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. OLIVER].

Mr. OLIVER of New York. Mr. Chairman, I have been requested by some distinguished and brilliant women in the State of New York, members of the Women's Party, to express their opinion, asking the House to favor this bill; and to express my complete agreement with the terms of the bill.

After all, this is a simple issue. The Government of the United States is in complete control of the power to grant citizenship to people whom it considers qualified for citizenship. Other nations have equal sovereign power. In our country, I think, up to the Civil War we had the doctrine called "indefeasible allegiance"; no man could divest himself of United States citizenship unless he had the consent of the Government of the United States. That was a world-wide doctrine. If I recall correctly, the most famous case arising under this doctrine was that of a man named Williams. Williams while a citizen of the United States went to France, joined the French Army, and fought there as a Frenchman, taking an oath of allegiance to France. He returned to the United States and was charged with violating this law of indefeasible allegiance, was convicted and sentenced to jail, and the sentence was upheld by the Supreme Court of the United States. That case, however, caused great resentment in the people of the Nation, and a subsequent Congress repealed the doctrine of indefeasible allegiance in America. As a matter of fact, it was because of that doctrine that we repealed the treaty we had with Russia. True, there was much heat and indignation at the treatment of American citizens in Russia, and that was the provoking cause of the dispute between our country and Russia; but the official claim of America was that America had abandoned the doctrine of indefeasible allegiance and Russia still continued it; that, therefore, the treaty rested on different grounds than those upon which it was negotiated.

We have today the power to grant citizenship no matter what other citizenship a person may hold in another country.

There is but one respect in which the bill should be amended, and that is, in order that citizenship may be conferred upon the child of an American woman married to a foreigner, the taking of the oath of allegiance to the United States by that child should be made a prerequisite. Such a provision should be in the bill, because we do not want to grant citizenship to the child of an American mother simply because it is the child of an American mother unless it chooses to be loyal to America.

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

Mr. OLIVER of New York. I yield.

Mr. WEIDEMAN. The committee has such an amendment prepared.

Mr. OLIVER of New York. I am very happy to hear that; and I therefore feel as though I can approve of the bill in all its features.

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

Mr. OLIVER of New York. I yield.

Mr. BOYLAN. Does not the gentleman think that the amendment on page 2, beginning in line 4, covers his point?

And unless the child, previous to his eighteenth birthday, returns to the United States and resides therein for at least 5 years continuously.

Mr. OLIVER of New York. No; for the reason that the child at that age is under the guardianship of its parents and comes over here merely because they are over here; and it has nothing whatever to do with the mental state of the child. The child might want to take the citizenship of the father, and it should if it feels so disposed. Our doctrine is that citizenship is a matter of free choice by the individual who is otherwise qualified. We give an alien the right to become an American citizen under certain conditions; and we give an American citizen the right to become a citizen of any country without offense to our Government. No child of any person contemplated by the terms of this bill, however, should be allowed to become a citizen of this country under circumstances which do not require it to take an oath of allegiance. The father may be a Bohemian or a Hungarian, and the child might prefer to take Bohemian or Hungarian nationality. In that event there would be a dispute between sovereigns. That should be determined by the free oath of the child.

If this amendment is adopted, I see no objection to the bill, for it simply grants the mother the right, if she is a citizen of the United States, to have her child become an American citizen on its oath of allegiance to this country plus a residence of 5 years, if the child wants to become an American citizen. [Applause.]

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky [Mr. BROWN].

Mr. BROWN of Kentucky. Mr. Chairman, in my State, of course, we have no close contact with those problems of immigration; but as a matter of simple justice it seems to me that what is today being written into the law ought always to have been the law, once the Congress took cognizance of this problem.

I see no reason why I, as a man, should be accorded a privilege by law which is withheld from my wife if she wishes the same privilege. We have been progressing for a great many years toward that realm where men and women stand alike at least before the bar of justice and in the eyes of the law.

A moment ago the gentleman from Pennsylvania proclaimed the doctrine that through the years it has been the prerogative of the male to look out for the family subsistence, to care for its welfare.

This will not change that. They did not write that according to law. It is in the nature of things that man will always be the provider for the family, or he ought to be; but when it comes to a matter of justice as to family rights, I cannot see any reason why we ought to refuse to the women the privilege that man has accorded to himself. In that measure of justice here today we are about to write into the laws of this Nation that the mother may bring her children here, a privilege that we have prior to this time accorded to the men.

[Here the gavel fell.]

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. BLACK].

Mr. BLACK. Mr. Chairman, this is the second general bill that has appeared before the present Congress on which I have had anything to say. I have not inflicted myself on the House, largely because I take up so much time doing the chores of the House in the reports of the Claims Committee and the District Committee.

This bill in its general purpose is like a great many other bills, it is highly desirable, but the rider on this bill in the form of the proviso on the first page, to which the gentleman from Pennsylvania has called attention, is highly dangerous and the harm that may come from this proviso will more than offset any benefits that anybody may derive under the general purposes of the bill. It was not thought of originally when the bill was introduced. No one thought when this bill was introduced of any further discrimination against orientals.

Today the Pacific is tense. Today the statesmen of the world are meeting and they are highly alarmed over the Asiatic situation and in Japan declaring an Asiatic Monroe Doctrine which she claims she is exercising on account of just such situations as these.

If the womanhood of America want anything from Congress, they want international accord build up. They want movements directed toward international peace. They do not want a note of international discord uttered in this Congress. This proviso is pregnant with international dis-

cord, for not only do we insult by this bill and legislative enactments the womanhood of oriental blood who happen to be citizens of this country and thus reflect on the Orient, and in no sharper manner can you reflect on them than by reflecting on their womanhood, but you absolutely take away the present rights of an American citizen of oriental blood, an American male oriental who is an American citizen, who under the provisions of the fourteenth amendment is guaranteed the same rights as any other American citizen. When we take this away from him by this proviso we are doing something unconstitutional.

If this proviso were out of the bill and the bill could meet the dilemma propounded by the alert gentleman from Georgia [Mr. Cox], it might work out some decent purpose, but until this proviso is eliminated there is danger. Last year on the floor of this House the gentleman from Pennsylvania [Mr. McFADDEN] and myself called attention to the dangers lurking in a certain bill—the press censorship bill. At that time we were only successful in getting 29 to support us, but that very night the President of the United States insisted that the bill not pass the Senate. I predict that if the House of Representatives passes this bill with this objectionable proviso in it, in these tense days, before the sun sets, the President will use his good offices to have the proviso eliminated. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield 4 minutes to the gentleman from Oregon [Mr. MARTIN].

Mr. MARTIN of Oregon. Mr. Chairman, I want to emphasize, and probably it will be an anticlimax to the able way in which the preceding gentleman presented the subject, the provision here at the bottom of page 1, which reads,

Provided, That if one parent is an alien and such alien is not of a race ineligible to citizenship.

That, in these times of excitement and distress in the world, is a direct stab at the orientals. It denies them the right that they have today, and I cannot think for one instant that this House will be so far lost to its duty as to pass such a bill.

This amendment was slipped in at the eleventh hour. I hope the committee will reach that height of justice and common sense that of their own will they will move to strike out the provision. If they do not do so, I, as a Representative coming from the Pacific coast, will certainly offer the amendment. There is no conceivable way in which I can understand that this direct insult should be put upon these orientals, and that we should at this time take away from them rights that they have now, especially with the world in the condition it is today, and with all these troubles in the Orient. If we are so foolish as to let that stay in the bill, I do not think the President will approve it. It violates his great principle of being good neighbors. This objectionable provision will not make for good neighbors. It will make for bad neighbors, and neighbors who are already somewhat irritated.

Mr. McCORMACK. Will the gentleman yield?

Mr. MARTIN of Oregon. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. It would affect very, very few people also.

Mr. MARTIN of Oregon. Certainly. It is just a play on a worn-out issue on the Pacific coast; that is all it is, because it would not affect any great number. It is continuing an old feeling that no longer exists.

Mr. DIRKSEN. Will the gentleman yield?

Mr. MARTIN of Oregon. I yield to the gentleman from Illinois.

Mr. DIRKSEN. I desire to make sure that the House understands precisely what the gentleman is attempting to say at the present time. A male Chinese or Japanese citizen in California who goes to China and there marries a native wife——

Mr. MARTIN of Oregon. That is exactly what we want him to do. We do not want him to marry an American woman.

Mr. DIRKSEN. Under the existing law he can confer citizenship upon his children, but he cannot bring his wife back. That is the statement of existing law. Under the same law a Chinese girl who is a citizen of this country may go to China, marry a native over there, can bring him back, but she cannot bring her children back to this country. All that is sought to be done is to prevent the Chinese or Japanese American citizen from going over and marrying a native and conferring nationality upon the children of the union. There is not a great deal involved.

Mr. MARTIN of Oregon. No; it is only a play on prejudice.

Where I say the proviso contracts the rights which these orientals have now is in the fact that the father can bring his child back to this country with his Chinese wife, but under this fool proviso both the father and the wife have to be American citizens. You contract the rights of these orientals in that you require both of them to be American citizens.

I hope the committee will do the square thing about this proviso and offer an amendment striking it out of the bill.

[Here the gavel fell.]

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. BURNHAM].

Mr. BURNHAM. Mr. Chairman, I am heartily in favor of legislation, just legislation, adequate legislation, covering the matter of immigration, although I happened to squeak in before this country had adopted any immigration laws.

I had intended to discuss the phase of the situation so ably covered by my distinguished colleague from Pennsylvania [Mr. McFADDEN], but I will let it suffice to read an excerpt from a letter which I received from a Chinese citizen, a very good friend of mine and a very able fellow. He says:

Many thanks for your prompt reply to our telegram of April 12 relative to the Dickstein bill, H.R. 3673.

The primary purpose of this bill is to complete provisions of the Cable Act of 1922 so as to establish complete equality between American men and women in the matter of citizenship for themselves and for their children. But the provision in the first paragraph of the bill takes away the American citizenship of foreign-born children whose parents are not both American citizens, and this applies directly to the Chinese-American citizens.

There is the crux of the whole thing. He goes on as follows:

An American citizen of Chinese descent is virtually forced to go back to China to seek a mate of his own race because the limited number of Chinese women in the country does not supply the demand. Moreover, our people are opposed to interracial marriages. In fact, the laws of 11 States forbid interracial marriage. The Immigration Act of 1924 has definitely excluded Chinese wives of American citizens because the spouse is an alien ineligible to citizenship. When one of our citizens goes to China to marry he must leave his wife there; consequently the children of such couples are born in China.

If I have made myself clear, Mr. BURNHAM, I trust that you can see that the subject provision in paragraph 1 of the Dickstein bill is highly discriminatory and will work great hardship to the American citizens of the Chinese race.

[Here the gavel fell.]

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield the gentleman one half minute.

Mr. BURNHAM. May I say that I have discussed this matter with one of the able Under Secretaries of State, who informs me that there is a committee of 1 person from the State Department, 1 from the Department of Justice, and 1 from the Department of Labor who are formulating at this time a bill which they hope to present to the Congress at this session, and the State Department is opposed to this Dickstein bill.

Mr. MILLARD. Who said that?

[Here the gavel fell.]

Mr. BURNHAM. One of the under secretaries of State.

Mr. MILLARD. That is not so, because we have a letter here showing they are in favor of it.

Mr. KRAMER. May I inform the gentleman that the State Department has assisted in the writing of this measure?

Mr. Chairman, in reply to the gentleman from California, I will quote from a memorandum sent me by the Under Secretary of State only a few days ago, wherein he states with reference to H.R. 3673 as follows:

Needless to say, the provision of the bill quoted above is very confusing. This confusion is due to faulty drafting and perhaps some confusion of thought.

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield the remainder of my time to the gentleman from California [Mr. ELTSE].

Mr. ELTSE of California. Mr. Chairman, I ask unanimous consent to speak out of order on the processing tax, or the jute tax in particular, and also to extend my remarks in the RECORD and include as a part of my remarks the application of the California Farm Bureau Federation for a reduction or a recession of the tax on jute bags.

Mr. WEIDEMAN. Mr. Chairman, what is the request of the gentleman from California?

The CHAIRMAN (Mr. RANDOLPH). The gentleman from California asks unanimous consent to speak out of order and to extend his remarks by including therein the application of the California Farm Bureau Federation before the Agricultural Adjustment Administration.

Mr. WEIDEMAN. I have no objection.

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

There was no objection.

PROCESSING TAXES—JUTE TAX

Mr. ELTSE of California. Mr. Chairman, a great injustice is being imposed upon all the farmers in the northern and western portions of the United States, and particularly upon those of the great Northwest, through the medium of the jute tax. The farmers of these areas are subsidizing the cotton growers.

Along with the senior Senator from Idaho [Mr. BORAH] and the senior Senator from California [Mr. JOHNSON] I confess my chagrin in finding that Congress has delegated its taxing power to a single official—the Secretary of Agriculture, contrary to section 8 of article I of the Constitution, which provides "that Congress shall have power to lay and collect taxes."

Congress delegated this power, under the provisions of the Agricultural Adjustment Act, whereunder it is provided:

PROCESSING TAX

SEC. 9. (a) To obtain revenue for extraordinary expenses * * * there shall be levied processing taxes as herein provided. When the Secretary of Agriculture determines that rental or benefit payments are to be made with respect to any basic agricultural commodity, he shall proclaim such determination, and a processing tax shall be in effect with respect to such commodity from the beginning of the marketing year thereof next following the date of such proclamation.

It is to be noted from this section that this processing tax attaches to a declared basic agricultural commodity, but that is not half the story. The taxing arm of the Secretary of Agriculture was lengthened to a startling degree by a later provision in the act. What appeared to be a comparatively harmless provision is now proving to be a heavy and sharp weapon in the hands of the Secretary of Agriculture. By his dictum a tax aggregating millions and millions of dollars is being imposed upon the American farmer.

Under section (d) of section 15 of the act to which I have referred it is provided:

The Secretary of Agriculture shall ascertain from time to time whether the payment of the processing tax upon any basic agricultural commodity is causing or will cause to the processors thereof disadvantages in competition from competing commodities by reason of excessive shifts in consumption between such commodities or products thereof. If the Secretary of Agriculture finds, after investigation and due notice and opportunity for hearing to interested parties, that such disadvantages in competition exist, or will exist, he shall proclaim such finding. The Secretary shall specify in this proclamation the competing commodity and the compensating rate of tax on the processing thereof necessary to prevent such disadvantages in competition. Thereafter there shall be levied, assessed, and collected upon the first domestic processing of such competing commodity a tax, to be paid by the processor, at the rate specified, until such rate is altered pursuant to a further finding under this section, or the tax or rate thereof on the basic agricultural commodity is altered or terminated. In no case shall the tax imposed upon such competing commodity exceed that imposed per equivalent unit, as determined by the Secretary, upon the basic agricultural commodity.

We find then that on December 1, 1933, the Secretary of Agriculture imposed a tax, under the guise of a compensating tax, on jute fabric amounting to 2.9 cents per pound on the first domestic processing of jute fabric into bags. The reason given for imposing this tax was—

That the payment of the processing tax upon cotton is causing, and will cause, to the processors thereof, disadvantages in competition from jute fabric and jute yarn, by reason of excessive shifts in consumption between such commodities or products thereof.

Excessive shifts from the use of cotton to jute bags is alleged to be the reason for the imposition of the tax. In equity jurisprudence there is a maxim that where the reason for the rule fails the rule also fails. In this matter the reason for the tax fails, therefore, the tax should be removed. There have been and will be no excessive shifts.

This processing tax has become oppressive to the people of the State of California and the Pacific Northwest. They consider it illegal, unjust, and discriminatory. By it the farmers of California will be burdened with a tax of close to $900,000 a year, the potato growers of Idaho with $275,000, Colorado farmers with $100,000 per year, the farmers of Washington with $6 for each car of vegetables and $8 to $10 on each car of grain. All of this money in most cases is not returned to the distressed farmers, but must come out of their pockets. Fortunately I am in a position to let these farmers speak for themselves. From the California Farm Bureau Federation I have just received a copy of its application filed with the A.A.A. requesting the elimination of the processing tax on burlap bags used for agricultural commodities. Shortly I shall ask leave to insert in the RECORD a portion of this application as a part of my remarks, but before I do so I here make special appeal to the 50 Members from California, Idaho, Maine, Montana, Nevada, North and South Dakota, Oregon, Utah, Washington, Wisconsin, and to the Members from other States where jute bags are used for agricultural commodities to carefully read and digest this application and irrefutable arguments. I would also call your attention to the able statements of Senators JOHNSON and BORAH appearing in the RECORD on pages 5892 to 5896. Your constituents are vitally concerned, and if you would render them a real service, you will go into action, and you may depend upon me to be in the fight with you.

At this point, Mr. Chairman, I ask leave to insert a portion of the application referred to in the RECORD.

BEFORE THE UNITED STATES DEPARTMENT OF AGRICULTURE,
AGRICULTURAL ADJUSTMENT ADMINISTRATION

APPLICATION FOR THE ELIMINATION OF THE PROCESSING TAX ON BURLAP BAGS USED FOR AGRICULTURAL COMMODITIES, FROM JUTE REGULATIONS MADE BY THE SECRETARY OF AGRICULTURE, WITH THE APPROVAL OF THE PRESIDENT, UNDER THE AGRICULTURAL ADJUSTMENT ACT, EFFECTIVE DECEMBER 1, 1933

Application of the California Farm Bureau Federation

Interests represented by applicant

The California Farm Bureau Federation is an incorporated, voluntary, mutual, nonprofit association, representing all agricultural interests within the State of California. It is organized for the purpose of protecting the economic, social, and educational interests of farmers; it is nonpartisan in its viewpoint, and is equally sympathetic toward all branches of agriculture.

Regulation complained of

On December 1, 1933, Mr. H. A. Wallace, Secretary of Agriculture, in pursuance of the authority vested in him by section 15 (d) of the Agricultural Adjustment Act, approved May 12, 1933, imposed a processing tax on jute fabric amounting to 2.9 cents per pound on the first domestic processing of jute fabric into bags. The reason given for imposing this tax was "that the payment of the processing tax upon cotton is causing, and will cause, to the processors thereof disadvantages in competition from jute fabric and jute yarn, by reason of excessive shifts in consumption between such commodities or products thereof."

Since the date this tax was first levied, numerous complaints of unfair discrimination against them have been filed with us by growers of various agricultural commodities. These farmers have

requested us to present their views to the administration, in the hope that either it would grant immediate relief on the basis of the facts herein presented, or would set a further hearing in this matter on the Pacific coast at an early date.

The effect of the compensatory jute tax on western agriculture

The compensatory tax based on jute fabric manufactured into bags has imposed a great burden upon farmers in the Pacific Northwest without corresponding benefits to the cotton branch of the industry. Barley, beans, grain sorghums, nuts, oats, onions, peas, potatoes, rice, and wheat are all grown in large quantities throughout this area, and are now and always have been moved in burlap bags. Bulk handling of these commodities is not extensively practiced in the rural sections of the Pacific Northwest and it is, therefore, customary to sell these agricultural products in burlap bags, usually of 100-pound capacity or greater. The selling price of grain, beans, rice, etc., is based on the delivery of the product in a bag, and in those rare cases where the commodities are delivered in bulk, the cost of a suitable burlap bag is deducted from the current price paid the farmer.

The producers of each and every one of these commodities has suffered from extreme price recessions during the past 4 years, and the amount of economic recovery to date in many instances is much less than that now attained by cotton growers.

Table I, next following, shows the farm prices paid during the past 5 years for the principal California farm commodities using bag containers. It shows that for each of these commodities the price recovery is far from being accomplished. Table I shows further that the cost of the customary burlap container has been so increased by the so-called "compensatory tax" that it now costs practically the same or more than it did during the year of highest farm prices during the period in question. There is, therefore, no justification for the assessing of this tax on the ground of "ability to pay", nor is there any legal ground within the Agricultural Adjustment Act on which this exaction may be based.

TABLE I.—*Variation in Dec. 1 farm prices of principal California commodities using bags*

Crop	Unit	Price in dollars					Price of crop in 1933 in percent of 1929 price	Present price of burlap bags in percent of 1929 price
		1929	1930	1931	1932	1933		
Barley	Bushels	0.70	0.48	0.49	0.25	0.42	60	124
Beans	Hundredweight.	4.90	4.80	3.50	2.85	3.50	71	96
Grain sorghum	Bushels	1.00	.70	.60	.40	.51	51	124
Oats	do	.61	.43	.36	.29	.38	62	[1] 100
Potatoes	do	1.40	1.10	.72	.56	.71	51	89
Rice	do	1.05	.83	.56	.36	.74	70	124
Wheat	do	1.20	.85	.65	.59	.69	57	124
Almonds	Ton	480.00	200.00	176.00	165.00	186.00	39	97
Walnuts	do	320.00	410.00	233.00	222.00	202.00	63	97
Onions	Bushels	.77	.57	.76	.20	.59	77	99
Peas	do	1.85	1.59	1.60	1.37	.90	49	[1] 100

[1] Estimated.

The processing tax on jute applicable to bags used for the agricultural commodities named in table I is unreasonable, unfair, and unjust. Section 5 (d) of the Agricultural Adjustment Act, which is the authority relied upon by the Administration for the levying of this tax, states: "The Secretary of Agriculture shall ascertain from time to time whether the payment of the processing tax upon any basic commodity is causing or will cause to the processors thereof disadvantages in competition from competing commodities by reason of excessive shifts in consumption between such commodities or products thereof."

Regardless of the relationship between the price of cotton and burlap, these agricultural commodities have always moved in burlap bags if the quantity exceeded 50 pounds. Obviously, since cotton bags never have been used for these crops (except in an insignificant amount for experimental purposes), regardless of the extremely low cotton prices which have obtained in the past, there can be no justification for assuming that there has been or will be a "shift in consumption" resulting from a process tax being placed upon cotton. The application of a tax on bags used for these purposes is, therefore, a clear violation of the intent of the act and merely results in burdening agriculture with higher costs of production.

Farmers growing most of the commodities named are not receiving Government assistance, except in a limited way; and since there have been no important price recoveries, these growers find themselves in the dangerous position of being between a nether stone of rising production costs and a stationary upper stone of farm-commodity prices. They are not only unwilling to pay the tax because it is unfairly assessed, but also because they are unable to do so. Some relief is being sought through the reuse of old bags. The majority of growers, however, are forced through trade and operating practices to use new bags, and for them there is no escape from the tax.

It is impossible under present economic conditions for these farmers to pass this tax on. They are faced with the problem of overproduction or failure of markets to absorb normal amounts. They are in most cases getting little if anything above out-of-pocket costs. This tax is, therefore, a direct levy upon returns to growers which are already insufficient to maintain economic existence.

Agricultural relief cannot be accomplished by taxing one portion of agriculture in order to assist another. Since cotton bags have never been used on the Pacific coast (nor elsewhere in the United States in recent years for containers of the commodities mentioned), a "compensatory tax" levied on burlap bags used for agricultural purposes is unreasonable, and in effect becomes merely a revenue tax placed upon agriculture generally for the benefit of one group, namely, cotton.

The tax on burlap bags used by agriculture is not legally assessed. It is levied in direct violation of the clear and unmistakable intent of the act. It reduces the purchasing power of farmers without widening the market for his products. This is clearly in contradiction of the purposes plainly stated in section 2 of the Agricultural Adjustment Act, which are to establish and maintain such balance between production and consumption of agricultural commodities and such marketing conditions therefor as will reestablish prices to farmers at a level that will give agricultural commodities a purchasing power with respect to articles that farmers buy equivalent to the purchasing power of agricultural commodities in the base period (Aug. 1909–July 1914).

The unfairness of the tax on bags used by other branches of agriculture than cotton is further accentuated by the fact that the cotton industry has been exempted from a tax on the jute which it uses for bagging cotton. The jute regulations also were so drafted that burlap bags used for wool were exempted. Cotton bagging or cotton bags for wool had never been used in the past for either of these purposes, and the administration quite properly gave recognition to this fact in the regulations. Growers of grain, beans, potatoes, onions, and nuts can see no reason for not being given the same recognition. The facts relating to their use of burlap bags are identical with those of cotton and wool. California farmers on the average use annually about 44,000,000 burlap bags for purposes for which cotton has never been used. The processing tax on the jute fabric used in their construction constitutes under present economic conditions a very real burden. The tax totals for California alone close to $900,000 per year. It touches practically every branch of agriculture practiced in this State. Table II shows the number used, and the tax burden by commodities.

Factors governing the use of jute bags

As has already been pointed out, jute bags have been used in the Pacific Northwest exclusively for bagging certain agricultural commodities. The reasons for the choice of burlap are not the same for each commodity, but they all point to the conclusion that there has been and will be no shift from jute to cotton, unless the so-called "compensatory tax" is increased to such a point as to actually make the use of jute impossible.

Each of the principal commodities will now be considered.

Barley, rice, grain sorghums, and wheat are almost exclusively handled in burlap bags throughout the Pacific Northwest. There is a small amount of bulk handling, but even in this case, as previously mentioned, the selling price is based on the cost of placing the grain in bags by the purchaser. Grain in bags is customarily stored in high piles in warehouses. It is necessary, due to trade practices, to sample each sack. For this purpose a metal tryer is inserted through the fabric. When the tryer is removed the hole in a burlap bag tends to close up without tearing. A cotton bag, on the other hand, will not stand this practice unless made of exceptionally heavy fabric.

TABLE II.—*Number of burlap bags used annually by California agriculture and the present jute-processing-tax burden on commodities using burlap exclusively*

Commodity	Number of burlap bags used	Tax per bag (cents)	Total tax paid
Alfalfa meal	1,500,000	2.731	$40,965
Barley	14,400,000	2.20	316,800
Beans	4,000,000	2.217	88,680
Cottonseed meal	600,000	(1)	
Mill feeds	1,600,000	2.096	33,536
Mixed feeds	1,000,000	2.096	20,960
Grain sorghums	1,350,000	2.20	29,700
Almonds	380,000	2.731	10,378
Walnuts	600,000	2.731	16,386
Oats	1,000,000	(1)	
Onions	1,200,000	1.798	21,576
Peas	900,000	(1)	
Potatoes	7,000,000	1.676	117,320
Rice	3,200,000	2.20	70,400
Wheat	5,700,000	2.20	125,400
Total, including seconds	44,430,000		892,101
Total, excluding seconds	41,930,000		892,101

[1] Seconds.

Suitable cotton bags are now and always have been too costly for this purpose. Piles made of cheap cotton bags would soon break down, owing to leakage under the usual operating practices.

The cost of a cotton bag capable of standing customary uses would be about double the cost of a satisfactory burlap bag.

Jute grain bags are not reused for rice, wheat, barley, or beans; and since they are considered as part of the cost of production, it is essential that as cheap a bag be used as possible. Bags of grain when exported are deliberately "bled" after loading into the ship so that the cargo will load better. Obviously, only cheap bags could be used under such circumstances.

The same size and weight of bag are used for barley, rice, and wheat and grain sorghum. It is of a special size (22 inches by 36 inches) and made of 10-ounce burlap. It holds from 100 to 120 pounds, depending upon the commodity. This size of bag was developed through long experience because it lent itself more readily to piling than the sizes used for other commodities. Only burlap bags have ever been used for these commodities.

Onions in this section are customarily moved in burlap bags of two sizes—18 inches by 32 inches and 24 inches by 37 inches—made of 5½- or 8-ounce burlap, and will hold 50 pounds and 100 pounds of onions, respectively. No cotton bags are used for this purpose.

Potatoes also require a cheap bag as the container is considered a part of the cost of production. The weight of the container is deducted from the gross weight in determining the price paid for all agricultural commodities. Except for a very small quantity of cotton bags used experimentally, jute bags have been, and are now being, used exclusively. For this purpose, a bag 23 by 36 inches made of 8-ounce burlap and capable of holding 100 pounds of potatoes is the customary container.

For walnuts and almonds, burlap bags made of 10-ounce burlap 30 by 40 inches, having a capacity of 100 pounds, are used almost exclusively. A few bags of a smaller size have been used, mainly for advertising purposes or as holiday specials, but these also have been made of burlap. No cotton bags are used for nuts.

Peas and oats move almost entirely in second-hand burlap bags. Cotton bags are never used for this purpose. A processing tax on new bags, however, has increased the cost of second-hand bags materially. These crops are, therefore, also affected.

TABLE III.—*Data relating to the use of bags by the agricultural industry in California*

Commodity	Kind of bag used	Size of bag used (inches)	Weight of material (burlap) (ounces)	Nominal capacity of bag (in pounds of commodity)	Cost of burlap bag in 1929 (per 1,000)	1934 cost of burlap bag (including tax)
Alfalfa meal	Burlap	30 by 45	7½	100	$155.00	$135.31
Barley	do	22 by 36	10	100	95.00	118.25
Beans	do	19½ by 34	12	100	118.75	114.67
Cottonseed meal	Burlap (seconds)					
Feeds (mixed)	Burlap	22 by 36	9, 10	100	123.50	109.46
Do	Cotton	23 by 36		100	(1)	120.00
Mill feed	Burlap	23 by 36	9, 10	100	123.50	109.46
Fertilizer	do	21 by 36	9	100	97.00	89.25
Grain sorghum	do	22 by 36	10	120	95.00	118.25
Nuts (almonds and walnuts)	do	30 by 40	10	100	178.00	172.34
Oats	Burlap (seconds)					
Onions	Burlap	18 by 32	5½	50	73.14	72.00
Do	do	24 by 37	8	100	110.00	108.63
Peas	Burlap (seconds)					
Potatoes	Burlap	23 by 36	8	100	101.00	90.16
Rice	do	22 by 36	10	100	95.00	118.25
Wheat	do	22 by 36	10	120	95.00	118.25

[1] Practically none sold.

Bags used for feeds (mixed and mill) are ordinarily made of 9- or 10-ounce burlap 23 by 36 inches, having a capacity of 100 pounds. A few of these bags are made of cotton where it is desired to use a fancy brand. For the usual run-of-mill feeds, however, the burlap bag is used almost exclusively, as it is entirely satisfactory and always has been a cheaper container than a suitable bag made of cotton. It will be noted that in this category, the size of the bag is different from that used for other commodities which used jute exclusively.

Fertilizers ordinarily move in 9-ounce burlap bags 21 by 36 inches, having a capacity of 100 pounds.

Alfalfa meal is handled exclusively in burlap bags constructed of 9½-ounce burlap, 30 by 45 inches, having a capacity of 100 pounds.

A summary of data relating to the use of bags by the agricultural industry in California is given in table III.

The use of bags in California, as indicated in table III, appears to be similar to that in other parts of the country for the commodities considered. The use of burlap bags for handling grain is, however, a method peculiar to the Pacific Northwest. In other parts of the country the other commodities named used burlap bags for the same reasons as they are used in California.

Character of relief sought

The definition of "bags" contained in the jute regulations complained of herein is unreasonable, unjust, and discriminatory to the entire agricultural industry, excepting growers of wool and cotton. We, therefore, earnestly urge the administration to grant relief to growers of other agricultural commodities in one of the following ways, or in such other manner as the administration in its judgment may deem advisable:

(1) By removing the 2.9 cents per pound processing tax on all jute bag containers having a nominal capacity of 50 pounds or more.

(2) Abate the processing tax on both cotton and burlap bags having a nominal capacity of 50 pounds or more.

(3) Remove the processing tax on burlap bags having a capacity of 50 pounds or more when used as containers of alfalfa meal, barley, beans, fertilizer, grain sorghum, nuts, onions, potatoes, rice, and wheat.

The first suggestion will grant relief to those growers of agricultural commodities who do not use cotton bags without prejudicing the use of cotton bags except to a very limited extent. It is unreasonable to penalize farmers who use burlap bags exclusively merely because 1 percent to a maximum of 25 percent, in some cases, of the total bags manufactured of a certain size happen to be made of cotton, particularly when in most of the cases the cotton bag would be used, regardless of the price of burlap. Likewise, it is unjust to farmers to penalize them in order to hold for cotton so small a portion of the total bag business, if this business has been obtained owing to cotton prices being so low as to actually fail to pay costs of production. The loss of such business to burlap could not be deemed an excessive shift.

In order to present a broader picture of the effect of suggestion number (1), we have prepared a tabulation showing the total number of cotton and burlap bags used in the United States having a capacity of 50 pounds or greater. While in some instances it has been necessary to estimate the quantity of bags of a certain size used for a commodity, these estimates are usually of such small magnitude as not to affect materially the accuracy of the statement.

Out of approximately 560,000,000 bags, less than 20 percent as a maximum could possibly be considered as being competitive. Assuming for the moment that they are all competitive, then it appears that the administration has levied a tax on agriculture of over $11,000,000 in order to collect a tax of $2,000,000 on bags which might be deemed taxable under the law. It is also a fact that included in this $11,000,000 of tax is a levy of $4,500,000 on burlap bags which never were in any manner or degree competitive with cotton.

In arriving at the $2,182,600 tax on so-called "competitive bags", the tax was applied to all cotton bags in the class. Obviously, many cotton bags are used for purposes for which burlap is not suitable, and these are, therefore, noncompetitive and should be eliminated. A true picture would likely show that little over 10 percent of the bags listed are actually competitive. A $9 unjust tax should not be levied in order to collect $1 that may be due.

The second proposal is offered if in the opinion of the administration processors of the small percentage of cotton bags used for containers having a capacity of 50 pounds or more should be fully protected against any possible shift in consumption. Again, we insist that this should not be done at the expense of other branches of agriculture which use enormous quantities of burlap bags exclusively. Full protection for cotton processors can be obtained by abating the tax on the small quantity of cotton bags used in the classification of 50-pound capacity and over without jeopardizing the interests of cotton growers or other agricultural commodities.

The third suggestion will entirely meet the requirements of Pacific coast agriculture. It does not in any way injure the cotton interests or the working of the cotton plan. It fully complies with the Agricultural Adjustment Act. Section 15 (d) of the act does not specify the means of applying a compensatory processing tax. The suggestion merely goes one step further than the exemptions now permitted under present jute regulations, which defines bags as "bags are all bags less than 6 feet in length and less than 3 feet in width made from jute fabrics." We ask merely that the regulations be modified so as to properly exempt all those commodities which have been heretofore moved exclusively in jute containers. We are asking for California agriculture the same treatment that has been accorded to cotton and wool growers; namely, the recognition of the fact that where a commodity has moved practically 100 percent in jute containers in the past it is entitled to be exempted from the payment of a compensatory tax on the grounds that there has been and will be no shift from the use of cotton to jute.

We most earnestly urge your careful consideration of the matters set forth in this application * * *. We ask that if possible immediate relief be granted by the removal of the tax on jute bags, which are not now and never have been competitive with cotton bags, and that if this action is not possible without a hearing, that such hearing be granted at the earliest possible date and be held in San Francisco, so that western agriculture may appear and be fully heard.

Dated at Berkeley, Calif., this 31st day of March 1934.

Respectfully submitted.

CALIFORNIA FARM BUREAU FEDERATION,
By R. W. BLACKBURN, *President*.

TABLE IV.—*Amount of taxes collected on noncompetitive jute bags compared with amount collected on competitive cotton bags*

Commodity	Approximate number of bags of 50-pound capacity or greater	Percent of bags		Number of bags in—		Processing tax on competitive bags [1]	Compensatory tax on—	
		Competitive with cotton	Noncompetitive with cotton	Competitive class	Noncompetitive class		Noncompetitive jute bags [1]	Jute by commodity using no cotton
Mill feed	137,000,000	[2] 6	94	8,000,000	129,000,000	$160,000	$2,580,000	
Mixed feed	98,000,000	[2] 52	48	51,000,000	47,000,000	1,020,000	940,000	
Fertilizer	73,000,000	0	100		73,000,000		1,460,000	$1,460,000
Potatoes	71,000,000	0	100		71,000,000		1,420,000	1,420,000
Wheat and barley	40,000,000	0	100		40,000,000		800,000	800,000
Onions	[4] 14,000,000	0	100		14,000,000		280,000	280,000
Chemicals	[5] 7,000,000	0	100		7,000,000		140,000	140,000
Sugar balers	30,000,000	4	96	1,200,000	28,800,000	24,000	576,000	
Sugar bags	6,000,000	[2] 3	97	180,000	5,820,000	3,600	116,400	
Coffee	4,600,000	0	100		4,600,000		92,000	92,000
Rice	8,000,000	0	100		8,000,000		160,000	160,000
Flour	[6] 65,000,000	[3] 75	25	48,750,000	16,250,000	975,000	325,000	
Total	564,000,000			109,130,000	455,470,000	2,182,600	9,109,400	4,572,000

[1] Based on average of 2-cent tax per bag.
[2] Percent of bags actually made of cotton considered competitive because field has always been predominated by burlap, even with cotton at extremely low prices.
[3] For the purpose of this table, the entire number of cotton bags sold are assumed to be competitive with burlap, although obviously a much smaller proportion should be used.
[4] Open-mesh cotton bags are competitive with paper, but not burlap, so are excluded from table.
[5] Cotton and paper bags are used only for small containers.
[6] 98-pound and 140-pound bags only. No burlap 50-pound bags used for flour.

Mr. DICKSTEIN. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. MARLAND].

Mr. MARLAND. Mr. Chairman, I ask unanimous consent to speak out of order on subsistence homesteads.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MARLAND. Mr. Chairman, ladies and gentlemen of the Committee, last week with your unanimous consent I addressed you on the subject of State cooperation in our national recovery program, calling your particular attention to one phase of the recovery program in which our States could best assist—that is the program to provide our unemployed with subsistence homesteads.

I again solicit your attention to the same subject, as it is of pressing moment to every State in the United States.

During the past winter we had as high as 3,350,000 families receiving unemployment relief from the National Government.

An average of 11 percent of all the families in the United States were unfortunate victims of unemployment.

One State was fortunate enough to have only 2 percent of its families on the relief rolls. Other States had as high as 27 percent of their families living on the allowance provided by the Federal Relief Administration.

My fellow members of the Committee, think of this for a moment.

The Federal Emergency Relief Administration took care of as many as 15,000,000 of our fellow citizens at one time last winter, and 11 percent of our population was on the relief rolls for many months.

We represent these people in Congress as well as our more fortunate constituents.

It is unthinkable what would have happened to them had not provision been made by this Congress in the appropriations to the Public Works Administration and the Federal Relief Administration.

I cannot imagine wholesale famine in our land of superabundance.

But, with all our wise provision and the excellent work of our Federal agencies, we still witnessed much deprivation, destitution, and near-starvation.

In spite of all we have done under the National Recovery Act to promote national recovery—compelling shorter hours of work, to spread the work and to effect higher wages in industry—and in spite of the public work being done by the Public Works Administration, we still have over 10,000,000 men and women out of employment.

We still have over 3,000,000 families without proper means of support.

There can be no doubt that we must use every effort possible to provide employment for these families.

National policy, national safety demand it, and common humanity compels it.

Most of this unemployment today is in the cities of our country, the big cities and small towns.

This is the result of the great migration of our people from the farms to the cities which occurred as a consequence of the World War.

This migration began in 1914 and continued for 15 years, in which time over 20,000,000 American people moved from rural America to urban America.

I described this movement to you and its causes at some length last week and will not dwell upon it now.

Ten million of these people are still in our cities and towns and are unemployed.

With improved machinery in our mills, with mass production and labor-saving devices there is little prospect of their being needed again in productive occupations.

In fact, I can see no hope for their ever being productively employed in our cities, unless we should again have a great war, calling for the speeding-up of industry in the manufacture of war munitions.

To my mind, the one and only obvious solution for their problem is to return them to rural environment—return them to agricultural pursuits whence they came when they were called to meet the war-time demand for labor in the cities and the demand for labor which followed the war in the years of the building boom.

It is no small undertaking to return 3,000,000 families to the country; place every one of them on a little self-supporting farm, with fertile acres, a small house, a cowshed, a piggery, a hennery, and get each family settled in comfort and self-supporting independence.

But this is the very thing that must be done.

In the long run it will be much less expensive than trying to support them in idleness in the cities.

Four billion dollars, plus a lot of planning, plus good executive ability and hard work will get the job done, and will establish these people as self-supporting, self-respecting American families.

To feed, clothe, and shelter them in idleness in the cities would cost that much and more every 3 years.

It is a great undertaking. Every State in the Union must do its part; must cooperate in the establishment of subsistence homestead projects.

In some States the problem will be less difficult than in others.

In my State, while we had as high as 150,000 families on relief rolls last winter, I do not believe there are over half that many today, and some of these are on single-crop farms, where their poverty has resulted from either crop failure or low prices of their crops.

These destitute farmers must be rehabilitated; the size of their farms reduced, by purchase, in some cases; their planting diversified; their farm restocked; their houses repaired; new tools, machinery, clothes, shoes, and seed provided.

Probably not more than 50,000 families in my State now living in cities and towns need be returned to farms.

But something near that number should be furnished subsistence homestead farms as soon as possible, for they can find no employment where they are, and we are feeding them in idleness.

They need a 5- to 40-acre farm, depending upon its location and character—with a house, tools, machinery, livestock, seed, and some guidance to make them self-supporting.

These families can and will pay for these homesteads—over a period of years—20 years—and neither Nation nor State need be out one penny as a result of these subsistence homestead projects.

In fact, every State and the Nation will be richer thereby—to the extent of millions of happy, independent, self-supporting citizens.

Members of the Committee, you will all leave Washington shortly to return to your homes in your several States. There are 435 of us from 48 States.

Let us each make ourselves fully familiar with the developments up to date in the Division of Subsistence Homesteads in the Department of the Interior before we leave Washington. Let us know what they have done; what they are doing—what projects are under way in each State and what has been learned in the development of each of these projects.

When we get home, let us tell our people of the important place of subsistence homesteads in our national economy.

Let us urge the election of State officers from Governor down—State legislators, senators and representatives, county officials—who understand, sympathize, and are prepared to cooperate with this great and necessary national movement.

This back-to-the-land movement must succeed, or we are all lost.

We cannot continue long with 10,000,000 of our people unemployed.

No nation can exist with that percentage of its people pauperized.

Poverty must be reduced to the vanishing point, if not entirely banished.

Mr. Chairman and members of the Committee, I urge you, each of you, to put your shoulders to the wheel and help in this undertaking.

Your great opportunity to help lies in preaching the doctrine that subsistence-homestead planning has a great place in our national economy as a solution for part of our unemployment problem and to preach that it is the duty of Governors, State officials, and legislators to cooperate in their several States with the National Government in the developments of such national projects and their duty at the same time to go ahead with State economic planning for subsistence-homestead projects of their own.

In some States this can and should be supplemented by the building of small industries in conjunction with homestead projects—small industries, little factories—using the natural resources of the State to manufacture things for home consumption and furnishing employment to the homesteaders.

We here in Congress may differ at times somewhat in our ideas as to national industrial planning and agricultural planning. I personally do not feel that all our legislation has been wise.

But surely there can be no difference of opinion among us as to the desirability, the necessity of adopting the program for establishing subsistence homesteads, returning these poor, stranded fellow citizens of ours back to the land, where they may enjoy the fruits thereof, produced by the sweat of their brows.

These good, unfortunate Americans do not want to continue to eat the bread of idleness forever. They want only the chance to earn their livelihood.

It is up to us—every one of us—to see that they get that opportunity.

Mr. Chairman, this is probably the last occasion upon which I, as a Member, will address you and this House.

I am not a candidate for reelection to Congress—I will not be back with you next year.

I am offering myself to the people of Oklahoma as a candidate for Governor of the State.

I am doing this because I feel that as chief executive of my State I can best put my long years of business training and experience at their service.

The subsistence-homestead development must be encouraged in Oklahoma.

Fifty thousand families in our cities need the opportunity to earn their own living on the land.

The single-crop farmer must be aided to diversify his crops, and cooperative marketing must be provided for his surplus.

Small industries must be fostered and encouraged to develop our natural resources.

We need cotton mills, garment factories, flour mills, canneries, glass factories, furniture factories, tanneries, harness and shoe factories, and others too numerous to mention.

And we have the raw material to supply these plants with cheap fuel—coal, oil, gas—in abundance.

We must develop small natural-resource industries in Oklahoma to make our State more self-contained.

Manufacturers in large cities who are planning to move their plants would do well to study the natural resources of Oklahoma.

We are preeminently an agricultural and oil-producing State. Nearly everything we produce we ship out of the State, and nearly everything we consume we ship in. This must be corrected. We must have a better balance between agriculture and industry.

Oklahoma labor has produced from its soil in the past 30 years products which sold for over $12,000,000,000 and spent more than its income in the purchase of manufactured products of other States.

Mr. Chairman, I will no longer detain the House with a discussion of Oklahoma's economic problem.

I will only say that I am leaving the House, where I have enjoyed my work and the friendship of my coworkers, to run for Governor, because the financial and economic situation of my State is so grave and requires the type of business leadership I feel that I can supply.

We are one of the richest States of the Union in natural resources. We have produced billions of wealth and do still produce fabulously, but we are facing bankruptcy—State, county, municipal, as well as personal—because of bad government, lack of business management of State affairs, and entire failure of economic planning.

Oklahoma had 27 percent of its families on the Federal relief rolls at one time last winter.

Oklahoma produced last year enough food for 10 times her own population but could not feed her own. Seven hundred and fifty thousand citizens of Oklahoma ate the bread of national charity last winter, while wheat produced on Oklahoma farms made enough flour for 10,000,000 loaves of bread per day for other people.

Children were undernourished in Oklahoma last winter. Yet Oklahoma cows gave 8,000,000 pints of milk per day which was sold out of the State.

Mr. Chairman, it is these conditions I feel it is my duty to attempt to correct.

They must be corrected.

We cannot abide famine in our land of abundance.

If the people of Oklahoma will have me as their Governor, I expect to give the rest of my public life in their service.

And, consequently, Mr. Chairman, ladies and gentlemen of the Committee, I bid you good-bye and thank you for your attention.

CITIZENSHIP AND NATURALIZATION

Mr. DICKSTEIN. Mr. Chairman, general debate having been exhausted, I ask for the reading of the bill.

The Clerk read as follows:

Be it enacted, etc., That section 1993 of the Revised Statutes is amended to read as follows:

"SEC. 1993. Any child heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose father or mother at the time of the birth of such child was or is a citizen of the United States, is declared to be a citizen of the United States; but the rights of citizenship shall not descend to any such child unless the citizen father or citizen mother, as the case may be, has resided in the United States previous to the birth of such child."

The Clerk read the following committee amendment:

Page 1, line 5, after the word "child," strike out the words "heretofore born or."

The committee amendment was agreed to.

The Clerk read the following committee amendment:

Page 1, line 8, strike out the words "was or."

The committee amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 1, line 9, after the word "States", insert "*Provided*, That if one parent is an alien, such alien is not of a race ineligible to citizenship."

Mr. BLACK. Mr. Chairman, this committee amendment is one that several gentlemen have called attention to in general debate. The amendment discriminates against American citizens of oriental birth and generally discriminates against the oriental races.

As I said in general debate, I think in the interest of international comity the committee ought to vote down this particular amendment.

The CHAIRMAN. The question is on the committee amendment.

The question was taken; and on a division (demanded by Mr. BLACK) there were 57 ayes and 28 noes.

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

The CHAIRMAN. The Chair will count. [After counting.] One hundred and twenty-nine Members present, a quorum.

Mr. BLACK. Mr. Chairman, I demand tellers.

Mr. TABER. I make the point of order that the demand comes too late.

Mr. McFARLANE. Mr. Chairman, I make the point of order that the demand comes too late.

Mr. BLACK. Mr. Chairman, may I be heard? The Chair announced the result of the vote on the division, whereupon the gentleman from Oregon [Mr. MARTIN] made the point of no quorum. We have had no opportunity to ask for tellers.

The CHAIRMAN. The Chair thinks that the demand for tellers comes too late. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, line 4, after the word "child" insert "and unless the child, previous to his eighteenth birthday, returns to the United States and resides therein for at least 5 years continuously."

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

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

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. MILLARD: Page 2, at the end of line 6, strike out the period and insert a comma and add the following: "and unless within 6 months after the child's twenty-first birthday he or she shall take the oath of allegiance to the United States of America as prescribed by the Bureau of Naturalization."

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

The amendment to the committee amendment was agreed to.

The CHAIRMAN. The question now recurs upon the committee amendment as amended.

The committee amendment as amended was agreed to.

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

The Clerk read as follows:

Amendment offered by Mr. WEIDEMAN: Page 1, line 7, after the word "mother", insert "or both", and on line 10, page 1, between the words "alien" and "such", insert the word "and."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

Mr. DIES. Mr. Chairman, may we have the amendment offered by Mr. MILLARD read again? Some of us did not hear it.

Mr. MARTIN of Oregon. That amendment has already been adopted.

Mr. DIES. Mr. Chairman, I ask unanimous consent that the amendment may be again reported.

The CHAIRMAN. Is there objection?

Mr. MARTIN of Oregon. Mr. Chairman, I object. We have already adopted it.

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

The Clerk read as follows:

Amendment offered by Mr. DIES: Page 2, line 4, after the word "child", strike out the following: "and unless the child, previous to his eighteenth birthday, returns to the United States and resides therein for at least 5 years continuously" and insert in lieu thereof the following: "and unless the child, in cases where one of the parents is an alien, comes to the United States and resides therein for a period of 5 years continuously previous to his eighteenth birthday."

Mr. DIES. Mr. Chairman, the purpose of this amendment is to clarify the doubt expressed by the State Department as to whether or not under the amendment as adopted by the committee the child would have to complete its residence of 5 years prior to its eighteenth birthday, or merely beginning, and in order to make it certain that the child would not only have to begin its residence prior to its eighteenth birthday but also complete it prior to his eighteenth birthday, this amendment is offered, so that there will be no doubt about it.

Mr. JENKINS of Ohio. What is the gentleman's interpretation as to how the amendment previously adopted, offered by the gentleman from New York [Mr. MILLARD] would fare. Where will that amendment be?

Mr. DIES. It will follow the amendment that I propose.

Mr. JENKINS of Ohio. Then it will have to be corrected, because Mr. MILLARD's amendment was to strike out the period after the word "continuously" and insert certain language.

Mr. DIES. I ask unanimous consent that the amendment offered by the gentleman from New York [Mr. MILLARD] be amended so as to apply after the words where they occur the last time, "eighteenth birthday."

The CHAIRMAN. Is there objection?

Mr. JENKINS of Ohio. As I understand it, that will make it readable and consistent?

Mr. DIES. Yes.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas, which the Clerk will again report.

The Clerk again reported the amendment offered by the gentleman from Texas.

Mr. KRAMER. Mr. Chairman, I offer an amendment to the amendment of the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. KRAMER to the amendment offered by Mr. DIES: After the word "following" insert the word "immediately."

Mr. DIES. Mr. Chairman, I will accept the modification.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The Clerk read as follows:

SEC. 2. Section 5 of the act entitled "An act in reference to the expatriation of citizens and their protection abroad" approved March 2, 1907, as amended, is amended to read as follows:

"SEC. 5. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the father or the mother: *Provided*, That such naturalization or resumption shall take place during the minority of such child: *And provided further*, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States."

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

The Clerk read as follows:

Amendment offered by Mr. DIES: Page 2, line 17, after the word "begin", strike out the word "at" and insert the following: "5 years after."

Mr. DIES. Mr. Chairman, the purpose of this amendment is to make the law in the case where the parents of the child are naturalized citizens the same as the law is in the case of native-born citizens.

The amendment was agreed to.

The Clerk read as follows:

SEC. 3. A citizen of the United States may upon marriage to a foreigner make a formal renunciation of his or her United States citizenship before a court having jurisdiction over naturalization of aliens.

With the following committee amendment:

Page 2, line 23, after the word "aliens", insert a comma and the following: "but no citizen may make such renunciation in time of war, and if war shall be declared within one year after such renunciation then such renunciation shall be void."

The committee amendment was agreed to.

Mr. DIES. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. DIES: On page 2, line 21, after the word "foreigner", add a comma and insert the following: "and upon declaration of intention to abandon residence in the United States."

Mr. DIES. Mr. Chairman, the purpose of this amendment is to comply with the suggestion of the State Department. Under section 3 this bill permits an American citizen to renounce his or her citizenship, even though such American citizen has no intention to permanently leave the United States. This amendment states not only that the American citizen must marry a foreigner before having the right to renounce citizenship but such citizen must declare that he or she intends to permanently abandon the United States. In other words, the State Department contends it bad policy to permit an American citizen just simply because of marriage to a foreigner to renounce his or her citizenship, even though he or she intends to reside in the United States. If he or she continues to live in the United States, the State Department suggests that such person ought not to be permitted to renounce allegiance and citizenship. If the person intends to leave the United States permanently, that is another matter, and the person should be allowed to renounce citizenship if he or she so desires. Of course, the amendment is not particularly important in view of my other amendment that has been adopted, which makes void such renunciation in case war is declared within 1 year thereafter.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield long enough to have the amendment read again?

Mr. DIES. Certainly.

The Clerk again read the Dies amendment.

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

I rather think the principle which the gentleman from Texas has in mind is perfectly all right, but I am afraid the amendment will cause difficulty. I admit that in ordinary practice anybody can go into a court of competent jurisdiction and renounce United States citizenship and under ordinary circumstances go to some other country; but let us take a concrete case. Suppose some gentleman comes from Germany or France as an attaché of the German or French Embassy in Washington and in the course of his assignment in this city, becomes enamored of and probably marries an American stenographer employed at the Embassy. As a matter of fact he is a citizen of another country. It might easily be that by virtue of the fact that she retains her nationality and her citizenship in the United States while he is a citizen of another country, in the event he should die during his service in this country, a penalty would be visited upon his wife and perhaps the children of the marriage, if there were any, so far as property rights are concerned. Foreign law might, and often does, deny succession to property rights, to an alien.

Mr. DIES. The gentleman does not understand. This applies only to the case where an American citizen wants to renounce his or her citizenship.

Mr. DIRKSEN. But in the case I am using as an illustration, so far as property rights are concerned, it might be necessary for the American woman to renounce her citizenship in this country, in order to inherit; yet she would not want to leave the country so long as her alien husband was assigned to duty here.

Mr. DIES. She would not want to renounce her citizenship while she resided in this country.

Mr. DIRKSEN. But, as I say, her act in retaining American citizenship after marrying this attaché of the embassy might work against her best interests, especially insofar as the laws of inheritance of the husband's country were concerned, should he die before she took his citizenship. Under your amendment, she could not renounce citizenship unless she declared her intention to abandon residence in this country, and on the other hand, if the right to renounce without such declaration were denied, she might readily imperil for herself and her children such property rights as she might have in her husband's foreign property, because in truth she is a citizen of the United States, and therefore an alien to her husband's country.

You say that she can renounce only on declaration of intention to abandon residence in this country.

Mr. DIES. That is true.

Mr. DIRKSEN. I suggest that she might be foreclosed in her right to succeed to any property he might leave in case of death in this country. I think the amendment is dangerous in that respect and should be voted down.

Mr. DIES. I do not think this is a material amendment. The State Department made the suggestion and in order to comply with the suggestion of the State Department I offered this amendment.

Mr. DIRKSEN. I do not believe it is necessary, nor is it the fair thing to do. The principle of equality is not involved in the amendment.

Mr. JENKINS of Ohio. Mr. Chairman, I move to strike out the last two words.

As I understand the amendment, if an American woman wants to marry a foreigner and wants to renounce her allegiance, it is provided that she has to get out of the country.

Mr. DIES. No; she has to declare it is her intention to abandon her residence in this country, not to permit her to continue to live in the United States or let the husband continue to live in the United States and renounce his or her citizenship.

Mr. JENKINS of Ohio. My understanding is that it is claimed that if an American woman wants to marry a foreigner and does marry a foreigner, she may renounce her allegiance and stay here, under the present law.

Mr. DIES. She has to declare that she intends to abandon her residence in the United States.

Mr. JENKINS of Ohio. Suppose she does declare, but does not do it; does the gentleman want her to be compelled to leave anyway?

Mr. O'CONNOR. Where and how does she make this renunciation?

Mr. DIES. She makes it before any court of competent jurisdiction.

Mr. O'CONNOR. The gentleman states this is an immaterial amendment, and in view of the fact it is so vague I wonder why the gentleman presses it?

Mr. DIES. I stated the reason for offering the amendment.

Mr. JENKINS of Ohio. Will the gentleman from Texas tell me again what the object of the amendment is?

Mr. DIES. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The Clerk read as follows:

SEC. 4. Section 2 of the act entitled "An act relative to the naturalization and citizenship of married women", approved September 22, 1922, is amended to read as follows:

"SEC. 2. That an alien who marries a citizen of the United States, after the passage of this act, as here amended, or an alien whose husband or wife is naturalized after the passage of this act, as here amended, shall not become a citizen of the United States by reason of such marriage or naturalization; but, if eligible to citizenship, he or she may be naturalized upon full and complete compliance with all requirements of the naturalization laws, with the following exceptions:

"(a) No declaration of intention shall be required.

"(b) In lieu of the 5-year period of residence within the United States and the 1-year period of residence within the State or Territory where the naturalization court is held, he or she shall have resided continuously in the United States, Hawaii, Alaska, or Puerto Rico for at least 1 year immediately preceeding the filing of the petition."

With the following committee amendment:

On page 3, line 21, strike out the words "1 year" and insert in lieu thereof "3 years."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 5. The following acts and parts of acts, respectively, are repealed: The act entitled "An act providing for the naturalization of the wife and minor children of insane aliens making homestead entries under the land laws of the United States", approved February 24, 1911; subdivision "Sixth" of section 4 of the act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States", approved June 29, 1906; and section 8 of the act entitled "An act relative to the naturalization and citizenship of married women", approved September 22, 1922, as said section was added by the act approved July 3, 1930, entitled "An act to amend an act entitled 'An act relative to naturalization and citizenship of married women', approved September 22, 1922."

The repeal herein made of acts and parts of acts shall not affect any right or privilege or terminate any citizenship acquired under such acts and parts of acts before such repeal.

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

Mr. Chairman, unless some other Member makes the demand—and I notice that other Members fought this part of the bill—I shall ask for a separate vote on the committee amendment on page 1, lines 9 and 10:

Provided, That if one person is an alien, such alien is not of a race ineligible to citizenship.

I sincerely hope when the matter comes up in the House that the amendment will be stricken.

Without regard to the principle involved—and the amendment constitutes a wrong principle—there is a practical side to this question which should concern us. This amendment constitutes a deliberate insult to two of the great nations of this world. No matter how we may feel about the race question—and I am as broad and tolerant on racial as I am on religious questions—there is something deeper involved in this particular amendment. There is no question but that Japan and China have a justifiable basis for exception as a result of the national-origins clause of the present immigration law. We could have given them a quota of a hundred, and from a practical angle we would have been consistent with the principle that that law established. In this bill we heap insult upon insult. Do not make such a mistake. We simply say that, because an American woman goes over to China or Japan and marries a member of the yellow race and has children, we deny her children the right to come to the United States—a right which we give to every other American woman, black or white, who may go to another country, marry a foreigner, and have children as the result of the union.

Mr. O'CONNOR. The gentleman may not have heard my remarks, but this is not the worst feature of the amendment. Today a Chinese male citizen of our country can go to China and his children are American citizens, but this bill takes away that existing right from him but extends the right to other nationalities.

Mr. McCORMACK. The gentleman is absolutely right.

Mr. Chairman, there is one more thought I wish to convey. Let us look at this from the practical angle. I realize that if this were to be used for the purpose of evading our immigration laws there would be some justification, but do you mean to say that an American woman of the yellow race, born here, an American citizen under our Constitution, is going to Japan and China to be married and have children for the purpose of bringing those children into the country in order to evade our immigration laws? Of course, common sense is against any such inference or supposition.

Mr. MARTIN of Oregon. I hope the gentleman will not make the motion, but will allow a Member from California to do that. California is the State that is particularly involved.

Mr. McCORMACK. I said that unless some other Member demands a separate vote, I will.

Mr. BLACK. It does not make any difference.

Mr. McCORMACK. The number of persons involved are very few. This amendment is not only wrong in principle but is unnecessary from a practical angle. Furthermore, if we allow this provision to remain in the bill, it constitutes a direct insult to every person of the yellow race, citizen or otherwise.

Mr. WEIDEMAN. This was not a part of the basic law as it was originally written and the women of this country who are backing this in connection with the equal-rights bill are not a party to this amendment. This is a committee amendment.

Mr. JENKINS of Ohio. May I ask the gentleman whether he has considered this proposition? As I see it, as the gentleman from New York says, this is a very embarrassing part of the bill. It is also very impracticable in one way. But if we apply this strictly and literally, it makes no discrimination as against the Chinese-born American citizen, nor the Japanese either, because it applies to a white American the same as it does to a Chinaman or anyone else. You, an American-born white man, cannot go to China and marry a Chinese woman and bring her in here, neither can an American-born Chinese. Therefore, there is no discrimination against a Chinese-born American citizen. The discrimination is against those who are considered ineligible to citizenship. Likewise, an American-born white man can go to China and marry and can under the present law bring in his children, so can an American-born Chinese. So there is no discrimination. Under this proposed law neither an American-born white man or an American-born Chinese may bring in his children if their mother is a Chinese or a woman ineligible to citizenship, so there is no discrimination in either case. But the change comes if you undo what has been done here this afternoon, for if you vote this out a Chinese woman born in the United States may go to China and marry and may bring in her children. She cannot do so under the present law.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

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

There was no objection.

Mr. O'CONNOR. This bill does not apply to wives, it applies to children.

Mr. JENKINS of Ohio. It applies to the children of wives and the children of husbands.

Mr. O'CONNOR. Yes.

Mr. McCORMACK. My friend JENKINS is fair. This is not an immigration question. I would go along with the gentleman if they were using this to violate our immigration laws, but looking at it from the standpoint of justice and from the standpoint of righteousness, what is the difference? A woman, white, black, or yellow, if she is an American citizen, is entitled to the privileges guaranteed and given to every one of us, either by law or under the Constitution. [Applause.]

Mr. DICKSTEIN. Mr. Chairman, it is not the desire of the committee or myself to discriminate against the Chinese or the Japanese or any other race. As a matter of fact, I would be the last person in the world to discriminate against anybody. I have discussed this matter with the members of my committee. It is my impression, and it is the impression of the committee that some of our colleagues do not understand the interpretation of certain clauses of this measure, but in order to make them feel right and to pass this bill quickly, I ask unanimous consent to return to page 1, line 9, and I shall offer a committee amendment.

Mr. BLACK. Mr. Chairman, I reserve the right to object until I have heard the amendment read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DICKSTEIN: Page 1, strike out lines 5 to 10, both inclusive, and page 2, strike out lines 1 to 6, both lines inclusive, and insert in lieu thereof the following:

"SEC. 1993. Any child hereafter born out of the limits and jurisdiction of the United States, whose father or mother at the time of the birth of such child is a citizen of the United States, is declared to be a citizen of the United States; but the rights of citizenship shall not descend to any child unless the citizen father or the citizen mother, as the case may be, has resided in the United States previous to the birth of such child."

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

There was no objection.

Mr. DIES. Will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. DIES. There is nothing in this amendment that will affect the other amendments we have adopted?

Mr. DICKSTEIN. No; this simply takes out the alleged discrimination that has been charged on the floor. This is in the nature of a perfecting amendment to section 1 of the bill.

Mr. O'CONNOR. Mr. Chairman, I want to be sure the Committee understands the situation.

The committee adopted an amendment, at the bottom of page 1, consisting of the language in italics. I want to be sure the gentleman is proceeding properly. The gentleman could have moved to rescind the action of the committee in adopting that amendment and would have accomplished the same purpose. If that is the understanding of what we are doing, I want the committee to know it.

Mr. DICKSTEIN. This is a clarifying amendment, preserving the language of the present law. If we struck out the language in italics without making a proper correction, it would not be right.

Mr. O'CONNOR. Mr. Chairman, I want to be sure I understand the purpose of the unanimous consent of the gentleman from New York.

As I understand, the request was to eliminate the previous action of the committee in adopting the committee amendment at the bottom of page 1 and another committee amendment in lines 4, 5, and 6, on page 2, so that the bill will be left in the condition it was in previous to the adoption of the committee amendments. I therefore suggest that the proper motion would be to rescind the action of the committee on the committee amendment on page 1 and the committee amendment on page 2, lines 4, 5, and 6.

Mr. DICKSTEIN. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection, and the amendment was withdrawn.

Mr. DICKSTEIN. Mr. Chairman, I ask unanimous consent to go back to page 1, lines 9 and 10, and that the previous action of the committee be rescinded, and the words, beginning in line 9, "*Provided*, That if one parent is an alien, such alien is not of a race ineligible to citizenship", be stricken from the bill.

Mr. JENKINS of Ohio. Mr. Chairman, I object.

Mr. McCORMACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McCORMACK. Is it now necessary for the gentleman from New York to ask unanimous consent? As I understand, unanimous consent was granted to return to section 1 of the bill.

The CHAIRMAN. That request was granted.

Mr. McCORMACK. The amendment has been withdrawn and the question is whether or not it is now necessary to have unanimous consent to offer the amendment, or whether the gentleman can offer such an amendment based on the unanimous consent already granted.

The CHAIRMAN. In the opinion of the Chair, the unanimous-consent request to return and the offering of the amendment were separate requests.

Mr. McCORMACK. In other words, it is now in order to move to amend?

The CHAIRMAN. The Chair will wait until the amendment is offered before answering that question.

Mr. DICKSTEIN. Mr. Chairman, I move to rescind the action of the Committee agreeing to the committee amendment printed in italics in lines 9 and 10 on page 1 of the bill, being the words reading:

Provided, That if one parent is an alien, such alien is not of a race ineligible to citizenship.

The CHAIRMAN. The question is on the motion of the gentleman from New York.

Mr. JENKINS of Ohio. Mr. Chairman, I rise in opposition to the amendment in order to explain one proposition, or at least to give my interpretation of it.

At the present time there are certain countries from which no immigration can come. There are certain races that are ineligible to citizenship. This is an organic law and is a principle that is recognized in all immigration matters. You are now going to change the immigration law.

Mr. DICKSTEIN. No; we are not changing the law.

Mr. JENKINS of Ohio. You are going to withdraw an objection that now applies to people of ineligibility, and if you are going to raise that bar, then you are going to lay down some other bar.

Mr. DICKSTEIN. I am not raising any bar.

Mr. JENKINS of Ohio. That is my objection to it.

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

Mr. JENKINS of Ohio. Of course, you can emasculate this bill if you wish.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. DICKSTEIN. Striking out that language, does not the question then come up that persons ineligible for citizenship cannot come in?

Mr. JENKINS of Ohio. Under this law any man or woman could go anywhere and marry anybody who was either eligible or ineligible to citizenship and their children would be eligible to citizenship.

Mr. O'CONNOR. If they are citizens.

Mr. JENKINS of Ohio. Yes; if they are citizens.

Mr. O'CONNOR. That is the present language of the law.

Mr. JENKINS of Ohio. If that is what you want, that is all right with me, but that is exactly what you are doing here.

The CHAIRMAN. The question is on the motion of the gentleman from New York [Mr. DICKSTEIN].

The motion was agreed to.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MARTIN of Colorado, 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. 3673) to amend the law relative to citizenship and naturalization, and for other purposes, and had directed him to report the bill back to the House with sundry amendments adopted by the Committee of the Whole House on the state of the Union.

The SPEAKER. Under the rule the previous question is ordered on the bill and amendments to final passage. Is

there a demand for a separate vote on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

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

On motion of Mr. DICKSTEIN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

SALARIES OF RURAL LETTER CARRIERS

Mr. BANKHEAD, from the Committee on Rules, presented a privileged report on the bill (H.R. 8919) to adjust the salaries of rural letter carriers, and for other purposes, for printing under the rule, which was referred to the House calendar and ordered printed.

The resolution is as follows:

House Resolution 355

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H.R. 8919, a bill to adjust the salaries of rural letter carriers, and for other purposes; and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Post Office and Post Roads, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted; and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit; with or without instructions.

DISCRIMINATION IN THE HOUSE RESTAURANT

Mr. O'CONNOR. Mr. Speaker, I call up House Resolution 236.

The Clerk read the resolution as follows:

House Resolution 236

Whereas it has come to my attention as a Representative in Congress that a rule of discrimination is being enforced in the restaurant service of the House of Representatives; and

Whereas I stand peculiarly as the representative of the 12,000,000 loyal colored citizens of the United States; and

Whereas these people, and their forebears, have contributed of might and main, blood and sinew, in the development of this country; and

Whereas from the year 1619, when a group of 20 slaves were landed at Jamestown, Va., these people have been loyal to the country to which they and their forebears were brought through a commercial traffic in human souls; and

Whereas for 244 years of unrequited toil these loyal citizens tilled the soil, planted the fields, harvested the crops of the southern plantations, nursed and succored the families of their masters, were custodians of the family chest while master was at war to keep them in slavery; and

Whereas the first blood that fertilized the soil of this continent in the cause of liberty and fraternity flowed from the life stream of that hero martyr Crispus Attucks, who fell on Boston Common in 1770; and

Whereas the colored citizens of the United States have borne their full share of responsibility and sacrifice in every military movement in which this country has been engaged from the Revolutionary period, through the Civil War, on through Carizal, San Juan Hill, and the Argonne front; and

Whereas this loyalty must gain for them the liberal plaudits of patriotic Americans and place them beyond the pale of present-day serfdom and slavery; and

Whereas under the Constitution of the United States, and the fourteenth and fifteenth amendments thereof, these people are citizens of the United States, entitled to all the privileges and immunities as are enjoyed by others; and

Whereas in the Washington Post of the issue of Wednesday, January 24, 1934, the Honorable Representative LINDSAY C. WARREN, of the First District of North Carolina, Chairman of the Committee on Accounts, House of Representatives, is quoted as saying: "In refusing to serve two colored persons in the House restaurant today, Manager P. H. Johnson of the restaurant was acting under my orders and instructions"; and

Whereas Representative LINDSAY C. WARREN, of the First District of North Carolina, Chairman of the Committee on Accounts, House of Representatives, is further quoted in said Post as saying: "The restaurant has been operated by the committee since 1921. It has never served colored employees or visitors, nor will it, so long as I have anything to do with the restaurant"; and

Whereas the rule of discrimination was put in force and effect Tuesday, January 23, 1934, and the restaurant of the House of Representatives announced that the service was reserved for white people only to the exclusion of colored citizens, and two colored persons were so refused, as stated: Therefore be it

Resolved, That a committee of five Members of the House be appointed by the Speaker to investigate by what authority the Committee on Accounts controls and manages the conduct of the House restaurant, and by what authority said committee or any members thereof issued and enforced rules or instructions whereby any citizen of the United States is discriminated against on account of race, color, or creed in said House restaurant, grillroom, or other public appurtenances or facilities connected therewith under the supervision of the House of Representatives.

Said committee is authorized to send for persons and papers and to administer oaths to witnesses and shall report their conclusions and recommendations to the House at the earliest practicable moment.

With the following committee amendment:

Strike out the preamble.

Mr. O'CONNOR. Mr. Speaker, this is the so-called "De Priest resolution", with which the House is very familiar, and I move the previous question.

The previous question was ordered.

The committee amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution.

Mr. PARKS and Mr. RAMSPECK called for a division.

Mr. McFADDEN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 236, nays 114, answered "present" 1, not voting 79, as follows:

[Roll No. 132]

YEAS—236

Adair	Dunn	Kenney	Ransley
Adams	Durgan, Ind.	Kinzer	Reece
Allen	Eaton	Kloeb	Reed, N.Y.
Andrew, Mass.	Edmiston	Kniffin	Reilly
Andrews, N.Y.	Eicher	Knutson	Rich
Arens	Eltse, Calif.	Kocialkowski	Richardson
Arnold	Englebright	Kopplemann	Robinson
Ayers, Mont.	Evans	Kramer	Rogers, Mass.
Ayres, Kans.	Faddis	Kvale	Rogers, N.H.
Bacharach	Farley	Lambertson	Rudd
Bacon	Fiesinger	Lamneck	Sabath
Bakewell	Fish	Lanzetta	Sadowski
Beck	Fitzpatrick	Larrabee	Secrest
Beedy	Fletcher	Lehlbach	Seger
Beiter	Focht	Lehr	Shoemaker
Biermann	Ford	Lemke	Simpson
Black	Foss	Lesinski	Sinclair
Blanchard	Foulkes	Lewis, Colo.	Sirovich
Boehne	Frear	Lindsay	Sisson
Boileau	Gambrill	Lloyd	Smith, Wash.
Boland	Gavagan	Luce	Smith, W.Va.
Bolton	Gifford	Ludlow	Snell
Boylan	Gilchrist	Lundeen	Snyder
Britten	Gillespie	McCarthy	Somers, N.Y.
Brooks	Gillette	McCormack	Stokes
Brumm	Goodwin	McFadden	Strong, Pa.
Brunner	Goss	McGugin	Stubbs
Burnham	Granfield	McLean	Studley
Carpenter, Kans.	Gray	McLeod	Sutphin
Carpenter, Nebr.	Greenway	Maloney, Conn.	Sweeney
Carter, Calif.	Griswold	Mapes	Taber
Cavicchia	Guyer	Marshall	Taylor, Tenn.
Chase	Haines	Martin, Colo.	Thom
Christianson	Hamilton	Martin, Mass.	Thomas
Church	Hancock, N.Y.	Martin, Oreg.	Thompson, Ill.
Claiborne	Hart	Mead	Tinkham
Cole	Harter	Merritt	Tobey
Collins, Calif.	Hartley	Millard	Traeger
Condon	Healey	Moran	Treadway
Connery	Henney	Morehead	Truax
Connolly	Higgins	Mott	Turpin
Cooper, Ohio	Hoeppel	Moynihan, Ill.	Utterback
Crosser, Ohio	Hoidale	Muldowney	Wallgren
Crowther	Hollister	Murdock	Wearin
Culkin	Holmes	Musselwhite	Weideman
Cullen	Hope	Norton	Welch
Darrow	Howard	O'Connell	Werner
Delaney	Hughes	O'Connor	West, Ohio
De Priest	Imhoff	Oliver, N.Y.	White
Dickstein	Jacobsen	Palmisano	Whitley
Dingell	James	Parsons	Wigglesworth
Dirksen	Jenkins, Ohio	Perkins	Willford
Ditter	Johnson, Minn.	Pettengill	Withrow
Dobbins	Kahn	Peyser	Wolcott
Dockweiler	Kee	Pierce	Wolfenden
Dondero	Keller	Plumley	Wolverton
Douglass	Kelly, Ill.	Polk	Woodruff
Dowell	Kelly, Pa.	Powers	Young
Duffey	Kennedy, N.Y.	Randolph	Zioncheck

NAYS—114

Abernethy	Bulwinkle	Cartwright	Colmer
Bankhead	Burke, Nebr.	Cary	Cooper, Tenn.
Bland	Busby	Castellow	Cox
Blanton	Byrns	Chapman	Cravens
Brown, Ga.	Caldwell	Clark, N.C.	Cross, Tex.
Brown, Ky.	Cannon, Mo.	Cochran, Mo.	Crump
Buchanan	Carden, Ky.	Coffin	Dear
Buck	Carmichael	Colden	Deen

Dickinson	Jones	Parks	Tarver
Dies	Kerr	Patman	Terrell, Tex.
Doughton	Kleberg	Peavey	Terry, Ark.
Doxey	Lambeth	Peterson	Thomason
Drewry	Lanham	Ramspeck	Thompson, Tex.
Driver	Lee, Mo.	Rankin	Turner
Duncan, Mo.	McClintic	Rayburn	Umstead
Eagle	McDuffie	Richards	Vinson, Ga.
Elizey, Miss.	McFarlane	Robertson	Walter
Fernandez	McKeown	Rogers, Okla.	Warren
Flannagan	McMillan	Romjue	Weaver
Fuller	McReynolds	Ruffin	West, Tex.
Fulmer	Maloney, La.	Sanders	Whittington
Glover	Mansfield	Sandlin	Wilcox
Green	May	Sears	Williams
Gregory	Miller	Smith, Va.	Wilson
Hastings	Mitchell	Spence	Wood, Ga.
Huddleston	Montague	Steagall	Wood, Mo.
Johnson, Okla.	Montet	Strong, Tex.	Woodrum
Johnson, Tex.	Owen	Sumners, Tex.	
Johnson, W.Va.	Parker	Swank	

ANSWERED "PRESENT"—1

Underwood

NOT VOTING—79

Allgood	Collins, Miss.	Hildebrandt	Oliver, Ala.
Auf der Heide	Corning	Hill, Ala.	Prall
Bailey	Crosby	Hill, Knute	Ramsay
Beam	Crowe	Hill, Samuel B.	Reid, Ill.
Berlin	Cummings	Jeffers	Schaefer
Bloom	Darden	Jenckes, Ind.	Schuetz
Brennan	DeRouen	Kennedy, Md.	Schulte
Brown, Mich.	Disney	Kurtz	Scrugham
Browning	Doutrich	Lea, Calif.	Shallenberger
Buckbee	Edmonds	Lewis, Md.	Shannon
Burch	Ellenbogen	Lozier	Stalker
Burke, Calif.	Fitzgibbons	McGrath	Sullivan
Cady	Frey	McSwain	Swick
Cannon, Wis.	Gasque	Marland	Taylor, Colo.
Carley, N.Y.	Goldsborough	Meeks	Taylor, S.C.
Carter, Wyo.	Greenwood	Milligan	Thurston
Celler	Griffin	Monaghan, Mont.	Vinson, Ky.
Chavez	Hancock, N.C.	Nesbit	Wadsworth
Clarke, N.Y.	Harlan	O'Brien	Waldron
Cochran, Pa.	Hess	O'Malley	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Sullivan (for) with Mr. Gasque (against).
Mr. Buckbee (for) with Mr. Oliver of Alabama (against).
Mr. Celler (for) with Mr. Jeffers (against).
Mr. Doutrich (for) with Mr. Allgood (against).
Mr. Kurtz (for) with Mr. Hill of Alabama (against).
Mr. Edmonds (for) with Mr. McSwain (against).
Mr. Hess (for) with Mr. Vinson of Kentucky (against).
Mr. Corning (for) with Mr. DeRouen (against).
Mr. Beam (for) with Mr. Browning (against).
Mr. Wadsworth (for) with Mr. Taylor of South Carolina (against).
Mr. O'Brien (for) with Mr. Burch (against).
Mr. Griffin (for) with Mr. Collins of Mississippi (against).
Mr. Harlan (for) with Mr. Jones of Texas (against).
Mr. Bloom (for) with Mr. Hancock of North Carolina (against).

General pairs:

Mr. Prall with Mr. Waldron.
Mr. Fitzgibbons with Mr. Carter of Wyoming.
Mr. Milligan with Mr. Stalker.
Mr. Taylor of Colorado with Mrs. Clarke of New York.
Mr. Shallenberger with Mr. Thurston.
Mr. Greenwood with Mr. Cochran of Pennsylvania.
Mr. Auf der Heide with Mr. Reid of Illinois.
Mr. Goldsborough with Mr. Swick.
Mr. Lozier with Mr. Berlin.
Mr. Samuel B. Hill with Mr. Cady.
Mr. Lewis of Maryland with Mr. Frey.
Mr. Lea of California with Mr. O'Malley.
Mr. Carley of New York with Mr. Marland.
Mr. Crowe with Mr. Kennedy of Maryland.
Mr. Disney with Mr. McGrath.
Mrs. Jenckes of Indiana with Mr. Hildebrandt.
Mr. Shannon with Mr. Knute Hill.
Mr. Bailey with Mr. Cannon of Wisconsin.
Mr. Schuetz with Mr. Monaghan of Montana.
Mr. Burke of California with Mr. Brennan.
Mr. Chavez with Mr. Darden.
Mr. Cummings with Mr. Ramsay.
Mr. Brown of Michigan with Mr. Scrugham.
Mr. Crosby with Mr. Meeks.
Mr. Schaefer with Mr. Nesbit.

Mr. PERKINS. Mr. Speaker, I change my vote from "nay" to "yea."

Mr. UNDERWOOD. Mr. Speaker, I withdraw my vote and answer "present", being a member of the Committee on Accounts.

The result of the vote was announced as above recorded.

A motion to reconsider the vote by which the resolution was agreed to was laid on the table.

Mr. FIESINGER. Mr. Speaker, my colleague from Ohio [Mr. HARLAN] was called downtown on important business. If he were here, he could have voted "yea."

HOUSE RESOLUTION 236

Mr. GAVAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the resolution just passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. GAVAGAN. Mr. Speaker, ladies and gentlemen of the House, a large percentage of the constituency I have the privilege and honor to represent are members of the Negro race. They look with just pride on the part they have contributed to the welfare of the United States of America. No more loyal and truly patriotic people can be found anywhere. They ask no special privilege nor seek favor above any other group or race. They are proud of their American citizenship and seek and ask only fair and equal treatment under the Constitution of the United States. Naturally, they resent any manner or form of discrimination; they are a proud and long-suffering people, and it gives me great pride on their behalf to speak to you today in favor of the passage of the resolution of Mr. DE PRIEST, for the appointment of a committee of the House of Representatives empowered to investigate the authority of the Committee on Accounts to promulgate and enforce rules denying to citizens of the Negro race the use of the House restaurant.

At the very outset I wish to pay my compliments and respects to the members of the Committee on Rules of the House of Representatives and especially the distinguished gentleman from Alabama [Mr. BANKHEAD], the chairman of the committee, for the fair consideration given the resolution and the fine spirit of justice exemplified when they reported the same favorably. But for such favorable report it would not have been possible to consider the resolution, as no power or authority exists under the Rules of the House to compel the Rules Committee to act on a resolution.

Investigation, I feel sure, will prove that the House-restaurant rule complained against is not of recent origin but was promulgated a long while ago when the Committee on Accounts was presided over and controlled by the members of the Republican Party. The present Chairman of the Accounts Committee, the Honorable LINDSAY C. WARREN, of North Carolina, in a recent address to the House stated unequivocally that the rule barring Negroes from the House restaurant was one of long standing—not created by him or the present committee—but inherited from previous committees. This statement of the gentleman from North Carolina [Mr. WARREN] has not been challenged or denied by anyone and must be assumed to be true, and is in fact true.

The question of the origin of the rule or regulation being decided, I proceed to discuss the power or authority of any committee of the House of Representatives or members thereof to promulgate, pass, or enforce any such rule, order, or direction. I challenge the authority of any committee of the Congress of the United States to enact any rule which in its nature and scope discriminates against any citizen of the United States because of race, creed, or color. I say—and I say it with no fear of contradiction—that there exists in no committee any authority, power, or right to promulgate, pass, or enforce any such discriminatory rule, regulation, or order.

Mr. Speaker, the fourteenth amendment to the Constitution of the United States provides that—

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The second sentence of this amendment controls and regulates the power of the States and denies to any State

the power to abridge the privileges or immunities of citizens of the United States. Hence, no State has authority or power to pass laws discriminatory of the rights or immunities of citizens of the United States; such power is denied to a State by the Constitution.

Congress is the creature of the Constitution—no power not delegated can be created by Congress—Congress is the creature and not the creator of the Constitution. In respect to the States, however, the situation is reversed. The States are not the creatures of the Constitution. As representatives of the people, the States created the Constitution; and insofar as they vested and granted powers through the Constitution to the Federal Government created thereby, they divested and limited their original power. Therefore, as the States, under the fourteenth amendment, may not abridge the privileges and immunities of citizens of the United States, Congress, being the creature of the Constitution, may not, and no committee thereof can.

I myself, Mr. Speaker, abhor all discrimination of any kind or source. I believe in the Constitution of the United States and in the rights and privileges of freemen proclaimed, guaranteed, and protected therein. I blush with shame to think that here in the Nation's Capital any rule of discrimination would be tolerated, not to mention enforced.

My duty to my constituents and my respect for the principles upon which this Government is based both demand that I speak out in opposition to any rule or regulation tending to deny to any American citizen of Negro blood his right to just and equal treatment with his fellow citizen of another blood.

Mr. Speaker, I ask no special favor for those of my constituents who are of different color, but I do demand for them equal treatment and consideration. I desire to be true to my principles and to my duty to serve all my constituents—I can do no more—I seek no cheap notoriety in the performance of my clear and manifest duty. I firmly believe that this House should investigate this matter; and if discriminations of any kind are shown to exist, I shall demand the abolition of the same. We cannot, as Representatives of a free people, tolerate for one moment the existence of race hatred or prejudice. If it exists, we must stamp it out. Hatred and bigotry are the twin devils that have bedeviled man's progress toward freedom and justice since the beginning of time. To be free of them demands eternal vigilance. We cannot compromise—we must not condone.

Therefore, Mr. Speaker, I shall cast my vote in favor of the De Priest resolution and sincerely hope it will pass the House.

EXTENSION OF REMARKS

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include short letters sent me by Louis MacMahon, of the Press Gallery.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, from the floor yesterday I called attention to the fact that after the House adjourned Monday and I had finished a conference with some colleagues, and had gathered my papers and was about to leave the Chamber, two reporters from the Press Gallery, accompanied by a third person, were waiting at the door for me just inside the House Chamber and accosted me, and attempted to upbraid me for opposing and stopping the passage of the local old-age pension bill for the District of Columbia. I did not know the names of either of these reporters but understood from them that they represented the Post and the Herald. On several other occasions they had interrogated me about legislation, but as they were comparatively new men, and were not the old reporters formerly representing the Washington papers, I had not yet been able to learn their names.

After one of them warned me that he "was going to give me 'hell' in his paper this morning", I naturally looked for same in the morning papers. There are but two morning papers here on Tuesday—the Post and the Herald. There was no attack on me in the Post. There was an attack on me in the Herald. The vicious, untruthful, unwarranted attack in the Herald, which at the top gave the name of the Herald reporter writing it as "Pat Frank", mentioned the attempt to upbraid me on the floor after adjournment by stating:

> This was after the Texan, with a 3-hour filibuster, single-handed practically blocked any hope of passage—

And so forth. So it was very evident to me that it was a Herald reporter who told me that he "was going to give me 'hell' in his paper the next morning."

Since then Mr. Louis A. MacMahon, who is a high-class, reputable reporter of many years standing, advised me that inasmuch as he was on the Herald staff, some might think that he had been the one who accosted me. Of course, he was not the one and was not present, and I told him that I would be glad to print in the RECORD any statement to that effect that he desired. From him through the mail I have received the following:

WASHINGTON, *April 24, 1934.*

Hon. THOMAS L. BLANTON,
House Office Building, Washington, D.C.

DEAR MR. BLANTON: It was very generous of you to volunteer to put into the RECORD the letter written me by Mr. Roy Moulden establishing the fact that I was not the reporter who threatened to "give you 'hell'."

I am enclosing Mr. Moulden's letter and would appreciate your putting it into the RECORD tomorrow, Wednesday, so as to clear up the situation for me. With thanks and appreciation in advance for your generosity and courtesy,

Sincerely yours,

LOUIS A. MACMAHON.

Accompanying the letter from Mr. MacMahon was the following:

WASHINGTON; D.C., *April 24, 1934.*

LOUIS A. MACMAHON,
Herald Reporter.

DEAR LOUIE: I regret that Representative BLANTON got you and me confused during his attack on Mr. Hearst on the floor of the House today.

BLANTON said the Herald reporter threatened to give him "hell" That is not a fact. I am the one who, in a good-natured way, threatened to give him "hell." He laughed and said he also would give me "hell."

Secrest, of the Post, and myself, representing the Washington Daily News, talked with BLANTON—the conversation to which he alluded on the floor today. Neither you nor anyone else representing the Washington Herald was present during the jocular colloquy with BLANTON. I saw BLANTON up to the time he left the House Monday afternoon, and at no time did I see you have any conversation with him. On the contrary, I met you in the House press gallery when Secrest and I finished our jocular conversation with BLANTON.

Again regretting the confusion, fraternally yours,

ROY MOULDEN,
Washington Daily News.

I am glad to know, Mr. Speaker, that it was just a jocular plant that I ran into at the door of this Chamber Monday afternoon, and that the reporters from the press gallery were in a jocular frame of mind when they told me that they would give me "hell" in their paper the next morning. If they had not been so very jocular, it might have been serious. But they do show that after the jocular plant and after the jocular accosting and after the jocular threat of giving me "hell" they went from the scene of said jocular joust back to the press gallery and there fraternized with a Herald reporter, and that one of the fraternizers who had been aiding and abetting the jocularity was a reporter from the Post staff.

And on its editorial page this morning, both in a foot-square cartoon, and a column and a half wide and half page long editorial, the Right Honorable Eugene Meyer in his Washington Post (which he hornswoggled from the McLean boys) jocularly attempted to give me "hell" in fulfilling the jocular threat I received in the presence of his jocular reporter Monday afternoon.

If Eugene Meyer's Post had told the truth, he would not merit blame, but Eugene Meyer's Post did not tell the truth. After quoting an irresponsible statement made in debate to the effect that this was congressional year and I was coming up for election, and passing this bill would put me in an embarrassing position and for such reason I was fighting the bill, Eugene Meyer's Post then made the positive assertion "The Representative from Texas did not deny this statement." Does Eugene Meyer and his Post think

they can get away with that? They are chargeable with knowing what I said because they had a reporter jocularly sitting in the press gallery, who jocularly accosted me on the floor after adjournment, and they had the printed copy of Monday's RECORD where, on page 7171, as soon as I got the floor, I said:

When we had a former District day there were about 15 or 20 bills on the calendar. This bill was up near the top. I went to the chairman of this committee, and I went to Mr. BLACK, and I also went to Mr. PALMISANO, and told them all that if they called up this bill they would not pass many bills that day on the calendar, that I was against it, and that I was going to use every bit of parliamentary knowledge of the rules that I had to stop it. And after consultation they sidetracked this bill, and put it down at the bottom of the list, and I helped them to pass quite a number of noncontroversial measures that day. They knew then that I opposed this bill, and intended to do everything within my power to stop it.

And on the same page, 7171, I said:

Something was said about somebody being afraid of votes at home. I made no such statement. I never have been afraid of votes back home since I have been a Member of this Congress. If this Congress is in session when my primary comes up you will find me still here very busy and working hard on this floor, 2,000 miles away.

I have such confidence in the people I represent back home that I know that if I do my duty here on this floor and help to kill bad bills they are going to look after me when election time comes.

I have confidence in my constituents, and they have confidence in me, and that is the reason they take care of me, whether I am there or not. They know that when I am here they can depend on me to fight to stop bad bills.

The above shows conclusively that when Mr. Eugene Meyer's Post made the positive assertion this morning that "The Representative from Texas did not deny this statement" it told a deliberate untruth.

In my speech I showed that the Commissioners of the District of Columbia had reported that the District budget could not possibly stand the provisions of this bill, and it should have been the duty of Eugene Meyer and his Post to have supported the District Commissioners, and in protecting the District budget from becoming unbalanced. And I showed that the bill was unsound in many particulars, in granting carte blanche authority to the Commissioners to appoint employees without any limitation, and to fix salaries without limitation, except the maximums embraced in the 1923 act, under which the name of the position fixes the salary.

Eugene Meyer cannot run his Post like he ran the Federal Reserve. As millionaire publisher of the Post he cannot treat American citizens and their rights with the same autocratic disregard that he did when he was carrying out his policy that broke banks and ruined many cattlemen of the country. I want Eugene Meyer to understand that I shall hold him personally responsible for every libelous attack he publishes in his Post about me, so he had better instruct his jocular reporters to publish only the truth.

WAR DEPARTMENT DISAPPROVES DISCRIMINATIONS AGAINST AMERICAN CITIZENS IN H.R. 8861, "THE SUGAR BILL"

Mr. LANZETTA. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a memorandum dated April 14 on the sugar bill, by the Chief of the Bureau of Insular Affairs to the Secretary of War.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANZETTA. Mr. Speaker, under leave to extend my remarks in the RECORD I include the following memorandum, dated April 14, on bill H.R. 8861, the sugar bill, from the Chief of the Bureau of Insular Affairs to the Secretary of War:

APRIL 12, 1934.

MEMORANDUM FOR THE SECRETARY OF WAR

Subject: H.R. 8861 and S. 3212, Seventy-third Congress, entitled "A bill to include sugar beets and sugar cane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes"

H.R. 8861, as passed by the House on April 4, 1934, contains certain provisions which appear to be discriminatory against the insular possessions of the United States. Their enactment into law would be contrary to the long-established policy governing trade relations with all of the insular areas which produce sugar for the United States market. I desire, however, to call particular attention to those provisions of the bill which appear to be discriminatory against the interests of Puerto Rico. Of course, what may be said relative to Puerto Rico is applicable in general to other insular areas.

One objection frequently expressed is that our insular dependencies are placed in the same category as foreign countries. This feature has brought strong protests from Puerto Rico.

Reference is made to the following provisions which are considered discriminatory against Puerto Rico:

(a) On page 5, under the proposed new section 8a of the Agricultural Adjustment Act, provision is made for the allotment of quotas to all of the insular possessions for any calendar year "based on average importations or receipts therefrom into continental United States for consumption, or which was actually consumed, therein during such 3 years, respectively, in the years 1925–33, inclusive, as the Secretary of Agriculture may, from time to time, determine to be the most representative respective 3 years adjusted (in such manner as the Secretary shall determine) * * *."

(b) The same section provides further, with reference to the insular areas, that such quotas may include "direct-consumption sugar up to an amount not exceeding the respective importations or receipts of direct-consumption sugar therefrom into continental United States for consumption, or which was actually consumed, therein during the year 1931, 1932, or 1933, whichever is greater, and in the case of Cuba, direct-consumption sugar up to an amount not exceeding 22 percent of the quota established for Cuba."

(c) On page 6 the quotas for any calendar year are fixed for the beet-sugar area of the United States at 1,550,000 short tons raw value and for Louisiana and Florida 260,000 short tons raw value.

With reference to paragraph (a) above, the manner of determining quotas is too indefinite. There is no guaranty in the bill that it would not be applied so as to discriminate against one or more areas under the jurisdiction of the United States. It would apparently be possible to select the lowest and highest years, so as to make great fluctuations in the quotas allocated to some of the areas, notably Puerto Rico, Hawaii, and the Philippine Islands. Certainly a fair administration of the law is to be expected, but the proposed legislation would permit or make possible discriminatory measures. Such a provision would create great uncertainty in crop planning and milling and in crop financing from year to year.

TABLE A.—*Maximum and minimum sugar shipments to continental United States, annual averages 3-year periods calendar years 1925–33, inclusive*

Areas	Calendar years	Maximum (short tons)	Calendar years	Minimum (short tons)	Difference
Philippine Islands	1931, 1932, 1933	1,029,381	1925, 1926, 1927	467,908	561,473
Puerto Rico	1930, 1932, 1933	[1] 882,956	1926, 1927, 1929	546,900	[1] 336,056
		[2] 822,006			[2] 275,106
Hawaii	1931, 1932, 1933	1,008,950	1925, 1926, 1927	759,608	249,342

[1] Actual shipments plus computed loss of 182,850 short tons from 1932 hurricane. (P. R. Department of Agriculture and Commerce.)

[2] Actual shipments, reports U.S. Department of Commerce.

Source: Except where otherwise noted figures based on reports of U.S. Department of Commerce.

The provision relative to direct-consumption sugars (par. (b) above) is discriminatory against the insular areas as regards the privileges of refining sugar. Such action cannot be justified on any grounds whatever when applied to Puerto Rico and Hawaii. The inhabitants of these islands are citizens of the United States. It has been regarded as a fundamental principle that the right of the people thereof to trade with the mainland shall be free and unrestricted and that they shall enjoy the same rights and liberties in the development of their industries as though they were on the mainland. This policy was stated in the first Organic Act of Puerto Rico, approved April 12, 1900, and is the policy upon which our trade with Puerto Rico has been developed. The following table indicates the maximum shipments of direct-consumption sugar from the various off-shore areas supplying this market. While some further expansion may be expected in Puerto Rico, such expansion will necessarily be relatively small. Whatever such expansion may be, it is of great importance to the island that its opportunities to develop industries connected with the island's basic products shall not be curtailed. The density of the population in this small area makes it desirable that every opportunity shall be afforded the people to establish industries that will create employment.

TABLE B.—*Direct-consumption sugars shipped to United States, years 1932 and 1933*

Areas	Maximum years	Short tons	Percentage of shipments to United States
			Percent
Philippine Islands	1932	62,927	6.0
Puerto Rico	1933	107,087	14.0
Hawaii	1932	24,321	2.4
Cuba	1932	[1] 492,635	25.3

[1] 25.3 percent of suggested quota shown in column 2 of table C.

The provision assigning fixed quotas (paragraph (c) above) to the continental beet-sugar areas of 1,550,000 short tons and 260,000 short tons to the continental cane-growing areas is also discriminatory against those insular areas whose inhabitants are citizens of the United States. Here again it is proposed to violate the principle of fair and equal treatment, particularly in that with the committee amendment, page 8, line 14, inserting the words "paragraph (a) of", the proration of any deficiencies in consumption requirements in any calendar year is imposed entirely upon the areas outside of the continental United States.

The above tables (A, B, and C) indicate that quota uncertainties might result from year to year; that the continental beet and cane areas have been specially favored; that the continental refineries have been given special consideration over those of Puerto Rico and Hawaii; and that the refineries of all of our insular possessions, including the Philippines, have been placed on a less favored status than the refineries of Cuba.

TABLE C.—*Suggested sugar quotas and average shipments to United States*

[Short tons]

Areas	Proposed quotas President's message, February 8, 1934	Average annual shipments for the 3 maximum years 1925–33	Proposed quotas H.R. 8861 as reported House Agriculture Committee pp. 5, 6, and 7	Difference, column (2) over column (3)	Difference, column (4) over column (3)
(1)	(2)	(3)	(4)	(5)	(6)
United States:					
Beet	1,450,000	[1] 1,234,823	1,550,000	+215,177	+315,177
Cane	260,000	[1] 222,820	260,000	+37,180	+37,180
Puerto Rico	821,000	[2] 882,956 / [2] 822,006	[4] 875,000	−61,956	
Philippine Islands	1,037,000	1,029,381		+7,619	
Hawaii	935,000	1,008,950	[4] 1,000,000	−73,950	
Virgin Islands	5,000	9,235	[4] 9,000	−4,235	
Cuba	1,944,000	1,935,686		+8,314	

[1] Production, basis Willett and Gray.
[2] Actual shipments plus estimated loss (182,850 short tons) from September 1932 hurricane. (Puerto Rico Department of Agriculture and Commerce.)
[3] Actual shipments, reports United States Department of Commerce.
[4] Suggested minimum quotas for the three areas which should be stated in bill. Figures in parenthesis not in report of House committee.

Source: Column 3, except where otherwise noted, reports U.S. Department of Commerce.

The President, in his message of February 8, 1934, on the above subject, stated in part:

"I believe that we can increase the returns to our own farmers, contribute to the economic rehabilitation of Cuba, provide adequate quotas for the Philippines, Hawaii, Puerto Rico, and the Virgin Islands, and at the same time prevent higher prices to our own consumers.

* * * * * * *

"The average marketings of the past 3 years provide on the whole an equitable base, but the base period should be flexible enough to allow slight adjustments as between certain producing areas.

"The use of such a base would allow approximately the following preliminary and temporary quotas:" * * *. (Shown in column 2, table C).

Obviously the President did not contemplate that one area should be aided at the expense of another, but that all should share equally the advantages or disadvantages resulting from the application of the proposed law.

It is believed that the bill, as passed by the House, will not meet either the spirit or the purpose of the legislation suggested in the President's message. It will be noted that all of the insular areas under the jurisdiction of the United States are placed on a different basis from the mainland areas. Certainly the islands that are considered a permanent part of the United States, whose inhabitants are United States citizens, should be accorded the same treatment as is accorded to citizens of the mainland.

Legislation that appears to contain discriminatory provisions against the people of Puerto Rico naturally creates in their minds a feeling of uneasiness and uncertainty and even doubts as to whether they can rely upon the United States Government for fair and impartial consideration of their fundamental rights.

In view of the foregoing, the following amendments to H.R. 8861 are suggested which, if approved by you, it is recommended be transmitted to the Chairman of the Finance Committee of the Senate for appropriate consideration by that committee:

SUGGESTED AMENDMENTS

On page 5, lines 1 and 2, strike out the words "the Territory of Hawaii, the Virgin Islands, Puerto Rico."

Page 5, line 5, after the words "based on" insert the words "the maximum."

Page 5, line 8, substitute the word "the" for "such", and after the words "three years" insert the words "of maximum importations or receipts."

Page 5, lines 9 to 11, beginning after the word "inclusive," in line 9, strike out the words "as the Secretary of Agriculture may, from time to time, determine to be the most representative respective 3 years."

Page 5, line 17, after the word "included", strike out all the words beginning with the word "in", line 17, down to and including the words "greater, and", line 25. This proviso as amended will then read:

"*Provided, however,* That in such quotas there may be included, in the case of Cuba, direct-consumption sugar up to an amount not exceeding 22 percent of the quota established for Cuba."

Page 5, line 15, strike out the words "for continental United States,".

Page 6, line 11, insert after the words "United States" the words "the Territory of Hawaii, Puerto Rico, and the Virgin Islands,".

Page 6, line 19, after the words "State or States" insert the words "the Territory of Hawaii, Puerto Rico, and the Virgin Islands."

Page 6, line 26, after the word "value;" insert the words "Puerto Rico, 875,000 short tons raw value; the Territory of Hawaii, 1,000,000 short tons raw value; the Virgin Islands, 9,000 short tons raw value;".

Page 8, line 14, strike out the words "paragraph (A) of."

Draft of letter herewith for your signature addressed to the Chairman of the Finance Committee of the Senate.

CREED F. COX, *Chief of Bureau.*

Mr. LANZETTA. Also, Mr. Speaker, to extend my remarks and to include therein an editorial from the Washington Herald.

Mr. LAMBETH. Mr. Speaker, I object.

HOUSE RESOLUTION 236

Mr. LANZETTA. Mr. Speaker, I ask unanimous consent to extend my own remarks on House Resolution 236.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANZETTA. Mr. Speaker, I am in favor of House Resolution 236, first, because it will put an end to discrimination against American citizens of the Negro race in the Nation's Capitol; and, second, because of the salutary effect such termination will have on the country at large.

The news that American citizens of the colored race were being discriminated against in the very building where laws giving them freedom, American citizenship, and every right and privilege as such, were enacted not so long ago, came as a severe shock to me. The very thought of the effect of such practices here might have on the Nation at large made me fearful.

Under the fourteenth and fifteenth amendments the people of the Negro race were given their freedom and every right and privilege as American citizens. To forbid them entry into any public place is discrimination against color. This offense against their rights as American citizens takes a more serious aspect when it takes place under this very roof, and we, as Members of Congress, would be violating our oath of office to obey and uphold the Constitution if we tolerate and permit this condition to continue.

There can be no dispute as to the bad influence and effect such action has had and will continue to have on the people of this country if we allow discrimination against American citizens of the Negro race to continue in the House restaurant. Surely, we cannot expect the average citizen to refrain from discriminations when we, the lawmakers of this country, tolerate, permit, and allow them. What bad effect and influence our compliance may have on the rest of the country cannot be estimated, but it is just such examples on the part of persons of responsibility that have often led to most serious consequences.

I, for one, believe that American citizens of the Negro race are entitled to the same rights and privileges as every other citizen, and I shall therefore vote in favor of the De Priest resolution and thus bring to an end a practice which no longer has any place in our country, and especially in the Capitol Building of the United States.

Mr. COCHRAN of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks on the resolution just passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. COCHRAN of Missouri. Mr. Speaker, the House has just passed a resolution introduced by the Member from Illinois [Mr. DE PRIEST] providing for an investigation. The resolution reads as follows:

Resolved, That a committee of five Members of the House be appointed by the Speaker to investigate by what authority the

Committee on Accounts controls and manages the conduct of the House restaurant, and by what authority said committee or any members thereof issued and enforced rules or instructions whereby any citizen of the United States is discriminated against on account of race, color, or creed in said House restaurant, grillroom, or other public appurtenances or facilities connected therewith under the supervision of the House of Representatives.

Said committee is authorized to send for persons and papers and to administer oaths to witnesses, and shall report their conclusions and recommendations to the House at the earliest practicable moment.

This resolution is purely political, is a gesture, and means absolutely nothing, because there is nothing to investigate. The Chairman of the Committee on Accounts [Mr. WARREN] has already given to the House all the information that any committee can secure. It will be found in Mr. WARREN'S speech published in the RECORD on page 5254, March 23, 1934.

I voted against this resolution today for several reasons. First, the author of the resolution made a speech at a public gathering in Washington in which he was quoted in the Washington papers as saying he proposed to use his influence to defeat Members of the House who did not follow him and vote for his resolution. I told him personally that, so far as I was concerned, no such a speech would pass me unnoticed, and I would vote against the resolution and he could carry out his threat, as I did not intend to be intimidated by him or any other Member of the House.

Another reason that I opposed the resolution is that in my opinion it was introduced for political reasons, the author desiring to further his political interest in the recent primary in Chicago.

Of course, some Members on the Republican side of the House thought they would embarrass Democrats by forcing a vote on the resolution. They might have embarrassed some Members, but I can assure all that it in no way embarrassed me.

If those who supported the author of the resolution today desire to settle the question involved there is only one way to settle it and that is not by passing a meaningless resolution but by bringing in a resolution something along the following line:

"No Negro shall be permitted to eat in the House restaurant unless accompanied by a Member of Congress."

There is no doubt but that the embarrassment will be on the Republican side of the aisle if such a resolution is presented.

As a member of the Committee on Accounts I can say the restaurant has been conducted under the same rules as it was conducted when the Republican Party was in power and under the chairmanship of Republican members, Clifford B. Ireland, Clarence MacGregor, and Charles Underhill. They were all Republicans; and it was Mr. Ireland, a Representative from Illinois, that provided quarters where Negroes are served.

Let me quote from the speech of Mr. WARREN, the chairman of the committee:

When this restaurant was established, in 1921, under the chairmanship of Mr. Clifford Ireland, Republican Representative from Illinois, he opened a place in the basement for the serving of colored employees and visitors. Mind you, this was 4 years before I entered this body. This was continued under Mr. Clarence MacGregor, Republican Chairman of the Committee on Accounts, from New York, and it was continued by Mr. Charles L. Underhill, Republican Chairman of the Committee on Accounts, from Massachusetts, and has been continued by me. In this place we give the same service, the same food as we do upstairs, and the same cleanly surroundings prevail. The prices there are slightly lower.

I have made no rule. I am carrying out the policies and rules that have been in force ever since this restaurant was established, and before I came here.

Something was said that I initiated this thing, and that it had been going on for some time. The first knowledge of any violation of the rules that ever came to me during my chairmanship of the committee was, I think, about January 20. I would have despised myself had I not met it and accepted the responsibility that had been placed on me by this House and by the committee. [Applause.]

Again, not one single member of the Committee on Accounts, either in private or in meeting, has ever presented this matter to me or challenged anything I have done in regard to it. If I am wrong, I pause to hear anyone challenge that statement.

I believe that I am as free from racial and religious intolerance as any man in this House. In my State the races live together side by side; probably about 30 percent of our population are colored, and we are getting along in peace and harmony. This amicable relationship and understanding is reflected in the notable progress of North Carolina.

One day last week a lot of Communists came down to see us. Another day they described themselves as Socialists; another day a demonstration was made by those who claimed to be representatives of the International Labor Defense. Finally, on last Saturday, the supreme outrage occurred, when a mob of toughs and hoodlums from Howard University came down and almost precipitated a riot.

That very morning a respectable colored citizen called up the authorities of that university and pleaded that these students be not permitted to come here, but it went unheeded.

Every paper in this town the day before carried full notice, with blazing headlines, that it was going to be done. Filth, vulgarity, and profanity rang out through the corridors down there. The police told me that never in their lives had they ever taken such insults.

Three splendid ladies pushed their way out of the restaurant into that mob, came to my office, and told me that they would never put their foot in there again on account of the vile and horrible language that had been used in their presence.

A feeble effort was made 2 days ago expressing disapproval of those actions. There was one man who could have stopped it. He did not because he did not want to do it. By reasons of these demonstrations our records show that for the last 10 days the restaurant has lost considerable money, while prior to that we were making some money every day.

I hope, Mr. Speaker, that I have calmly and dispassionately given a recital of the facts and the truth in this matter. Personally, it is a matter of utter indifference to me. I am opposed to any change in the present conduct of the restaurant, but otherwise I do not care. I am always ready to meet, and to meet squarely, any issue that ever arises here in this body, but it is entirely up to Members of the House to settle this whole thing according to both their desires and their tastes. [Applause.]

Mr. WARREN'S statement confirms mine, that there is nothing to investigate. He has told the House in plain language all that the committee can expect to learn.

Anyone who has followed this matter cannot come but to one conclusion, and that is that this resolution was advanced purely for political purposes. It might return to plague those responsible rather than redound to their benefit.

Again I say if those who advanced the resolution today are honest and sincere, then there is only one way to settle the question, and that is by the House voting on a resolution such as I have outlined above.

THE NEW DESTINY

Mr. FOCHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a short letter from a farmer in Union County, Pa., on the milk question.

The SPEAKER. Is there objection?

There was no objection.

Mr. FOCHT. Mr. Speaker, not a new deal.

Just a new destiny, and what will that be, or where are we going to land?

More and more is being uncovered regarding the ultimate purpose of the N.R.A.

But enough has been seen to reveal the fact that recovery is designed but along with it is an imperialistic, autocratic dictum conceived in the emulation of Mussolini by a "brain trust", made up of mostly all theoretical college professors who stand a good chance of breaking into flight when the hypodermic fails to force things faster than natural laws prompt.

In other words, after the World War, Mussolini saw the lassitude of the lymphatic grandson of Garibaldi and descendant of the House of Savoy, sinking Italy deeper and deeper back to the hand-organ and banana-stand stage.

He had visions of Napoleon at Lodi and Arcola, and camping for a year at Milan with the tricolor supreme over Italy, and five armies of Austria under Grand Duke Charles vanquished in one summer.

Before him was dead Italy, a memory of the Caesars and what Napoleon III did to break the yoke of Austria, as the Grand Emperor had done 50 years before.

Like a flash from the sky this Juno told the striking labor unions and the arrogant railroads with special contracts where to get off, and what each was to have, so that the grape pickers and macaroni manufacturers should all be busy. His patent worked.

Then he walked into the Italian Parliament, made up mostly of hereditary Senators, and told them to go home. He told the King to be orderly and all would be well with him and his dynasty. The crowing act was to march the King to the Vatican to wait outside for a time until the Pope was ready to have him come in. That closed a breach between the temporal and spiritual power since King Humbert told the Pope to take hands off of matters political. Mussolini is playing politics and has united all forces because the distance between the hereditary Senators and grape pickers was too vast, so he welded the power of all within himself.

And with the passing of Mussolini, what?

His power will vanish. His dream will have been but a shadow. Italy without a leader of Mussolini's genius, his daring, his power; Italy without resources; Italy with a high rate of illiteracy!

In America it is becoming apparent that the application of some such individual power as that applied by Mussolini is being experimented with by General Johnson. To give men work and thus speed up purchasing power was hailed and commended as a worthy temporary expedient. Members of Congress of all shades of political belief stood by the President and helped apply the hypodermic, even though they knew at best it could afford no more than temporary relief.

It is now becoming apparent that the initial program of putting men to work and forcing codes of regulation down the throats of every business man from the size of Henry Ford to the peanut vendor and shoe shine, instead of merging classes will make them, in fact it can be seen that the ultimate end of it all will be the termination of America's high standard of living, with the big-business fellow bigger and the little fellow gone.

Not competition, but division, according to the theories of the "brain trust." America parceled out into little communities to be the same for a thousand years as in Europe.

Shut off from each other by barriers set up by the code?

But that is not what was designed by Washington, Hamilton, and Jefferson. They opened the country wide and unhindered for the free flow of commerce, for industry to flourish as the result of competition, for the poor to become rich, and the rich to become poor and rich again. Opportunity.

We are eager to see the break and prosperity return, and we believe the turn is here, and was due to be here because of natural laws, and regardless of the N.R.A. and the vast expenditure of money as a temporary stimulant.

One clash of the armies of Russia and Japan would dissolve the "brain trust" and knock all codes into a cocked hat. Natural laws would instantly operate to consume American surplus.

And finally, the destiny of this Nation is in the hands of God, and God will not desert a people who have been so lavish in their contribution to the weak and unfortunate of all hemispheres.

Victor Hugo said Wellington did not defeat Napoleon, but a higher hand broke the power that had mounted to the brain of one man.

We look for the hand of fate to come out of the unknown and win back prosperity and happiness where the weakness and impotence of man stood and wondered, blundered, and failed.

THE MILK SITUATION

There is going to be something doing in the milk business without much further delay in perfecting a satisfactory code.

Nine months have been allowed to pass without anything being accomplished. The milk producers all over the country have been outrageously treated and there is open rebellion in Congress against the attitude of Secretary Wallace and most of his assistants.

The writer attended two meetings of interested dairymen and Congressmen in the big public room in the new House Office Building during the past 2 weeks. It seems some of the trouble comes from favoritism being shown the butter-and-cheese men of the Northwest against the liquid-milk men of the rest of the country.

When protests have been entered at the Department of Agriculture a number of Congressmen said Wallace would not hear them, while his assistants gave no satisfaction and were insolent. It will be recalled what happened in the West last summer when plenty of milk was dumped into creeks and otherwise destroyed. Well, this feeling is some of the left-over from that.

Congressman EAGLE, a very able Democratic Member from Texas, shot a heavy blast at the autocrats, some of whom had never seen a cow, at the last meeting we attended, and again on the floor of the House, Monday, and this vitriolic speech should be in Tuesday's CONGRESSIONAL RECORD.

Congressman EAGLE says it costs $2.30 per 100 pounds to produce milk in Texas, and the code manipulators in Washington only want to allow a sale price of $1.80 per 100 pounds. They refuse to consider the cost of production.

It looks to the writer as though the milk business is the most important branch of farming in the eight Pennsylvania counties constituting the Eighteenth Congressional District. It is therefore our intention to attend all of these special meetings and get the facts, so that we can be helpful in getting this milk business so standardized that the farmer may be able to sell his product at a good profit, and that the consumer may also have a break in the price per quart. In our first address on the floor of the House at the extra session we referred to this, but 9 months have passed since then and nothing has been done, although millions have been appropriated for the purpose of helping the farmer to a price and a market. We sat with Republican floor leader SNELL during the last meeting, and we found him and DAN REED and other New York State Members, deeply interested, and hereafter we are going to help work out something of value for the milk-producing farmers. The Members we met with have their blood up, and our farmer friends may expect something to happen very soon that will be of benefit to them.

SELLING OUT PEOPLE FOR TAXES NOT POPULAR

The following article on selling properties for taxes was written by BENJAMIN K. FOCHT, Republican nominee for Congress, and printed in his Lewisburg Saturday News, August 4, 1932:

Three weeks ago there was much ado about the sale of property for taxes by the county treasurers of Union, Snyder, and Northumberland Counties. The Union County treasurer, Mr. Howard Leiser, demurred on the ground that such action would be a cruel infliction at this time, but officially there was nothing for him to do but proceed to advertise the sales.

That is where a higher law than a misconceived and narrowly interpreted statute was invoked. The Saturday News made a public appeal, and this appeal had its effect all over the State. An appeal to our court by Attorney Miller Johnson was given quick response by Judge Lesher, and since then even proposing to sell out people for taxes in times such as we are all suffering has not gone over very hot but has been universally condemned.

Such a tax law was never passed by any legislature to be narrowly interpreted when men and women are out of work and have no money. Thus taking the broad view suggested by the Saturday News and Attorney Johnson, Judge Lesher, and other Union County officials, virtually called a halt on selling properties for taxes. That law was passed to get people who have money but who are shysters and try to escape their share of public burden, but it was never contemplated to reach out and embarrass those who are thrifty in good times but hard up now, much less strip those who are able and willing to work but cannot find it, of their homes which shelter them and lands from which they draw their subsistence.

No law can mean anything so barbarous, and a great-hearted benevolent people will not see it apply in these dark days of struggle and deprivation.

To the credit of all there has been a suspension of the original design that would have ramified into countless homes and brought more sorrow than a civil war. By a few timely words of appeal to men of heart a catastrophe of tears and anguish has been averted, not only here but in adjacent counties and many that are far removed.

Of all people on earth Americans should comprehend the meaning of "suspension of the rules" and "implied powers." In parliamentary proceeding there is such a thing; Lincoln set aside the Constitution when he sent Federal troops into sovereign States, and later issued the Emancipation Proclamation after Justice Taney had declared slaves to be property in the Dred Scott case; Christ set aside all natural laws when he raised the dead and Himself conquered death; Mussolini has made a joke of the House of

Savoy and Victor Immanuel, who united Italy, by mounting something more important than the throne and bossing the country; the Wright brothers suspended the action of gravitation when they took the air in a machine that was heavier than air; in all emergencies policemen and firemen suspend all other rules and preempt the right of way.

And in times like these, when men and women must suffer deprivation, and in some instances starvation, a power higher and greater than all man-made laws intervenes. Nothing since the Vandals sacked Rome and took away the right of property has anything more inhuman or lacking in the elements of civilization been suggested than to ride over vested rights and sell property for taxes so that the riot of public expenditure may go on as men's hearts sink in despair.

May this all be a lesson in this grandiose riot of spending the people's money at Washington and Harrisburg. Let there be a halt before it is too late to correct by future economy and thrift the errors of the past.

We once heard in the Senate our ideal statesman, Henry Cabot Lodge, in a mighty voice, and all earnestness, call out: "All men must be safe and they must be free." We add to that now silent voice our own sentiment and call for an end to unnecessary taxes, and for people who cannot pay, a reasonable extension but no sales of property. In these homes when the gloom is just beginning to rise and hope again has come to cheer us all, let us remember these words from Leviticus 25:17 and 23: "Ye shall not therefore oppress one another", and "the land shall not be sold forever: for the land is mine."

B. K. F.

A FARMER'S VIEWPOINT

MIFFLINBURG, PA., *April 19, 1934.*

Hon. BENJAMIN K. FOCHT,
House of Representatives, Washington, D.C.

DEAR CONGRESSMAN: I want to bring to your attention the production-control plan which has been adopted by the State of Pennsylvania and by the New York Milkshed, which will work a hardship on the majority of dairy farmers.

Briefly, the plan is as follows: The State control board is to set the price which is to be paid to the farmers for their milk. This price is to be paid as follows: There are three brackets or classifications which determine the price the farmers are to receive for their milk. The first bracket includes bottled milk, for which they are to be paid $2.60 per 100 pounds; the second bracket includes cream, ice cream, etc., for which they are to be paid $1.70 per 100 pounds; the third bracket includes milk used in manufactured milk products, such as canned milk, etc., for which they are to be paid from $1 to $1.40 per 100 pounds, depending on the variation in the price of butter. The third bracket is made up, practically, of surplus milk which could not be sold in the first two brackets.

The result of this classification is as follows: For example, the Sheffield Farms Co., a large distributor of milk, having a preferred market, sells almost all of its milk in the first bracket or classification, thus being able to pay the farmers from whom they buy milk $2.60 per 100 pounds. This gives the farmers selling to this particular company a preference in the price they receive for their milk. And any surplus which the Sheffield Farms Co. may have goes into the second bracket, but none goes into the lower bracket. There are approximately 14,000 farmers selling to the Sheffield Farms Co.

On the other hand, the New York Milkshed is composed of 140,000 farmers. About 20 percent of their milk goes into the first bracket, 30 percent into the second bracket, and 50 percent into the lower or third bracket.

From these facts it can be seen that the farmers selling to a company like the Sheffield Farms Co. have a preference and get a higher price for the same grade of milk than the farmers selling in the New York Milkshed.

In order to equalize the difference between these brackets, the Federal Government should set up a central milk-control board for the purpose of distributing the excess now being paid to the farmers in the higher brackets to the farmers in the lower brackets. In other words, the farmers should be paid equally for the same grade of milk regardless of the brackets in which it is sold.

For example, suppose we have three farmers living in the same vicinity producing grade B milk. The one farmer sells his milk to a company like the Sheffield Farms Co. and receives $2.60 per 100 pounds, because their milk is sold in the first bracket. The second farmer sells his milk to a company which does not have the preferred market and which supplies the second bracket. He receives $1.70 per 100 pounds. The third farmer sells his milk to a company supplying the third bracket and he receives from $1 to $1.40 per 100 pounds. Thus the first farmer receives 90 cents more per 100 pounds for his milk than the second farmer, and from $1.20 to $1.60 more than the third farmer; although there is no difference in the grade of milk produced by these three farmers. The difference in the price being due to the brackets in which the milk is sold by the distributors.

A central milk-control board established by the Federal Government could have this difference of from 90 cents to $1.60 which farmer no. 1 receives in excess of the other two farmers, paid into a general fund and then distributed to all three farmers equally, so that in the end each of the three farmers would be paid the same price per 100 pounds for the same grade milk. Under this plan each of the three farmers would receive from $1.76 to $1.97 per 100 pounds for his milk.

I hope that you will be able to secure some action on this matter by the Federal Government.

Very truly yours,

A. D. LINGLE.

HOUSE RESOLUTION 236

Mr. WOLFENDEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the resolution just passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. WOLFENDEN. Mr. Speaker, as the ranking minority member of the Committee on Accounts, I feel called upon at this time to make some reply to the reference made to me by the Chairman of the Committee on Accounts.

In his remarks, as made on March 23, 1934, the gentleman read a resolution offered by me before the Committee on Accounts on March 23, 1933. I did present this resolution, which read as follows:

> That the chairman be authorized to report out all death resolutions without a meeting of the committee, and that the chairman be empowered to use his own discretion in dealing with Members in regard to telegraph, telephone, and all other matters which properly come under the jurisdiction of the Committee on Accounts, including the management of the House restaurant and all rules and regulations pertaining to the same.

It was handed me by the Chairman of the Committee on Accounts and I offered the resolution, identical and similar resolutions having been offered and adopted by the Committee on Accounts since 1921.

The gentleman from North Carolina, Chairman of the Committee on Accounts, is one of the outstanding constitutional lawyers and parliamentarians of this body, and certainly no possible construction could be placed upon this resolution as authority to break the Constitution of the United States under the very dome of the Capitol itself.

Mr. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the resolution just passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. FORD. Mr. Speaker, in voting for the De Priest resolution, I do so because I am firmly convinced that it is bad morals, bad law, and bad social usage for the House of Representatives to make any rule or permit any rule that even remotely countenances discrimination against any citizen of the United States in full exercise of his rights as a citizen in the National Capital.

This resolution makes such a charge, and I believe a full and fair hearing should be held. If the charges set forth are sustained, prompt action should be taken to rectify the situation complained of.

I am unalterably opposed to denying any citizen his full constitutional rights, regardless of his race, his color, or his creed.

DISCRIMINATION AGAINST THE NEGRO

Mr. BECK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the resolution just passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. BECK. Mr. Speaker, there should be no division of opinion in this House about the passage of this resolution. It simply authorizes a committee—

> To investigate by what authority the Committee on Accounts controls and manages the conduct of the House restaurant, and by what authority said committee, or any members thereof, issued and enforced rules or restrictions whereby any citizen of the United States is discriminated against on account of race, color, or creed.

I listened with interest to the statement which was made by the gentleman from North Carolina [Mr. WARREN] on March 23 upon this resolution introduced by our colleague from Illinois [Mr. DE PRIEST]. The speech of the gentleman from North Carolina on that occasion seemed to me admirable in the dignity of its manner, its moderation in statement, and its willingness that this committee should be appointed. He recognized that this matter of determining what class or race, if any, should be excluded from the House restaurant was a question for the House to determine.

It may be premature at this time to anticipate what that committee will report; but it will, I believe, find it very difficult to justify the exclusion from a public restaurant, main

tained by the Government of the United States, of any class of citizens because of their color or race. Such discrimination against a race, to which nearly 0.1 of all the people of the United States belongs, is unfair and invidious.

As the House restaurant is now managed, a man or woman, whether a citizen or an alien, can freely enter, unless he is a Negro. An alien from Japan, China, New Zealand, Patagonia, or an Eskimo from the frozen regions of the Arctic Circle can come into the restaurant and no one will say him nay. Only the Negro citizen is excluded, and this notwithstanding the fact that for his benefit and to prevent discrimination against him in the most important of all rights, that of suffrage, the fifteenth amendment to the Constitution was ratified by the States, which forbade any such discrimination either by the United States or by any State "on account of race, color, or previous condition of servitude."

It would be strange, indeed, if that class of our people should not resent a discrimination which opens the door of the House restaurant to an alien of the yellow race and denies it to citizens of the United States of one racial group alone. We have in this House a Representative of that race, the gentleman from Illinois, who introduced this resolution, and I think all of us have been impressed with his usefulness as such a Member and the quiet dignity of his personality. He, as a Representative, can enter the House restaurant and can take with him one or more friends; but he knows the doors of the restaurant are closed to any other member of his race, no matter what distinction such a one may have won in some field of human activity, and even though he has offered his life in defense of our country. Consider what this means.

A member of his race can have the same access to the President as any other man, and President Roosevelt, who is a man of broad human sympathies, would be the last to close the door of the Executive Office upon any member of Mr. DE PRIEST'S race. One of this race can enter the historic chamber of the Supreme Court of the United States, and as a member of its bar argue important cases in that august tribunal. He can enter freely any other public institution maintained by the Federal Government on the broad basis that he is as much a citizen of the United States as any white man, but he cannot have a cup of coffee and a roll in a public restaurant maintained with funds from the Treasury of the United States. Such a one has paid his taxes, been liable to be drafted in time of war, and has often volunteered in time of war. Many of this race did valorous service on the fields of France, and many of them gave to the defense of their country the "last full measure of their devotion" to the flag, but under the present direction of the Committee on Accounts they are denied an opportunity to have a meal in the House restaurant.

I know of no single influence that has had such a baleful effect in all ages as racial prejudice. From the dawn of history to the present day many wars have been fought because of such prejudice. We could fittingly follow the example of the mother country, which judges every man according to his inherent worth rather than the color of his skin, and the strength of the British Empire has been the broad tolerance with which it treats men of all races who come to England. Each of them is judged on his merits; and when I was in London a few years ago, one of the most successful theatrical productions was that of Shakespeare's "Othello", in which Paul Robeson, a colored man, played the part of Othello.

The whole question of racial prejudice is at the moment of vital importance to America in our international relations. If unhappily this country should ever become involved in a war with the great Empire of Japan—and a more futile war could hardly be imagined—the chief contributing cause will be the intolerance of this country in refusing admission to this country, with some trifling exceptions, to a citizen of Japan. The Japanese Empire, one of the proudest of all nations, does not object to our quota system, under which only a few Japanese could ever enter this country as immigrants, but it does object to the fact that the quota privilege, so freely extended to nearly all other nations, is denied to them. This rankles in their breasts and is the chief reason why the shadow of possible war hangs over both countries.

We could better realize this if the positions were reversed, for if Japan allowed citizens of nearly every other country to enter its borders under a quota system, but denied to the United States any such privilege, our pride would be hurt and we would bitterly resent it.

If this be true as to an alien race, an invidious discrimination by the Federal Government in any one of its institutions against a class of its own people seems to me without any justification. We should not put this undeserved stigma upon a race which has contributed so much to the growth and prosperity of our country.

If the Negro was good enough to die for his country in the World War, surely he is good enough to be admitted to a public restaurant, maintained at the expense of the United States for the convenience of all people; and while the Committee on Accounts has seen fit to deny this privilege to one class of citizens, and only one, the House of Representatives has never so ordered and, I venture to predict, never will.

OPEN SEASON ON CRIMINALS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, throughout America millions of alarmed citizens are waiting and watching for the outcome of the Dillinger escapade. Our people are slowly yet surely arousing themselves to the realization that crime costs this Nation $15,000,000,000 a year. I have come face to face with statistics showing 12,000 murders, 3,000 kidnapings, 50,000 robberies, 100,000 assaults, 5,000 cases of arson, and 40,000 burglaries taking place every year.

When wild animals become too abundant and destructive to property, the State declares open season on them, which means that they are shot at sight by persons who enjoy the kill. If the open-season privilege fails to bring relief, the State then offers a bounty for heads and pelts. Then the fur and feathers begin to fly in earnest. Instead of merely shooting when occasion arises, men organize drives and go after the culprits for profit.

COUNTRY IS OVERRIDDEN

This country is overridden today with a form of peril a thousand times greater than any it ever faced because of the depredations of wild animals. The common enemy against which the Nation must now defend itself hunts in packs, using high-powered automobiles and airplanes for transportation, and machine guns for persuasion. Wild animals, at their worst, destroyed only property of relatively small value, but these highly organized two-legged animals go in for big loot and do not hesitate to turn a machine gun into action against all who oppose them.

Moreover, those organized enemies of civilization have not only machine guns and speedy transportation, but they have unholy alliances with law enforcement agents, lawyers, and, in some instances, with judges who are supposed to enforce the law against them. Recent disclosures exposed to a horrified populace the almost unbelievable fact that organized criminals actually control and operate penal institutions, giving orders to their keepers and conducting traffic in narcotics and running other rackets from inside the prison walls.

These disclosures tell a sordid story of partnership between criminals and those who are entrusted with law enforcement. Without such an alliance, crime could not endure on the scale that it now exists. The basis of this alliance between crooks and law-enforcement agents is, of course, profit. The criminals divide their loot with agents of the law in return for protection, and I am convinced that this is being done on a wholesale scale, throughout the country.

INVESTIGATIONS USEFUL

There is one thing no criminal and no person protecting criminals can stand, and that is publicity. I am convinced that a sweeping investigation of public officials, at regular

periods, has the desirable effect of keeping them on their guard lest they be caught in questionable transactions. To illustrate the point, observe the effect the present senatorial investigation into the air-mail scandal is having. I dare say that no public official will undertake any form of graft while this investigation is under way. The most helpful factor about the investigation is the publicity connected with it. At any moment it may bring into the limelight prominent names which will be destroyed forever. The fear of such a possibility is a check on crime; especially does it discourage law enforcement agents from forming alliances with criminals; and without such partnerships, criminals are soon caught and subdued. They become bold and highly efficient only when they know that their partnership with the law makes detection or conviction practically an impossibility.

Catching criminals after they have committed crimes is not sufficient to discourage crime when it is being conducted on a wholesale scale, through a Nation-wide epidemic as that which now exists. Something must be done to affect crime before it takes place, and that something, whatever it is, must happen to all who are interested in crime, both the actual perpetrators and those who furnish them with immunity from prosecution. This country has reached the place where open season must be declared on criminals, which means, also, their partners and silent allies.

Sometimes it becomes necessary to fight fire with fire. Gentle methods will never subdue criminals. They know nothing but force and punishment. Once we all get this fact clearly fixed in our minds, and stop coddling criminals and turning them loose in the community on parole, we will have gone a long way toward outwitting these human vultures.

PLANS TO COMBAT CRIME

We must not only declare open season on criminals but we must also offer a rich bounty for their pelts, and I mean just that—their pelts. This desirable end might be reached through some combination of the following briefly described methods:

First. If the American Bankers' Association offered a standing reward of $50,000 for every person killed while engaged in an attempt to hold up a bank and $25,000 reward for every person caught and convicted of this crime, the popular pastime of bank robbery would decline in a hurry, and for the reason that every bank employee in the country would prepare to earn one of these rich bounties. The United States Government might well afford to add to these bounties by offering additional rewards and still save money which is now spent in tracing such criminals.

Second. Every municipality should create a standing reward of a substantial amount payable to those who apprehend and help to convict persons engaged in the more popular form of major rackets, such as kidnaping, bank robbery, and so forth. In the event law-enforcement agents are involved as protectors, those who disclose the alliance should receive similar bounties for their help. There is always some person connected with or cognizant of alliances between public officials and criminals who will tell for a price. This trait of human nature can be and should be capitalized as a means of discouraging alliances between criminals and law-enforcement agents.

Third. In the fight against kidnaping, bank robbery, and other similar major crimes, which now have attained the status of organized rackets, it should be obligatory for the State to offer not only immunity to those who doublecross their allies in crime but they should receive, also, a substantial reward in money—both the immunity and the reward being conditioned upon positive, corroborative evidence, to discourage perjury.

Fourth. The radiobroadcasting systems of the country should be brought into service, and daily broadcasts should be made of the descriptions of all known suspects of crime in the higher brackets, together with the posted rewards for information leading to arrest and conviction. Practically every home, hotel, and rooming house has a radio set. If each of these sets became a possible eye of detection of every criminal, and if there was a monetary motive sufficient to induce people to tune in and listen daily to these broadcasts, the system would result in quick capture of professional criminals. All filling stations (which criminals traveling in automobiles must visit daily) should be equipped with radio-receiving sets connected directly with police headquarters, so the filling station operators might earn a nice fat bonus every time a "Machine-Gun Kelly" drove up for gas.

Fifth. Possession of a machine gun by any unauthorized person should carry with it a heavy prison sentence, and the sale of a machine gun to any but authorized purchasers should carry a similar sentence. The picture, finger prints, name, and address of every person purchasing machine guns for authorized purchasers should be on file in the Department of Justice.

Sixth. Every municipality should have a citizens' vigilance committee, made up of well-known business and professional men, who would carefully inspect the work of all law-enforcement agents and who would see to it that State and municipal bounties offered by the taxpayers were paid to those entitled to them.

Policemen, prosecuting attorneys, judges, and lawyers sometimes enter into partnership with criminals because there is profit and, under present conditions, comparative safety from detection. Change the system, remove this comparative assurance of safety and supplant it by almost certain exposure of those who protect criminals and a mighty blow would be struck at the very heart of the operators of the crime wave which is sweeping this country.

Let us speak frankly and courageously and admit that the crime situation in America has become so ugly that it cannot be met with ordinary, polite, strictly orthodox methods. In the language of the street, we must become "hard boiled" and as merciless as those we are defending ourselves against. We are at war with a highly organized enemy whose system of prey is protected by men enjoying good names and high places in organized business, religion, and politics.

MUST USE STRONG METHODS

We cannot dislodge the enemy until we deprive him of the protection of his front of decency, and this front will not yield to anything except the fear of publicity and the possibility of more direct punishment.

Those who want protection must earn the right to it. Twenty men and women of proved character and integrity and moral courage could band themselves together and wage war so hotly in any crime-ridden city that criminals and those who furnish the protection would be compelled to desist. I repeat, publicity is one of the most effective weapons available for use in discouraging crime and criminal alliances. Second in importance is a system which makes the disclosure of crime and criminals profitable. Crime is carried on because it is profitable, and for no other reason, except in isolated cases. It can be discouraged by a system which makes disclosure still more profitable.

My suggestion is that the people of every city, acting through vigilantes, take steps to make it profitable for those who are aware of crime and the whereabouts of criminals to disclose that information, and that double bounties be paid when and where alliances between law-enforcement agents and criminals are proved. Crime can be discouraged, and eventually brought down to a less alarming level, by making detection sure and profitable.

Organized crime could not carry on without protection. This protection comes from two major sources; namely, law-enforcement agents and crooked politicians and lawyers, who knowingly serve professional criminals in return for fees, the very size of which marks them as being nothing more nor less than a division of the criminal's profits. Here is a problem which deserves the attention of the American Bar Association. Also, there should be rigid laws passed which will discourage lawyers from representing known professional criminals under penalty of becoming accessories to crimes committed by those criminals. Professional criminals are dangerous to society, but they are not half as dan-

gerous as so-called "respectable" citizens who shield criminals with their names and lawyers who provide them with legal protection.

ROOSEVELT LEADS WAY

The President of the United States has demonstrated not only that the people of America have declared open season on exploiters of all sorts and on professional criminals and racketeers but he has also given us a fine demonstration of what can happen when Mr. John Public begins to take an interest in his own affairs instead of leaving everything to professional law-enforcement agents and crooked politicians. No President who ever occupied the White House has been more fully supported in spirit and in deed than President Franklin D. Roosevelt, and the basis of this universal support is the fact that he has shown by his every act that he means to help the people rid themselves of all and sundry persons who have heretofore lived and grown fat from exploitation of their fellow men.

There has never been a time in the history of this country when it was so easy to get a following to back up leaders who have the courage and the honesty of purpose to throw themselves on the side of common decency in this battle for the rights of the people and against the might of gangsters and legally protected exploiters.

Crime will be lowered and criminals will be driven into a corner when the people organize themselves back of a plan that will make the punishment of criminals so certain and so terrible that men will not turn to crime as a profession. When the criminal goes out looking for victims, all rules are suspended, and he takes any form of unfair advantage that may suit his purpose. In dealing with him, when he is caught and before he is caught, all rules should also be suspended, and he should be hunted and punished as ruthlessly as if he had no legal rights whatsoever. As a matter of common sense and justice (although not legal), the professional criminal might well be treated as one who has forfeited all rights to legal protection.

Professional criminals know and respect only a power greater than their own. We have that power, and we should have the courage to use it.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8861) to include sugar beets and sugar cane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate bill No. 59 to the foregoing bill with an amendment.

In lieu of the language inserted in said House amendment insert the following:

(1) Any sugar, imported prior to the effective date of a processing tax on sugar beets and sugar cane, with respect to which it is established (under regulations prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury), that there was paid at the time of importation a duty at the rate in effect on January 1, 1934, and (2) any sugar held on April 25, 1934, by, or to be delivered under a bona fide contract of sale entered into prior to April 25, 1934, to any manufacturer or converter, for use in the production of any article (except sugar) and not for ultimate consumption as sugar, and (3) any article (except sugar) processed wholly or in chief value from sugar beets, sugar cane, or any product thereof, shall be exempt from taxation under subsection (a) of this section, but sugar held in customs custody or control on April 25, 1934, shall not be exempt from taxation under subsection (a) of this section, unless the rate of duty paid upon the withdrawal thereof was the rate of duty in effect on January 1, 1934.

The Senate insists upon its amendment, asks a conference with the House on the disagreeing votes of the two Houses, and appoints Mr. HARRISON, Mr. KING, Mr. GEORGE, Mr. COSTIGAN, Mr. REED, and Mr. COUZENS to be the conferees on the part of the Senate.

PHYLLIS AND HAROLD LOUIS PRATT

Mr. BLACK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 472) for the relief of Phyllis Pratt and Harold Louis Pratt, a minor, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Page 1, line 5, after the words "Phyllis Pratt", strike out the word "and" and insert "in her own right and as legal guardian of."

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

FARMER DELEGATES FROM OHIO, ETC.

Mr. TRUAX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. TRUAX. Mr. Speaker, tonight in the caucus room of the old Office Building on the third floor, there is to be a meeting of farmer delegates of the National Farmers' Union from Ohio, Illinois, and Indiana in support of the Frazier-Lemke bill. All Members are invited to attend this meeting.

I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. TRUAX. Mr. Speaker, this meeting is called at the request of farmers themselves. These farmers are from Indiana, Illinois, and Ohio. Their avowed purpose is to secure the enactment of the Frazier-Lemke bill. They know, and no one can fool them, that before the bill can be voted on the motion to discharge the Committee on Agriculture from further consideration of the bill must receive 145 signatures.

Yesterday, April 24, in my remarks you will find a rather complete explanation of this bill. You will also find there the reasons that are cited to prove that this bill is the only legislation that can be enacted during this session of Congress to save thousands of farmers from confiscation of their farms, their homes, and bankruptcy.

Those reasons are twofold. First, the failure of the Agricultural Adjustment Administration program materially to advance prices of grains and livestock in the Corn Belt. Second, the failure of the Farm Credit Administration to refinance adequately farmers' loans which are about to be foreclosed.

Only today I received a telegram from John K. Chaney, a farmer living in Wood County, Ohio, who has given much of his time to the saving of farmers about to be foreclosed. Mr. Chaney wires me that a farmer, Francis Kunesh, Ney, Ohio, owns 240 acres of land. I happen to be familiar with the land in that particular territory. It is level, black land, well drained, very fertile, and in the most productive belt in Ohio. That land in 1909 was easily worth $100 an acre. The Farm Loan Act of 1933 makes it mandatory for land to be apprized at its 1909 value, then lend the owner 50 percent of that appraised value. Yet Mr. Kunesh's application has been rejected. His application was for $5,000, or approximately $20 an acre.

Yet this loan was refused by the Federal land bank at Louisville, has been foreclosed, and the foreclosure will be confirmed next Monday by the common pleas judge of Defiance County unless I am successful in having the Federal land bank intervene and save this man. Accordingly, Mr. Ernest Rice, general agent for the Farm Credit Administration at Louisville, was notified today, and I feel sure that he will order a reappraisal of this farm and notify Judge Openlander of his action.

A communication under date of April 21 was received from Hon. Harry W. Frick, State representative from Tiffin, Seneca County, Ohio. Mr. Frick advises me of the dire

straits in which the owners of a farm of several hundred acres of the best farming land in the county, situated just outside the city limits of Tiffin, Ohio, find themselves.

The owners have made application for a loan of $22,000 and were granted $14,800 by the Federal Land Bank of Louisville, Ky. This farm, which is of the highest fertility, and which in 1909 was worth $150 an acre, and the value greatly enhanced because of its close proximity to a thriving city of 15,000 people, would amply support a loan for the required amount, and it cannot be refinanced with a lesser amount of money.

The ability and industry of the owners to pay off the mortgage is beyond question. They are the owners of a dairy herd which brings them an income of around $200 a month now, at the ridiculously low prices of dairy products.

Such cases as these come to my office literally by the score. Hundreds of them are on file now awaiting reappraisals which have been promised. Hundreds of others have been reapprized, and many of them rejected. The Farm Credit Administration set-up is not in sympathy with distressed farmers. It is "banker" minded. It is averse to taking any action which will eliminate the strangle hold of the money kings and bond grabbers of this country on those unfortunates who are losing their homes and their farms by the confiscation route every time the sun rises and sets. This is why we demand action on the Frazier bill.

It is not alone for the farmers who are fighting for freedom against slavery and serfdom of the money lenders that I speak; it is for all others of our distressed citizens who are forced to borrow money from the Shylocks.

The Reconstruction Finance Corporation has lent billions of dollars to bankers—good and bad—to insurance companies, to railroad companies, to mortgage-loan companies, to 36-percent loan sharks, upon good security, and upon questionable security. The bankers hoard this money which the Government, through the taxpayers, has advanced.

Under present laws and regulations they are required to keep twice the amount of actual currency on hand as in former days. In the majority of cases they serve only as depositaries of the people's money. The ordinary man or woman cannot borrow money from them. Small industries cannot borrow money from them, with the result that the captains of industry and the money kings get the bulk of the swag. This unfair and piratical system must be corrected. The same opportunity to borrow money from the Government at low rates of interest must be afforded to the unemployed worker, to the distressed small business man, small industrialist, and to others.

Naturally, the Government must have good security. So, in accordance with this viewpoint, I am introducing today in the House of Representatives a bill that will make possible loans to the individuals and classes heretofore mentioned. An individual borrower will be required to give the same security that is now required by the Morris Plan Banks, or in lieu of that, give security that is acceptable in the normal course of banking business.

My bill authorizes and empowers the Reconstruction Finance Corporation to make personal loans secured by promissory notes of the borrower with one or more comakers, or with other acceptable security. It provides that section 5 of the Reconstruction Finance Act as amended is amended by adding after the first paragraph thereof the following new paragraph:

> The Reconstruction Finance Corporation is authorized and empowered to make loans, through such agencies as it may designate or create, to individuals, partnerships, or corporations, upon the security of promissory notes of the borrowers with not less than one comaker, or with such other security in lieu of comakers' endorsements as the Corporation may deem adequate, upon such terms and conditions as it may prescribe pursuant to this section.

The only difference in securing individual loans under my bill and through the lending agencies now in effect, is that instead of paying 7, 8, and 10 or 12 percent, the borrower will pay only 4 percent, since my bill provides that the rate of interest on all such loans shall be 4 percent per annum. [Applause.]

As further evidence of my avowed policy to help all of our financially stricken people, I heartily approve of the action we are now taking to bring the McLeod bill on the floor of this House for vote. We do not expect nor ask that the bill be enacted as drafted. We are willing that it shall be so amended as to include all closed banks, whether members of the Federal Reserve System or not.

We are willing to accept an amendment that will limit pay-offs in full to all accounts which do not exceed $2,500. What we want is action on some bank depositor pay-off bill before this Congress adjourns.

I, myself, have introduced a bill which is based on the principles of the McLeod bill, but which contains the amendatory provisions herein mentioned.

No one can say that the plan proposed under these bills is not a good plan. No one will seriously contend that it is not a humanitarian move. No one will maintain that the plan is not a commendable one. The plan should not by any means be confined to national banks or State member banks of the Federal Reserve System. Every depositor in a State bank is just as much a citizen of the United States as the man who placed his funds in the national bank, and as such a citizen he is fully entitled to be a beneficiary of the proposed plan.

Depositors in the State banks cannot lose their all and at the same time be taxed to support a plan that would benefit the national bank depositor. It goes without question that heretofore all banking laws, whether State or national, were so worded as to be misleading to the general public. No sane and intelligent people would ever have intrusted their hard-earned life savings in banks had they known the weakness of the so-called "safety" that the bankers themselves provided. To clarify this statement, let me say that the laws and statutes on our books were deceiving in that they could be construed one way and interpreted another.

Those laws were, and still are, essentially drafted for the benefit of the bankers instead of the depositors. In a civil and criminal investigation of defunct banks in my own State of Ohio it was proved conclusively that depositors were deliberately misled and misinformed by bankers and public officials sworn to the solemn duty of upholding the banking laws and protecting the rights and interests of depositors, big and little, high and low.

They were mouthpieces for bankers' propaganda, and preached and talked safety and confidence in the banks and in the bankers. The banker proclaimed blatantly and with much gusto, "This bank inspected by the State banking department." Again, "This bank is a member of the Federal Reserve System."

Here arises the important question as to why the Government of the United States should pay off these depositors who were duped and defrauded, the same as were innocent purchasers of Insull stock, railroad stocks and bonds of industry, stocks and bonds of public utilities, duped and defrauded by the banking racketeers and pirates.

The laws were inefficient, incomplete, as full of holes as a moth-eaten coat, and utterly unable to protect those whom they were expected to protect—the depositors. Since banking laws permitted and countenanced these inconsistencies and permitted public confidence to be raped and embezzled, then it is a moral obligation of our Government and of the Congress of the United States to make it possible for these toiling masses to be reimbursed for the losses incurred through no fault of their own.

These losses do not represent speculation. They do not represent investment with hope for gain in capital. They represent life savings deposited for a competence in declining years, deposited for the education of their growing children, deposited for a rainy day, deposited to buy more conveniences and necessities of life.

If these deposits had been made for the purpose of reinvesting, if they had been made for the purpose of speculating on the New York Stock Exchange, or for the purpose of speculating on the Chicago Board of Trade, or for the purpose of speculating in lotteries, or for the purpose of speculating in other gambling deals, then, as Kipling says, "That is another story."

And now, today, to those who contend that, if bank depositors are reimbursed then the Government must reim-

burse those who lost in stocks and bonds, in security and bond investments, my answer is, "That is another story."

Under the plan we propose, we will help the little depositor, instead of the big one as some claim. This is not mere conversation. It is not propaganda. I can prove to you that in my own State the plan we now propose, namely, a limitation of full pay off to $2,500, will relieve thousands of our citizens.

In an official report received recently from Hon. Theodore H. Tangeman, director of commerce, for the State of Ohio, I find that during the 4-year period ending December 31, 1933, 178 banks have closed, impounding deposits of $513,011,119. Of the 178 banks closed during the period covered by this report, 143 remained in liquidation on December 31, 1933; 27 having been reopened and 8 sold. The report indicates that, of the $513,011,119 of deposits impounded in the closings, $233,745,333 have been released to depositors through cash dividends, offsetting obligations, reopenings and sales; representing an average percentage return to depositors of 45 percent. The report states: This does not mean that every depositor in each closed institution has received 45 percent of his deposit; some have received more, others less, depending on the circumstances surrounding liquidation in each unit.

The comparison of deposits by the member and nonmember banks, closed from January 1, 1930, to December 31, 1933, discloses the following:

	Number	Deposits
State nonmember banks	158	$166,787,033
Federal Reserve member banks	20	346,224,086
Total	178	513,011,119

From the foregoing, it is apparent that the average amount of deposits in the nonmember banks was $1,055,614, and the average total amount of deposits in the 20 Federal Reserve member banks was $17,311,204.

In liquidating these banks, the sum of $36,449,006 was borrowed from the Reconstruction Finance Corporation and solvent banks in Ohio. Of this amount, we find that one bank in Cincinnati received $1,307,670, the 5th-3d Union Trust Co. of Cincinnati. The Union Trust Co. of Cleveland received $13,343,491 from the Reconstruction Finance Corporation and $5,000,000 from the National City Bank of Cleveland, Ohio. The Guardian Trust Co. of Cleveland received from the Reconstruction Finance Corporation $11,162,036 and $5,188,809 from the National City Bank of Cleveland, Ohio, making a grand total of $32,839,970 received by three large banks, while 25 smaller banks received the comparatively small sum of $3,610,038 from the Reconstruction Finance Corporation and from some 12 or 15 Ohio banking institutions.

These statistics and figures are given to indicate that the big bankers and particularly in Ohio were the beneficiaries of the millions that were obtained to pay dividends. These large banking institutions in the case of the Union Trust Co. and the Guardian Trust Co. of Cleveland also proved to be the worst racketeers and violators of the law.

A number of officials of these banks have been and are still being indicted. For these racketeers I hold no briefs nor sympathy. I am not so much interested in securing relief for the big depositors as I am for the small ones.

This is a frank statement. Nevertheless, it is only by taking care of the little fellow first that we can ever get this country back on its feet again. [Applause.]

LOVETTE *v.* REECE

Mr. PARKER. Mr. Speaker, I present the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 358

Resolved, That O. B. Lovette was not elected a Representative to the Seventy-third Congress from the First Congressional District of the State of Tennessee, and is not entitled to a seat therein.

Resolved, That B. CARROLL REECE was duly elected a Representative to the Seventy-third Congress from the First Congressional District of the State of Tennessee, and is entitled to retain his seat therein.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ELLIS *v.* THURSTON

Mr. PARKER. Mr. Speaker, I offer the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 359

Resolved, That Lloyd Ellis was not elected a Representative in the Seventy-third Congress from the Fifth Congressional District of the State of Iowa, and is not entitled to a seat as such Representative.

Resolved, That LLOYD THURSTON was elected a Representative in the Seventy-third Congress from the Fifth Congressional District of the State of Iowa, and is entitled to a seat as such Representative.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ELECTION CONTEST—M'ANDREWS *v.* BRITTEN

Mr. PARKER. Mr. Speaker, I offer a privileged resolution, and ask its immediate consideration.

The Clerk read as follows:

Resolved, That James McAndrews was not elected a Representative to the Seventy-third Congress from the Ninth Congressional District of the State of Illinois, and is not entitled to a seat therein.

Resolved, That FRED A. BRITTEN was duly elected a Representative to the Seventy-third Congress from the Ninth Congressional District of the State of Illinois, and is entitled to retain his seat.

Mr. SABATH. Mr. Speaker, I desire to be heard briefly on this matter.

Mr. PARKER. Mr. Speaker, when I asked that these resolutions be taken up this afternoon, I agreed with the gentleman from Massachusetts [Mr. DOUGLASS] that if any time was to be consumed I would not offer them until tomorrow. If Members wish to be heard on the resolution, I shall ask unanimous consent that it be taken up as the first order of business tomorrow after the reading of the Journal and the completion of business on the Speaker's table.

Mr. BRITTEN. Mr. Speaker, will the gentleman yield?

Mr. PARKER. I yield.

Mr. BRITTEN. Mr. Speaker, I hope the gentleman will let the House decide the matter now. I do not think the gentleman from Illinois desires much time. I suggest that the matter be disposed of now.

Mr. PARKER. I should be pleased to do that, but for my agreement with the gentleman from Massachusetts [Mr. DOUGLASS].

Mr. DOUGLASS. Mr. Speaker, I have no objection to a brief statement; but if there is to be any extended discussion, I shall object, for we have been trying during the course of 2 or 3 weeks to get this vocational-education bill to the floor of the House.

Mr. PARKER. Mr. Speaker, I ask unanimous consent to withdraw the resolution at this time and that it may be taken up tomorrow immediately after the disposition of business on the Speaker's table.

The SPEAKER. The resolution is privileged, and the gentleman can call it up at any time.

VOCATIONAL EDUCATION

Mr. BANKHEAD. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 324.

The Clerk read as follows:

House Resolution 324

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H.R. 7059, a bill to provide for the further development of vocational education in the several States and Territories; and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled

by the Chairman and ranking minority member of the Committee on Education, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BANKHEAD. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. RANSLEY] the usual 30 minutes on his side for control on the rule.

Mr. Speaker, it is my purpose to consume only a few minutes in presenting this resolution with the understanding that this was a unanimous report from the Committee on Education, as I believe it was.

In order to conserve time for the consideration of other bills that are pressing for action, the Committee on Rules has granted but 1 hour of general debate for the consideration of this bill. I have had no requests from members of my committee on this side for time on the rule; and, in order to accommodate some members of the Committee on Education who desire to speak on the bill, unless there is objection, at the conclusion of my brief statement I shall be glad to let the gentleman from Massachusetts [Mr. DOUGLASS], Chairman of the Committee on Education, yield the balance of the time that might be left to me on the resolution.

Mr. Speaker, I know of nothing that I may add to the report of the committee on this bill. This program of Federal aid to vocational education has been the law of the land for quite a number of years. I have always been an ardent advocate of these appropriations, and, although some gentlemen for whose opinions I have the very highest respect and regard differ from my attitude upon the matter, I feel that the appropriations out of the Federal Treasury for this purpose by experience and trial have amply justified themselves by way of benefit conferred upon the youth of our country.

Mr. McFARLANE. Mr. Speaker, will the gentleman yield for a short question?

Mr. BANKHEAD. Yes.

Mr. McFARLANE. Does this bill make any change in the method of allotment that has been followed in previous bills?

Mr. BANKHEAD. If I am in error in answering this question it will be corrected by members of the committee when they come to discuss the bill; but my information is that the provisions of this bill conform substantially to the provisions of the existing George-Reed Act, which is the authorization under which this appropriation has been made for the last 3 years. I may state, Mr. Speaker, that the committee has added one feature to this bill, which, although it does not increase the appropriation, I think is most desirable in order to make it more equitable in its application as representing benefits conferred upon all classes of our population.

Under the original bill these sums were only extended for vocational education in agriculture and in home economics. The pending bill provides that one third of the appropriation authorized by it shall be applied to industrial and manual training outside of rural communities. In other words, it will give to the boys and girls of industrial sections who may desire to secure some form of manual or industrial training equal opportunity in this respect to those in the rural sections of the country.

As I said, Mr. Speaker, this policy has become almost a national policy upon the part of Congress. As originally introduced this bill provided that these appropriations should be permanent in their nature. I think very properly the Committee on Education has limited its operation to a period of 3 years, authorizing an appropriation of $3,000,000, out of the Federal Treasury to be allocated to the States under the old system which we so well understand.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. I yield.

Mr. SNELL. Is there anything in this bill that requires an equal appropriation by the States receiving the benefit?

Mr. BANKHEAD. Yes; as I understand, it preserves the old 50-50 principle.

Mr. SNELL. Just the same as it was originally passed?

Mr. DOUGLASS. It is the same provision as in the Reed bill, 50-50.

Mr. McDUFFIE. May I ask the gentleman how much additional cost this puts upon the Federal Treasury per annum?

Mr. BANKHEAD. Unless I am in error, this provides no additional cost out of the Federal Treasury over and above the current authorization for this purpose. If I am mistaken, I should like to be corrected. I may say to the gentleman from Alabama that under the terms of the Economy Act a reduction was made in the amount actually allocated the present fiscal year. I do not know the exact amount of the curtailment, but it was probably 25 percent. I shall ask the gentleman from Mississippi [Mr. ELLZEY] to state whether or not this authorization is the same as in the present law minus the deductions under the Economy Act.

Mr. ELLZEY of Mississippi. Under the operations of the George-Reed Act there was $2,500,000 allocated. This bill carries an appropriation of $3,000,000, but an additional $1,000,000 has been added for the training in trade and industry.

Mr. BANKHEAD. Unless there are other questions, I yield to the gentleman from Pennsylvania [Mr. RANSLEY] 30 minutes, to dispose of as he sees fit. And, Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. DOUGLASS], chairman of the committee, may yield the remainder of my time.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. RANSLEY. Mr. Speaker, I yield 20 minutes to the gentleman from Connecticut [Mr. BAKEWELL].

Mr. BAKEWELL. Mr. Speaker, I rise to speak in favor of this bill, and may I preface my remarks by saying a few words about the purpose and the value of vocational education, using this term in the broad sense to include the other subjects here mentioned, not merely trade and industry but agriculture and home economics as well. May I also be permitted to relate an incident that occurred in the legislature of my own State in the committee on education at the time when it was my privilege to be serving as chairman of that committee?

At the first meeting of the committee a gentleman who came from a farming district, arose and said: "Before we go any further, I think that I ought to make plain my position with regard to this here education. I do not know as I am much for it, anyway, and I will tell you why. When I was a boy a fellow came to our town, and he came to our school to talk to us boys about the value of education. This is what he said: 'Boys, as I was walking along the road this morning I saw a man sitting on the bank watching five other men dig. Now, boys, why was that fellow sitting on the bank? It was because he had education; you get education, and you can sit on the bank and watch the other fellow dig.' And he added: 'The trouble nowadays is that everybody has education, and everybody wants to sit on the bank, and nobody wants to do the digging.'"

Having told this story, I must, in justice to the gentleman whom I have quoted, add that he proved to be a man of great sagacity and of most uncommon common sense, and one of the most useful and helpful members of the committee.

With regard to the larger problem which he presented I have no solution to offer. Were I building Utopias after the modern fashion, I might perhaps suggest that this situation might be met, as my friend William James once suggested, by drafting all the young women and young men into a large army, and requiring them to serve for a year, or possibly 2 years, under strict military discipline, compelled to do the jobs that no one wants to do—the unpleasant jobs, the drudgery jobs. But I am not building Utopias, and I shall pass over that larger question. There is, however, another question closely connected with it which immediately concerns us. As our educational system in this country has developed, it has become more and more stand-

ardized, the wheels have been well oiled, all the children are moved forward together from grade to grade in the grammar school, from grammar school to high school, and from high school to college or university without having been properly prepared for any promotion. The result is a twofold evil. In the first place, there is a very large number of persons who go through this mill and come out at the end who are by their education spoiled for the tasks for which they are by nature adapted, and at the same time not qualified for those pursuits to which they aspire. We have a very large number of young men and young women in this group, and they constitute a menace to civilization. These people remind me very much of a man named Peter Soderini. I do not know much about him, but his life history is told in these brief lines:

The night that Peter Soderini died,
He at the gates of Hell himself presented,
"What! You come to Hell, poor soul demented,
Go to babies' limbo," Pluto cried.

These people find themselves very much in the position of Peter Soderini. They are persons who, in the words of the Scotch proverb, are "Nae fit for Heaven, and would ruin a' Hell." This is the group that constitutes the great recruiting ground for our criminals, high and low.

What we have been doing through this educational process is setting up an industry for the mass production of social misfits. The second unfortunate result is that there has been a very great exaggeration of the importance, the worth, and the dignity of what might be called the "kid-glove" jobs. Vocational education aims to remedy both of these defects. In the first place it drives home the truth that a skilled trade is as honorable and as useful a way of earning a living as any other, and is entitled to just as much social recognition. The second and the more important result is that it ties up education to the native interests and aptitudes of the pupil, laying the foundations for a sound education, and preparing him to be a self-supporting and self-respecting citizen.

Mr. Speaker, I come from a State that is very much opposed to all types of grants in aid that are to be matched by the State, and particularly to such grants when they apply to education.

We are able to bear our own educational burden, and we feel that every State should do the same, and that if a State is not able to do so it has no right to be a State but should become again a Territory, in which case the Federal Government could carry all of its burdens. But there is this to be said with regard to this particular bill. The purpose of the Smith-Hughes Act and the purpose of the George-Reed Act, of which this is the sequel, was not to take care of vocational education in the States. The aid given by the Federal Government is a mere trifle. In my own State of Connecticut what we receive from the Federal Government amounts to $35,000 in round numbers, and what we spend is $380,000. The Federal contribution is, therefore, a very small part of the cost. These measures, however, were introduced in the first place not to pay for this work but in order that the Department of Education of the Federal Government might pass on to the States this general program of educational work, stimulate their interest in it, get it started, taking it for granted that the States would then carry their own burden.

If this bill were permanent legislation, I should be unalterably opposed to it. It was introduced as permanent legislation. This the committee refused to sanction. It was first suggested that the period be limited to 5 years. I myself would have preferred to have it 1 year, but, as a compromise, it was made 3 years. All the members of the committee were agreed that this is no time to withdraw this relief; that this period of depression is not the time to economize on this important work.

I feel, therefore, that it is necessary that this aid should be continued for the coming year, and I am willing to support the proposal that it should be continued for 3 years. I hope the measure will be enacted into law.

I do not know that it is necessary to take any more time to discuss this question; but I do hope that those who are opposed to grants in aid on principle, as I am, will not regard this as a bar to voting for this bill. The amount is small; the work is of vast importance; we must continue this stimulation of interest in all of our communities. At the same time we expect and demand that they stand on their own feet, when once they get their own houses in order, and do not come back knocking at the Federal door.

Mr. DONDERO. Will the gentleman yield?

Mr. BAKEWELL. I yield to the gentleman from Michigan.

Mr. DONDERO. Can the gentleman tell the amount of a Federal tax dollar that goes to education?

Mr. BAKEWELL. I cannot give the gentleman that figure, but it is relatively very small.

Mr. DONDERO. The gentleman has not that in percentage or in amount?

Mr. BAKEWELL. No; but it is a very small amount. This bill is only $3,000,000; and in these days, when we talk in terms of billions, that is a bagatelle.

Mr. CHRISTIANSON. Will the gentleman yield?

Mr. BAKEWELL. I yield to the gentleman from Minnesota.

Mr. CHRISTIANSON. In view of the national interest in maintaining an intelligent citizenry, does the gentleman not believe there is a difference in principle between Federal aid in behalf of education and Federal aid in behalf of other projects to which such aid is given?

Mr. BAKEWELL. I do; but I should like to say that the real danger of Federal aid to education, we all realize, is Federal domination of education in the States. This is the worst thing that could befall. Education must be left to the States and to the local communities if it is to be well and effectively done. We fear where money is given, dictation will follow.

Mr. CHRISTIANSON. May I say to the gentleman that in that I thoroughly agree with him?

Mr. BAKEWELL. I would say further that, in my judgment, nothing is more important in a republican form of government than an enlightened and educated citizenry, and nothing is more menacing to the welfare of the country than ignorance, save only one thing. There is one thing that is worse than ignorance and more menacing than ignorance, and that is conceit of knowledge where no real knowledge exists; and this is what results when we keep putting these children through the schools in this mechanical fashion. They come out in the end with very, very little knowledge of very many things, and this is the real danger to the country.

Mr. CHRISTIANSON. And does not the gentleman believe that that very situation may arise out of the fact that under present economic conditions many communities and some States may not be able to give to the growing generation the kind of education that the gentleman has denominated as real education?

Mr. BAKEWELL. Yes. I think this bill will help bring about the result that we all desire, and for that reason I favor it. [Applause.]

Mr. DOUGLASS. Mr. Speaker, I shall have but one more speaker tonight, and I yield 10 minutes to the gentleman from Wisconsin [Mr. HUGHES].

Mr. HUGHES. Mr. Speaker, I rise to seek consideration and advocate the support of the vocational education appropriation bill, H.R. 7059. This measure as proposed is planned and designed to meet a problem of national need and importance. It is of vital interest and deep concern to the citizens of the State I have the privilege to represent in Congress. The great Commonwealth of Wisconsin pioneered in the field of vocational education. Long recognized as a State of liberal and progressive trends and tendencies, it early appreciated the need and necessity of a large group of our people for part-time vocational education. With resolution and courage, Wisconsin accepted the challenge this condition presented and with vision, wisdom, and energy planned a system of part-time vocational education that serves efficiently a large number of its workers, youth and adult, rural and urban, with exceptional educational opportunities. In the year 1911 our legislature enacted a

part time school law that for 23 years has been part of the organic law of the State. To obtain this enabling legislation was no easy task. It met with strong, vigorous opposition that was active and organized. As a plan of education it was condemned and criticized as impractical, ineffective, and expensive. Fortunately, success attended the untiring, unselfish effort of a group of educational pioneers and experimenters, and in their labors they created a system of vocational education involving three great principles, all essential to the success of the plan. The principles laid down as the foundation for this program are as follows: First, a separate administrative board representing the groups directly affected in the administration of the part time school law, namely, employers, employees, farmers, and the public; second, a separate fund provided by a mill tax, thus insuring adequate financial support; third, an effective part time school attendance law for juvenile workers.

The administration system as applied in the representative principle has proved sound and effective. Representatives of capital, labor, farm, and the public assures a broad and impartial policy and management. Partisanship under this plan of administration is impossible, for all divisions of industry and workers have a voice and a vote and receive equal and just consideration. This balance of representation is true of both State and community boards. The vocational management and the vocational school is a joint project of all these community interests and divisions and treat impartially and with equity all the problems of the whole group. Wisely it provides an adequate financial support by an application of local mill tax, not to exceed 1½ mills, and further provides a State aid to supplement these local taxes. A strong and effective school-attendance law for juvenile workers assures educational influence in the lives of all of our youth and requires school attendance to all juveniles until the age of 18 years is reached. With the growth and development of vocational education throughout the Nation, Federal aid was urged, and in 1917 the Smith-Hughes Act guaranteeing these aids became law. It created a Federal Board for Vocational Education and granted aid to the States for trade, industrial, home-making, and agricultural education, provided the States do their share in appropriating funds for the same purpose. Under this plan of local tax support and State and Federal aid, vocational education in Wisconsin has made great strides and grown to flourish to great service and accomplishment. This attainment is registered in the record that points to 38 vocational schools, 43 evening schools. These units are part of the city vocational training program. One hundred departments of vocational agriculture and 22 departments of home economics are established and are serving the rural plan. These schools are spread out in all sections of the State. They are well housed and equipped. They are manned by instructors, men and women, qualified by character, ability, and education to train, direct, and guide the groups that are served. The influence of the vocational school has reached out to directly contact more than 100,000 of our people in this current school year—men and women, both youth and adult, employed and unemployed, of the rural and urban districts—making these institutions and their activities real community centers for people of all ages and all callings, whom it trains, guides, and educates.

In the current school year it involved an expenditure, in round figures, of $2,558,000. Local tax raised in excess of $2,000,000 of that amount; State aid contributed $339,000, and the Federal aid totaled $162,000. Note that the large burden is on the local community and that the State aid supplements it in a generous manner, and that the Federal aid is not in excess of 6½ percent of the total. Planned as it is on well-grounded principles of education, administration, and instruction; developed, supported, and fortified by these factors of tax, we have erected a strong, comprehensive, and effective plan of education for great numbers of people. It has succeeded in a large measure through the years, and no better testimony of this truth is registered in a recent statement following an extensive survey as made by an interim committee on education. In part, this report states—

Wisconsin has reached the enviable position of world-wide leadership in the field of vocational education. Educators appearing before the committee from both the Middle West and East were high in their praise of what is being done educationally in Wisconsin for the working youth and adult. Scores of reports, books, and surveys suggest Wisconsin as worthy of imitation in the educational field. Early in the work of the interim committee it was apparent that vocational education offered no major problems for solution.

The record that vocational education has made in its steady growth and progress throughout the Nation justifies the Government making it a permanent part of its educational program. Its services, as rendered under normal conditions, have proven large and effective, and through the years' scope of its service and the field of its activities has grown and widened.

It is not difficult to understand that in a period of depression which has prevailed for a period of more than 4 years, with its unemployment and lack of work opportunity for the toilers of America, that out of this condition would grow a greater demand for such an institution. This is particularly true in the unemployed youth of our Nation. Thousands of them, graduates of our high schools, mentally alert and physically able, face a world which offers no work opportunity; with a strong desire for further education, they are denied that opportunity by lack of funds. Hopeless and discouraged, in idleness and despair, are we to leave them to the streets and the influence of unrest, discontent, and crime? More than any other institution in our whole scheme of education can vocational schools serve in this, the hour of their despair. It grants to them continued educational opportunity and training, organized effort, and discipline, a real force to assist them through these years of trial and trouble; and in the education they attain and the discipline they will meet they will be built up to serve when opportunity presents itself. In healthy study and occupation they will find new hope, cheer, and happiness. This is not the only group to know and receive the benefit of vocational training, but the adult, employed and unemployed, through this program can add to their educational equipment and opportunity, giving them better training, better viewpoints of life, and added equipment for intelligent and efficient service. As a nation we are conscious of the fact that it is a national obligation to educate our people. As a nation we cannot neglect that duty; to forget it is unwise and un-American. This Federal appropriation has contributed much to the growth and the progress of vocational education for the last 17 years. It is an essential part of it. In many instances it means the very existence of these institutions. In eliminating Federal aid it will have the effect of reducing State support and encourage local tax reductions. It would be a destructive policy that would threaten with defeat this successful form and method of practical part-time education.

It is my belief that in the continuation of this support and the passing of this appropriation at this time that it will fortify vocational education in the State and in the Nation and continue in force and effectiveness this plan that contributes so much to the welfare of our people. Investigation would show that organized labor and all groups of workers are definitely behind vocational education. Their leadership has urged in State and Nation the growth and development of this plan. It has the stamp of approval of the industrial leadership of America, particularly that group that make it a part of their management to study the needs, the aims, and objectives of their workers. This group has shown a sympathetic and understanding support of vocational part-time education. Able, farsighted, and forward-looking educators approve and encourage this educational development as a worthy and essential part of the national educational progress. The support of the Congress is sought to make this appropriation of $3,000,000 at this time. In my opinion, it would be a wise and patriotic action for us to take. [Applause.]

SUGAR BEETS AND SUGAR CANE

Mr. JONES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 8861, to include sugar beets and sugar cane as basic agricultural commodities

under the Agricultural Adjustment Act, and for other purposes, and agree to the Senate amendment.

The SPEAKER. Is there objection?

There was no objection.

Mr. SNELL. Has the gentleman consulted the minority members of the committee?

Mr. JONES. Yes; I have seen the other Members.

The Clerk read the Senate amendment, as follows:

In lieu of the language inserted in said House amendment, insert the following:

"(1) Any sugar, imported prior to the effective date of a processing tax on sugar beets and sugar cane, with respect to which it is established (under regulations prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury) that there was paid at the time of importation a duty at the rate in effect on January 1, 1934, and (2) any sugar held on April 25, 1934, by, or to be delivered under a bona fide contract of sale entered into prior to April 25, 1934, to any manufacturer or converter for use in the production of any article (except sugar) and not for ultimate consumption as sugar, and (3) any article (except sugar) processed wholly or of chief value from sugar beets, sugar cane, or any product thereof, shall be exempt from taxation under subsection (a) of this section, but sugar held in customs custody or control on April 25, 1934, shall not be exempt from taxation under subsection (a) of this section, unless the rate of duty paid upon the withdrawal thereof was the rate of duty in effect on January 1, 1934."

Mr. SNELL. Will the gentleman explain in a few words what this does?

Mr. JONES. It does what was intended to be done by the other amendment. In exempting from the tax certain sugar held in stock, there was not included in the House amendment stock of domestic sugar on hand, also sugar made in this country and to be used for manufacturing purposes other than as sugar.

Mr. SNELL. It means what you intended to mean in the original bill?

Mr. JONES. Yes.

The Senate amendment was agreed to.

Mr. BANKHEAD. Mr. Speaker, how much time is left on the rule?

The SPEAKER. The gentleman from Pennsylvania has 29 minutes left and the gentleman from Massachusetts 15 minutes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. DARDEN (at the request of Mr. ROBERTSON), indefinitely, on account of death of a friend.

To Mr. MARLAND, indefinitely, on account of important business.

To Mr. O'MALLEY (at the request of Mr. BROWN of Kentucky), indefinitely, on account of illness.

To Mrs. CLARKE of New York (at the request of Mr. SNELL), indefinitely, on account of death in the family.

SPEAKER PRO TEMPORE TOMORROW

The SPEAKER designated Mr. PARSONS to act as Speaker pro tempore tomorrow.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 5075. An act to amend section 1 of the act entitled "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes", approved June 25, 1910, as amended; and

H.R. 8471. An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1935, and for other purposes.

ADJOURNMENT

Mr. DOUGLASS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 12 minutes p.m.) the House adjourned until tomorrow, Thursday, April 26, 1934, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

422. Under clause 2 of rule XXIV a letter from the Secretary of War transmitting draft of a bill to authorize the Secretary of War to dispose of certain plots of ground no longer needed for cemeterial purposes, which the War Department presents for the consideration of the Congress, was taken from the Speaker's table and referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. S. 2901. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Arkansas into the Union; without amendment (Rept. No. 1313). Referred to the Committee of the Whole House on the state of the Union.

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. S. 2966. An act to authorize the coinage of 50-cent pieces in commemoration of the three-hundredth anniversary of the founding of the Province of Maryland; without amendment (Rept. No. 1314). Referred to the Committee of the Whole House on the state of the Union.

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. H.R. 9095. A bill to authorize the coinage of 50-cent pieces in commemoration of the two hundredth anniversary of the birth of Daniel Boone; without amendment (Rept. No. 1315). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLER: Committee on the Library. S. 3235. An act to amend an act entitled "An act providing for the participation of the United States in A Century of Progress (the Chicago World's Fair Centennial Celebration) to be held at Chicago, Ill., in 1933, authorizing an appropriation therefor, and for other purposes", approved February 8, 1932, to provide for participation in A Century of Progress in 1934, to authorize an appropriation therefor, and for other purposes; without amendment (Rept. No. 1318). Referred to the Committee of the Whole House on the state of the Union.

Mr. STUDLEY: Committee on the Post Office and Post Roads. H.R. 7317. A bill to provide for the final construction, on behalf of the United States, of postal treaties or conventions to which the United States is a party; with amendment (Rept. No. 1319). Referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of West Virginia: Committee on the Post Office and Post Roads. H.R. 3214. A bill to compensate the Post Office Department for the extra work caused by the payment of money orders at offices other than those on which the orders are drawn; with amendment (Rept. No. 1320). Referred to the Committee of the Whole House on the state of the Union.

Mr. GILLETTE: Committee on Foreign Affairs. House Joint Resolution 330. Joint resolution authorizing certain retired officers or employees of the United States to accept such decorations, orders, medals, or presents as have been tendered them by foreign Governments; without amendment (Rept. No. 1324). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLER: Committee on the Library. Senate Joint Resolution 93. Joint resolution authorizing the creation of a Federal Memorial Commission to consider and formulate plans for the construction, on the western bank of the Mississippi River, at or near the site of old St. Louis, Mo., of a permanent memorial to the men who made possible the territorial expansion of the United States, particularly President Thomas Jefferson and his aides, Livingston and Monroe, who negotiated the Louisiana Purchase, and to the great explorers, Lewis and Clark, and the hardy hunters, trappers, frontiersmen, and pioneers and others who contributed to the territorial expansion and development of the

United States of America; without amendment (Rept. No. 1326). Referred to the House Calendar.

Mr. KELLER: Committee on the Library. H.R. 1582. A bill authorizing an appropriation for the erection of a memorial to the officers and men of the United States Navy who lost their lives as the result of a boiler explosion that totally destroyed the U.S.S. *Tulip* near St. Inigoes Bay, Md., on November 11, 1864, and for other purposes; without amendment (Rept. No. 1327). Referred to the Committee of the Whole House on the state of the Union.

Mr. MOREHEAD: Committee on the Post Office and Post Roads. H.R. 7670. A bill relating to conveyance of letters by private hands without compensation, or by special messenger employed for the particular occasion only; without amendment (Rept. No. 1328). Referred to the Committee of the Whole House on the state of the Union.

Mr. MOREHEAD: Committee on the Post Office and Post Roads. H.R. 7348. A bill to amend section 3937 of the Revised Statutes; without amendment (Rept. No. 1329). Referred to the Committee on the Whole House on the state of the Union.

Mr. PEAVEY: Committee on Indian Affairs. H.R. 7759. A bill to amend the law relating to timber operations on the Menominee Indian Reservation in Wisconsin; with amendment (Rept. No. 1330). Referred to the Committee of the Whole House on the state of the Union.

Mr. BANKHEAD: Committee on Rules. House Resolution 355. Resolution authorizing the adoption of certain rules relative to H.R. 8919, a bill to adjust the salaries of rural letter carriers, and for other purposes; without amendment (Rept. No. 1331). Referred to the House Calendar.

Mr. WOLFENDEN: Committee on Interstate and Foreign Commerce. H.R. 8241. A bill to authorize the construction and operation of certain bridges across the Monongahela, Allegheny, and Youghiogheny Rivers in the county of Allegheny, Pa.; without amendment (Rept. No. 1332). Referred to the House Calendar.

Mr. PETTENGILL: Committee on Interstate and Foreign Commerce. H.R. 9064. A bill granting the consent of Congress to the State of Indiana to construct, maintain, and operate a free highway bridge across the Grand Calumet River at or near a point suitable to the interests of navigation east of Clark Street in Gary, Ind.; without amendment (Rept. No. 1333). Referred to the House Calendar.

Mr. HOLMES: Committee on Interstate and Foreign Commerce. H.R. 9065. A bill granting the consent of Congress to the Department of Public Works of the Commonwealth of Massachusetts to construct, maintain, and operate a free highway bridge across the Connecticut River at Turners Falls, Mass.; without amendment (Rept. No. 1334). Referred to the House Calendar.

Mr. WOLFENDEN: Committee on Interstate and Foreign Commerce. H.R. 9271. A bill granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Millersburg, Dauphin County, Pa.; without amendment (Rept. No. 1335). Referred to the House Calendar.

Mr. KELLER: Committee on the Library. House Joint Resolution 327. Joint resolution authorizing the appointment of a planning committee in connection with the United States Botanic Garden, and for other purposes; without amendment (Rept. No. 1336). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. CHRISTIANSON: Committee on Military Affairs. H.R. 4753. A bill for the relief of George W. Adams; without amendment (Rept. No. 1310). Referred to the Committee of the Whole House.

Mr. COFFIN: Committee on Military Affairs. H.R. 6280. A bill for the relief of Michael Ilitz; without amendment (Rept. No. 1311). Referred to the Committee of the Whole House.

Mr. THOMPSON of Illinois: Committee on Military Affairs. H.R. 8741. A bill authorizing the maintenance and use of a banking house upon the United States military reservation at Fort Lewis, Wash.; without amendment (Rept. No. 1312). Referred to the Committee of the Whole House.

Mr. COFFIN: Committee on Military Affairs. S. 421. An act for the relief of Joseph Gorman; without amendment (Rept. No. 1316). Referred to the Committee of the Whole House.

Mr. THOMPSON of Illinois: Committee on Military Affairs. H.R. 2684. A bill for the relief of Logan Mulvaney; with amendment (Rept. No. 1317). Referred to the Committee of the Whole House.

Mr. COFFIN: Committee on Military Affairs. S. 754. An act for the relief of Fred M. Munn; without amendment (Rept. No. 1321). Referred to the Committee of the Whole House.

Mr. COFFIN: Committee on Military Affairs. S. 841. An act for the relief of Charles C. Floyd; without amendment (Rept. No. 1322). Referred to the Committee of the Whole House.

Mr. CALDWELL: Committee on Foreign Affairs. H.R. 8674. A bill for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of catastrophes of Nature and other causes; with amendment (Rept. No. 1323). Referred to the Committee of the Whole House.

Mr. KELLER: Committee on the Library. Senate Joint Resolution 94. Joint resolution to retire George W. Hess as director emeritus of the Botanic Garden; with an amendment (Rept. No. 1325). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COFFIN: A bill (H.R. 9319) authorizing certain changes in the contract for the payment of construction costs of the Minidoka irrigation project in Idaho; to the Committee on Irrigation and Reclamation.

By Mr. SINCLAIR: A bill (H.R. 9320) to further extend the times for commencement and completing the construction of a bridge across the Missouri River at or near Garrison, N.Dak.; to the Committee on Interstate and Foreign Commerce.

By Mr. BANKHEAD: A bill (H.R. 9321) to regulate the sale of seed inoculants, soil inoculants, inoculated fertilizers, and analagous biological products in the District of Columbia, to regulate interstate traffic in said articles, and for other purposes; to the Committee on Agriculture.

By Mr. CELLER: A bill (H.R. 9322) to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes; to the Committee on Ways and Means.

By Mr. RAYBURN: A bill (H.R. 9323) to provide for the regulation of securities exchanges and of over-the-counter markets operating in interstate and foreign commerce and through the mails, to prevent inequitable and unfair practices on such exchanges and markets, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GILLETTE: A bill (H.R. 9324) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. WOOD of Missouri: A bill (H.R. 9325) to provide for the licensing of firemen operating steam boiler or boilers in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BANKHEAD: Resolution (H.Res. 355) authorizing the adoption of certain rules relative to H.R. 8919, a bill to adjust the salaries of rural letter carriers, and for other purposes; to the Committee on Rules.

By Mr. HAINES: A bill (H.R. 9326) granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near York Furnace, York County, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. COCHRAN of Missouri: Resolution (H.Res. 356) for the consideration of Senate Joint Resolution 93; to the Committee on Rules.

By Mr. CALDWELL: Resolution (H.Res. 357) to provide for the appointment of a special committee to investigate the extent to which the United States is dependent upon foreign nations for its supply of tin, and for other purposes; to the Committee on Rules.

By Mr. KELLER: Resolution (H.Res. 360) for the consideration of Senate bill 3235; to the Committee on Rules.

By Mr. GREEN: Resolution (H.Res. 361) to close the House restaurant; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOEHNE: A bill (H.R. 9327) for the relief of John E. Sandage; to the Committee on Claims.

By Mr. COCHRAN of Missouri: A bill (H.R. 9328) granting a pension to Mary Grieser; to the Committee on Invalid Pensions.

By Mr. DOCKWEILER: A bill (H.R. 9329) granting a pension to Margaret F. Prather; to the Committee on Pensions.

By Mr. FOSS: A bill (H.R. 9330) for the relief of Henry Werre; to the Committee on Claims.

By Mr. JOHNSON of Texas: A bill (H.R. 9331) for the relief of Etta Pippin; to the Committee on Claims.

By Mr. KELLY of Illinois: A bill (H.R. 9332) for the relief of Gilbert James de Normandie; to the Committee on Naval Affairs.

By Mr. LEWIS of Colorado: A bill (H.R. 9333) for the relief of Mr. and Mrs. Chester A. Smith; to the Committee on Claims.

By Mr. LEE of Missouri: A bill (H.R. 9334) granting a pension to Catherine Orender; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9335) granting an increase of pension to Missouri E. Griffith; to the Committee on Pensions.

Also, a bill (H.R. 9336) granting a pension to Sherman King; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9337) granting a pension to Ruth Ann Breedlove; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9338) granting a pension to Ella Woodward; to the Committee on Pensions.

Also, a bill (H.R. 9339) granting a pension to Angeline Hart; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9340) granting a pension to Agnes P. Miller; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9341) granting a pension to Flora M. Lawson; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9342) granting a pension to Pearly Ann Howard; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9343) granting a pension to Marietta Cannon; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9344) granting an increase of pension to Annie L. Teague; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9345) granting an increase of pension to Hannah H. Maddux; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9346) granting an increase of pension to Addie Blunt; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9347) granting an increase of pension to Elizabeth Dugan; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9348) granting an increase of pension to Mary N. Stanley; to the Committee on Invalid Pensions.

By Mr. MITCHELL: A bill (H.R. 9349) for the relief of John R. Bullock; to the Committee on Claims.

By Mr. MERRITT: A bill (H.R. 9350) for the relief of the Consolidated Ashcroft Hancock Co., Inc., Bridgeport, Conn.; to the Committee on Claims.

By Mr. McMILLAN: A bill (H.R. 9351) to confer jurisdiction upon the United States District Court for the Eastern District of South Carolina to determine the claim of Lewis E. Magwood; to the Committee on Claims.

By Mr. SABATH: A bill (H.R. 9352) for the relief of Joseph Schoenbach; to the Committee on Claims.

By Mr. SHANNON: A bill (H.R. 9353) granting a pension to James Joseph Monahan; to the Committee on Pensions.

By Mr. TARVER: A bill (H.R. 9354) for the relief of James A. Henderson; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4207. By Mr. ANDREW of Massachusetts: Resolution adopted by the Business and Professional Women's Republican Club of Massachusetts, urging a thorough investigation of the charges of Dr. Wirt, and the whole Communist movement in the United States; to the Committee on the Judiciary.

4208. By Mr. BOYLAN: Letter from the Shoe Manufacturers' Board of Trade, Brooklyn, N.Y., opposing the passage of Senate bill 2926, known as the "Labor Disputes Act"; to the Committee on Labor.

4209. Also, letter from the High School Teachers' Association of New York City, favoring the bill before the Committee on Education appropriating $75,000,000 to keep the public schools of the United States open; to the Committee on Education.

4210. Also, letter from the Whitestone Association, Local No. 1, New York City, unanimously favoring the passage of the Wagner-Connery Disputes Act; to the Committee on Labor.

4211. Also, resolution adopted by the Motion Picture Theater Owners of America, a national association of motion-picture exhibitors, in the convention assembled in Los Angeles, Calif., April 10 to 15, petitioning the Senate and the Committee on Foreign Relations of that body to withhold approval of Senate bill 1928, or any substitute or modification thereof, which in effect would allow the entrance of the United States into the International Copyright Union without the protection to the American theaters and to the motion-picture industry as hereinbefore set forth, and this body does go on record as registering its protest against the enactment of the aforesaid legislation and the approval of the treaty for the reasons hereinbefore set forth; to the Committee on Foreign Affairs.

4212. Also, petition signed by citizens, of Brooklyn and New York City, urging the adoption of the amendment to section 301 of Senate bill 2910 and House bill 8977; to the Committee on Merchant Marine, Radio, and Fisheries.

4213. By Mr. BRUNNER: Petition of Manor Council, No. 112, Sons and Daughters of Liberty, Howard Beach, Long Island, N.Y., urging Congress to defeat the efforts made by political leaders and exploiters of labor to defeat the spirit of restricted immigration; to the Committee on Immigration and Naturalization.

4214. By Mr. GAVAGAN: Petition of Pro Patria Council, No. 751, Knights of Columbus, in reference to Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4215. By Mr. GOODWIN: Petition of the Woman's Christian Temperance Union, Kingston, Ulster County, N.Y., respectfully petitioning Congress for favorable action on the Patman motion picture bill (H.R. 6097), providing higher moral standards for films entering interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

4216. By Mr. KRAMER: Resolution adopted by the Motion Picture Theater Owners of America on April 10–15, 1934, at Los Angeles, Calif.; to the Committee on Foreign Affairs.

4217. By Mr. LINDSAY: Letter from E. Whitmore, Brooklyn, N.Y., opposing the Johnson bill (S. 752) and the Couzens tax bill; to the Committee on Ways and Means.

4218. Also, telegram from the Lamson & Hubbard Corporation, Boston and New York, urging complete elimination of excise tax on furs; to the Committee on Ways and Means.

4219. Also, telegram from Kruskal & Kruskal, Inc., New York City, objecting to the exemption of excise tax on furs costing $75 or less as contained in House bill 7835; to the Committee on Ways and Means.

4220. Also, telegram from Mrs. Leo Kopowski, Brooklyn, N.Y., urging the passage of House bill 4492; to the Committee on Civil Service.

4221. Also, telegram from the Balch Price & Co., New York and Brooklyn, urging complete removal of excise tax on manufactured furs; to the Committee on Ways and Means.

4222. Also, telegram from the Wells Treister Co., Inc., New York City, urging complete removal of excise tax on furs; to the Committee on Ways and Means.

4223. Also, telegram from the Fur Wholesalers' Association of America, Inc., New York City, urging removal of excise tax on manufactured furs; to the Committee on Ways and Means.

4224. Also, petition of the High School Teachers' Association of New York City, Inc., Dr. Frederick Houk Law, president, urging support of the bill to appropriate $75,000,000 for education; to the Committee on Education.

4225. Also, petition of the Whitestone Association, Local No. 1, New York City, favoring the Wagner-Lewis bill and the Wagner-Connery bill; to the Committee on Labor.

4226. Also, petition of the Superheater Co., New York City, F. A. Schaff, president, opposing House bill 8720, the stock exchange bill, in its present form; to the Committee on Interstate and Foreign Commerce.

4227. Also, telegram from the Armstrong Cork Co., Lancaster, Pa., opposing certain sections of House bill 8720; to the Committee on Interstate and Foreign Commerce.

4228. Also, petition of Milton Dammann, president American Safety Razor Corporation, Brooklyn, N.Y., opposing certain features of the stock exchange bill; to the Committee on Interstate and Foreign Commerce.

4229. Also, petition of Motion Picture Theater Owners of America, New York City, concerning the copyright bill (S. 1928) and protesting its passage; to the Committee on Interstate and Foreign Commerce.

4230. Also, petition of the Writers' League Against Lynching, New York City, favoring the passage of the Costigan-Wagner antilynching bill; to the Committee on the Judiciary.

4231. By Mr. McFARLANE: Petition of the board of directors of the North Texas Oil & Gas Association, requesting Committee on Mines and Mining to strike out from Senate bill 1665 the words "oil, gas, and the hydrocarbons", in line 9 of said bill, or that said act be amended so as to provide that the experimental station at Bartlesville, Okla., be continued upon the same basis as same is now operated; to the Committee on Mines and Mining.

4232. By Mr. MULDOWNEY: Petition of 3,350 postal employees, protesting against the policy of the Post Office Department in curtailing service at the expense of increased unemployment; to the Committee on the Post Office and Post Roads.

4233. By Mr. RUDD: Petition of the Whitestone Association, Local No. 1, Long Island, N.Y., favoring the passage of the Wagner-Lewis bill and the Wagner-Connery bill; to the Committee on Labor.

4234. Also, petition of the American Safety Razor Corporation, Brooklyn, N.Y., opposing corporate activities contained in the stock exchange bill; to the Committee on Interstate and Foreign Commerce.

4235. Also, petition of the Chamber of Commerce of the Borough of Queens, city of New York, with reference to the Revenue Act of 1934 now in conference; to the Committee on Ways and Means.

4236. Also, petition of the High School Teachers' Association of New York City, Inc., favoring the educational bill authorizing an appropriation of $75,000,000 to keep schools open in the coming year; to the Committee on Education.

4237. Also, petition of the Writers' League Against Lynching, New York City, favoring the Costigan-Wagner antilynching bill and the Ford bill; to the Committee on the Judiciary.

4238. By Mr. SEGER: Petition of 101 citizens of Passaic, Paterson, Clifton, N.J., and vicinity, for passage of the 30-hour week bill; to the Committee on Labor.

4239. By Mr. SMITH of West Virginia: Resolution of the West Side Business Men's Association, of Charleston, W.Va., urging the Federal Government to renew operations at the naval ordnance plant at South Charleston, W.Va.; to the Committee on Naval Affairs.

4240. By Mr. STRONG of Pennsylvania: Petition of the board of consulters of the SS. Cosmas and Damian Roman Catholic Parish, of Punxsutawney, Pa., in favor of having adequate time for radio broadcasting allotted to stations owned or controlled by educational, religious, agricultural, labor, cooperative, and similar non-profit-making associations; to the Committee on Interstate and Foreign Commerce.

4241. Also, petition of the Punxsutawney Council, No. 452, Knights of Columbus, in favor of having adequate time for radio broadcasting allotted to stations owned or controlled by educational, religious, agricultural, labor, cooperative, and similar non-profit-making associations; to the Committee on Interstate and Foreign Commerce.

4242. Also, petition of the St. Vincent de Paul Society, of Punxsutawney, Pa., in favor of having adequate time for radio broadcasting allotted to stations owned or controlled by educational, religious, agricultural, labor, cooperative, and similar non-profit-making associations; to the Committee on Interstate and Foreign Commerce.

4243. By Mr. WIGGLESWORTH: Petition of the Business and Professional Women's Republican Club of Massachusetts, urging a thorough investigation of the charges of Dr. Wirt and the whole Communist movement in the United States; to the Committee on the Judiciary.

4244. By the SPEAKER: Petition of Dr. Eng. L. K. Post, regarding the naturalization of immigrants; to the Committee on Immigration and Naturalization.

4245. Also, petition of the depositors of the closed Richmond Bank, of Richmond Hill, N.Y., urging passage of the McLeod bank bill; to the Committee on Banking and Currency.

4246. Also, petition of the Hawaii Labor Federation, urging that the Philippine Islands accept their independence without reservation; to the Committee on Insular Affairs.

4247. Also, petition of the Woman's Club, of Florence, Ariz., urging additional appropriations for highway construction; to the Committee on Roads.

4248. Also, petition of the Latin American Club, of Arizona, urging additional appropriations for highway construction; to the Committee on Roads.

4249. Also, petition of the city of Cambridge, Mass., urging passage of the Costigan-Wagner bill, the so-called "antilynch bill"; to the Committee on the Judiciary.

4250. Also, petition of the city of Royal Oak, Mich., regarding payment of bank deposits in closed banks; to the Committee on Banking and Currency.

4251. Also, petition of the Arizona Booster Association, urging additional appropriations for road construction; to the Committee on Roads.

4252. Also, petition of the Florence Rotary Club, of Salt Lake City, Utah, urging additional appropriations for road construction; to the Committee on Roads.

4253. Also, petition of Court Fidelis, No. 91, Catholic Daughters of America, urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4254. Also, petition of the Ave Maria Mission Club, of Brooklyn, N.Y., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4255. Also, petition of St. Mary's Parish, of Riverside, Ill., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4256. Also, petition of the Catholic Daughters of America, St. Victor's Parish, Monroe, Wis., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4257. Also, petition of the Church of the Assumption Parish, of Tomales, Calif., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4258. Also, petition of the St. Theresa's Parish, Cresskill, N.J., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4259. Also, petition of St. Nicholas Parish, of Garrison, N.Dak., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4260. Also, petition of St. Anthony's Parish, of Van Hook, N.Dak., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4261. Also, petition of the Holy Name Society of the Church of the Sacred Heart, Elizabeth, N.J., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4262. Also, petition of St. Matthew's Parent-Teacher Association, of Milwaukee, Wis., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4263. Also, petition of Holy Name Church, of Sheridan, Wyo., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4264. Also, petition of Diocesan Union of the Holy Name Society, of Denver, Colo., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4265. Also, petition of St. Anthony's Parish, of Loyal State, Wis., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4266. Also, petition of Catholic Students' Mission Crusade Society, of San Antonio, Tex., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4267. Also, petition of St. Bernard's Branch of the Holy Name Society, of the city of New York, urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4268. Also, petition of St. John's Parish, of Wilton, Wis., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4269. Also, petition of Study Club Group of Y.L.S. of M.A.C.C.W., of Milwaukee, Wis., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4270. Also, petition of St. Rita's Parish, city of New York, urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4271. Also, petition of St. Joseph's Parish, of Ronkonkoma, N.Y., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4272. Also, petition of St. Joseph's Cathedral Parish, of Sioux Falls, S.Dak., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4273. Also, petition of the Holy Name Society, of Richardson, N.Dak., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4274. Also, petition of Good Shepard Parish, of Winchester, Tenn., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4275. Also, petition of the Sodality of the Blessed Virgin Mary, of Richardson, N.Dak., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4276. Also, petition of a parish of the city of South Pittsburg, Tenn., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4277. Also, petition of the Detroit Council of Catholic Organizations, urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4278. Also, petition of St. Peter's Parish, of Utica, N.Y., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4279. Also, petition of St. Michael's Parish, of Livermore, Calif., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4280. Also, petition of Rev. Pierre-Louis de La Ney et al., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

SENATE

THURSDAY, APRIL 26, 1934

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

The Chaplain, Rev. Z̧Barney T. Phillips, D.D., offered the following prayer:

Almighty God, our Heavenly Father, whose blessed Son came not to be ministered unto but to minister: We humbly beseech Thee to bless all who have dedicated themselves to the service of their fellow men, that, being inspired by Thy love and following in the steps of the blessed Christ, each in his separate vocation may worthily minister to the weary and heavy-laden, to the friendless, sick, needy, and to those who are oppressed with wrong.

So shall Thy suffering children everywhere rise up to call Thy servants blessed; for the glory of the Lord shall be revealed, and all flesh shall see it together. Prosper Thou the work of our hands this day, and grant that we may ever worship Thee in the beauty of holiness. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On motion of Mr. ROBINSON of Arkansas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, April 25, was dispensed with, and the Journal was approved.

HOARDERS OF SILVER—TRANSMITTAL OF INFORMATION

Mr. ROBINSON of Arkansas. Mr. President, on yesterday a communication addressed to the Secretary of the Senate by the Secretary of the Treasury, Mr. Morgenthau, indicated a purpose on the part of the Secretary of the Treasury hereafter in transmitting responses to the resolution of the Senate, no. 211, adopted March 20, 1934, relating to hoarders of silver, to transmit future communications to the Chairman of the Committee on Banking and Currency.

It is suggested for the advice of the Secretary that, under the precedents and proper custom, the information should be transmitted direct to the Senate in response to the Senate's resolution and the Senate will take action in referring the same to the Committee on Banking and Currency.

The VICE PRESIDENT. The Chair assumes the Secretary of the Treasury will take note of the Senator's remarks.

Mr. ROBINSON of Arkansas. It is so assumed.