

port of Wagner-Steagall housing bill; to the Committee on Banking and Currency.

5207. Also, petition of the Izaak Walton League of America, Inc., Chicago, Ill., concerning pollution; to the Committee on Rivers and Harbors.

5208. Also, petition of lawyers and clerks on workmen's compensation project No. 665-97-3-44, New York City, urging consideration of the Murray amendment; to the Committee on Appropriations.

## SENATE

THURSDAY, AUGUST 3, 1939

(Legislative day of Wednesday, August 2, 1939)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Reverend Duncan Fraser, assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O Thou who hast called us out of every kindred and tongue, and dost will that men should live at peace, grant us grace, we beseech Thee, to use the talents of our several races to the strengthening of this Nation, that we may be a united people, zealous for our common good, and free from jealousies and hatreds which divide and despoil us of our heritage. Through Jesus Christ, our Lord. Amen.

### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, August 2, 1939, was dispensed with, and the Journal was approved.

### CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Downey	Lucas	Shipstead
Andrews	Ellender	Lundeen	Slattery
Ashurst	George	McCarran	Smathers
Austin	Gerry	McKellar	Smith
Bailey	Gibson	Maloney	Stewart
Bankhead	Guffey	Mead	Thomas, Okla.
Barkley	Gurney	Miller	Thomas, Utah
Borah	Hale	Minton	Tobey
Bridges	Harrison	Murray	Townsend
Brown	Hatch	Neely	Truman
Bulow	Hayden	Nye	Tydings
Burke	Herring	O'Mahoney	Vandenberg
Byrd	Holt	Pepper	Van Nuys
Byrnes	Hughes	Pittman	Wagner
Capper	Johnson, Calif.	Radcliffe	Walsh
Chavez	Johnson, Colo.	Reed	Wheeler
Clark, Idaho	King	Russell	White
Clark, Mo.	La Follette	Schwartz	
Connally	Lee	Schwellenbach	
Danaher	Lodge	Sheppard	

Mr. MINTON. I announce that the Senator from Mississippi [Mr. BILBO], the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Iowa [Mr. GILLETTE], the Senator from Rhode Island [Mr. GREEN], and the Senator from Alabama [Mr. HILL] are absent on important public business.

The Senator from Ohio [Mr. DONAHEY], the Senator from Virginia [Mr. GLASS], the Senator from Kentucky [Mr. LOGAN], the Senator from Louisiana [Mr. OVERTON], and the Senator from North Carolina [Mr. REYNOLDS] are unavoidably detained.

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present.

### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts:

On July 27, 1939:

S. 1725. An act relating to the acquisition of the site for the post-office building to be constructed in Poplarville, Miss.;

S. 1878. An act to provide for the distribution of the judgment fund of the Shoshone Tribe of the Wind River Reservation in Wyoming, and for other purposes; and

S. 2170. An act to improve the efficiency of the Coast Guard, and for other purposes.

On July 28, 1939:

S. 2482. An act authorizing the President to present a Distinguished Service Medal to Rear Admiral Harry Ervin Yarnell, United States Navy.

On July 31, 1939:

S. 770. An act to authorize the addition to Glacier National Park, Mont., of certain property acquired for the establishment of a fish hatchery, and for other purposes; and

S. 1116. An act to amend section 1860 of the Revised Statutes, as amended (48 U. S. C. 1460), to permit retired officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard to hold civil office in any Territory of the United States.

On August 2, 1939 (11:50 a. m.):

S. 1871. An act to prevent pernicious political activities.

### VIRGINIA (MERRIMAC)—MONITOR COMMISSION

The VICE PRESIDENT appointed the Senator from Virginia [Mr. BYRD], the Senator from Maryland [Mr. RADCLIFFE], and the Senator from New Jersey [Mr. BARBOUR] as members, on the part of the Senate, of the Virginia (Merrimac)—Monitor Commission, established under the terms of House Concurrent Resolution 32.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed the bill (S. 2) authorizing the Secretary of the Interior to convey certain land to the State of Nevada to be used for the purposes of a public park and recreational site, and other public purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 7270) to amend the Bonneville Project Act; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MANSFIELD, Mr. GAVAGAN, Mr. DEROUEN, Mr. SEGER, and Mr. CARTER were appointed managers on the part of the House at the conference.

The message further announced that the House insisted upon its amendment to the bill (S. 1654) for the relief of Mrs. Pacios Pijuan, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DICKSTEIN, Mr. SCHULTE, and Mr. MASON were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendment to the bill (S. 1911) for the relief of Daumit Tannaus Saleah (Dave Thomas), disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DICKSTEIN, Mr. SCHULTE, and Mr. MASON were appointed managers on the part of the House at the conference.

The message further announced that the House insisted upon its amendments to the bill (S. 796) for the relief of Mato, Miljenko, Bozo, and Augustin Cibilic, or Zibilich, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DICKSTEIN, Mr. SCHULTE, and Mr. MASON were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendments to the bill (S. 1269) for the relief of Emil Friedrich Dischleit, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DICKSTEIN, Mr. SCHULTE, and Mr. MASON were appointed managers on the part of the House at the conference.

The message further announced that the House insisted upon its amendments to the bill (S. 1538) for the relief of Konstantinos Dionysiou Antiochos (or Gus Pappas), disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DICKSTEIN, Mr. SCHULTE, and Mr. MASON were appointed managers on the part of the House.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4998) to amend the Packers and Stockyards Act, 1921.

The message further announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 4322. An act giving clerks in the Railway Mail Service the benefit of holiday known as Armistice Day;

H. R. 6546. An act for the relief of Benno von Mayrhauser and Oskar von Mayrhauser; and

H. R. 6614. An act to amend the Government Losses in Shipment Act.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 7293. An act to amend section 355 of the Revised Statutes, as amended, to make permissive the acquisition of legislative jurisdiction over land or interests in land acquired by the United States; and

H. R. 7462. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes.

#### ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

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

S. 28. An act to provide for the erection of a public historical museum in the Custer Battlefield National Cemetery, Montana;

S. 808. An act for the relief of Calliope Minaca Pilavakis;

S. 1258. An act for the relief of the Rent-A-Car Co.;

S. 1954. An act for the relief of Joannes Josephus Citron;

S. 2410. An act relating to the development of farm units on public lands under Federal reclamation projects with funds furnished by the Farm Security Administration;

S. 2562. An act to facilitate certain construction work for the Army, and for other purposes;

H. R. 2178. An act to amend sections 6 and 7 of the act entitled "An act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States," approved June 29, 1936;

H. R. 2346. An act for the relief of Virgil Kuehl, a minor;

H. R. 2610. An act for the relief of G. W. Netterville;

H. R. 2642. An act to amend the act entitled "An act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States," approved June 29, 1936, and for other purposes;

H. R. 2738. An act providing for the disposition of certain Klamath Indian tribal funds;

H. R. 2883. An act to amend the Federal Firearms Act (Public, No. 785, 75th Cong.) so as to more adequately define the term "ammunition" as said term is defined in said act;

H. R. 3569. An act for the relief of J. Aristide Lefevre;

H. R. 4115. An act for the relief of W. C. and James Latane, and Willie Johnson;

H. R. 4261. An act for the relief of the estate of Frank M. Smith;

H. R. 4638. An act authorizing the Secretary of Agriculture to prepare plans for the eradication and control of the pink bollworm, and for other purposes;

H. R. 4732. An act to provide for the issuance of a license to practice chiropractic in the District of Columbia to George M. Corriveau;

H. R. 5056. An act for the relief of Nicholas Contopoulos;

H. R. 5611. An act to amend section 9 of the act of July 3, 1926 (44 Stat. 817), entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes";

H. R. 5684. An act amending the act of Congress of June 25, 1938 (C. 710, 52 Stat. 1207), authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath Business Committee and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe;

H. R. 5764. An act to provide for the establishment of a cemetery within the Crab Orchard Creek Dam Project, Williamson County, Ill.;

H. R. 5775. An act for the relief of Michael M. Cohen;

H. R. 6528. An act to provide for the creation of the George Rogers Clark National Memorial, in the State of Indiana, and for other purposes;

H. R. 6585. An act to provide for the disposition of certain records of the United States Government;

H. R. 6641. An act for the relief of the Arkansas State Penitentiary;

H. R. 7093. An act to provide for the rank and title of lieutenant general of the Regular Army;

H. R. 7288. An act to perfect the consolidation of the Lighthouse Service with the Coast Guard by authorizing the commissioning, appointment, and enlistment in the Coast Guard, of certain officers and employees of the Lighthouse Service, and for other purposes;

H. R. 7411. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;

S. J. Res. 176. Joint resolution providing for participation by the United States in the celebration to be held at Fort McHenry on September 14, 1939, in celebration of the one hundred and twenty-fifth anniversary of the writing of The Star-Spangled Banner;

H. J. Res. 159. Joint resolution authorizing the selection of a site and the erection thereon of the Columbian Fountain in Washington, D. C.; and

H. J. Res. 208. Joint resolution authorizing the Joint Committee on the Library to procure an oil portrait of former President Herbert Hoover.

#### HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated below:

H. R. 7293. An act to amend section 355 of the Revised Statutes, as amended, to make permissive the acquisition of legislative jurisdiction over land or interests in land acquired by the United States; to the Committee on Public Buildings and Grounds.

H. R. 7462. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes; to the Committee on Appropriations.

#### JUDGMENTS OF DISTRICT COURT (S. DOC. NO. 112)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting an estimate of appropriation for the payment of judgments rendered against the Government by district court in special cases, in the amount of \$8,315.02, which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

#### JUDGMENTS RENDERED BY COURT OF CLAIMS (S. DOC. NO. 113)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting pursuant to law, an estimate of appropriation covering certain judgments rendered by the Court of Claims, amounting to \$10,738.29, which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

CLAIMS ALLOWED BY GENERAL ACCOUNTING OFFICE (S. DOC. NO. 114)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, a schedule of claims allowed by the General Accounting Office, amounting to \$410,297.84, which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

ADMINISTRATION OF THE COURTS (S. DOC. NO. 115)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a proposed provision pertaining to appropriations contained in the Department of Justice Appropriation Act, 1940, to provide funds for the administrative office of the United States courts, which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

ANTARCTIC SERVICE (S. DOC. NO. 116)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a proposed provision pertaining to appropriations for the Navy Department, fiscal year 1940, to make available funds for chartering and commissioning the S. S. *Bear* as a vessel of the United States Navy for the use of the Antarctic Service, which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

SUPPLEMENTAL ESTIMATE, DEPARTMENT OF LABOR (S. DOC. NO. 117)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of Labor, fiscal year 1940, amounting to \$2,290,000, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATES, FEDERAL SECURITIES AGENCY (S. DOC. NO. 118)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting supplemental estimates of appropriation for the Federal Security Agency, fiscal year 1940, amounting to \$5,581,000, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATES, FEDERAL SECURITIES AGENCY (S. DOC. NO. 119)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, an estimate of appropriation for the Legislative Establishment, fiscal year 1940, salaries of Senate pages, amounting to \$2,640, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

CONSTRUCTION OF TRANS-ISTHMIAN HIGHWAY (S. DOC. NO. 120)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Panama Canal, fiscal year 1940, for the construction by the United States of a portion of the Trans-Isthmian Highway, in accordance with the provisions of a Convention with the Republic of Panama, amounting to \$265,000, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATE, SECURITIES AND EXCHANGE COMMISSION (S. DOC. NO. 121)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Securities and Exchange Commission, fiscal year 1940, amounting to \$69,000, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

PETITION

Mr. WALSH presented a resolution of the Associated Community Recreation Planning Committees of Boston, Mass.,

favoring the prompt enactment of legislation to continue the W. P. A. adult recreation project, which was referred to the Committee on Appropriations.

REPORTS OF COMMITTEES

Mr. BARKLEY, from the Committee on the Library, to which was referred the bill (H. R. 4872) to establish the Benjamin Harrison Commission to formulate plans for the construction of a permanent memorial to the memory of Benjamin Harrison, twenty-third President of the United States, reported it without amendment.

Mr. CLARK of Missouri, from the Committee on Commerce, to which was referred the bill (H. R. 6441) authorizing the county of St. Louis, State of Missouri, to construct, maintain, and operate a toll bridge across the Mississippi River near Jefferson Barracks, Mo., reported it without amendment and submitted a report (No. 1082) thereon.

He also, from the Committee on Commerce, to which was referred the bill (H. R. 7262) granting the consent of Congress to Frank O. Lowden, James E. Gorman, and Joseph B. Fleming, trustees of the estate of the Chicago, Rock Island & Pacific Railway Co., to construct, maintain, and operate a railroad bridge across the Missouri River at or near Randolph, Mo., reported it without amendment and submitted a report (No. 1083) thereon.

He also, from the Committee on Interoceanic Canals, to which was referred the bill (H. R. 5129) authorizing and providing for the construction of additional facilities on the Canal Zone for the purposes of more adequately providing for the defense of the Panama Canal and for increasing its capacity for the future needs of interoceanic shipping, reported it with an amendment and submitted a report (No. 1116) thereon.

Mr. ASHURST (for Mr. BURKE), from the Committee on the Judiciary, to which was referred the joint resolution (S. J. Res. 181) giving the consent of the Congress to an agreement between the States of Iowa and Missouri establishing a boundary between said States, reported it without amendment.

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

H. R. 3122. A bill to extend the time for completing the construction of a bridge across the Columbia River near The Dalles, Oreg. (Rept. No. 1084);

H. R. 5998. A bill to amend section 32 of the act entitled "An act to authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States, and for other purposes," approved August 30, 1935 (Rept. No. 1085);

H. R. 6271. A bill granting the consent of Congress to the Secretary of the Interior, the State of Washington, and the Great Northern Railway Co. to construct, maintain, and operate either a combined highway and railroad bridge or two separate bridges across the Columbia River at or near Kettle Falls, Wash. (Rept. No. 1086);

H. R. 6662. A bill granting the consent of Congress to the Dauphin County (Pa.) Authority to construct, maintain, and operate a highway bridge across the Susquehanna River at or near the city of Harrisburg, Pa. (Rept. No. 1087); and

H. R. 6907. A bill granting the consent of Congress to the Commonwealth of Pennsylvania to reconstruct, maintain, and operate a free highway bridge across the Susquehanna River from the borough of Wyoming, in the county of Luzerne, Commonwealth of Pennsylvania, to Jenkins Township, county of Luzerne, Commonwealth of Pennsylvania (Rept. No. 1088).

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

H. R. 2440. A bill for the relief of Thomas J. Smith (Rept. No. 1092);

H. R. 3156. A bill for the relief of Anna E. Hurley (Rept. No. 1093);

H. R. 3172. A bill to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of Fiske Warren (Rept. No. 1094);

H. R. 4062. A bill for the relief of Clarendon Davis (Rept. No. 1095);

H. R. 4275. A bill for the relief of Harry Vrontas and Theodore Vrontas (Rept. No. 1096);

H. R. 4300. A bill for the relief of Anton Saganey, John J. Beatty, Frederick J. Coppentrath, Joseph R. Driscoll, Edward A. Morash, and Michael L. Siderowicz (Rept. No. 1097);

H. R. 4554. A bill for the relief of Francis A. Leete and Sarah Leete (Rept. No. 1098);

H. R. 4726. A bill for the relief of James W. Gilson (Rept. No. 1099);

H. R. 5259. A bill for the relief of Mrs. Layer Taylor (Rept. No. 1100);

H. R. 5383. A bill for the relief of H. A. Dixon (Rept. No. 1101);

H. R. 5491. A bill to pay salary of Ruth Dornsife (Rept. No. 1102);

H. R. 5557. A bill for the relief of V. H. Scheuring, Elmer Eggers, and Thomas Fahey (Rept. No. 1103); and

H. R. 5923. A bill for the relief of Simon A. Brieger, as legal representative of the estate of Thomas Gerald Brieger, a deceased minor (Rept. No. 1104).

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

H. R. 2363. A bill for the relief of the estate of Harvey T. Combs (Rept. No. 1105);

H. R. 3853. A bill for the relief of Floyd Elton (Rept. No. 1106);

H. R. 4141. A bill for the relief of Celia Press and Bernard Press (Rept. No. 1107);

H. R. 4482. A bill for the relief of Byron MacDonald (Rept. No. 1108);

H. R. 4549. A bill for the relief of William H. Radcliffe (Rept. No. 1109);

H. R. 4601. A bill for the relief of Paul W. McCoy (Rept. No. 1110);

H. R. 4616. A bill for the relief of M. F. Gubrud (Rept. No. 1111);

H. R. 5115. A bill for the relief of Harry W. Lyle (Rept. No. 1112);

H. R. 5607. A bill for the relief of George A. Meffan, United States marshal, district of Idaho (Rept. No. 1113);

H. R. 5951. A bill for the relief of the heirs of Emma J. Hall (Rept. No. 1114);

H. R. 5953. A bill for the relief of Marie Heinen (Rept. No. 1115);

H. R. 6805. A bill for the relief of Sam E. Woods (Rept. No. 1089); and

H. R. 6963. A bill for the relief of Buford Lee Pratt (Rept. No. 1090).

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

H. R. 4885. A bill for the relief of James M. Harwood (Rept. No. 1091); and

H. R. 5698. A bill for the relief of H. H. Rhyne, Jr. (Rept. No. 1117).

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

H. R. 1428. A bill for the relief of First Lt. Samuel E. Williams (Rept. No. 1118);

H. R. 2049. A bill for the relief of Olin C. Risinger (Rept. No. 1119);

H. R. 2096. A bill for the relief of Lucile Snider and Cliff Snider, Jr. (Rept. No. 1120);

H. R. 2250. A bill for the relief of Frank Malles, Jr. (Rept. No. 1121);

H. R. 2344. A bill for the relief of James McConnachie (Rept. No. 1122);

H. R. 3676. A bill for the relief of C. E. Hendrickson and the Stephenville Hospital, Stephenville, Tex. (Rept. No. 1123);

H. R. 3927. A bill for the relief of Marijo McMillan Williams (Rept. No. 1124);

H. R. 3933. A bill for the relief of Otho L. Curtner (Rept. No. 1125);

H. R. 4072. A bill for the relief of Emmitt Courtney (Rept. No. 1126);

H. R. 4606. A bill for the relief of the Toledo Terminal Railroad Co. of Toledo, Ohio (Rept. No. 1127);

H. R. 5266. A bill for the relief of Mina Keil (Rept. No. 1128);

H. R. 5348. A bill for the relief of certain postmasters (Rept. No. 1129);

H. R. 5857. A bill to amend Private Act No. 286, approved June 18, 1934, entitled "An act for the relief of Carleton-Mace Engineering Corporation" (Rept. No. 1130); and

H. R. 5931. A bill for the relief of Elizabeth Hessman (Rept. No. 1131).

Mr. SCHWARTZ, also from the Committee on Claims, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

H. R. 5515. A bill for the relief of Mrs. Virgie B. Weaver (Rept. No. 1132); and

H. R. 6259. A bill for the relief of Jack D. Collins (Rept. No. 1133).

Mr. ADAMS, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 3794) to establish the Kings Canyon National Park, Calif., to transfer thereto the lands now included in the General Grant National Park, and for other purposes, reported it without amendment and submitted a report (No. 1134) thereon.

Mr. O'MAHONEY, from the Committee on the Judiciary, to which was referred the bill (H. R. 6832) to provide for the protection of witnesses appearing before any department, independent establishment, or other agency of the United States, or the Congress of the United States, reported it without amendment and submitted a report (No. 1135) thereon.

Mr. BYRD, from the Committee on Civil Service, to which was referred the bill (S. 2876) to amend the Annual and Sick Leave Acts of March 14, 1936, reported it without amendment and submitted a report (No. 1136) thereon.

Mr. TYDINGS, from the Committee on Territories and Insular Affairs, to which was referred the bill (H. R. 5919) to provide for the refunding of the bonds of municipal corporations and public-utility districts in the Territory of Alaska, to validate bonds which have heretofore been issued by a municipal corporation or any public-utility district in the Territory of Alaska, and for other purposes, reported it with amendments and submitted a report (No. 1137) thereon.

Mr. BYRNES, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the concurrent resolution (S. Con. Res. 18) providing for an investigation of economic and industrial conditions in Puerto Rico (submitted by Mr. KING on June 1, 1939), reported it without amendment.

He also, from the same committee, to which were referred the following resolutions, reported them severally without amendment:

S. Res. 81. Resolution increasing the limit of expenditures by the special committee to make a general survey of the conditions of Indians in the United States (submitted by Mr. THOMAS of Oklahoma on February 16, 1939);

S. Res. 170. Resolution authorizing an inspection of Rainy Lake watershed by a subcommittee of the Committee on Foreign Relations (submitted by Mr. SHIPSTEAD on July 24, 1939);

S. Res. 172. Resolution continuing the Special Committee on the Taxation of Governmental Securities and Salaries (submitted by Mr. BROWN on July 27, 1939);

S. Res. 147. Resolution authorizing an investigation of the matter of the proposed enlargement of Rocky Mountain National Park (submitted by Mr. ASHURST on June 20, 1939); and

S. Res. 157. Resolution to pay certain funeral expenses of the late Secretary of the Navy and former Senator Claude A. Swanson (submitted by Mr. GLASS on July 11, 1939).

Mr. BYRNES also, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which were referred the following resolutions, reported them severally with an amendment:

S. Res. 126. Resolution increasing the limit of expenditures for the investigation of violations of the right of free speech and assembly and interference with the right of labor to organize and bargain collectively (submitted by Mr. SCHWELLENBACH and Mr. DOWNEY on April 19, 1939);

S. Res. 125. Resolution providing for a study and determination of a national monetary and banking policy (submitted by Mr. WAGNER on April 7, 1939); and

S. Res. 168. Resolution providing for an investigation of the immigration of aliens into the United States (submitted by Mr. HOLMAN on July 21, 1939).

SELECTION OF STATE EMPLOYEES IN CONNECTION WITH GOVERNMENT PROGRAMS

Mr. NEELY. Mr. President, from the Committee on Civil Service, I report the bill (S. 282) to provide that State employees employed in connection with programs carried on with the assistance of the Federal Government be selected in accordance with a nonpolitical civil-service plan—with various amendments and the recommendation that, as amended, the bill be passed.

Mr. President, this measure, in effect, proposes a "Hatch law" for State employees. It contains teeth capable of masticating almost every species of pernicious political activity of which statehouse machines have been notoriously guilty in the past and, in the absence of Federal restraint, will undoubtedly continue to be guilty in the future.

The VICE PRESIDENT. The report will be received and placed on the calendar.

ENROLLED BILLS PRESENTED

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

On July 31, 1939:

S. 188. An act to provide for the administration of the United States courts, and for other purposes.

On August 2, 1939:

S. 281. An act to amend further the Civil Service Retirement Act approved May 29, 1930; and

S. 1558. An act to provide for the acceptance of an easement with respect to certain lands in New Mexico, and for other purposes.

On August 3, 1939:

S. 5. An act to grant certain lands to the Arizona State Elks Association Hospital;

S. 68. An act for the relief of the San Francisco Mountain Scenic Boulevard Co.;

S. 185. An act to amend section 224 of the Criminal Code so as to penalize the making of false claims for the loss of insured mail matter;

S. 190. An act to authorize the temporary appointment of a special judge for the District Court of the Virgin Islands;

S. 432. An act to provide for the public auction of certain town lots within the city of Parker, Ariz.;

S. 555. An act for the relief of Addison B. Hampel;

S. 683. An act for the relief of Fae Banas;

S. 755. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Borg-Warner Corporation;

S. 765. An act for the relief of Hugh McGuire;

S. 1081. An act for the relief of John B. Jones;

S. 1156. An act to authorize the transfer to the jurisdiction of the Secretary of the Treasury of portions of the property within the military reservation known as the Morehead City Target Range, N. C., for the construction of improvements thereon, and for other purposes;

S. 1211. An act for the relief of Jesse Claud Branson;

S. 1229. An act for the relief of Ernest Clinton and Frederick P. Deragisch;

S. 1282. An act to extend the privilege of retirement for disability to judges appointed to hold office during good behavior;

S. 1322. An act for the relief of Dorothy Clair Hester, daughter of E. R. Hester;

S. 1339. An act for the relief of Grace S. Taylor;

S. 1414. An act for the relief of Allie Holsomback and Lonnie Taylor;

S. 1430. An act for the relief of the legal guardian of Dorothy Elizabeth Sisson, a minor;

S. 1467. An act for the relief of the Standard Oil Co., Inc., in Kentucky;

S. 1527. An act for the relief of Joseph Lopez Ramos;

S. 1688. An act for the relief of Joseph W. Parse;

S. 1722. An act for the relief of Hannis Hoven;

S. 1773. An act to provide that no statute of limitations shall apply to offenses punishable by death;

S. 1812. An act for the relief of A. E. Bostrom;

S. 1823. An act for the relief of William E. Cowen;

S. 1874. An act to amend the Criminal Code in regard to obtaining money by false pretenses on the high seas;

S. 1882. An act for the relief of Thomas A. Ross;

S. 1901. An act to extend to Sgt. Maj. Leonard E. Browning, United States Marine Corps, the benefits of the act of May 7, 1932, providing highest World War rank to retired enlisted men;

S. 1996. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg.;

S. 2023. An act for the relief of C. L. Herren;

S. 2054. An act for the relief of Joseph Alder, E. G. Allen, and E. G. Allen and By Hanchett jointly;

S. 2061. An act for the relief of William Hillock;

S. 2067. An act for the relief of Leslie J. Frane and Charles Frane;

S. 2082. An act for the relief of Hugh A. Smith;

S. 2114. An act for the relief of Virginia Pearson;

S. 2179. An act for the relief of Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department;

S. 2188. An act granting the consent of Congress to the Providence, Warren & Bristol Railroad Co. to construct, maintain, and operate a railroad bridge across the Warren River at or near Barrington, R. I.;

S. 2242. An act creating the Memphis and Arkansas Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Memphis, Tenn.; and for other purposes;

S. 2245. An act to prohibit the use of the mails for the solicitation of the procurement of divorces in foreign countries;

S. 2275. An act for the relief of Floyd M. Dunscomb;

S. 2306. An act relating to the construction of a bridge across the Missouri River between the towns of Decatur, Nebr., and Onowa, Iowa;

S. 2366. An act for the relief of Franklin C. Richardson;

S. 2370. An act for the relief of Corinne W. Bienvenu (nee Corinne Wells);

S. 2392. An act to legalize a bridge across Bayou La Fourche at Cut Off, La.;

S. 2407. An act granting the consent of Congress to the counties of Valley and McCone, Mont., to construct, maintain, and operate a free highway bridge across the Missouri River at or near Frazer, Mont.;

S. 2454. An act to relieve disbursing officers and certifying officers of the Veterans' Administration from liability for payment where recovery of such payment is waived under existing laws administered by the Veterans' Administration;

S. 2484. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo.;

S. 2502. An act authorizing the county of Howard, State of Missouri, to construct, maintain, and operate a toll bridge across the Missouri River at or near Petersburg, Mo.;

S. 2513. An act for the relief of certain persons whose property was damaged or destroyed as a result of the crashes of two airplanes of the United States Navy at East Braintree, Mass., on April 4, 1939;

S. 2526. An act to authorize Leonhard Stejneger, of the United States National Museum, to accept certain decorations from the Norwegian Government;

S. 2563. An act to legalize a free highway bridge now being constructed across the Des Moines River at Levy, Iowa;

S. 2564. An act granting the consent of Congress to the Iowa State Highway Commission to construct, maintain, and operate a free highway bridge across the Des Moines River at or near Red Rock, Iowa;

S. 2574. An act authorizing the construction of a highway bridge across the Chesapeake and Delaware Canal at St. Georges, Del.;

S. 2589. An act to authorize the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.;

S. 2634. An act to reserve to the United States for the Bonneville project a right-of-way across certain Indian lands in the State of Washington, subject to the consent of the individual allottees and the payment of compensation, and for other purposes;

S. 2738. An act to ratify and confirm Act 58 of the Session Laws of Hawaii, 1939, extending the time within which revenue bonds may be issued and delivered under Act 174 of the Session Laws of Hawaii, 1935;

S. 2784. An act to amend section 4 of the act entitled "An act to provide a civil government for the Virgin Islands of the United States," approved June 22, 1936; and

S. 2788. An act to amend the act entitled "An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor," approved February 23, 1931, as amended.

#### BILLS INTRODUCED

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

By Mr. RUSSELL:

S. 2950. A bill to amend section 5200 of the Revised Statutes, as amended, to permit national banking associations to invest their funds in obligations insured under title II of the National Housing Act without limitation with respect to the amounts of such obligations; to the Committee on Banking and Currency.

By Mr. BROWN:

S. 2951. A bill for the relief of Joseph Henry Hudon; to the Committee on Immigration.

By Mr. THOMAS of Oklahoma:

S. 2952. A bill authorizing the Court of Claims to adjudicate and render judgment on certain claims of the Cherokee Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. SHEPPARD:

S. 2953. A bill creating the American Lighter-Than-Air Ship Corporation; and

S. 2954. A bill for Federal cooperation in the construction and operation of commercial lighter-than-air craft; to the Committee on Commerce.

By Mr. LA FOLLETTE:

S. 2955. A bill to authorize the Secretary of War to furnish certain markers for certain graves; to the Committee on Military Affairs.

Mr. TRUMAN. I ask consent to introduce a bill which has to do with railroad finance, and ask that it be referred to the Committee on Interstate Commerce. Ordinarily such a bill would be referred to the Committee on Banking and Currency, but I desire to have the Committee on Interstate Commerce consider it first.

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

By Mr. TRUMAN:

S. 2956 (by request). A bill to amend the Reconstruction Finance Corporation Act; to the Committee on Interstate Commerce.

#### REFUND OR CREDIT OF INTERNAL-REVENUE TAX PAID ON CERTAIN SPIRITS—AMENDMENT

Mr. VANDENBERG submitted an amendment intended to be proposed by him to the bill, H. R. 1648, an act to provide for the refund or credit of the internal-revenue tax paid on spirits lost or rendered unmarketable by reason of the floods of 1936 and 1937 where such spirits were in possession of the original taxpayer or rectifier for bottling or use in rectification, under Government supervision, as provided by law and regulations, which was ordered to lie on the table and to be printed.

#### AMENDMENTS TO THIRD DEFICIENCY APPROPRIATION BILL

Mr. LA FOLLETTE submitted amendments intended to be proposed by him to House bill 7462, the third deficiency appropriation bill, 1939, which were ordered to lie on the table and to be printed, as follows:

At the proper place under the heading "Department of Labor", insert the following:

"Grants to States for maternal and child-health services, Children's Bureau: For an additional amount for the fiscal year ending June 30, 1940, for grants to States for the purpose of enabling each State to extend and improve services for promoting the health of mothers and children, as authorized in title V, part 1, of the Social Security Act, as amended by the Social Security Act amendments of 1939, \$2,020,000: *Provided*, That any allotment to a State pursuant to section 502 (b) shall not be included in computing for the purposes of subsections (a) and (b) of section 504 an amount expended or estimated to be expended by the State: *Provided further*, That this appropriation shall not be effective unless and until the Social Security Act amendments of 1939 are enacted into law.

"Grants to States for services for crippled children, Children's Bureau: For an additional amount for the fiscal year ending June 30, 1940, for the purpose of enabling each State to extend and improve services for crippled children, as authorized in title V, part 2, of the Social Security Act, as amended by the Social Security Act amendments of 1939, \$1,020,000: *Provided*, That this appropriation shall not be effective unless and until the Social Security Act amendments of 1939 are enacted into law.

"Grants to States for child-welfare services, Children's Bureau: For an additional amount for the fiscal year ending June 30, 1940, for grants to States for the purpose of enabling the United States, through the Children's Bureau, to cooperate with State public-welfare agencies, as authorized in title V, part 3, of the Social Security Act, as amended by the Social Security Act amendments of 1939, \$10,000: *Provided*, That this appropriation shall not be effective unless and until the Social Security Act amendments of 1939 are enacted into law."

At the proper place under the heading "Federal Security Agency", insert the following:

#### "OFFICE OF EDUCATION

"Cooperative vocational rehabilitation of persons disabled in industry: For an additional amount for the fiscal year ending June 30, 1940, for carrying out the provisions and purposes of the act entitled 'An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment,' approved June 2, 1920, as amended, as authorized in section 531 (a) of the Social Security Act, as amended by the Social Security Act amendments of 1939, \$1,562,000: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed \$3,500,000: *Provided further*, That this appropriation shall not be effective unless and until the Social Security Act amendments of 1939 are enacted into law.

"Administrative expenses, vocational rehabilitation: For an additional amount for the fiscal year ending June 30, 1940, for the administration of such act of June 2, 1920, as authorized by section 531 (b) of the Social Security Act, as amended by the Social Security Act amendments of 1939, \$48,000: *Provided*, That this appropriation shall not be effective unless and until the Social Security Act amendments of 1939 are enacted into law."

At the proper place, under the heading "Federal Security Agency" and the subheading "Public Health Service", insert the following:

"Grants to States for public-health work: For an additional amount for the fiscal year ending June 30, 1940, for the purpose of assisting States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate public-health services, including the training of personnel for State and local health work, as authorized in sections 601 and 602 of the Social Security Act, as amended by the Social Security Act amendments of 1939, \$3,000,000: *Provided*, That this appropriation shall not be effective unless and until the Social Security Act amendments of 1939 are enacted into law."

## NOTICES OF MOTIONS TO SUSPEND THE RULE—AMENDMENTS

Mr. McCARRAN submitted the following notices in writing:

Pursuant to the provisions of rule XL of the standing rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI for the purpose of proposing to House bill 7462, the third deficiency appropriation bill, fiscal year 1939, the following amendment, viz: At the proper place in the bill insert the following new section:

"Notwithstanding the provisions of any other law the rates of pay for persons engaged upon any projects financed in whole or in part by moneys of the United States of America shall not be less than the prevailing rates of pay for work of a similar nature in the same locality as determined by the Government agency having charge of or which has advanced moneys for such project."

Pursuant to the provisions of rule XL of the standing rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI for the purpose of proposing to House bill 7462, the third deficiency appropriation bill, fiscal year 1939, the following amendment, viz: At the proper place in the bill insert the following new section:

"Sec. —. Section 15 of the Emergency Relief Appropriation Act of 1939, approved June 30, 1939, is amended to read as follows:

"Sec. 15. (a) The Federal Works Administrator (hereinafter referred to as the "Administrator") shall fix a monthly earning schedule for persons engaged upon work projects financed in whole or in part from funds appropriated by section 1. Such monthly earning schedule shall be so fixed that the monthly earnings payable under such schedule to any class of workers shall not be less than the monthly earnings payable to such class of workers under the schedule of earnings of the Works Progress Administration in effect on June 30, 1939. After August 31, 1939, the monthly earning schedule fixed by the Administrator (1) shall not provide for differentials in the monthly earnings of workers engaged in similar work in the same wage area, and (2) shall not provide for differentials between cities or counties within the same wage area upon the basis of the degree of urbanization or any other factor that will tend to discriminate against the less-urbanized areas, and (3) shall increase the monthly security wage in region 3 to conform to the monthly security wage rate in region 2.

"(b) The rates of pay for persons engaged upon the projects financed in whole or in part from funds appropriated by this joint resolution shall not be less than the prevailing rates of pay for work of a similar nature in the same locality as determined by the Administrator and shall not be less than the current minimum wage required to be paid by private employers under the provisions of the Fair Labor Standards Act of 1938."

Mr. McCARRAN. Mr. President, I am sending to the desk a motion to suspend paragraph 4 of rule XVI so that I may present to the Senate an amendment which may involve legislation to the third deficiency appropriation bill which has to do with Boulder City and the rights of Boulder City to have certain privileges extended to it, Boulder City being a Federal reserve at the verge of Boulder Dam. I send the notice in writing to the desk and ask that it be printed in the usual form and printed in the RECORD as notice of my intention to offer the amendment.

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

The notice in writing presented by Mr. McCARRAN is as follows:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI for the purpose of proposing to House bill 7462, the third deficiency appropriation bill, fiscal year 1939, the following amendment, viz: At the proper place in the bill insert the following new section:

"The Secretary of the Interior is hereby authorized and empowered, under such rules and regulations as he may prescribe, to establish rental rates for the lease of reserved lands of the United States situate within the exterior boundaries of Boulder City, Nev., and, without prior advertising, to enter into leases therefor at not less than rates so established and for periods not exceeding 53 years from the date of such leases: *Provided*, That all revenues which may accrue to the United States under the provisions of such leases shall be deposited in the Treasury and credited to the Colorado River Dam fund established by section 2 of the Boulder Canyon Project Act approved December 21, 1928 (45 Stat. 1057)."

Mr. McCARRAN submitted amendments intended to be proposed by him to House bill 7462, the third deficiency appropriation bill for 1939, which were referred to the Committee on Appropriations and ordered to be printed.

(For text of amendments referred to, see the foregoing notices.)

Mr. BYRNES. On behalf of the Senator from Nevada [Mr. McCARRAN] and myself, I give notice in writing of a motion to suspend the rule.

The PRESIDING OFFICER. The notice of the Senator from South Carolina will be received and printed in the RECORD.

The notice is as follows:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI for the purpose of proposing to House bill 7462, the third deficiency appropriation bill, 1939, the following amendment, viz: At the proper place insert the following:

"Section 15 (a) of Public Resolution 24, of the Seventy-sixth Congress, is amended by striking from said section the words 'which shall not substantially affect the current national average labor cost per person of the Work Projects Administration', and inserting in lieu thereof the words: '*Provided*, That nothing herein contained shall be construed to require the Commissioner to reduce the monthly earning schedule in effect in any State prior to June 30, 1939.'"

Mr. BYRNES (for himself and Mr. McCARRAN) submitted an amendment intended to be proposed by them to House bill 7462, the third deficiency appropriation bill for 1939, which was referred to the Committee on Appropriations and ordered to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. TRUMAN submitted the following notice in writing:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI for the purpose of proposing to H. R. 7462, the Third Deficiency Appropriation Act, fiscal year 1939, the following amendment, viz: At the proper place insert the following: That section 16 (b) of the Emergency Relief Appropriation Act of 1939 be, and it is hereby, amended by inserting after the words "excepting veterans", the following words: "the wives of unemployed veterans and the widows of veterans."

Mr. TRUMAN submitted an amendment intended to be proposed by him to House bill 7462, which was referred to the Committee on Appropriations and ordered to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. HAYDEN (for himself and Mr. GEORGE) submitted the following notice in writing:

In accordance with the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI for the purpose of proposing to H. R. 7462, the Third Deficiency Appropriation Act, fiscal year 1939, the following amendment for the Senator from Georgia [Mr. GEORGE] and myself, viz:

Amendment intended to be proposed by Mr. HAYDEN (for himself and Mr. GEORGE) to the bill (H. R. 7462) making appropriations to supply deficiencies in certain appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes, viz: On page 8, after line 10, insert a new paragraph, as follows:

"ADMINISTRATIVE GRANTS FOR UNEMPLOYMENT COMPENSATION

"If the Social Security Board finds with respect to any State that the first regular session of such State's legislature which began after June 25, 1938, and adjourned prior to 30 days after the enactment of this act (1) had not made provision to authorize and direct the Secretary of the Treasury, prior to 30 days after the close of such session or July 1, 1939, whichever date is later, to transfer from its account in the unemployment trust fund to the railroad unemployment insurance account in the unemployment trust fund an amount equal to such State's "preliminary amount", or to authorize and direct the Secretary of the Treasury, prior to 30 days after the close of such session or January 1, 1940, whichever date is later, to transfer from its account in the unemployment trust fund to the railroad unemployment insurance account in the unemployment trust fund an amount equal to such State's "liquidating amount", or both; and (2) had not made provision for financing the administration of its unemployment-compensation law during the period with respect to which grants therefor under section 302 of the Social Security Act are required under section 13 of the Railroad Unemployment Insurance Act to be withheld by the Social Security Board, notwithstanding the provisions of section 13 (d) of the Railroad Unemployment Insurance Act the Social Security Board shall not begin to withhold from certification to the Secretary of the Treasury for payment to such State the amounts determined by it pursuant to section 302 of the Social Security Act and to certify to the Secretary of the Treasury for payment into the railroad unemployment-insurance account the amount so withheld from such State, as provided in section 13 of the Railroad Unemployment Insurance Act, until after the thirtieth day after the close of such State's first regular or special session of its legislature which begins after the date of enactment of this act and after the Social Security Board finds that such State had not, by the thirtieth day after the close of such legislative session, authorized and directed the Secretary of the Treasury to transfer from such State's account in the unemployment trust fund to the railroad unemployment-insurance account in the unemployment trust fund such State's "preliminary amount" plus interest thereon at 2½ percent per

annum from the date the amount thereof is determined by the Social Security Board, and such State's "liquidating amount" plus interest thereon at 2½ percent per annum from the date the amount thereof is determined by the Social Security Board. Notwithstanding the provisions of section 13 (e) of the Railroad Unemployment Insurance Act, any withdrawal by such State from its account in the unemployment trust fund for purposes other than the payment of compensation of the whole or any part of amounts so withheld from certification with respect to such State pursuant to this act shall be deemed to constitute a breach of the conditions set forth in sections 303 (a) (5) of the Social Security Act and 1603 (a) (4) of the Internal Revenue Code. The terms "preliminary amount" and "liquidating amount", as used herein, shall have the meanings defined in section 13 of the Railroad Unemployment Insurance Act.

Mr. PEPPER. Mr. President, I submit the following notice:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7462) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes, the following amendment, viz:

Section 25 of the Emergency Relief Appropriation Act of 1939, approved June 30, 1939, is hereby amended by striking out subdivision (a) thereof, as follows:

"(a) After June 30, 1939, for the operation of any theater project, except that any person employed on any such project on June 30, 1939, may continue to be carried on the pay roll, with or without assignment of duty incidental to the closing down of such project, and paid his salary or wage (1) for the month of July 1939, if such person is an administrative, supervisory, or other noncertified worker, or (2) for a period ending not later than September 30, 1939, if such person is a certified relief worker; or."

Strike out "(b)."

CONTINUATION OF SPECIAL COMMITTEE TO STUDY PROBLEMS OF UNEMPLOYMENT AND RELIEF

Mr. BYRNES submitted the following resolution (S. Res. 180), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That Senate Resolution 36, agreed to June 10, 1937, authorizing a special committee to study, survey, and investigate problems of unemployment and relief hereby is extended in full force and effect during the Seventy-sixth Congress, and the said committee hereby is authorized to expend from the contingent fund of the Senate the sum of \$10,000 in addition to the amount heretofore authorized for such purpose.

SHOULD ACTORS FAVOR BLOCK BOOKING—EDITORIAL FROM FILM BULLETIN

[Mr. NEELY asked and obtained leave to have printed in the RECORD an editorial from Film Bulletin of April 8, 1939, by David James Hanna, entitled "Should Actors Favor Block Booking?" which appears in the Appendix.]

UNLAWFUL USE OF THE BADGE, MEDAL, ETC., OF VETERANS' ORGANIZATIONS

Mr. McCARRAN. Mr. President, on the last call of the calendar when Senate bill 2365 for the protection against unlawful use of the badge, medal, emblem, or other insignia of veterans' organizations incorporated by act of Congress, and providing penalties for the violation thereof, was before the Senate it was, without objection, passed. I happen to be the author of the bill, which was amended in the Committee on the Judiciary. About the time that bill was passed there was received from the House of Representatives House bill 5982, which is comparable in all respects except for the amendments which were reported to the Senate bill by the Judiciary Committee. Senate bill 2365 was passed unanimously. House bill 5982 was, as I understand, returned by mistake to the House. I have been trying to straighten out the record on the bill, so that it may be passed. The suggestion is made—and I am following the suggestion of the Parliamentarian—that the Senate ask for the return of House bill 5982 from the House, so that the record of the bill may be straightened out.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the House will be requested to return the bill.

ANNA H. ROSA

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1448)

for the relief of Anna H. Rosa, which was, on page 1, line 9, to strike out all after the word "Provided", down to and including "\$1,000", in line 9, page 2, and insert "That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Mr. BARKLEY. On behalf of the Senator from Rhode Island [Mr. GREEN] I move that the Senate concur in the amendment of the House.

The motion was agreed to.

MINIMUM AGE (SEA) CONVENTION (REVISED)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Commerce:

To the Congress of the United States of America:

To fulfill the obligations of this Government under the Minimum Age (Sea) Convention (Revised), 1936, I transmit herewith for the favorable consideration of the Congress the enclosed report from the Secretary of State and the accompanying draft bill to implement the convention.

This bill was prepared by an interdepartmental committee after careful consideration of the questions involved. The purpose of the proposed bill is to establish minimum standards for the employment of minors on American vessels comparable to the standards heretofore adopted by the Congress for the purpose of eliminating interstate traffic in the products of child labor. These standards consist in a basic minimum age of 16 years for employment on small vessels and a minimum age of 18 years for employment on large vessels and in certain other maritime employments considered to be particularly hazardous or detrimental to the health and well-being of minors of such ages.

I heartily recommend enactment of this proposed legislation for it will extend still further our frontiers of social progress by erecting additional safeguards against the employment of the youth of our Nation at immature ages.

Inasmuch as the convention heretofore ratified by the Government of the United States will become effective for the United States on October 29, 1939, it is a matter of great importance that legislation be enacted at this session of the Congress.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, August 3, 1939.

MUNICIPAL BANKRUPTCY

The VICE PRESIDENT. The Senator from Illinois [Mr. LUCAS] yesterday gave notice that he hoped to obtain the floor this morning for the purpose of making some remarks. The Chair observes that statement in the RECORD, so the Chair recognizes the Senator from Illinois.

Mr. PEPPER. Mr. President—

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Florida?

Mr. LUCAS. I do.

Mr. PEPPER. I ask unanimous consent that without the Senator from Illinois being taken off his feet, and without displacing the pending business, the Senate may now proceed to the consideration of House bill 6505, Calendar No. 928, a bill relating to the amendment of the existing municipal bankruptcy law. I will say that I think it will not take more than a few minutes to dispose of the bill, and I have assured the Senator from Illinois that if it does I shall be glad to withdraw the bill.

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

Mr. PEPPER. I yield.

Mr. KING. Are there any amendments to the bill?

Mr. PEPPER. There are no amendments except the ones which were passed upon by the Senate committee.



Mr. KING. There are no changes in the measure as considered by the Judiciary Committee—the subcommittee as well as the full committee?

Mr. PEPPER. Those are all the changes.

Mr. REED. Mr. President—

The VICE PRESIDENT. Let the Chair state the parliamentary situation. The Chair presumes the Senator from Illinois has yielded for this purpose without yielding the floor.

The Senator from Florida asked unanimous consent that the Senate at this time proceed to the consideration of House bill 6505, the title of which will be stated by the clerk.

The CHIEF CLERK. A bill (H. R. 6505) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

The VICE PRESIDENT. The Senator from Florida asks unanimous consent for the present consideration of the bill without taking the Senator from Illinois [Mr. LUCAS] off the floor, and without displacing the business before the Senate in charge of the Senator from South Carolina [Mr. BYRNES]. Is there objection?

There being no objection, the Senate proceeded to consider the bill H. R. 6505, which had been reported from the Committee on the Judiciary, with amendments.

The first amendment was, in section 2, page 2, line 19, after the words "provisions of", to strike out "this act" and insert "the foregoing section", so as to make the section read:

SEC. 2. The provisions of the foregoing section shall be deemed to be additional and cumulative and not in diminution of any of the powers conferred by the act hereby amended.

The amendment was agreed to.

The next amendment was, at the end of the bill, to insert a new section, as follows:

SEC. 3. (a) Section 81 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended and supplemented, is amended by striking out so much of such section as reads as follows: "(6) any city, town, village, borough, township, or other municipality" and inserting in lieu thereof the following: "(6) any county or parish or any city, town, village, borough, township, or other municipality."

(b) Section 84 of such act, as amended and supplemented, is amended to read as follows:

"SEC. 84. Jurisdiction conferred on any court by section 81 shall not be exercised by such court after June 30, 1942, except in respect of any proceeding initiated by filing a petition under section 83 (a) on or prior to June 30, 1942."

(c) Subsection (j) of section 83 of such act, as amended and supplemented, is amended by inserting at the end thereof before the period a colon and the following: "Provided, That proof of the delivery of such securities for evidences of indebtedness covered by the plan shall be deemed to constitute such written consent."

(d) Subsection (j) of section 83 of such act, as amended and supplemented, is further amended by adding at the end thereof the following new sentence: "The confirmation of any such plan of composition shall not be denied on the ground that the plan submitted for confirmation is at variance with the original plan, which is partially completed or executed, if the terms of the plan submitted for confirmation are not less favorable to the creditors than the terms of such original plan, nor on the ground that partial completion of such original plan has made it possible for the petitioner to meet its debts as they mature: *Provided*, That such inability to meet its debts existed prior to the time such original plan was partially completed."

Mr. AUSTIN. Mr. President, before this amendment is acted upon I should like to inquire about a certain part of it, so that the RECORD may show what the Senator from Florida claims for it.

In subsection (d), beginning on page 3, the following phrase is used:

Has made it possible for the petitioner to meet its debts as they mature.

I ask the Senator from Florida to explain the meaning of that phrase in this subsection. Does it mean, among other things, that the plan may contemplate payment in full instead of payment of a dividend?

Mr. PEPPER. Mr. President, I appreciate the interest of the Senator from Vermont, and I am glad to attempt to answer the question.

What is attempted by this language is to fix the time with respect to which the ability of the political subdivision to pay its debts shall be established not after a great many of the creditors had received refunding bonds and agreed to a plan of composition which reduced the amount of the outstanding debt, the effect of which would be to leave some of the original creditors in such a position that they could claim 100 percent, while the more generous and more fair-minded creditors had agreed to receive a lesser percentage. In order to avoid the injustice which would be suffered by creditors who had agreed to the plan of composition as it had partially been put into effect, which would have been the case if the time of filing the application in the Federal court under this bill were the time with respect to which the date of payment were determined, the time was fixed as of the time when the original plan of composition was agreed upon and put into effect.

Do I make the matter plain?

Mr. AUSTIN. I do not quite follow the Senator. This is what is troubling me about that part of the amendment: Under this clause of the amendment, will it be possible to prefer certain creditors over other creditors with respect to the amount of money to be paid to them?

Mr. PEPPER. Oh, no; on the contrary, Mr. President, let me state the matter in this way:

Let us suppose that at a given time a certain political subdivision owes a million dollars, evidenced by outstanding bonds. Let us suppose that that subdivision, determining that it cannot pay the whole million dollars, arrives at a refunding bond plan, we will say, which contemplates the payment of 75 cents on the dollar of the then outstanding indebtedness. Let us suppose that 75 percent of the outstanding bondholders agree to the plan of refunding or the plan of composition and accept a refunding bond upon that basis. That leaves 25 percent, we may say, of the original bondholders, holding the original bonds. Under the Municipal Bankruptcy Act no political subdivision can get the benefit of the proposed law unless they are unable to meet their obligations, unless the Federal court acts, after full consideration of the case, and after 51 percent of the creditors have applied to the court for a settlement of the outstanding indebtedness by composition, and after two-thirds of all the bondholders have agreed to a particular plan of composition.

With respect to what time must a court find a political subdivision unable to meet its debts? If we take the time when the petition is filed in court, after three-fourths of the creditors have already taken a reduction in their debts, they might be able to pay. It is ability to pay, however, gained at the expense of three-fourths of the creditors who were willing to accept the plan of composition. So, in order to be fair to all the creditors, and so that all of them may be treated alike, it is provided that the time with respect to which the political subdivision must have been found unable to meet its debts was in the original situation, and not after some of the creditors had been generous and tried to be helpful.

Mr. AUSTIN. Mr. President, I thank the Senator for his explanation.

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

Mr. PEPPER. I yield.

Mr. KING. Does the bill apply solely and exclusively to the situation in Florida?

Mr. PEPPER. Oh, no, indeed; it applies to a great many of the States. It is Nation-wide in its application, and a great many States have already availed themselves of the benefits of the act.

Mr. KING. Is it an act which is to continue indefinitely?

Mr. PEPPER. On the contrary, it extends the municipal bankruptcy law only an additional emergency period of 2 years.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee proposing to insert a new section at the end of the bill.

The amendment was agreed to.

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

The bill was read the third time, and passed.

## EFFECT OF RECIPROCAL-TRADE AGREEMENTS ON AGRICULTURE

Mr. LUCAS. Mr. President, in June of 1934 the trade agreements program was launched under the direction and leadership of the Honorable Cordell Hull, Secretary of State, with the fundamental purpose of restoring our foreign trade. This program as conceived and executed by the administration is genuinely in the interest of agriculture, of industry, of labor, and, consequently, of the entire Nation.

This program was designed to stimulate and increase the sale of American agricultural and industrial surpluses, as well as to safeguard American exports from discrimination abroad. That was the crucial problem that this administration faced when it came into power in 1933. And these conditions were found to exist primarily because of a measure passed under a previous Republican administration known as the Smoot-Hawley Tariff Act, of which I shall speak at some length in the course of these remarks.

## TRADE AGREEMENTS PROGRAM FUNDAMENTALLY SOUND

The Senator from Illinois is convinced that the principles underlying the trade agreements program and the methods involved in its administration are fundamentally sound. The act directs the President of the United States to continue the traditional policy of the United States to treat all nations alike on a basis of equality and nondiscrimination, in other words, the policy of the most-favored-nation treatment, and I submit that this is most important.

Francis Sayre, in his new book, entitled "The Way Forward," says that the four underlying objectives of the act which must guide the President in seeking to increase American exports through reciprocal-trade agreements are: First, to restore the American standard of living to predepression levels; second, to increase domestic employment; third, to increase American purchasing power; and, fourth, to maintain a sound relationship between various groups of American producers.

Before the agreements are finally negotiated every interested party is given full opportunity to present evidence in support of his views, and all of this evidence is carefully considered by the trade-agreements organization before a decision is reached on any given item. All of the available resources of the Government in the way of factual information and expert analysis are employed in checking and rechecking every phase of the problem.

## CONTRAST WITH LOGROLLING TARIFFS

Can anyone honestly doubt that these objectives and methods represent a great advance over the old logrolling methods of tariff making with which we are so familiar? If there is a Senator in the Chamber who has any misgivings as to what happened in those good old logrolling tariff days, I respectfully urge him to ponder well what our esteemed colleague, Senator CAPPER, said on the subject on the floor of the Senate in 1934, during the debate on the adoption of the Trade Agreement Act:

As a matter of fact, if the job is only to revise the tariff schedules, if bargaining with other nations is left out of the picture, our experience in writing tariff legislation, particularly in the post-war era, has been discouraging. Trading between groups and sections is inevitable. Logrolling is inevitable, and in its most pernicious form. We do not write a national tariff law. We jam together, through various unholy alliances and combinations, a potpourri or hodgepodge of sectional and local tariff rates, which often add to our troubles and increase world misery. For myself, I see no reason to believe that another attempt would result in a more happy ending.

This is from the CONGRESSIONAL RECORD, Seventy-third Congress, second session, page 10379.

Mr. President, in my endorsement of the fundamental principle of our present tariff policy I should like to have it distinctly understood that I do not necessarily agree with every detailed decision on every individual item in the trade agreements thus far negotiated. There may well be some individual cases where my judgment would differ from that of the persons who were responsible for the particular action

taken. And when such is the case, I shall have no hesitancy in challenging the efficacy of the agreement affecting such commodity.

## NO QUARREL WITH HONEST DIFFERENCE OF OPINION

I also appreciate that there are learned and sincere men in and out of Congress who oppose the present tariff policy. It should be understood that I do not cavil at any honestly held difference of opinion, however strongly I may be convinced that it may be mistaken. I am happy to believe that this group of men is genuinely interested in a successful foreign trade policy, irrespective of what party may be in power. That group will agree with me that the trade policy with foreign nations does not in the slightest hinge upon partisan politics. There can be no disagreement upon the plain, unvarnished truth that our economic life is inextricably bound up with that of the rest of the world. That is especially true if we hope to maintain our high standard of living which leads that of every other nation of the world.

## THE SAME OLD SHELL GAME; STIRRING OF FALSE ALARMS ABOUT FARM IMPORTS

Mr. President, what I shall complain about in the discussion of these trade treaties and our foreign policy is the questionable methods employed by a small but vociferous group of people in this country in their efforts to stir up public opposition against the trade-agreements program without giving to the people all of the facts. Seldom a day goes by that one cannot see the CONGRESSIONAL RECORD well garnished, if not laden, with speeches and exhibits that fail to present all of the facts from which an honest opinion of our foreign economic policy could be formed. It is not a violent presumption to say that such speeches and exhibits, when devoid of important facts, are intended to spread false alarm among the farm people that all is not well with our foreign trade. Is it a fair presumption to say that those who use tactics of filling the RECORD with bobtailed, half-baked statistical tables about imports of farm products are doing that for political reasons rather than trying to inform the American farmer honestly? A casual investigation reveals that most of these critics are the heirs of the old embargo tariff crowd which did so much to bring agriculture to the sorry mess it was in when the present administration came into office in March 1933.

## EMBARGO TARIFFS TO THE RESCUE—SHADES OF SMOOT-HAWLEYISM

Many are now wondering, just who are these individuals who criticize this trade policy for apparent political reasons?

Bear with me for a brief review of our trade policy following the war, which, through lack of vision and economic world-wide understanding, brought this Nation to an economic collapse. It is generally understood that following the war infant industries in competition with American industries were established in nearly every country and there was a vast expansion in the production of many agricultural commodities in competition with American producers. While this process was going on American statesmanship stood idly by and followed a policy of drift. There was apparently little thought given to the fact that overnight we had changed from a debtor to a creditor nation, which should have instantly notified wide-awake governmental officials interested in our foreign trade that important trade readjustments with other nations were indispensable. Instead of facing the facts, we tried to maintain exports above imports by loaning to foreign governments money with which to buy our goods. That policy proved costly in the end, as everyone knows. From 1925 to 1929 this country loaned over a billion dollars a year in foreign lands, and yet at the same time we were championing a policy of continuous and progressive tariffs until the crash of 1929 came and chased all nations, with America in the lead, to economic nationalism.

The campaign promises of the Republican Party of 1928 bore fruit in the Smoot-Hawley Tariff Act. Against the advice of a thousand economists the party in power raised

the tariff to unprecedented heights. Nations finding it impossible to sell anything in America over the tariff wall retaliated with similar barriers, and thus was precipitated price deflation and fluctuation of currencies. Economic security was a thing of the past. Confidence was destroyed, and in the wake followed the twin goblins of fear and disaster, all of which brought on a world-wide economic collapse which hurled us into the most severe depression which the world has ever experienced.

This, my colleagues, is a portrayal of world conditions in 1932 when this administration came into power and to which these embargo-tariff advocates would apparently have us return. I seriously ask the people of the Nation if they want to follow a leadership which yearns to return to the good old tariff days. What does the record of these tariff-barrier advocates show?

#### FARM INCOME IN 1938-39 AS COMPARED WITH 1932

It shows that in 1932, the last year in which they were in control of the Nation's tariff policy, gross farm income in this country amounted to \$5,600,000,000. By 1937 it was up to practically \$10,000,000,000, not including benefit payments, and, although it declined in 1938, it was still nearly \$9,000,000,000. In other words, gross farm income in 1937 and 1938 was some 60 to 80 percent higher than in 1932. Department of Agriculture figures show that, after deducting certain business expenditures, farmers had an income available for living amounting to \$5,200,000,000 in 1938, as compared with \$1,800,000,000 in 1932—nearly three times as much in 1938 as in 1932. In 1932, agricultural income constituted only 6.6 percent of our grossly depleted national income. By 1938, our national income having meanwhile greatly increased, agricultural income had increased to about 9.5 percent of the national income. In 1936 and 1937 it was about 10 percent.

During the first 4 months of 1939 there was some decline in farm income as compared with a year ago. This was due chiefly to a smaller amount of cotton being sold or placed under loan at a price level about the same as last year. Nevertheless farm cash income for the 4 months of 1939 was \$1,960,000,000 as compared with \$2,060,000,000 a year ago.

Including benefit payments it was actually higher than for the same period last year—\$2,240,000,000 as against \$2,230,000,000. Compare these figures with 1932, when, for the same months, farm cash income was \$1,530,000,000. Excluding Government payments, farm cash income for the first 4 months of this year was 28 percent higher than in 1932.

For the crop year 1932-33 farmers in this country got an average of 38 cents a bushel for their wheat. In 1938 they got 55 cents. In 1932 they got 31.9 cents a bushel for corn, as against 50 cents in 1938; for oats, 15.7 cents in 1932 and 22 cents in 1938. In 1932 they received \$3.44 a hundred pounds for hogs, as against \$7.74 a hundred in 1938; and \$4.07 a hundred for cattle in 1932 as against \$6.53 a hundred in 1938. In 1932 the cotton farmer got an average of 6.5 cents a pound for his cotton as against 8.6 cents in 1938. In 1932 butterfat prices averaged 17.9 cents per pound; in 1938, 26.3 cents. And let me add that these various prices for 1938 do not include the additional income received by some of these producer groups in the way of benefit payments.

In spite of a decline in many farm prices during the current year, I notice they still compare very favorably with prices in 1932. As of June 15, 1939, farmers in this country were getting on the average 62.5 cents a bushel for wheat as compared with 37.3 cents on the same date in 1932; for corn, 49.9 cents a bushel as against 28 cents in June 1932; for oats, 29.9 cents as against 19.8; for hogs, \$5.96 a hundred as against \$2.82; for beef cattle, \$6.81 a hundred as against \$3.81; for cotton, 8.7 cents a pound as against 4.6, and for butterfat, 22.2 cents a pound as against 14.6.

There you have a truthful and honest comparison of how the farm situation stood in 1938 and stands today as com-

pared with the agricultural wreck that this administration had to begin salvaging when, by overwhelming demand of the voters, the devotees of embargo tariffs finally, by request, relinquished control of our national affairs back in 1932. Even the shortest of memories will be painfully jogged by these facts.

Now then, in calling attention to these figures, I do not imply that farm prices and farm income today are all that we want them to be. Not only can I read the market quotations in the daily papers, but I own farm lands myself and I live among farm people. We have a long way to go. But I think every farmer will do well to ask himself sincerely and honestly if, in view of the advances which have been made under the present program, he would wish once more to entrust himself to the loving and tender care of the embargo tariff devotees whose record is one of total collapse in their final days of unstable and tottering power.

#### THEY WISH THEY HAD NEVER HEARD OF 1932

They, themselves, are a little embarrassed when the farmers of the Nation raise such questions, for I observe that they make a strenuous effort to divert our attention from 1932. Their comparisons, I note, are always with conditions of today as contrasted with the conditions in the twenties. In fact, tables of this general type are, from time to time, inserted in the CONGRESSIONAL RECORD; comparisons of farm prices are made, not with 1932, but with the twenties, or with average prices computed during the long and difficult upward pull since 1932.

In their tender solicitude for the farmers they ask that we simply blot from our memory the dire happenings which occurred between 1929 and 1932. This, of course, is an insult to American intelligence. It is too transparent. We are asked to ignore experience.

#### SEDUCING THE FARMER WITH PLAUSIBLE NONSENSE

And yet, in the face of that experience, there is no end to the meaningless babble about farm imports. Unceasing is their cry of "the American market for the American farmer." Who disagrees with them? And what American farmer do they mean? The cotton farmer? The wheat farmer? The corn farmer? The tobacco farmer? The fruit grower?

What nonsense.

Is there anyone in this country with a modicum of farm intelligence who does not know that in ordinary years these great branches of agriculture already command all of the American market. Certainly everyone knows that here and there will be found some particular type or grade of product which must be imported. Obviously, it cannot be a question of getting or keeping the American market for the American farmers listed above, for they already have it. What they need is foreign markets for the surpluses they cannot sell at home.

Take the case of corn hogs, in which my own State is particularly interested. There was a great deal of talk in the campaign last fall out in my country, following the droughts of 1934 and 1936, about imports of corn. In the year beginning July 1, 1934, with a billion-bushel shortage in the corn crop of 1934, imports of corn increased to a little over 20,000,000 bushels. In 1935-36, 31,000,000 bushels came in. And in 1936-37, with another billion-bushel shortage in the 1936 crop, 78,000,000 bushels were imported. Compare these import figures with a normal domestic crop of around two and a quarter billion bushels. Do such figures indicate that the corn farmer can be made prosperous by shutting out imports? Would the blocking of every single crack and crevice in an attempt to preserve the American market for the corn farmer do the trick? Of course not. The figures speak for themselves.

The increased imports during this period made up in only a small degree for the severe and unusual domestic shortage, and the imports were badly needed in our country. They came in over the full tariff rate, because rising domestic prices drew them in over the tariff. In 1937-38 they fell to 34,000,000 bushels, and, for the 11 months ending May 30,

1939, they amounted to only about 300,000 bushels, an amount which could be produced in any one of the many corn counties in Illinois. Even at their peak, these imports were equivalent to only about 3 percent of the average production of corn in the United States.

When comparisons are made by these political opportunists to corn imports, then, and only then, do they find it expedient to recall that there was such a year as 1932. That is the only time Senators will ever hear them discuss the agricultural problems of that year. Of course, there were extremely small imports of corn in 1932, because out in my section of Illinois the domestic price was never as much as the tariff rate of 25 cents a bushel. Can any reasonable human being imagine any person in the Argentine, or in any other corn-producing country, being so foolish as to ship corn to this country in 1932, paying 25 cents for tariff and then disposing of their produce on the American market at a price substantially lower than 25 cents a bushel?

The simple fact is that under normal weather conditions the corn industry, or, better still, the corn-hog industry, is on a net-export basis by a distinct margin. Before the world depression we were exporting about 40 percent of our total lard production. Under normal conditions of production we still are exporting between a fourth and a third of our total production of lard. We also export substantial quantities of pork and other hog products. Imports of these products are insignificant. Net exports of corn are likewise substantial. Last year, under the impetus of the trade agreements, this country exported more than 100,000,000 bushels of corn, which is, I believe, the second largest annual export on record.

The real problem of the corn-hog farmer is how to get rid of the surpluses which cannot be profitably absorbed in the domestic market. That cannot be done through piling on high tariffs and inviting retaliatory high tariffs by customer nations. It means, on the contrary, that we must follow a tariff policy designed both to reopen foreign outlets and to make the domestic market more prosperous.

This corn-hog case is an apt illustration of what I meant a few minutes ago when I said that this talk about "the American market for the American farmer" is in reality a meaningless babble so far as concerns the farmer who exports. But what about those branches of agriculture which do not produce enough, even under high tariffs, to meet our domestic requirements? Why not reserve every small fraction of the domestic market for these deficit branches of our farming industry?

This can be done if we want to pay the price. But what is the price? It means that for every additional acre we put to work in such fashion we shall lose probably 4 acres now devoted to the production of export crops.

On this point I wish to quote from an address made by Secretary Wallace at Lincoln, Nebr., on May 4, 1936:

By all means let us make the most of the home market. But I want you to think seriously about the fact that farmers have more to lose through nationalistic policies than any other group. In the present year—1936—farmers are cultivating probably thirty-five to forty-five million acres that are going to produce things which will be sold abroad. The most additional land they could use by cutting out imports would be perhaps 10,000,000 acres. It just wouldn't be good sense to risk having to leave 35,000,000 to 45,000,000 acres idle in order to try to gain a market for 10,000,000 acres. I don't think farmers are foolish enough to trade dollars for quarters, no matter how strong the pressure may be by those who are busy grinding their own axes.

There we have the nub of the whole situation. The fact is that the whole idea of solving our farm-surplus problem by simply putting embargo tariffs on everything that has the same agricultural name as something produced in this country is a snare and a delusion. In my humble opinion, instead of solving the surplus problem such an extreme tariff policy can only aggravate it. What results is a vicious circle of embargo protectionism all around and greatly reduced foreign market outlets for our exportable surpluses of farm and other products. In this vicious circle of trade annihilation the

home market also will shrink. In consequence the very industries that think they are benefiting when they squeeze out the last pound of imports that are assumed to be competitive will find, in most cases, that they have succeeded only in making themselves the exclusive possessors of a poorer market.

The truth is that this embargo tariff game is an extremely costly one, no matter how we look at it. We cannot preserve the American market by that method. We can only destroy it. We found that out in 1930. Of all the phases of our national life it is costliest to agriculture because of agriculture's great dependence upon export outlets.

Does this encounter with bald facts discourage the disciples of embargo tariffs? Indeed, it does not. On the contrary, they go on piling up propaganda by the ton about farm imports—propaganda that is wholly unsound in its premises, wholly misleading in its inferences, and basically opposed to the real interests both of the farmer and of the Nation. They have shown beyond question their willingness to play upon the prejudices of any among our farming population who can be influenced by the dissemination of statistical or other material veneered with pious fraud. True, there is no law against it if they can get away with it, but it would appear to be a mighty poor way to protect the interests of the American farmer and the American people.

Mr. President, I cite to the Senate as one classical example what occurred last year in my campaign for the United States Senate. My opponent was so bold and brazen in the quotation of incorrect figures upon this question that he attracted the attention of Robert Vanderpoel, financial editor of the Chicago Evening American, and one of the outstanding financial editors of the Nation. Vanderpoel, who ordinarily shuns politics, was so outraged with this type of propaganda that he stepped away from the field of finance long enough to advise his readers in the following words:

This candidate certainly must know that if international trade is to exist it must be two-way trade. He must know that the goods produced in this country and shipped abroad provided jobs. He probably did not know, it is true, that, as a whole, the industries successful in export markets pay higher wages than those industries which complain of foreign markets. This being true, it must be obvious to those with open minds that the American standard of living is higher than it would be if foreign goods were barred from this country and, as would necessarily have to be the case—the United States ceased shipping its goods abroad.

The amazing part of it is that this candidate, of whom the impartial financial expert said, "the intellectual standard of his talk could not have been lower if he had been running for the smallest ward office," is now running up and down the State as an announced candidate for high office in 1940, mouthing the same vicious, incorrect, and unwarranted propaganda to which he gave utterance in 1938. Surely intelligent farmers and those interested in the trade agreements will not be deceived by such demagogic tactics.

#### THE FARM IMPORT BOGEY—STATISTICAL HOCUS-POCUS DELUXE

To be sure, the method of stirring up fictitious alarm about farm imports follows the same pattern wherever it appears. It all is based upon a line of statistical hocus-pocus embedded in the false premise, already mentioned, that all imports of agricultural products other than perhaps a few things like rubber, coffee, tea, silk, cocoa, perhaps, and bananas, are bad for the farmer, and the more of them the worse it is. So these so-called friends of the farmer, with their sophomoric statistics, busy themselves in fixing up tables showing imports of agricultural products in whatever way the figures can be assembled to make it appear that something terrible is happening to the farmer.

Let there be an increase from 500 to 5,000 pounds in imports of some item that bears an agricultural connotation, and an increase of 900 percent is played up in the

RECORD and dangled before the farmer as if it were the final measure of catastrophe visited upon him by a perverse and unsympathetic Government. Sometimes the tables give actual percentages. At other times this is left to the unsuspecting victim of such propaganda to compute for himself.

That the domestic production and consumption of some article which bears the same name runs into millions of pounds, perhaps even billions of pounds, is never mentioned. To what extent the imports are competitive, if at all, is never mentioned. Never a word is there, either, as to whether the imports increased because of domestic crop failure or some other temporary or special condition; nor is any word mentioned about agricultural prices or income, if, meanwhile, these have also been rising. Only a loud silence is bestowed upon such pertinent factors by the devotees of embargo tariffs.

#### HOW 1937 FARM IMPORT FIGURES WERE USED FOR POLITICAL DECEPTION

Such shameful misuse of trade figures reached the most extravagant heights in dealing with statistics of 1937 and 1938, following the drought of 1936. Due in large part to effects of the drought, and also to a marked economic recovery in 1937 which resulted in greatly increased imports of agricultural raw materials, there was in 1937, as we all know, a large increase in the import of agricultural produce. At the same time there was a decided falling off of exports in some important types of farm products affected by the drought. In some cases there was even a temporary domestic shortage, and a reversal of the normal flow of trade.

This was too tempting a situation for the proponents of embargo tariffs to resist. Because imports of agricultural products had increased from around \$1,070,000,000 in 1935 to \$1,240,000,000 in 1936 and then to \$1,580,000,000 in 1937, it was easy to get up gruesome tables about such imports for the delusion of the unsuspecting. Since exports of many farm products fell off sharply or disappeared during the crop year 1936-37, it also was easy to pretend that little was being accomplished through trade agreements toward restoring foreign-market outlets for our farm surpluses. So the country was flooded with figures intended to stir up fear and alarm about increased imports, or figures which belittled the progress which most certainly had been made in reopening export channels.

#### WHAT THE 1937 AGRICULTURAL IMPORTS CONSISTED OF, AND WHY THEY INCREASED

This whole performance was a colossal hoax. The fact of the matter was that of the \$1,580,000,000 worth of agricultural products we imported in 1937, well up toward half—\$711,000,000, or 45 percent—consisted of major types of agricultural products of a kind not even produced in the United States, such as coffee, tea, rubber, carpet wool, and so forth. Another \$161,000,000 worth, or 10.2 percent, consisted of products imported chiefly because of the drought, such as corn, wheat and wheat flour, meat products, barley malt, tallow, and butter. A further \$166,000,000 worth, or 10.5 percent, consisted of sugar, a product on which we not only had a high tariff but also highly restrictive quantitative limitations on imports under our sugar quota legislation. A further \$447,000,000 worth, or 28.3 percent, consisted of major types of products which we normally do not produce in large enough quantities for our own needs, even though we levy high tariff duties on most of them, such as dutiable types of wool, flaxseed and certain other oilseeds, sausage casings, olives, and so forth. There was a residual item of some \$95,000,000—6 percent—consisting of minor items similar in nature to the items included in these various categories of major items and properly falling within one or the other category.

#### A CONSPIRACY OF SILENCE CONCERNING THE RISE OF FARM INCOME IN 1937

These attacks contained no hint that, excluding sugar (imports of which were under quota control), only about 4 percent of all of our agricultural imports in the crop year 1936-37, following the 1936 drought, consisted of trade-agreement items.

Obviously, therefore, trade agreements could have had little bearing on the increase in imports. They failed to state that duty reductions made on farm products in the various trade agreements were a negligible factor in the whole situation. They failed to state that in 1929 our agricultural imports amounted to \$2,220,000,000, as against the subsequent peak figure of \$1,580,000,000 in 1937. They failed to state that in the very year 1937, which is generally used as the basis for a great deal of hullabaloo, farm cash income went up to \$3,600,000,000, as compared with \$3,000,000,000 in 1936 and \$4,600,000,000 in 1932.

And yet in 1932 farm imports had descended to a rock-bottom level of \$668,000,000. Concerning these things there has been only a loud and significant silence from the deceptive propagandists.

Now, every reasonable and informed person should know that the cumulative effects of the droughts of 1934 and 1936 were a highly abnormal element in the trade picture, resulting in greatly increased imports and greatly reduced exports of drought-affected items. It was likewise obvious that rapidly improving economic conditions during the latter part of 1936 and throughout most of 1937 had resulted in large increases in imports of various agricultural raw materials; and I do not think anybody had any reason to complain about that. It was pointed out repeatedly by responsible officials of the Government and by many others that, once the effects of the drought wore off, imports would recede and exports of grain and livestock products and of other items affected by the drought would recover. With the harvesting of the new crops in 1937, that is exactly what happened.

#### THE LARGE INCREASE OF AGRICULTURAL EXPORTS IN 1938

In 1938 our exports of agricultural products reached the highest point since 1930, namely, \$828,000,000. This level was attained, moreover, in spite of a 38-percent decline in exports of raw cotton, from \$369,000,000 in 1937 to \$229,000,000 in 1938—a decline which was due partly to shrinking foreign industrial activity, partly to increased foreign competition in cotton production, but more especially to the fact that our cotton was pegged above world levels for cotton. Our exports of farm products other than cotton increased by \$171,000,000, or 40 percent, as compared with 1937. The biggest increase was in grains and grain preparations—distinctly drought-affected items—namely, from \$94,000,000 in 1937 to \$223,000,000 in 1938. There was some increase in pork and lard exports—from \$29,000,000 to \$36,000,000—but the lagging effects of the drought still were felt in connection with this item. Exports of unmanufactured tobacco increased from \$135,000,000 to \$156,000,000; exports of fruits and fruit preparations from \$80,000,000 to \$96,000,000.

#### AGRICULTURAL EXPORTS DURING THE PRESENT YEAR, 1938-39

The figures I have just quoted relate to the calendar year 1938. Recently figures have been given out by the Department of Agriculture for the first 10 months of the fiscal year 1938-39, including the last 6 months of 1938 and the first 4 months of 1939. These figures show a decline in the value of our agricultural exports during this 10-month period as compared with the corresponding months of 1937-38, a decline from \$777,000,000 to \$613,000,000, or 21 percent.

In connection with a program of this kind I do not mind giving the honest facts as they exist. One of the reasons why I am giving the particular decline of agricultural exports during the last 10 months of this year is that I want the American people to know the facts in connection with these reciprocal-trade agreements.

This decline was chiefly due to the continued low levels of cotton exports during 1939, but also partly due to other causes. As stated above, American cotton, normally our leading agricultural export commodity, was priced well above competitive levels in world markets and a large part of our better-grade cotton was tied up in loans. This situation, together with discouraging world conditions, caused our cotton exports to fall to about 57 percent of 1937-38 levels.

Shipments of American agricultural products into foreign markets in the last half of 1938 and early months of 1939 were hampered by adverse world economic conditions. World industrial activity was at a low ebb. Foreign markets were unsettled by international tension. Furthermore, foreign production of a number of commodities which compete with leading American farm exports increased greatly. In Argentina, for example, the 1938-39 wheat crop was almost twice that of last year, and the rye crop more than tripled.

As a matter of fact, considering the unfavorable world situation, exports of agricultural products other than cotton held up very well during the 10-month period between July 1938 through April 1939. In terms of quantity, as measured by an index, they actually increased about 8 percent over the high 1937-38 level. Lower prices, however, caused about an 8-percent decline in terms of value. Shipments of American tobacco, fruits, grains and grain products, meat, and lard to foreign markets were all greater in terms of quantity than for the same period last year. Improved access to foreign markets obtained through trade agreements unquestionably helped to sustain exports of these products.

Even in value terms, and even when cotton is included, our agricultural exports this year are much larger than in 1932-33. The value of our exports of all agricultural commodities in the 10-month period from July 1932 to April 1933 was estimated at about \$503,000,000. For the same months in 1938-39 such exports were valued at \$613,000,000, an increase of about 22 percent. Inclusion of cotton, however, greatly distorts the comparison, and minimizes the gains registered on other products. When cotton is excluded, the value of our agricultural exports increased by more than 91 percent as compared with 1932-33.

#### THE SHARP DECLINE IN AGRICULTURAL IMPORTS IN 1938 AND 1939

Turning now to the import side of the picture, the figures show, as had been forecast, that agricultural imports declined very sharply during the calendar year 1938 and early 1939. From \$1,580,000,000 in 1937 they dropped to nine hundred and fifty-six millions in 1938, a decline of six hundred and twenty-four millions, or nearly 40 percent. Again the two factors already mentioned—general business conditions and the 1936 drought—were, in their reverse aspects, the chief influences governing the trend of our agricultural trade. Primarily because of the business and industrial recession there was a sharp decline—from \$711,000,000 to \$479,000,000—in the imports of agricultural products of a kind not produced in the United States, such as rubber, silk, carpet wool, coffee, tea, spices, and various fibers—nearly half the decline being accounted for by rubber alone. But the business recession was also an important contributing cause of the sharp decline in imports of other items, such as hides and skins, clothing wool, and vegetable oils. The passing of the effects of the drought contributed to the reduction in imports of vegetable oils and flaxseed, and was the chief cause of the sharp decline in imports of corn, wheat, fodder, and feeds.

For the most part, the 1938 trends have continued into 1939. The decline was sharper in imports of agricultural commodities more or less similar to kinds produced in the United States than it was in those types not produced at all in commercial quantities in this country. The value of imports of agricultural products into the United States during the first 10 months of the current fiscal year—July 1938—April 1939—was 19 percent lower than during the corresponding months of last year. Actual quantities imported also fell. Particularly great declines took place in quantities of imports of corn, 99 percent; barley malt, 49 percent; barley grain, 99.9 percent; hogs, 99 percent; butter, 60 percent; and dried eggs, 80 percent.

#### WHAT OUR AGRICULTURAL IMPORTS CONSISTED OF IN 1938

By 1938 the drought factor was practically eliminated as a disturbing element in the trade picture, except as regards livestock products, as to which there was still some lagging effect. Let us look more closely at the 1938 import figures,

therefore, and see just what it is, of an agricultural character, that we normally import into this country.

Of our total agricultural imports of \$956,000,000 in 1938, it appears that \$479,000,000—50 percent—were of a type not even produced in the United States. A total of \$9,600,000—1 percent—consisted of items such as grains, feedstuffs, and so forth, that we do not import in quantity except in years of great domestic shortage. The recession of the drought influence is revealed in the decline of this item from \$116,700,000 in 1937, when it accounted for 7.4 percent of our total agricultural imports. Of the remaining \$467,000,000, \$402,000,000 consisted of products regularly required to maintain American standards of consumption. For the most part, these were imported over high tariffs. Of this \$402,000,000, \$130,000,000 consisted of sugar, of which imports are rigidly controlled under our sugar quota legislation. Other items in this category included hides and skins, clothing wool, certain varieties of tobacco, certain vegetable oils and oil seeds, certain special types of raw cotton, dates, olives, various nuts, and so forth. There remains, out of the \$467,000,000 mentioned above, a residual item of \$66,000,000, composed of a large number of small items falling into one or another of the foregoing categories.

There, in a nutshell, is an indication of the kinds of agricultural products we normally import. As I said a moment ago, we could entirely shut out some or all of these classes of imports if we wanted to do so. In fact, if I thought such a course would solve, or help to solve, the Nation's farm problem, I should be the first to urge its adoption. But every thinking man knows that the only possible outcome would be just the reverse.

#### TRADE AGREEMENTS AS A FACTOR IN THE TRADE PICTURE

In the whole foreign-trade situation as it pertains to agricultural products the part played by the trade-agreements program has been fundamentally constructive. Opponents of the program, as I have said, have made every effort to make matters appear otherwise, but in support of their claims they have offered little more than a noisy repetition of statements that are entirely without foundation.

Claims to the effect that trade agreements are responsible for large and damaging increases in imports of farm products of one sort and another are the chief reliance of these critics. The temptation to advance such claims was especially great in 1937, when agricultural imports, for reasons already noted, were increasing. Actually, however, trade agreements had very little to do with these increased imports, and they are still distinctly a minor element in the agricultural import situation. Most of the increases in imports which took place in 1937—increases which were heralded throughout the country by the embargo tariff crowd as being attributable in large measure to the trade agreements—were really on products that had never been touched in any trade agreement. The truth is that, while tariff reductions have been made on a number of agricultural items, these reductions have thus far been very moderate and, where necessary, have been carefully safeguarded by quota limitations on the amounts that may be imported at the reduced rates.

#### EXAGGERATED AND FALSE CLAIMS OF INJURY FROM DUTY REDUCTIONS ON FARM PRODUCTS

It is, of course, impossible at this time to take up each and every agricultural item in this connection and to go into detail concerning the results of duty reductions wherever any have been made; but I will say that in every case which has come to my attention in which charges have been made that this or that branch of agriculture was "sold down the river" a little investigating of the actual facts soon disclosed that the charge was—to put it mildly—greatly exaggerated.

When, for example, the first trade agreement was signed with Canada there were statements galore about how the domestic market was going to be swamped with Canadian cattle, dairy products, and so forth. It never happened. Increases did occur in the imports of some of these items. That

was to be expected; but any unbiased analysis of the facts will promptly disclose to any reasonable person that the increased importations of farm products resulting from duty reductions have been far too small in relation to our domestic production and supply to have any appreciable effect upon domestic prices. I challenge any person who takes exception to this statement to submit the issue to any properly qualified group of economic and market analysts. What he will surely be told, because it is the truth, is that the facts do not support such irresponsible and exaggerated claims.

**SOME SEE ONLY A PART OF THE TARIFF PICTURE**

If such an inquiry as I have suggested is broadened out, as it should be, to include the effects of the trade-agreements program as a whole, it will be found that the program actually operates in the fundamental interest of the dairyman, the cattleman, and of the others who, according to the claims of the embargo tariff crowd, have been hurt. Some of these producers may think they are better off when their industry has absolutely 100 percent of the home market than they are when it shares a small percentage of the home market with the foreigner, but in jumping at any such conclusion they are overlooking an extremely vital point.

If, in order to get every small fraction of the home market, cattlemen, dairymen, and others in similar status enter into political trading with every other industry that is demanding the same air-tight monopoly of the home market—and that is what inevitably happens when the tariff-logrolling process gets under way—then the only possible outcome is an embargo tariff policy all around. That, I insist, is a sure-fire way to ruin the home market for the cattleman, the dairyman, and everybody else. When our great exporting industries, both in agriculture and in manufacture, are flat on their backs because they cannot sell their surpluses at a profit, it is useless for the cattleman or the dairyman to think that tariffs are going to save him, because under such conditions his home market is going to be a poor one. This, as I said earlier, was proved without a question of a doubt under the operation of the Smoot-Hawley Tariff Act.

The farmer or the stockman who fastens his gaze exclusively upon the relatively trifling imports of some product which is alleged to be in competition with his own, but who fails to see that in demanding an embargo tariff he may be spoiling his own market, is not doing himself or anybody else any good. Together with the rest of the American public which follows such a theory, he is the victim of his own shortsightedness.

We shall never have a stable basis for domestic prosperity until trade channels throughout the world are unclogged and international trade gets back to a more normal and healthier basis. That is the objective of the trade-agreements program; and, insofar as present disturbed conditions in the world will permit, that objective is being achieved.

**CORNED BEEF**

Well-meaning and ordinarily sensible people can often be goaded by self-seeking interests into taking an extreme and unreasonable attitude toward something that really is trivial. Sometimes, in an excess of zeal, they can even be stampeded into positions definitely contrary to their own welfare. Each of us knows this. If an illustration were required, what could better demonstrate the truth of this assertion than the recent "tempest in a teapot" over the proposal of the Navy Department to purchase 48,000 pounds of canned corned beef from Argentina? There is not a Senator in this body who is more anxious than I am to see the American cattleman prosper. Nor is there any who will state more emphatically that American beef cattle cannot be surpassed in quality by those of any nation on the globe. Nevertheless, I honestly believe that the rumpus which was stirred up over this matter was not well advised from the standpoint either of the cattleman or of the national interest.

Trying to keep out of this country 48,000 pounds of imported corned beef in order to increase domestic cattle prices

is about like trying to change the level of the ocean with an eyedropper. When we broaden the issue to include all future Government purchases of canned corned beef it is merely a case of substituting a garden hose for the eyedropper.

It was an unusual position for the Congress of the United States to take when they denied the sailors of our Navy who man our ships in peace and in war the right to eat corned beef made in South America, when on that very day the Senators were enjoying choice morsels of corned beef produced in South America and served on the menu of the Senate restaurant.

But all that is a minor phase of the corned-beef story. The significant part concerns our trade relations with one of our leading neighbors to the South. This whole episode was a new source of irritation to a country with which our highly profitable trade relations had already begun to suffer badly—irritation engendered at a time, moreover, when we were striving to strengthen our good-neighbor policy. The lucrative business that we have heretofore enjoyed with Argentina has meant jobs for thousands of American workmen, and hence a better demand in our cities for beef and other products consumed by workers. Even if we ignore the broader advantages of the good-neighbor policy, what profit accrues to the American cattleman by failing to recognize these facts?

**A MODERATE TARIFF POLICY IS IN THE GENUINE INTEREST OF ALL GROUPS**

Get the buying power of the American people up to where it ought to be and can be—I think the Senator from California [Mr. DOWNEY] will agree to that statement—and neither the cattle industry, the dairy industry, nor any other industry need worry over a slight sharing of the home market with the foreigner. I insist that if we are going to get buying power up and keep it there, one of the things we must do is to reopen the channels of foreign trade. We must be sane and reasonable about the tariff. We cannot shut ourselves up like hermits and expect to have adequate market outlets for the great surplus-producing capacity to which both agriculture and industry in this country now are geared. If we are going to utilize this capacity, we must preserve and extend our export outlets. And we cannot possibly do this unless we increase our imports.

We can increase imports without seriously injuring any efficient domestic industry, and that is exactly what we are doing under the trade-agreements program. There is a wide range of products which we import, or could import, which are not directly in competition with domestic production, if competitive at all—such things as specialties, seasonal products, and so forth. These are imports which can be brought in with little or no damage to any domestic interest. Under the authority of the Trade Agreements Act we are admitting more and more of these products, as we should, and we are getting well paid in the bargain, because, at the same time, we are getting thousands of tariff concessions from other countries giving us better access to their markets.

**DIRECT BENEFITS TO THE FARMER—BETTER ACCESS TO FOREIGN MARKETS**

In the trade agreements thus far negotiated, hundreds of concessions have been obtained for the purpose of securing guaranteed or improved access to foreign markets for American farm products. I will not burden my colleagues with a detailed description of them. However, I will direct your attention to a detailed tabulation of the more important of these concessions in a table which appears on pages 139–150 (table 2) of the hearings before the Senate Committee on Finance, on proposed amendments to H. R. 3790 (taxes on fats and oils), on March 6 to 9, 1939.

This table, which includes also certain fish products, covers 11 highly condensed, fine-print pages. No one who takes the trouble to read it could fail to be impressed by the range, variety, and extent of the concessions obtained. It shows emphatically that agriculture has been anything but neglected in the course of these trade negotiations.

CONCESSIONS RECEIVED ON FARM PRODUCTS HIGHLY VALUABLE IN SAFEGUARDING AND INCREASING FARM EXPORTS

Let me emphasize in passing that the impression which seems to prevail in some quarters that the bindings of free entry or of otherwise favorable trade treatment are valueless is a very mistaken impression. Many of these commitments have a value even greater than appears. During a period of rising trade barriers and discriminations throughout the world, it is absolutely necessary to obtain such guaranties on many products in order to make sure that satisfactory trade treatment will continue. Through the bindings obtained on free and other items, and through the guaranties obtained under the most-favored-nation clause against trade discrimination, as well as through actual reductions in tariffs and other barriers, the trade-agreements program has safeguarded an enormous volume of agricultural and other export trade that would otherwise have been wiped out by rapidly increasing barriers and discriminations against our commerce.

ATTEMPTS TO CONFUSE THE CASE AND MINIMIZE THE BENEFITS

These hundreds of concessions on farm products are, taken as a whole, highly beneficial to our farmers, and do not let anybody tell you anything different. Such a truth should be obvious to anyone who bothers to make even a superficial examination of the facts. Yet there are today persons in positions of public responsibility who not only deny this truth but even go so far as to distort it for their own selfish or partisan ends.

The way in which these people attempt to support their campaign against the trade agreements is an affront to ordinary intelligence. If in a particular year there is a decline in exports of certain agricultural products or agricultural produce as a whole, they hasten to tell us that the concessions we have obtained have done us no good. Some critics, ascending to the dizzy heights of emotionalism, even go so far as to intimate that the concessions were the cause of the decline. On the other hand, if exports increase, then we are told that the increase was due wholly to other causes. Factors other than trade-agreement concessions are said to be terribly important when the trade picture looks good, but are conveniently ignored when the picture is less favorable.

Now, the simple truth of this matter is that there are a great many factors that influence the course of foreign trade from year to year. This applies both to our total trade and our trade with particular nations. Shifting political and economic conditions in particular countries or regions of the world, internal social disorders, weather conditions in various parts of the world, insect or other pest blights, man-made barriers to commerce—these are illustrations of but a few of the many things which govern or influence international commerce. With all of these influences and others affecting the flow of trade, it obviously is impossible to separate out one single fact, such as reduced trade barriers, and to say exactly how much of the trade which actually did take place was due to that one factor.

The essential and fundamental fact remains, however, that, as a result of the hundreds of concessions obtained on farm products, there exist today vastly improved export opportunities for our farm surpluses which otherwise we would not have had. If, because of other causes, exports do not fully respond in all cases to the opportunities thus presented, this is scarcely chargeable to the trade agreements.

PERCENT INCREASE OF FARM EXPORTS GREATER TO TRADE-TREATY COUNTRIES THAN TO OTHERS

As a matter of fact, the available figures strongly support the logical presumption that the concessions received have greatly assisted in the export of our farm surpluses. For example, a study made of the results of the first 16 trade agreements shows that our exports of farm produce to these 16 countries increased by \$102,000,000, or 55 percent, between the fiscal year 1935-36—when few trade agreements were in effect—and the fiscal year 1937-38. On the other hand, our exports of farm products to nonagreement countries in-

creased by only \$20,000,000, or 3 percent, during the same period. Excluding cotton, the increase was 108 percent to the trade-agreement countries and 38 percent to the non-agreement countries.

The percentage increases in farm exports to the trade agreement countries were generally greater on concession items than on those receiving no concessions. Even when a trade-agreement country imported less of a given concession item from the United States, our share of the total imports of that item into such country usually increased.

Despite such evidence of benefit, I note that attempts are made from time to time to draw grossly unfair inferences from our current agricultural export figures, whenever they lend themselves to such misrepresentation. This has been happening in connection with the decline of agricultural exports during the present year, and I want, therefore, to deal with it at this point.

RECENT DECLINE IN AGRICULTURAL EXPORTS DUE CHIEFLY TO COTTON

As I pointed out earlier, in terms of value, our total exports of agricultural products, during the first 10 months of the present crop year, July 1938 to April 1939, inclusive, fell off. The decline was particularly marked when cotton was included, but, disregarding cotton, there still was a decline. Would this mean that the trade-agreement concessions obtained on our farm products are doing us no good? My answer is emphatically in the negative.

All in the world such figures indicate is that a number of factors such as I have already described have, in combination, more than offset the good effects of the trade concessions. Those who wish to sabotage the program tell us not a thing as to what the situation would have been without the concessions. And they utterly fail to mention the important fact that, as long as the trade agreements remain intact, the improved access to foreign markets which they provide opens the way for further expansion of our export shipments if, as, and when other conditions permit.

DECLINE IN COTTON EXPORTS DUE CHIEFLY TO CAUSES BEYOND THE REACH OF TRADE AGREEMENTS

There has been a great deal of talk in recent months about the heavy decline in our cotton exports, and I have observed, in certain quarters, an inclination to seize upon this fact as an indication that trade agreements are not helpful to the cotton farmer. I have even noticed a statement in the CONGRESSIONAL RECORD to the effect that the trade-agreement program was the cause of the decline in cotton exports. I insist that that is carrying a good thing too far.

How can any sensible person believe such rubbish? Cotton exports have, indeed, diminished greatly. Certainly. But why? If someone will tell me how the trade-agreement program is going to enable us to sell our cotton abroad at a pegged price level of 8 or 9 cents a pound while foreign cotton sells on a world basis, I shall be greatly obliged to him. Even if the general political and economic situation abroad were more favorable, it still would be well-nigh impossible to get over a hurdle like that.

This amazing performance of heaping coals of fire upon the trade-agreements program for something it has nothing in the world to do with is the height of asininity. It may fool some people, but it is not fooling the cotton farmer. Cotton farmers are practically unanimous for the trade-agreements program, as well they should be.

TRADE-AGREEMENTS PROGRAM BASICALLY HELPFUL TO THE COTTON GROWER

In the first place, the program, insofar as its influence can extend under the difficult conditions now prevailing in the world, is definitely a constructive force in the direction of economic disarmament and the restoration of stable world prosperity. This is an extremely important matter for all of us, and among those to whom it is most important are the cotton farmers. For studies are available which show definitely that the world demand for cotton is greatly affected by prosperity or the lack of prosperity throughout the world.



Again, while there are not many tariff duties on cotton in foreign countries, there are, in some parts of the world, other obstacles to cotton trade which would be greatly lessened by a general relaxation of trade barriers. Policies of national economic self-sufficiency and the measures associated with it would still greatly obstruct our cotton exports to some countries even if cotton were offered on a world-price basis.

Trade agreements help to increase our imports of things we can profitably import into this Nation, and when we increase such imports, naturally we enhance foreign buying power for our cotton and for our other surpluses.

**INDIRECT BENEFITS OF TRADE PACTS TO THE FARMER—A BETTER HOME MARKET**

Then, too, the trade agreements, by reopening channels of foreign trade, make for greater prosperity and employment in the United States than would otherwise prevail. Thus there is a close relationship between the general prosperity of our Nation and the domestic demand for cotton as governed by cotton-mill activity.

Finally, the cotton grower is benefited, as a consumer, by the reduction of excessive tariffs on things he buys, or things he would buy if his income, in terms of purchasing power, were increased. No group in this Nation has been more specifically the victim of our late and little-lamented embargo tariff policy than the cotton farmers.

Consequently, those who seek to blame trade agreements for the present plight of cotton had best look elsewhere. True, trade agreements cannot be a controlling factor in the cotton situation in view of the other factors which are operative. Nevertheless, to attack them for not solving the cotton problem or as an actual hindrance to its solution is unfair in the extreme.

A moment ago, in discussing the cotton situation, I pointed out that all the benefits of the trade-agreements program are not direct. The increased demand for farm products in the home markets, by reason of greater production and employment provided in our nonagricultural export industries, is equally applicable to all agricultural commodities as well as to cotton.

A very large portion of the manufacturing industry of this Nation depends upon export outlets for the sale of substantial portions of its production. Run the gamut of our great manufacturing industries and you will be surprised to observe how numerous and important are the branches which are engaged in export trade. Greater employment and wage income in our cities for workers in these industries mean a greater demand for most farm products, and particularly for things like meat, dairy products, fruit, and vegetables.

The Honorable Francis Sayre, in his book, *The Way Forward*, presents an illuminating commentary upon this situation. After publishing a table showing the value of some of our more important agricultural and industrial commodity exports and the ratios of exports to production, Mr. Sayre says:

Figures such as these reveal how specious is the argument that our export trade is unimportant because it comprises not more than 10 percent of our total production. This general ratio, reached by comparing our total exports of all commodities with our total production, is misleading. In many of our most important industries and occupations the surpluses which we must sell abroad greatly exceed 10 percent. Even in industries exporting only 10 percent of their output, loss of exports does not mean that the remaining 90 percent of the business remains in a prosperous condition. The 10-percent margin of exports even in such cases may make all the difference between profit and loss for the entire industry.

Of far more vital consequence is the effect of unsalable surpluses on domestic prices. Unsold surpluses, by glutting home markets, demoralize the prices received for that part of the output or crop sold at home, and thereby spread havoc and cause economic dislocation throughout the industry or occupation. The resulting repercussions are Nation-wide and affect producers who themselves do not sell abroad.

The beneficial effect of trade agreements on our exports as a whole is indicated by numerous studies that have been made. One shows, for example, that, in the 2-year period, 1937-38, our total exports to trade-agreement countries

were 61 percent greater than in the 2 preagreement years, 1934-35; whereas our total exports to nonagreement countries increased by only 38 percent. This indirect benefit of the program to the American farmer can be appreciated still further when it is observed, for example, that our exports to Canada alone, chiefly nonagricultural, fell from \$948,000,000 in 1929 to less than \$250,000,000 in 1932. In the first 3 years of the agreement with Canada, our exports to that country showed an annual average increase of \$141,000,000, or 45 percent, over the average exports during the 2 preagreement years, 1934 and 1935.

**FURTHER INDIRECT BENEFITS: THE FARMER AS A CONSUMER**

Another type of benefit to agriculture from the trade-agreements program is the benefit which the farmer gets as a consumer. Generally speaking, farmers in this country buy in a protected market and sell in the world market. All farmers must benefit, as consumers, from the removal of excessive duties in our tariff-rate structure. Such tariff reductions not only increase foreign buying power for our farm and other surpluses, but they increase the buying power of the American farmer for the things he wants to consume.

**WORLD POLITICAL AND ECONOMIC STABILITY PAYS THE FARMER**

Finally, the trade-agreements program works in the direction of more orderly political and economic conditions throughout the world, and the American farmer—every American citizen, for that matter—has a big stake in that situation. I want, however, to inject here a few pertinent observations. No one could overlook the fact that the world situation has not been improving during the last year or so. To the contrary, it has grown steadily worse. That, however, does not subtract from the merits of the trade-agreements program. Rather, it serves to emphasize the need for a wider application of the broad policy envisaged by that program.

The pertinent and undeniable fact is that the trade-agreements program is absolutely sound and fundamental in the sphere in which it operates. A restoration of more orderly economic and general relations between nations, including the removal of excessive barriers to trade, is absolutely essential if the world ever is to get back to a condition of healthy prosperity. That is the direction in which the trade agreements take us, and that is the direction toward which the other nations of the world must move, too, if they ever expect to get out of the morass into which they now are rapidly sinking.

So, I repeat, my appeal transcends partisan politics for it is not my purpose to seek to fend off political attacks. As I said at the beginning of this address, an honest difference of opinion may reasonably exist as to the merits of the trade-agreements program, and such a difference of opinion, honorably held and boldly stated, will command respect no matter where it is uttered.

But there reposes in this program an inherent and potential lodestar of reason and logic which may lead modern civilization along a pathway of peace and common sense. Its principles reflect the true concepts of humanity, and, when its objectives are understood, the program will, I am hopeful, gain international adherence.

It is upon this premise that I base my appeal to the opposition for a moratorium, not upon criticism of the program, but upon innuendo and half truths and fabrication and misinformation, because there is too much at stake to jeopardize the economic well-being of many peoples for the sake of political gain.

Therefore, if attacks are to be made on the trade-agreements program, I implore the spokesmen of the opposition to make them on a basis of fairness and sincerity, not through stealthy sabotage. If these spokesmen would have this country return to the folly of embargo tariffs, where every nation erects an impenetrable and insurmountable wall against its neighbors, let them so state. And if the American people, in the light of their unfortunate experience with it in the past,

desire to return to that sort of a program, ours is a land where the will of the majority prevails.

Since the adoption of the trade-agreements program our exports have reached a new high level, our imports have receded.

No trade treaty has ever been negotiated without providing for ample and adequate hearings for any person or group of persons in America who might be affected by that treaty.

In the face of disturbed and chaotic international conditions, both political and economic, our total exports to trade-agreement nations have shown a sustained increase over our exports to nations with which we do not have trade treaties, indicating that the trade agreements were a constructive factor in our international relations.

Despite the strenuous efforts of propagandists to prove the trade agreements harmful to American agriculture, the agricultural income of our Nation has risen steadily since the adoption of the trade-agreement program.

It has been proved beyond a question of a doubt that imports increase only when our national prosperity and domestic prices are at such a level that it is profitable to foreign producers to ship commodities to the United States over the tariff walls which have been established.

The deliberate falsehood that the trade-agreements program "surrenders" our rich home market to foreign producers has been definitely and finally exploded by fact and statistics.

In my opinion, the trade-agreements program has, and will continue to have, the support of a vast majority of the American people.

Regardless of that fact, the stentorian voices of politicians soon will be ringing throughout the Nation, and prominent in that rising clamor will be the voices of the noisy nucleus of embargo-tariff devotees singing their siren song of special privilege. I do sincerely wish that these few pungent, pertinent, unchallengeable facts which I just related could be foremost in the minds of those who desire to know the truth.

The trade-agreements program was designed by patriotic, sincere, and able men who, with the best interests of our Nation at heart, sought a way to restore our foreign trade so that American agriculture, labor, and industry might profit therefrom.

Every iota of evidence points toward the fact that those charged with administering the program have ever had the interests of America and of Americans uppermost in their hearts.

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

Mr. LUCAS. I yield to the Senator from Michigan.

Mr. VANDENBERG. The Senator has made a very able presentation of his point of view in respect to the reciprocal-trade treaties, but he has rather left the inference that the only opposition to the treaties is a captious, insincere sort of opposition.

Mr. LUCAS. If the Senator feels that I left such an inference, I suggest that perhaps the Senator did not hear all of my speech. The Senator realizes that there are some fundamental differences of opinion, and I so stated in the early part of my speech, and I also stated that I respect the views of anyone who has honest, sincere differences with me on the question of trade treaties.

Mr. VANDENBERG. And it is upon that basis that I wish to ask the Senator one or two questions, if he will permit, simply for the purpose of further illuminating the subject. Does the Senator desert the principle that American labor and industry should be protected by a tariff which represents the difference between cost of production at home and abroad?

Mr. LUCAS. I do not desert that principle, and I do not think the trade-agreements program deserts that principle, although that factor is undoubtedly taken into consideration along with a great many other pertinent factors.

Mr. VANDENBERG. The Senator does not claim, does he, that the State Department fixes tariffs on the basis of

the difference between the cost of production at home and abroad?

Mr. LUCAS. I do not.

Mr. VANDENBERG. Would the Senator be willing to amend the Trade Agreements Act to require that in making concessions to foreigners the State Department at least shall not go below the difference in cost of production?

Mr. LUCAS. I would not make that kind of agreement at all. I believe in that principle; but I think that in connection with trade agreements, with all their ramifications, no definite policy of that kind could be laid down as a matter of law. In my opinion, that is a matter which will have to be left solely in the hands and the discretion of the Secretary of State, and I think that up to this time no specific charge can be laid against the President that he has failed to take into account the cost factors with all other pertinent factors in the negotiation of these trade agreements.

Mr. VANDENBERG. Let us see whether or not that is entirely true. Let us come down from the general to the specific. Does the Senator endorse the action of the State Department in reducing the tariff on sugar, and contemplating a further reduction in the tariff which protects domestic sugar, in the face of a report from the Tariff Commission which clearly indicates that the existing tariff protection is not sufficient in view of the difference between the cost of production at home and abroad?

Mr. LUCAS. I will say to the Senator that, as a member of the Committee on Agriculture and Forestry, I have given a tremendous amount of study to the sugar question. I have studied it both as a member of the House Committee on Agriculture and as a member of the Committee on Agriculture and Forestry of the Senate.

I wish to say that just so long as we are bound to protect Cuba and other sugar-producing areas which are tied up with us the way they are at the present time, the sugar question will always be filled with great difficulty. I sat in a meeting of the House committee and heard all the questions with respect to sugar discussed. I heard former Senator WADSWORTH, who is now a Member of the House, make a very forceful speech against sugar quotas. Yet I will say to the Senator from Michigan that there was not a single producer of sugar, whether he was a beet grower, whether he was a cane grower, whether he represented the Hawaiian interests, the Cuban interests, or the Philippine interests, or other interests in places where sugar is grown, there was not a refiner, there was not a producer, there was not a single individual connected with sugar who appeared before that committee who did not insist that the committee place those quotas just as it did place them, for, as those representatives said, unless the committee did so the sugar industry would be ruined both from the standpoint of the sugar refiners and the growers.

That is the best answer I can give to the Senator from Michigan on the question of sugar.

Mr. VANDENBERG. Mr. President, the quota system is somewhat related to the general tariff protection based on the difference between cost of production at home and abroad.

Mr. LUCAS. Yes. I will say to the Senator it is all related.

Mr. VANDENBERG. They are tied together. But we cannot substitute the quota system for the system of adequate tariff protection of the industry. I say to the Senator that when the Tariff Commission itself demonstrates that the existing tariff, the purpose of which is to give protection to 16 beet-sugar- and 2 cane-producing States, is inadequate, for instance, to cover the difference between cost of production at home and abroad, then the exercise of the power in the State Department further to reduce that protection is not a sound use of power.

Mr. LUCAS. The Senator, of course, is entitled to his opinion. I respect his opinion, and I will further answer the Senator by saying to him that the sugar question is somewhat like the complicated and hair-line questions

which used to be presented in the law school that I attended. We had a very pious, very learned old professor—

Mr. VANDENBERG. I do not catch the analogy up to this point. [Laughter.]

Mr. LUCAS. The Senator will if he will follow me. This professor frequently, when in trouble with respect to a legal example which could be interpreted either way, would look to the ceiling and say, "You know, young gentlemen, there is much to be said on both sides of that question." And there is much to be said on both sides of the sugar question, I will say to the Senator from Michigan. We could probably agree on some of the fundamental principles, but I have seen the sugar representatives themselves have the most difficult time trying to agree upon any program. And I have seen that same thing in a good many other American industries where legislation is made, the idea being that because honest, sincere, and learned men in the United States Senate and the House; because all the experts along the line of sugar or cotton or corn or wheat, or other products, cannot agree among themselves as to the best policy to follow—that demonstrates to my mind the real difficulty which exists in working out anything from the standpoint of legislation which will be beneficial for the greatest number, and that is what the Senator from Illinois is always vitally interested in and concerned with.

Mr. VANDENBERG. I think the Senator's observations are justified in respect to the unfortunateness of the disagreements among those who are interested in sugar in the United States, but I am citing this example solely as being illustrative of a fundamental principle.

Mr. LUCAS. I appreciate that.

Mr. VANDENBERG. What I am trying to suggest to the Senator is that since he asserts his continuing belief that tariffs should represent the difference in cost of production at home and abroad, I fail to understand how he can support a theory of government which permits the State Department to fix tariffs regardless of the difference in the cost of production at home and abroad, and I give him sugar as simply an illustration of the fact that the State Department officials are totally oblivious to the difference between cost of production at home and abroad, and that they have not the slightest intention of consulting the welfare of the domestic industry when they trade these rates.

Mr. LUCAS. I will say to the Senator from Michigan that so long as the domestic industry holds such a difference of opinion as to what should be done, and if there cannot be a concentrated effort and a united front on the part of those who are interested in the great sugar question, I am not so sure that the Government officials are not justified in doing the best they can. I take it that the State Department officials are compelled to do the best they can under all the circumstances.

Mr. VANDENBERG. In order to keep the record straight I will say to the Senator that there is no difference of opinion among the domestic sugar producers that the Cuban tariffs should not be reduced as a result of State Department negotiations. I should say that there is unanimous agreement that that situation is an almost insufferable hazard to the beet industry in 16 States and the cane industry in 2 States.

Mr. LUCAS. May I ask the Senator a question?

Mr. VANDENBERG. Certainly.

Mr. LUCAS. The Senator has interrogated me along the line of the philosophy of the reciprocal-trade agreements. I should like to ask him a question. I take it the Senator is honestly and sincerely opposed to the reciprocal-trade agreements. I ask him if he would suggest that we return to the good old embargo-tariff days, such as we had under the Smoot-Hawley Act of 1932.

Mr. VANDENBERG. If I had my way about it, I would return to a basis which would emphasize the importance of the United States Tariff Commission, to the ultimate result that, as nearly as possible under our constitutional system, we should have tariffs which from time to time actually rep-

resent the difference between the cost of production at home and that abroad. I am not interested in any superlative tariffs, if that is a correct definition of them. I am interested in a continuation of protection against low foreign costs which crucify our labor, our industry, and our agriculture.

Mr. LUCAS. I do not agree that they crucify agriculture or labor or industry.

Mr. VANDENBERG. By the time we shall have reached 1948 and shall have put a total of 9 percent new social-security taxes upon American industry, thus increasing the cost of production in the United States arbitrarily and automatically 9 percent on everything, we shall confront an absolute necessity for increased protection rather than decreased protection. It is in the face of that contemplation, as well as in the face of the existing facts, that I renew my suggestion that if reciprocal-trade treaties are to be safe in any degree they must be written in the purview of the rule that our tariffs should represent the difference between the cost of production at home and abroad.

Mr. LUCAS. Mr. President, I do not want to have the RECORD show that I agree with the Senator that the reciprocal-trade agreements at the present time are literally destroying labor, agriculture, or any other industry in this country. The Senator did not hear all of my speech. I think the facts I have given, if he will analyze them in some of his spare moments, if he has any, will demonstrate beyond any question that the reciprocal-trade agreements have been successful, so far as American agriculture is concerned. I have delivered this address on the basis of how trade agreements affect the agricultural program of my section of the country, as well as all others.

Mr. VANDENBERG. I thank the Senator for his courtesy.

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

Mr. LUCAS. I yield to the Senator from Kentucky.

Mr. BARKLEY. I merely wish to congratulate the Senator from Illinois and thank him for the very able address he has delivered on this subject. It is a subject about which there is much confusion and misinformation. The Senator has made a real contribution to the situation which he has so ably discussed, and I am under obligation to him for it.

Mr. LUCAS. I thank the Senator.

CHARLES L. KEE

The PRESIDING OFFICER (Mr. SCHWARTZ in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 821) for the relief of Charles L. Kee, which was, in line 11, after "demonstration", to insert "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Mr. BYRD. I move that the Senate concur in the House amendment.

The motion was agreed to.

#### SALE OF SURPLUS AGRICULTURAL COMMODITIES

The Senate resumed consideration of the bill (S. 2904) to provide for the sale under certain conditions of agricultural commodities held by the Commodity Credit Corporation.

Mr. BYRNES. Mr. President, I desire to make a statement with reference to the bill which is pending. Its consideration has been making such rapid progress thus far since yesterday morning that I am moved to make a statement with reference to it. I know that we are approaching the end of the session; and that the Senate can do nothing unless it is done practically by unanimous consent. I am advised that the Senator from Utah [Mr. KING], the Senator from South Carolina [Mr. SMITH], the Senator from Georgia [Mr. GEORGE], the Senator from North Carolina [Mr. BAILEY], and several Senators on the other side of the aisle are opposed to the bill and desire to discuss it and express their views.

It is apparent to me that that being true, it would be exceedingly difficult to obtain a vote on the bill between now and the time of adjournment.

If the bill were passed by the Senate it would then have to go to the House; and inasmuch as it has not received consideration in the House, it would be referred to a committee. As a practical matter there does not seem to me to be any chance to secure favorable consideration at this time.

I do not believe in wasting my time or asking the Senate to waste its time in the consideration of something which cannot be done. Though I am greatly interested in the sale of the 175,000 bales of cotton, inasmuch as it is not possible to obtain consideration by the Senate in time for the bill to be considered in the House, there is no practical reason for insisting upon further consideration of the bill at this time, and I withdraw the request for consideration of the bill.

The PRESIDING OFFICER. The Senator from South Carolina withdraws his request for consideration of the bill. Is there objection? The Chair hears none, and the request is withdrawn.

DOROTHY CLAIR, G. F. ALLEN, AND EARL WOOLDRIDGE

Mr. THOMAS of Oklahoma. Mr. President, yesterday a message was received from the House announcing an amendment of the House to Senate bill 2239, an Indian bill. The amendment was to add an apostrophe and an "s" to the word "boy", making the word "boy's." On yesterday I moved to disagree to the House amendment. The motion was agreed to. I now desire to move to reconsider the vote by which the Senate disagreed to the House amendment to Senate bill 2239.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma [Mr. THOMAS] that the vote by which the Senate disagreed to the House amendment to Senate bill 2239 be reconsidered.

Mr. AUSTIN. Mr. President, what is the bill? I wish to identify it.

Mr. THOMAS of Oklahoma. It is Senate bill 2239, for the relief of Dorothy Clair, G. F. Allen, and Earl Wooldridge. As I stated, the House amended the bill by adding an apostrophe and the letter "s" to the word "boy", making it read "boy's." Yesterday I moved that the Senate disagree to the House amendment, which motion was agreed to. I now move to reconsider the vote by which the Senate disagreed to the House amendment.

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

The motion was agreed to.

Mr. THOMAS of Oklahoma. I now ask the Chair to lay before the Senate the amendment of the House of Representatives to Senate bill 2239.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2239) for the relief of Dorothy Clair, G. F. Allen, and Earl Wooldridge, which was, in line 5, to strike out "Boy" and insert "Boy's."

Mr. THOMAS of Oklahoma. I move that the Senate concur in the House amendment.

The motion was agreed to.

REIMBURSEMENT OF COTTON COOPERATIVE ASSOCIATIONS FOR LOSSES UNDER FEDERAL FARM BOARD

Mr. THOMAS of Oklahoma. Mr. President, it was understood that the bill to follow the bill in which the Senator from South Carolina [Mr. BYRNES] was interested would be Senate bill 2585, Calendar 802, a bill introduced by the Senator from Alabama [Mr. BANKHEAD] to reimburse the cotton cooperatives associations for losses occasioned by the Federal Farm Board's stabilization operations, and for other purposes.

I desire to make a statement with respect to that bill similar to the statement made by the Senator from South Carolina [Mr. BYRNES] in respect to the bill in which he was interested.

The bill is controversial. It proposes to adjust a business transaction between the Federal Government and cotton cooperatives in some 12 cotton-producing States. The bill proposes to authorize an appropriation of \$1,200,000,000 to make such adjustment. I understand that if the bill is made a

special order the senior Senator from Tennessee [Mr. McKELLAR] desires to discuss the bill and the amendments. Personally, I should be very glad, indeed, to hear the Senator discuss any measure, and especially this one; but I think in the closing hours of this session it would be asking too much to try to make a bill of this kind the unfinished business, because it would occasion considerable discussion.

Mr. McKELLAR. Mr. President, I thank the Senator for making that statement. In addition to other matters, a number of errors would necessarily have to be corrected, which would require a long time. I hope the Senator will allow the matter to go over until the session next January, when we can discuss it and have the Senate pass the bill.

Mr. SMITH. Mr. President, may I inquire of the Senator from Oklahoma whether or not the bill to which he refers is the one to which he referred the other day? As I understand, there are two similar bills.

Mr. THOMAS of Oklahoma. The bill to which I refer is the one making an adjustment with the cotton cooperatives, paying them the amount of their losses in dealing with the Federal Farm Board under a previous administration.

Mr. SMITH. Does the bill have reference to the 16-cent loan?

Mr. THOMAS of Oklahoma. That is correct.

Mr. McKELLAR. The 16-cent loan, dating back to 1929 and 1930.

Mr. SMITH. Mr. President, I am glad that those who favor this measure have seen fit to postpone it until the Senate can be advised of all the facts. I wish to state that I am heartily in favor of the adjustment. I think the cooperatives are entitled to the adjustment; and when we shall meet in January, if I am fortunate enough to be then alive, I shall take such time as may be necessary to try to convince my colleagues that the object of the bill is a righteous one.

Mr. McKELLAR. Mr. President, I have an hour and a half set aside in which I am quite sure I can convince my good and splendid friend from South Carolina, who is always willing to hear facts, that he should not vote for the bill.

Mr. SMITH. I have 2 hours in which I am going to set my friends from Tennessee right.

Mr. BARKLEY. If I understand the colloquy, there will be convincing arguments on both sides.

Mr. SMITH. There will be a paramount convincing one coming from South Carolina.

Mr. McKELLAR. Then, as I understand, the bill goes over.

Mr. THOMAS of Oklahoma. Mr. President, let me ask the Senator from Kentucky if this bill is not to be taken up for consideration now; does the Senator from Kentucky see any reason why it could not be made the unfinished business for early in the session when the Congress shall reconvene in January?

Mr. BARKLEY. I do not, but I will say to the Senator that I do not think it is wise at this session to make any bill the unfinished business for the next session, because we cannot tell what the situation will be when the Congress reassembles. I should not like that to be done; but I can assure the Senator that I know of no reason why early in the next session the matter should not be taken up and discussed fully.

Mr. THOMAS of Oklahoma. As I think we all know, there is not much business to transact in the first few days of a new session, and, if it will be agreeable, I will not move to make this bill the unfinished business but will defer that motion until some time early in the next session of Congress.

EXCHANGE OF SURPLUS AGRICULTURAL COMMODITIES FOR FOREIGN RESERVE STOCKS OF STRATEGIC AND CRITICAL MATERIALS—CONFERENCE REPORT

Mr. BYRNES submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (S. 2697) to facilitate the execution of arrangements for the exchange of surplus agricultural commodities produced in the United States for reserve stocks of strategic and critical materials produced

abroad, having met, after full and free conference, have agreed to recommend, and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"The Commodity Credit Corporation is authorized and directed to transfer to warehouses in or near cotton manufacturing centers in New England not to exceed 300,000 bales of cotton, to which it now has title or many hereafter acquire title, having regard for the grades and staples customarily required by manufacturers in that area: *Provided*, That all necessary costs in connection with such transfer will not result in additional net cost to the Corporation.

"In determining specific cotton to be exchanged under this act, the determination shall be made by sampling and selection at the place where the cotton is stored on the date of ratification of a treaty providing for such exchange, and no cotton shall be exchanged under such treaty which, after such date, is transported to another place and there sampled and selected."

And the House agree to the same.

JAMES F. BYRNES,  
J. H. BANKHEAD,  
PRENTISS M. BROWN,  
JOHN G. TOWNSEND, JR.,  
*Managers on the part of the Senate.*

HENRY B. STEAGALL,  
CLYDE WILLIAMS,  
BRENT SPENCE,  
JESSE P. WOLCOTT,  
CHARLES L. GIFFORD,  
*Managers on the part of the House.*

Mr. VANDENBERG. Mr. President, what is the net result of the conference?

Mr. BYRNES. There was only one amendment on the part of the House, which applied only to the question of where the cotton to be delivered under the treaty should be sampled first. The amendment which was agreed to in conference provided that the cotton to be delivered should be sampled at the place where it is now stored, according to the House provision.

There was also a provision that not to exceed 300,000 bales should be transported to warehouses in the New England area. The conference report provides for the transportation of 300,000 bales, with the net result that there is no increased expense to the Corporation. The conference report is a complete agreement.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. BYRNES. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. BARKLEY. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on the motion of the Senator from Kentucky [Mr. BARKLEY] to lay on the table the motion of the Senator from South Carolina [Mr. BYRNES] to reconsider the vote by which the conference report was agreed to.

The motion was agreed to.

#### CONSIDERATION OF UNOBJECTED-TO HOUSE BILLS

Mr. BARKLEY. Mr. President, on the call of the calendar day before yesterday a number of House bills or, at any rate, some House bills were passed over, and since that call a number of House bills have been placed on the calendar. Some of them, in fact, most of them, are noncontroversial; they merely involve the construction of bridges and other routine matters. I ask unanimous consent that the Senate now proceed to the call of House bills on the calendar to the consideration of which there is no objection.

The PRESIDING OFFICER. Is there objection?

Mr. PEPPER. Mr. President, will the Senator from Kentucky indicate about how many of such bills there are on the calendar?

Mr. BARKLEY. I cannot give the number, but there are not very many.

I will say to the Senator from Florida and also to other Senators that during the next day or two we shall have coming over probably every few minutes from the House House bills to which the Senate probably will want to make no amendment. I have no desire, and other Senators, I am

sure, have no desire, to delay those bills if they can be passed before adjournment; and it may be necessary from time to time during the next 2 or 3 days to call up such House bills. I do not desire to exclude Senate bills, but I think, from the looks of things, we are going to have sufficient time to consider most of the bills on the calendar by calling them. I do not think it will take long to dispose now of the House bills that have come over.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

Mr. McKELLAR. Mr. President—

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

Mr. BARKLEY. I yield.

Mr. McKELLAR. I am not going to object to the request of the Senator from Kentucky to call the calendar for unobjected-to House bills, but I do wish to give notice at this time that at the very first opportunity—and the only reason I do not make the motion now is because I am tied up in the Appropriations Committee on a matter which is going to take more time—I shall move to take up Calendar No. 227, Senate bill 1681.

Mr. BARKLEY. That is the bill, as I understand, to which the Senator referred yesterday, which went over on the call of the calendar?

Mr. McKELLAR. Yes.

Mr. BARKLEY. So far as I am concerned, at any time the Senator is prepared to take that bill up it would be agreeable to me to do so.

Mr. AUSTIN. Mr. President, let me observe that that bill is still in committee, although it appears that the bill is on the calendar. The RECORD ought to show that it was understood that the bill should not be proceeded with until the Judiciary Committee heard new evidence and reported after having heard the new evidence. They have heard the testimony of the Senator from Tennessee and his colleague, but the committee have not completed their hearings. At the request of the Senator an adjournment of the committee was taken, but the hearings by that committee, I repeat, are not concluded. Therefore, I think there is no possibility of the Senate, unless it discharges the committee, considering this bill.

Mr. McKELLAR. Oh, no.

Mr. BARKLEY. Mr. President, may I ask the Senator from Vermont how a bill of this character or any other character could appear on the calendar unless the committee had reported it?

Mr. AUSTIN. The bill was placed on the calendar in due form. Promptly upon its being called when reached on the calendar, I rose and started to ask to have it recommitted to the committee for the consideration of further evidence. Thereupon, the Senator from Tennessee made the suggestion that the same purpose could be accomplished by allowing the bill to remain where it was on the calendar and hold hearings in the committee and take the new evidence. In order to accommodate the Senator, I assented to that method of procedure.

Mr. McKELLAR. Mr. President, I think the Senator is mistaken.

Mr. AUSTIN. The committee has proceeded up to a certain point but has not finished its work.

Mr. McKELLAR. Mr. President, my recollection is not like that of the Senator from Vermont. The Senator objected to the bill on the ground that certain Senators on the Judiciary Committee that have been appointed to investigate such bills as this wanted to investigate it further. I did not object to that at all, and I went before that committee, but the bill was never recommitted to the committee or rereferred to the subcommittee. It was reported by the subcommittee, as I recall, but there was no agreement that this bill was not to be called when it was reached, and the only reason it went over was because the Senator from Vermont objected to it the other day, as, of course, he had a right to do.

I did not agree at all that it might be referred to some other subcommittee of the Judiciary Committee. It is still

on the calendar, and if members of the Judiciary Committee are opposed to it they have a right to fight it; that would be all right; but I want a hearing for the bill; I want the hearing at this session, and I am going to make every effort humanly possible to have the measure passed. The Senate has already passed a bill almost exactly similar to it, creating such a district as this bill proposes to create. At that time it was objected to by the Department but the Department has since withdrawn its objection.

Mr. AUSTIN. Oh, no.

Mr. McKELLAR. Yes, it has. I have a letter from the Department and the committee has a letter from the Department withdrawing its objection and favoring this bill.

Mr. AUSTIN. Mr. President, you will observe that there is a grave question of fact in issue. On this matter of veracity I will not be heard to say another word; I will not be put in that position by any Senator. All I have to say is that when an effort is made to make order of business No. 227, Senate bill 1681, the pending business, I shall oppose it.

Mr. McKELLAR. Yes, that would be entirely proper, and I would have no objection to that being done.

Mr. BARKLEY. I renew my request that the calendar be called for the consideration only of House bills to which there is no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

Mr. KING. Mr. President, before the request of the Senator from Kentucky is agreed to—

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

Mr. BARKLEY. I yield.

Mr. KING. I desire to inquire whether or not when a bill is called objection could be interposed?

Mr. BARKLEY. I asked for the consideration of House bills to which there was no objection.

Mr. KING. I did not understand that portion of the request.

Mr. BARKLEY. Mr. President, I should like to have the request include a number of House bills which have been reported by committees and are now on the desk but have not been printed and placed on the calendar.

Mr. JOHNSON of California. Mr. President, may I ask the Senator from Kentucky when he contemplates adjournment?

Mr. BARKLEY. Does the Senator mean final adjournment?

Mr. JOHNSON of California. Yes.

Mr. BARKLEY. I cannot tell the Senator. Very much depends upon what the House may do and when it does it. So far as the Senate is concerned, except for the deficiency bill, I think we could adjourn tonight or at any other time; but the House still has some matters which it has to dispose of. The deficiency bill is now before the Appropriations Committee of the Senate, and I do not know when it will be reported, and its passage will depend upon the number and character of amendments that are put on the bill when it is before the Senate. I doubt very seriously, I will say to the Senator, whether we can adjourn before Saturday night, and I am not absolutely certain we may be able to do that.

Mr. JOHNSON of California. But we can put that as the reasonable limit.

Mr. BARKLEY. I think so.

I inquire, Mr. President, if my request has been acted on?

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky that unobjected-to House bills on the calendar be considered? The Chair hears none, and it is so ordered.

Mr. KING obtained the floor.

FEDERAL HOME LOAN BANK SYSTEM AND HOME OWNERS' LOAN CORPORATION

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

Mr. KING. I yield to the Senator from Kentucky.

Mr. BARKLEY. During the debate a few days ago on the so-called lending bill, the Senator from Virginia [Mr. Byrd]

made some observations with respect to various Government corporations, including the Home Loan Bank System. I have a letter from Mr. T. D. Webb, the vice chairman of the Home Loan Bank Board, calling attention to the Senator's observations and making some corrections in them. I ask unanimous consent that the letter be printed in the RECORD.

Mr. BYRD. Mr. President, I shall make no objection to the request of the Senator from Kentucky, but will say that as soon as it can be prepared I shall present for inclusion in the RECORD some information which I think will show that the statement I made on the floor of the Senate was accurate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none.

The letter referred to is as follows:

JULY 28, 1939.

HON. ALBEN W. BARKLEY,

United States Senate, Washington, D. C.

MY DEAR SENATOR: There has come to my attention that portion of the debate on the program for financing recoverable expenditures in which you reply to Senator Byrd's allegations of the losses which the Federal Government would sustain as a result of its capital investment in the Federal Home Loan Bank System and the Home Owners' Loan Corporation. For your convenience I herewith quote the statement made by Senator Byrd, which appears on page 10010 of the CONGRESSIONAL RECORD for Wednesday, July 26, 1939:

"Mr. Byrd. For example, \$100,000,000 has been invested in the capital stock of the Commodities Credit Corporation, which, by the statement of the President, as directed to the Congress, is valueless. Twice have appropriations been made to make good the stock of the Commodities Credit Corporation. There are quite a number of other such stock purchases; for example, the Federal home-loan bank, and the Home Owners' Loan Corporation, with \$325,000,000, is included in the list of alleged assets, and anyone who is familiar with the Home Owners' Loan Corporation operations knows that the losses have greatly exceeded \$325,000,000. As a matter of fact, up to June 30, 1938, there were 152,262 foreclosures authorized, and, actually, something like 65,805 homes have been repossessed which are now rented and 9,322 which are not rented."

The form of this statement and its sequence of facts are very misleading. The \$325,000,000 figure used represents the Government capital investment in both the Federal Home Loan Bank System and the Home Owners' Loan Corporation. This may be broken down to show that the Reconstruction Finance Corporation has invested for the Secretary of the Treasury in the regional Federal home-loan banks a sum amounting to \$124,741,000. The Secretary of the Treasury holds the entire \$200,000,000 of capital stock in the Home Owners' Loan Corporation. May I for your general information outline certain pertinent facts concerning the Government stake in each of these investments.

From October 15, 1932, to June 30, 1939, the 12 Federal Home Loan Banks have declared and paid dividends of \$9,849,146.10 on the Government's investment of \$124,741,000. The sound financial position of the Federal Home Loan Bank System is indicated by the fact that during this same period it has paid \$2,600,000 in dividends to members, has accumulated undivided profits and reserves for contingencies amounting to \$4,500,000, has provided for reserves required under section 16 of the Federal Home Loan Bank Act of \$4,300,000, and has advanced to its members a total of \$523,023,390.54, upon which no loss has been sustained.

Senator Byrd has given the impression in the above-quoted statement that the Federal Home Loan Bank System belongs in the category of a temporary agency such as the Home Owners' Loan Corporation. This is, of course, not the case. During the almost 7 years of the System's operation, it has definitely established itself as a reserve system in the field of home-mortgage finance, comparable to that of the Federal Reserve System in the field of commercial banking. The Bank System at the end of the last fiscal year had total assets of almost \$300,000,000, and there is no question of its continued growth. I think you will agree that the record proves the Bank System to be a sound dividend-paying financial organization, and that the investment of the Government, far from being a risky one, is sound and profitable.

When, in the summer of 1933, Congress created the Home Owners' Loan Corporation as an emergency relief agency for the benefit of home owners, it provided \$200,000,000 of capital for the use of the Corporation. The purpose of the Corporation was essentially one of relief; it was not established as a profit-making institution. In fact, at the time of its creation heavy losses were forecast and anticipated.

The statement that, "the losses have greatly exceeded \$325,000,000" is inaccurate. From the beginning of its operations until June 30, 1939, the Home Owners' Loan Corporation has set aside over \$146,000,000 as reserves for losses to be sustained in the liquidation of its loans. During that time about \$56,000,000 has been charged against this reserve for losses. The impairment of capital therefore at the close of the fiscal year was just under \$60,000,000 after providing for the above-mentioned reserves, which, as indicated, now stand at approximately \$90,000,000.

It must be remembered that the Corporation took over more than 1,000,000 distressed home mortgages to an amount in excess of \$3,000,000,000, which private agencies were either unable or unwilling to carry. As a matter of fact, from the standpoint of risk, the mortgage obligations financed by the Home Owners' Loan Corporation were considered as the poorest type of risk in the home financing field. That the losses on the risks assumed by the Corporation have been low is a tribute to the integrity of the American people and their determination to meet their obligations to the extent of their ability to do so.

I have volunteered this information in an effort to correct any misunderstanding that may have grown out of Senator BYRD's statement about the losses of the Bank System and the Home Owners' Loan Corporation.

Sincerely yours,

T. D. WEBB, *Vice Chairman.*

#### AMENDMENT OF PHILIPPINE INDEPENDENCE ACT

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

Mr. KING. I yield.

Mr. TYDINGS. I think the request I am about to make of the Senator from Utah will take about half a minute.

Mr. KING. I yield, with the expression that the Senator may have a minute instead of half a minute.

Mr. TYDINGS. That is very kind.

I ask that the House bill dealing with the Philippine Islands be laid before the Senate.

The PRESIDING OFFICER laid before the Senate the bill from the House of Representatives (H. R. 7096) to amend an act entitled "An act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes," which was read twice by its title.

Mr. TYDINGS. Mr. President, some time ago the Senate passed a bill dealing with this subject. The House, however, did not act on the Senate bill, but passed its own bill, because it was thought that under our Constitution the revenue measures contained in the Senate bill would have to be initiated in the House of Representatives. However, there is very little fundamental difference between the House bill and the Senate bill. Senators who may be interested have seen the House bill, and, so far as I know, there is no objection to it.

I therefore ask that the House bill be put upon its third reading and final passage.

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

Mr. TYDINGS. I yield.

Mr. WHITE. Have the members of the Committee on Territories and Insular Affairs been consulted about this matter?

Mr. TYDINGS. All of those that I know have any interest in it have been consulted, as well as the Senators from sugar-producing States who have an interest in the bill, and almost all other Senators I can think of who might be interested in it.

Mr. WHITE. Has the Senator from Vermont [Mr. Austin], who is acting as minority leader, been conferred with about it?

Mr. TYDINGS. I think the Senator from Vermont would be satisfied with whatever the Senator from Michigan [Mr. Vandenberg] would be satisfied with on the measure. However, if there is any objection later on, I shall ask a reconsideration.

#### EFFECT ON DOMESTIC SUGAR

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. Am I to understand that this bill as it was passed in the House is substantially the same, with respect to its provisions regarding sugar, as the bill which passed the Senate?

Mr. TYDINGS. To the best of my knowledge there is no substantial difference between the House bill and the Senate bill in regard to sugar.

Mr. O'MAHONEY. There is no change in the sugar quota?

Mr. TYDINGS. None at all.

Mr. O'MAHONEY. So that in permitting the passage of this bill at this time we shall not be changing the action of the Senate?

Mr. TYDINGS. Not a bit.

Mr. O'MAHONEY. Although it is a different bill that comes before us?

Mr. TYDINGS. That is correct, except that there is in it a revenue provision which ought to originate in the House of Representatives to come clearly within the purview of the Constitution.

Mr. O'MAHONEY. Mr. President, when the Senator from Maryland advised me yesterday that he was about to ask that this bill be acted upon, I was considerably concerned, not only because I wanted to be sure that the House bill did not modify any of the provisions of the Senate bill with respect to Philippine sugar, but also because reports were being published in the newspapers and circulated through certain financial letters that it was the purpose of the State Department to await the adjournment of Congress, and then to announce a reduction of 15 points in the tariff upon Cuban sugar. It seemed to me to be almost unbelievable that there could be any basis for that charge; but it was made openly in the columns of the press, and it had been circulated for several months.

For example, yesterday morning in the Journal of Commerce and Commercial of New York, Wednesday, August 2, there was a story on sugar prices which contained this paragraph:

Domestic sugar futures continued to mark time yesterday, apparently waiting for adjournment of Congress, since it is widely believed that action on the Cuban sugar duty will be taken immediately following that event.

Mr. President, at the beginning of this session I was one of those who offered a resolution, which went to the Committee on Finance, having to do with this proposed modification of the reciprocal-trade agreement with Cuba intended to make a further reduction of the tariff upon sugar. That matter was considered at an open, public hearing. It was and is a question of great importance to the sugar-producing States in the United States, and to all domestic sugar areas, whether or not it is proposed to grant additional concessions to Cuban sugar interests.

Much concern has been felt throughout the United States because of the apprehension that it might indeed be the intention of the State Department to announce a modification of the trade agreement immediately after the adjournment of Congress.

In the letter issued by Farr & Co., brokers in raw and refined sugar, on Wednesday, July 19, I found, for example, this statement:

Today the market for Cuban sugar is stimulated by a report that the Cuban Ambassador is leaving for Washington to speed negotiations for revision of the reciprocity treaty and that the Cuban Government has virtually accepted proposals made by our State Department paving the way for the ratification of this much-discussed proposition. Many of those best informed have been of the opinion that a final agreement on this question would be held back until the American Congress adjourned and as this is now expected within 2 weeks, the prospects for the 15-point tariff reduction to be made effective appear to be more favorable than at any previous time.

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

Mr. O'MAHONEY. I am very glad to yield.

Mr. KING. I have examined the bill, and it seems to me that it is not susceptible of any interpretation which might affect the sugar interests of the United States. Indeed, it does not deal with sugar; it deals with a few unimportant commodities with which there is no particular competition in the United States. Certainly, as a member of the Committee on Territories and Insular Affairs, which considered this matter, I would not consent to the passage of any measure which would injuriously affect, or affect at all, our sugar interests.

Mr. O'MAHONEY. Mr. President, I am satisfied that the bill as it comes to the floor of the Senate now does not change the situation with respect to sugar, but I wanted to take advantage of this opportunity to emphasize my view with respect to the right of Congress to have the most complete information regarding the negotiation of reciprocal-trade agreements. I wanted, also, to eliminate if possible whatever basis there may have been for the allegation that

it was the purpose of the State Department, immediately Congress went into adjournment, to take action which the State Department knows would be opposed by a substantial number of Members of this body and of the House of Representatives. So I am very happy to send to the desk this morning a letter from the Honorable Francis B. Sayre, Assistant Secretary of State, which I shall ask that the clerk read.

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

Mr. O'MAHONEY. I yield.

Mr. KING. It seems to me that the Senator desires to warn the Secretary of State not to negotiate any treaty with Cuba—and I am in sympathy with that view—which will be injurious to the sugar interests of the United States. This is an admonition to the State Department to keep within legitimate bounds.

Mr. O'MAHONEY. I am not one to admonish anyone.

Mr. KING. I differ with the Senator.

ASSISTANT SECRETARY OF STATE DISAVOWS REPORT

Mr. O'MAHONEY. But I should like to have the letter read, and then I shall be very happy to have the Senator from Maryland make comment upon it.

The PRESIDING OFFICER. The clerk will read.

The legislative clerk read as follows:

ASSISTANT SECRETARY OF STATE,  
Washington, August 2, 1939.

The Honorable JOSEPH C. O'MAHONEY,  
United States Senate, Washington, D. C.

MY DEAR SENATOR: With reference to our telephone conversation of this afternoon regarding the statement which you stated recently appeared in the press to the effect that the State Department is only awaiting the adjournment of Congress before cutting the tariff duties on Cuban sugar, I should like positively to deny the statement. As a matter of fact, negotiations with the Cuban Government have been in progress ever since last November. These negotiations have had their ups and their downs. For a time it looked as though announcement would have to be made of the break-down of the negotiations. At the present moment it is impossible to say whether the negotiations will be successful and an agreement can be reached or not. Many grave obstacles stand in the way of agreement. It can be positively asserted that no immediate action is in prospect.

Sincerely yours,

FRANCIS B. SAYRE.

Mr. TYDINGS. Mr. President, the Senator from Louisiana [Mr. ELLENDER] I know is likewise concerned about sugar, and I should be glad to answer any question he might desire to ask.

Mr. ELLENDER. Mr. President, I do not desire to ask the Senator from Maryland a question, but a few minutes ago he made the statement that all Senators interested in sugar were consulted, and I wish to say that, although I represent a sugar-producing State, I was not consulted. I take the Senator's word to the effect that there is nothing in the bill which changes the tariff on sugar or, in fact, the present sugar set-up.

Mr. TYDINGS. No change was made in the sugar set-up; and because the Senators from Colorado and Wyoming, who are keenly interested in the subject, had examined the bill, I took the liberty, as no change was made, of making the broad statement I did make.

I ask that the bill be put on its passage.

Mr. O'MAHONEY. Mr. President, I ask the Senator whether he has any comment to make upon the letter just read.

Mr. TYDINGS. I learned from Mr. Sayre this morning that the report published in the press, to which the Senator adverted, was without foundation, and that it was neither the intention of Mr. Sayre nor of the State Department to promulgate the line of policy indicated in the newspaper comment to which the Senator referred.

Mr. O'MAHONEY. Mr. President, I understand how important it is to the executive branch of the Government to secure action upon this bill, and in view of the fact that there is now to be a change in the high commissionership, and Secretary Sayre is about to go to the Philippine Islands, I should not want to take advantage of the opportunity which is presented at this late day in the session to prevent

the passage of the bill, or even to offer an amendment with respect to the Cuban tariff, although I desire to call attention to the fact that the Senate of the United States months ago passed a bill amending the present sugar act, and sent it to the House of Representatives, where it has been pigeon-holed in the Committee on Agriculture because the executive arm of the Government, including the State Department, has been unwilling to have it considered. I want the RECORD to show that I am not following, with respect to Philippine legislation, the example that was set to me with respect to sugar legislation.

Mr. TYDINGS. Mr. President, the RECORD will show what the Senator has just stated, and the letter, and I may say that the RECORD will likewise show that Wyoming has a wide-awake Senator, who looks after its interests, in the person of the senior Senator from Wyoming [Mr. O'MAHONEY].

Mr. VANDENBERG. Mr. President, I should like to ask the Senator from Wyoming how he interprets the letter which he has had read at the desk.

Mr. O'MAHONEY. I will ask that the letter be handed back to me.

Mr. VANDENBERG. There is some consolation and comfort in the letter from the viewpoint of those who think American farmers are entitled to priority over Cuban farmers.

Mr. TYDINGS. Mr. President, if I may answer for the Senator, or supplement what he would say with something of which he did not have first-hand knowledge, this morning I talked with Mr. Sayre about this matter, and he told me that I could state emphatically on the floor that no action of the kind indicated in the newspaper article was contemplated, and that no action of that kind would be taken by the State Department.

Mr. VANDENBERG. Mr. President, may I interpret that to this extent, that there will be no action by the State Department in a further reduction of Cuban tariffs on sugar pending the reassembling of Congress next January?

Mr. TYDINGS. The Senator can interpret only what I have myself heard Mr. Sayre say; namely, that the State Department contemplated no action; secondly, that the State Department would take no action touching the matter indicated by the Senator from Wyoming. I cannot interpret any better than by making those two statements. However, from those two propositions I would assume that between now and January, if certainly not for a longer period, no action of the kind mentioned by the Senator from Wyoming will be undertaken by the State Department.

Mr. O'MAHONEY. Mr. President, if I may answer the Senator from Michigan, now that I have the letter back in my hand, I will say that I would not wish to interpret it as a broad assertion that the State Department is absolutely and completely foreclosing itself from the right to complete negotiations. I take this as a practical matter, however. The concluding sentences read as follows:

At the present moment it is impossible to say whether the negotiations will be successful and an agreement can be reached or not. Many grave obstacles stand in the way of agreement. It can be positively asserted that no immediate action is in prospect.

We all know that the language of diplomacy is traditionally involved and circuitous, but as a matter of practical interpretation, since this is the 3d of August, and Congress will be back in session in January, if no special session shall be called, I think that for all practical purposes we may rest assured that there will be no reduction of the tariff on Cuban sugar while Congress is not in session. I think that, in all the circumstances, since those of us who represent the sugar-growing States are waiving any objection we may have to this bill at this time, we may look forward to careful consideration by the State Department of the right of those of us who represent the sugar-producing States to be heard further upon the matter of any modification of the Cuban reciprocal-trade agreement before any negotiations are concluded.

Mr. KING. Mr. President, I wish to observe that the question about the relations between the United States and Cuba



is not germane to the pending bill. The bill does not deal at all with sugar.

Mr. TYDINGS. Of course not.

Mr. KING. It has no relation whatever to the relations between the United States and Cuba.

Mr. O'MAHONEY. Mr. President, it does deal with sugar. I can read the language of the bill, if the Senator insists. It does deal with sugar.

Mr. KING. The Senator is in error; it does not deal with the question of sugar in the Philippine Islands. Its primary purpose is to deal with the importation into the United States of a few commodities which are not in competition with United States products.

Mr. VANDENBERG. Mr. President, I want to assert myself as in precisely the same attitude as that taken by the Senator from Wyoming. We who speak on this floor for the domestic sugar industry do have an opportunity at this moment to strike a blow for the adequate protection of this industry in connection with the pending bill, and when we forego that opportunity on the basis of the letter submitted by the able Senator from Wyoming, I hope that our attitude of generosity in connection with it will be emulated by the State Department and reciprocated when the proper time comes.

Merely to complete the RECORD so that it may show precisely what it is the letter the Senator from Wyoming refers to, I desire to put into the RECORD the statement from the New York Journal of Commerce of August 2 one sentence reading as follows:

Domestic sugar futures continued to mark time yesterday, apparently waiting for adjournment of Congress, since it is widely believed that action on the Cuban sugar duty will be taken immediately following that event.

And also a sentence from the Lamborn Sugar-Market Reports, which says:

Offsetting the disappointing A. A. A. delivery figures for June was a renewed rumor that the proposed reduction in the duty on Cuban sugar was again under consideration, with strong intimations of such reduction being made shortly after the adjournment of Congress.

Those two reports are specifically refuted by the State Department in the letter submitted by the able Senator from Wyoming [Mr. O'MAHONEY], and I hope our reliance upon the State Department's reply may be as complete as is indicated by the Senator from Wyoming.

Mr. TYDINGS. Mr. President, I appreciate the courtesy of the Senate in helping us get this bill through, even though the opportunity exists here for bringing in subjects which are indirectly related to it. I also appreciate the great courtesy of the Senator from Utah in yielding the floor.

I hope I may not be considered captious when I suggest that in view of the fact that I have interrupted the speech of the Senator from Utah in order to get the bill considered, Senators will accommodate the courtesy of the action by at least making their future remarks as short as possible, so that all of us may not transgress on his courtesy.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me for just one moment more?

Mr. KING. I yield.

Mr. O'MAHONEY. This has to do with the statement of the Senator from Utah that there is nothing about sugar in this bill. I read from page 4, beginning in line 16:

The United States duty shall be levied, collected, and paid, in the United States, upon all Philippine sugars, which are entered, or withdrawn from warehouse, for consumption in any calendar year after 1939, in excess of 850,000 long tons, of which not more than 50,000 long tons may be refined sugars.

That very provision was the subject of long debate upon the floor of the Senate when the Senate bill was under consideration in the first place.

Mr. TYDINGS. Not in this bill, I may say to the Senator. That is in existing law.

Mr. O'MAHONEY. Yes; but there was a question as to whether or not there would be a difference of opinion in the

interpretation of direct consumption of sugar, and I find that also in this bill. As a matter of fact, Mr. President, it was because of my desire to be certain that the provisions protecting the sugar industry which we wrote into the Senate bill were contained in this bill, that I asked for the delay in order that I might have the opportunity to examine it. And I may say I am satisfied.

Mr. TYDINGS. So long as we are all in agreement I should like very much to have a vote on the bill.

Mr. ELLENDER. I hope the interpretation placed on the Sayre letter by the Senator from Wyoming will prevail. However, during the past several weeks reports have been brought to my attention that the sugar trade in New York had serious reasons for anticipating that another 15 cents per 100 pounds would be lopped off the tariff on Cuban sugar. When these reports were brought to my attention, I immediately took up the matter with the State Department and I could at no time get the State Department officials to say that they would not take action at some time in the near future on the reduction of the tariff. I expressed to them my sincere hope that the State Department would see fit to take no action until we shall consider the sugar bill next year.

Mr. President, it is well known to the Senate that in 1940 the Sugar Act of 1937 must be extended or a new sugar bill considered. The Reciprocal Trade Agreements Act will also expire in 1940 and the Congress will have to consider whether to extend the powers granted and whether such powers, shall be subjected to reasonable restrictions by the Congress. There is a direct relationship between the reciprocal-trade policies of the United States Government and the Sugar Act of 1937. There is likewise a direct relationship between these two laws and the Philippine Independence Act, which makes definite provisions with respect to sugar. Since these problems are so closely related would it not be wise to consider them together?

At the beginning of this session, I introduced a resolution, the purpose of which was to avoid the plowing up of sugarcane in Louisiana and Florida and make it possible for the sugarcane growers of those States to conduct the normal progress of their industry. When the matter came before the Senate I readily accepted the amendments which Senators from beet-sugar-producing States proposed for the benefit of their beet growers. Although my resolution passed the Senate without a dissenting vote recorded, there has been no further action and the reason given has been that the Sugar Act must be considered in all of its provisions at the 1940 session of Congress.

In like manner, when the reports from Cuba came to the attention of the Senate that commitments had been made by the United States Government to grant Cuba an additional reduction in the tariff on sugar, despite the fact that the tariff had been reduced since 1933 from 2 cents per pound to nine-tenths of a cent per pound, I joined with other Senators in introducing a resolution asking for a full explanation of such commitment. Upon reassurances being given by the Secretary of State that no such commitment had been officially made, it was assumed that the whole subject of sugar tariff would be postponed until the Sugar Act, the Reciprocal Trade Agreements Act, and the Philippine Independence Act could be further considered in a coordinated manner at the same session of Congress. Recently persistent reports from Cuba and statements coming from persons engaged in the sugar trade at New York, have created the general impression that the expected changes in the Cuban trade agreement are awaiting the adjournment of Congress. Newspaper reports daily and trade reports alike for the past 3 or 4 weeks have repeated this expectation so often that I have become convinced that these reporters actually believe that there is in prospect a reduction in the tariff on Cuban sugar immediately after Congress adjourns. All trade reports indicate that Cuban sugars in large volume are being imported, but not entered in the customs of the United States, in anticipation of a reduction in the Cuban tariff, which would

mean a saving of 15 cents per 100 pounds of sugar imported into this country.

Mr. President, I realize that it is neither practical nor desirable to legislate on sugar every year and I can see why the administration and its leaders in Congress might want to postpone action so that the whole subject can be considered at one time. I submit that it is entirely inconsistent to postpone action to afford relief to the sugarcane growers and the sugar-beet growers of the United States, and at the same time take action for the benefit of the Cuban industry, most of which will flow into Wall Street rather than into the pockets of the sugarcane growers and laborers of Cuba. To be consistent and to do a fair job for everybody concerned, all of these matters should be considered by Congress at the same time so as to have coordination. If the Cubans are given special relief in advance of the next session of Congress, will they not be in a preferred position when the sugar bill is considered in 1940? The situation is not at all involved. It may become confused if Congress takes action with reference to the Philippines that might act as an obstacle to a full and free consideration of the whole sugar problem next year. It will certainly become confused if the State Department chooses to give advanced preferential treatment to Cuba in the matter of tariff. It is my sincere hope that the State Department, having delayed action on amending the Cuban trade agreement while Congress is in session, will wait until the next session of Congress to further consider the matter.

Mr. President, I wish to point out one important reason for objecting to any change in the tariff on Cuban sugar during this session of Congress or at any time in the near future. As I pointed out a few minutes ago, the President has already reduced the tariff on Cuban sugar in the amount of 60 cents per 100 pounds. When the Sugar Act of 1937 was passed the amount of the benefit payment to the sugarcane and sugar-beet growers was fixed at 60 cents per 100 pounds, so that the growers would be reimbursed a sum equal to the reduced protection accorded their industry.

Necessarily if the rate of duty on Cuban sugar is to be further reduced, the rate of the benefit payments to our sugar producers should be increased correspondingly, otherwise the growers of sugarcane and sugar beets in the United States would be the victims. It should be the desire of those of us who have the interest of the American farmers at heart to make sure that at no time will any change in our Government's policy be made at their expense.

Mr. President, I desire to thank the distinguished Senator from Utah [Mr. KING] for his indulgence.

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

The bill was ordered to a third reading, read the third time, and passed.

Mr. TYDINGS. Mr. President, I want to thank the Senator from Utah for his courtesy.

Mr. KING. Mr. President, just one observation. I repeat what I said a moment ago, that this bill does not affect our dealings with the Philippines, and the relations between the Philippines and the United States in regard to sugar. It deals with other matters quite foreign to the sugar question. The sugar bill which is now upon the statute books fully protects the United States in its relations with the Philippines, and I am sure there is no Senator who desires to change that relation so far as the present is concerned.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. KING. I yield.

Mr. BORAH. Mr. President, before we take our final departure, in regard to the bill we have been discussing in the last few minutes, I should like to accord my congratulations to the gentleman who has just been appointed Philippine High Commissioner. If I understand correctly his interview, he is going there not for the purpose of propagandizing for the breaking of obligations of this Government, but for the purpose of carrying them out, and that he feels that our national honor is involved in maintaining the compact or

contract which we have heretofore made with the Philippine people.

Mr. VANDENBERG. Mr. President, may I just add a word of congratulation also to the new Commissioner, that he completely disagrees with his distinguished predecessor, Mr. McNutt, that we ought to stay in the Philippine Islands forever.

Mr. KING. Mr. President, it would seem that the Philippine problem has been thrust into the discussion today perhaps with some advantage. May I say, deviating from the speech which I intended to make, that I have been very much interested in the Philippine problem for many years. I think the great mistake which was made by the United States was in failing to carry out the pledge of the Democratic Party made in 1920. I had the honor to introduce the resolution in the Democratic convention, and in the Democratic platform, that the Filipinos should have their complete independence at the earliest possible date, and if back in the early twenties we had given to the Filipinos their independence, as they desired, and as we promised in the platform to which I have referred, some of the problems which have arisen since then would have been obviated and the Philippine question would no more be upon the doorstep of the United States.

I feared that it would be with us for an indefinite period, but I am very glad that the President has selected Dr. Sayre as the Philippine Commissioner, because he will approach the problems there in the proper spirit, and with the determination to see that the rights of the continental United States and the American nationals shall be respected and preserved.

#### CONVEYANCE OF CERTAIN LAND TO THE STATE OF NEVADA

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2) authorizing the Secretary of the Interior to convey certain land to the State of Nevada to be used for the purposes of a public park and recreational site and other public purposes, which were, on page 2, line 12, to strike out all after "of", where it appears the first time, down to and including "24" in line 4 of page 3 and insert "sections 12, 13, and 24, but specifically excluding the land in the area which is under private ownership,"; on page 3, line 17, after "sanitation," to insert "or if there be a repeal, with no reenactment within 90 days of the resolution of the Board of County Commissioners of Clark County, Nev., dated August 1, 1939, made in consideration of the passage of this bill, which forbids gambling and the sale of liquor within the confines of the proposed State park or within a radius of 6 miles of the boundaries thereof,"; and on page 3, line 22, after "for", to insert "national recreational area or".

Mr. PITTMAN. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

#### NEUTRALITY, BY LAW AND IN PRACTICE

Mr. KING. Mr. President, there has been considerable discussion during this session in regard to neutrality. I desire to submit a few observations on the subject, hoping that they may have some effect upon the action of the Senate upon this important question.

Conflicting views are dividing the American people with respect to the course which our Government should pursue in its international relations.

It is insisted by some that the present Neutrality Act shall be continued. Others insist that it shall be strengthened, and by that they mean that greater restrictions shall be imposed upon our Government and upon our nationals. Others urge that the present Neutrality Act has proven most unsatisfactory and will endanger the peace of our Republic; and, under these circumstances, the demand is made that the Neutrality Act of 1937 be repealed, and that our Government chart its course by the principles of international law.

There are those who contend that international law is inadequate to meet situations which international conflicts, particularly if they eventuate in war, develop. In other words, they insist that international law, notwithstanding its

importance and pervasive influence, is silent in periods of stress and storm and when the fires of war are lighted.

I was opposed to the Neutrality Act of 1935, which was amended by the act of 1937. I believed it to be a departure from the traditional attitude of our Government with respect to the principles of neutrality. I insisted that it was not in harmony with the principles that were announced by Washington and Jefferson, and by which this Nation was governed in its international relations during the intervening years.

The act, as I believed, not only was a restriction upon our Government but it was an interference with the freedom and liberty of our nationals. I believed then, as I believe now, that it was unneutral, and therefore would not only prove unsatisfactory but might provoke international criticism and possibly international difficulties.

Certainly it was an attempt at isolation, and was a surrender of American rights for which the act itself afforded no compensation.

Briefly, the act provides that the President, whenever he shall find that a state of war exists between two or more foreign states, or that civil strife of sufficient magnitude exists in a foreign state, shall proclaim such fact. Thereafter it shall be unlawful to export arms, ammunitions, or implements of war from the United States to any of the belligerents; to purchase, sell, or exchange bonds or other obligations of any belligerent government; to arm any merchant vessel of the United States beyond the extent necessary to preserve discipline aboard such vessel; or for any citizen of the United States to travel on any vessel of a belligerent. It was further provided that the law should not apply to American republics engaged in war against a non-American state, if the American republic was not cooperating with a non-American state in such war.

The so-called cash-and-carry provisions of the act, which expired on May 1 last, prohibited the shipping in American vessels of articles, specified by the President, in addition to arms, ammunition, or implements of war, and allowed their export in foreign ships only after all right, title, and interest had been transferred to a foreign government or agency.

It is to be noted that the act is not to be operative unless and until the President shall find that a state of war exists. In other words, it is entirely within the discretion of the Chief Executive to determine whether or not arms and munitions may be sold to a country engaged in hostilities, whether or not a citizen may purchase bonds of such a government or travel upon her ships. The dangers that inhere in this unfettered discretion—with no standard of any kind to guide the President in making the determination, with no definition of what constitutes a "state of war," with no requirement that a state of war be recognized even though it in fact exists—become apparent.

Criticisms have been leveled against our Government because of its interpretation of the Neutrality Act, as well as the interpretation which has been placed upon its provisions. It is believed by many that under the principles of international law a different course would have been required by our Government in dealing with the Spanish situation and in its dealings with the devastating and tragic war which Japan has waged against China.

Certainly, conditions which have existed since the Neutrality Act of 1937 have demonstrated the futility of legislating in advance to meet conditions in a turbulent and changing world.

The discretion resting with the Executive, it is believed by many, is inimical to the interests of the American people, and may result in placing the Government in an unneutral position. The moment hostilities occur in any part of the world, the President must determine whether or not the resources of this Nation shall continue to flow to the belligerents. If an embargo is laid, it is inconceivable that it would affect both belligerents alike, and the country disadvantageously affected would have grounds for complaint; whereas, if the act is not invoked the other belligerent might be injured. Even though the President exercises this discretion solely for the welfare of the United States, the belligerent that is adversely affected can look upon it only as a

hostile act on the part of this country. Placing the Government in such an unneutral situation, where it will likely incur disfavor from one side or the other, cannot be cited as an aid in keeping America out of war.

The difficulty in applying the act is further aggravated by the time element. Should it be invoked at the moment the first shot is fired, or should there be an interval during which peace negotiations may be attempted, or until it appears that the war will be of such proportions as to present a threat of involvement to America? If the act be not invoked at once, a belligerent might quickly obtain sufficient arms and other essentials before it is applied. The delay would be regarded by the other belligerent as a hostile and unneutral act toward it.

Another ground for my opposition to the act is that it offers an incentive for aggressive nations to declare war against nations which are less prepared and less aggressive; for so long as there is peace, arms, ammunition, and implements of war may be obtained from the United States. Walter Lippmann states that by repealing the Neutrality Act "we shall take away from them [referring to Germany and Italy] the hideous inducement to start a war in order to deprive their opponents of supplies that they can obtain only as long as there is no war."

In the troubled conditions prevailing throughout the world today, this Republic, with its great material and moral strength, should lead in the progress toward international peace and friendly cooperation among the family of nations. Dedicated to the high principles of justice and freedom, it has ever sought the settlement of disputes by pacific means. The spiritual force of this democracy has elevated the concept of government in many lands, and its devotion to peace has had its influence upon the world.

The act of 1937 is illogical and, in my opinion, should be repealed. There is no basis for placing an embargo upon the sale of arms, ammunition, and implements of war and not including in that embargo other articles such as oil, food, and clothing which are as essential, if not more so, to the conduct of modern warfare. Surely there is no greater risk in shipping armaments than there is in transporting other articles needed in carrying on military activities. The arbitrary distinction is unfair to certain nations and, again, places the United States in an unfavorable situation. Industrial countries do not need arms and munitions if they can import the raw materials with which to manufacture them; but some countries which are primarily agricultural are themselves in dire need of the manufactured articles, and their embargo, while permitting the exportation of scrap iron and other essential raw materials from which they are made, operates to the disadvantage of nonindustrial nations.

In this troubled world condition, legislation in advance concerning our foreign policy cannot be planned intelligently. Our short experience under the present act has demonstrated the impossibility of formulating a rule to guide the United States in international conflicts which may arise. We cannot foresee who will be at war or the cause of the war. We cannot divine the issues which will be involved; nor can we give expression to what the public sentiment in this country will be 6 months from now, or 1 year, or 5 years.

The act of 1937 is a surrender of conceded neutral rights even before war breaks out. In the event of a conflict, having surrendered certain rights, I fear we shall have to enumerate rights to which we intend to hold fast. Belligerents are not concerned in the details of local legislation. They are at war, and grudgingly admit restraints imposed by the principles of international law as they have come to be accepted through centuries of warfare.

There is no justification for the surrender of our neutral rights. There is no requirement for such self-denial.

If the purpose is to prevent war, concerted action by several great powers would be the only effective curb. The futility of one nation attempting a partial or general embargo against belligerents in order to prevent war has been demonstrated throughout history. It is too clear for argument that if the United States refuses to sell certain articles to countries at war, others producing the same articles will

gladly supply the warring nations. The restriction upon our own trade is merely a deprivation for the benefit of our foreign competitors. It must be remembered that Americans by nature will oppose restraints upon their rights and freedom unless the justification therefor is clear.

However, regardless of the purpose, so long as the ultimate end is to avoid being drawn into a war, the Neutrality Act presents dangers to American peace interests, and any neutrality measure must be carefully and skillfully drawn because of the almost certain danger of its operating as an unneutral measure.

The United States has not often been a belligerent, and therefore has been primarily interested in determining the rights of neutrals, particularly with reference to matters affecting trade and commerce. This has resulted in announcing, as an international policy, the freedom of the seas. Our Nation has been foremost in championing the freedom of the seas, and I am unwilling to favor a policy, adopted in the act of 1937, which in effect is an attempt to seek isolation by the abdication of our rights at sea, if not on land.

It is apparent that we cannot be isolated from all possible dangers of international conflicts, and no policy of alleged neutrality should be adopted which narrows the rights of our country or weakens international law. The rights of neutrals and belligerents should rest upon recognized principles of the law of nations. This does not mean that treaties should not be entered into between nations for the purpose of promoting peace and widening the opportunities for trade and commerce and cultural and economic development.

As I have indicated, the act of 1937 seeks to deprive Americans of the freedom of action in the event of a foreign war. It serves notice in advance that our Government will draw no distinctions between the violators of international law and the victims of such violation.

I opposed the act of 1937, believing that it would encourage armament at home, if not abroad, and that the American people would be called upon to increase their already heavy appropriations for military and naval purposes. This prediction has come true; and the appropriations for so-called preparedness which will be made by the present Congress for the next fiscal year will exceed \$2,000,000,000.

For the reasons stated, and others which might be mentioned, the neutrality legislation, in my opinion, should be repealed, and we should take our stand upon the foundation and precepts of international law.

However, it is contended that these principles were violated during the World War, that treaties and solemn pacts were ignored and broken with impunity, and that therefore international law is dead.

Assuming this contention to be true, if the alternative to international law—the Neutrality Act—offered a guaranty of peace, there would be validity in the argument that we should rely upon the Neutrality Act to keep us out of war; but since it is admitted that there can be no guaranty of peace, it becomes our duty to follow such a course as will give the United States the most security in its intention to remain at peace. The grave complications likely to result from tying the hands of government by declaring a policy in advance of circumstances that cannot be predicted may not be minimized. I have adverted to a few of the embarrassments which the United States would face in the event of an international conflict if our course were charted by the act of 1937; and these would tend to involve the country in war far more than situations which might arise under the rules of international law.

I cannot subscribe to the view that the law of nations is dead. Dr. John Bassett Moore, the eminent authority on international law, who was for 6 years a judge of the Permanent Court of International Justice, insists that it has not ceased to exist merely because its principles have been violated. He declares:

It has never heretofore been supposed that when belligerents violated international law they believed that they were destroying it or depriving it of its obligatory force.

International law is recognized among all nations. It is a term applied to the body of rules and regulations of states and other bodies possessing international personality. It is more than policies adopted in diplomatic relations. It finds expression in comity among nations. It is a part of the law of the land, recognized by the courts and by judicial tribunals in all civilized nations. It has been implemented and strengthened by agreements, treaties, customs, and concrete and ordered dealings among states. International law was recognized in ancient Greece, but it declined under the Roman Empire. It has been said that the birth of international law is traceable to the Peace of Westphalia. It is not unilateral but multilateral, and is in part due to compromises among nations under the terms of which selfish state laws or international policies are modified in the interest of better relations among nations. It is a recognition of the importance of higher moral standards among nations and a broader spirit of tolerance and justice. Grotius and other great writers on international law sought to mitigate the spirit of fierce nationalism and to secure a recognition by nations of what might be called natural justice.

They sought to modify the doctrine of exclusive sovereignty of nations and to bring about a certain amount of collectivity of action among nations. Various international conferences have been held for the purpose of codifying international law and formulating broader policies for the promotion of world peace.

As nations advanced in civilization, a higher ethical concept was developed, and the principles of international law became more firmly established and more generally recognized.

More recently efforts have been made to develop international machinery for the purpose of outlawing war and to make more effective the principles of international law. In the evolution of the principles of international law, emphasis was early laid upon impartiality toward belligerents, but more recently methods are being sought to determine the justice of war and who are the aggressors. Neutrals are to aid in bringing pressure upon wrongdoers.

And so the view is being developed that international law, with its emphasis upon neutrality, does not compel neutral nations to be silent in the face of assaults by powerful states upon weak and unoffending peoples. In other words, in determining the course to be pursued by neutrals consideration is being given to the question of justice and ethics and morality which arise or grow out of international conflicts; and the conduct of belligerents is being weighed by neutral nations, and the course of the latter is influenced by the verdict as to which of the belligerents was the aggressor and whether its conduct calls for universal condemnation. This, as I have indicated, may result in profound changes in the law of neutrality and affect the application of international law.

Bainbridge Colby, former Secretary of State, has stated:

It is a well-known principle of international law that the measure of a nation's neutral obligations is to be found in the rules of international law and nowhere else. As a result of centuries of wars, this group of principles was evolved by which belligerents and neutrals achieved some reasonably definite guides to the conduct of their reciprocal relations on land and sea. The adoption of these rules has been regarded throughout the civilized world as a victory for civilization over brute force, for law over anarchy.

Mr. Colby warns that the principles of international law, despite the opinion in some quarters that it is a thing of the past, may nevertheless be tellingly invoked to show the unneutrality of the act of 1937:

If we assume the nonexistence of international law because of its unpunished violations during the last war, we may find ourselves confronted by it in all its rigor when our conduct is challenged under its ancient and established rules. We may find that we have consigned our shipping to disuse, transferred the trade of our citizens to foreign competitors, and undermined fatally our domestic economy, discovering too late that our new and ingenious formulas have not worked as expected.

The rules of international law may not prove in themselves a source of complete protection. But we shall know what our rights are and we can determine in each instance

what degree of self-restraint or forbearance we can afford to practice.

Our present Neutrality Act does not lend to the strengthening of the principles of international law; rather, it is a renunciation of those principles. This nation, occupying a high place among the countries of the world, with its material and spiritual strength, should take the lead in bringing about international cooperation and peace.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, announced that the House had passed without amendment the following bills of the Senate:

S. 1899. An act to provide for the detail of a commissioned medical officer of the Public Health Service to serve as Assistant to the Surgeon General;

S. 2427. An act authorizing the naturalization of John Ullmann, Jr.;

S. 2478. An act to limit the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases; and

S. 2893. An act to provide for the local delivery rate on certain first-class mail matter.

The message also announced that the House had passed the following bills, each with amendments, in which it requested the concurrence of the Senate:

S. 1540. An act to adjust the compensation of the members of the National Advisory Health Council not in the regular employment of the Government; and

S. 1989. An act to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the United States and the owners of such bridges, and for other purposes.

The message further announced that the House had passed the joint resolution (S. J. Res. 137) authorizing and requesting the President to accept the invitation of the Government of Norway to the Government of the United States to participate in an International Exhibition of Polar Exploration, which will be held at Bergen, Norway, in 1940, and authorizing an appropriation to cover the expenses of such participation, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 3375. An act to authorize M. H. Gildow to construct a free, movable, pontoon footbridge across Muskingum River Canal at or near Beverly, Ohio;

H. R. 6556. An act to provide for the seizure and forfeiture of vessels, vehicles, and aircraft used to transport narcotic drugs, firearms, and counterfeit coins, obligations, securities, and paraphernalia, and for other purposes;

H. R. 6747. An act relating to the retirement of employees to whom the provisions of section 6 of the act approved June 20, 1918 (40 Stat. 608; U. S. C., 1934 edition, title 33, sec. 763), as amended, apply; and

H. R. 6878. An act to amend section 4894 of the Revised Statutes (U. S. C., title 35, sec. 37).

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 3224. An act creating the Louisiana-Vicksburg Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to purchase, maintain, and operate a bridge across the Mississippi River at or near Delta Point, La., and Vicksburg, Miss.;

H. R. 5625. An act to regulate interstate and foreign commerce in seeds; to require labeling and to prevent misrepresentation of seeds in interstate commerce; to require certain standards with respect to certain imported seeds; and for other purposes;

H. R. 6049. An act authorizing the village of Cassville, Wis., or its assigns, to construct, maintain, and operate a

toll bridge across the Mississippi River at or near Cassville, Wis., and to a place at or near the village of Guttenberg, Iowa;

H. R. 6353. An act granting the consent of Congress to the State of Connecticut, acting by and through any agency or commission thereof, to construct, maintain, and operate a toll bridge across the Connecticut River at or near Hartford, Conn.;

H. R. 6475. An act to authorize the city of Duluth, in the State of Minnesota, to construct a toll bridge across the St. Louis River, between the States of Minnesota and Wisconsin, and for other purposes;

H. R. 6634. An act amending previous flood-control acts and authorizing certain preliminary examinations and surveys for flood control, and for other purposes; and

H. R. 6874. An act to repeal section 4897 of the Revised Statutes (U. S. C., title 35, sec. 38), and amend sections 4885 and 4934 of the Revised Statutes (U. S. C., title 35, secs. 41 and 78).

The message also announced that the House insisted upon its amendment to the bill (S. 1708) to amend the Employers' Liability Act, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. HEALEY, Mr. WALTER, Mr. GUYER of Kansas, and Mr. MICHENER were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 2001) for the equalization of letter carriers; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ROMJUE, Mr. BURCH, Mr. WHELCHER, Mr. BLACKNEY, and Mr. AUSTIN were appointed managers on the part of the House at the conference.

#### ENROLLED BILLS SIGNED

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

S. 6. An act to return a portion of the Grand Canyon National Monument to the public domain;

S. 474. An act to amend section 92 of the Judicial Code to provide for a term of court at Kalispell, Mont., and, subject to the recommendation of the Attorney General of the United States, to permit the provision of rooms and accommodations for holding court at Livingston and Kalispell, Mont.;

S. 809. An act for the relief of Jessie M. Durst;

S. 839. An act to amend the Retirement Act of April 23, 1904;

S. 891. An act for the relief of J. C. Grice;

S. 1092. An act for the relief of Sigvard C. Foro;

S. 1394. An act for the relief of Johannes or John, Julia, Michael, William, and Anna Kostiuik;

S. 1429. An act for the relief of Earl J. Reed and Giles J. Gentry;

S. 1816. An act for the relief of Montie S. Carlisle;

S. 1821. An act for the relief of Harry K. Snyder;

S. 1905. An act for the relief of Elizabeth E. Burke;

S. 2056. An act for the relief of N. F. Clower and Elijah Williams; and

S. 2408. An act for the relief of Russell B. Hendrix.

#### AMENDMENT OF BONNEVILLE PROJECT ACT

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 7270) to amend the Bonneville Project Act, requesting a conference with the Senate on the disagreeing votes of the two Houses thereon, and announcing the appointment of conferees.

Mr. BAILEY. I move that the Senate insist on its amendment, agree to the request of the House of Representatives for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BAILEY, Mr. SHEPPARD, and Mr. WHITE conferees on the part of the Senate.

## CONSIDERATION OF UNOBJECTED-TO HOUSE BILLS ON THE CALENDAR

The PRESIDING OFFICER (Mr. GURNEY in the chair). Under the unanimous-consent agreement entered into earlier in the day, the Senate will now proceed to the consideration of unobjected-to House bills on the calendar.

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

The PRESIDING OFFICER. The clerk will call the roll. The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Lucas	Shipstead
Andrews	Ellender	Lundeen	Slattery
Ashurst	George	McCarran	Smathers
Austin	Gerry	McKellar	Smith
Bailey	Gibson	Maloney	Stewart
Bankhead	Guffey	Mead	Thomas, Okla.
Barkley	Gurney	Miller	Thomas, Utah
Borah	Hale	Minton	Tobey
Bridges	Harrison	Murray	Townsend
Brown	Hatch	Neely	Truman
Bulow	Hayden	Nye	Tydings
Burke	Herring	O'Mahoney	Vandenberg
Byrd	Holt	Pepper	Van Nuys
Byrnes	Hughes	Pittman	Wagner
Capper	Johnson, Calif.	Radcliffe	Walsh
Chavez	Johnson, Colo.	Reed	Wheeler
Clark, Idaho	King	Russell	White
Clark, Mo.	La Follette	Schwartz	
Connally	Lee	Schwellenbach	
Danaher	Lodge	Sheppard	

The PRESIDING OFFICER. Seventy-seven Senators have answered to their names. A quorum is present.

Mr. KING. Mr. President, I invite the attention of the Senate to House bill 5685, which I should like to have considered.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill referred to by the Senator from Utah?

Mr. BYRNES. Mr. President, I reserve the right to make an objection. I should like to know what the bill is.

Mr. KING. The House has passed a bill which was exactly the same as a Senate bill dealing with real-estate brokers, salesmen, and so forth, in the District of Columbia.

Mr. BYRNES. I shall object until I have an opportunity to look into the bill.

Mr. KING. Very well.

The PRESIDING OFFICER. Objection is made.

The clerk will call the calendar, under the unanimous-consent agreement, for the consideration of unobjected-to bills from the House of Representatives.

The first business on the calendar under the unanimous-consent agreement was the bill (H. R. 289) for the relief of officers and soldiers of the Volunteer service of the United States mustered into service for the War with Spain.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

## CLOSER RELATIONSHIP BETWEEN AMERICAN REPUBLICS

The bill (H. R. 5835) to authorize the President to render closer and more effective the relationship between the American republics was announced as next in order.

Mr. LODGE. Mr. President, I do not intend to object to the consideration of this bill, because I recognize that it comes with an almost unanimous report from the committee, and it would be a waste of the time of the Senate for me to do so. I should like the RECORD to show, however, my own personal doubt as to the value of this type of policy.

In my opinion, the Latin-American countries will buy American goods if the American goods are priced right and are of sufficiently high quality; and, in my opinion, the Latin American peoples, like all other peoples, will feel friendly toward the United States if the United States treats them fairly and justly. The notion that because the dictators of the "axis" powers undertake to propagandize and influence public sentiment in those countries we should do the same thing is to me an abhorrent notion. Indeed, the fact that they do engage in this type of conduct seems to me a very good reason why we should not do it.

I am also advised—and I hope I shall be corrected if I am wrong—that the appropriation to do this work in Latin America has already been put through; and it seems to me a

disorderly procedure to appropriate money before the authorization is made. For that reason, too, I have been objecting to this bill.

I wanted this opportunity to state my views, and shall not object further to the consideration of the bill at this time.

Mr. KING. Mr. President, I should like to have an explanation of the bill and its purpose by the chairman of the committee; and I further inquire whether a committee of the Senate has considered it?

Mr. PITTMAN. Mr. President, the bill was considered for some time—twice, I believe—by the Senate Committee on Foreign Relations. It deals only with the functions of the State Department. The State Department has created what it calls a Division of Cultural Relations and has also provided that there shall be an advisory board with regard to these cultural relations. The bill deals principally with the exchange of professors and students in colleges.

Mr. KING. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations with an amendment, on page 2, line 15, after the word "meetings", to insert "within the United States", so as to make the bill read:

*Be it enacted, etc.,* That in order to render closer and more effective the relationship between the American republics the President of the United States is hereby authorized, subject to such appropriations as are made available for the purpose, to utilize the services of the departments, agencies, and independent establishments of the Government in carrying out the reciprocal undertakings and cooperative purposes enunciated in the treaties, resolutions, declarations, and recommendations signed by all of the 21 American republics at the Inter-American Conference for the Maintenance of Peace held at Buenos Aires, Argentina, in 1936, and at the Eighth International Conference of American States held at Lima, Peru, in 1938.

Sec. 2. The President is authorized to create such advisory committees as in his judgment may be of assistance in carrying out the undertakings of this Government under the treaties, resolutions, declarations, and recommendations referred to, but no committee or member thereof shall be allowed any salary or other compensation for services: *Provided, however,* That they may, within the limits of appropriations made available therefor by the Congress, which appropriations are hereby authorized, be paid their actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses while away from their homes in attendance upon meetings within the United States under instructions from the Secretary of State.

The amendment was agreed to.

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

The bill was read the third time, and passed.

## BILLS PASSED OVER

The bill (H. R. 6264) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5643) to invest the circuit courts of appeals of the United States with original and exclusive jurisdiction to review the order of detention of any alien ordered deported from the United States whose deportation or departure from the United States otherwise is not effectuated within 90 days after the date the warrant of deportation shall have become final; to authorize such detention orders in certain cases; to provide places for such detention; and for other purposes was announced as next in order.

Mr. BURKE (and other Senators). Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

## FEDERAL SURPLUS COMMODITIES CORPORATION

The bill (H. R. 5681) to authorize the Federal Surplus Commodities Corporation to purchase and distribute surplus products of the fishing industry was announced as next in order.

Mr. DANHER (and other Senators). Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. PEPPER. Mr. President, I give notice that immediately after the completion of the call of the calendar, I shall call up this bill for consideration.

Mr. KING. Mr. President, I inquire whether the bill was referred to any committee of the Senate, and whether a report has been made by a Senate committee?

The PRESIDING OFFICER. The bill was referred to and reported from the Committee on Commerce.

Mr. ANDREWS. Mr. President, I ask unanimous consent to substitute House bill 5681 for Senate bill 2110. The two bills deal with the same subject.

Mr. DANAHER. Mr. President, there has been objection to the consideration of the bill.

The PRESIDING OFFICER. As the Chair understands, House bill 5681 was reached on the calendar, and objection was made to it; and the Senator from Florida [Mr. PEPPER] has announced that he will ask for the consideration of the bill after the call of the calendar under the unanimous-consent agreement.

Mr. ANDREWS. In the confusion it was impossible to hear what was said.

#### BILLS PASSED OVER

The bill (H. R. 6039) to amend laws for preventing collisions of vessels; to regulate equipment of certain motorboats on navigable waters of the United States, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

#### AMENDMENT OF CRIMINAL CODE

The Senate proceeded to consider the bill (H. R. 6037) to amend section 194 of an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L. 1088).

Mr. KING. Mr. President, I ask to have the bill read. We do not know what it is about.

The PRESIDING OFFICER. The Clerk will read the bill.

The legislative clerk read the bill, as follows:

*Be it enacted, etc.,* That section 194 of the act to codify, revise, and amend the penal laws of the United States, approved March 4, 1909, as amended (U. S. C., 1934 ed., title 18, sec. 317), be amended to read as follows:

"Sec. 194. Whoever shall steal, take, or abstract, or by fraud or deception obtain, or attempt so to obtain, from or out of any mail, post office, or station thereof, or other authorized depository for mail matter, or from a letter or mail carrier, any letter, postal card, package, bag, or mail, or shall abstract or remove from any such letter, package, bag, or mail, any article or thing contained therein, or shall secrete, embezzle, or destroy any such letter, postal card, package, bag, or mail, or any article or thing contained therein; or whoever shall steal, take, or abstract, or by fraud or deception obtain any letter, postal card, package, bag, or mail, which has been left for collection upon or adjacent to a collection box or other authorized depository of mail matter; or whoever shall buy, receive, or conceal, or aid in buying, receiving, or concealing, or shall unlawfully have in his possession, any letter, postal card, package, bag, or mail, or any article or thing contained therein, which has been so stolen, taken, embezzled, or abstracted, as herein described, knowing the same to have been stolen, taken, embezzled, or abstracted; or whoever shall take any letter, postal card, or package out of any post office or station thereof, or out of any authorized depository for mail matter, or from any letter or mail carrier, or which has been in any post office or station thereof, or other authorized depository, or in the custody of any letter or mail carrier, before it has been delivered to the person to whom it was directed, with a design to obstruct the correspondence, or to pry into the business or secrets of another, or shall open, secrete, embezzle, or destroy the same, shall be fined not more than \$2,000 or imprisoned not more than 5 years, or both."

Mr. KING. Mr. President, I inquire whether the bills which are being called up for consideration have been referred to Senate committees, and have been considered by the respective committees and reported.

The PRESIDING OFFICER. This bill was referred to the Committee on the Judiciary, which reported it without amendment.

The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. BARKLEY. Mr. President, I will say for the information of the Senator from Utah, and other Senators, that all these bills which are being called are House bills which have been referred to committees and reported by the Senate com-

mittees. No bill is being called which has not gone through a committee.

Mr. KING. The Senator will understand, however, that Senators do not have the bills before them.

Mr. BARKLEY. The bills on the calendar are before the Senators. All these bills are on the calendar and have been reported.

#### WILLIAM L. RULL

The bill (H. R. 4725) for the relief of William L. Rull, was considered, ordered to a third reading, read the third time, and passed.

#### J. HARRY WALKER

The bill (H. R. 4965) for the relief of J. Harry Walker, was considered, ordered to a third reading, read the third time, and passed.

#### BILLS PASSED OVER

The bill (H. R. 5506) to authorize the Secretary of the Interior to contract with the State Water Conservation Board of Montana and the Tongue River Water Users' Association for participation in the costs and benefits of the Tongue River Storage Reservoir project for the benefit of lands on the Tongue River Indian Reservation, Mont., was announced as next in order.

Mr. O'MAHONEY. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2953) authorizing States owning lands or interest therein, acquired from the United States, to include the same in certain agreements for the conservation of oil and gas resources, was announced as next in order.

Mr. KING. I would like to have an explanation. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

#### DISPOSITION OF RECREATIONAL PROJECTS

The Senate proceeded to consider the bill (H. R. 3959) to authorize the Secretary of the Interior to dispose of recreational demonstration projects, and for other purposes, which had been reported from the Committee on Public Lands and Surveys, with amendments, on page 2, line 3, to strike out "Provided, That the lands comprised within any such project which is contiguous to an area administered by the National Park Service may, upon the recommendation of the Secretary, be added to and made a part of such area as the President of the United States by Executive proclamation, and thereafter such added lands shall be subject to all laws, rules, and regulations applicable to such areas"; on page 2, line 20, after the word "finding", to add "after notice to such grantee or lessee and after an opportunity for a hearing", so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior (hereinafter referred to as the Secretary) is authorized to convey or lease to the States or to the political subdivisions thereof, without consideration, any or all of the recreational demonstration projects and lands and improvements comprised within such projects transferred to him from the Resettlement Administration under the provisions of Executive Order No. 7496, dated November 14, 1936, or any parts of such projects, when in his judgment such grantees or lessees are adequately prepared to administer, operate, and maintain such project areas for public-park, recreational, and conservation purposes.

Sec. 2. The Secretary is authorized to execute on behalf of the United States all necessary deeds and leases to effect the purposes of this act. Every such deed or lease shall contain the express condition that the grantee or lessee shall use the property exclusively for public-park, recreational, and conservation purposes, and may contain such other conditions not inconsistent therewith as may be agreed upon by the Secretary and the grantee or lessee: *Provided,* That the title and right to possession of any lands so conveyed or leased, together with the improvements thereon, shall revert to the United States upon a finding, after notice of such grantee or lessee and after an opportunity for a hearing, by the Secretary that the grantee or lessee has not complied with such conditions during a period of more than 3 years, which finding shall be final and conclusive, and such lands and improvements thereon, upon such reversion to the United States, shall be considered as surplus real property and shall be disposed of in accordance with the act of August 27, 1935 (49 Stat. 885).

The amendments were agreed to.

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

The bill was read the third time, and passed.

## BILL PASSED OVER

The bill (H. R. 6724) to provide for the prompt deportation of aliens engaging in espionage or sabotage, alien criminals, and other undesirable aliens, was announced as next in order.

Mr. DANAHER. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

## LEESBURG WELDING &amp; GARAGE CO.

Mr. ANDREWS. Mr. President, I should like to have the Senate recur to Calendar 830, Senate bill (S. 2289) for the relief of the Leesburg Welding & Garage Co. I was out when that was called. It is an important matter and has the approval of the committee, which investigated it thoroughly.

The PRESIDING OFFICER. Under the unanimous-consent agreement, only House bills are being considered, and the bill to which the Senator refers is a Senate bill.

## BILL PASSED OVER

The bill (H. R. 5333) to amend the acts granting increased compensation to civilian employees for the period July 1, 1917, to June 30, 1924, was announced as next in order.

Mr. KING. Let the bill go over.

## REFUND OF INTERNAL-REVENUE TAXES

The bill (H. R. 1648), to provide for the refund or credit of the internal-revenue tax paid on spirits lost or rendered unmarketable by reason of the floods of 1936 and 1937 where such spirits were in possession of the original taxpayer or rectifier for bottling or use in rectification, under Government supervision, as provided by law and regulations, was announced as next in order.

Mr. BARKLEY. Mr. President, the bill just reached on the calendar is a House bill which was called day before yesterday, and the Senator from Wisconsin [Mr. LA FOLLETTE] asked that it go over. The Senator from Wisconsin is in a meeting of the Committee on Appropriations, and I will not ask that the bill be acted on at this time. However, I wish to say that it is a bill which should be passed. It authorizes the refunding of the cost of stamps which were destroyed and damaged in the Ohio River flood in 1936 and 1937 in such a way as to make them nonusable. Certainly the Government ought not to collect a tax on distilled spirits, and, after the tax has been collected and stamps representing the tax have been destroyed, insist that the owner of the distilled spirits buy new stamps before the liquor can be placed on the market. I do not know what the objection to the measure could be, but I will not ask that it be considered now. However, I hope we can take it up on its merits before we adjourn, and take some action on it.

Mr. VANDENBERG. Mr. President, I wish to give notice that when the Senate takes up House bill 1648, to which the able Senator from Kentucky has referred, I intend to offer an amendment, which I will submit now and ask to lie on the table. I will state briefly the purpose of the amendment.

Mr. President, this is the only revenue bill I can find on the calendar to which I can attach a revenue amendment. The amendment has the simple and sole purpose of taking out of the deadlock in conference on the social-security bill that section which freezes the pay-roll taxes, and prevents an increase of 50 percent next January in the pay-roll taxes on employers and employees under title II of the Social Security Act.

There is no disagreement at all between the House and the Senate on that particular provision. There is a universal feeling all over the country that such action should be taken. If it is not, a very serious situation will result in respect to the tax burden resting particularly upon smaller business in this country.

If the deadlock on the bill making amendments to the Social Security Act continues, and it goes over to the next session, that will be too late to cure this particular situation and to prevent the increase in the pay-roll taxes. Therefore I wish to take advantage of this revenue bill in order to offer an amendment reenacting simply that portion of the Social Security amendments, now deadlocked in con-

ference, dealing with the freezing of the pay-roll taxes next January.

I submit the amendment, and ask that it lie on the table, so that it can be considered when Calendar No. 1026 (House bill 1648) is taken up.

Mr. BARKLEY. Mr. President, I wish to say in that connection that I very sincerely and earnestly hope that the conference on the social-security amendments, which is now in session, will be able to arrive at an agreement before this session of Congress shall adjourn.

It seems to me that there were so many valuable amendments that were adopted by the House and adopted also by the Senate that the conferees should and, I am sure, will make every effort to come to a decision and agreement on the social-security amendments.

Whether it would be wise to pick out one particular amendment, referred to by the Senator from Michigan, and attach that to the bill to which I have called attention is a subject for further consideration; but I am expressing the very earnest hope that every effort will be made by the conferees on the part of the House and the Senate to come to a decision with respect to the amendments. There are so many good things in the social-security bill that it seems to me it would be a pity for it to fail at this session because of a contest over one or two controversial amendments. One of the amendments to which we all assent is that having to do with the freezing of the tax as it is now for the next 3 years. I hope that not only that but the other amendments to the law which have been brought forward will be agreed to in the conference, so that we may adopt a comprehensive conference report on the subject before final adjournment.

Mr. VANDENBERG. Mr. President, of course I completely agree with the sentiments just expressed by the able majority leader. I think it would be a calamity for the social-security amendments to lapse, even until the next session of Congress. If the conferees agree, and the conference report comes in, I shall have no further interest in pressing the amendment I have now offered. It is solely in the anticipation that perhaps the deadlock may persist that I am seeking to salvage that one section of the social-security amendments, which must have action prior to New Year's, and prior to the time when Congress will reassemble, if it is to be effective.

Mr. LUCAS. Mr. President, I have just come into the Chamber. Is the Senator objecting to the consideration of House bill 1648?

Mr. VANDENBERG. No; I am offering an amendment to a revenue bill, so that we can take care of the pay-roll tax problem in relation to the social-security amendments.

The PRESIDING OFFICER. The bill will be passed over.

## PENSIONS AND INCREASE OF PENSIONS

The Senate proceeded to consider the bill (H. R. 6898) granting pensions and increase of pensions to certain helpless and dependent children of veterans of the Civil War, which had been reported from the Committee on Pensions with an amendment, on page 26, after line 6, to insert:

The name of John Dudley, helpless and dependent child of Seth B. Dudley, late of Company I, Twenty-third Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Velma G. Rose, helpless and dependent child of Daniel G. Rose, late of the United States Signal Corps, and pay her a pension at the rate of \$20 per month.

The name of Minnie O. Draper, helpless and dependent child of Alvin L. Draper, late of Troop B, First Regiment Rhode Island Volunteer Cavalry, and pay her a pension at the rate of \$20 per month.

The name of Mary E. Farrar, helpless and dependent child of Thomas J. Farrar, late of Company C, First Regiment Kentucky Infantry, and Company C, Fifteenth Regiment Veterans' Reserve Corps, and pay her a pension at the rate of \$20 per month.

The name of Roy Joyce, helpless and dependent child of Minos Joyce, late of Company H, Fourteenth Regiment United States Colored Infantry, and pay him a pension at the rate of \$20 per month.

The name of Alma Blanche Shipman, helpless and dependent child of Wesley C. Shipman, late of Company F, Nineteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Clarence Edward Shipman, helpless and dependent child of Wesley C. Shipman, late of Company F, Nineteenth Regi-



ment Iowa Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of William Edward Fugatt, helpless and dependent child of Edward Fugatt, late of Company A, Fourth Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of \$20.

The name of Katie Glenn, helpless and dependent child of Thomas Glenn, late of Company E, Eighteenth Regiment Kentucky Infantry, and Company B, Twenty-third Regiment Veteran Reserve Corps, and pay her a pension at the rate of \$20 per month.

The name of Edward Morgan, helpless and dependent child of Sylvester Robinson, known as Charles Morgan, late of Company H, Fourteenth Regiment United States Infantry, and pay him a pension at the rate of \$20 per month.

The name of Sam H. Hadley, helpless and dependent child of Edwin Hadley, late of Company C, South Cumberland Battalion, Kentucky State Troops, and pay him a pension at the rate of \$20 per month.

The name of Fieldon Adkins, helpless and dependent child of James P. Adkins, late of Company G, Forty-seventh Regiment Kentucky Infantry, and pay him a pension at the rate of \$20 per month.

The name of Ann M. Callery, helpless and dependent child of Phillip Callery, late of Company B, Ninth Regiment Connecticut Infantry, and pay her a pension at the rate of \$20 per month.

The name of Gertrude Claypool, helpless and dependent child of Augustus Lewis Claypool, late of Company H, Sixty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Nora A. Kitchen, helpless and dependent child of William N. Kitchen, late of Company I, Fifty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Blanche Walker, helpless and dependent child of William C. Walker, late of Company A, Eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Excella Lague-Leyo, helpless and dependent child of Joseph Leyo, alias Joseph Lejane, late of Company E, Second Regiment New Hampshire Infantry, and pay her a pension at the rate of \$20 per month.

The name of Delta Teachout, helpless and dependent child of Royal B. Teachout, late of Company G, Eleventh Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$20 per month.

The name of William H. Kelly, helpless and dependent child of William Kelly, late of Company I, Twenty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Oscar Hinson, helpless and dependent child of Allen Hinson, late of Company B, One Hundred and Fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Margaret A. Silva, helpless and dependent child of Joseph Silva, late of the United States Navy, and pay her a pension at the rate of \$20 per month.

The name of Hattie E. Lamb, helpless and dependent child of John W. Lamb, late of Company C, Forty-ninth Regiment Indiana Infantry, and pay her a pension at the rate of \$20 per month.

The name of Nora J. Buchanan, helpless and dependent child of Charles H. Buchanan, late of Company K, Fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Viola L. Buchanan, helpless and dependent child of Charles H. Buchanan, late of Company K, Fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Amanda M. Evert, helpless and dependent child of Frederick Evert, late of Company E, Twenty-fourth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### BILL PASSED OVER

The bill (H. R. 6901) granting increase of pensions to certain widows of veterans of the Civil War was announced as next in order.

Mr. BARKLEY. Mr. President, I should like to have an explanation of this bill, and I ask that it be temporarily passed over.

The PRESIDING OFFICER. The bill will be passed over.

#### TAXES ON SALES IN NATIONAL PARKS

The bill (H. R. 6687) to authorize the levy of State, Territory, and District of Columbia taxes upon, with respect to, or measured by sales, purchases, or use of tangible personal property or upon sellers, purchasers, or users of such prop-

erty measured by sales, purchases, or use thereof occurring in United States national parks, military and other reservations or sites over which the United States Government may have jurisdiction was announced as next in order.

Mr. AUSTIN. Mr. President, I have been requested by the Senator from Wisconsin [Mr. LA FOLLETTE] to inquire whether the author of the bill would be willing to accept a proviso on page 2, line 7, of the bill, reading as follows:

*Provided*, That the provisions of this act shall not be applicable with respect to any transaction occurring in whole or in part within an Indian reservation.

The PRESIDING OFFICER. The Chair advises the Senator from Vermont that this is a House bill. The Senator from Georgia [Mr. GEORGE], who reported the bill from the Committee on Finance, is not in the Chamber at the moment to explain the bill.

Mr. AUSTIN. Then let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

#### BILL PASSED OVER

The bill (H. R. 7171) to amend section 22 of the Agricultural Adjustment Act was announced as next in order.

Mr. THOMAS of Oklahoma. Mr. President, I am advised that the senior Senator from Georgia [Mr. GEORGE] either desires to offer an amendment to this bill or oppose the bill. At his request, I object.

The PRESIDING OFFICER. The bill will be passed over.

#### GRACE CAMPBELL

The bill (H. R. 3962) for the relief of Grace Campbell was considered, ordered to a third reading, read the third time, and passed.

#### STACY C. MOSSER, RECEIVER

The bill (H. R. 6728) for the relief of Stacy C. Mosser, receiver for the Great Northern Majestic Building Corporation, was considered, ordered to a third reading, read the third time, and passed.

#### PAYMENTS TO OFFICERS OF THE MENOMINEE GENERAL COUNCIL

The bill (H. R. 4831) authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and interpreter of the Menominee General Council, members of the Menominee Advisory Council, and official delegates of the Menominee Tribe was considered, ordered to a third reading, read the third time, and passed.

#### COAST GUARD STATION NEAR WRIGHTSVILLE BEACH, N. C.

The bill (H. R. 5845) to provide for the establishment of a Coast Guard station on the shore of North Carolina at or near Wrightsville Beach, New Hanover County, was considered, ordered to a third reading, read the third time, and passed.

#### D. E. SWEINHART

The bill (H. R. 5704) to amend Private Law No. 310, Seventy-fifth Congress, first session, an act for the relief of D. E. Sweinhart, was considered, ordered to a third reading, read the third time, and passed.

#### CARYL BURBANK AND OTHERS

The bill (H. R. 5350) for the relief of Caryl Burbank, Preston H. Stanford, and Fire Association of Philadelphia, was considered, ordered to a third reading, read the third time, and passed.

#### JOHN E. GARRETT

The bill (H. R. 5894) for the relief of John E. Garrett, was considered, ordered to a third reading, read the third time, and passed.

#### JAMES D. LARRY, SR.

The bill (H. R. 5895) for the relief of James D. Larry, Sr., was considered, ordered to a third reading, read the third time, and passed.

#### JOHN L. HICKS, AND SO FORTH

The bill (H. R. 6492) for the relief of John L. Hicks, rural rehabilitation supervisor, Farm Security Administration, Department of Agriculture, Santa Rosa, N. Mex., was considered, ordered to a third reading, read the third time, and passed.

## JOHN L. SUMMERS, AND SO FORTH

The bill (H. R. 7049) for the relief of John L. Summers, former disbursing clerk, Treasury Department, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

## MATILDA LARNED BOUCK

The Senate proceeded to consider the bill (H. R. 6808) for the relief of Matilda Larned Bouck, which had been reported from the Committee on Claims with an amendment on page 1, line 6, after the words "sum of", to strike out "\$2,500" and to insert "\$1,000", so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Matilda Larned Bouck, of Middleburg, N. Y., the sum of \$1,000, in full settlement of all claims against the United States for property damage and personal injuries received by her while riding in automobile driven and owned by Edwin L. Wade, of Schenectady, N. Y., and which automobile was forced from the Middleburg-Schoharie Highway near Schoharie, N. Y., on December 3, 1935, by a truck in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## COLUMBUS IRON WORKS

The bill (H. R. 3689) for the relief of the Columbus Iron Works, was considered, ordered to a third reading, read the third time, and passed.

## ALBERT R. RINKE

The bill (H. R. 4033) for the relief of Albert R. Rinke was considered, ordered to a third reading, read the third time, and passed.

## J. GEORGE BENSEL CO.

The bill (H. R. 4252) for the relief of J. George Bensel Co. was considered, ordered to a third reading, read the third time, and passed.

## MAMIE HOFFMAN

The bill (H. R. 4875) for the relief of Mamie Hoffman was considered, ordered to a third reading, read the third time, and passed.

MR. AND MRS. JOHN ECKENDORFF AND MR. AND MRS. ALEXANDER G. DORR

The bill (H. R. 5338) for the relief of Mr. and Mrs. John Eckendorff, and Mr. and Mrs. Alexander G. Dorr was considered, ordered to a third reading, read the third time, and passed.

## CLYDE EQUIPMENT CO.

The bill (H. R. 5803) for the relief of Clyde Equipment Co. was considered, ordered to a third reading, read the third time, and passed.

## W. R. FUCHS

The bill (H. R. 6490) for the relief of W. R. Fuchs, former disbursing clerk, Department of Agriculture; J. L. Summers, former disbursing clerk; and G. F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department, was considered, ordered to a third reading, read the third time, and passed.

## ANNIE BEARDEN

The bill (H. R. 6362) for the relief of Annie Bearden, Ruth Bearden, Essie Burton, Beatrice Carter, Mary Cobb, Addie Graham, Annie Grant, Sallie Harris, Minerva Holbrooks, Omie Keese, Sallie Marett, Josie McDonald, Jessie Morris, Martha O'Shields, Mae Phillips, Leila H. Roach, Belva Surrent, and Shelley Turner was considered, ordered to a third reading, read the third time, and passed.

## ROSCOE B. HUSTON AND SIMEON F. FELARCA

The bill (H. R. 6491) for the relief of Roscoe B. Huston and Simeon F. Felarca was considered, ordered to a third reading, read the third time, and passed.

## INTERNATIONAL STATISTICAL INSTITUTE

The joint resolution (H. J. Res. 320) to amend Public Resolution No. 46, approved August 9, 1935, entitled "Joint resolution requesting the President to extend to the International Statistical Institute an invitation to hold its twenty-fourth session in the United States in 1939", was considered, ordered to a third reading, read the third time, and passed.

## METHOD OF COMPUTING ANNUITIES FOR SERVICE IN THE TROPICS

The bill (H. R. 139) to amend paragraph (1) of section 96 of title 2 of the Canal Zone Code relating to method of computing annuities was considered, ordered to a third reading, read the third time, and passed.

Mr. AUSTIN. Mr. President, what bill was just passed?  
The PRESIDING OFFICER. House bill 139, Calendar No. 1119.

Mr. AUSTIN. Mr. President, I ask unanimous consent that the vote by which House bill 139 was passed be reconsidered.

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

Mr. AUSTIN. I now ask that the bill be read.

The PRESIDING OFFICER. The clerk will read.

The Chief Clerk read the bill, as follows:

*Be it enacted, etc.*, That paragraph (1) of section 96 of title 2 of the Canal Zone Code is amended to read as follows:

"(1) A sum equal to \$37.50 multiplied by the number of years of service, not to exceed 30 years, rendered (a) on the Isthmus of Panama, or (b) in the service of the United States in the Tropics; and."

Mr. AUSTIN. Mr. President, I inquire in what manner this bill changes the existing law?

Mr. CLARK of Missouri. Mr. President, this is simply a bill to permit employees of the Panama Canal Zone in computing their tropical service, the service in the Canal Zone, to include time in the Tropics, either in the military service or the naval service, or in the civilian service in the Army or Navy in tropical countries. I can best explain the bill by quoting from a radio message from the Governor of the Canal, in which he says:

The records show that some 253 employees would be affected by the proposed legislation. These employees have rendered service aggregating 374 years and 2 months, or an average of 1 year and 7 months for each employee affected.

This service has been rendered mainly in civilian occupations with the Army and Navy on the Isthmus and is not now allowed under the first paragraph of section 96 of title 2 of the Canal Zone Code because the regulations require that the military or naval service be supported by a discharge from the service, but it is allowed under the third paragraph of section 96. Most of these employees were under 32 years of age when they came to the Canal or railroad service and will have served with the Canal and/or railroad for more than the required 30 years before reaching the age of 62 and the effect of the proposed amendment, therefore, including the added cost resulting therefrom, would be slight.

In other words, it simply permits the inclusion in the period of service rendered in the Tropics service performed in a civilian capacity as well as in the military or naval service or in a civilian capacity with the military or naval forces. The Army and the Navy, particularly in the Panama Canal Zone, both have a number of civilian employees which would otherwise be excluded under the law. It seems to me to be a meritorious proposition. It simply gives these people the benefit of the tropical service which they have endured.

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

The bill was ordered to a third reading, read the third time, and passed.

## MILITARY ESTABLISHMENTS OF AMERICAN REPUBLICS

Mr. JOHNSON of California. Mr. President, what became of House Joint Resolution 367, being Calendar 1118?

The PRESIDING OFFICER. The Chair is informed by the Parliamentarian that the measure has just been received from the Printing Office. It is the next on the calendar.

The joint resolution (H. J. Res. 367) to authorize the Secretaries of War and of the Navy to assist the governments of American republics to increase their military and naval establishments and for other purposes was announced as next in order.

Mr. VANDENBERG. I ask that the joint resolution be passed over.

Mr. PITTMAN. Mr. President, will the Senator withhold his objection for a moment?

Mr. VANDENBERG. Yes.

Mr. PITTMAN. The joint resolution has passed the House. It was taken up in the Committee on Foreign Relations yesterday and was discussed by the committee. A considerable number of the members of the committee were present. I wish to call attention to the fact that the House bill contains amendments which the Senate bill did not contain. The House bill has the following provision in it:

*And provided further,* That no transaction authorized herein shall result in expenses to the United States nor involve the extension of credits by the United States.

In addition to that, the committee of the Senate offered another amendment which had a further proviso, as follows:

*And provided further,* That no contract shall be entered into under the terms of this resolution which shall interfere with or delay the United States in the full use of its shipyards, arsenals, munition plants, and other equipment for its own purposes.

Those are two limitations in this measure which were not in the original Senate bill, and I do not think they came to the attention of the Senator from Michigan.

Mr. VANDENBERG. Mr. President, neither of those amendments touches the base of my objection to the legislation.

Mr. PITTMAN. I may say also that on yesterday the Under Secretary of State, Mr. Sumner Welles, appeared before the committee and read correspondence with all Latin American republics except one. In respect to that one he had oral communications through their Ambassador here, and his Government approves this proposed legislation.

The objection which I know the Senator has in mind seems to be very largely obviated by this correspondence; but at least it must be apparent that no contract would be advised or permitted which would create dissension among the Latin American republics.

Mr. VANDENBERG. I object first, Mr. President, to any legislation which makes an arms huckster out of Uncle Sam. In the second place, I think this particular arrangement invites friction instead of friendship among South American countries. I am simply objecting to taking it up on the Unanimous Consent Calendar. If the Senator wants to move to proceed to the consideration of the bill when he is free to do so, certainly I cannot object to that. I am simply asserting my individual rights at the only moment when I can still assert them.

Mr. PITTMAN. I thought there were probably changes which had not come to the Senator's attention which might alter the Senator's view. That is why I made the suggestion.

The PRESIDING OFFICER. Objection having been heard, the bill will be passed over.

#### AMENDMENT OF THE CANAL ZONE CODE

The Senate proceeded to consider the bill (H. R. 139) to amend the Canal Zone Code.

Mr. AUSTIN. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

#### PLAYA DE FLOR LAND & IMPROVEMENT CO.

The Senate proceeded to consider the bill (H. R. 7132) to amend an act entitled "An act for the relief of the Playa de Flor Land & Improvement Co.," approved May 21, 1934, which had been reported from the Committee on Inter-oceanic Canals, with an amendment, at the end of the bill to add a proviso, so as to make the bill read:

*Be it enacted, etc.,* That the act entitled "An act for the relief of the Playa de Flor Land & Improvement Co.," approved May 21, 1934," be, and the same is hereby, amended by adding the following: "Sec. 2. All competent testimony, exhibits, or other evidence heretofore admitted in evidence in any proceeding heretofore had under authority of this act and all competent testimony, exhibits, or other evidence heretofore admitted in evidence in the cases docketed in said court as numbers 1 and 3, and, respectively, entitled 'Playa de Flor Land & Improvement Co., a joint-stock corporation, plaintiff, vs. Eusebia Diaz et al., and The Panama Railroad Co., a corporation, defendants,' and 'The Panama Railroad Co., a corporation,

plaintiff, vs. J. H. Stilson, W. Andrews, and C. P. Fairman, as the successors in interest and estate to Eufracis C. De Villalobos et al., defendants,' shall be received in evidence for the same purpose as heretofore admitted in any suit brought or to be brought under authority of this act, as amended; *Provided,* That such evidence shall be subject, however, to any objection that the United States may interpose as to relevancy, materiality, or competency other than the objection of the witnesses not being produced in person."

The amendment was agreed to.

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

The bill was read the third time, and passed.

#### POST OFFICE, AKRON, OHIO

The bill (H. R. 6021) to repeal the minimum-price limitation on sale of the Akron, Ohio, old post-office building and site, was considered, ordered to a third reading, read the third time, and passed.

#### UNITED STATES SUPREME COURT BUILDING COMMISSION

The joint resolution (H. J. Res. 341) to dissolve the United States Supreme Court Building Commission was considered, ordered to a third reading, read the third time, and passed.

Mr. PEPPER. Mr. President, does that complete the House bills? I thought Calendar 1126 was the last one on the calendar.

The PRESIDING OFFICER. Under the unanimous-consent agreement, the Senate is to complete the consideration of House bills on the calendar; and as there are a number of House bills reported by committees which are not yet on the printed calendar, it is the understanding of the present occupant of the chair that the Senate is to continue the consideration of House bills.

#### BENJAMIN HARRISON MEMORIAL

The bill (H. R. 4872) to establish the Benjamin Harrison Commission to formulate plans for the construction of a permanent memorial to the memory of Benjamin Harrison, twenty-third President of the United States, was announced as next in order.

Mr. AUSTIN. Mr. President, from what committee is the bill reported?

The PRESIDING OFFICER. From the Committee on the Library.

Mr. WHITE. Mr. President, are the bills which are now being laid before the Senate House bills which have been referred to and been acted upon by Senate committees?

Mr. BARKLEY. They are.

Mr. WHITE. We are obliged to take them on faith, "sight unseen," with no committee reports.

Mr. BARKLEY. We are operating under a unanimous-consent agreement to consider only House bills which have been reported by Senate committees. That is all that is being done.

Mr. WHITE. The fact remains that we must take them "sight unseen," without copies of the bills and without reports.

Mr. BARKLEY. That is true. The bills now being called have been reported by Senate committees. Virtually all of them are reported without amendment. In the interest of saving time in the consideration of House bills at this time I included them within the request. Of course, if there is any doubt about the merits of any bill, it may go over under objection.

Mr. WHITE. As a practical matter, none of us know anything about the merits of any of these bills.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 4872) was considered, ordered to a third reading, read the third time, and passed.

#### MISSISSIPPI RIVER BRIDGE, JEFFERSON BARRACKS, MO.

The Senate proceeded to consider the bill (H. R. 6441) authorizing the county of St. Louis, State of Missouri, to construct, maintain, and operate a toll bridge across the Mississippi River near Jefferson Barracks, Mo.

Mr. AUSTIN. Mr. President, as a matter of procedure, in view of the circumstances, inasmuch as we have no copies of the bills before us, I suggest that the clerk state with the

title of the bill the committee which recommended its passage, so that we may know without asking in each instance whether or not a committee has passed on the bill, and what committee has passed upon it.

The PRESIDING OFFICER. Without objection, the clerk will state the name of the committee.

The CHIEF CLERK. A bill (H. R. 6441) authorizing the county of St. Louis, State of Missouri, to construct, maintain, and operate a toll bridge across the Mississippi River near Jefferson Barracks, Mo., reported from the Committee on Claims without amendment.

Mr. BARKLEY. Mr. President, that bill was reported by the Committee on Commerce.

Mr. CLARK. The bill was reported by the Committee on Commerce.

The CHIEF CLERK. According to the print, it is from the Committee on Claims.

Mr. CLARK of Missouri. There evidently is a misprint. It was reported by the Committee on Commerce. A similar Senate bill has been considered by the Commerce Committee and favorably reported.

The PRESIDING OFFICER. The present occupant of the chair will advise the Senate that the printing on the inside of the bill states that the bill was reported from the Committee on Commerce, while the printing on the outside of the bill states that it is from the Committee on Claims.

Mr. BARKLEY. The outside printing is a misprint. The bill was referred to the Committee on Commerce.

The PRESIDING OFFICER. It is evident to the present occupant of the Chair that the outside printing is a misprint.

Mr. CLARK of Missouri. Mr. President, I can testify to that fact. The bill was considered by the Committee on Commerce; and a similar Senate bill introduced by myself was also considered by the Committee on Commerce, and favorably reported.

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

The bill was ordered to a third reading, read the third time, and passed.

#### MISSOURI RIVER RAILROAD BRIDGE, RANDOLPH, MO.

The Senate proceeded to consider the bill (H. R. 7262) granting the consent of Congress to Frank O. Lowden, James E. Gorman, and Joseph B. Fleming, trustees of the estate of the Chicago, Rock Island & Pacific Railway Co., to construct, maintain, and operate a railroad bridge across the Missouri River at or near Randolph, Mo., which had been reported from the Committee on Commerce without amendment.

The bill was ordered to a third reading, read the third time, and passed.

#### KINGS CANYON NATIONAL PARK, CALIF.

The bill (H. R. 3794) to establish the Kings Canyon National Park, Calif., to transfer thereto the lands now included in the General Grant National Park, and for other purposes, was announced as next in order.

Mr. PITTMAN. Mr. President, what bill is this?

The PRESIDING OFFICER. House bill 3794. The clerk will state the title of the bill.

The CHIEF CLERK. A bill (H. R. 3794) to establish the Kings Canyon National Park, Calif., to transfer thereto the lands now included in the General Grant National Park, and for other purposes, reported from the Committee on Public Lands and Surveys without amendment.

Mr. PITTMAN. I object.

The PRESIDING OFFICER. The bill will be passed over.

#### PROTECTION OF WITNESSES

The bill (H. R. 6832) to provide for the protection of witnesses appearing before any department, independent establishment, or other agency of the United States, or the Congress of the United States, which had been reported from the Committee on the Judiciary without amendment, was announced as next in order.

Mr. AUSTIN. Mr. President, I ask that the bill be read.

The PRESIDING OFFICER. The bill will be read.

The Chief Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Criminal Code of the United States be amended by inserting therein a new section immediately following section 135 (U. S. C., title 18, sec. 241) to be known as section 135 (a) (U. S. C., title 18, sec. 241 (a)) and reading as follows:

"Sec. 135. (a) That whoever corruptly, or by threats or force, or by an threatening letter or communication, shall endeavor to influence, intimidate, or impede any witness in any proceeding pending before any department, independent establishment, board, commission, or other agency of the United States, or in connection with any inquiry or investigation being had by either House, or any committee of either House, or any joint committee of the Congress of the United States, or who corruptly, or by threats or force, or by any threatening letter or communication shall influence, obstruct, or impede, or endeavor to influence, obstruct, or impede the due and proper administration of the law under which such proceeding is being had before such department, independent establishment, board, commission, or other agency of the United States, or the due and proper exercise of the power of inquiry under which such inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress of the United States shall be fined not more than \$1,000 or imprisoned not more than 1 year, or both."

Mr. AUSTIN. Mr. President, I ask the Senator from Wyoming [Mr. O'MAHONEY] if he will please explain the bill.

Mr. O'MAHONEY. Mr. President, this bill was unanimously reported by the House Committee on the Judiciary. When it came to the Senate it was referred to a subcommittee consisting of the very able and distinguished Senator from Connecticut [Mr. DANAHY], the Senator from Arkansas [Mr. MILLER], and myself. The committee consulted individually with members of the House committee, and filed a unanimous report with the Senate Committee on the Judiciary, which ordered the bill reported.

The bill extends to witnesses before committees of the House and Senate, joint committees, independent establishments and departments the same protection from intimidation which is now granted to witnesses in the courts. The bill is a recital of exactly the same language now in the law protecting witnesses before the courts. It is endorsed by the American Bar Association and by the Bar Association of the District of Columbia, and I know of no reason why it should not be passed.

Mr. AUSTIN. Mr. President, I hope the bill may ultimately be passed; but I was notified by the distinguished Senator from Utah [Mr. KING] that he might wish to object to it. I ask the Senator if he will not permit the bill to be passed over temporarily, until the Senator from Utah returns to the Chamber. I have sent for him.

Mr. O'MAHONEY. Of course, I could not object to that request. However, the Senator from Arizona [Mr. ASHURST] is present in the Chamber, and I think he will testify that the Senator from Utah was in the Committee on the Judiciary at the time the bill was considered and that his objection was thoroughly canvassed in the committee.

Mr. ASHURST. Mr. President, the statement of the Senator from Wyoming is correct. The able Senator from Utah [Mr. KING], who is a learned and valuable member of the Senate Committee on the Judiciary, as is the Senator from Vermont [Mr. AUSTIN], appeared before the Senate Committee on the Judiciary. It is true that at first he expressed some doubt as to the bill; but, after a thorough canvass and argument on the bill, which took place this afternoon, I understood that the Senator from Utah gave his assent to the bill.

Mr. O'MAHONEY. Mr. President, if the bill is now passed, and the Senator from Utah has any objection whatsoever to it, it will be a simple matter for him to move to reconsider. I shall personally call the matter to his attention.

Mr. AUSTIN. Mr. President, personally I have no objection to the bill, and I have no obligation to object to it on behalf of the Senator from Utah. It is merely an act of courtesy on my part to attempt to suspend consideration temporarily until he can be present. However, with the statement of the Senator from Wyoming that he will not object to reconsideration if the Senator from Utah shall request it, I shall not impose any further delay.

Mr. O'MAHONEY. I thank the Senator.

Mr. JOHNSON of California. Mr. President, I inquire whether or not the language of the bill was taken from any other penal statute.

Mr. O'MAHONEY. It is taken from section 135 of the Code.

Mr. JOHNSON of California. Let me read:

That whoever, corruptly, or by threats or force, or by any threatening letter or communication, shall endeavor to influence, intimidate, or impede any witness in any proceeding pending before any department, independent establishment, board, commission, or other agency of the United States—

And so forth. Was that language taken from any penal statute?

Mr. O'MAHONEY. The language referring to the independent establishments, boards, commissions, and agencies is the new language.

Mr. JOHNSON of California. Yes.

Mr. O'MAHONEY. The bill extends to witnesses before such bodies the protection now granted to witnesses before the courts.

Mr. JOHNSON of California. Was it the intention to extend it in this drastic fashion to witnesses before any department, independent establishment, board, commission, or other agency of the United States?

Mr. O'MAHONEY. Mr. President, when a board or commission of the United States is authorized to hold hearings and to receive the testimony of witnesses, it seems to me no one can object to giving such witnesses the same protection which is thrown around witnesses appearing in the courts.

Mr. JOHNSON of California. Possibly the Senator is right. This, however, is my first sight of this bill, and I do not quite like its language. It reads:

That whoever, corruptly, or by threats or force, or by any threatening letter or communication, shall endeavor to influence, intimidate, or impede any witness in any proceeding pending before any department, independent establishment, board, commission, or other agency of the United States—

And so forth. The language is so broad, and there is left much room for construction, that I should hate to pass a penal statute of this character.

Mr. O'MAHONEY. But the court would construe it. That language is in the law as it now stands.

Mr. JOHNSON of California. But I should hate to apply it to "any department, independent establishment, board, commission, or other agency of the United States," because I think that the language is so broad that it would give to any board, any agency, or any department the right to do things that ought not to be done.

Mr. O'MAHONEY. Oh, no.

Mr. JOHNSON of California. Yes; I think it would.

Mr. O'MAHONEY. Let us read the bill. I want to listen to every single reasonable objection, and I am always very careful to consider any question raised by the Senator from California. This bill grants no power to any board or commission; but if it should be enacted, it would protect witnesses.

Mr. JOHNSON of California. Oh, no.

Mr. O'MAHONEY. The bill would give no power to commissions or other governmental agencies. It would be enforced by the courts, not by any commission or agency.

Mr. JOHNSON of California. Perhaps it would be enforced by the courts, but I should hate to leave with any board or any commission any power of this character.

Mr. O'MAHONEY. The bill gives no power, I may say.

Mr. JOHNSON of California. Yes; it does. Suppose that a governmental board or commission should come into court; it would be thrice armed and would be enabled to have its own way. I do not like to give to boards, commissions, and departments any such power.

Mr. O'MAHONEY. What power? Will the Senator state what power he has in mind?

Mr. JOHNSON of California. Yes.

The PRESIDING OFFICER. The Chair wishes to inform the Senator from Wyoming that under the 5-minute rule his time has expired.

Mr. ASHURST. Mr. President, will the Senator from California yield to me?

Mr. JOHNSON of California. I yield to the Senator from Arizona.

Mr. ASHURST. Mr. President—

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. ASHURST. Mr. President, I am reluctant to enter this debate, but if, as I read it, this bill contained any of the implications or if I thought there could arise from it any of the conditions the able Senator from California anticipates, I would object to the measure. My understanding of the bill is that it extends to witnesses the same degree of protection which they have in the courts.

Mr. President, it is no secret that congressional committees and boards and commissions of the Government have during the last 15 or 20 years in some cases been treating witnesses in such a way as to intimidate them. I know of and can name instances of dignified, honest, upstanding American citizens being mercilessly muckraked by committees of the Congress and by boards of the Government by being required to reply to questions that were immaterial and which should not have been asked. As I understand this bill, it throws around a witness coming before a committee or commission the same degree of protection that would be accorded him if he were testifying in a court of law. If I did not think the bill so provided, I would oppose it. In other words, this bill seeks to put an end to the reckless, relentless muckraking of witnesses that has occurred from time to time in this Capitol. Courageous citizens sometimes hesitate to come before committees of Congress, because of certain conditions which have prevailed for many years. If I correctly understand the bill, it throws around the witness that degree of protection that the courts give him. If I am wrong, I wish to be corrected.

Here is the present law as to witnesses in a court of law, section 135 (U. S. C., title 18, sec. 241):

Whoever corruptly, or by threats or force, or by any threatening letter or communication, shall endeavor to influence, intimidate, or impede any witness in any court of the United States or before any United States Commissioner or officer acting as such Commissioner, or any grand or petit juror, or officer in or of any court of the United States, or officer who may be serving at any examination or other proceeding before any United States commissioner or officer acting as such commissioner, in the discharge of his duty, or who corruptly or by threats or force, or by any threatening letter or communication, shall influence, obstruct, or impede, or endeavor to influence, obstruct, or impede, the due administration of justice therein, shall be fined not more than \$1,000, or imprisoned not more than 1 year, or both.

As a young lawyer I grew to admire the learned Senator from California [Mr. JOHNSON]. I never knew, at the bar, a better cross-examiner, and I can say to his credit that he never resorted to the intimidation of witnesses.

This bill, as I conceive it, would require the various boards and commissions set up by this Government to follow the rules of evidence. No lawyer, in my judgment, should object to that. The rules of evidence are well known, but I believe the time has arrived when witnesses, if they be honest men, should approach a tribunal without fear and should welcome any question that is competent, material, and relevant, and is not hearsay.

The Senator from California must know that I would be the last man to extend additional power to any board or commission.

Mr. JOHNSON of California. I realize that, and I have no doubt that the Senator from Wyoming doubtless would be of the same thought; but here we have a bill which directly connects the wrongdoing with the court, and of necessity one who becomes involved with the processes of the court in the fashion that is described in the statute would be amenable to the court and would be punished accordingly; but I think the pending bill goes still further than that. I may be in error in the matter, but I have a tenderness for the individuals called before any department or any agency of the

Government, or any independent establishment—board or commission. I detest the language in the bill because I know the capacity there has been for wrongdoing on the part of boards and independent agencies exactly along the line of which the Senator from Arizona complains, and such instances have occurred a hundred times. I do not want—

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. JOHNSON of California. I will yield in a moment, when I finish the sentence. I do not want the Congress of the United States to enact any law under which such things may continue to occur. Now I yield to the Senator from Wyoming.

Mr. O'MAHONEY. I share completely the Senator's sympathy for the witness called before any group, and it is because I have such sympathy that I am urging the passage of this bill. Let me give the Senator an example how it would work. At the present time, if a witness should be called before the Interstate Commerce Commission, some person not a witness before that Commission could with complete impunity threaten him that if he testified to the truth he would lose his job, for example, and there would be no recourse. This bill provides that, if any person should so threaten such a witness, such person would be guilty of a criminal offense not punishable by the Interstate Commerce Commission but cognizable in a court of law and punished by such court. That is all the bill does. It extends to the witness before a committee of the House or the Senate, before a joint committee, or before a commission or board, the same protection that is now thrown about witnesses elsewhere. That is all I have to say about the matter.

Mr. JOHNSON of California. I think the Senator from Wyoming ascribes to the particular measure what is rather the result of his own logical mind than the result that will actually be attained. It is not for the protection of witnesses; I do not think the bill can be read that way; it is for the protection of the boards, the independent agencies, and different departments of the Government. That is where the difference between us lies.

Mr. O'MAHONEY. Of course, if the Senator has that opinion, I cannot dissuade him; but I am sure the language of the bill does not justify such an interpretation.

Mr. JOHNSON of California. The Senator is sure I am wrong; I am quite sure that he may be wrong.

Mr. O'MAHONEY. Mr. President, the matter has not been disposed of. Does the Senator from California object?

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. JOHNSON of California. I object for the time being. I will look into it as well as I may, though not with the ability of the Senator from Wyoming [Mr. O'MAHONEY].

Mr. O'MAHONEY. Now! Now!

Mr. JOHNSON of California. Nor with the ability of the Senator from Arizona [Mr. ASHURST].

Mr. O'MAHONEY. Let me say that I walk at the knee of the Senator from California. If I could ever hope to attain one-half his ability and one-half his eloquence, I would, indeed, be proud.

Mr. JOHNSON of California. I thank the Senator.

The PRESIDING OFFICER. The Chair advises the Senator from California that his time has expired.

The bill goes over on objection.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the following bills and joint resolution:

S. 882. An act to authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes;

S. 1234. An act to amend section 13 (a) of the act approved June 25, 1938 (52 Stat. 1069), entitled "Fair Labor Standards Act of 1938";

S. 2133. An act authorizing the conveyance of certain lands to the State of Nevada; and

S. J. Res. 139. Joint resolution to authorize compacts or agreements between or among the States bordering on the

Atlantic Ocean with respect to fishing in the territorial waters and the bays and inlets of the Atlantic Ocean on which such States border, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 1693) to confer jurisdiction on the District Court of the United States for the Western District of Missouri to hear, determine, and render judgment upon the claims of certain claimants who suffered loss by flood at or near Bean Lake in Platte County, and Sugar Lake in Buchanan County, in the State of Missouri, during the month of March 1934.

The message further announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 777. An act for the relief of Banks Business College;

H. R. 1875. An act for the relief of the Women's Board of Domestic Missions;

H. R. 2452. An act for the relief of George Slade;

H. R. 2752. An act to include within the Kaniksu National Forest certain lands owned or in course of acquisition by the United States;

H. R. 3104. An act for the relief of Kyle Blair;

H. R. 4260. An act for the relief of J. Milton Sweney;

H. R. 5747. An act to authorize the addition of certain lands to the Wenatchee National Forest; and

H. R. 6435. An act to authorize cancellation of deportation in the case of Louise Wohl.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendment of the House to each of the following bills of the Senate:

S. 1164. An act for the relief of Nadine Sanders; and

S. 2697. An act to facilitate the execution of arrangements for the exchange of surplus agricultural commodities produced in the United States for reserve stocks of strategic and critical materials produced abroad.

The message further announced that the House insisted upon its amendment to the bill (S. 2271) for the relief of Barnet Warren, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. KENNEDY of Maryland, Mr. KEOGH, and Mr. THOMAS of New Jersey were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4117) to provide for the payment of attorney's fees from Osage tribal funds; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ROGERS of Oklahoma, Mr. O'CONNOR, and Mr. BURDICK were appointed managers on the part of the House at the conference.

#### ALTERATIONS OF CERTAIN BRIDGES OVER NAVIGABLE WATERS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1989) to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the United States and the owners of such bridges, and for other purposes, which were: On page 1, lines 6 and 7, to strike out "kind and reconstruction" and insert "kind, reconstruction, or removal in whole or in part"; on page 5, line 17, to strike out all after the word "and" down to and including "replacement" in line 22, and insert "that part of the cost attributable to the requirements of traffic by railroad or highway, or both, including any expenditure for increased carrying capacity of the bridge, and including such proportion of the actual capital cost of the old bridge or of such part of the old bridge as may be altered or changed or rebuilt, as the used service life of the whole or a part, as the case may be, bears to the total estimated service life of the whole or such part. The United States shall bear the balance of the cost, including that part attributable to the necessities of navigation"; on page 7, line 7, to strike out all after the name "Treasury" down to and including "owner" in line 8, and insert "through the Division of Disbursement upon certifications of the Secretary of War"; on page 7, line 16, to strike out all after the word "to" down to and including

"to" in line 18, where it appears the second time; on pages 9 and 10, to strike out all of section 12, and insert:

SEC. 12. (a) The first sentence of section 4 of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906 (U. S. C., 1934 ed., title 33, sec. 494), and section 18 of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1899 (U. S. C., 1934 ed., title 33, sec. 502), shall be inapplicable with respect to any bridge to which the provisions of this act are applicable, except to the extent provided in this section.

(b) Any bridge, the construction, reconstruction, or alteration of which was required by an order of the Secretary issued prior to July 1, 1939, and was not completed on such date, and in the case of which no penalties have accrued at the time of the enactment of this act, shall be constructed, reconstructed, or altered as required by such order, and not in accordance with the provisions of this act. In the case of any such bridge, however, the Secretary shall apportion the cost of the project between the bridge owner and the United States, and payment of the share of the United States shall be made, in the same manner as if the provisions of this act applied to such construction, reconstruction, or alteration, subject to the following limitations:

(1) In case such construction, reconstruction, or alteration has not begun on the date of enactment of this act, such apportionment of cost shall be made only if (a) the construction, reconstruction, or alteration is carried out in accordance with plans and specifications, and pursuant to bids, approved by the Secretary, and (b) the bridge owner has submitted to the Secretary a written guaranty of cost as provided for in section 5.

(2) The Secretary's determination as to such apportionment, and as to such plans and specifications and bids, shall be final.

(3) Such apportionment shall not be made if such construction, reconstruction, or alteration is not completed within the time fixed in such order of the Secretary or within such additional time (not to exceed 25 percent of the time allowed in the order for such completion) as the Secretary, for good cause shown, may allow.

(c) Any bridge (except a bridge to which subsection (b) applies) the construction, reconstruction, or alteration of which was required by an order of the Secretary issued prior to July 1, 1939, and was not begun before such date, shall be subject to the provisions of this act as though such order had not been issued, and compliance with the provisions of this act and with such orders as may be issued thereunder shall be considered to constitute compliance with such order issued prior to July 1, 1939, and with the provisions of law under which it was issued.

And on page 11, line 7, to strike out the word "herein" and insert "in this section."

Mr. TRUMAN. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

#### INCREASED COMPENSATION TO CERTAIN CIVILIAN EMPLOYEES

Mr. LODGE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LODGE. I inquire what is before the Senate?

The PRESIDING OFFICER. There is nothing before the Senate at the present time.

Mr. ELLENDER. Mr. President, when Calendar No. 1012, House bill 5333, was called the Senator from Utah [Mr. KING] objected. He has, however, agreed to withdraw his objection. I ask the Senate to recur to that bill and that it be considered at this time.

The PRESIDING OFFICER. The clerk will state the bill by title.

The CHIEF CLERK. A bill (H. R. 5333) to amend the acts granting increased compensation to civilian employees for the period July 1, 1917, to June 30, 1924.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. WHITE. Mr. President, was there objection to this bill when it was called on the calendar?

The PRESIDING OFFICER. The Chair will state there was objection interposed at the time the bill was called; but the Chair understands the Senator from Louisiana desires to make a statement regarding the bill.

Mr. ELLENDER. The Senator from Utah [Mr. KING] objected to the immediate consideration of the bill, but he has since withdrawn his objection.

Mr. WHITE. I desire to ask has the Senator who objected to the consideration of the bill withdrawn his objection?

Mr. ELLENDER. Yes, sir; he has.

The PRESIDING OFFICER. Is there any further objection to the consideration of the bill?

Mr. LODGE. Mr. President, I am advised that the Senator from Vermont [Mr. AUSTIN] expressed some doubt about this bill. I wonder if the Senator will not renew his request after the Senator from Vermont shall have returned to the Chamber.

Mr. ELLENDER. I did not know that the Senator from Vermont objected to the bill. I understood that the Senator from Utah [Mr. KING] objected to it. The bill was introduced at the request of the Secretary of War. It makes no appropriation. It simply extends for 6 months the time limit within which claims may be filed.

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

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

Mr. ELLENDER. I yield.

Mr. BARKLEY. I will say to the Senator from Massachusetts that when this bill was reached on the calendar the Senator from Utah [Mr. KING] objected to it. Later, he came to my desk and said that he had no objection, and that so far as he was concerned the bill might pass. I do not know what the position of the Senator from Vermont may be with reference to the bill.

Mr. AUSTIN entered the Chamber.

Mr. LODGE. Mr. President, the Senator from Vermont is in the Chamber now, and will speak for himself.

Mr. AUSTIN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Vermont?

Mr. ELLENDER. I yield.

Mr. AUSTIN. The Senator from Vermont did not object to the consideration of this bill. The Senator from Vermont understands that it is a bill merely to put into the law a 6-month limitation.

Mr. ELLENDER. That is all.

Mr. AUSTIN. It is protective in its character, and there is not any reason in the world why the Senator from Vermont should object to the bill.

Mr. ELLENDER. I did not think the distinguished Senator from Vermont could be guilty of urging an objection to such a meritorious bill as this one.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 5333) to amend the acts granting increased compensation to civilian employees for the period July 1, 1917, to June 30, 1924, was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That no claim for additional or increased compensation incident to services rendered by civilian employees of the Government of the United States or of the District of Columbia between July 1, 1917, and June 30, 1924, authorized by acts making appropriations for the payment of such increased or additional compensation for the fiscal years ending June 30, 1918, to June 30, 1924, inclusive, shall be considered by the General Accounting Office unless presented to it within 6 months from the date of the enactment of this act.

#### BOUNDARY COMPACT BETWEEN STATES OF IOWA AND MISSOURI

Mr. ASHURST. Mr. President, on behalf of the Senator from Nebraska [Mr. BURKE], who is in attendance upon the Committee on Appropriations, I report back favorably from the Committee on the Judiciary Senate Joint Resolution 181. Inasmuch as I shall request unanimous consent for its immediate consideration, I ask that the joint resolution, with the whereases, be read, and I invite the attention of the Senators from Missouri and Iowa to it.

It appears that there has been a dispute between those two States over a boundary line. The dispute has existed, I understand, for nearly 100 years. Every Senator knows that States may not enter into a compact without the consent of Congress. This is a joint resolution granting the consent of Congress to those two States to enter into a compact regarding a boundary line.

I ask that the joint resolution, with the whereases, be read, and that the Senators from Missouri and Iowa give it their attention.

The PRESIDING OFFICER. Without objection, the joint resolution will be read.

The joint resolution (S. J. Res. 181) giving the consent of the Congress to an agreement between the States of Iowa and Missouri establishing a boundary between said States was read, as follows:

Whereas, under date of December 13, 1937, the State of Missouri commenced suit against the State of Iowa in the Supreme Court of the United States for the purpose of determining the boundary line between the county of Clark in the State of Missouri and the county of Lee in the State of Iowa; and

Whereas, by stipulation filed in the said Supreme Court of the United States, it was proposed that the Legislature of Iowa and the Legislature of Missouri pass like bills, the State of Missouri waiving and relinquishing to the State of Iowa all jurisdiction to lands lying north and east of the Des Moines River, now in the county of Clark, State of Missouri, and the State of Iowa waiving and relinquishing to the State of Missouri all lands lying south and west of the Des Moines River, and now in the county of Lee, State of Iowa, and that said acts be submitted to the Congress of the United States for its approval; and

Whereas, in accordance with said stipulation, the Forty-eighth General Assembly of the State of Iowa did at such session pass such act, this act being known and designated as house file No. 651, acts of the Forty-eighth General Assembly of Iowa, bearing the signatures of John R. Irwin, speaker of the house; Bourke B. Hickenlooper, president of the senate; and the signature and approval of George A. Wilson, Governor of Iowa, under date of April 18, 1939, said act being thereupon properly published and becoming law under date of April 23, 1939; and

Whereas said act provided in substance that the Des Moines River in its present course as heretofore declared by the Congress of the United States shall be and remain the true boundary line between the State of Missouri and the State of Iowa; that the State of Iowa relinquishes all jurisdiction to all lands in Lee County lying south and west of the Des Moines River, being south and east of the east and west boundary line between the States of Iowa and Missouri, and that the effective date of the relinquishment of jurisdiction shall be as of midnight of the 31st day of December following the passage of the act of Congress approving the relinquishment of jurisdiction; and

Whereas, in accordance with stipulation as aforesaid, the Sixtieth General Assembly of the State of Missouri did, at such session, pass a like act, this act being known and designated as senate bill 350 of the acts of the Sixtieth General Assembly of Missouri and bearing the signature and approval of Lloyd C. Stark, Governor of Missouri, under date of June 16, 1939; and

Whereas said act provides in substance that the Des Moines River shall be the true boundary line as between Missouri and Iowa; that the State of Missouri relinquishes all jurisdiction to all lands lying north and east of the Des Moines River and that the effective date of the relinquishment of jurisdiction over the land herein described shall be as of midnight of the 31st day of December following the passage of the act of Congress approving the relinquishment of jurisdiction; and

Whereas the said acts of the States of Iowa and Missouri constitute an agreement between said States establishing a boundary between said States: Therefore be it

*Resolved, etc.,* That the consent of the Congress is hereby given to such agreement and to the establishment of such boundary; and said acts of the States of Iowa and Missouri are hereby approved.

Mr. AUSTIN. Mr. President, I inquire whether it is the intention of this agreement between the two States interested to leave in the United States the title to the Des Moines River.

Mr. TRUMAN. Yes. The joint resolution does not disturb the title to the Des Moines River. It merely refers to the land on each side of the river, which has changed its course.

Mr. CLARK of Missouri. Mr. President, if the Senator from Missouri will yield, the joint resolution represents the settlement of a dispute which has existed between the States of Iowa and Missouri for more than 100 years. As a matter of fact, at one time the two States were on the verge of civil war regarding the matter. Each State ordered out troops, and the dispute was finally settled by arbitration; but the matter has been in dispute ever since. The joint resolution represents an amicable adjustment of a century-old dispute.

Mr. AUSTIN. Mr. President, it gives me great happiness to join in settling such a long and ancient boundary romance I myself have lived professionally through one that began in 1763 and ended in 1936; so I am naturally keen to understand the intent of the parties here, because the boundary case with which I was so intimately involved depended upon the construction of language relating to a river.

Mr. TRUMAN. Mr. President, this joint resolution does not depend at all upon language. It is merely a settlement between the two States in regard to land which has changed

its place on account of the change of the course of the river. The joint resolution is agreed to by both sides, and by all four Senators from both States.

Mr. AUSTIN. I would not delay this amicable adjustment.

Mr. BARKLEY. Mr. President, I wish to say that if the Senator from Vermont has lived professionally through the controversy to which he referred from 1763 to this hour, he certainly does not look his age. [Laughter.]

Mr. AUSTIN. I thank the distinguished Senator from Kentucky for his compliment.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

#### COLUMBIA RIVER BRIDGE, THE DALLES, OREG.

The bill (H. R. 3122) to extend the time for completing the construction of a bridge across the Columbia River near The Dalles, Oreg., which had been reported from the Committee on Commerce, was considered, ordered to a third reading, read the third time, and passed.

#### MISSOURI RIVER BRIDGE, NIOBRARA, NEBR.

The bill (H. R. 5998) to amend section 32 of the act entitled "An act to authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States, and for other purposes," approved August 30, 1935, which had been reported from the Committee on Commerce, was considered, ordered to a third reading, read the third time, and passed.

#### COLUMBIA RIVER BRIDGE, KETTLE FALLS, WASH.

The bill (H. R. 6271) granting the consent of Congress to the Secretary of the Interior, the State of Washington, and the Great Northern Railway Co. to construct, maintain, and operate either a combined highway and railroad bridge or two separate bridges across the Columbia River, at or near Kettle Falls, Wash., which had been reported from the Committee on Commerce, was considered, ordered to a third reading, read the third time, and passed.

#### SUSQUEHANNA RIVER BRIDGE, HARRISBURG, PA.

The bill (H. R. 6662) granting the consent of Congress to the Dauphin County, Pa., Authority to construct, maintain, and operate a highway bridge across the Susquehanna River at or near the city of Harrisburg, Pa., which had been reported from the Committee on Commerce, was considered, ordered to a third reading, read the third time, and passed.

#### SUSQUEHANNA RIVER BRIDGE, PA.

The bill (H. R. 6907) granting the consent of Congress to the Commonwealth of Pennsylvania to reconstruct, maintain, and operate a free highway bridge across the Susquehanna River, from the borough of Wyoming, in the county of Luzerne, Commonwealth of Pennsylvania, to Jenkins township, county of Luzerne, Commonwealth of Pennsylvania, which had been reported from the Committee on Commerce, was considered, ordered to a third reading, read the third time, and passed.

#### JAMES M. HARWOOD

The bill (H. R. 4885) for the relief of James M. Harwood was considered, ordered to a third reading, read the third time, and passed.

#### THOMAS J. SMITH

The bill (H. R. 2440) for the relief of Thomas J. Smith was considered, ordered to a third reading, read the third time, and passed.

#### ANNA E. HURLEY

The bill (H. R. 3156) for the relief of Anna E. Hurley was considered, ordered to a third reading, read the third time, and passed.

#### FISKE WARREN

The bill (H. R. 3172) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of Fiske Warren, was considered, ordered to a third reading, read the third time, and passed.



## CLARENDON DAVIS

The bill (H. R. 4062) for the relief of Clarendon Davis was considered, ordered to a third reading, read the third time, and passed.

## HARRY VROUNTAS AND THEODORE VROUNTAS

The bill (H. R. 4275) for the relief of Harry Vrontas and Theodore Vrontas was considered, ordered to a third reading, read the third time, and passed.

## ANTON SAGANEY AND OTHERS

The bill (H. R. 4300) for the relief of Anton Saganey, John J. Beatty, Frederick J. Coppenrath, Joseph R. Driscoll, Edward A. Morash, and Michael L. Siderowicz was considered, ordered to a third reading, read the third time, and passed.

## FRANCIS A. LEETE AND SARAH LEETE

The bill (H. R. 4554) for the relief of Francis A. Leete and Sarah Leete was considered, ordered to a third reading, read the third time, and passed.

## JAMES W. GILSON

The bill (H. R. 4726) for the relief of James W. Gilson was considered, ordered to a third reading, read the third time, and passed.

## MRS. LAYER TAYLOR

The bill (H. R. 5259) for the relief of Mrs. Layer Taylor was considered, ordered to a third reading, read the third time, and passed.

## H. A. DIXON

The bill (H. R. 5383) for the relief of H. A. Dixon was considered, ordered to a third reading, read the third time, and passed.

## RUTH DORNSIFE

The bill (H. R. 5491) to pay salary of Ruth Dornsife was considered, ordered to a third reading, read the third time, and passed.

## V. H. SCHEURING, ELMER EGGERS, AND THOMAS FAHEY

The bill (H. R. 5557) for the relief of V. H. Scheuring, Elmer Eggers, and Thomas Fahey was considered, ordered to a third reading, read the third time, and passed.

## SIMON A. BRIEGER

The bill (H. R. 5923) for the relief of Simon A. Brieger, as legal representative of the estate of Thomas Gerald Brieger, a deceased minor was considered, ordered to a third reading, read the third time, and passed.

## REPORTS FROM THE COMMITTEE TO AUDIT AND CONTROL THE CONTINGENT EXPENSES OF THE SENATE

Mr. BYRNES. Mr. President, on behalf of the Committee to Audit and Control the Contingent Expenses of the Senate, I wish to report a number of resolutions which have been pending before the committee, in connection with which I wish to make a short statement.

Mr. AUSTIN. Mr. President, will the Senator yield so that I may call a quorum?

Mr. BYRNES. I have no objection; but I will say to the Senator that I am certainly not going to ask for action on these matters, if the Senator will permit me to make my statement.

Mr. President, I am merely reporting several resolutions; I am not asking for action, and I intend to make a statement with reference to them.

There are nine of the standing committees of the Senate which have reported resolutions for the investigation of various subjects. Those resolutions have been referred to the Committee to Audit and Control the Contingent Expenses of the Senate for the purpose of determining how much money shall be made available out of the contingent fund of the Senate for the conduct of the investigations. The Committee to Audit and Control has authorized me to report these resolutions with a recommendation as to the amount which shall be expended in each case, should the Senate decide to authorize the investigations.

The Committee to Audit and Control the Contingent Expenses of the Senate are of the opinion that when a standing committee votes unanimously, as in most of these cases, the

committees have to conduct investigations, the Senate should have an opportunity to pass upon the question, and determine whether or not the investigation should be made.

The amounts asked by the committees have not been recommended by the Committee to Audit and Control, except in one or two instances where the amounts requested were comparatively small. Members of the Committee to Audit and Control, in reporting the resolutions to the Senate to give to the Senate an opportunity to act on them, reserve their right, as individual Members of the Senate, to oppose the resolutions when they are brought before the Senate, should they see fit to do so. They merely determine to let the Senate have an opportunity to consider these measures.

## CARLTON-MACE ENGINEERING CORPORATION

The bill (H. R. 5857) to amend Private Act No. 286, approved June 18, 1934, entitled "An act for the relief of Carlton-Mace Engineering Corporation," was considered, ordered to a third reading, read the third time, and passed.

Mr. AUSTIN. What was the name of the corporation?

The PRESIDING OFFICER (Mr. GERRY in the chair). The Carlton-Mace Engineering Corporation.

## ESTATE OF HARVEY T. COMBS

The bill (H. R. 2363) for the relief of the estate of Harvey T. Combs was considered, ordered to a third reading, read the third time, and passed.

Mr. VANDENBERG. Mr. President, would it be possible for the clerk, in reporting these bills, which are not listed, to state how much is involved in each bill as he reports it? This is such an utterly slipshod method of legislating that I suggest that just a casual bit of prudence might not be out of place.

## FLOYD ELTON

The bill (H. R. 3853) authorizing the payment of \$400 for the relief of Floyd Elton was considered, ordered to a third reading, read the third time, and passed.

## CELIA PRESS AND BERNARD PRESS

The bill (H. R. 4141) for the relief of Celia Press and Bernard Press was considered, ordered to a third reading, read the third time, and passed.

## BYRON MAC DONALD

The bill (H. R. 4482) for the relief of Byron MacDonald was considered, ordered to a third reading, read the third time, and passed.

## WILLIAM H. RADCLIFFE

The bill (H. R. 4549) for the relief of William H. Radcliffe was considered, ordered to a third reading, read the third time, and passed.

## PAUL W. M'COY

The bill (H. R. 4601) for the relief of Paul W. McCoy was considered, ordered to a third reading, read the third time, and passed.

## M. F. GUBRUD

The bill (H. R. 4616) for the relief of M. F. Gubrud was considered, ordered to a third reading, read the third time, and passed.

## HARRY W. LYLE

The bill (H. R. 5115) for the relief of Harry W. Lyle was considered, ordered to a third reading, read the third time, and passed.

Mr. SMITH. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SMITH. We do not seem to be proceeding according to the calendar.

Mr. BARKLEY. Mr. President, if the Senator will yield, there are on the desk a number of House bills reported by Senate committees which have not been printed on the calendar, and which are being called for consideration. All of them have been reported by Senate committees.

Mr. SMITH. I understand that, but we have nothing to guide us, and something might slip by to which someone might object if we had a record of what was going on. Has this ever been done before?

Mr. BARKLEY. Yes; it has.

Mr. SMITH. When we have taken up bills which have not been reported?

Mr. BARKLEY. At the end of a session it is frequently done. It covers only House bills. Of course, these bills have been passed by the House of Representatives.

Mr. SMITH. I know, but none of them were passed on by Senate committees.

Mr. BARKLEY. They have been reported by Senate committees. Of course, any Senator can object when a bill is called if he does not want it to pass. Most of them are private bills, bridge bills, and so forth.

Mr. SMITH. If they are restricted to that type of bill, I would not have any objection, but just taking them as they come, the run-of-the-mine measures may get through to which some of us might seriously object if we had the proper notice.

The PRESIDING OFFICER. The Chair will state to the Senator from South Carolina that these are only bills from the Committee on Claims.

Mr. SMITH. They are restricted to claims?

The PRESIDING OFFICER. The Chair is informed that under the order they are not restricted to claims, but these bills being taken up now are all claims bills.

Mr. WHEELER. Mr. President, I think it is exceedingly bad practice to pass bills about which no one in the Senate knows a thing, which have never been referred to committees—

Mr. BARKLEY. Mr. President, all these bills have been referred to committees, and reported.

Mr. WHEELER. To Senate committees?

Mr. BARKLEY. Yes; to Senate committees. They were included in the request made for the calling of House bills on the calendar, bills reported by Senate committees. These bills have all been acted upon by Senate committees.

Mr. WHEELER. I did not know that.

Mr. BARKLEY. Oh, yes; I would not ask that the bills be considered otherwise.

GEORGE A. MEFFAN

The bill (H. R. 5607) for the relief of George A. Meffan, United States marshal, district of Idaho, was considered, ordered to a third reading, read the third time, and passed.

THE HEIRS OF EMMA J. HALL

The bill (H. R. 5951) for the relief of the heirs of Emma J. Hall was considered, ordered a third reading, read the third time, and passed.

ALLEGED DETENTION OF LABOR ORGANIZER IN MAJESTIC HOTEL, MEXIA, TEX.

Mr. SHEPPARD. Mr. President, I ask that there be inserted in the RECORD at this point two telegrams which I have received from E. T. Lucas and J. G. Coman, of Mexia, Tex. The telegrams will explain themselves.

The PRESIDING OFFICER. Without objection, the telegrams will be printed in the RECORD.

The telegrams are as follows:

MEXIA, TEX., August 2, 1939.

Senator MORRIS SHEPPARD,

Washington, D. C.:

It has been brought to my attention that in the July 21 issue of Houston Post, under Associated Press dispatch from Washington, Robert R. Tisdale, testifying before Senate Labor Committee, testified that a union organizer was held in hotel in Mexia, Tex., and "threatened with tar and feathers" by a "group apparently sponsored by the employers." As manager of the Majestic Hotel, in Mexia, Tex., I cannot let such statement go unchallenged, as it was in my hotel that Howard Lee, C. I. O. organizer, stayed while organizing Mexia textile mills of this city. The hotel register shows that he stayed at my hotel from August 22, 1937, to September 20, 1937, a day or so at a time and that no other organizer was in Mexia, to my knowledge. During the time Mr. Lee was guest in hotel he was never at any time "held" in said hotel by any group of persons, nor was he threatened with "tar and feathers," nor was an attempt ever made to molest Mr. Lee or tar and feather him. I have been manager of Majestic Hotel, Mexia, Tex., since September 1, 1926, and there has never been during that time any attempt to tar and feather or detain any of my guests, and I know of no hotel in Mexia since I have resided here where any such attempt has been made, and any statement to contrary is a deliberate falsehood.

E. T. LUCAS,  
Manager, Majestic Hotel.

MEXIA, TEX., August 2, 1939.

Senator MORRIS SHEPPARD,

Washington, D. C.:

It has been called to our attention that in an article appearing in July 21 issue, Houston Post, under Associated Press news dispatch from Washington that one Robert R. Tisdale, testifying before Senate Labor Committee, testified that at Mexia, Tex., a union organizer was held in "hotel and threatened to tar and feathers" by "group apparently sponsored by the employers." This deliberate lie cannot be passed unprotested. We emphatically deny that any union organizer has ever been held with or without threat of tar and feathers in any hotel in Mexia or vicinity with or without sanction of Mexia Textile Mills and further deny that any such acts have ever taken place in the city of Mexia as testified to by Tisdale, and hereby offer myself as witness at any time you may call me.

J. G. COMAN,  
Manager, Mexia Textile Mills.

MARIE HEINEN

The bill (H. R. 5953) for the relief of Marie Heinen, which had been reported from the Committee on Claims, was considered, ordered to a third reading, read the third time, and passed.

TAXES

Mr. ASHURST. Mr. President, on April 8, 1938, I presumed so far as to ask the Senate to hear me on the subject of taxes. I now read to the Senate what I said on that subject on that day:

[In the Senate, April 8, 1938]

TAXES

Mr. ASHURST. Mr. President, doubt and fear, twin spectral forms of evil, have descended upon business. Whether or not business is justified in its fear of Congress is a question I do not now discuss. It is sufficient to know that such fear actually exists.

The person who now addresses you during his youth time believed in ghosts, and was morbidly and frenziedly afraid of any man who was dead. It would be the subject of an interesting homily, if the Senate had the time to hear it, for me to relate the circumstance which permanently eradicated my fear and dread of ghosts and wraiths. I may do so some day, but not at this time.

The country will not recover, nor will it make progress, unless and until Congress gives assurance that when citizens engage in legitimate business enterprises they will not be the subject of unnecessary taxes and amercements. Business now fears that should it launch legitimate enterprises, its activities would be pounced upon by Congress and penalized by unnecessary taxes, and that some sort of invisible radiation, such as a ghost or wraith of the enterprise, would be all that would ever flow from the undertakings.

Congress must dispel this fear and doubt with which it has enshrouded business. Congress should say to labor, "You shall have a fair day's wage for a fair day's work," and should say to business, "You shall not be exploited."

Taxes will be, to say the least, moderately heavy during the lifetime of all persons now in existence. Taxes may be reduced only by reducing expenditures. The remedy for heavy taxes is somewhat within the hands of the taxpayers themselves. If and when taxpayers quit the practice of telegraphing Congress for more appropriations, and begin instead to telegraph Congress to vote against appropriations, Congress will grant relief from heavy taxes.

There are in this world some laws that may not be repealed, such as the law of the survival of the fittest, the law of supply and demand, the law of compensation, and the law of reactions. Even if Congress should refuse to grant relief from excessive taxes, the law of reactions would ultimately do its perfect work.

A jealousy is the concomitant of violent love, as Aristides the Just was banished because people grew weary of hearing him called Aristides the Just, as a fiercely raging fire will burn itself out, as a rapidly running river will create obstructions for itself, likewise an era of prodigal expenditures will be followed by economy to the point of parsimony.

I therefore declare to the Senate, as I said last autumn in my addresses to various civic organizations, "You are wise in getting money from Uncle Sam's Treasury 'while the getting is good'; for under the law of reactions this prodigal era in due time will be followed by a regime that will make Calvin Coolidge look like a spendthrift."

[Laughter.]

Mr. HATCH. Mr. President, in connection with the remarks of the Senator from Arizona I am prompted to ask if by any chance he has indulged in the ancient and honorable pastime of saying "I told you so."

Mr. ASHURST. Mr. President, it is always ungracious to say "I told you so," but I stand on the statement I made here on April 8, 1938, that under the law of reactions, an era of prodigal expenditures is followed by an era of economy to the point of parsimony. I do not say "I told you so," as that would serve no useful purpose and it would be ungracious to say it.

Mr. VANDENBERG. Mr. President, I suppose the Senator is anticipating the next election.

Mr. ASHURST. If the Senator refers to me I will say no, I am not anticipating the next election. Let me say that I have no politically perturbed spirit, because politically I have put on immortality. Politically I am on the other side of the resurrection. I have survived. Politically I am exempt from the fear that comes to all men who seek the Presidency. [Laughter.] And if the Republicans do make a Presidential nomination they could go farther and fare worse than the eminent, learned Senator from Michigan—and probably will. [Laughter.]

Mr. BARKLEY. If I may comment on the Senator's speech I wish to pay him the compliment of saying that he is in the unique position of doing what none of the rest of us here would dare to do—repeat a speech which he made on a former occasion. [Laughter.]

Mr. ASHURST. Mr. President, I surrender. [Laughter.]

BUFORD LEE PRATT

The bill (H. R. 6963) for the relief of Buford Lee Pratt was considered, ordered to a third reading, read the third time, and passed.

SAM E. WOODS

The bill (H. R. 6805) for the relief of Sam E. Woods was considered, ordered to a third reading, read the third time, and passed.

BLUE RIDGE PARKWAY, VA. AND N. C.

Mr. BYRD. Mr. President, I ask unanimous consent for the present consideration of Senate bill 2626, Calendar No. 883. That bill, when reached on the calendar yesterday, was objected to by the Senator from Tennessee [Mr. McKellar]. He has withdrawn his objection. The bill relates only to the Blue Ridge Parkway in the States of Virginia and North Carolina. It has a local application.

Mr. KING. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KING. I do not object, but I was wondering whether, if we break the rule, which was, as I understood, to take up only House bills, we will not be deluged with requests of a similar nature.

Mr. BYRD. I will say to the Senator from Utah that this is a very important bill, which has to go to the House, and the Senator from Tennessee objected to it, but has since withdrawn his objection. It is entirely local in application, and I should greatly appreciate it if the Senator would permit it to be considered at this time.

Mr. KING. I have no objection if it is understood that this will not be a precedent to recur to the calendar, because there are many Senators who would have been here had they understood that the Senate would do that.

Mr. BARKLEY. This understanding applies only to bills to which objection was being made while the calendar was being called. While it is true we are proceeding by unanimous consent to call only House bills, there is nothing irregular about asking to recur to a Senate bill to which objection had previously been made.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 2626) to amend the act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway in the States of Virginia and North Carolina by the Secretary of the Interior, and for other purposes, which had been reported from the Committee on Public Lands and Surveys, with an amendment, on page 2, line 15, after the word "lands", to insert "but in no case shall such width exceed 1,000 feet", so as to make the bill read:

*Be it enacted, etc.,* That the act entitled "An act to provide for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes," approved June 30, 1936 (49 Stat. 2041), be amended to read as follows:

"That all lands and easements heretofore or hereafter conveyed to the United States by the States of Virginia and North Carolina for the right-of-way for the projected parkway between the

Shenandoah and Great Smoky Mountains National Parks, together with sites acquired or to be acquired for recreational areas in connection therewith, and a right-of-way for said parkway of a width sufficient to include the highway and all bridges, ditches, cuts, and fills appurtenant thereto, but not exceeding a maximum of 200 feet through Government-owned lands (except that where small parcels of Government-owned lands would otherwise be isolated or where topographic conditions or scenic requirements are such that bridges, ditches, cuts, fills, parking overlooks, and landscape development could not reasonably be confined to a width of 200 feet the said maximum may be increased to such width as may be necessary with the written approval of the department or agency having jurisdiction over such lands but in no case shall such width exceed 1,000 feet) as designated on maps heretofore or hereafter approved by the Secretary of the Interior, shall be known as the Blue Ridge Parkway and shall be administered and maintained by the Secretary of the Interior through the National Park Service, subject to the provisions of the Act of Congress approved August 25, 1916 (39 Stat. 535), entitled 'An act to establish a National Park Service, and for other purposes', the provisions of which act, as amended and supplemented, are hereby extended over and made applicable to said parkway: *Provided*, That the Secretary of Agriculture is hereby authorized, with the concurrence of the Secretary of the Interior, to connect with the parkway such roads and trails as may be necessary for the protection, administration, or utilization of adjacent and nearby national forests and the resources thereof: *And provided further*, That the Forest Service and the National Park Service shall, insofar as practicable, coordinate and correlate such recreational development as each may plan, construct, or permit to be constructed, on lands within their respective jurisdictions which, by mutual agreement, should be given special treatment for recreational purposes.

"Sec. 2. In the administration of the Blue Ridge Parkway, the Secretary of the Interior may issue revocable licenses or permits for rights-of-way over, across, and upon parkway lands, or for the use of parkway lands by the owners or lessees of adjacent lands, for such purposes and under such nondiscriminatory terms, regulations, and conditions as he may determine to be not inconsistent with the use of such lands for parkway purposes.

"Sec. 3. The Secretary of the Interior is hereby authorized, in his discretion, to approve and accept, on behalf of the United States title to any lands and interests in land heretofore or hereafter conveyed to the United States for the purposes of the Blue Ridge or the Natchez Trace Parkways, or for recreational areas in connection therewith."

The amendment was rejected.

Mr. BYRD. Mr. President, I offer an amendment which I ask to have stated.

The CHIEF CLERK. On page 2, line 11, after the word "overlooks", it is proposed to strike out "and"; and on the same page, in line 15, after the word "development", it is proposed to insert: "and recreational and other facilities requisite to public use of said parkway."

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

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONSULTING SERVICES, BUREAU OF RECLAMATION

Mr. WHEELER. Mr. President, I ask unanimous consent to have considered Calendar No. 1093, being Senate bill 2448, to amend section 1 of an act entitled "An act authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work."

This is a bill in which the Reclamation Bureau is very much interested. It would permit them to employ some experts and geologists in their work. The bill has been reported by the committee favorably, and is upon the calendar. They are very anxious to have it passed at this session of Congress.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. AUSTIN. Mr. President, may I ask how much money the bill calls for?

Mr. WHEELER. The bill reads:

That the Secretary of the Interior is authorized, in his judgment and discretion, to employ for consultation purposes on important reclamation work 15 consulting engineers, geologists, appraisers, and economists, at rates of compensation to be fixed by him, but not to exceed \$50 per day for any engineer, geologist, appraiser, or economist so employed: *Provided*, That the total compensation paid to any engineer, geologist, appraiser, or economist during any fiscal year shall not exceed \$9,000.

Mr. AUSTIN. What is the total amount involved?

Mr. WHEELER. The bill authorizes the Secretary of the Interior to employ 15 engineers or consulting engineers at

not to exceed \$50 a day, and not to pay them in excess of \$9,000 a year. It does not specify any particular amount at all.

Mr. AUSTIN. The total might be \$140,000?

Mr. WHEELER. No; it would not; but whatever it was, it would have to come out of their appropriation already made. As I understand, this would not call for any further appropriation at all.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That section 1 of the act of February 28, 1929 (45 Stat. 1406), authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work, is hereby amended to read as follows:

"That the Secretary of the Interior is authorized, in his judgment and discretion, to employ for consultation purposes on important reclamation work 15 consulting engineers, geologists, appraisers, and economists, at rates of compensation to be fixed by him, but not to exceed \$50 per day for any engineer, geologist, appraiser, or economist so employed: *Provided*, That the total compensation paid to any engineer, geologist, appraiser, or economist during any fiscal year shall not exceed \$9,000: *Provided further*, That notwithstanding the provisions of any other act, retired officers of the Army or Navy may be employed by the Secretary of the Interior as consulting engineers in accordance with the provisions of this act."

FIRST LT. SAMUEL E. WILLIAMS

The bill (H. R. 1428) for the relief of First Lt. Samuel E. Williams, was considered, ordered to a third reading, read the third time, and passed.

OLIN C. RISINGER

The bill (H. R. 2049) for the relief of Olin C. Risinger was considered, ordered to a third reading, read the third time, and passed.

LUCILE SNIDER AND CLIFF SNIDER, JR.

The bill (H. R. 2096) for the relief of Lucile Snider and Cliff Snider, Jr., was considered, ordered to a third reading, read the third time, and passed.

FRANK MALLEES, JR.

The bill (H. R. 2250) for the relief of Frank Malles, Jr., was considered, ordered to a third reading, read the third time, and passed.

JAMES M'CONNACHIE

The bill (H. R. 2344) for the relief of James McConnachie was considered, ordered to a third reading, read the third time, and passed.

C. E. HENDRICKSON AND THE STEPHENVILLE HOSPITAL, STEPHENVILLE, TEX.

The bill (H. R. 3676 for the relief of C. E. Hendrickson and the Stephenville Hospital, Stephenville, Tex., was considered, ordered to a third reading, read the third time, and passed.

MARIJO M'MILLAN WILLIAMS

The bill (H. R. 3927) for the relief of Marijo McMillan Williams was considered, ordered to a third reading, read the third time, and passed.

OTHO L. CURTNER

The bill (H. R. 3933) for the relief of Otho L. Curtner was considered, ordered to a third reading, read the third time, and passed.

EMMITT COURTNEY

The bill (H. R. 4072) for the relief of Emmitt Courtney was considered, ordered to a third reading, read the third time, and passed.

TOLEDO TERMINAL RAILROAD CO., OF TOLEDO, OHIO

The bill (H. R. 4606) for the relief of the Toledo Terminal Railroad Co., of Toledo, Ohio, was considered, ordered to a third reading, read the third time, and passed.

MINA KEIL

The bill (H. R. 5266) for the relief of Mina Keil was considered, ordered to a third reading, read the third time, and passed.

#### RELIEF OF CERTAIN POSTMASTERS

The bill (H. R. 5348) for relief of certain postmasters was considered, ordered to a third reading, read the third time, and passed.

ELIZABETH HESSMAN

The bill (H. R. 5931) for the relief of Elizabeth Hessman was considered, ordered to a third reading, read the third time, and passed.

MRS. VIRGIE B. WEAVER

The Senate proceeded to consider the bill (H. R. 5515) for the relief of Mrs. Virgie B. Weaver, which had been reported from the Committee on Claims with an amendment, on page 2, line 5, after the word "act", to insert a colon and the following additional proviso: "*Provided further*, That no benefits shall accrue prior to the approval of this act", so as to make the bill read:

*Be it enacted, etc.*, That the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Mrs. Virgie B. Weaver, Waco, Tex., a former employee of the United States of America at Camp McArthur, Tex., and the United States Employees' Compensation Commission is authorized to receive and consider her claim, under the remaining provisions of said act, for injury and disability alleged to have been sustained in the latter part of 1917 or the early part of 1918 as a result of her employment in such capacity: *Provided*, That claim hereunder shall be filed within 90 days from the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

JACK D. COLLINS

The Senate proceeded to consider the bill (H. R. 6259) for the relief of Jack D. Collins, which had been reported from the Committee on Claims with an amendment, on page 2, line 6, after the word "act", to insert a colon and the following additional proviso: "*Provided further*, That claims hereunder shall be filed within 90 days from the approval of this act", so as to make the bill read:

*Be it enacted, etc.*, That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to consider the claim of Jack D. Collins, filed with the United States Employees' Compensation Commission on January 10, 1939, for disability alleged to have been incurred by him May 3, 1935, when engaged in authorized activities while an enrollee of the Civilian Conservation Corps, and to determine said claim upon its merits under the provisions of said act applicable to enrollees of the Civilian Conservation Corps: *Provided*, That no benefits shall accrue prior to the approval of this act: *Provided further*, That claims hereunder shall be filed within 90 days from the approval of this act.

The amendment was agreed to.

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

The bill was read the third time, and passed.

H. H. RHYNE, JR.

The bill (H. R. 5698) for the relief of H. H. Rhyne, Jr., was considered, ordered to a third reading, read the third time, and passed.

#### PROHIBITION OF THE USE OF THE RADIO BY LIQUOR ADVERTISERS

Mr. JOHNSON of Colorado. Mr. President, I desire to address the Senate on a bill which has been on the calendar since April 28 of last year. I refer to Senate bill 517. I understand full well that under the circumstances there is no possibility of bringing the bill before the Senate for consideration; but I desire to make a few remarks in behalf of the bill, so that the Senate and others may be informed as to some of the issues involved.

My bill has for its purpose the prohibition of the use of the radio by liquor advertisers. Week after week the bill has had to give way to appropriation bills, "must" legislation

of one kind or another, and special orders which were urgent. I realize that the subject is controversial and that Members facing issues of international import and contending with the jam of odds and ends of legislation which always accompanies the closing days of a session are in no mood to have such a bill forced into the confusion. However, I desire to lay before the Senate and the country for study and contemplation this important piece of legislation, which has for its only purpose the protection of the American home against the intrusion of the liquor salesman.

Three hundred and seventy-nine thousand parents, pleading protection for their firesides, have exercised their constitutional right to petition Congress for relief. A whole truckload of petitions signed by anxious parents from every State in the Union has been filed with Congress, pleading for relief from the intolerant oppression imposed upon them by this shameless intruder. These parents should be given immediate protection; but under the circumstances I am not going to insist upon a harassed Senate, anxious to bring a hectic session to a close, taking action now; I am giving notice, however, that when Congress reconvenes in January I shall press for a vote, which I have every reason to believe will be favorable. At this time I shall content myself with an effort to present some basic facts.

#### THE RADIO

The most intimate and important inanimate object in our home is a little piece of more or less unornamental furniture which we affectionately call the chatterbox, for it brings to us the voice of the entire world. The first member to arise in the morning turns it on and the last to retire turns it off. It entertains with a program varied from the sublime to the ridiculous; it caters from early to late to the spiritual, the esthetic, and the fleeting fancies and moods of each member of the family. It so handles current news that we need only listen to the highlights to have constantly before us a picture of what is transpiring in the world. Sporting events and important ceremonies in far-away places are presented blow by blow so realistically and in such masterful manner that we prefer to stay at home rather than undergo the inconvenience and discomfort incidental to being actual eye witnesses. Over this unique contrivance the statesmen of the world gather with us around our fireside and discuss the issues which rock the universe. How fascinating to hear in our humble living room the natural voices of our beloved President, Mr. Roosevelt; the Premier who made the bad bargain at Munich, Mr. Chamberlain; the vociferous Il Duce, Benito Mussolini; and the great "I am" Der Fuehrer Hitler, each in character depicting his part in the tragic drama of current history. Truly, the radio has added much to our home. Delightfully entertaining and pleasantly instructing, the radio has become a most essential part of our family life; and we would rather go without necessities than part with its magic. I quote from an address made by W. S. Alexander, delivered in Columbus, Ohio, April 24, 1939:

The American family takes its radio programs with reasonable seriousness, and, because it does, it has a right to the protection of the law from an invasion of its sanctity by the intrusion of propaganda, such as spot advertising of alcoholic beverages. In my opinion, there is nothing at the moment that is making so much foul weather for the liquor industry as the continued intrusion in the homes of the country of alluring radio appeals to "pep up" with this brew, and "go to town" with that. Science has developed the radio so rapidly that it has changed the habits of the American people. It is no longer a luxury, but is a necessity in practically every American home. Over it comes entertainment and instruction of unsurpassed merit for every member of the family—grand opera from the Metropolitan Opera House, symphonic concerts from the finest world orchestras, arias from the golden throats of gifted singers, sermons from eminent clergymen, dramas presented by the best talent on the stage, educational and political discussions of current topics by masters in those professions, news and news comment, and the whole range of culture covered in one day's cycle. Families gather about the radio in the evening and find pleasurable contentment. Old folks who are confined to their chairs lean upon it as a lame person leans upon a crutch.

#### THE PUBLIC'S INVESTMENT

In the United States on January 1, 1939, there were 764 radio stations on the air, 674 of which were actually broadcasting commercial programs. The total amount invested in these stations was approximately \$50,000,000; but the

investment of the listening public amounted to 50 times that figure, or two and one-half billion dollars. The gross income upon the \$50,000,000 investment last year was \$135,000,000. In view of these figures, who is there to say that the public financial interest, since it is 50 times the private financial interest, should not be protected? An industry in these days which can earn nearly three times its capital investment in 1 year can well afford to lose the revenue from unwholesome, offensive advertising which amounts to less than 1 percent of its total revenue. Radio revenue from liquor sales talks was only \$1,091,400 in 1938, against a total of \$135,000,000.

#### PROFANITY CENSORED BY CONGRESS

Congress in its wisdom, recognizing its responsibility and duty to regulate the radio, a common carrier engaged in interstate commerce operating over the channels of the air, enacted a law to deny to stations the right to broadcast profane language, or anything concerning lotteries, prizes, or games of chance. When this wholesome and necessary legislative step was taken the hue and cry was raised by the defenders of such gambling systems that this was the beginning of congressional censorship of the radio and the beginning of an effort to abridge the right of free speech; but Congress was not swerved from its responsibility by such clever subterfuge, so vile language and tempting news about lotteries ceased to be dinned into the ears of little children and foolish grown-ups. The courts have spoken on the subject, so that now no informed person in all the land contends that Congress has not the right as well as the duty in the public interest to enact necessary prohibitions. My amendment proposes taking another short step forward in the protection of the home by amending the Lottery Act, also to prohibit liquor advertising over the radio as being equally as offensive as profanity and gambling.

#### LIQUOR ADVERTISING OFFENSIVE

Mr. President, I am convinced that liquor advertising is offensive, because 379,000 parents have petitioned Congress for relief from it; because the Parent-Teachers Association, representing two and one-quarter million parents, says it is offensive; because officials in the Treasury Department of the Government whose duty it is to collect the liquor taxes have told Congress that it is exceedingly objectionable; because a majority of households say it is offensive, because Canada, with a population similar in ideals, habits, and customs to that of the United States, has already stopped radio liquor advertising; because the National Association of Broadcasters, representing 428 stations out of a total of 778, resolved in July of this year that it be banned. I am very grateful for this expression from the radio industry. It indicates that the association of radio stations realizes how offensive is such advertising and to what extent it is injuring the radio industry. It has been my personal experience to hear hundreds of parents complain about liquor sales-appeal talks over the radio. The Pittsburgh (Pa.) Catholic, late last fall carried this forceful and significant editorial, which I read in part:

Something has been said in these columns from time to time about the harmful effects of the advertising for intoxicants with which the radio and the billboards are flooding the country; advertising that simply cannot be squared with the public interest. Appeals to begin drinking, or to drink more—at any rate to drink, drink—flaunted day and night before eyes and dinned day and night into ears, are a deliberate incitement to intemperance.

Catholic Canada is outlining a course which the United States would do well to follow. Anyone who heard the American election returns by radio, simply saturated with intoxicants, knows that something should be done to curb this, before the selfish greed of the manufacturers of intoxicants engulfs young and old in the misery of drink.

#### PROFESSIONAL REFORMERS

The distinguished Senator from South Dakota [Mr. GURNEY], who graced the chair as presiding officer of the Senate a few moments ago, states in the minority report which he has filed with this Senate concerning S. 517 that—

The radio should not be deprived of revenues \* \* \* merely because a group of professional reformers seem to think that the

American parent cannot prevent a child from swapping the milk bottle for the beer bottle.

What a typically fanatical "wisecrack" that is to an honest effort to compel the liquor radio salesman to live within the bounds of decency! I would ask the able Senator if it is the business of a great public utility, a great public servant, and the family's most intimate friend to reach into the cradle and swap beer for milk. I cannot believe that anyone in this Senate contends that that is the proper function of a common carrier which has been permitted by the Congress to operate in the public interests with free access into the inner chambers of American homes. Does the good Senator from South Dakota believe that making liquor guzzlers of children through shrewd liquor salesmanship is in the public interest, convenience, and necessity?

I would analyze another portion of the able Senator's silly statement; I call your attention to that part of it in which he refers to "a group of professional reformers." Does the able Senator imply that the 379,000 parents who recently petitioned Congress to keep booze propaganda out of their homes are professional reformers? Three thousand eight hundred and fifty-seven of these petitioners live in South Dakota; the Senator knows many of them personally and he knows they are excellent citizens and are not by any means professional reformers. Is the Parent-Teachers Association, consisting of two and one-quarter million members, a group of professional reformers? Does the able Senator charge that W. S. Alexander, Administrator of the Federal Alcohol Administration, is a professional reformer? I do not see how the Senator from South Dakota can place him in that category after hearing him testify in our public hearing on S. 517.

This is Mr. Alexander's statement:

I have been very much interested in the past 3 years in the comments in the country at large in regard to the use of radio for the advertising of alcoholic beverages. At each time when a public statement has been made with reference to this question our Administration has received, from all over the country, comments, and usually those comments have been in favor of the elimination of radio advertising.

We have had a number of conferences on this question. Recently we had a conference in Washington, and as a result of that conference sent out questionnaires to public officials throughout the country, and while we have not heard from all of them, the opinions of those officials in various States from whom we have heard in connection with it, are all in favor of elimination of radio advertising as a medium for the sale of alcoholic beverages.

Are these State officials, Senator GURNEY, to whom Mr. Alexander refers, professional reformers?

Mr. Alexander continues:

There seems to be on the part of practically all groups, of all citizens, and of most of the liquor industry itself, a willingness to eliminate the radio in the matter of liquor advertising.

Is it possible that the liquor industry is operated by a group of professional reformers?

Now Mr. Alexander states:

I think the policy of the alcoholic beverage industry should be to so conduct its industry as to be as little offensive to people as possible \* \* \* so that they will not again become active in seeking repeal. \* \* \* So far as I am personally concerned I have no desire to go back to the horrors of prohibition.

And Senator GURNEY calls that man a professional reformer.

I quote further from Mr. Alexander's statement:

I am very much in favor of the passage of Senate bill 517, and believe it will make easier the regulation of alcoholic beverages and will remove one cause of resentment on the part of groups who do not favor the legal sale of liquor. I am very much interested in its (S. 517) passage.

Now comes Phillip E. Buck, general counsel for the Federal Alcohol Administration, another public official whom the minority report labels "professional reformer." In the distinguished presence of Senator GURNEY, Mr. Buck stated:

In my opinion Senate bill 517 is a very good bill. I think it is not a question of revenue at all. It is not a question of whether or not you are taking from one advertising medium certain revenues and giving them to another.

In the first place, a great portion of the industry itself refuses to advertise over the radio, and there is no great amount of

revenue now being derived from that source by the radio companies. In the second place, as I say, it is a matter of good public policy; it is not a question of revenue. It is not a question of denying freedom of speech \* \* \* at all, in my opinion; it is a question of regulating an industry that Congress has already, by its own acts, decided should be regulated. This is simply an extension of that regulation. I think that as a matter of good public policy Senate bill 517 is good, and I would like to see it enacted into law.

As a member of the subcommittee conducting hearings on Senate bill 517, I asked Mr. Buck, "You would not classify this legislation as fanatical legislation, would you?" He replied, "Not at all. I think it is very sane legislation, surprisingly sane, in fact."

Is Mrs. Mary T. Bannerman, legislative chairman of the National Congress of Parents and Teachers, a professional reformer? She testified in the presence of the able Senator from South Dakota that her organization was opposed to liquor advertising. In answer to Senator ANDREWS' question, "Whom do you represent?" she said:

The National Congress of Parents and Teachers. The National Congress of Parents and Teachers has a membership of approximately two and one-quarter millions, composed of 27,000 local associations constituting 48 State branches. Its purpose is child welfare in home, church, school, and community.

Another distinguished person who appeared before the hearings on Senate bill 517 was Dr. Howard A. Dawson, director of the Division of Rural Service for the National Education Association, who said among other pertinent things:

I should like to call your attention to the fact that a very substantial number of States \* \* \* have laws which require the public schools to give instructions in the harmful effects in the use of alcohol and narcotics. Our association, of course, is in favor of giving that kind of instruction. We do not see that unrestricted advertising of alcoholic beverages is very compatible with the position that we should teach their harmful effects. I should like to point out there is quite a great difference between taking that point of view and being an advocate of prohibition by Federal amendment to the Constitution.

Dr. Dawson made it plain to everyone except Senator GURNEY that he is not a professional reformer. The able South Dakota solon evidently believes that anyone who teaches the harmful effects of alcohol is a professional reformer.

Senator ANDREWS questioned Dr. Dawson, "Have a great number of schools radios in them, and are those radios turned on for educational purposes?" Dr. Dawson replied:

Yes, Senator; it is quite a prevalent practice now. In fact, practically the only schools which are without radios are some of the underprivileged schools.

I am certain that the able Senator [Mr. GURNEY] would not class Dr. Howard A. Dawson as a professional reformer, nor do I believe that he would say that about the junior Senator from Colorado who introduced this bill for the protection of the American home and for no other purpose. I am not trying to reform anyone, Senator GURNEY; but I am intensely interested in protecting boys and girls of tender age against the pitfalls of this evil time so that they will not require reformation. I do not want them placed at the mercy of the slick liquor salesman and his smooth line within the four walls of their own homes.

#### GOOD ADVICE TO BROADCASTERS

Chairman Frank R. McNinch, of the Federal Communications Commission, is certainly not a professional reformer. This is his very straightforward statement made in an address February 15, 1938, before the convention of the National Association of Broadcasters at the Mayflower Hotel in this city:

I think I am just an average American citizen. If I have ideals and fairly high conceptions of public interest, public taste, and public desire, I do not think I overrate the concepts of the average American citizen. I do not think I have any higher conception of the home than you have, and I am not willing to grant that any other has a more exalted opinion of the home than I have. I have a family, a wife, and five children, and I can get a fair impression similar to that made upon the average American home by program material that is broadcast.

As we sit in our family circle listening to the radio, we are, I believe, a typical American family. Some programs are not welcomed. They subtly and sometimes boldly suggest to young people things that I wonder if any of you think proper to suggest to young minds in their plastic and formative stage when impressions are quickly and indelibly made, often to last through life.

Beware of the danger to the ideals, the morals, the thought habits of our youth and children. I wonder if here there is not the highest possible degree of responsibility that is carried by any public agency because you do come into our homes, whisper your message or your song whether for good or ill to those assembled.

And now I am going to be bold. I am going to suggest that you consider the wisdom of adopting a policy that would deny your facilities to those who seek to cultivate the consumption of intoxicating liquors. There is comparatively little advertising of intoxicating beverages over the radio, and you are to be congratulated on so largely eliminating this sort of sales appeal. But I believe you would do well if the American public understood you were not willing to lend your facilities for sales talks intended to increase the consumption of intoxicating beverages, especially when you remember that appeal is made in the home to children of all ages and both sexes.

The majority of our citizens have registered their will that it should be lawful to sell such beverages, but the minority has, I believe, a right to have its homes protected against that which is offensive.

I do not agree with Mr. McNinch that it is merely a minority who want protection for their homes. In my opinion, an overwhelming majority of American homes desire protection against offensive liquor-sales appeal talks to their children.

#### A CLEVER SUBTERFUGE

One of the most brilliant defense attorneys in Colorado, when defending some culprit, picks out some poor fellow to abuse who is not on trial. In that way he distracts attention from the real defendant. The minority report attempts to do that with S. 517. Left with so little to be said against this bill, the Senator from South Dakota cleverly brings out S. 575 to confuse the issue. S. 575 is pigeonholed in his committee and he knows that it is safely out of the way. From my point of view S. 517 and S. 575 have little in common and there is no sound reason for combining them as suggested by Senator GURNEY except in the hope of defeating them both. Incidentally, I am opposed to S. 575 and shall vote against it in committee and on the floor of the Senate.

These are my reasons: Newspapers are not common carriers; they are not a public utility. They are not required to operate in the public interest, convenience, and necessity. No one needs a license to go into the newspaper business; anyone can print a paper and there is no limit as to their number. They do not mix advertising with entertainment as does the radio and there is a vast difference between vocal appeal and printer's ink. Every salesman knows that.

Before leaving the subject of the minority report, I desire to point out another of its glaring inconsistencies. The able author of this weak report does not want Congress to legislate on the subject of liquor advertising, so he states, for the reason that Congress has reposed sufficient powers in the Federal Alcohol Administration, Federal Trade Commission, and Federal Communications Commission to regulate advertising of liquor. In other words, the able Senator wants government by edict and not by law enacted by the representatives of the people. I violently oppose his position as not being democratic and not being in the interest of good government. Congress should determine and set forth policies by law wherever and whenever possible and not attempt to act indirectly through bureaucratic decree.

#### GOVERNMENT BY MEN

In line with the able Senator's suggestion, I should like to quote from Leonard B. Levenson, of the editorial staff of the *Air Law Review*:

It may be concluded that radio programs can be purged of liquor advertisements by the Federal Radio Commission's adoption of the policy of refusing to renew the licenses of stations which broadcast them. The licensing authority would thereby accomplish indirectly what it could not do directly.

In my opinion, that is precisely what Congress does not want done. This Government should not be a government by indirection through licensing bureaus assuming arbitrary powers; it should be a government by law. Congress should pass an act outlawing liquor advertisements over the radio and not leave that important function to some commission to determine what the policy of the country in that regard may be. I see a grave danger in a censorship exercised by

a bureau, but I do not fear laws enacted by Congress, for Congress will never assume dictatorial authority. It has its serious faults, but ambition to dictate is not one of them. I am convinced that Congress expected the Communications Commission to use its licensing power to control the physical facilities of broadcasting rather than the programs themselves. There are many physical, scientific, and technical problems which should be decided in the public interest by this Commission.

As is well understood, the Constitution prohibits Congress from passing any law which would abridge freedom of speech. Free speech is more than a pretty slogan in America. I am a vigorous and sincere advocate of the freedom of speech in its broadest sense. In this connection it is my opinion that the Federal Communications Commission has gone far beyond the bounds of propriety in issuing its infamous edict against freedom in international broadcasting. By what constitutional or statutory provision does the Commission issue the following order:

A licensee of an international broadcast station shall render only an international broadcast service which will reflect the culture of this country and which will promote international good will, understanding, and cooperation.

Had this pronouncement been made by Hitler, Stalin, or the Emperor of Japan, we need not have been shocked. However, in this democracy in which we are attempting to govern a nation by law and not by edict, Congress should demand that this bureau revoke this most unfortunate order, which they have temporarily suspended, and cease for all time such an arbitrary assumption of dictatorial power. This is a time in the world's history for America, known far and wide for her passion for frankness, to be able to tell the world without restraint and without "pulling her punches" just what her reactions to world events are as they take place. The radio is the greatest agency for international understanding and peace yet devised, but true understanding comes out of frank statements and not from hypocritical, deceitful, and censored utterances. Good will is not promoted by saying what we do not mean. International conversation by American officials must obviously be polite, moderate, and measured, but the Commission must not be permitted to be the judge of what is proper. Individuals throwing their voices to the four corners of the world for foreign audition should, of course, be held accountable under the law for what they broadcast. In any event, the Communications Commission has no right to pass judgment in such matters, for that is clearly the business of Congress and Congress alone.

#### RESTRICTIVE LAWS CAUSED BY MINORITY

One often hears the suggestion that we have too many laws in the United States. Less than 10 percent of the American people, through their unsocial tendencies, make almost all restrictive laws necessary. Less than 10 percent of professional men are unethical; less than 10 percent of businessmen are "chislers"; less than 10 percent of employers take mean advantage of their employees.

A small percentage of liquor dealers voluntarily stoop to the low plane of making liquor sales talks to children, who cannot legally make the purchases which they suggest. The selfish viciousness of this noisy, loud-speaking minority, with a contemptible disregard for the rights of others, compels Congress to enact such a law as S. 517. It is likewise true that less than 10 percent of radio stations encourage liquor broadcasts. Less than 10 percent of the American people make 90 percent of all laws necessary, and less than 10 percent of the liquor crowd make the passage of S. 517 imperative.

#### BROADCASTERS NEED HELP

The radio industry has made great progress in providing clean programs for the public, and it should have the hearty commendation of the Congress for the high standards toward which it is striving, but like every other human endeavor, there are radio stations out for profits at any price. To do for the industry what the industry cannot do for itself, S. 517 has come to the Senate floor from its Interstate Commerce Committee with a favorable report.

Jerome G. Kerwin, associate professor of political science at the University of Chicago, in an essay, *The Control of Radio*, made this pertinent observation:

The theory of rugged individualism will raise its hoary head, and many a practical businessman will once again show how he loves his theories. The incontestable fact remains, nevertheless, that the privately controlled commercial broadcasting system needs a corrective which, because of its nature, the system cannot apply to itself.

#### MOCKERY OF CONSTITUTION

Station WOR of Newark put on a program of the Mount Rose Gin Distilling Co., of Trenton. A male trio, known as The Sizzlers, was the advertising attraction. The program was introduced by the following statement from the announcer:

Those listening in from dry States may now tune out this station, for the next program is not intended to offer alcoholic beverages for sale or delivery in any State or community wherein the advertising, sale, or use thereof is unlawful.

That is the most impudent mockery of the Constitution which I have ever heard. It is such a bold effort to offend and make light of the constitutional declaration that it will protect dry territory that I do not see how Congress may well delay legislation to meet such a flippant challenge.

After this insolent broadcast the Radio Commission issued the following bulletin:

Although the eighteenth amendment to the Constitution has been repealed by the twenty-first, and, so far as the Federal Government is concerned, there is no liquor prohibition, it is well known that millions of listeners throughout the United States do not use intoxicating liquors and that many children of both users and nonusers are part of the listening public.

The argument is advanced that since liquor is "legal" it should have equal privileges over the radio with every other legal commodity. But liquor is not legal in the sense that water is legal. Liquor is licensed. Every State in the Union places its delivery and its use under more or less restriction.

#### STATES UNABLE TO CONTROL

Many States have tried to prohibit broadcasts of liquor sales talks, and while the effort has shown commendable intentions, it has not been at all effective for the reason that the radio beam knows no State line. The only power which can deal effectively with this outrageous evil is the Congress of the United States, the power which, through exercising its constitutional rights, gave the radio industry the privilege of existing. In this connection I should like to quote from a résumé by Laura Lindley, the well-known statistician, reporting on State laws against radio advertising:

Prohibitions on the use of the radio for liquor advertising are found in Georgia, New Jersey, and Pennsylvania, while Maine and Massachusetts prohibit it on licensed premises. North Carolina prohibits radio programs originating in the State.

Sound trucks may not advertise liquors in Alabama, Indiana, Massachusetts, Utah, and Washington, while Virginia has regulations upon their use.

Hours and days of advertising are limited in some States. Idaho permits programs after 9:30 p. m., but the script must be approved. In Oregon beer and wine advertising may go on the air from 10 p. m. to 1 a. m., except on Sunday. Utah also prohibits Sunday programs. Advertising by manufacturers and distributors of highballs, cocktails, and mixed beverages and/or spirits are permitted in Ohio after 10 p. m., but there must be no statements about quality or price. No manufacturer of beer and intoxicating liquors may sponsor a program for any local licensee in Ohio, though such advertising is permitted to others. In Michigan the advertisement may not use the licensee's name.

All advertising of intoxicating liquor of any kind is prohibited in Oklahoma and Tennessee.

#### LIQUOR NOT COMPLETELY LEGAL

The Supreme Court has ruled that—

\* \* \* there is no inherent right in a citizen \* \* \* to sell intoxicating liquor by retail. \* \* \* As a business attended with danger to the community it may be entirely prohibited.

No commodity which moves in interstate commerce has the restricted status of intoxicating liquors under the peculiar wording of section 2 of the twenty-first amendment to the Constitution. In fact, no commodity other than liquor is mentioned at all in the Constitution. Section 2 reads:

The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

If actual liquor for delivery or use cannot move into any State in violation of the State laws against such delivery or use, should it not naturally follow that when States prohibit vocal advertisements of liquor over the air it should be illegal for broadcasting stations outside of the boundaries of such States to cross the State line with vocal liquor sales talks? It may not be contrary to the letter of the Constitution, but it is certainly contrary to the spirit of the Constitution to transmit into a State prohibiting radio liquor advertising broadcasts.

I am compelled to devote a portion of my argument in behalf of S. 517 today to a discussion of radio control, censorship, freedom of speech, and freedom of radio for the reason that the opponents of this proposed legislation, unable or unwilling to directly meet the real issue involved—which is the protection of the home against offensive vocal propaganda—have raised these issues as a smoke screen. I shall attempt to show that in the United States the radio is a privileged public utility; that the Congress, the Communications Commission, the radio station itself, or all three of them must exercise the power of selectivity over the material broadcast; and that a proper restriction of radio advertising actually promotes the freedom of the radio and does not therefore abridge free speech. Due to natural limitations every person who would broadcast cannot do so; someone must say who shall speak, when he shall speak, and what he shall speak. The number of wave lengths has been limited by Providence, the air is crowded with programs. Many applications for stations are pending which cannot be accommodated. Some authority must weigh the evidence and select from this horde of applications the few to be granted licenses. Some authority must select programs and set up general standards for the stations. If free speech be abridged by these unavoidable limitations it is merely incidental in the necessary effort to bring order out of chaos.

Someone must and someone does do these things. The question involved is, Who shall do it? Congress by law creates the privilege of radio broadcasting and Congress by law assigns and apportions that privilege under stipulated rules and regulations in the public interest to applicants who would use it; and then when Congress would prohibit the use of profanity, information about lotteries, and liquor advertising, the false cry of censorship is raised. The station is compelled to exercise a censorship because of its operating expenses and its desire to make profits with its limited facilities and limited time. There are only 24 hours in a day; there are only a limited number of wave lengths in the ether. The station must be granted a monopolized privilege, and Congress, the creator and allocator of that privilege, has the plain duty of seeing to it that the service rendered through its grant is exercised in the public interest. Congress should not create and hand out a monopoly to privileged private parties and then walk off and leave it to be operated without regard to the public interest. Congress has the very definite and unmistakable responsibility of protecting the public against the monopoly which it has created.

It is said with some truth that the receiving set with its dial and its switch is the proper censor. If a station broadcasts an offensive program, one may tune it out; but the second and third stations have offensive programs also, so the attempted selection in the home is nullified; the radio may be turned off, to be sure, but that is no answer to the problem. The proper place to stop offensive broadcasting is at its source. One cannot sit at his radio all day to protect his family against offensive programs. It is unfortunately true that some folks like to hear unwholesome broadcasting, but the overwhelming majority do not. It is true that a few have an appetite for lewd, vulgar, filthy things, but it is not the business of a great public utility licensed to



operate in the public interest to supply that degenerate demand. The public interest demands clean, wholesome things and there can be no argument about that.

The facilities and the operation of the radio cost large sums of money so that there is an expense involved in every word which is uttered on the air. The quantity of one's broadcasting is decided by the size of his purse. If he be poor, he cannot use the radio much, however badly the world may need his speech, while the rich liquor dealer, because of his great wealth, may speak far more than is desirable. Possession of money, therefore, determines the quantity of radio speech and becomes a censor in itself.

#### RADIO A TWO-EDGED MONOPOLY

Radio monopoly is obviously not restricted to the ownership of the station. There is a monopoly in the use of the radio by the paid customers and that monopoly is determined by quantity of money. Liquor interests financially able to set aside millions for advertising enjoy a very vicious radio monopoly. The monopoly of the power to advertise and carry on private propaganda must be regulated in the public interest, for it will become more and more necessary as time goes on to assure by legislation easier and more positive access to the air to the less powerful groups and the less powerful individuals. Thus will freedom of the radio be promoted by a public regulation of radio advertising. The ether belongs to all the people and its use must not be restricted to the few simply because of their great wealth. The radio is not a "temple of free speech" nor can it be made one so long as it remains a private enterprise with all of the artificial and natural limitations surrounding it. I am not advocating public ownership or public operation of the radio because I do not believe in that sort of thing. I am attempting to indicate how ridiculous it is for the radio industry to cry censorship whenever a very few necessary regulations over that industry are invoked by the Congress.

The people, it is certain, prefer a public rather than a private censor, and it must also be concluded that the Congress, representing the people, is the proper public censor to exercise what little censorship is needed, for only Congress can be trusted by the people to use the tremendous power of censorship with deliberate moderation and dignified restraint.

We must admit that the regulation of radio advertising is a very troublesome problem. While it is understood that broadcasting stations in this country are supported by paid advertisers, it does not necessarily follow that the listening public should be compelled to submit to offensive advertising over the radio as their penalty for its free educational and recreational service.

The editor of the Journal of the National Educational Association has made this stinging observation:

America is the only great civilized country that has allowed this new garden of opportunity to become overgrown with the weeds of commercial advertising.

Radio advertising is a commercial enterprise and is entitled to no privilege for which it does not pay. The public owes it absolutely nothing, while radio advertisers owe the public everything. Radio advertising is bought and paid for like apples in a barrel. A thing which is purchased at so much per word cannot be free; it belongs to someone; it is created to make a profit; it is property; it is a commodity and it moves in interstate commerce as a commodity. To the contrary, the free speech with which the Constitution is concerned is not a commodity; free speech cannot be traded in the market place; it is not owned by anyone; it is not for sale at any price; it is ideals, theories, doctrines, beliefs, and controversies concerning public questions reduced to spoken language. It is free in spirit and it is free in price. Tyler Berry, in his book, *Communications by Wire and Radio*, makes this observation:

It is self-evident that the constitutional guaranty of speech applies to the expression of political and religious opinions, to discussion, fair comments, and criticisms of matters of general public interest, of candidates, of men holding public office, and of political, social, and economic issues.

Commercial speech and free speech are not synonymous. Advertising is essential to the existence of radio broadcasting in the United States since the revenue from advertising finances and makes broadcasting both profitable and possible. If it were not for this advertising revenue, the operating cost of broadcasting would have to be supported by taxation of one kind or another. Advertising revenues spare the taxpayer from the burden of maintaining this delightfully entertaining and necessary public-interest service and are, therefore, an essential factor in the operation of circulating free speech. Radio advertising is just as important as any portion of the mechanical equipment of the radio station, but it must be remembered that it is a means to an end and not the end in itself.

Congress has been very patient with the advertising development of the radio and has been slow to interfere with the outrageous conditions which have developed in it.

It would be foolish to think the Congress has been given the regulation of the broadcasting industry operating in interstate commerce without authority to regulate both the quality and quantity of advertising and to do so without being charged with infringing upon free speech. Congress has been given the power over the wave length over the commercial strength of the station and over everything pertaining to its operation by the Constitution itself and has the responsibility of controlling it in the public interest, which cannot be done unless it also has complete authority and control over advertising material and advertising revenues.

#### PUBLIC INTEREST PARAMOUNT

The radio renders a private service and it renders a public service. The private service is rendered to its commercial customers, for which it is paid; the public service is rendered to the listening public, for which it is not paid. The radio is a public utility and, while advertising is incidental and necessary under our system to its operation, the real purpose for which the radio has been licensed by the Congress is service to the public and not service to the advertisers. Broadcasting stations are not given the privilege of a monopolized opportunity to occupy certain wave lengths by the Congress for the private benefit of radio advertisers. Even though the advertisers support the radio, the public interest which manifestly is not in advertising remains paramount. The wailing and gnashing of teeth of the liquor salesman and his pretended interest in the freedom of speech the moment the door of American homes is threatened to be closed to his offensive propaganda will not deceive any fair-minded person in or out of Congress. The liquor radio advertiser is not concerned with free speech; he is concerned with sales of liquor. He is not interested in the purity of the home; he is interested in private profits and new customers and he employs the radio to secure these things. So long as advertising occurs at reasonable intervals and is honest, clean, and wholesome, and adapted to the family circle, no reasonable person has a right to complain very much. Congress in its wisdom has delegated broad powers to the Communications Commission, but Congress has relinquished none of its prerogatives over policies of radio utterances. It has already prohibited by law the utterance of any obscene, indecent, or profane language by means of radio communication, and it should obviously add liquor advertising to this very short list of banned subjects.

#### FREEDOM OF LISTENING

Congress must recognize that liberty of expression is one of man's most precious heritages, but Congress must also remember that the exercise of free speech has never meant and never can mean "the unrestricted right to say what one pleases at all times and under all circumstances." There must be moderation and common sense in the exercise of free speech, otherwise a great human blessing eventually deteriorates into a positive oppression. Unwholesome advertising poured out from radio stations to be received in the privacy of the various homes of this land becomes the instrument of injury to unprotected children if care is not

manifested. When the spoken word does that it destroys by its very nature the social principles involved in the guarantee of free speech. There is a freedom of listening which is just as important as the freedom of speaking, for the listener to such a public utility, as the radio has just as much right to the consideration of Congress as has the speaker.

The Fourth National Radio Conference adopted this resolution:

That public interest as represented by service to the listener shall be the basis for the broadcasting privilege.

I find myself in complete accord with this statement by Herbert Hoover:

Through the policies we have established the Government, and therefore the people, have today the control of the channels through the ether just as we have control of our channels of navigation; but outside of this fundamental reservation radio activities are largely free. We will maintain them free—free of monopoly, free in program, and free in speech—but we must also maintain them free of malice and unwholesomeness.

Radio has passed from the field of an adventure to that of a public utility. Nor among the utilities is there one whose activities may yet come more closely to the life of each and every one of our citizens, nor which holds out greater possibilities of future influence, nor which is of more potential public concern. Here is an agency that has reached deep into the family life. We can protect the home by preventing the entry of printed matter destructive to its ideals, but we must double guard the radio.

S. 517 is not in any sense fanatical legislation. It has nothing whatever to do with the eighteenth amendment or with a return to prohibition. Its only purpose is to protect the American home against offensive and unwholesome liquor advertising. That home has petitioned Congress to bar the invisible but attractive vocal liquor salesman from entry into its sacred inner chamber. I am standing on this floor advocating the adoption of S. 517 because 379,000 parents living in every State in the Union have been so outraged that they have asked Congress to protect them and to guard them against the violation of their firesides by the unscrupulous voice of this unwelcome invader. The Constitution has as much to say about the sanctity of the home as it does about freedom of speech. It does not permit a police officer, for instance, to enter that privileged sanctum without a warrant, yet the impudent liquor salesman demands constitutional rights which have never been the constitutional rights of anyone to enter that home, violate its sanctity, and make repulsive sales talks to persons who do not want to listen to them.

#### INTERNATIONAL EXHIBITION OF POLAR EXPLORATION

The PRESIDING OFFICER (Mr. TRUMAN in the chair) laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 137) authorizing and requesting the President to accept the invitation of the Government of Norway to the Government of the United States to participate in an international exhibition of polar exploration, which will be held at Bergen, Norway, in 1940, and authorizing an appropriation to cover the expenses of such participation, which was, on page 3, line 23, to strike out "\$35,000" and insert "\$15,000."

Mr. PITTMAN. I move that the Senate concur in the House amendment.

The motion was agreed to.

#### FARM PRICES—THEN AND NOW

Mr. MINTON. Mr. President, on July 12 there appeared in the CONGRESSIONAL RECORD a statement entitled "Farm Prices—Then and Now" under the remarks of the Honorable GEORGE W. GILLIE, of Indiana. There was inserted under his remarks an editorial entitled "Sure, Why Not?" from the Steuben Republican, of Angola, Ind. This editorial carried a most curious conglomeration of statistical data purporting to represent agricultural prices under Republican administrations in comparison with similar prices under the Roosevelt administration. Apparently this table was compiled under the assumption that figures never lie, regardless of the method of compilation or the person doing the job.

In this table the Republican average farm prices from 1921 to 1932 were shown while the Democratic average farm prices

were from 1933 to 1937, or less than half the time covered by the former. Whatever this one-sided average was meant to convey, there was only one item shown with a higher price under the Democratic administration. Apparently this one single figure could not be manipulated so as to show a lower price. The mere number of years in this average of the "roaring twenties" with relatively high farm prices was enough to offset the bad conditions prevailing when the Democratic administration took over national affairs.

The farm prices at the end of the Hoover administration represented the actual conditions inherited by the Roosevelt administration. Whatever has happened since that time ought to be measured from the low point of the depression. That is the proper starting point, not back when the farmers thought they were enjoying prosperity.

I submit a table of prices of the same agricultural products for comparable periods of time—the last 3 years under Hoover and the last 3 years under Roosevelt—and ask that the table be printed in the RECORD as a part of my remarks.

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

Average prices received by farmers

	Year beginning	1930-32 (Hoover, Hawley- Smoot)	1935-38 (Roosevelt trade agree- ments) <sup>1</sup>
Wheat, cents per bushel.....	July.....	48.1	85.1
Corn, cents per bushel.....	October.....	41.2	74.0
Oats, cents per bushel.....	July.....	23.1	33.4
Barley, cents per bushel.....	do.....	31.8	56.5
Rye, cents per bushel.....	do.....	35.6	61.3
Cotton, cents per pound.....	August.....	7.2	9.7
Butterfat, cents per pound.....	January.....	25.7	30.6
Chickens, cents per pound.....	do.....	15.3	15.6
Eggs, cents per dozen.....	do.....	18.5	21.1
Beef cattle, dollars per 100 pounds.....	do.....	5.83	6.45
Veal calves, dollars per 100 pounds.....	do.....	7.19	7.75
Lambs, dollars per 100 pounds.....	do.....	5.88	7.90
Pigs, dollars per 100 pounds.....	do.....	5.97	8.84
Potatoes, cents per bushel.....	July.....	59.1	75.5
Wool, cents per pound.....	January.....	13.9	26.0

<sup>1</sup> 1938 prices used are preliminary.

<sup>2</sup> 3-year average 1935-37 used as 1938-39 crop year is not complete.

#### INVESTIGATIONS OF PERSONNEL CONDITIONS AT JEFFERSONVILLE, IND., QUARTERMASTER DEPOT

Mr. MINTON. Mr. President, from the Committee on Military Affairs I report back favorably without amendment Senate Resolution 178 and ask unanimous consent for its immediate consideration.

There being no objection, the resolution (S. Res. 178) submitted by Mr. MINTON on August 1, 1939, was considered and agreed to, as follows:

*Resolved*, That a subcommittee of the Senate Committee on Military Affairs, to be composed of three members of such committee appointed by the chairman of the committee, is authorized and directed to make a full and complete investigation of personnel conditions at the Jeffersonville Quartermaster Depot, Jeffersonville, Ind. The chairman of the Committee on Military Affairs shall designate one of the members of such subcommittee to act as chairman thereof. The subcommittee shall report to the Committee on Military Affairs the results of its investigation, together with its recommendations, at the earliest practicable date.

For the purposes of this resolution the subcommittee, or any member thereof duly authorized by the chairman of the subcommittee, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-sixth Congress, to employ such clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it or he deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of the committee, which shall not exceed \$2,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the subcommittee.

#### CONSTRUCTION FOR DEFENSE OF PANAMA CANAL

The PRESIDING OFFICER. The clerk will report the next bill under the unanimous-consent agreement.

Mr. CLARK of Missouri. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill 5129, authorizing and providing for the construction of additional facilities on the Canal Zone for the pur-

poses of more adequately providing for the defense of the Panama Canal and for increasing its capacity for the future needs of interoceanic shipping.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Adams	Downey	Lucas	Shipstead
Andrews	Ellender	Lundeen	Slattery
Ashurst	George	McCarran	Smathers
Austin	Gerry	McKellar	Smith
Bailey	Gibson	Maloney	Stewart
Bankhead	Guffey	Mead	Thomas, Okla.
Barkley	Gurney	Miller	Thomas, Utah
Borah	Hale	Minton	Tobey
Bridges	Harrison	Murray	Townsend
Brown	Hatch	Neely	Truman
Bulow	Hayden	Nye	Tydings
Burke	Herring	O'Mahoney	Vandenberg
Byrd	Holt	Pepper	Van Nuys
Byrnes	Hughes	Pittman	Wagner
Capper	Johnson, Calif.	Radcliffe	Walsh
Chavez	Johnson, Colo.	Reed	Wheeler
Clark, Idaho	King	Russell	White
Clark, Mo.	La Follette	Schwartz	
Connally	Lee	Schwellenbach	
Danaher	Lodge	Sheppard	

The PRESIDING OFFICER. Seventy-seven Senators having answered to their names, a quorum is present.

Mr. CLARK of Missouri. Mr. President, I renew my request for unanimous consent that the Senate proceed to the consideration of House bill 5129.

Mr. DANAHER. Mr. President, I should like to ask the Senator from Missouri a few questions, with his permission.

Mr. CLARK of Missouri. I shall be very glad to answer them if I can.

Mr. DANAHER. I was sure the Senator would, and I thank him for his cooperative attitude.

When House bill 5129 was first introduced, the report of the Committee on Interoceanic Canals to the Senate said that it was identical with Senate bill 2229, a bill which was recommitted to the committee by vote of the Senate.

Mr. CLARK of Missouri. Mr. President, that was true at the time the Senate bill was reported. The bill was very substantially amended in the House in accordance with the suggestions made in the debate in the Senate prior to recommitment with regard to restrictions upon the authority of the Governor of the Panama Canal. Amendments proposed by the War Department in conformity with the suggestions which were made in the Senate were adopted by the House committee and reported as part of the bill in the House; so the two bills are no longer identical, as they originally were.

Mr. DANAHER. Will the Senator please refer to page 2 of the bill, line 9, and tell us whether or not any limitation is understood by the Senator from Missouri as to the number of employees or the type of employees that the Governor of the Panama Canal may employ?

Mr. CLARK of Missouri. Of course it is obviously impossible to specify by law, in a great construction project of that sort, the number of employees who shall be engaged in it. I presume that in no great construction work which has ever been undertaken by the United States Government or by anybody else has anybody ever attempted to specify by law the number of pick-and-shovel men or the number of employees of various kinds who should be employed in the course of it.

We imposed a limitation in the authorization, and a limitation on the appropriation for the first year to increase the number of employees, including heavy-labor men, skilled-labor men, clerks, experts, would be simply an estimate at best, and I do not believe anyone would recommend the advisability of undertaking to restrict by law the number of people to be engaged for the expeditious and necessary prosecution of the work.

Mr. DANAHER. Nor, may I observe, is there any restriction on the citizenship of those who may thus be employed.

Mr. CLARK of Missouri. If the Senator had permitted the committee amendment to be reported, it would have been perfectly obvious, from the amendment adopted this morning by the Senate committee, what was decided on in

that regard. I ask that the Senate committee amendment be reported.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed, on page 2, line 6, after the word "purpose", to insert "Provided, however, That all new personnel in such construction work occupying skilled, technical, clerical, administrative, and supervisory positions shall be citizens of the United States."

Mr. CLARK of Missouri. Mr. President, that was an amendment agreed to by the representatives of the Canal Authority, and the War Department, and the representatives of the various labor groups interested in the matter.

Mr. DANAHER. I thank the Senator and desire to say that that certainly meets in very large measure much of the opposition that was voiced to the bill.

Mr. CLARK of Missouri. I think the amendment is satisfactory to all concerned. It is unwise for work of a heavy nature in the Tropics—work performed by common labor—to import labor from the United States for a limited period because, in the first place, it is required that they be acclimated, and, in the second place, Americans are not suited to doing that kind of heavy work. It would very much delay and impede the completion of the project if we undertook to make any such provision. It was agreed by all concerned that the language shall be amended.

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

Mr. CLARK of Missouri. I am glad to yield.

Mr. DANAHER. Inviting the Senator's attention to lines 24 and 25, at the bottom of page 2, the Senator will read that the Governor is authorized to make contracts "without the advertisement hereinafter prescribed, with architectural or engineering corporations, firms, or individuals," and so forth. Does the Senator understand that language to mean that the Governor, within the authorized limitations, may make contracts for the whole project?

Mr. CLARK of Missouri. I do not so understand, because the language of the proviso is specific, that that is simply "for the production and delivery of designs, plans, drawings, and specifications," the idea being that it is particularly desirable that if the work is to be entered upon at all it shall be entered upon with as much expedition as possible, in order to shorten the times of construction. Therefore, under that proviso the Governor of the Panama Canal Zone is authorized, with the approval of the Secretary of War, without going through the necessary delay of advertising for bids, merely to engage architectural or engineering firms or individuals for the production and delivery only of designs, plans, drawings, and specifications.

Mr. DANAHER. Mr. President, inviting the Senator's attention to page 3, lines 3 and 4, the Governor is authorized to make "any and all contracts necessary for the prosecution of the work herein authorized." I take it that that language will apply to the complete construction of the project from the beginning on?

Mr. CLARK of Missouri. As I understand, that is merely to authorize the Governor of the Panama Canal Zone to enter into contracts on behalf of the United States.

Mr. DANAHER. Yes; but contracts for the whole job—the completed job. Is not that so?

Mr. CLARK of Missouri. I would so construe it.

Mr. DANAHER. If the Senator will yield, it says "the work herein authorized" on a \$277,000,000 job. Is not that so?

Mr. CLARK of Missouri. That is correct.

Mr. DANAHER. So that the making of contracts is in prosecution of the work herein authorized and hence for the whole job. Is not that correct?

Mr. CLARK of Missouri. Someone has to make the contracts.

Mr. DANAHER. Does the Senator understand that the making of the contract must be submitted for the approval of the Secretary of War?

Mr. CLARK of Missouri. There is no question on earth about that. I refer the Senator to the language above, in

lines 17 and 18, "that the Governor of the Panama Canal, with the approval of the Secretary of War," and so forth. In other words, that is the ordinary contract for public works, except that the Governor of the Panama Canal, being further removed, is given perhaps more discretion than subordinate Army officers ordinarily are in making such contracts, but the approval of the Secretary of War is required in each case.

Mr. DANAHER. Inviting the Senator's attention to page 3, line 13, we find that—

Notwithstanding any other provision of law, and except as otherwise provided in this act, all purchases and contracts for supplies or for services, except for personal services, shall be made by the Panama Canal after advertising, in such manner and at such times, sufficiently in advance of opening of bids, as the Governor or his duly authorized representative in the United States shall determine to be adequate to insure notice and opportunity for competition.

There is thereafter a provision for a suspension of even that necessity in the event of an emergency.

Mr. CLARK of Missouri. So far as the first sentence which the Senator has quoted is concerned, that merely removes this contract from the ordinary operation of projects with the War Department because of the distance from the United States. In other words, instead of having the bureau of the War Department attend to the advertising and submit the bids, it merely transfers the authority to another bureau of the War Department, to wit, the Panama Canal Authority, which is on the scene.

So far as the other provision is concerned, that is a very common provision in emergency construction, where it may be considered that an emergency exists, to permit a suspension of the rule established.

Mr. DANAHER. Mr. President, if the Senator will indulge me just a moment further—

Mr. CLARK of Missouri. I am glad to yield.

Mr. DANAHER. Does the Senator understand that it is necessary that we should suspend the protections and the limitations of existing law which bind the Secretary of War when he makes a contract?

Mr. CLARK of Missouri. Mr. President, it seems to me that in the case of a construction at a distance so far removed from the United States as Panama is, it is necessary to vest a certain measure of discretion in the responsible officers on the ground in cases of emergency, to be so found by those responsible officers as emergencies, in order to prevent failure of the work. I dare say that if a certain very large measure, a much larger measure of discretion than is usual in such cases, or as is provided for in the pending bill, had not been vested in General Goethals at the time of the construction of the Panama Canal, the Panama Canal never would have been successfully completed. In a work of such magnitude, removed from the United States such a distance, I do not feel that we should be so technical as in the ordinary routine of the War Department operations in the United States.

The purpose of the pending measure is to provide additional lock facilities as a measure of national defense, as well as a prospective commercial adjunct of the Canal, and the construction should be completed as soon as reasonably can be expected. Therefore we should not tie it up with unnecessary technicalities which might defeat the purpose.

The Governor of the Panama Canal always is an officer of the Engineer Corps of the United States Army. The Army engineers perform nearly all of the construction of public works in this country. I think every Member of the Senate will bear me out when I say that I have never been very much inclined to vest any unnecessary authority in any public official, or any more discretion than is absolutely necessary; but when we take an Engineer officer of the United States Army, who has been designated as Governor of the Panama Canal, who is the man on the ground, an expert in construction matters, an expert in conditions at the Panama Canal, removed several thousand miles from the United States, I say he ought to be given an opportunity to prosecute the mission imposed upon him by Congress without unnecessary hampering restrictions.

Mr. DANAHER. Mr. President, the Senator will check me if I am incorrect, but, as I understand the bill, we authorize to be appropriated for the fiscal year 1940 only \$15,000,000.

Mr. CLARK of Missouri. That is correct.

Mr. DANAHER. But we place a ceiling or maximum upon the total above that of \$277,000,000.

Mr. CLARK of Missouri. That is correct.

Mr. DANAHER. But as I read the language, we authorize that amount ultimately to be appropriated.

Mr. CLARK of Missouri. That is entirely correct. Of course, the amount to be appropriated is provided for in regular appropriation bills. The reason why the authorization for the first year was placed at \$15,000,000 was that that was the estimate of the War Department and the Canal authorities as to the amount which could be reasonably and profitably expended the first year.

Mr. DANAHER. I should like to ask the Senator why we could not properly amend line 4, on page 3, so that the Governor would be authorized to make any and all contracts only within the initial appropriation for the first year.

Mr. CLARK of Missouri. Mr. President, I do not believe that the War Department would feel justified in entering upon a construction of such magnitude if they were limited as to the initial expenses the first year. I know that if I were Secretary of War I would not. I do not believe any responsible administrative official in the United States would feel like entering upon a work of this magnitude, estimated to cost \$277,000,000, if he were limited in regard to all important plans and arrangements in the first year.

Mr. DANAHER. And yet is not that what we are saying by putting a limit of \$15,000,000 on it?

Mr. CLARK of Missouri. It seems to me that the construction of a project of this sort has to be contemplated as a whole and not piecemeal. A limitation of \$15,000,000 was included simply at the recommendation of the Department itself as to the amount which could properly be expended in 1 year.

Mr. DANAHER. Mr. President, I want to thank the Senator for his courtesy and his cooperation.

Mr. CLARK of Missouri. I am very glad to have it from the Senator from Connecticut or from any other Senator.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri for the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 5129) authorizing and providing for the construction of additional facilities on the Canal Zone for the purposes of more adequately providing for the defense of the Panama Canal and for increasing its capacity for the future needs of interoceanic shipping, which had been reported from the Committee on Interoceanic Canals with an amendment, on page 2, line 6, after the word "purpose", to insert "Provided, however, That all new personnel in such construction work occupying skilled, technical, clerical, administrative, and supervisory positions shall be citizens of the United States", so as to make the bill read:

*Be it enacted, etc.,* That the improvement and enlargement of the capacity of the Panama Canal in the interests of defense and interoceanic commerce is hereby authorized to be prosecuted by the Governor of the Panama Canal under the supervision of the Secretary of War, substantially in accordance with the plans set forth and recommended in the Report of the Governor of the Panama Canal, dated February 24, 1939, and published as House Document No. 210, and including such appurtenant structures, works, and facilities and enlargements or improvements of existing channels, structures, works, and facilities as may be deemed necessary, at a total cost not to exceed \$277,000,000, which is hereby authorized to be appropriated for the purpose: *Provided, however,* That all new personnel in such construction work occupying skilled, technical, clerical, administrative, and supervisory positions shall be citizens of the United States: *Provided,* That the initial appropriation for the fiscal year 1940 shall not exceed \$15,000,000. For the purposes aforesaid, the Governor of the Panama Canal is authorized (a) to employ such persons as he may deem necessary and to fix their compensation: *Provided,* That the compensation of such persons shall not be lower than the compensation paid for the same or similar services to other employees of the Panama Canal: *Provided further,* That rates of compensation in excess of those authorized by law for other employees of the Panama Canal shall not be paid without the approval of the Secretary of War:

And provided further, That the Governor of the Panama Canal with the approval of the Secretary of War is authorized to engage under agreement, when deemed necessary, expert assistance in the various arts and sciences upon terms and rates of compensation for services and incidental expenses in excess of the maximum compensation provided by law for employees of the Panama Canal; (b) to authorize the making of contracts without the advertisement hereinafter prescribed, with architectural or engineering corporations, firms, or individuals for the production and delivery of designs, plans, drawings, and specifications; (c) to authorize the making of any and all contracts necessary for the prosecution of the work herein authorized; (d) to provide for the establishment and operation of such auxiliary plants and facilities in connection with the work as may be necessary or desirable; (e) to utilize any of the facilities or services of the Panama Railroad Co. upon such terms and conditions as may be approved by the Secretary of War; and (f) in general to do all things proper and necessary to insure the prompt and efficient completion of the work herein authorized.

Notwithstanding any other provision of law, and except as otherwise provided in this act, all purchases and contracts for supplies or for services, except for personal services, shall be made by the Panama Canal after advertising, in such manner and at such times, sufficiently in advance of opening of bids, as the Governor or his duly authorized representative in the United States shall determine to be adequate to insure notice and opportunity for competition. Such advertisement shall not be required, however, when (a) an emergency requires immediate delivery of the supplies or performance of the services; or (b) repair parts, accessories, supplemental equipment, or services are required for supplies or services previously furnished or contracted for; or (c) the aggregate amount involved in any purchase of supplies or procurement of services does not exceed \$500; in which cases such purchases of supplies or procurement of services may be made in the open market in the manner common among businessmen. In comparing bids and in making awards the Governor or his duly authorized representative in the United States may consider such factors as relative quality and adaptability of supplies or services, the bidder's financial responsibility, skill, experience, record of integrity in dealing, and ability to furnish repairs and maintenance services, the time of delivery or performance offered, and whether the bidder has complied with the specifications.

The amendment was agreed to.

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

The bill was read the third time, and passed.

Mr. McCARRAN. Mr. President, when this bill was before the Senate the last time I was very much interested in, and I am now very much interested in the substance of the amendment which has just been read by the clerk and agreed to by the Senate. I wish to say to the Senator from Missouri, who will undoubtedly be a member of the conference committee, if a conference committee shall be appointed, that my interest in the substance of the bill does not lapse by the mere fact that it has been passed by the Senate. I sincerely trust that the Senator from Missouri will realize the importance of the amendment, and will further realize that if the conference report comes in without the amendment, there are some Senators who will be so interested as to attempt to try to oppose its adoption on the floor of the Senate.

Mr. CLARK of Missouri. Mr. President, I will say to the Senator from Nevada that I have never in my life been a member of a conference committee in which I did not to the very best of my ability and perseverance and tenacity adhere to the position of the Senate.

#### BUSINESS OF THE SESSION

Mr. PEPPER obtained the floor.

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

Mr. PEPPER. I yield.

Mr. BARKLEY. I wish to state at this time that the deficiency bill now in the Committee on Appropriations is the only barrier to adjournment tomorrow, so far as I can see. The subcommittee is considering that bill, and I hope it will be able to report it sometime around noon tomorrow, and that we may finish the bill and wind up the session tomorrow night, if it is possible. Many Senators are leaving the city. A good many have already gone. I do not want to be caught without a quorum on an important measure of that kind because, undoubtedly, judging from the notices that have been served for suspension of the rule, a number of amendments will be offered from the floor. In addition to that, there may be and probably will be important amend-

ments added to the bill by the committee, and these amendments, both from the committee and on the floor, will have to be threshed out, and go to conference, and it may take some little time to iron them out in conference.

Therefore, I hope Senators, if they can do so without inconvenience, will remain here until we can finish the business of the session, so we will not find ourselves embarrassed by not having a quorum in the last 2 days of the session.

#### PURCHASE AND DISTRIBUTION OF SURPLUS PRODUCTS OF THE FISHING INDUSTRY

Mr. PEPPER. Mr. President, I move that the Senate presently consider calendar No. 854, House bill 5681 to authorize the Federal Surplus Commodities Corporation to purchase and distribute surplus products of the fishing industry.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida?

Mr. DANAHY. I have no objection to the request, but there is objection to the passage of the bill.

The PRESIDING OFFICER. The request will first be considered. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 5681) to authorize the Federal Surplus Commodities Corporation to purchase and distribute surplus products of the fishing industry.

Mr. PEPPER. Mr. President, this bill does not call for any additional appropriation of money. It merely provides that fish products shall be eligible to the benefits which agricultural products may derive from the Federal Surplus Commodities Corporation. We know that the fishing industry is one of the great industries of the Nation, and that a very large portion of the States of the country have a very important part of their economy related to the prosperity of the fishing industry. Heretofore they have not been able to share the benefits of section 32 of the A. A. A., which has appropriated funds to the Federal Surplus Commodities Corporation. I shall move that the amount of money that may be available for this purpose shall not exceed the sum of \$1,500,000 per year. I do that at the insistence of the Senator from Georgia [Mr. RUSSELL], who has conferred with some of his colleagues here and in the House who are interested in agriculture, so that the fishing industry may not be permitted to get an undue share of the funds which are available under that act.

So, Mr. President, I offer an amendment, on page 2, line 1, after the word "funds", to insert "not to exceed \$1,500,000 per year."

Mr. KING. Mr. President, it seems to me that we are projecting the Federal Government into another paternalistic policy or scheme. As I understand, we are authorizing the purchase of all forms of sea food, and of diverting them from the market and from the normal channels of trade and commerce. The Government is to acquire them and is to provide for their distribution through Federal, State, and private relief channels.

Mr. PEPPER. The Senator, of course, recognizes that that is the law now with respect to agriculture, and we merely say that the Federal Surplus Commodities Corporation may deal with fishery products as they now do with agricultural products.

Mr. KING. But we should not forget the fact that the Federal Surplus Commodities Corporation has lost now, I do not know how many millions of dollars—perhaps \$200,000,000—by its improvident and unwise activities largely in private endeavors. Now it is proposed in the case of this same organization, which has received tremendous appropriations, and which is now asking deficiency appropriations of over \$100,000,000 to replenish the capital stock which has been exhausted, to increase its authority and to have it project itself into business which is being carried on now by private enterprise, by persons who are engaged in buying and selling fish and fish products throughout the United States. It seems to me that it is paternalism gone mad.

Mr. PEPPER. Mr. President, I hope the amendment will receive the favorable consideration of the Senate.

Mr. KING. Let me ask, why was the Committee on Commerce discharged from the further consideration of the bill?

Mr. PEPPER. I will answer the Senator from Utah. Mr. President, the Committee on Commerce was discharged because of the fact that when this bill was referred to the Committee on Commerce the committee had already passed upon two similar bills, but the main reason was that the Committee on Commerce of the Senate had passed upon a bill which is now upon the Senate calendar which, although there was a little difference in the actual wording, had exactly the same purpose as this bill has. So the Committee on Commerce was discharged because it should not have had this bill referred to it in the first place.

Mr. KING. I am opposed to the bill.

Mr. ANDREWS. Mr. President, will my colleague yield to me?

Mr. PEPPER. I yield to my colleague.

Mr. ANDREWS. I should like to make this matter plain. Senate bill 2110, which is Calendar No. 724, was introduced by me on April 7. It was considered, reported favorably by the committee. The subcommittee chairman was the Senator from Washington [Mr. SCHWELLENBACH]. About that time or a little later a House bill came over to the Senate and was referred to the committee. It was ascertained that the two bills covered the same subject. Therefore the bill was reported back to the calendar, because the same subject matter practically had been handled by the subcommittee. So the bill is here properly for consideration at this time.

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

Mr. PEPPER. I yield.

Mr. DANAHER. I submitted yesterday an amendment, or rather it might be said that they were a series of amendments to House bill 5681. I fancy that if the amendments submitted were to be favorably acted upon there would be singular unanimity from then on in the consideration of this bill.

I ask the Senator from Florida if he is willing to accept the amendments which I submitted yesterday. I may say further to the Senator that if there were agreement upon those amendments, we could very readily dispose of the matter.

Mr. PEPPER. Mr. President, I regret that neither I nor a number of my colleagues on this side of the Chamber can agree with the Senator from Connecticut, because what he proposes to do is to make canned fishery commodities ineligible for the benefit of this law, and we think that canned fisheries products, such as shrimp and oysters and others of that character, are as much entitled to the benefits of the law as are other types of fish products. There being that difference of opinion, the Senator will have to offer his amendment and then let the Senate pass upon it according to its judgment.

The Senator from Connecticut is not opposed to the limitation of the amount which is offered by my amendment, and I hope he will let that amendment be disposed of.

Mr. DANAHER. That amount, Mr. President, is identical with that appearing in line 2 of my printed amendment, and I have no objection to the amount stated by the Senator from Florida.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. PEPPER]. Without objection, the amendment is agreed to.

Mr. LUNDEEN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Minnesota?

Mr. DANAHER. Of course.

I am informed by the Senator from Minnesota [Mr. LUNDEEN] that he desires the floor in his own right. I think we should get on with the bill. I think the Senator from Florida will agree to that.

Mr. KING. Mr. President, we shall not get on very far with it tonight.

INVESTIGATION OF PERSONNEL CONDITIONS AT JEFFERSONVILLE (IND.) QUARTERMASTER DEPOT

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

Mr. DANAHER. I yield to the Senator from Missouri.

Mr. TRUMAN. Earlier in the day the Senate acted on Senate Resolution 178, which should have been reported by the Committee to Audit and Control the Contingent Expenses of the Senate. I ask unanimous consent that the vote by which the resolution was agreed to be reconsidered and that the resolution be unanimously reported from the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDING OFFICER. The Senator from Missouri asks unanimous consent that the vote by which Senate Resolution 178 was agreed to be reconsidered and that the resolution be unanimously reported from the Committee to Audit and Control the Contingent Expenses of the Senate. Is there objection to the request of the Senator from Missouri?

Mr. KING. Mr. President, what is the resolution?

Mr. TRUMAN. It is a resolution which authorizes an investigation of personnel conditions at the Jeffersonville, Ind., quartermaster depot. The resolution was submitted by the Senator from Indiana [Mr. MINTON] and unanimously reported by the Committee on Military Affairs, but it should have gone through the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDING OFFICER. Without objection, the vote by which Senate Resolution 178 was agreed to is reconsidered, and the resolution is unanimously reported from the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. MINTON. Mr. President, the vote by which the resolution was agreed to having been reconsidered, and the resolution now having been properly reported from the Committee to Audit and Control the Contingent Expenses of the Senate, I ask unanimous consent that the Senate proceed to the consideration of the resolution.

Mr. JOHNSON of California. Mr. President, will the Senator please tell us what the resolution is and to what it relates?

Mr. MINTON. The resolution authorizes an investigation of the quartermaster's depot at Jeffersonville, Ind., on the complaint of numerous employees there regarding certain discriminatory practices which have been going on within the depot. It carries an authorization of only \$2,500 to cover stenographic expenses.

Mr. JOHNSON of California. As I understand, it relates only to Indiana?

Mr. MINTON. It relates only to the quartermaster depot at Jeffersonville, Ind.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Indiana?

There being no objection, the resolution was considered and agreed to.

RELIEF OF EXCESSIVE FARM-MORTGAGE DEBTS AND PREVENTION OF FURTHER INCREASE OF FARM TENANCY

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

Mr. DANAHER. I yield to the Senator from Washington.

Mr. SCHWELLENBACH. Yesterday the Senator from Wisconsin [Mr. LA FOLLETTE], on behalf of himself and the Senator from Montana [Mr. WHEELER], introduced Senate bill 2935, to remove the depressing economic effects of excessive farm-mortgage debts and prevent the further increase of farm tenancy due to mortgage foreclosures, and for other purposes. I have spoken to the Senator from Wisconsin and the Senator from Montana about the matter, and they have agreed that I may join with them in sponsorship of the bill. I ask unanimous consent that the Record show that I have joined the two Senators in sponsorship of the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

Mr. AUSTIN. Mr. President, does the request call for action by the Senate?

Mr. LA FOLLETTE. Mr. President, the request is merely that the bill which the Senator from Montana and I introduced and had referred to the Committee on Agriculture and Forestry shall also be introduced in behalf of the Senator from Washington.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

PROPOSED EXTENSION OF GRAND TETON NATIONAL PARK

Mr. O'MAHERNEY. Mr. President, will the Senator yield?

Mr. DANAHAY. I yield to the Senator from Wyoming.

Mr. O'MAHERNEY. I thank the Senator for yielding.

I send to the desk and ask to have read a letter from the financial clerk of the Senate. It relates to an appropriation which was made available to a special committee of the Committee on Public Lands and Surveys, which was appointed a year ago to investigate a proposal to extend the Grand Teton National Park. An appropriation of \$5,000 was made available to that committee. The report of the financial clerk is to the effect that there is now on hand a balance of \$3,294.40 out of the \$5,000; and I am returning that amount to the contingent fund of the Senate.

I ask that the letter be read.

The PRESIDING OFFICER. The letter will be read.

The legislative clerk read as follows:

UNITED STATES SENATE,  
August 3, 1939.

HON. JOSEPH C. O'MAHERNEY,  
Chairman, Special Subcommittee of the Committee on Public Lands and Surveys, United States Senate.

DEAR MR. CHAIRMAN: On May 18, 1938, the Senate authorized the Committee on Public Lands and Surveys or any subcommittee thereof, together with both Senators from Wyoming, to make a thorough investigation of all questions relating to the suitability and feasibility of extending the boundaries of the Grand Teton National Park in Wyoming, including the attitude of the citizens of Teton County, Wyo., toward such extension, and the sum of \$5,000 was authorized to be expended for such purpose.

At the present time the records show that you have expended \$1,705.60, leaving a balance of \$3,294.40.

Respectfully,

CHARLES F. PACE,  
Financial Clerk.

UNFINISHED LEGISLATION

Mr. LUNDEEN. Mr. President, announcement has just been made by our distinguished leader that we are about to adjourn. I can appreciate how the Congress feels on that question. However, when we pick up our evening newspapers tonight and read about troops going into action, tanks rolling down the streets of great cities, the W. P. A. turmoil, and one Governor talking about insurrection against the Government, we must realize that we have important problems which are being left unsolved. I am opposed to adjournment. Let the Congress remain in session to meet the oncoming crisis.

In that connection I ask unanimous consent to place in the RECORD a statement by the president of the Minneapolis Central Labor Union, John Boscoe, in reply to Governor Stassen, together with a statement by the Workers Alliance, and an editorial from the biweekly Work.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and the matters referred to may be printed in the RECORD.

The matters referred to are as follows:

RADIO ADDRESS BY JOHN BOSCOE

In Governor Stassen's radio address of last week, he made an attack upon the organized labor movement of Minneapolis and its democratically elected leadership. The Governor charged this leadership with being thoughtless, unsound, and vicious. He said that a small handful of men led the W. P. A. walk-out, that the strike was called without a vote of the membership, that the leaders of the local labor movement caused great loss and injury by placing 10,000 men and women in dire need, and finally that the joint committee which directed the protest strike inflicted great harm on Minneapolis labor.

In the name of the Minneapolis labor movement, I intend to answer the Governor's faulty and superficial estimate of the W. P. A. strike and to present a factual picture of that strike which has remained hidden from the people to this very day.

First of all, was it a small handful of men who caused the trouble and created the situation? This is what the Governor charged. The truth is as follows: When the W. P. A. workers of the city, State, and Nation returned to their jobs Wednesday morning after the Fourth of July holiday, they found posted on the bulletin boards a notice that their union wage scale was cut as much as 50 percent and their hours of labor greatly increased.

DROPPED THEIR TOOLS

Spontaneously, W. P. A. workers throughout the Nation dropped their tools and refused to work. In the Twin Cities, the daily press agrees, the W. P. A. walk-out began at the projects at the State fair grounds and rapidly spread throughout Hennepin and Ramsey Counties. Members of trade-unions, of unemployed organizations, and workers who had never belonged to either, walked off their jobs in unison in protest against the wage-cutting, job-slashing, and hour-lengthening provisions of the slave-relief act.

Almost simultaneously the same reaction was occurring in all parts of the State—in Duluth, on the iron range, in southern Minnesota. At the same time W. P. A. workers all over the country—in New York City, in Ohio, in Pennsylvania, in Chicago and southern Illinois, in New Jersey and California, and elsewhere—were walking off projects in protest against the wage-cutting outrage committed by the sponsors and supporters of the Woodrum amendments.

A compilation of strike figures indicated that approximately half a million men and women were participating in the spontaneous walk-out in protest against this attack on their living standards.

JOINT STRUGGLE

Half a million strikers! Never before, not even in the great railway strike of 1877 nor in the Nation-wide struggle for the 8-hour day in 1886, had so many workers engaged in a joint struggle. It is certain that the W. P. A. strike was the most popular movement of protest which has ever occurred in this country. Governor Stassen gives full credit for it to "a small handful of local leaders." The fact is that such widespread protests do not occur without compelling reasons. Here are some of them: After the cumulative effects of 10 years of unemployment, a more concerted drive against the unemployed began after last November's elections when 300,000 workers were dropped from W. P. A. rolls. Next, early in 1939, noncitizens, widows with children, and old-age pensioners were dropped from the rolls.

In recent weeks the attack on W. P. A. workers reached a peak. Under the leadership of reactionaries, Congress passed a cut of \$300,000,000 from last year's figures. An inadequate security wage was substituted for the prevailing or union wage. Then came the Woodrum amendments including the 30-day lay-off of all W. P. A. employees of 18 months standing; and the W. P. A. administration made it clear that those dropped have a slim chance of reemployment. Finally the new act called for a slash in monthly wages of over 1,000,000 workers in the North and West.

THREE MORE BLOWS

As the national protest demonstration grew, came three more blows in succession, the announcement that all those away from their jobs for 5 days would be dropped from the rolls; that striking W. P. A. workers would be denied relief; and then the press campaign that: You can't strike against the Government.

No wonder that the W. P. A. workers felt desperate and that the entire labor movement joined hands in protesting this attack against the American standard of living.

The Minneapolis labor movement took quick and effective action to organize and protest locally. On Thursday, July 6, the day after the spontaneous walk-out began, the Minneapolis Building and Construction Trades Council officially endorsed the protest strike. The various building-trades unions voted unanimously to remain on strike and to refuse to work for anyone at less than union wages. The Minneapolis Building Trades Council, like many sister councils throughout America, has not receded from this position and is determined to defend the union wages and conditions won during their 50 years of struggle.

ENDORSED THE ACTION

On Friday morning, July 7, the policy committee of the Minneapolis Central Labor Union endorsed the action of the Building Trades Council. In the next day or two the Hennepin County Workers Alliance, the Federal Workers section of Local No. 544, the C. I. O., and the Minneapolis Central Labor Union all voted officially to endorse and support the protest strike called by the Minneapolis Building Trades Council and their demand that the Woodrum amendments be repealed and that union wages be restored.

In the light of these facts, what happens to the claim of the Governor that a small handful of men in Minneapolis started the walk-out, and that the strikers had no chance to vote on the strike? The truth is that the overwhelming majority of the Minneapolis labor organizations having members on W. P. A. voted to join the strike. The truth is that the antunion and pauperizing provisions of the Woodrum relief act had identical social repercussions throughout the country. If there was a conspiracy, it was a conspiracy of the paid political representatives of big business to put over an attack upon the wages and living standards of the American people.

Governor Stassen's second charge is that the Minneapolis labor movement has elected a leadership that is thoughtless, unsound, and

vicious. Thereby he implies that Minneapolis workers would be wise to desert this leadership. Minneapolis is among the best unionized cities in the entire country and, Governor Stassen, it will remain so. All the benefits of organization come to the workers and unemployed of Minneapolis because they have organized under this leadership whom the Governor accuses of being thoughtless and unsound.

#### GREAT LOSS AND INJURY

In his third charge the Governor, in a pious tone, accuses the Minneapolis labor leadership of causing great loss and injury to the W. P. A. workers and with placing 10,000 men and women in dire need.

Who is it that is injuring the workers of Minneapolis and Minnesota and placing them in dire need? Is it the Minneapolis labor movement that works untruly to protect labor and win for it a greater share of the good things of life? Or is it the connivers in Congress who pushed through the last-minute relief bill that violated the pledges these Congressmen had made to the people, that slashed the wages of W. P. A. workers, lengthened their hours, and promises to throw 1,500,000 of them out of employment off W. P. A.

Come to think of it, it is passing strange that there are any unemployed persons in this State, for did not Governor Stassen promise to create jobs in private industry that would absorb the unemployed? Did he not promise the assembled workers on the capitol steps on June 2 that no one would go hungry in Minnesota?

#### WHERE ARE THOSE JOBS?

Where are these jobs you were going to create for the youth and unemployed, Governor Stassen? And is it not true, Governor, that while you are making charges against a group of Minneapolis labor leaders, that during the past week you have had a delegation of labor leaders from the Minnesota Federation of Labor, along with Mr. Zander from the Government employees' national union, calling upon you for a hearing on wholesale discriminatory dismissals of their members during recent days, as well as the charges leveled at your highway department for wage cutting and wholesale lay-offs by the St. Paul Trades and Labor assembly and the State machinists unions?

What happened to your pledge to care for the unemployed? Your legislature slashed almost \$2,000,000 from State relief.

Who injured and who now injures the unemployed of this State? Is it the union and unemployed organizations that fight for decent wages and job security for the workers and decent relief for the unemployed—or the sanctimonious politicians who slyly pretend to be a friend of the workers, only to knife them in the back with slashes in relief, with one-sided and oppressive labor laws, and with employer-inspired attacks on organized labor. The labor movement is opposed to any form of strike wherever it is possible to prevent it, and only as a last resort do we strike.

This situation was forced upon us by a policy of provocation herein set forth.

#### INCRIMINATING MATERIAL

Why do you seek to mislead the public to believe that the transcripts of your conference with the joint labor committee contained incriminating material? Governor Stassen, why don't you inform the public of the truth, that it was the labor committee which demanded that a stenographic report of the conference be made and forwarded to President Roosevelt, Colonel Harrington, and Attorney General Murphy? We challenge you to make public through the press the entire contents of this stenographic report. It contains the impressive testimony on the police brutality against a peaceful picket line. Why didn't you inform the public that the labor committee demanded that the city council undertake an unbiased investigation into the brutal police attacks that resulted in the death of Emil Bergstrom and the wounding of a score of innocent people?

Is it not true, Governor Stassen, that on "bloody Friday night" there were no pickets either on the sidewalk nor on the street in front of the sewing project at the time the police opened fire upon the people clear across the street? Is it not true that squads of police crossed the street into private property and there shot down the people who had the permission to remain on that property with their cars?

#### FALSELY CHARACTERIZE

Why do you attempt to falsely characterize this W. P. A. strike as a revolt against the Government and a threat to democracy, when the fact is there would have been no more trouble than during previous W. P. A. demonstrations had not the entire previous W. P. A. administrative policy been sharply reversed in this instance? The W. P. A. nationally, up until this present situation, had pursued a policy of closing down temporarily any W. P. A. job where a labor dispute occurred. Because of this policy, there never was any violence or disturbance during previous protests and strikes on W. P. A. That policy always created the opportunity for calm deliberation which makes easier the settlement of disputes. How can you speak of the cooperative spirit of Mr. Glotzbach? With whom did he cooperate when he reversed this national policy without prior announcement? Or when he called for police protection to help him reverse it, or when he failed to shut down the affected jobs and call for a meeting with the responsible labor officials, as was the W. P. A. custom? Is this the spirit of cooperation you praise? Had Glotzbach done his duty, there would have been no bloodshed in this strike.

You are 100 percent wrong on another of your charges when you say that none of the strike leaders had been on W. P. A. them-

selves. All of the leaders of Local No. 544, Federal Workers' Section, are, or have been, on W. P. A.; and the same thing is true of the Workers Alliance.

#### VICIOUS FOLLY

Governor Stassen charges that the joint committee surrendered in the strike, that they failed, that they met the stone wall of their own vicious folly. We in the labor movement are accustomed to hearing the claims of employers and their representatives that strikes are failures. But the labor movement has a different way of looking at these things. At any rate, the Governor and Mayor Leach should get together in their estimate of the protest strike, since both belong to the same political party and supported each other in the State and city elections. The Governor charges the strike was an abject failure, but Mayor Leach estimates that the Federal Government has made a disgraceful surrender to the W. P. A. strikers. Which shall you call it, gentlemen, a failure or success?

Governor Stassen, you ended your attack on the Minneapolis labor movement by stating that: As for yourself, you disapproved of certain provisions of the 1940 Relief Act.

During the past year you have continued to speak of your sympathy for organized labor and the unemployed. Even while your administration cut the State relief budget, you said you protected the unemployed. Even while your labor law bound the hands of organized labor and encouraged the employers to break down the living standards of the masses, you professed your friendship for labor.

#### FALSE CHARGES

We submit that your judgment is completely erroneous, specifically and generally, because you have directed insinuations and false charges against the very people in this situation who are the staunchest and most reliable defenders of the real public interests—the working people and their unions—and that you have condoned and helped to cover up the real culprits who are responsible for the loss of wages of the W. P. A. workers, the violence, bloodshed, and deaths caused by them in this situation—that is, those who launched the attack and would still drive it further.

As for your unfounded insinuations to the Federal grand jury, Governor Stassen, the Minneapolis labor movement has nothing to fear from any honest investigation no matter what its source. But we are determined to protect the legal rights of our members and defend them against any attempted frame-ups.

In this, as in all previous W. P. A. demonstrations here, the Minneapolis labor movement has recognized and declared that the main function of such demonstrations is to direct public attention to the unjustifiable problems of unemployment. That was our prime purpose. The fight for jobs at union wages and conditions, and for decent relief standards for those who have no jobs, did not begin nor end with the W. P. A. strike in Minneapolis. The struggle, by the logic of events, now takes other channels. There must be no adjournment of Congress until the vicious Woodrum provisions are repealed.

TUESDAY, July 18, 1939.

STATEMENT ON THE W. P. A. SITUATION BY DAVID LASSER, NATIONAL PRESIDENT OF THE WORKERS ALLIANCE OF AMERICA

The actions which have taken place since the Woodrum Relief Act went into effect were the result of the justifiable resentment of W. P. A. workers, labor generally, and all progressive people.

These actions were not strikes against the Government. They were legitimate protests of needy citizens against being forced to labor at conditions that degraded, humiliated, and starved them. They were protests against the law foisted on us by the antilabor GARNER-WOODRUM-TABER clique dominant in Congress. These actions, in our opinion have served to focus public attention on the injustices in the relief act and the need for immediate remedial legislation. Such legislation must (1) restore the prevailing hourly wage, (2) prevent cuts in the already inadequate monthly pay checks, (3) prevent arbitrary lay-offs of needy W. P. A. workers, (4) restore the arts projects.

We are culminating our actions in Nation-wide protests, demonstrations, and parades on Thursday, July 20, in all cities where the Workers Alliance is organized.

At the moment we consider the urgent need is to focus public attention on the necessity for Congress to act. Some honest Congressmen have expressed the opinion that job stoppages were embarrassing their efforts to have the present law changed. Some reactionaries have raised a false issue of "strikes against the Government" as an excuse for their not supporting improvements in the act. Some public officials, such as Mayor Leach, of Minneapolis, have sought to create a reign of terror, to try to provoke violence, and to stir public hysteria by ridiculous charges against labor.

Our sole concern is to protect the welfare of the millions of unemployed and W. P. A. workers and to take such practical action as will change the law in their behalf.

Because we want to provide every aid and cooperation for the friends of labor and the people in their efforts to have the law changed, because we do not wish to provide any aid and comfort for the enemies of labor or of the people, our national executive board has voted: (1) In cases where our own affiliates are leading work stoppages, the workers be asked to return to work temporarily under protest. (2) In cases where we are engaged in stoppages with other labor groups, we will recommend the temporary



ending of such stoppages. In these cases, however, our groups will abide by the democratic decision of the groups we are working with. (3) To turn the full and undivided attention of the unemployed and W. P. A. workers upon the mobilizing of public opinion for changes in the law and to make Members of Congress aware of that opinion.

We have been informed by Senator MURRAY that he does not consider our July 20 actions in any way detrimental to the campaign to change the relief act. We have his authority to inform our membership that he and his group are sufficiently encouraged by the cooperation shown at least by the Workers Alliance of America to get ready to immediately push ahead vigorously for changes in the act. Now, we will have demonstrated the complete good faith of the Workers Alliance, it is up to Congress. As far as our activities are concerned, no further excuses can be made by Congress for not changing the iniquitous and unjust features of the relief act before it adjourns. If Congress fails to act, we will carry out our responsibility by taking every orderly action necessary to save the unemployed and W. P. A. workers from the awful suffering they will face.

We hope in these efforts the administration will lend its support to the just grievances of labor. We believe that if the administration spokesmen had been as vigorous in defense of labor needs as they were in condemning the just protests of labor, we would be much further advanced toward a solution.

We hope also that some labor leaders may be induced to adopt a more progressive stand. Unfortunately, there were some who failed to give any support to efforts to improve the bill when it was in Congress and who are now wringing their hands or calling work stoppages. There are some who are opposed to the W. P. A. program and are using this situation as a pretext to destroy the W. P. A. program and discredit it in the eyes of labor. There are some whose only interest is to use this situation to make anti-New Deal propaganda instead of directing the main fire where it belongs—on Congress. There are some who are confusing the whole issue in the public mind by selfishly narrowing it to certain interests of a few instead of fighting for all the necessary demands of all W. P. A. workers. We have no intention to give aid or comfort to these people or to sacrifice the interests of the unemployed and W. P. A. workers to their plans.

We believe that if some people who now bitterly complain had joined with us in the National Right-to-Work Congress or in supporting the Murray-Casey bill, we would not have had this situation upon us. We are still hopeful that labor can fully unite its forces upon a program which protects all labor.

[From Work]

THE W. P. A. CRISIS

(By David Lasser, national president, Workers Alliance of America)

The 1940 Relief Act represents the greatest blow at American labor since the depression began. In its main provisions it would paralyze the organized workers in their fight to maintain wage standards; and by that, endanger the whole recovery movement. What are these "main provisions"?

1. The act does away with prevailing wage rates, and substitutes a 130-hour work month for all workers. This means that not only will the skilled worker take a cut of 30 to 50 cents hourly, but the unskilled worker also takes a slash of 10 to 15 cents an hour in his meager pay. It puts the United States Government in the position of opening the door wide for wage cuts in all American industry.

2. By attempting to "equalize wages" as between geographic regions, and by not providing more money with which to do this (actually, by providing less money) it makes necessary on August 31, cuts in the monthly security wages for 2,000,000 W. P. A. workers in the North and West. This second blow is not only at W. P. A. workers, but at all labor.

3. By the 18-month rotation provisions, between now and August 31, between 600,000 and 700,000 workers will get 403's and be thrown onto the labor market. Flooding the labor market with these hungry people, at a time when private employment is not increasing, will be a serious menace to the standards of workers with private jobs.

Mr. LUNDEEN. I wish to refer to a statement which portrays the situation of 112,310 Minnesota people dropped from employment in Minnesota industries. The statement is by Jay C. Hormel, one of the greatest and one of the most progressive businessmen in the State of Minnesota, head of a \$60,000,000 business in our North Star State:

STATEMENT BY JAY C. HORMEL, CHAIRMAN, AMERICAN LEGION, DEPARTMENT OF MINNESOTA, COMMITTEE ON EMPLOYMENT STABILIZATION, AUSTIN, MINN., MARCH 22, 1939

Do you realize that last year 112,310 Minnesota people were laid off—were disemployed—were dropped from employment in Minnesota industries for a sufficiently long period of time to permit them to receive compensation checks under the Minnesota Unemployment Compensation Act?

Although these 112,310 people about whom we are talking did receive compensation checks from the State for their unemployment, it still is true that in general those checks were only half as much as the regular wages those people had been drawing, and

in many cases they did not get a check each week they were off. Can you imagine the problems which those people had to face during their period of unemployment?

Do you realize how much these 112,310 people would be benefited if industry would, first, learn how and, second, take the trouble to stabilize employment?

I also wish to make reference, without placing it in the RECORD, to a document called Public Assistance, published by the Bureau of Research and Statistics, Division of Public Assistance Research, United States Government, stating that in the years 1933 to 1938 the public expenditures for assistance to persons in need in continental United States amounted to \$12,900,000,000, or nearly \$13,000,000,000 in those years. I call that statement to the attention of the country. Was anything fundamental really done, except here and there? No enduring permanent program resulted from all this expenditure of the taxpayers' money, and we still have over 12,000,000 unemployed with us. That is not much of a solution. And we spent \$13,000,000,000 fumbling over makeshifts. There must be an end to all this. Had this administration listened to the progressive program of the Farmer-Labor Party, a program which I have placed in the CONGRESSIONAL RECORD time after time, we would not now be sinking in the slough of despondency.

I wish also to call attention to the 1938 financial analysis of relief costs, board of public welfare, division of public relief, in my home city of Minneapolis, prepared by O. A. Pearson, superintendent thereof.

I say to the Senate that before we adjourn we should look over the list of unfinished important and vital legislation and consider foreign affairs, which certainly are clouding the horizon of all nations, and see that we do not commit an error in adjourning at too early a date. So far as I am concerned, I am opposed to adjournment in this hour of crisis.

I also wish to make reference to a speech which I delivered on September 10, 1935; another on June 7, 1935; and another on April 8, 1939, on the W. P. A. and labor questions, all reported in the CONGRESSIONAL RECORD. On April 8, this year, I held the floor for more than 4 hours pleading the cause of labor against wage cuts and poverty. In the midst of untold wealth produced by our workers labor starves. I demand a just share of that wealth for the men and women of America.

#### PURCHASE AND DISTRIBUTION OF SURPLUS PRODUCTS OF THE FISHING INDUSTRY

The Senate resumed the consideration of the bill (H. R. 5681) to authorize the Federal Surplus Commodities Corporation to purchase and distribute surplus products of the fishing industry.

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

Mr. DANAHER. I yield.

Mr. ANDREWS. If the Senator continues to yield, we shall never obtain consideration of the bill. I should like to see it considered this afternoon.

Mr. DANAHER. I am certain that unless we run into a night session we shall not be able to dispose of the bill today.

Mr. KING. Mr. President, there will be some discussion upon the bill. Much as I should like to comply with the wishes of the Senator from Florida, I do not think we should pass the bill this evening.

Mr. BARKLEY. Mr. President, if there is to be extended discussion on the bill—

Mr. KING. There will be.

Mr. BARKLEY. In that event, I think probably we had better postpone consideration of the bill until tomorrow. It will be the unfinished business tomorrow.

Mr. PEPPER. Mr. President, a very simple question is involved, as to whether or not canned-fish commodities are eligible for the benefits of the bill, which can be decided by the Senate in a relatively short time. In view of the announcement made by the leader, I am afraid that tomorrow we shall get caught in other legislation, and will not have an opportunity to complete consideration of the bill.

Mr. BARKLEY. Mr. President, my suggestion is based upon information which the Senator from Utah has just given me. He has advised me that he intends to speak for an hour on the bill.

Mr. PEPPER. Mr. President, I suggest that we dispose of the amendment of the Senator from Connecticut. Then further consideration of the bill can be postponed.

Mr. CONNALLY. Mr. President—

Mr. DANAHER. I yield to the Senator from Texas.

Mr. CONNALLY. I desire to make a motion. Will the Senator yield for that purpose?

Mr. DANAHER. I yield to the Senator unless making the motion would take me off the floor.

Mr. CONNALLY. I rather think it would. I desire to make a motion to lay aside temporarily the pending bill and take up another bill.

Mr. DANAHER. If the Senator from Florida is agreeable to having the bill laid aside while the Senator from Texas has the other bill taken up, I have no objection.

Mr. CONNALLY. I do not suppose the Senator from Florida is. That is an impossible condition. The bill to which I refer is a very important revenue bill, and it should be acted upon before we adjourn tomorrow.

The PRESIDING OFFICER. Does the Senator from Connecticut yield for that purpose?

Mr. BARKLEY. Mr. President, if the Senator from Florida would be willing to have his bill laid aside temporarily, I do not think the bill referred to by the Senator from Texas would take much time. I think it could be taken up and disposed of without affecting the bill of the Senator from Florida.

Mr. PEPPER. So far as I am concerned, I should not object to that.

Mr. KING. Mr. President, I will say to the Senator from Florida that I should not want to have the bill referred to by the Senator from Texas taken up in the absence of the Senator from Georgia [Mr. GEORGE].

Mr. CONNALLY. I am perfectly willing to have the Senator from Georgia here. He is somewhere around the Senate Chamber. Let us send for him.

Mr. PEPPER. Mr. President, I merely want it understood that the motion of the Senator from Texas will not displace the pending bill as being the unfinished business.

The PRESIDING OFFICER. Without objection, that is understood.

Mr. CONNALLY. Mr. President, I move that the pending bill be temporarily laid aside without any prejudice to its standing, and that the Senate proceed to the consideration of House bill 7171, to amend section 22 of the Agricultural Adjustment Act.

Mr. SMITH. Mr. President, before the motion is acted upon I desire to say that there will be more than 1 day's discussion on that measure. It is very certain that we shall not adjourn tomorrow night if the bill comes up.

The PRESIDING OFFICER. Objection is heard.

Mr. CONNALLY. I did not ask unanimous consent; I made a motion.

The PRESIDING OFFICER. A motion if agreed to would displace the matter which is now pending before the Senate, and the Chair understood that the Senator from Texas did not want to do that.

Mr. CONNALLY. I did not desire to do it.

The PRESIDING OFFICER. If the Senator makes a motion to take up the bill referred to by him, and it is agreed to, it will displace the bill which is now pending.

Mr. KING. Mr. President, I shall feel impelled to ask for a quorum unless the Senator from Georgia [Mr. GEORGE] can be present. I do not like to do so at this hour.

Mr. BARKLEY. Mr. President, in view of the situation at this late hour, probably we had better let both bills go over until tomorrow.

Mr. CONNALLY. In view of the attitude of the leader, I shall not insist on my motion now; but I give notice that as soon as I can obtain the floor tomorrow I shall move that the Senate proceed to the consideration of House bill 7171.

Mr. AUSTIN. Mr. President, will the Senator from Connecticut yield for a question?

Mr. DANAHER. I yield to the Senator for a question.

Mr. AUSTIN. I ask the Senator from Texas if he will have his bill printed in the RECORD. There is no digest of the bill; and I have had difficulty in finding it or any description of it.

Mr. CONNALLY. I am sure a report has been filed on the bill. It is House bill 7171.

Mr. AUSTIN. Apparently there is a report, No. 1043; but I have not been able to find any digest of the bill.

Mr. CONNALLY. I think I can very briefly explain the purpose of the bill.

Mr. AUSTIN. I wish the Senator would explain it. Then we can be thinking about it.

Mr. CONNALLY. The purpose of the bill is as follows:

Under section 22 of the Agricultural Adjustment Act, if the Senator has that act available, in case prices of agricultural products are raised domestically as the result of the operations of the A. A. A. or other Government agencies, the Tariff Commission is given authority to raise the tariff duties on those articles to keep them from coming in from foreign countries.

The section I have been speaking of is section 22. Under section 32 of the Agricultural Adjustment Act it is provided that 30 percent of the tariff revenues shall be set aside by the Secretary of Agriculture in a special fund for the purpose of increasing and stimulating the export of agricultural commodities. Under section 32 the Secretary of Agriculture has instituted export subsidies on wheat, which are already in operation, and have been for a considerable period. He has now instituted export subsidies on cotton. The purpose of the bill is to give the President, through the Tariff Commission, power to raise the rates on cotton textiles and other competitive commodities, and on raw cotton itself when we export it and give it a bounty, to keep it from coming back into the United States. That is the effect of the bill.

Under the present law the Tariff Commission has a limited authority in that regard, but only when the commodities are actually coming in. The bill spreads that authority a little, and says the Tariff Commission may act either when the commodities are coming in or when they are practically certain to come in, because we want to anticipate the return of the commodities. The bill is to protect the textile interests, and raw cotton, too, for that matter. It not only protects cotton, but it protects all other agricultural commodities within the compass of the two sections I have named.

Mr. AUSTIN. Does it protect the producers of wool?

Mr. CONNALLY. I do not think it relates to wool, because wool already has a duty of 33 cents per pound on it.

Mr. AUSTIN. Mr. President, the tariff on wool has been cut 50 percent by a trade treaty.

Mr. CONNALLY. Only on manufactured wool; not on raw wool.

Mr. AUSTIN. I am including in my remarks manufactured wool.

Mr. CONNALLY. I will say to the Senator that this bill applies only to the agricultural commodities which are dealt with under the A. A. A. I do not know whether the wool program comes under the A. A. A. or not.

Mr. AUSTIN. I thank the Senator for his explanation.

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

Mr. DANAHER. I yield to the Senator from Washington.

Mr. SCHWELLENBACH. Several months ago I submitted a resolution involving the continuation of the subcommittee of the Committee on Education and Labor which has had under consideration the subject of civil liberties. For some time that resolution has been in the hands of the Committee to Audit and Control the Contingent Expenses of the Senate. Just a few minutes ago it was reported by the committee, and is now on the calendar. Under the rules of the Senate it cannot be considered until tomorrow.

There has been considerable discussion about a possible adjournment tomorrow night. We shall probably have before us for consideration tomorrow the third deficiency bill, which is of importance. The matter of the continuation of the civil-liberties subcommittee is something that cannot be permitted to go over until next year.

If it is to be properly considered, it must be considered before the Congress adjourns. A number of the Members of this body have indicated that they will not be willing to proceed to the completion of the consideration of the third deficiency bill until the Senate has considered and voted upon the resolution for the continuation of the work of the subcommittee. I should like to inquire of the Senator from Kentucky [Mr. BARKLEY] what arrangements can be made now so that we may be assured that we shall not get into a jam tomorrow.

Mr. BARKLEY. Mr. President, I will say to the Senator from Washington that I contemplate no motion for sine die adjournment until this matter shall have been disposed of. It was suggested by a member of the Appropriations Committee that if the deficiency bill could be reported by noon tomorrow, we might finish that and other legislation and adjourn tomorrow night. Whether or not that is possible, only tomorrow night can tell; but I certainly would not hurry up an adjournment that would avoid the consideration of this resolution, with which, I will say, I am in entire sympathy. I do not know that we can make an arrangement now as to when it can be taken up tomorrow, because obviously we are going to have to adjourn or recess tonight with an unfinished bill before us; but I will cooperate fully for the consideration of the resolution at the earliest possible moment.

Mr. SCHWELLENBACH. I should like to say that I appreciate very much the attitude and statement of the Senator from Kentucky, and, of course, shall be glad to comply with any request he makes; but before the consideration of the third deficiency bill is completed tomorrow I should like to have some definite arrangement concerning the consideration of the resolution prior to the adjournment of the Congress. I will say that it will be extremely difficult to get through with the third deficiency bill until such an arrangement shall have been made.

#### EXECUTIVE SESSION

Mr. BARKLEY. Mr. President—

Mr. DANAHER. I yield to the Senator from Kentucky.

Mr. BARKLEY. In view of the situation, I think we cannot finish tonight the bill which is before us, so it will go over as the unfinished business. I therefore move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. CLARK of Missouri in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF COMMITTEES

Mr. PITTMAN, from the Committee on Foreign Relations, reported favorably the following nominations:

Henry F. Grady, of California, to be an Assistant Secretary of State; and

Ray Atherton, of Illinois, now Envoy Extraordinary and Minister Plenipotentiary to Bulgaria, to be Envoy Extraordinary and Minister Plenipotentiary to Denmark, vice Alvin Mansfield Owsley, resigned.

He also, from the Committee on the Judiciary, reported favorably the nomination of J. H. S. Morison, of Alaska, to be United States district judge, division No. 2, District of Alaska.

Mr. McCARRAN, from the Committee on the Judiciary, reported favorably the nomination of Lloyd L. Black, of Washington, to be United States district judge for the western dis-

trict of Washington, to fill a position created by the act of Congress of May 31, 1938.

Mr. SHEPPARD, from the Committee on Military Affairs, reported favorably the nominations of sundry officers for promotion or transfer in the Regular Army.

Mr. WALSH, from the Committee on Finance, reported favorably the nomination of Thomas B. Hassett, of Fitchburg, Mass., to be collector of internal revenue for the district of Massachusetts, to fill an existing vacancy.

He also, from the Committee on Naval Affairs, reported favorably the nominations of sundry officers for promotion in the Navy.

Mr. MCKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. The reports will be placed on the Executive Calendar.

#### ARTHUR J. ALTMAYER

Mr. LA FOLLETTE. From the Committee on Finance, I report back favorably the nomination of Arthur J. Altmeyer, of Wisconsin, to be a member of the Social Security Board. This is a reappointment, and the report from the committee is unanimous. I ask unanimous consent for the immediate consideration of the nomination.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none; and, without objection, the nomination is confirmed.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

#### DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Bert Fish, of Florida, to be envoy extraordinary and minister plenipotentiary to Egypt.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of James J. Murphy, Jr., of Pennsylvania, to be Foreign Service officer.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### DEPARTMENT OF JUSTICE

The legislative clerk read the nomination of Edward Gearing Kemp, of Michigan, to be the Assistant to the Attorney General.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. HOLT. Mr. President, I ask that the nominations of John Kenna Kerwood to be postmaster at Ripley, W. Va., and Charles B. McCray to be postmaster at Webster Springs, W. Va., be recommitted to the Committee on Post Offices and Post Roads.

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

Mr. NEELY. Mr. President, I sincerely regret that there is opposition to the immediate confirmation of the West Virginia postmasters mentioned. But obviously any Senator can prevent any confirmation at this late day in the rapidly expiring session. Therefore, I refrain from interposing a manifestly futile objection to the pending request.

The PRESIDING OFFICER. Without objection, the nominations of postmasters other than the nomination of John Kenna Kerwood to be postmaster at Ripley, W. Va., and of Charles B. McCray to be postmaster at Webster Springs, W. Va., are confirmed en bloc.

#### IN THE ARMY

Mr. SHEPPARD. Mr. President, from the Committee on Military Affairs of the Senate I have reported favorably today a number of Army nominations, and I ask that they be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the request of the Senator from Texas is agreed to, and the nominations are confirmed en bloc. That completes the calendar.

## RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 14 minutes p. m.) the Senate took a recess until tomorrow, Friday, August 4, 1939, at 11 o'clock a. m.

## NOMINATIONS

*Executive nominations received by the Senate August 3 (legislative day of August 2), 1939*

## ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY

Ray Atherton, of Illinois, now Envoy Extraordinary and Minister Plenipotentiary to Bulgaria, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Denmark, vice Alvin Mansfield Owsley, resigned.

## SOCIAL SECURITY BOARD

Arthur J. Altmeyer, of Wisconsin, to be a member of the Social Security Board for a term expiring August 13, 1945. (Reappointment.)

## WORK PROJECTS ADMINISTRATION

S. L. Stolte, of Minnesota, to be Work Projects Administrator for Minnesota.

Linus C. Glotzbach, of Minnesota, to be regional director, district VII, Work Projects Administration.

## UNITED STATES MARSHAL

William W. Crawford, of Montana, to be United States marshal for the district of Montana. He is now serving under a recess appointment.

## APPOINTMENTS IN THE REGULAR ARMY

## TO BE MAJOR GENERALS

Brig. Gen. Kenyon Ashe Joyce, United States Army, from November 1, 1939, vice Maj. Gen. Robert McC. Beck, Jr., United States Army, to be retired October 31, 1939.

Brig. Gen. George Grunert, United States Army, from December 1, 1939, vice Maj. Gen. Albert J. Bowley, to be retired November 30, 1939.

## TO BE BRIGADIER GENERALS

Col. Joseph Warren Stilwell, Infantry, from July 1, 1939, vice Brig. Gen. Charles M. Bundel, United States Army, retired June 30, 1939.

Col. Sherman Miles, Field Artillery, from September 1, 1939, vice Brig. Gen. George C. Marshall, Acting Chief of Staff, to be appointed major general September 1, 1939.

Col. Bruce Magruder, Infantry, vice Brig. Gen. Kenyon A. Joyce, United States Army, nominated for appointment as major general.

Col. Lloyd Ralston Fredendall, Infantry, vice Brig. Gen. George Grunert, United States Army, nominated for appointment as major general.

## APPOINTMENTS AND PROMOTIONS IN THE NAVY

## MARINE CORPS

Capt. Clarence J. Chappell, Jr., to be a major in the Marine Corps from the 1st day of August 1939.

First Lt. James M. Masters, Jr., to be a captain in the Marine Corps from the 1st day of July 1939.

Second Lt. William F. Kramer to be a first lieutenant in the Marine Corps from the 4th day of June 1939.

The following-named citizens to be second lieutenants in the Marine Corps from the 1st day of July 1939:

Claude J. Carlson, Jr., a citizen of Washington.

Morris E. Flater, a citizen of Indiana.

## POSTMASTERS

## ARKANSAS

Robert E. Pace, Jr., to be postmaster at Marked Tree, Ark., in place of J. E. Pittman. Incumbent's commission expired May 9, 1938.

Ralph McNeil to be postmaster at Piggott, Ark., in place of E. R. Winton. Incumbent's commission expired June 26, 1939.

## CALIFORNIA

Clara M. Scott to be postmaster at Kerman, Calif., in place of C. M. Scott. Incumbent's commission expired March 19, 1939.

## COLORADO

Floyd C. Bradfield to be postmaster at Cortez, Colo., in place of W. H. Harrison. Incumbent's commission expired June 18, 1938.

## CONNECTICUT

William K. Buggie to be postmaster at Cromwell, Conn., in place of W. H. Buggie, deceased.

Edward J. Bradley to be postmaster at West Willington, Conn., in place of H. M. Hansen, Jr., deceased.

## ILLINOIS

John T. Lustig to be postmaster at Bradley, Ill., in place of F. X. Hodapp, removed.

Robert L. Graham to be postmaster at Dieterich, Ill., in place of M. J. Clagg. Incumbent's commission expired May 31, 1938.

Helen E. Goodell to be postmaster at Loda, Ill., in place of Kate McDonnell. Incumbent's commission expired June 14, 1938.

## INDIANA

Clarence E. Steward to be postmaster at Bainbridge, Ind., in place of C. E. Steward. Incumbent's commission expired May 2, 1939.

Orlin F. Reinhardt to be postmaster at New Salisbury, Ind., in place of O. F. Reinhardt. Incumbent's commission expired April 2, 1939.

Rolla E. Pinaire to be postmaster at Ramsey, Ind., in place of R. E. Pinaire. Incumbent's commission expired March 20, 1939.

## IOWA

Mable Kinney to be postmaster at Elliott, Iowa, in place of J. N. Kinney, resigned.

William J. Gleason to be postmaster at New Hampton, Iowa, in place of E. P. Feuling. Incumbent's commission expired May 17, 1938.

John Hynek to be postmaster at Tama, Iowa, in place of John Hynek. Incumbent's commission expired June 25, 1939.

## KANSAS

John H. Eckhart to be postmaster at Almena, Kans., in place of J. H. Eckhart. Incumbent's commission expired July 19, 1939.

John H. Jessee to be postmaster at Axtell, Kans., in place of J. H. Jessee. Incumbent's commission expires August 21, 1939.

Ivan L. Farris to be postmaster at Cheney, Kans., in place of I. L. Farris. Incumbent's commission expired July 27, 1939.

Harriet M. Mayo to be postmaster at Clafin, Kans., in place of H. M. Mayo. Incumbent's commission expired July 27, 1939.

Thomas Lloyd Lozier to be postmaster at Edna, Kans., in place of T. L. Lozier. Incumbent's commission expired May 1, 1939.

James Oscar Warren to be postmaster at Eskridge, Kans., in place of J. O. Warren. Incumbent's commission expired July 9, 1939.

Clayton J. Connell to be postmaster at Fall River, Kans., in place of C. J. Connell. Incumbent's commission expired July 9, 1939.

John T. McGrath to be postmaster at Greenleaf, Kans., in place of J. T. McGrath. Incumbent's commission expired July 27, 1939.

William F. Varvel to be postmaster at Gridley, Kans., in place of W. F. Varvel. Incumbent's commission expired July 27, 1939.

John C. Patterson to be postmaster at Haddam, Kans., in place of J. C. Patterson. Incumbent's commission expires August 21, 1939.

John L. A. Wainscott to be postmaster at Hazelton, Kans., in place of J. L. A. Wainscott. Incumbent's commission expired July 1, 1939.

Orville K. McQueen to be postmaster at Kirwin, Kans., in place of O. K. McQueen. Incumbent's commission expired June 18, 1939.

Helen M. Collins to be postmaster at Lenexa, Kans., in place of H. M. Collins. Incumbent's commission expired July 1, 1939.

Henry W. Behrens to be postmaster at Lyndon, Kans., in place of H. W. Behrens. Incumbent's commission expired July 9, 1939.

Hubert A. Morain to be postmaster at Minneola, Kans., in place of H. A. Morain. Incumbent's commission expires August 26, 1939.

James A. Wiley to be postmaster at Sedgwick, Kans., in place of J. A. Wiley. Incumbent's commission expired July 27, 1939.

Michael J. Baier to be postmaster at Shawnee, Kans., in place of M. J. Baier. Incumbent's commission expired July 27, 1939.

Robert E. Berner to be postmaster at Waterville, Kans., in place of R. E. Berner. Incumbent's commission expired July 27, 1939.

John W. Vancil to be postmaster at White Water, Kans., in place of J. W. Vancil. Incumbent's commission expires August 14, 1939.

#### KENTUCKY

Virginia L. Stigall to be postmaster at Burnside, Ky., in place of L. P. Kreamer. Incumbent's commission expired February 18, 1939.

Harry Greene to be postmaster at Milburn, Ky., in place of Harry Greene. Incumbent's commission expired July 19, 1939.

#### MAINE

John H. Gilbert to be postmaster at Monson, Maine, in place of J. H. Gilbert. Incumbent's commission expired March 8, 1939.

Don Owen Cate to be postmaster at Richmond, Maine, in place of D. O. Cate. Incumbent's commission expired June 19, 1939.

Donald P. George to be postmaster at Thomaston, Maine, in place of D. P. George. Incumbent's commission expired April 30, 1939.

#### MARYLAND

Maude L. Shives to be postmaster at Hancock, Md., in place of M. L. Shives. Incumbent's commission expired January 17, 1939.

#### MASSACHUSETTS

George W. Seymour to be postmaster at Ashby, Mass., in place of G. W. Seymour. Incumbent's commission expired January 23, 1939.

Alfred A. Averill to be postmaster at Edgartown, Mass., in place of A. A. Averill. Incumbent's commission expires August 27, 1939.

#### MICHIGAN

Charles W. Holt to be postmaster at Athens, Mich., in place of C. W. Holt. Incumbent's commission expired April 26, 1939.

William A. Young to be postmaster at Bellevue, Mich., in place of W. A. Young. Incumbent's commission expired July 3, 1939.

Glenn P. Adgate to be postmaster at Saranac, Mich., in place of G. P. Adgate. Incumbent's commission expires August 26, 1939.

Olive E. Bergey to be postmaster at Vanderbilt, Mich. Office became Presidential July 1, 1937.

#### MINNESOTA

Harold E. Otterstein to be postmaster at Amboy, Minn., in place of H. E. Otterstein. Incumbent's commission expired March 27, 1939.

Harriett M. Eleeson to be postmaster at Beaver Creek, Minn., in place of H. M. Eleeson. Incumbent's commission expired August 1, 1939.

Percy L. Hakes to be postmaster at Brownton, Minn., in place of P. L. Hakes. Incumbent's commission expired June 18, 1939.

Mary E. Gilbert to be postmaster at Carlton, Minn., in place of M. E. Gilbert. Incumbent's commission expired May 29, 1939.

Clifford Bergland to be postmaster at Clearbrook, Minn., in place of Clifford Bergland. Incumbent's commission expired May 29, 1939.

Clyde H. Hiatt to be postmaster at Granada, Minn., in place of C. H. Hiatt. Incumbent's commission expired May 1, 1939.

Carl Von Ohlen to be postmaster at Henning, Minn., in place of Fritz Von Ohlen, resigned.

Alfred H. Smith to be postmaster at Heron Lake, Minn., in place of A. H. Smith. Incumbent's commission expired May 29, 1939.

Oliver A. Matson to be postmaster at Kiester, Minn., in place of O. A. Matson. Incumbent's commission expired May 1, 1939.

Hattie G. Haas to be postmaster at Lambertton, Minn., in place of H. G. Haas. Incumbent's commission expired March 12, 1939.

William Pennar to be postmaster at Laporte, Minn., in place of William Pennar. Incumbent's commission expired August 1, 1939.

Nels E. Fedson to be postmaster at Lyle, Minn., in place of N. E. Fedson. Incumbent's commission expired July 16, 1939.

Mamie A. Sondergaard to be postmaster at New York Mills, Minn., in place of M. A. Sondergaard. Incumbent's commission expires August 26, 1939.

George H. Tome to be postmaster at Pine Island, Minn., in place of G. H. Tome. Incumbent's commission expired March 23, 1939.

Linus E. Dougherty to be postmaster at Pine River, Minn., in place of L. E. Dougherty. Incumbent's commission expired March 12, 1939.

Robert S. Cowie to be postmaster at Rothsay, Minn., in place of R. S. Cowie. Incumbent's commission expired March 23, 1939.

#### MISSISSIPPI

Samuel N. Shelton to be postmaster at Alcorn, Miss., in place of S. N. Shelton. Incumbent's commission expired July 18, 1939.

William M. Ferrell to be postmaster at Ashland, Miss., in place of W. M. Ferrell. Incumbent's commission expired July 11, 1939.

George D. Myers to be postmaster at Byhalia, Miss., in place of G. D. Myers. Incumbent's commission expired July 26, 1939.

Martha B. Lowe to be postmaster at Glendora, Miss., in place of M. B. Lowe. Incumbent's commission expired March 7, 1939.

John T. Miller to be postmaster at Myrtle, Miss., in place of J. T. Miller. Incumbent's commission expired July 11, 1939.

Thomas J. Barnes to be postmaster at Noxapater, Miss., in place of T. J. Barnes. Incumbent's commission expired July 11, 1939.

Marie J. Sandlin to be postmaster at Parchman, Miss., in place of M. J. Sandlin. Incumbent's commission expired July 26, 1939.

Abner W. Flurry to be postmaster at Perkinston, Miss., in place of A. W. Flurry. Incumbent's commission expired May 2, 1939.

Faye V. Peel to be postmaster at Potts Camp, Miss., in place of F. V. Peel. Incumbent's commission expired March 27, 1939.

Ruby W. Bacon to be postmaster at Schlater, Miss., in place of R. W. Bacon. Incumbent's commission expired July 26, 1939.

Lellie M. Ferriss to be postmaster at Shaw, Miss., in place of L. M. Ferriss. Incumbent's commission expires August 21, 1939.

John Auburn Bethany to be postmaster at Shuqualak, Miss., in place of J. A. Bethany. Incumbent's commission expires August 27, 1939.

Mrs. Tommie A. Hamill to be postmaster at Sturgis, Miss., in place of T. A. Hamill. Incumbent's commission expired July 11, 1939.

Blanche M. Sledge to be postmaster at Sunflower, Miss., in place of B. M. Sledge. Incumbent's commission expired July 26, 1939.

Augustus Ferdinand Fleck to be postmaster at Terry, Miss., in place of A. F. Fleck. Incumbent's commission expires August 21, 1939.

Curtis E. Morgan to be postmaster at University, Miss., in place of C. E. Morgan. Incumbent's commission expired July 26, 1939.

William W. Milner to be postmaster at Vaiden, Miss., in place of W. W. Milner. Incumbent's commission expired July 11, 1939.

Will S. Black to be postmaster at Weir, Miss., in place of W. S. Black. Incumbent's commission expired July 11, 1939.

Oliver W. Catchings to be postmaster at Woodville, Miss., in place of O. W. Catchings. Incumbent's commission expired July 18, 1939.

#### MISSOURI

Ella B. Newman to be postmaster at Desloge, Mo., in place of E. B. Newman. Incumbent's commission expired June 25, 1939.

Carl E. Latimer to be postmaster at Frankford, Mo., in place of C. E. Latimer. Incumbent's commission expired June 5, 1939.

Chester M. Eoff to be postmaster at Knox City, Mo., in place of C. M. Eoff. Incumbent's commission expires August 2, 1939.

Chester T. Hoover to be postmaster at Laclede, Mo., in place of C. T. Hoover. Incumbent's commission expires August 21, 1939.

Fred J. Jacobi, Jr., to be postmaster at Martinsburg, Mo., in place of F. J. Jacobi, Jr. Incumbent's commission expired February 20, 1939.

William E. Murphy to be postmaster at Sumner, Mo., in place of W. E. Murphy. Incumbent's commission expired May 9, 1939.

#### MONTANA

Charles C. Nicholson to be postmaster at Bigtimber, Mont., in place of C. C. Nicholson. Incumbent's commission expired July 30, 1939.

#### NEBRASKA

Harold M. Knapp to be postmaster at Ansley, Nebr., in place of A. M. Knapp, resigned.

Fred B. Householder to be postmaster at Bladen, Nebr., in place of F. B. Householder. Incumbent's commission expired June 28, 1939.

Julius J. Weidner to be postmaster at Humphrey, Nebr., in place of J. J. Weidner. Incumbent's commission expired May 8, 1939.

Fred C. Johnson to be postmaster at Merriman, Nebr., in place of F. C. Johnson. Incumbent's commission expired June 18, 1939.

Catherine Childs to be postmaster at Oakdale, Nebr., in place of Catherine Childs. Incumbent's commission expires August 16, 1939.

Mable A. Foreman to be postmaster at Palmyra, Nebr., in place of M. A. Foreman. Incumbent's commission expired March 21, 1939.

Effie E. Adams to be postmaster at Ralston, Nebr., in place of E. E. Adams. Incumbent's commission expired June 18, 1939.

Justus H. LaMunyon to be postmaster at Shelby, Nebr., in place of J. H. LaMunyon. Incumbent's commission expires August 27, 1939.

Christopher A. Weber to be postmaster at Spalding, Nebr., in place of C. A. Weber. Incumbent's commission expires August 27, 1939.

#### NEW HAMPSHIRE

Earl X. Cutter to be postmaster at Antrim, N. H., in place of E. X. Cutter. Incumbent's commission expires August 15, 1939.

Caroline W. Southworth to be postmaster at North Haverhill, N. H., in place of H. L. Thompson. Incumbent's commission expired April 25, 1938.

#### NEW JERSEY

John J. Kelly to be postmaster at Allendale, N. J., in place of L. H. Kelly, deceased.

Whitehurst M. Garner to be postmaster at Livingston, N. J., in place of H. N. Savage, removed.

Theodore H. Reed to be postmaster at Pennington, N. J., in place of T. H. Reed. Incumbent's commission expired February 25, 1939.

Alger H. Alpaugh to be postmaster at Succasunna, N. J., in place of A. H. Alpaugh. Incumbent's commission expired February 25, 1939.

Monroe H. Bea to be postmaster at Westville, N. J., in place of M. H. Bea. Incumbent's commission expires August 26, 1939.

#### NEW MEXICO

Margaret I. Daniels to be postmaster at Cloudcroft, N. Mex., in place of M. I. Daniels. Incumbent's commission expires August 6, 1939.

Bertha R. Yessler to be postmaster at Nara Visa, N. Mex. Office became Presidential July 1, 1938.

#### NEW YORK

Helen F. Hallahan to be postmaster at Brasher Falls, N. Y., in place of H. F. Hallahan. Incumbent's commission expires August 21, 1939.

Chester A. Field to be postmaster at Cold Water, N. Y., in place of J. A. Fishbaugh, transferred.

James H. Mulligan to be postmaster at Hillburn, N. Y., in place of J. H. Mulligan. Incumbent's commission expired August 2, 1939.

Cornelius Edward Conroy to be postmaster at Stanley, N. Y., in place of C. E. Conroy. Incumbent's commission expired May 8, 1939.

Anna Marriott to be postmaster at Vernon, N. Y., in place of Anna Marriott. Incumbent's commission expires August 21, 1939.

Arthur E. Murphy to be postmaster at Youngstown, N. Y., in place of G. H. Wall. Incumbent's commission expired June 18, 1938.

#### NORTH CAROLINA

George M. Sudderth to be postmaster at Blowing Rock, N. C., in place of G. M. Sudderth. Incumbent's commission expired June 18, 1939.

Thurla Cole to be postmaster at Cameron, N. C., in place of Thurla Cole. Incumbent's commission expired July 1, 1939.

Joseph C. Peed to be postmaster at Creedmoor, N. C., in place of J. C. Peed. Incumbent's commission expired July 1, 1939.

Joseph Tracy Moore to be postmaster at Greensboro, N. C., in place of J. W. Coleman, resigned.

Lula G. Harris to be postmaster at Macon, N. C., in place of L. G. Harris. Incumbent's commission expired July 1, 1939.

John R. Steele to be postmaster at Ramseur, N. C., in place of J. R. Steele. Incumbent's commission expires August 27, 1939.

Guy S. Crawford to be postmaster at Rowland, N. C., in place of G. S. Crawford. Incumbent's commission expires August 27, 1939.

George Glenn Nichols to be postmaster at Sparta, N. C., in place of G. G. Nichols. Incumbent's commission expired March 12, 1939.

Bertie L. Matthews to be postmaster at Vass, N. C., in place of B. L. Matthews. Incumbent's commission expired July 1, 1939.

Margaret W. Davis to be postmaster at Walnut Cove, N. C., in place of M. W. Davis. Incumbent's commission expires August 16, 1939.

## NORTH DAKOTA

Mildred Peck to be postmaster at Glenburn, N. Dak., in place of Mildred Peck. Incumbent's commission expired June 18, 1939.

Levern R. Church to be postmaster at Haynes, N. Dak., in place of L. R. Church. Incumbent's commission expired March 18, 1939.

Herbert J. Simon to be postmaster at Lakota, N. Dak., in place of H. J. Simon. Incumbent's commission expired August 1, 1939.

Loren J. Savage to be postmaster at Litchville, N. Dak., in place of L. J. Savage. Incumbent's commission expired June 18, 1939.

Jay J. Eaton to be postmaster at Medora, N. Dak., in place of J. J. Eaton. Incumbent's commission expired March 18, 1939.

Bland Elsberry to be postmaster at Rocklake, N. Dak., in place of Bland Elsberry. Incumbent's commission expired June 18, 1939.

William S. McCabe to be postmaster at Walhalla, N. Dak., in place of W. S. McCabe. Incumbent's commission expired February 7, 1939.

## OHIO

Edward Wild to be postmaster at Arcanum, Ohio, in place of Edward Wild. Incumbent's commission expired July 2, 1939.

Florence M. DeChant to be postmaster at Avon Lake, Ohio, in place of F. M. DeChant. Incumbent's commission expired July 9, 1939.

William H. Fike to be postmaster at Bloomville, Ohio, in place of W. H. Fike. Incumbent's commission expired May 13, 1939.

William L. Bryan to be postmaster at Bradner, Ohio, in place of W. L. Bryan. Incumbent's commission expired July 2, 1939.

Dwight C. Banbury to be postmaster at Danville, Ohio, in place of D. C. Banbury. Incumbent's commission expired August 1, 1939.

Lloyd K. Heckman to be postmaster at Ellet, Ohio, in place of L. K. Heckman. Incumbent's commission expired February 12, 1939.

Caleb Peter Motz to be postmaster at Fairlawn, Ohio, in place of C. P. Motz. Incumbent's commission expired June 17, 1939.

Leo A. Bietz to be postmaster at Kent, Ohio, in place of L. A. Bietz. Incumbent's commission expired May 2, 1939.

Ernest A. Rowland to be postmaster at Lodi, Ohio, in place of E. A. Rowland. Incumbent's commission expired February 12, 1939.

Leo M. Keller to be postmaster at Nevada, Ohio, in place of L. M. Keller. Incumbent's commission expired July 22, 1939.

George R. Kinder to be postmaster at Rockford, Ohio, in place of G. R. Kinder. Incumbent's commission expires August 16, 1939.

Elias Howard Barns to be postmaster at Sabina, Ohio, in place of E. H. Barns. Incumbent's commission expired July 22, 1939.

Isabel A. Downey to be postmaster at Somerset, Ohio, in place of I. A. Downey. Incumbent's commission expires August 26, 1939.

John L. Carr to be postmaster at South Charleston, Ohio, in place of J. L. Carr. Incumbent's commission expires August 27, 1939.

Fred G. Wetmore to be postmaster at Stow, Ohio, in place of F. G. Wetmore. Incumbent's commission expired May 13, 1939.

Agnes M. Goll to be postmaster at Stryker, Ohio, in place of A. M. Goll. Incumbent's commission expired May 13, 1939.

Earl I. Duckett to be postmaster at Walbridge, Ohio, in place of E. I. Duckett. Incumbent's commission expired July 2, 1939.

Vance K. McVicker to be postmaster at West Salem, Ohio, in place of V. K. McVicker. Incumbent's commission expired July 22, 1939.

## OREGON

Isaac R. Howard to be postmaster at Junction City, Oreg., in place of I. R. Howard. Incumbent's commission expired July 9, 1939.

Harry E. Mahoney to be postmaster at Oakland, Oreg., in place of H. E. Mahoney. Incumbent's commission expired July 19, 1939.

Pearl A. Lawson to be postmaster at Riddle, Oreg., in place of P. A. Lawson. Incumbent's commission expired July 19, 1939.

George W. T. Doty to be postmaster at West Linn, Oreg., in place of G. W. T. Doty. Incumbent's commission expired May 1, 1939.

## PENNSYLVANIA

John H. Baldwin to be postmaster at Atglen, Pa., in place of J. H. Baldwin. Incumbent's commission expired July 3, 1939.

Henry N. Byers to be postmaster at Bolivar, Pa., in place of H. N. Byers. Incumbent's commission expires August 22, 1939.

Harry L. Hause to be postmaster at Catawissa, Pa., in place of H. L. Hause. Incumbent's commission expires August 22, 1939.

Wilmer G. Dimmig to be postmaster at East Greenville, Pa., in place of W. G. Dimmig. Incumbent's commission expires August 27, 1939.

George V. Beech to be postmaster at East Pittsburgh, Pa., in place of G. V. Beech. Incumbent's commission expired June 18, 1938.

John J. Botts to be postmaster at Elizabethville, Pa., in place of J. J. Botts. Incumbent's commission expires August 27, 1939.

George M. Neely to be postmaster at Fairfield, Pa., in place of G. M. Neely. Incumbent's commission expired August 2, 1939.

Charles V. Finley to be postmaster at Flourtown, Pa., in place of C. V. Finley. Incumbent's commission expired June 7, 1939.

Edna M. Finney to be postmaster at Langeloth, Pa., in place of E. M. Finney. Incumbent's commission expired June 19, 1939.

Floyd E. Bashore to be postmaster at Port Royal, Pa., in place of F. E. Bashore. Incumbent's commission expired May 28, 1939.

John Zelinski to be postmaster at Simpson, Pa., in place of John Zelinski. Incumbent's commission expired April 6, 1939.

Kathryn McFadden to be postmaster at Summit Hill, Pa., in place of Kathryn McFadden. Incumbent's commission expires August 27, 1939.

James K. Bell to be postmaster at Warren, Pa., in place of J. K. Bell. Incumbent's commission expired June 6, 1938.

Francis W. McCartan to be postmaster at Yatesboro, Pa., in place of F. W. McCartan. Incumbent's commission expires August 27, 1939.

## SOUTH CAROLINA

Ernest G. Poston to be postmaster at Lake City, S. C., in place of A. M. Parker, deceased.

Bessie T. Cooper to be postmaster at Mayesville, S. C., in place of B. T. Cooper. Incumbent's commission expired July 9, 1939.

## SOUTH DAKOTA

Perry W. Waltz to be postmaster at Brookings, S. Dak., in place of P. W. Waltz. Incumbent's commission expired January 28, 1939.

## TENNESSEE

Zula A. Humphreys to be postmaster at Puryear, Tenn., in place of T. A. Humphreys, deceased.

James Hunt Morris to be postmaster at Ripley, Tenn., in place of P. S. Savage, resigned.

## TEXAS

Guy J. Harp to be postmaster at Canyon, Tex., in place of G. J. Harp. Incumbent's commission expired January 25, 1939.

Conally Gwyn to be postmaster at Lott, Tex., in place of L. E. Phillips. Incumbent's commission expired February 12, 1939.

## WASHINGTON

Harry C. Smyth to be postmaster at Mabton, Wash., in place of H. C. Smyth. Incumbent's commission expired January 16, 1939.

## WEST VIRGINIA

Paul Pickens to be postmaster at Ravenswood, W. Va., in place of F. D. Fleming. Incumbent's commission expired April 2, 1938.

Oliver C. Barkwill to be postmaster at St. Marys, W. Va., in place of H. E. West, resigned.

## WISCONSIN

James S. Purvis to be postmaster at Knapp, Wis., in place of W. S. Casey, deceased.

Walter M. Touhey to be postmaster at Maribel, Wis. Office became Presidential July 1, 1938.

Hartwig F. Breutzman to be postmaster at Nelson, Wis., in place of P. O. Anderson. Incumbent's commission expired January 18, 1939.

## CONFIRMATIONS

*Executive nominations confirmed by the Senate August 3 (legislative day of August 2), 1939*

## DIPLOMATIC AND FOREIGN SERVICE

Bert Fish, now Envoy Extraordinary and Minister Plenipotentiary to Egypt, to be also Envoy Extraordinary and Minister Plenipotentiary to Saudi, Arabia.

James J. Murphy, Jr., to be Foreign Service officer of class 3, a consul, and a secretary in the Diplomatic Service.

## ASSISTANT TO THE ATTORNEY GENERAL

Edward Gearing Kemp to be the Assistant to the Attorney General.

## SOCIAL SECURITY BOARD

Arthur J. Altmeyer to be a member of the Social Security Board.

## PROMOTIONS IN THE REGULAR ARMY

## TO BE COLONELS

Austin Garfield Frick, Coast Artillery Corps.  
 Sydney Smith Winslow, Quartermaster Corps.  
 Wilmot Alfred Danielson, Quartermaster Corps.  
 Boltos Elder Brewer, Infantry.  
 Edgar Bergman Colladay, Coast Artillery Corps.  
 James Allan Stevens, Infantry.  
 Frederick Ramon Garcin, Chemical Warfare Service.

## TO BE LIEUTENANT COLONELS

McFarland Cockrill, Cavalry.  
 Otto Blaine Trigg, Cavalry.  
 Edison Albert Lynn, Ordnance Department.  
 Lawrence Cordell Frizzell, Cavalry.  
 Guy Humphrey Drewry, Ordnance Department.  
 Henry Davis Jay, Field Artillery.  
 Clarence Maxwell Culp, Infantry.  
 Ray Lawrence Burnell, Field Artillery.  
 Raphael Saul Chavin, Ordnance Department.

## TO BE MAJORS

Mortimer Francis Sullivan, Cavalry.  
 Eggleston Westley Peach, Quartermaster Corps.  
 Leslie Dillon Carter, Cavalry.  
 Don Riley, Infantry.  
 Pembroke Augustine Brawner, Infantry.  
 Isaac Leonard Kitts, Field Artillery.  
 Fred Charles Thomas, Quartermaster Corps.  
 Merrill Deitz Mann, Air Corps (temporary major, Air Corps).  
 James Bernard Patterson, Cavalry.  
 Albert Carl Foulk, Air Corps (temporary major, Air Corps).  
 Edward Vincent Harbeck, Jr., Air Corps (temporary major, Air Corps).

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY  
TO CHEMICAL WARFARE SERVICE

Robin Bruce Epler, first lieutenant, Air Corps.

## APPOINTMENTS IN THE REGULAR ARMY

## TO BE MAJOR GENERALS

Kenyon Ashe Joyce  
 George Grunert

## TO BE BRIGADIER GENERALS

Joseph Warren Stilwell  
 Sherman Miles  
 Bruce Magruder  
 Lloyd Ralston Fredendall

## POSTMASTERS

## ALABAMA

George W. Floyd, Alabama City.  
 Otis B. Hunter, Boaz.  
 Ernest W. Thompson, Tuskegee.  
 Ethel D. Jolly, Warrior.

## ARKANSAS

Max B. Wurz, Bigelow.  
 Houston E. Mayhew, Greenbrier.  
 Leila W. Freeman, Tyronza.  
 Raymond M. Moore, Vilonia.

## DELAWARE

Harry K. Heite, Dover.

## FLORIDA

Oliver K. Holmes, Lake City.  
 Robert L. McLester, West Palm Beach.

## INDIANA

Daniel L. Slaybaugh, Akron.  
 Edgar D. Logan, Goshen.  
 Norma L. A. Koerner, Huntingburg.  
 Albert Rumbach, Jasper.  
 Anthony M. Schuh, Kentland.  
 Bayard F. Russell, Laurel.  
 Lawrence H. Barkley, Moores Hill.  
 Firm I. Troup, Nappanee.  
 Retta M. House, North Salem.  
 Jesse M. Trinkle, Paoli.  
 Earl C. McLain, Swayzee.  
 Iva S. Turmail, Vallonia.  
 Louis L. Langdon, Wheatland.

## IOWA

Eunice Hamilton, Bedford.  
 Amanda J. Belt, Glenwood.  
 Hal W. Campbell, Harlan.  
 William J. Hollander, Sheldon.  
 Dudley A. Reid, West Des Moines.  
 Mary C. Ilgen Fritz, Winterset.

## KANSAS

Dean R. Marriott, Eureka.  
 Norval W. Woodworth, Plains.

## KENTUCKY

Henry H. Snodgrass, Alva.  
 John W. Tipton, Catlettsburg.  
 Leslie L. Patton, Horse Cave.  
 Clarence L. Sharp, Liberty.  
 James Purdon, Maysville.  
 Jack B. Hubbard, Jr., Munfordville.

## MARYLAND

Irvin R. Rudy, Oakland.  
 Nena M. Jamison, Walkersville.

## MASSACHUSETTS

Thomas J. Drummey, East Pepperell.  
 Armand L. Bengle, Indian Orchard.  
 Frank C. Sheridan, Maynard.



Lawrence Cotter, North Brookfield.  
Josephine E. Dempsey, South Ashburnham.  
Anna Wohlrab, South Sudbury.  
James H. Anderson, Ware.

## MICHIGAN

Helen M. Kane, Algonac.  
George P. Siagkris, Base Line.  
Carl V. Moody, Copemish.  
Vedah W. Halterman, De Witt.  
Fred W. Schroeder, East Detroit.  
Joseph F. Roberts, Elkton.  
Norman C. Lee, Farmington.  
James L. Heslop, Gladwin.  
Leo G. Burns, Kingston.  
Clarence J. Maloney, Mass.  
Edwin Boyle, Milford.  
Frank C. Miller, Stevensville.

## MISSOURI

Ethel Rose, Bogard.  
Howard L. Stephens, Eldon.  
Frank M. Story, Kahoka.  
William G. Warner, Lamar.  
Harvey F. Nalle, Pattonsburg.  
Oliver A. Cook, Portageville.

## MONTANA

Shebel Rehal, Chester.

## NEVADA

Dora E. Kappler, Carlin.  
Mabel L. Andrews, Hawthorne.  
Linwood W. Campbell, Pioche.

## NEW HAMPSHIRE

Roland A. Lewin, Hanover.  
Arthur L. Prince, Manchester.

## NEW YORK

Moses Symington, Long Island City.

## NORTH CAROLINA

Wade C. Hill, Canton.  
Fletcher C. Mann, Pittsboro.

## OHIO

Ray W. Senn, Attica.  
Elmer E. Eller, Cuyahoga Falls.

## OKLAHOMA

John K. Jones, Blair.  
Thomas A. Gray, Duncan.  
Laura A. Plunkett, Gould.  
Mona Clark, Idabel.

## SOUTH CAROLINA

Rufus R. McLeod, Hartsville.

## SOUTH DAKOTA

Adolph M. Kaufmann, Colman.

## VIRGINIA

Jay C. Litts, Norton.

## WASHINGTON

Fred E. Booth, Castle Rock.  
Clyde F. Shrauger, Mount Vernon.  
Dorothy H. Lynch, Soap Lake.

## WEST VIRGINIA

Henry S. Lambert, Kenova.

## WISCONSIN

Joseph Schmidkofer, Chilton.  
George E. Shaw, Cornell.  
Herman W. Paff, Elk Mound.  
Ira A. Kenyon, Mellen.  
John P. Snyder, Oconomowoc.  
Herman H. Lins, Spring Green.  
Robert L. Graves, Viroqua.  
Christian R. Mau, West Salem.

## HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 3, 1939

The House met at 12 o'clock noon,  
Rev. Bernard Braskamp, D. D., pastor of Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Eternal Spirit, Thou who wert the God of our fathers, we rejoice that Thou art also the God of their succeeding generations. Hitherto Thou hast blessed us. Thy mercies are without number and the treasury of Thy goodness is infinite.

We pray that we may show forth our gratitude in lives of devotion. Fill our minds and hearts with those desires which Thou dost delight to satisfy. May we have such a love for Thy truth that we shall come to know the truth of Thy love.

Bless our President and all who are in positions of leadership and service in the life of our Republic. Give them wisdom to know and strength to perform the duties of their high calling.

May we be a Nation whose God is the Lord. Keep us in the vanguard of the upward march toward the final triumph of peace and righteousness.

In the name of the Prince of Peace, we pray. Amen.

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

## MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On July 31, 1939:

H. R. 153. An act to transfer jurisdiction over commercial prints and labels, for the purpose of copyright registration, to the Register of Copyrights;

H. R. 542. An act for the relief of Anna Elizabeth Watrous;

H. R. 1982. An act to amend the act entitled "An act to classify officers and members of the Fire Department of the District of Columbia, and for other purposes";

H. R. 2234. An act for the relief of W. E. R. Covell;

H. R. 3623. An act for the relief of Capt. Clyde E. Steele, United States Army;

H. R. 3673. An act for the relief of the Allegheny Forging Co.;

H. R. 3730. An act for the relief of John G. Wynn;

H. R. 3834. An act to amend the act entitled "An act to regulate steam and other operating engineering in the District of Columbia," approved February 28, 1887, as amended;

H. R. 4440. An act for the relief of Mr. and Mrs. John Shebestok, parents of Constance and Lois Shebestok;

H. R. 5660. An act to include Lafayette Park within the provisions of the act entitled "An act to regulate the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital," approved May 16, 1930; and

H. R. 6503. An act relating to the exchange of certain lands in the State of Oregon.

On August 1, 1939:

H. R. 4647. An act to increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States; and

H. R. 6076. An act to provide for the registry of pursers and surgeons as staff officers on vessels of the United States, and for other purposes.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills, a joint resolution, and a concurrent resolution of the House of the following titles:

H. R. 4085. An act for the relief of certain disbursing agents and employees of the Indian Service;

H. R. 6664. An act to admit the American-owned barges *Prari* and *Palpa* to American registry and to permit their use in coastwise trade;

H. R. 7089. An act to provide for the presentation of a medal to Howard Hughes in recognition of his achievements in advancing the science of aviation;

H. R. 7090. An act to amend section 4488 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., title 46, sec. 481);

H. R. 7091. An act to amend section 4471 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., title 46, sec. 464);

H. J. Res. 283. Joint resolution to establish the Major General William Jenkins Worth Memorial Commission to formulate plans for the construction of a permanent memorial to the memory of Maj. Gen. William Jenkins Worth; and

H. Con. Res. 32. Concurrent resolution establishing a commission to be known as the Virginia (Merrimac)-Monitor Commission.

The message also announced that the Senate had passed a bill and joint resolution of the following titles, in which the concurrence of the House is requested:

S. 2868. An act to facilitate the procurement of aircraft for the national defense; and

S. J. Res. 139. Joint resolution to authorize compacts or agreements between or among the States bordering on the Atlantic Ocean with respect to fishing in the territorial waters and the bays and inlets of the Atlantic Ocean on which such States border, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 6475. An act to authorize the city of Duluth, in the State of Minnesota, to construct a toll bridge across the St. Louis River, between the States of Minnesota and Wisconsin, and for other purposes;

H. R. 6505. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; and

H. R. 6556. An act to provide for the seizure and forfeiture of vessels, vehicles, and aircraft used to transport narcotic drugs, firearms, and counterfeit coins, obligations, securities, and paraphernalia, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 6. An act to return a portion of the Grand Canyon National Monument to the public domain;

S. 474. An act to amend section 92 of the Judicial Code to provide for a term of court at Kalispell, Mont.;

S. 809. An act for the relief of Jessie M. Durst;

S. 891. An act for the relief of J. C. Grice;

S. 1092. An act for the relief of Sigvard C. Foro;

S. 1394. An act for the relief of Johannes or John, Julia, Michael, William, and Anna Kostiuk;

S. 1429. An act for the relief of Earl J. Reed and Giles J. Gentry;

S. 1816. An act for the relief of Montie S. Carlisle;

S. 1821. An act for the relief of Harry K. Snyder;

S. 1905. An act for the relief of Elizabeth E. Burke; and

S. 2408. An act for the relief of Russell B. Hendrix.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1708) entitled "An act to amend the Employers' Liability Act," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. NEELY, Mr. BURKE, and Mr. AUSTIN to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 839) entitled "An act to amend the Retirement Act of April 23, 1904."

#### INTERSTATE AND FOREIGN COMMERCE IN SEEDS

Mr. KLEBERG. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5625) to regulate interstate and foreign commerce in seeds; to require labeling and to prevent misrepresentation of seeds in interstate commerce; to require certain standards with respect to certain imported seeds; and for other purposes, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill and the Senate amendments, as follows:

Page 16, lines 8 and 9, strike out "or vegetable."

Page 16, lines 9 and 10, strike out "such records as may be prescribed by rules and regulations prescribed under section 402 of this act" and insert "for a period of 3 years a complete record of origin, germination, and purity of each lot of agricultural seed offered."

Page 16, line 24, after "him", insert "And provided further, That such seeds produced or sold by him when transported or offered for transportation to any State, Territory, or District, shall not be exempted from the provisions of sections 201 and 202 unless said seeds shall be in compliance with the operation and effect of the laws of such State, Territory, or District, enacted in the exercise of its police power, to the same extent and in the same manner as though such seed had been produced, sold, offered, or exposed for sale in such State, Territory, or District, and shall not be exempted therefrom by reason of being introduced therein in original packages or otherwise."

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

There was no objection.

The Senate amendments were agreed to, and a motion to reconsider was laid on the table.

#### AUTHORIZING CERTAIN PRELIMINARY EXAMINATIONS AND SURVEYS FOR FLOOD CONTROL

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6634) amending previous Flood Control Acts, and authorizing certain preliminary examinations and surveys for flood control, and for other purposes, with Senate amendments thereto, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, after line 15, insert:

"Sec. 3a. Buffalo Bayou and its tributaries, Texas; the project set forth in House Document No. 456, Seventy-fifth Congress, and authorized by Public Law No. 685, Seventy-fifth Congress, is hereby modified in accordance with the provisions of section 2 of Public Law No. 761, Seventy-fifth Congress, and all requirements of local cooperation inconsistent with said section 2 are hereby eliminated."

Page 3, line 13, after "District:", insert "Provided further, That the Secretary of War is authorized to pay to said district forthwith on the passage of this act, the sum of \$1,500,000, on verification of the fact that reimbursable expenditures in such amount have been made by the district, and on the agreement of the district, duly certified to the Secretary of War, that it will proceed immediately to convey and transfer any assets acquired through such expenditures not already conveyed, but such payment may be made prior to the actual transfer of title to lands, easements, rights-of-way, and other property."

Page 3, after line 16, insert:

"Sec. 5. Section 2 of Public Law No. 761, Seventy-fifth Congress, is hereby amended by adding the following: 'Provided further, That in all cases of the acquisition hereunder by the United States from the Los Angeles County Flood Control District or the Muskingum Watershed Conservancy District of lands, easements, or rights-of-way, wherein the written opinion of the Attorney General in favor of the validity of the title to such lands, easements, or rights-of-way is or may be required or authorized by law, the Attorney General may, in his discretion, base such opinion upon a certificate of title of the district from which said lands, easements, or rights-of-way are to be acquired accompanied by an agreement, duly executed by the district in conformity with the constitutions and laws of the State where the district in question is situated to indemnify the United States against all claims, liabilities, loss, expenses, and attorneys' fees of whatsoever kind or nature, resulting from or arising out of any defect or defects whatsoever in the title to any such lands, easements, or rights-of-way so conveyed to the United States, including all just compensation, costs, and expenses which may be incurred in any condemnation proceeding deemed necessary and instituted by the United States in order to perfect title to any such lands, easements, or rights-of-way.'"

Page 3, line 17, strike out "5" and insert "6."

Page 4, line 9, after "Congress:" insert "Provided, That the power and authority conferred by the Flood Control Act of June 28, 1938, and previously conferred, upon the Federal Power Commission shall remain in full force and effect."

Page 4, after line 23, insert:  
"Green River, Mass."

Page 5, after line 4, insert:  
"Mohawk River, N. Y."

Page 5, after line 15, insert:  
"Purdy Reservoir on Rush Creek, Okla."

Page 5, after line 15, insert:  
"Dirty Creek, Muskogee County, Okla."

Page 5, after line 15, insert:  
"Mangum-Slat Fork, Greer County, Okla."

Page 5, after line 15, insert:  
"Fairfax-Kaw City, Osage County, Okla."

Page 5, after line 16, insert:  
"Hobolochito River, Miss."

Page 5, after line 16, insert:  
"Hatchie River and tributaries, Mississippi and Tennessee."

Page 5, after line 19, insert:  
"Whiteoak and Straight Creeks, Ohio."

Page 5, after line 21, insert:  
"Kentucky River and its tributaries, Kentucky."

Page 6, after line 6, insert:  
"South Platte River and its tributaries, Colorado, Wyoming, and Nebraska."

Page 6, after line 6, insert:  
"Neskowin Creek, Oreg."

Page 6, after line 7, insert:  
"Skykomish River, Wash."

Page 6, after line 18, insert:  
"Sec. 7. That the Alamogordo Dam and Reservoir on the Pecos River, N. Mex., is hereby authorized and declared to be for the purposes of controlling floods, regulating the flow of the Pecos River, providing for storage and for delivery of stored waters, for the reclamation of lands, and other beneficial uses, and said dam and reservoir shall be used, first, for irrigation; second, for flood control and river regulation; and third, for other purposes. The Chief of Engineers and the Secretary of War are directed to report to the Congress the amount of the total cost of said Alamogordo Dam and Reservoir which is properly allocable to flood control. The appropriation and transfer of such amount from the general fund of the Treasury to the reclamation fund, for credit by reduction of the maximum obligation of the Carlsbad irrigation district to repay the total cost thereof, is hereby authorized."

Page 6, after line 18, insert:  
"Sec. 8. In the case of any local flood-protection work in the Ohio River Basin authorized to be prosecuted by the provisions of section 4 of the act entitled 'An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes,' approved June 28, 1938, the President is authorized to waive the requirements of section 3 of the Flood Control Act, approved June 22, 1936, with respect to local cooperation to the extent of not to exceed 50 percent of the estimated cost of the lands, easements, and rights-of-way required for such work, if he finds, after investigation, that the city or town to be benefited by such work is, by reason of its financial condition, unable to comply with the requirements of such section 3 with respect to local cooperation."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. WHITTINGTON]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from Mississippi explain what these amendments do?

Mr. WHITTINGTON. Mr. Speaker, before submitting the request, which is agreeable to the members of the Committee on Flood Control, I called a meeting of that committee, which considered the amendments adopted by the Senate. The members of the Flood Control Committee were substantially in agreement as to all of the amendments with the exception of one or two. The one amendment I refer to is the so-called Minton amendment, which provided that in the case of local flood-control projects in the Ohio Basin the President of the United States might, in his discretion, after he had investigated the matter and if he were satisfied that any town or city was not able to comply with the local contribution, reduce not to exceed 50 percent that local contribution. I may say a similar provision in the exact language of the Minton amendment appears in the act of August 28, 1937, in which act Congress authorized the expenditure of \$24,877,000 for flood control in the Ohio Basin. In the exercise of that discretion the President of the United States followed the recommendation of the Chief of Engineers and it was only exercised in three cases, one at Paducah, Ky., and the amount that the President waived in that case was \$160,000. In the second case it was exercised at Rockport, Ill., and the amount waived was \$4,500. It was waived in a third case at Golconda, Ill., and the amount waived was \$24,860.

In the act of June 28, 1938, we authorized additional local projects in the Ohio River Valley aggregating \$50,300,000.

In answer to the gentleman's inquiry, I take it, Mr. Speaker, that the only case where the President would likely be called upon to exercise this discretion would be at Jeffersonville, Ind., where the United States Government has a large War Department depot, in which as I am advised millions of dollars of war supplies are stored.

That property is not to be available for local taxation and would not be subject to taxation in order to provide the local contribution. In my judgment, if the President reduced the local contribution there, it would not be in excess of a few hundred thousand dollars at the outside. Moreover, it is my view and the view of the committee, that at the next session of Congress there should be a uniform yardstick adopted and this provision should be made applicable to all basins and to all projects, or else repealed.

Mr. MARTIN of Massachusetts. It should be one or the other. There is no question about that.

Mr. WHITTINGTON. I agree with the gentleman. Before I called up this bill I submitted the request to and asked the Chief of Engineers to give me a report on each of the Senate amendments. I hold in my hand a letter from the Chief of Engineers which I expect to incorporate in my remarks as extended, in which he states the amendments are agreeable to him and he has no objection to any of them.

Mr. MARTIN of Massachusetts. These amendments have the uniform support of the gentleman's committee on both sides of the aisle?

Mr. WHITTINGTON. Except as I have stated.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, may I ask the gentleman if it is not a fact that the President has not yielded in any case unless there was some special reason?

Mr. WHITTINGTON. The gentleman is correct, and I have given not only the three cases but the amounts. The amount he yielded on in connection with these projects that cost some \$25,000,000 amounted to about \$189,000.

Mr. JENKINS of Ohio. May I say to the gentleman that I live in the Ohio Valley, as the gentleman knows. At this time there are a great many projects going on there and we have to pay the full amount in every case. So the idea should not go out that the Ohio Valley is getting anything. In the case of my own town we have paid every penny and this is true in the case of every place within a hundred miles. In this one town referred to, the Government has a great institution of its own and the people think the Government ought to contribute something.

Mr. WHITTINGTON. That is my understanding of the situation.

Mr. ENGLEBRIGHT. Mr. Speaker, reserving the right to object, as I understand, if there are any inequalities in the law with reference to other projects, the committee will at the next session of Congress endeavor to correct such situations?

Mr. WHITTINGTON. Yes.

In extending my remarks at this point, under leave granted, I repeat the Committee on Flood Control is agreeable to the Senate amendments with one or two exceptions. The principal exception was in respect to the so-called Minton amendment, as I have stated. However, under a similar amendment in the act of 1937 the President did not waive any local contribution by 50 percent. The Committee on Flood Control in 1937, and again in 1938 and 1939, heard witnesses in advocacy of the policy of the Minton amendment. It applied, as I have stated, to authorizations in the act of August 28, 1937, amounting to \$24,877,000, but the discretion was only exercised by the President in three cases and in no case did he reduce the local contribution by 50 percent. In the case of Paducah, Ky., a city of some 40,000 people—that was completely overflowed in 1937—the President waived 40 percent of the local contribution required by law and the amount waived was \$160,000. At Golconda the amount waived was 45.5 percent and the amount was \$24,860. At Brookport he waived 32.6 percent and the amount was \$4,500. The Flood Control Act of June 28, 1938, authorized \$50,300,000 for additional local

protective works in the Ohio Basin and the Minton amendment would be applicable to this increased authorization just as an identical provision was applicable to the prior authorization of \$24,877,000. The provision in 1937 was also inserted in the Senate. The Committee on Flood Control in the House has taken the view that a definite yardstick should be applied to all projects along all rivers. The committee intends to report a flood-control bill at the next session of Congress and it plans either to make the Minton amendment applicable to all local protective projects in all parts of the country or to repeal the same. It is also fair to say that the President has not waived the local contribution unless the waiver is recommended by the Chief of Engineers. There is only one case as I have stated where there will likely be a waiver and that is at Jeffersonville, Ind., where the United States Government has an Army depot and stores millions of dollars of Army equipment. The United States property is not subject to taxation to provide the local contribution and is one of the principal properties benefited by the flood-control project. It is not believed that the waiver at Jeffersonville will materially exceed the waiver that was made at Paducah.

The amendment in section 3a places the Buffalo Bayou, Tex., flood-control project for the protection of the city of Houston on an equality with flood-control projects approved in the Flood Control Act of June 28, 1938.

With deference, I desire to call attention to the fact that the Committee on Rivers and Harbors adopted this project in the rivers and harbors bill in the Seventy-fifth Congress, Public Document 685. It should have been considered by the House Committee on Flood Control. The acceptance of the amendment putting this project on an equality with other flood-control projects must not be construed as a precedent. Flood-control projects should not be included in river and harbor bills and navigation projects should not be included in flood-control bills, except as navigation is incidental to flood control.

The Senate amendment with respect to the Muskingum project does not change the authorization and is recommended by the Chief of Engineers.

The Senate inserted a new section 5 with respect to the approval of titles in the Muskingum project and in the Los Angeles project. The amendment was recommended by the Attorney General and approved by the Bureau of the Budget. At the time the bill was passed by the House no report had been received on a bill covering the subject matter that was pending before the Committee on Flood Control. The Flood Control Committee only reported items that were recommended by the Chief of Engineers on which favorable reports had been submitted.

The Senate inserted section 7 with respect to the Alamogordo Dam and Reservoir on the Pecos River. This project has been constructed. It is for multiple purposes. It is stated that there are flood-control benefits. The amendment authorizes the Chief of Engineers to report to Congress the amount allocable to flood control and authorizes the deduction of such amount in the assessment to be collected from property owners.

The Senate inserted a perfecting amendment to section 5 of the bill as it passed the House, which is section 6 as passed by the Senate, to the effect that the power and authority conferred in the Flood Control Act of June 23, 1928, and previously conferred upon the Federal Power Commission shall remain in full force and effect. This amendment in nowise changes the meaning of the section with respect to preliminary examinations and surveys. The language in the bill as it passed the House is substantially the identical language to give effect to the intent of Congress in exempting the Corps of Engineers from reorganization. As shown by colloquies on the floor of the House and Senate at the time the reorganization bill was under consideration, and particularly in the colloquy between the gentleman from North Carolina [Mr. WARREN] and myself, the exemption of the Corps of Engineers from reorganization carried with the exemption the exemp-

tion of the functions of the Engineer Corps and its head. It was definitely understood and intended by Congress that flood-control and river and harbor works should remain the function of the Engineer Corps, United States Army, and its head, the Chief of Engineers, to be administered under the direction of the Secretary of War and the supervision of the Chief of Engineers.

Certain powers were conferred upon the Federal Power Commission in the Flood Control Act of June 28, 1938. Section 5 as it passed the House expressly excepted the power conferred upon the Power Commission in the act of June 28, 1938, and otherwise by other laws conferred upon the Power Commission, and I quote from the language of section 5 as it passed the House:

Except as otherwise specifically provided by Congress.

I may also add that the House Committee on Flood Control not only agreed to the Senate amendments as herein stated but before submitting the request to concur in the Senate amendments I not only followed the action of the House Committee on Flood Control, including the ranking minority members of the committee, but I conferred with the distinguished minority leader of the House. We only agreed to the Senate amendments after we were advised that they were not objectionable to the Chief of Engineers, and under leave I include the following letter from the Chief of Engineers, Maj. Gen. J. L. Schley, to me, dated August 2, 1939, to wit:

WAR DEPARTMENT,  
OFFICE OF THE CHIEF OF ENGINEERS,  
Washington, August 2, 1939.

HON. WILL M. WHITTINGTON,  
House of Representatives, Washington, D. C.

MY DEAR JUDGE WHITTINGTON: I have carefully considered the amendments made by the Senate in the pending flood-control bill and, in accordance with your request, I am pleased to give you my views thereon.

The first amendment added by the Senate Committee on Commerce, consists of broadening language for the Muskingum project which will enable this Department to make immediate payment of funds already appropriated pursuant to authority contained in the Flood Control Act approved June 28, 1938. A further amendment would authorize the Attorney General to accept title to lands, easements, and rights-of-way upon a certificate of title from the district concerned and as guaranteed by it. This amendment has the approval of the Attorney General. The final amendment authorized the Department to make a study of the Alamogordo Dam and Reservoir on the Pecos River, N. Mex., to determine how much of the cost of that reservoir is chargeable to flood control, it being understood that no appropriation of flood-control funds is contemplated. In addition, there were added on the floor of the Senate, amendments which are discussed as follows:

One to place the Buffalo Bayou, Tex., project, previously authorized by Public, No. 685, Seventy-fifth Congress, under the conditions of the Flood Control Act approved June 28, 1938. A further amendment safeguarding the interests of the Federal Power Commission, in accordance with authorities previously conferred. After careful consideration, upon your specific request, I can see no reason why the amendments above outlined are objectionable.

There have also been added several authorities to make preliminary examinations and surveys. The examinations and surveys have been considered in each instance and are found desirable.

The final amendment proposed on the floor of the Senate would operate to authorize the President to waive up to 50 percent of the estimated cost of lands, easements, and rights-of-way for cities or towns in the Ohio River Basin found to be financially unable to bear the full cost. This amendment opens a question of policy for determination by the Congress. However, I don't feel justified in interposing any objection to the extension to the communities in the Ohio River Basin of a similar policy authorized by the Flood Control Act approved August 26, 1937.

Very truly yours,

J. L. SCHLEY, Major General,  
Chief of Engineers.

THE SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. WHITTINGTON]?

There was no objection.

The Senate amendments were agreed to, and the motion to reconsider was laid on the table.

MR. WHITTINGTON. Mr. Speaker, I ask unanimous consent to extend the remarks I just made and to include the letter referred to from the Chief of Engineers dated August 2, 1939.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. WHITTINGTON]?  
There was no objection.

## EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks with reference to the bill H. R. 6618, and include therein a brief statement and analysis of the bill by Mr. C. P. Carter.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. LUTHER A. JOHNSON]?  
There was no objection.

## EQUALIZATION OF LETTER CARRIERS

Mr. BURCH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2001) for the equalization of letter carriers, with Senate amendment thereto, disagree to the Senate amendment, and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. ROMJUE, Mr. BURCH, Mr. WHELCHER, Mr. BLACKNEY, and Mr. AUSTIN.

## MUSKINGUM RIVER CANAL, BEVERLY, OHIO

Mr. WADSWORTH. Mr. Speaker, the Senate has passed a number of House bills relating to the construction of bridges and has made but minor amendments to them. I am going to ask unanimous consent to take these bills from the Speaker's desk and concur in the Senate amendments in each case.

Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3375) to authorize M. H. Gildow to construct a free, movable, pontoon footbridge across Muskingum River Canal at or near Beverly, Ohio, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 3, after "Gildow", insert ", his heirs or legal representatives."

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

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

## TOLL BRIDGE ACROSS THE MISSISSIPPI RIVER, CASSVILLE, WIS.

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6049) authorizing the village of Cassville, Wis., or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cassville, Wis., and to a place at or near the village of Guttenberg, Iowa, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 4, strike out "reasonable."

Page 3, line 4, after "interest", insert "at a rate of not to exceed 5 percent per annum."

Page 3, line 4, after "and", where it appears the second time, insert "reasonable."

Page 3, line 5, after "cost", insert "as approved by the Commissioner of Public Roads."

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

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

## TOLL BRIDGE ACROSS THE CONNECTICUT RIVER, HARTFORD, CONN.

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6353) granting the consent of Congress to the State of Connecticut, acting by and through any agency or commission thereof, to construct, maintain, and operate a toll bridge across the Connecticut River at or near Hartford, Conn., with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 9, strike out "reasonable."

Page 2, line 9, after "interest", insert "at a rate of not to exceed 5 percent per annum."

Page 2, line 9, after "and", insert "reasonable."

Page 2, line 9, after "cost", insert "as approved by the Commissioner of Public Roads."

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

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

## TOLL BRIDGE ACROSS THE ST. LOUIS RIVER BETWEEN THE STATES OF MINNESOTA AND WISCONSIN

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6475) to authorize the city of Duluth, in the State of Minnesota, to construct a toll bridge across the St. Louis River between the States of Minnesota and Wisconsin, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 13, strike out "a point in."

Page 2, lines 14 and 15, strike out "as approved, within a reasonable time, by the City Council of the City of Superior, Wis., and."

Page 5, line 11, after "owned", insert "by the city of Duluth, and shall be."

Page 5, line 12, after "Duluth", insert "and the city of Superior."

Page 5, after line 20, insert:

"Sec. 5. The city of Superior, Douglas County, State of Wisconsin, shall share equally with said city of Duluth in the consideration and determination of all questions with respect to the exercise by the city of Duluth of all the rights, powers, and privileges conferred upon the city of Duluth by the provisions of this act, and none of the rights, powers, and privileges herein conferred shall be exercised by said city of Duluth without the consent and approval of the city of Superior as expressed by resolution of the city council of said city of Superior."

Page 5, line 21, strike out "5" and insert "6."

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

## BRIDGE ACROSS THE MISSISSIPPI RIVER BETWEEN DELTA POINT, LA., AND VICKSBURG, MISS.

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3224) creating the Louisiana-Vicksburg Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to purchase, maintain, and operate a bridge across the Mississippi River at or near Delta Point, La., and Vicksburg, Miss., with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 4, strike out all after "act", down to and including "act", in line 9, and insert "Whenever, and for the time only, that said bridge is not in operative condition by reason of accident, damage, repair, or other causes beyond the control of said Commission, said Commission and its successors and assigns are hereby authorized to maintain and operate a ferry, or ferries, across the Mississippi River at or within 15 miles of said bridge, subject to the conditions and limitations contained in this act: *Provided*, That the acquisition and operation of a ferry or ferries shall only be in the event that the condition of said bridge is such that it cannot be used and as soon as repaired or again usable no ferry or ferries shall be operated: *Provided further*, That no permission shall be given for the operation of a ferry or ferries within 15 miles of said bridge without the direct repeal of this section of the act."

Page 9, line 18, strike out all after "to", down to and including "provide" in line 21 and insert "railroad or railroads using bridge."

Page 10, line 5, after "property", insert "only insofar as it is essential and necessary in the operation of the bridge."

Page 10, line 10, strike out all after "persons", down to and including "Mississippi" in line 12 and insert "one of whom shall be appointed by the Governor of Louisiana from the congressional district in the State of Louisiana wherein is located the west approach to said bridge, one of whom shall be appointed by the Governor of Mississippi from the congressional district in the State

of Mississippi wherein is located the east approach to said bridge, and one of whom shall be appointed by the Commissioner of Public Roads."

Page 10, lines 15 and 16, strike out "Secretary of Agriculture" and insert "Commissioner of Public Roads."

Page 10, line 23, after "appointed", insert "and/or by the Commissioner of Public Roads as herein provided."

Page 11, line 1, strike out "Department of Agriculture" and insert "Federal Works Agency."

Page 11, line 14, strike out "\$500" and insert "\$1,200."

Page 13, after line 21, insert:

"Sec. 13. The cost of acquisition of said bridge by said Commission shall not include goodwill, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of construction, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring interests in the necessary real property; (3) actual financing and promotion costs, not to exceed 2 percent of the cost of construction of such a bridge and its approaches and acquiring such interests in the necessary real property; and (4) actual expenditures for necessary improvements."

Page 13, line 22, strike out "13" and insert "14."

Page 14, line 1, strike out "14" and insert "15."

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### LOCAL DELIVERY RATE ON CERTAIN FIRST-CLASS MAIL MATTER

Mr. ROMJUE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2893) to provide for the local delivery rate on certain first-class mail matter. The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. RICH. Reserving the right to object, Mr. Speaker, may I ask if this bill increases the distance over the regular zones that are now in existence in the Postal Service?

Mr. ROMJUE. No; this bill has nothing to do with that.

Mr. RICH. Does this bill have the approval of the Committee on the Post Office and Post Roads?

Mr. ROMJUE. It has.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the proviso in section 1001 of the Revenue Act of 1932 (relating to postal rates) is amended to read as follows: "Provided, That such additional rate shall not apply to first-class matter mailed for local delivery or for delivery wholly within a county the population of which exceeds 1,000,000, provided said county is entirely within a corporate city."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### CALL OF THE HOUSE

Mr. JONES of Ohio. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and eighty-three Members are present, not a quorum.

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

A call of the House was ordered.

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

[Roll No. 153]

Barnes	Dingell	Kennedy, Martin	Reed, N. Y.
Bates, Ky.	Ditter	Kunkel	Rockefeller
Boren	Douglas	Lanham	Ryan
Byron	Eaton, Calif.	Lesinski	Schaefer, Ill.
Caldwell	Eaton, N. J.	Ludlow	Schwert
Chapman	Fernandez	McGranery	Secrest
Ciuett	Fish	McMillan, Thos. S	Short
Coffee, Nebr.	Fitzpatrick	Magnuson	Stearns, N. H.
Collins	Folger	Massingale	Stefan
Cooley	Ford, Leland M.	Mitchell	Sumners, Tex.
Creal	Ford, Thomas F.	O'Neal	Sweeney
Crowe	Green	Patman	Thill
Crowther	Harrington	Powers	White, Idaho
Cummings	Holmes	Rabaut	Woodruff, Mich.
Curley	Hook	Rankin	
Dies	Johnson, Ind.	Reece, Tenn.	

The SPEAKER. On this roll call 367 Members have answered to their names, a quorum.

Further proceedings under the call were dispensed with.

#### ASSISTANT TO THE SURGEON GENERAL

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1899) to provide for the detail of a commissioned medical officer of the Public Health Service to serve as assistant to the Surgeon General.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, reserving the right to object, are you putting on another assistant to the Surgeon General?

Mr. BULWINKLE. To the Surgeon General of the Public Health Service.

Mr. RICH. Is this putting on a new assistant?

Mr. BULWINKLE. It is just giving the man the rank provided in the measure. This is the unanimous report of the Committee on Interstate and Foreign Commerce.

The purpose of this bill is to provide for the detail of a commissioned medical officer of the Public Health Service to serve as assistant to the Surgeon General and be Acting Surgeon General in the absence of the Surgeon General. The bill was strongly recommended by the Secretary of the Treasury and has the approval of the Bureau of the Budget. It was unanimously reported by the Senate Committee on Finance and passed in the Senate by unanimous consent.

The expansion of the work of the Public Health Service has imposed administrative responsibilities upon the Surgeon General which are more than he alone can meet. In recent years two additional administrative divisions have been added to the Bureau, namely, the Division of Mental Hygiene and the Division of Venereal Diseases, and many new functions have been imposed upon the Service by statute. There is a distinct need that statutory provision be made for the detail of an experienced administrative officer to assist the Surgeon General in his work.

As a temporary expedient, the Surgeon General has removed from one of the administrative divisions the Assistant Surgeon General most experienced in the administrative work of the Service and has assigned to him a share of the responsibility and work devolving upon the office of the Surgeon General. However, this officer is unable to assume the duties and responsibilities of the Surgeon General in his absence because of the provision contained in the act of July 1, 1902, that the Assistant Surgeon General, senior in total Public Health Service, shall assume the duties of the Surgeon General in his absence. Consequently the duties of the Surgeon General in such an instance devolve upon a division chief who is relatively unfamiliar with them and who is fully occupied with duties of his own.

The proposed legislation will remedy this situation by enabling the Surgeon General to detail to the position of assistant to the Surgeon General established by the bill a commissioned medical officer possessed of the experience and qualifications to enable him to aid the Surgeon General in his work and who, in the absence of the Surgeon General, can assume the duties and responsibilities of that officer. The bill will permit a new Surgeon General to select an administrative assistant of his own choosing and will allow conformance with the practice of the Public Health Service of detailing commissioned medical officers for service in Washington for periods of not longer than 8 years.

The total increase in cost as a result of this legislation will not exceed \$300 per annum. The maximum salary and allowances of the new position will be \$7,500 per year, which is only \$300 in excess of that of the existing grades of Assistant Surgeon General and Medical Director from which the officer detailed to the new position will be selected. The bill does not increase the number of commissioned officers in the Public Health Service and the position vacated by the officer detailed to serve as assistant to the Surgeon General will remain open while he is thus serving.

The increase in salary will be only \$300 over that of the existing grades of Assistant Surgeon General and medical director. The maximum salary and allowances of these grades is \$7,200. The maximum salary and allowances of the new position will be \$7,500. It is contemplated that the officer selected for this position will be from a \$7,200 grade.

The bill does not increase the number of commissioned officers in the Public Health Service. Congress places a numerical limitation on the number of commissioned officers in the annual appropriation act. No increase in the number of commissioned officers will be requested on account of S. 1899.

The officer who will serve as Assistant to the Surgeon General under the provisions of S. 1899 will be selected by the Surgeon General from the regular commissioned corps on the basis of experience and general fitness for the position. The position which he vacates to become Assistant to the Surgeon General will remain open while he is thus serving, and upon the expiration of his term of appointment as Assistant to the Surgeon General he will return to the same position which he would have occupied had he not been so appointed. This system is applicable to an officer who is appointed by the President to serve for a time as Surgeon General and to officers who are appointed by the Surgeon General to serve at his pleasure as chiefs of the administrative divisions and designated as Assistant Surgeons General while so serving. These provisions are by regulations promulgated by the Secretary of the Treasury after approval by the President. The positions of Surgeon General and Assistant Surgeon General are established by act of Congress. Similarly, the proposed position of Assistant to the Surgeon General would be established by S. 1899.

Numerical replacements of officers in any grade and any length of service who may die or otherwise vacate their positions can be made only by employing new officers entering at the foot of the lowest and entering grade. This is specified by the act of April 9, 1930, which provides that the conditions of promotion, pay, and allowances of commissioned officers of the Public Health Service shall be the same as for commissioned officers of the Medical Corps of the Army.

There being no objection, the Clerk read the bill (S. 1899), as follows:

*Be it enacted, etc.,* That there shall be in the Public Health Service a commissioned medical officer of the Public Health Service, detailed by the Surgeon General of the Public Health Service, who shall be known as the Assistant to the Surgeon General, and who shall perform such duties as the Surgeon General may prescribe and shall act as Surgeon General during the absence or disability of the Surgeon General or in the event that there is a vacancy in the office of the Surgeon General. The Assistant to the Surgeon General, while serving as such Assistant, shall have a rank in the Public Health Service which shall correspond to that held by a brigadier general in the United States Army, and shall be entitled to the same pay and allowances as a brigadier general in the Army.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### NATIONAL ADVISORY HEALTH COUNCIL MEMBERS

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1540) to adjust the compensation of the members of the National Advisory Health Council not in the regular employment of the Government, with a committee amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MAPES. Mr. Speaker, reserving the right to object, I would like to have the gentleman from North Carolina explain what this is.

Mr. BULWINKLE. This bill is to provide that the National Advisory Health Council, which was established in 1900, be allowed \$25 per day. This will entail an additional expense of \$540 to the Government. These doctors come

from various parts of the United States and this measure puts them in line with the others.

The purpose of this bill is to authorize an increase in the compensation of those members of the National Advisory Health Council not in the regular employment of the Government. The National Advisory Health Council is an advisory board for the Public Health Service. The council consults with the Surgeon General relative to investigations to be inaugurated by the Public Health Service and the methods of conducting such investigations, and advises the Surgeon General in respect to public-health activities. It is composed of 14 members, 4 of whom are ex officio and serve without additional compensation. The 10 members not in the regular employment of the Government receive under existing law enacted over 37 years ago—section 5 of the act of July 1, 1902—compensation of \$10 per day while serving in conference, together with allowance for actual and necessary traveling and hotel expenses. Under the bill these members would, while in conference, receive, instead of \$10 per day, compensation at a rate to be fixed by the Federal Security Administrator not to exceed \$25 per day. Members of the National Advisory Cancer Council, a similar organization, receive under the provisions of the National Cancer Institute Act, approved August 5, 1937, compensation at the rate of \$25 per day during the time spent in attending meetings and for time devoted to official business. It would seem only proper that there be authority to fix the compensation of members of the National Advisory Health Council on the same basis, since no difference exists between the members of the two councils either in their reputation and scientific standing or in the quality of the service rendered.

The bill would also permit the utilization of the services of council members outside of conference but in connection with conference matters, and authorize payment for such services at the same rate of compensation that they would receive while in conference. At times problems arise in which the advice of only one or two members of the council specially conversant with the subject matter is required. This may, for example, necessitate a visit to a field station where the work is carried on or the critical review of a scientific report. It is believed that work of this kind should not be done without remuneration.

The Committee on Interstate and Foreign Commerce reported the bill with amendments which provide for the fixing of the compensation of members of the National Advisory Health Council in an amount not to exceed \$25 per day by the Federal Security Administrator rather than by the Secretary of the Treasury, as is provided in the bill as passed by the Senate. These amendments are desirable because of the transfer on July 1, 1939, of the Public Health Service from the Treasury Department to the Federal Security Administration, pursuant to reorganization plan No. 1 submitted to Congress by the President on April 25, 1939.

The total estimated annual expenditures under the bill will be \$1,650, which will represent an increase of \$990 per annum over existing expenditures in this connection. This estimate is based on the expectation of two regular meetings each year of the council totaling 3 days in all—one of 1 day and one of 2 days—which will be attended by all 10 nongovernmental members of the council, and on the use of 6 nongovernmental members of the council an average of 6 days each per year outside of conference.

It is estimated that the additional cost will be about \$990 per annum.

There are 14 members of the council. Only 10 of these are affected. The other 4 are ex officio and receive no per diem allowance.

There are two meetings each year totaling 3 days.

The present cost of 10 members at these meetings at \$10 per day is \$300.

The cost at the proposed rate of \$25 per day will be \$750.

The additional cost of this item is therefore \$450.

In addition to the foregoing it may be necessary to utilize the services of six of the members for an additional 6 days each year.

At the old rate of \$10 a day this would cost \$360.

At the new rate of \$25 a day it will cost \$900.

The additional cost of this item is therefore \$540.

The total additional cost will therefore be: Item No. 4, \$450; item No. 5, \$540, or a total of \$990.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

On page 1, in line 9, after the word "the" strike out the words "Secretary of the Treasury" and insert "Federal Security Administrator"; and the same amendment in line 7, page 2.

The committee amendments were agreed to.

A motion to reconsider was laid on the table.

#### REPLY TO PATENT OFFICE ACTIONS

Mr. SIROVICH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6878) to amend section 4894 of the Revised Statutes (U. S. C., title 35, sec. 37), with a Senate amendment, and agree to the Senate amendment.

The Clerk read the title of the bill.

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

There was no objection.

The SPEAKER. The Clerk will report the Senate amendment:

The Clerk read as follows:

Senate amendments:

In line 6, after the word "days" insert "or any extensions thereof."

Mr. SIROVICH. Mr. Speaker, the change made by the Senate makes it more nearly certain that the Commissioner of Patents will have authority to extend the time of response by applicants to the office action if it seems fair and equitable to do so.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

#### PAYMENT OF FINAL FEES ON ALLOWED APPLICATIONS FOR PATENTS

Mr. SIROVICH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6874) to repeal section 4897 of the Revised Statutes (U. S. C., title 35, sec. 38) and amend sections 4885 and 4934 of the Revised Statutes (U. S. C., title 35, secs. 41 and 78), which simplifies the procedure in respect of paying final fees on allowed applications for patents.

The Clerk read the title of the bill.

The SPEAKER. The Clerk will report the Senate amendments.

The Clerk read as follows:

Senate amendments: On page 1, line 6, strike out all after the word "by", down to and including the word "by", in line 8.

In line 9, after the word "That", strike out the words "upon proof satisfactory."

And in line 10, after the word "patents", strike out the balance of line 10 and all of line 11 and insert "may in his discretion receive the final fee if."

And on page 2, line 2, strike out the words "three months" and insert "six months."

Mr. RICH. Mr. Speaker, reserving the right to object, I understand if this is passed it only extends the time for 60 days for an applicant to make his final payment of the fee to the Department of Commerce.

Mr. SIROVICH. The old law provided that the man must pay his fee within 6 months. The bill that the House passed provided for 3 months. The Senate amendment provides that it shall remain at 6 months, and we have agreed to that.

Mr. RICH. In other words, the bill just gives him an extension of time for the payment of the fees.

Mr. SIROVICH. Yes.

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

There was no objection.

The Senate amendments were concurred in and a motion to reconsider was laid on the table.

#### RETIREMENT OF CERTAIN EMPLOYEES

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6747) relating to the retirement of employees to whom the provisions of section 6 of the act approved June 20, 1918 (40 Stat. 608; U. S. C., 1934 edition, title 33, sec. 763), as amended, apply, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The gentleman from Virginia asks unanimous consent to take from the Speaker's table the bill, H. R. 6747, with a Senate amendment thereto, and concur in the Senate amendment. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert: "That any officer or employee of the Lighthouse Service who, on June 30, 1939, meets the requirements (except those relating to age and period of service) of section 6 of the act approved June 20, 1918 (40 Stat. 608; U. S. C., title 33, sec. 763), as amended or supplemented, and who shall (1) reach the age of 64 years prior to July 1, 1940, or (2) be the occupant of an office or position abolished prior to July 1, 1940, may in the discretion of the head of his executive department be retired with annual compensation as provided in said section 6: *Provided, however*, That no such officer or employee shall be retired hereunder unless he shall have been in the service of the Government not less than 30 years at the time of retirement. Any officer or employee to whom this act applies who is not retired hereunder prior to reaching the age of 65 years shall, upon reaching such age, become eligible for retirement in accordance with the provisions of said section 6 of the act of June 20, 1918, and may not be retired under the provisions of this act. Nothing contained in this act shall be construed to affect the application of said section 6 to any officer or employee of the Lighthouse Service to whom this act does not apply."

The SPEAKER. The question is on concurring in the Senate amendment.

The Senate amendment was concurred in.

#### SEIZURE AND FORFEITURE OF VESSELS, ETC.

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6556) to provide for the seizure and forfeiture of vessels, vehicles, and aircraft used to transport narcotic drugs, firearms, and counterfeit coins, obligations, securities, and paraphernalia, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The gentleman from Virginia asks unanimous consent to take from the Speaker's table the bill, H. R. 6556, with a Senate amendment thereto, and concur in the Senate amendment. The Clerk will report the Senate amendment.

The Clerk read as follows:

Page 3, line 4, after "that" insert "(1) in the case of a railway car or engine, the owner, or (2) in the case of any other such vessel, vehicle, or aircraft."

The SPEAKER. Is there objection?

Mr. JENKINS of Ohio. Mr. Speaker, I reserve the right to object for the purpose of having the gentleman explain what the amendment does.

Mr. ROBERTSON. Mr. Speaker, the principal purpose of the amendment is to provide that in the case of a railroad, a railroad train cannot be forfeited by the Government unless the owner of the train knew it was carrying contraband.

Mr. JENKINS of Ohio. And what the gentleman seeks to amend is the bill respecting the importation of marihuana and guns and the usual implements of burglars?

Mr. ROBERTSON. That is the bill.

Mr. JENKINS of Ohio. And the Senate amends it so that a railroad car will not be confiscated?



Mr. ROBERTSON. Unless the owner of a railroad knew the car was hauling contraband.

Mr. JENKINS of Ohio. I suppose the reason is because that was clearly beyond the comprehension of the law, confiscating a whole railroad for such dereliction.

Mr. ROBERTSON. A railroad has never yet been forfeited, and we think this amendment is rather immaterial.

Mr. JENKINS of Ohio. I agree with the gentleman.

Mr. BLAND. Mr. Speaker, I reserve the right to object. What about a ship? Suppose a purser is guilty of such a thing. Will you forfeit the whole thing?

Mr. ROBERTSON. No. Perhaps I had better read the language.

In the case of any other such vessel, vehicle, or aircraft, the owner or the master of such vessel, or the owner or conductor, driver, pilot, or other person in charge of such vehicle or aircraft was at the time of the alleged illegal act a consenting party or privy thereto.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on concurring in the Senate amendment.

The Senate amendment was concurred in.

#### AMENDING EMPLOYERS' LIABILITY ACT

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1708) to amend the Employers' Liability Act, with amendment thereto, insist on the House amendment, and agree to the conference asked.

The SPEAKER. Is there objection?

There was no objection.

The Chair appointed the following conferees: Mr. CELLER, Mr. HEALEY, Mr. WALTER, Mr. GUYER of Kansas, and Mr. MICHENER.

#### EXTENSION OF REMARKS

Mr. ANDERSON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. FAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD concerning cheap electricity with the city of New York.

The SPEAKER. Is there objection?

There was no objection.

Mr. ALLEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

#### COMMODITY CREDIT CORPORATION APPROPRIATION

Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN of Colorado. Mr. Speaker, I have the following telegram from C. A. Buettel, the president of the Colorado Farm Bureau Federation:

BURLINGTON, COLO., August 3, 1939.

Congressman JOHN A. MARTIN,  
Washington, D. C.:

The error in failure to include in the deficiency bill \$119,000,000 will be the wrecking of farm prices. We urge every effort be made to correct this mistake.

C. A. BUETTEL,  
President, Colorado Farm Bureau.

I have sent the farm leader the following answer:

AUGUST 3, 1939.

Mr. C. A. BUETTEL,  
President, Colorado Farm Bureau, Burlington, Colo.:

The Commodity Credit Corporation appropriation amendment carried in Committee of the Whole on a voice vote 95 to 94. On teller vote it was defeated 116 to 110. Under the rules no defeated amendment can be voted on in the House. A motion was ready to recommit the bill with instructions to report it back carrying the appropriation. This motion was forestalled by Mr. TABER, of New York, a leader of the Republican-Democratic coalition now in control of the House, who was entitled to recognition and who offered

a motion to recommit the bill with instructions to strike out a minor surveying expenditure of \$100,000. It was a purely parliamentary move to prevent a favorable roll call vote on the appropriation. I regard the Commodity Credit Corporation appropriation as the most beneficial of all farm-aid expenditures.

JOHN A. MARTIN, M. C.

And also the following telegram from the Farmers Union and others stressing the vital necessity of the appropriation:

ST. PAUL, MINN., August 2, 1939.

HON. JOHN A. MARTIN,

House Office Building, Washington, D. C.:

We are amazed at the decision of the House Committee on Appropriations in disproving the deficiency appropriations of \$119,000,000 for Commodity Credit Corporation. This would definitely eliminate the corn-loan program and eventually destroy the wheat-and rye-loan programs if the Appropriations Committee's position should be sustained by the Congress. Without the loan programs for these three commodities they would hit an all-time low price in history. The result of such a price debacle would envelop several hundred thousand more farm families into the cataclysm of bankruptcy. Attempts to balance the Budget at such a cost is in no sense a move of economy. Admittedly the present farm programs for price and income are inadequate and incomplete, but that is no justification for abandoning the present props to hold up farm prices. We hope the House of Representatives will override the decision of the Appropriations Committee.

NATIONAL FARMERS UNION,  
NATIONAL FEDERATION OF GRAIN COOPERATIVES  
WHEAT CONSERVATION CONFERENCE,  
M. W. THATCHER, Legislative Representative.

I regard this as the most beneficial bit of farm aid the Appropriations Committee and the House have ever considered, and it was asked for in the President's Budget. [Applause.]

I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

#### PURCHASE OF BEER ON CREDIT BY RETAILERS—VETO MESSAGE (H. DOC. NO. 467)

The SPEAKER laid before the House the following veto message from the President of the United States, which was read by the Clerk:

#### To the House of Representatives:

I return herewith, without my approval, H. R. 5137, an act "to prohibit the purchase of beer on credit by retailers in the District of Columbia." So far as I can recollect, I know of no legislation which has ever undertaken to order that some special kind of industrial product be sold by the manufacturer solely for cash. To establish the principle that retailers must pay cash for any special article opens the door to similar legislation, not only for the District of Columbia but for the entire country, whereby the Congress could select this, that, or the other product and command that the manufacturer thereof cease selling it on credit.

I understand that this bill is urged by brewers because they have not had wholly favorable results from selling beer in the District of Columbia to retailers by the usual credit procedure. This bill would allow whisky to continue to be sold on credit. The question of unfavorable experience on the part of the brewers seems to me to be wholly a matter that lies within their own selling practices. They should continue to sell only to such retailers as they have had good experience with. That is the usual custom adopted by manufacturers throughout the Nation.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, August 3, 1939.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. RANDOLPH. Mr. Speaker, I move that the message and the accompanying bill be referred to the Committee on the District of Columbia and ordered printed.

The motion was agreed to.

#### MINIMUM AGE (SEA) CONVENTION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 466)

The SPEAKER laid before the House the following message from the President of the United States, which was read by

the Clerk, and, together with the accompanying papers, referred to the Committee on Merchant Marine and Fisheries and ordered printed:

*To the Congress of the United States of America:*

To fulfill the obligations of this Government under the Minimum Age (Sea) Convention (Revised), 1936, I transmit herewith for the favorable consideration of the Congress the enclosed report from the Secretary of State and the accompanying draft bill to implement the Convention.

This bill was prepared by an interdepartmental committee after careful consideration of the questions involved. The purpose of the proposed bill is to establish minimum standards for the employment of minors on American vessels comparable to the standards heretofore adopted by the Congress for the purpose of eliminating interstate traffic in the products of child labor. These standards consist in a basic minimum age of 16 years for employment on small vessels and a minimum age of 18 years for employment on large vessels and in certain other maritime employments considered to be particularly hazardous or detrimental to the health and well-being of minors of such ages.

I heartily recommend enactment of this proposed legislation, for it will extend still further our frontiers of social progress by erecting additional safeguards against the employment of the youth of our Nation at immature ages.

Inasmuch as the Convention heretofore ratified by the Government of the United States will become effective for the United States on October 29, 1939, it is a matter of great importance that legislation be enacted at this session of the Congress.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, July 21, 1939.

EXTENSION OF REMARKS

Mr. BUCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief table dealing with agricultural imports and exports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SACKS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks on the housing bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a short newspaper clipping.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARRETT. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein an address by Mr. Lon A. Smith, chairman of the Railroad Commission of Texas.

The SPEAKER. Is there objection?

There was no objection.

Mr. PIERCE of Oregon. Mr. Speaker, I ask unanimous consent to extend my own remarks and include certain quotations from Mr. Miller, of Oregon.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix and include therein a statement I made before the Committee on Appropriations.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a letter from the China Aid Council of Los Angeles.

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

There was no objection.

Mr. GEHRMANN, Mr. PEARSON, and Mr. COFFEE of Washington, by unanimous consent, were granted permission to extend their own remarks in the RECORD.

THE HOUSING BILL

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I do this for the purpose of making clear the very wide support for the housing bill that exists in my section of the country.

I have in my hand telegrams from the City Council of Los Angeles; from the chief of the Division of Immigration and Housing of the State of California; from the director of the housing authority of the city of Los Angeles; from the chairman of the Committee on Social Legislation of the City of Los Angeles; from the Motion Picture Democratic Committee; from State conference of the bricklayers, stonemasons, and plasterers unions; the district council of carpenters; the plumbers' union; and from a number of other organizations and persons of similar importance, all urging the adoption of the rule and passage of this housing bill.

I also have seen a telegram from the legislative chairman of the Farmers' Union of America, expressing strong support for this legislation; and I hope earnestly that it will be passed. I know that arguments will be made against some of the financial features of the housing program. They are the same arguments that can be made against the financing by the method of bond sales of any project or construction program whatsoever. I have an amendment which I shall offer at the proper time which I am convinced will answer those arguments. It is explained on pages 10604 and 10605 of the RECORD for July 31.

I think it is important for the Members of the House to realize that a vote for or against the rule is a vote for or against the bill.

[Here the gavel fell.]

TRANS-ATLANTIC AIR SERVICE—CHICAGO VIA SHEDIAC

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CHURCH. Mr. Speaker, next Wednesday, August 9, the United States representatives will meet with the representatives of the Canadian Government in an international conference at Ottawa to consider the general subject of air-transportation services between the respective countries.

It would be a forward step in the development of trans-Atlantic air service if a direct air route were inaugurated between Chicago and Shediac, New Brunswick, and thence to Botwood, Newfoundland, where the Pan American Clippers take off for Ireland. I am accordingly urging our Civil Aeronautics Authority to make this proposal one of the matters for consideration at the Conference at Ottawa next Wednesday.

The only regular trans-Atlantic service now in operation is that conducted by the Pan American Airways, Inc. It has two routes. The one known as the northern route extends from New York via Shediac, New Brunswick, and Botwood, Newfoundland, to Foynes, Ireland, and London, England. The other, known as the southern route, extends from New York via the Azores and Lisbon, Portugal, to London or Marseilles, France.

At the present time mail and passengers from Chicago go something like 710 miles by air to New York City for trans-Atlantic transportation. It is, as will be readily seen by a mere glance at the map, a circuitous route. Mileage, time, and money could be saved by the inauguration of a direct route out of Chicago across Canada to Shediac, New Brunswick, and Botwood, Newfoundland.

Mr. Speaker, there are several possible routes out of Chicago across Canada, instead of to New York City, that could be followed:

First. From Chicago direct to Botwood, Newfoundland—1,626.5 miles.

Second. From Chicago to Shediac, New Brunswick, and thence to Botwood, Newfoundland—1,651.5 miles.

Third. From Chicago to Detroit, to Toronto, to Ottawa, to Montreal, and thence to Botwood, Newfoundland—1,661 miles.

Fourth. From Chicago to Detroit, to Toronto, to Ottawa, to Montreal, to Shediac, and thence to Botwood, Newfoundland—1,681.5 miles.

Whichever of these four routes out of Chicago is adopted, it would be shorter than the present circuitous route across the United States to New York and thence north. I might say that of the four possibilities, the route from Chicago to Detroit, Toronto, Ottawa, Montreal, Shediac, and Botwood seems to be the most desirable. It has unlimited potentialities in developing air transportation service for the Midwest and far West to Europe.

It is hardly necessary to point out to this House that Chicago is the "hub" of the Nation. Like spokes in a wheel, railroad lines, air lines, and bus lines, from every direction across the continent, center in the great city of Chicago. The farmers of the great wheat and corn fields ship their products to its markets. It is the market for the fruit growers, the market for the cattle of the South and western prairies, and the center of manufacturing. In the Chicago area alone there are something like 10,000 manufacturing plants of national prominence.

In short, Mr. Speaker, a direct route of trans-Atlantic air transportation service out of Chicago may be said to be a line from the very heart of the Nation. And it should also be pointed out that the weather conditions in Chicago are excellent for flying purposes. The United States Department of Agriculture summary of Chicago records shows that during 1938 there were only 10 days of dense fog. The greatest daily range of temperature at Chicago in 1938 was 39 degrees.

I do urge, in the interest of developing and improving air transportation service, in the interest of economy and time, that my colleagues cooperate with me in an effort to inaugurate this proposed direct-route service out of Chicago to Europe. I have urged the Civil Aeronautics Authority to make this a subject for consideration at the Ottawa Conference this coming Wednesday. I am communicating with the various air lines now conducting service out of Chicago. And I earnestly solicit the full cooperation of my colleagues here in the House in advancing this proposal.

#### EXTENSION OF REMARKS

Mr. HAWKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two different subjects.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALEXANDER. Mr. Speaker, I wish to proffer two unanimous-consent requests: First, that I may be allowed to extend my remarks in the RECORD in response to a letter which I have just received from Gen. Frank T. Hines; second, to extend in the RECORD a resolution from the Military Order of the Purple Heart of the Department of Minnesota.

The SPEAKER. Is there objection to the requests of the gentleman from Minnesota?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. THORKEKELSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

[Mr. THORKEKELSON addressed the House. His remarks appear in the Appendix.]

#### EXTENSION OF REMARKS

Mr. McARDLE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to extend my remarks, as I will not have time on the rule. I hope we will determine whether this bill is really a slum-clearance proposition or whether it is what they sometimes call "pork." It seems to be another free gift from the Public Treasury.

I want to remind you: The Scotchman saw a sign "Free Air." He took so much that all four tires blew. [Laughter and applause.]

The SPEAKER. The Chair is not inclined at this juncture to recognize Members for any purpose except to extend remarks.

#### EXTENSION OF REMARKS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the Washington Post of July 27.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BENDER. Mr. Speaker, I make a similar request.

The SPEAKER. Without objection it is so ordered.

There was no objection.

#### APPORTIONMENT OF REPRESENTATIVES IN CONGRESS

Mr. McLEOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

Mr. RAYBURN. Mr. Speaker, reserving the right to object, I do trust that Members will not ask to address the House at this time. I shall not object to the request of the gentleman who is on his feet, but we do have a matter that we want to bring up, and I would suggest that those gentlemen who want to speak wait until the legislative business of the day is taken care of. A great many Members are seeking recognition to call up House bills with Senate amendments, and I think the business of the session should come first. I trust, therefore, that no other Member will ask to proceed until we finish the business of the day.

The SPEAKER. The gentleman from Michigan is recognized for 1 minute.

Mr. McLEOD. Mr. Speaker, I have asked for this time to call to the attention of the House a situation that will prevent reapportionment after the next census is taken if not corrected before the present Congress adjourns.

Section 22 of Public Act No. 13, Seventy-first Congress, which provides for the apportionment of Representatives in Congress, must be amended during the present Congress if the provisions of the Constitution providing for a redistribution of seats in the House of Representatives every 10 years are to be carried out.

H. R. 7348, the bill I introduced recently, if adopted, will provide the necessary amendments to this act.

Having received several inquiries relative to the purposes of this bill and the effect it will have on reapportionment, I wish to outline the reasons for amending section 22 of the above-mentioned act.

In enacting a reapportionment statute in 1929, it was the intent and desire of the Seventy-first Congress that thereafter reapportionment should be automatic. The situation existing during the 20-year period between the years 1910 and 1930, during which time Congress failed to provide for reapportionment, led to the enactment of an automatic reapportionment statute. In addition to this—and probably of more importance—the Constitution provides the authority and places upon Congress the duty of effecting reapportionment every 10 years.

However, section 22 of the present Reapportionment Act, if permitted to remain unchanged, will defeat the will of Congress and the demands of the Constitution.

The present law provides that—

On the first day, or within 1 week thereafter, of the second regular session of the Seventy-first Congress and of each fifth Congress thereafter, the President shall transmit to the Congress a statement showing the whole number of persons in each State—

And so forth. "Each fifth Congress thereafter"—that is the automatic clause referred to, with the Seventy-first Congress as a basis upon which to calculate the elapse of years.

The fifth Congress after the Seventy-first is the Seventy-sixth. The second session of the Seventy-sixth Congress will convene in January 1940.

Since, therefore, the President's statement must be based on the "fifteenth and each subsequent decennial census of the population," and since the sixteenth decennial census will not commence until April 1940, 3 months after the time when the President's statement based on the sixteenth decennial census is scheduled to be transmitted to the second session of the Seventy-sixth Congress, no reapportionment can be effected. In short, the President will not have figures upon which to base his statement until approximately 1 year after the time his statement is required to be submitted under the existing statute.

H. R. 7348 corrects this anomalous situation. This bill amends section 22 (a) to read:

Within 4 weeks after the first regular session of the Seventy-seventh Congress and of each fifth Congress thereafter, the President—

And so forth, without further change in subsection (a) of section 22, with the exception of changing the decennial census from the fifteenth to the sixteenth.

There would be no need for this bill and the amendments it proposes had there been no amendment to the Constitution changing the order of congressional sessions. However, the enactment of the so-called Norris lame-duck amendment has caused a mix-up in dates and thrown congressional sessions out of order with respect to reapportionment. The originators of the present reapportionment statute, I being one, did not anticipate such an amendment to the Constitution and for that reason could not word the act to meet such a contingency.

Another question has been asked concerning H. R. 7348, as follows: "Why has subsection (b) of section 22 been amended to provide a 60-day limit within which Congress may enact a law apportioning Representatives?" Here again we have the Norris amendment changing the effect of the present reapportionment statute. Suffice it to say that before the adoption of this amendment to the Constitution, Congress convened in December of one year and adjourned on March 4 the following year. Section 22 (b) of the present statute provides:

If the Congress to which the statement required by subdivision (a) of this section is transmitted, fails to enact a law apportioning representatives among the several States, then each State shall be entitled, in the second succeeding Congress and in each Congress thereafter until the taking effect of a reapportionment under this act or subsequent statute, to the number of Representatives shown in the statement based on the method used in the last preceding apportionment. It shall be the duty of the Clerk of the last House of Representatives forthwith to send to the executive of each State a certificate of the number of Representatives to which such State is entitled under this section.

Before the passage of the lame-duck amendment, the report of the Clerk would be made to the States immediately after adjournment on March 4. However, at the present time, Congress convenes in January of each year and may continue the session into August, or even later. If any Congress, under the present statute, failed to enact a law apportioning Representatives the Clerk could not transmit the required certificate to the States until adjournment, which might be very late in the year. Since the great majority of State legislatures meet during the early months of the year, it is essential that they know definitely, or at least the latest date, when the certificate of the Clerk will arrive.

Mr. Speaker or Members of the House, I want to repeat, failure to enact such a time limit in the reapportionment statute will defeat the purpose of the Constitution and the desires of the Congress which adopted the present reapportionment statute.

#### AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6480) to amend the Agricultural Adjustment Act of 1933.

The Clerk read the title of the bill.

Mr. RICH. Mr. Speaker, reserving the right to object, what does this bill do?

Mr. AUGUST H. ANDRESEN. This bill relates to the shipment of grain from small country elevators into the larger terminal warehouses. It does not cost the Government anything.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the act entitled "Agricultural Adjustment Act," approved May 12, 1933, is amended by striking out the whole of subsection (5), section 8, title I, part 2, and substituting in lieu thereof the following:

"(5) No person operating a public warehouse for the storage of any basic agricultural commodity in the current of interstate or foreign commerce shall deliver any such commodity upon which a warehouse receipt has been issued and is outstanding without prior surrender and cancelation of such warehouse receipt, except that any person operating a country public grain warehouse or warehouses may, because of lack of sufficient space to accommodate all depositors, move storage grain out of such warehouse or warehouses to another warehouse for continuous storage, under such regulations as the Secretary of Agriculture may prescribe. A nonnegotiable warehouse receipt shall be issued by the warehouseman to whom the grain was shipped, and said receiving warehouseman shall give such guaranty and shall store such grain under such regulations as the Secretary of Agriculture may prescribe to assure delivery to the rightful owner of such grain in the amount, and of the kind, quality, and grade called for by his receipts. Any warehouseman who intends to ship grain while his original receipt is outstanding must recite in his receipt both the name and address of his warehouse as well as that of the warehouse to which the grain may be shipped under a nonnegotiable bill of lading. Any person violating any of the provisions of this subsection shall, upon conviction, be punished by a fine of not more than \$5,000, or by imprisonment for not more than 2 years, or both. This act shall not be construed as amending or changing in any manner the United States Warehouse Act of August 11, 1916, as amended."

With the following committee amendments:

On page 1, strike out all of lines 4 and 5 and insert "approved May 12, 1933, as amended, is further amended by striking out the whole of section 8f, title I, part 2, and."

On page 1, line 9, strike out "(5)" and insert "Sec. 8f."

On page 2, line 18, after the word "shipped", insert "for further storage. All grain shipped under this section must be shipped."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### AMENDMENT OF THE HOUSING ACT

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I call up House Resolution 266. The Clerk read as follows:

#### House Resolution 266

*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 S. 591, an act to amend the United States Housing Act of 1937, 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 continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute committee amendment recommended by the Committee on Banking and Currency now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

Mr. SABATH. This not being a partisan matter, I do not believe the other side will want any time on the rule but will want to agree unanimously to the rule. Am I correct?

Mr. MAPES. I am afraid the gentleman's imagination is working overtime. We shall need all the time we can get.

Mr. SABATH. I think you will need all the time you can get. In view of that fact, Mr. Speaker, I yield the usual 30 minutes to the gentleman from Michigan.

Mr. MAPES. I agree with the chairman of the committee that it is not a partisan matter, and I expect to yield part of my time liberally to Members on his side.

The SPEAKER. The gentleman from Illinois is recognized for 30 minutes, and the gentleman from Michigan is recognized for 30 minutes.

Mr. SABATH. Mr. Speaker, this rule provides for 4 hours of general debate, the committee having added 1 hour to the original 3 hours requested. The rule makes in order the consideration of the housing bill passed by the Senate, one which probably for political reasons we will not waste a great deal of time trying to prevent passing. Notwithstanding what has been stated in some of the newspapers and by gentlemen who are opposed to this humane, needed legislation, I call attention to the fact that this bill will not cost the Government any money. The \$800,000,000 provided will all be lent to States, counties, and municipalities who by special legislation have organized for the purpose of providing and constructing housing facilities for the poor people of the Nation, at the same time eliminating the slum sections, the crime-breeding sections of the communities.

This bill sets aside \$200,000,000 for rural housing. Oh, I feel that there are some Members from rural sections who may say, "We do not need any," but I know of the demand that comes from people from every section of the country who do know and who have the interest of the people at heart. Right here I have telegrams from nearly every city and State that has passed special legislation asking and urging this aid for the needy. When I say that it will not cost the Government any money I say so because 1½ percent of all the loans will remain with the Government to take care of expenditures to the tune of about \$40,000,000. In attempts to prejudice the minds of Members and the people of the country against this legislation it is being charged that it will cost \$70,000,000 per year to carry out the commitments necessary under this bill. These charges are not only untrue but are in direct opposition to the facts. The actual facts are that this measure will actually cost the Government little in comparison to the great benefits. The money authorized will be lent to the housing authorities, the security for such loans being the housing projects themselves. All the bonds now being issued for projects under way are in great demand by the banks all over the United States. The new bonds likewise will be snapped up at favorable rates for the Government.

Under this bill the Government will get the money needed for the loans at an average cost of 1% percent and will loan it out on these developments at 3 percent, leaving the difference, 1%-percent profit, a substantial margin, which will materially reduce the \$45,000,000 authorization in this bill for maintenance and operation. Thus the figures which have been quoted by multiplying the authorization by the 60-year life of the loans are but bugaboo or hokum computations.

The passage of this bill not only will provide decent housing for approximately 2,000,000 unfortunate slum dwellers but it will provide employment for nearly 500,000 workers; it will stimulate business—in fact, all industries—and at the same time will provide an outlet for the billions of dollars now reposing in the vaults of the banks throughout the country. I cannot, therefore, understand why there should be any objection to the bill unless it be, unfortunately, for political reasons; and I again say to my friends on both sides of the aisle that they will make a great mistake if they try to defeat the consideration of this bill, which is demanded by labor organizations, commercial organizations, and farm organizations throughout the United States. They have appealed for this legislation. The Senate has acted. Will you deny consideration in the face of their requests for it?

For years there has been complaint in the House that the Rules Committee has smothered legislation and deprived the membership from voting on it. Yet only yesterday, when

you had an opportunity to vote on the farmers and wage-earners relief bill you voted down the rule providing for its consideration. Today you have another opportunity, and the question is whether you will again refuse to even consider a bill carrying such vast benefits. Will you gentlemen from the rural and farming sections of our country refuse to legislate on the \$200,000,000 authorization provided for in this bill to improve the housing conditions of the poorest of the poor farmers, the sharecroppers, the farmer tenants, and those poor in the smaller towns of your districts? If you do refuse, the responsibility will again be yours and not mine. I have done my full duty and await your action. I know that the Republicans both yesterday and today were being whipped into line, but I have a right to feel that there are independent Members on the Republican side who will not be made rubber stamps by the Republican leaders and who will support this beneficial legislation. As to you Democrats who voted yesterday against the lending bill, you will be held to account when you return to your districts. I say to them, here is another opportunity offered to vote right. Do not let vicious propaganda or personal hatred against President Roosevelt sway you from your duty to your constituents and to the country. Remember the old saying, "He who digs a pitfall or grave for another is digging it for himself."

Mr. Speaker, in conclusion I wish to direct the attention of the House to the fact that the House Banking and Currency Committee has carefully considered the Senate bill; it has been properly amended and safeguarding and restrictive provisions added to it, making the bill, if enacted, one that can be efficiently administered. I repeat that our duty is plain, and I know that the President and all those interested in this matter and all those who are interested in the underprivileged are in favor of this beneficial legislation.

Mr. Speaker, I am not going to detain the House longer because I have many requests from gentlemen who desire to express their views in behalf of this legislation. I therefore conclude, reserving the balance of my time.

Mr. MAPES. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. Wolcott].

Mr. WOLCOTT. Mr. Speaker, I was very much interested in what the gentleman from Illinois just said. If I understood him correctly, he said this program would not cost the Federal Government one cent.

Mr. SABATH. Eventually not a cent.

Mr. WOLCOTT. Mr. Speaker, I want to make the statement, and I challenge anyone on this floor to successfully contradict it, that this bill will cost the Federal Government a very minimum of \$2,700,000,000. This bill is a supplement to the act which we passed last year and the one passed the year before by which we authorized the United States Housing Administration to make \$800,000,000 in loans; but the significant part of it is that we at the same time authorized appropriations amounting to \$28,000,000 annually over a 60-year period of time. So under existing law, much to my amazement and much to the amazement of other members of the Banking and Currency Committee, when this matter was under consideration a few weeks ago, we found we had authorized appropriations of \$1,680,000,000 for what purpose? For the sole purpose of reimbursing the Government for the original loan of \$800,000,000.

Now, this bill is presented, by which they would raise the bond authorization of the United States Housing Authority another \$800,000,000. It has been referred to quite generally as the \$800,000,000 bill. Mr. Speaker, the minimum that this will cost the Government, let me reiterate, is \$2,700,000,000. You must add the \$28,000,000 authorized by existing law to the \$45,000,000 authorized under this bill and you get the figure \$73,000,000. You may say it is a \$73,000,000 bill. But is it? You must multiply the \$73,000,000 by 60, because, if this bill is enacted, we shall have authorized an annual expenditure in the form of annual contributions of \$73,000,000, or a total of \$4,380,000,000 without taking into consideration any interest whatever. For what purpose? For the sole purpose of paying back to the Government the \$1,600,000,000 which it will loan. [Applause.]

I leave it to the judgment of every sound-thinking individual, not only on this floor but in the United States, if it is good, sound business to raise \$4,380,000,000 for the purpose of paying back a \$1,600,000,000 loan.

No contracts are made for less than 60 years. No part of the rent which is collected in any of these projects ever finds its way back into the Federal Treasury and there is no provision of law that so provides. Not one cent of this money is returned to the Treasury. So when the gentleman from Illinois [Mr. SABATH] or any of the other gentleman who are going to talk on this bill, speak of these as self-liquidating projects, let them show us in the bill wherein they are self-liquidating other than that this debt is liquidated by appropriating three times as much as the original debt to do so. Of course these bonds are good; of course the banks want the bonds, because the Government of the United States annually appropriates money to retire these bonds and pay the interest on the bonds, and the bill specifically says that annual contributions shall first be used to retire this debt, not only the \$1,600,000,000 debt, but also, and this is remarkable and amazing, to make available money by which the local housing authorities, who are supposed to put up 10 percent, might retire their own bonds.

Mr. Speaker, when we complete this program we will have raised the money to have built every project contracted for and at the end of 60 years we hand these projects over to the local housing authorities without the projects having cost the local housing authorities one red cent. The purposes of this bill can be accomplished by encouraging the use of a part of the \$7,000,000,000 available capital that is now frozen in the banks. A study of this whole question should be made and I implore you to do it during the present session of Congress, instead of being placed in a ridiculous position by passing this bill. I assure the House there are brains enough in this country somewhere, and we will find them, to solve the problem without too much expense to the Federal Government. A study should be made of this problem, and we can thaw out private capital for the purpose of doing this same job, and can give relief to those within the lowest income brackets, as suggested by this bill. Why do I make that statement? Because an experimental project undertaken by Girard Lambert in New Jersey has proven it can be done with a little assistance. Read the hearings. He has already developed a project with private capital; the rents are nearly as low as those charged on U. S. H. A. projects. He has done this without the benefit of subsidies. If he had a 10-percent subsidy, such as the localities are supposed to put up in cash, work, land, and so forth, by the provisions of this bill, and if he had a further subsidy of 20 percent which the localities put up in services, tax remissions or tax exemptions, he could get the cost and maintenance down to a figure low enough so that the person within the very lowest income brackets could afford to rent his homes. He is now and could continue to pay 4 percent on his bonds.

Mr. Speaker, with \$7,000,000,000 of idle credit in the banks, it is ridiculous for us to supplement and continue to furnish Government credit without giving at least some consideration to available means of thawing out this credit and putting it to work. Bear in mind this program takes care of only 15 percent of those whom the President and Mr. Straus want to serve, but there is a limit, of course, to their ambitions.

Mr. Straus tells us, assures us, that at no period of 60 years will the program cost us in annual subsidies more than \$500,000,000, or \$30,000,000,000. Can you imagine that? Thirty billion dollars he assures us will be the peak, and over a period of 60 years it will not annually cost us more than \$500,000,000. Let us think of what we are doing here.

England tried out this plan, and England came to the conclusion that if it followed the program to its logical conclusion it would empty the British exchequer. All I want to do and what this House should do is stop this program before it empties the United States Treasury. [Applause.]

Mr. SABATH and Mr. KELLER rose.

Mr. WOLCOTT. I am sorry, I cannot yield.

The rural section of this bill was written into the bill in the Senate 5 minutes before the final vote was taken and without any consideration having been given to it by the Senate committee. It sets up a program whereby the farmer can deed to a local housing authority, provided one is organized, one-eighth of an acre, half an acre, or an acre of land, and then the authority can build a home and rent that home to the farmer for 60 years. The farmer does not own it. [Applause.]

Mr. Straus estimates that a farm home can be built for from \$2,000 to \$3,000 on land not owned by the farmer; the Farm Security Administration is now providing homes for farmers on land owned by the farmer for \$1,100.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, the gentleman from Michigan has made a number of statements which are rather amazing and with which I cannot agree. I recall that not long ago, when the Committee on Ways and Means unanimously reported a bill to the House, by the vote of 15 Democrats and 10 Republicans, the gentleman from Michigan took the floor and, with his usual ingenuity, raised the cry of inflation, and his Republican colleagues followed him and did not follow the 10 Republican members of the Committee on Ways and Means.

Let us not deceive ourselves. The Republicans are going to vote against this rule. A vote against this rule is a vote against the bill. There are many districts represented by Republicans which have benefited by this legislation, and I am interested in seeing how they are going to vote on this rule. The money heretofore appropriated has been allocated in a fair manner, without political considerations.

Later, when the Republicans tell their friends, "Oh, I was for the bill; I was only against the rule," I hope their friends will realize a little deception is being practiced.

Everything the gentleman from Michigan has said is pertinent in the consideration of this bill in the Committee of the Whole. If the gentleman is sincere, why not vote for consideration of the bill? I have heard the Republicans talk against gag rules, and I believe there is some foundation for such talk, but now they are willing to completely gag the consideration of this bill.

As I have only 2 minutes, let me speak briefly to my friends on the Democratic side. I am not so much concerned about what happened to the rule a few days ago as I am concerned with the Democratic Party and with what happens on this rule today. The rule of a few days ago was a matter which, from a party angle, does not mean anything politically fatal to the Democratic Party—serious but not fatal.

Mr. Speaker, may I say now to my Democratic colleagues that this coalition idea can work two ways. The gentleman from Colorado earlier spoke about the coalition of yesterday. It was a different coalition than the one the day before. Action brings reaction. I do not like such reaction. I do not like action that is not consistent with the best interests of our party. All we want is the consideration of this bill. I do not like to see schisms among the members of my own party. I do not like to see a situation where those in the country are going to vote one way and those in the cities vote another way, using the Republican Party as the tail of their kite. That is the situation. That game can be played two ways, but I do not want to see it played either way. I want my party to vote for the consideration of this bill, and then when the bill comes up for consideration let individual Members vote as their conscience dictates. [Applause.]

[Here the gavel fell.]

Mr. MAPES. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. Cox].

Mr. COX. Mr. Speaker, in my opinion, the calling up of this rule constitutes a very great blunder on the part of my friend the gentleman from Illinois, the chairman of the Rules Committee. The gentleman has no expectation whatever

that the rule will be adopted, or if adopted, no idea that the bill could possibly pass.

Mr. SABATH. I did not say that.

Mr. COX. The rule is called up for the purpose of being defeated in order that some gentlemen may have a talking point for some time in the future. I voted to report the rule for consideration of the bill; but at the time I reserved the right to vote against its adoption in the House. To press for the adoption of the rule in the face of certain defeat is a vain and foolish thing to do. It is my belief that on the call of the roll a majority of the Rules Committee will vote against the adoption of the rule.

In my opinion, the bill is infinitely less meritorious than the lending bill that the House refused to consider several days ago. Gentlemen who were heard by the Rules Committee took the position that the whole bill is nothing less than a barefaced fraud, and the statements made in support of this allegation were most persuasive.

Mr. Speaker, I believe the rule should be voted down. The chairman of the Committee on Rules offering the rule, if really interested in housing, would do a wise thing if he should ask unanimous consent that he might withdraw the rule from the further consideration of the House. [Applause.]

[Here the gavel fell.]

Mr. MAPES. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. Mr. Speaker, as a member of the Committee on Banking and Currency through many years, it may be presumed that I speak with some familiarity on this subject.

When housing was first considered and when authorization to proceed was made it was believed on the part of the committee, and following that on the part of the House, that we were to engage in a lending program. It has developed into a spending program as well, as shown to you by my colleague, the gentleman from Michigan [Mr. WOLCOTT]. This has come about by reason of the fact that experience has already demonstrated the impossibility of providing decent housing for the lower third of society without contribution from a Government source. The structures already contracted for furnish residence at an average cost of about \$4,500. It is hoped this can be reduced on some dwellings to \$3,300. Now, \$3,300 would give the kind of living quarters normally occupied by families with \$1,320 a year income, the rent being one-tenth of the value and one-quarter of the income.

The President has called to our attention his belief that one-third of our people are ill housed. It happens that one-third of our people have incomes of less than \$1,000 a year. Therefore this program at its best furnishes living quarters for nobody in that lower one-third unless supplemented by a contribution from the Government.

You will see that you are plunging into the very middle of an activity than which there is nothing more socialistic. I use the word "socialism" with no invidious significance. It is a philosophic principle for which there is argument for as well as argument against, but here you have complete socialism in undertaking to tax the people of the country in order that one-third of them may live in homes that they would not otherwise occupy.

Mr. KELLER. Mr. Speaker, will my friend yield for a question?

Mr. LUCE. I decline to yield.

This may or may not be the wise thing for us to do, but I hold its importance is such that we ought to stop, look, and listen. No great harm will come from postponing this measure until the opening of the next Congress. In the course of that time it will be possible for gentlemen unacquainted with the facts to learn what we are doing and find out with what we are threatened by reason of our actions.

It is said, to be sure, that there should be this step in order to aid the building business. The figures for June show that building had, in that period, reached a high point, perhaps not the highest ever reached, but a building boom is on. There is no important need for the Government to go farther with this thing to encourage building. We are likely

to see the biggest building boom the country ever saw as a result of private activity and private enterprise. [Applause.] [Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky, a member of the Committee on Banking and Currency [Mr. SPENCE].

Mr. SPENCE. Mr. Speaker, we are today not alone considering this rule, but we are trying a policy of the Democratic Party that has been solemnly adopted by the legislative branch of this Government.

We have adopted a policy of slum clearance. Slums are the breeding places of crime, of disease, and of immorality, and they are not only destructive of this generation, but of the generations yet to come. The bill has for its purpose a great humanitarian object. Twenty-eight States have passed enabling legislation. No State has refused to pass such legislation where it has been submitted. Three hundred and fifty local agencies have been organized. Eight hundred million dollars of funds have been allocated. Five projects have been completed and there are now applications for projects totaling a billion more.

If we refuse to adopt this rule, it is a refusal to give a hearing for a continuation to a policy which we have already adopted. It is the conviction and condemnation of the United States Housing Act of 1937 without arraignment, without plea, and without trial. There is no excuse for refusing to adopt the resolution and considering the bill under this fair and open rule.

This is a momentous occasion for the Democratic Party. I think it means much to us, not only for the present, but for the future of the party. We have solemnly adopted the United States Housing Act of 1937. It is not only this rule that is on trial, it is that act which is on trial. To refuse to pass this resolution would be a confession of error when we passed that act and a confession of incapacity, because it would proclaim to the world that we not only admit we made a mistake when we passed the act, but that we also admit we are not capable of perfecting it; that we are incapable of making it a better act. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I rise at this time to explain the fact that I shall vote for this rule, even though I am opposed to this legislation. I voted for the rule in committee, and I feel it my duty to vote for it on the floor of this House. I have always followed that policy in the brief time I have been on this committee, and I think the House should have an opportunity to consider these matters. Therefore I will vote for the rule, even though I am opposed to the legislation. Of course, there are those of you who are not on the committee who do not have to vote that way. [Laughter and applause.]

Mr. WOODRUM of Virginia rose.

Mr. COLMER. Oh, I cannot yield.

Mr. WOODRUM of Virginia. Just for a question.

Mr. COLMER. Very well. I cannot refuse the distinguished gentleman from Virginia.

Mr. WOODRUM of Virginia. And if the gentleman were not on the Committee on Rules, I judge he would not feel obligated to vote for the rule.

Mr. COLMER. The gentleman from Virginia has a way of drawing fair conclusions. [Laughter and applause.] But I always favor an opportunity for the membership to pass on these questions.

Mr. KELLER rose.

Mr. COLMER. No, Mr. Speaker; I am sorry, I cannot yield.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. MAPES. Mr. Speaker, I have only two more speakers on this side.

Mr. SABATH. Mr. Speaker, in view of the fact that the gentleman from Michigan has only two gentlemen who are brave enough to speak against the rule, I yield 2 minutes to the gentleman from Missouri [Mr. ANDERSON].

Mr. ANDERSON of Missouri. Mr. Speaker, every Member of this House is aware that the expenses of our Government must be kept within its revenues, and that continuation to spend far more than we collect will eventually place our Government in a state of insolvency just the same as any other business that spends more than it makes.

From its very inception I have been opposed to the vast and almost uncontrolled Federal spending as a means of reviving business. I feel that this is not a desirable way nor an effective way to get the wheels of industry turning and get men back to work. Our efforts to resuscitate the fallen giant of industry will bear more fruit if we proceed to remove or at least modify a lot of boards, bureaus, taxes, and other restrictive elements that shackle American industry and agriculture and prevent recovery. However, let it not be said that all Federal spending is wasteful or undesirable. A certain amount of public works should always be authorized so long as there is need for it.

That there is a tremendous need for proper low-cost housing in the cities of this Nation is not debatable. The clearance of slums is a great economic and social necessity of our day and certainly it is a question that transcends all political considerations. The establishment of proper housing and environment for the millions who now dwell in the filth-ridden slums of our great cities is a problem that no man or woman can solve by political equation. It is one that must be met with an open mind and with a firm devotion to our duty of doing everything within our power to promote the "general welfare" of all our people.

The problem of large scale slum clearance is so vast and so urgently pressing that only the Federal Government is capable of handling the situation with any degree of success.

I cannot believe that there is a man or woman in this body who can fail to appreciate the desirability of slum clearance not only as a sound economic policy but one that involves great social betterment for millions. Perhaps there are many here who have no serious slum problem in their districts. The slum is one of the scourges of the large cities, and you, who live in and represent essentially rural areas may not look upon the slums with the same horror that those of us do who come from the large cities. But everyone here does know that the provision of proper housing and proper surroundings for a vast part of our population is a problem of greatest importance.

Before coming to Congress I practiced law in St. Louis for many years. After that I served two terms as prosecuting attorney of St. Louis County. In this capacity I learned of the tremendous necessity and desirability of slum clearance because I saw crime and criminals fostered and bred in the slums.

An amazingly large number of the young and first offenders that reached my office became criminals and social outcasts because of surroundings that were conducive of bad conduct. The Nation's annual crime bill is almost beyond comprehension for a nation that boasts of so many advantages for all. A very large percentage of the offenses are due to improper and unwholesome environment, especially in the large cities. Hence I am convinced that whatever money we spend for the housing program of the United States Housing Authority will be repaid hundreds of times, not in dollars and cents but in social and economic betterment for millions of people. Thousands of laborers, artisans, and mechanics will find work under the program, and generations to come will be improved socially and morally if we have the foresight to begin this great program now. Nothing is so effective in improving business conditions as a construction and building program. Every kind of business is helped by it.

Perhaps the majority of this House in their wisdom will see fit to defer or defeat the housing bill. There can be no quarrel with this body's prerogative to do that if it so desires, and I always have the greatest confidence in the decisions of the majority of this body whether I happen to be on that side or not. But I urge you—yes, even plead with you—to at least consider the bill by voting for the rule so that you may hear our case on the merits of the bill. Certainly it is too important a matter to refuse even the slightest consideration.

The housing bill means a great deal to St. Louis and to every city in this Nation. It means work for the building trades and all the industries that supply and sustain building programs. It means fewer slums and fewer social delinquencies. It means a better America.

Mr. SABATH. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. MARCANTONIO], who has some valuable information to give to the House.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent that the Clerk read the following letter which I received from the president of the American Farm Bureau Federation.

The SPEAKER pro tempore. Without objection the Clerk will read the letter in the time of the gentleman from New York.

The Clerk read as follows:

AMERICAN FARM BUREAU FEDERATION,  
Washington, D. C., August 3, 1939.

HON. VITO MARCANTONIO,

House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Replying to your recent inquiry to me as to the position of the American Farm Bureau Federation relative to the Housing bill, S. 591, under date of January 10 a statement of the American Farm Bureau Federation by its executive committee was submitted to the President of the United States and to all Members of the Seventy-sixth Congress, which set forth the position of our organization with respect to employment and various recovery measures. From this statement I again quote:

"1. In these critical times, when lack of economic balance between groups of our people prevents normal exchange of goods and services, which in turn results in a continuing unemployment problem, we reiterate our conviction that the full power of the Federal Government must be mobilized in an effort to restore the economic balance which is necessary to enable us, as a Nation, to regain normal volume of production and normal national income. We must put to work our billions of unemployed dollars and our millions of unemployed people."

Among our specific recommendations was the following: "That the Federal Government continue to provide employment for those who cannot secure employment in private industry."

We further recommended: "We insist further that Federal works projects be limited to such constructive projects as can fairly be expected to increase national income and wealth, or to add to the productive efficiency of our national economy."

To the extent that S. 591 meets the requirements as set forth in the foregoing statements with respect to providing useful employment, it will be a factor in national recovery as well as improving the housing conditions in both rural and urban areas.

Sincerely yours,

EDW. A. O'NEAL, President.

Mr. MARCANTONIO. Mr. Speaker, as one who was born in the slums, who was raised in the slums, and who still lives in the slums, I take this opportunity to voice the gratitude of the slum dwellers to the officers and members of the American Farm Bureau Federation for their support of this housing bill, S. 591. [Applause.]

All I can do in this brief moment is to direct my remarks to those who are playing politics with human misery. I ask you to forget politics, to forget your political hatred of Franklin D. Roosevelt, or his opponents; to lay that all aside and go into the slum districts of the big cities. Go into my district on a hot summer night and see American babies sleeping on the fire escapes, gasping for air. I am sure if you saw that sight you would forget playing politics with human misery. Stand on the sidewalks of New York with the people who dwell in the slums when the siren of the fire truck is heard, and watch their faces, observe their eyes filling with fear, and see them wonder as to which relative, whose brother, whose sister, whose mother, whose child is going to be the next victim on the funeral pyre of a slum fire. I say this because these sights, and these sights alone, could stop this disgusting political game that is being played here, with human beings as pawns.

This bill is not pump priming. It is the inexorable next step in the march of human progress. All we ask by this bill is not prosperity, not leisure, but to give to our young Americans their share of air and sunlight with which God has endowed our Nation. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. MAPES. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. FANNIN].



Mr. FADDIS. Mr. Speaker, this legislation is entirely too much of an adventure into the realms of socialism to suit me. My concern for the national credit and for the general welfare of this Nation will not allow me to support it. It comes to us from Mayor LaGuardia and his council of mayors of the metropolitan areas of the United States—an organization which has been endeavoring for several years to have the Congress force upon the country in general the relief problem of the metropolitan centers of this Nation.

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

Mr. FADDIS. I cannot yield. I do not have the time.

We have learned much during the past 6 years about relief, and we are due to learn more during the next few years. I myself have learned during the past 6 years that relief must be a local problem; that if we are ever to solve this problem we must solve it locally. I am confident that the housing problem of the United States is of the same character. Day before yesterday we refused to consider a measure brought in here which would have helped the rural population of the United States. The reason we refused consideration of that measure was because we believed that we had already expended as much money this year as we were warranted in expending. For the same reason that I voted against consideration of that measure I intend to vote against consideration of this one. The trend of the times is not toward more concentration in the cities, but the trend of the times is toward the breaking up of large metropolitan centers. This legislation is contrary to the trend of the times, and I hope the rule will be voted down. [Applause.]

I yield back the balance of my time.

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

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MAPES. Mr. Speaker, I have only one more speaker.

Mr. SABATH. I yield 2½ minutes to the gentleman from Missouri [Mr. Wood].

Mr. WOOD. Mr. Speaker, I hope this rule will be adopted.

It was said a moment ago that the chairman of the Rules Committee made a blunder when he brought out this bill. I think we will make a big blunder if we do not adopt this rule and pass this bill.

In my opinion, we made a blunder when we built up a prevailing rate of wages amongst mechanics on W. P. A. in the cities for 3 long years and then abolished it. We made another blunder when we reduced the rolls of the W. P. A. 1,000,000. Six hundred and fifty thousand go off the W. P. A. rolls this month. We made another blunder when we failed to adopt the appropriation for \$119,000,000 for the Commodity Credit Corporation to protect the prices of corn, cotton, and other commodities. We will indeed make a blunder if we do not pass this measure that will give the low-income group an opportunity for healthful surroundings, and also create work opportunities for the unemployed that is so desperately needed among the building trades; and if we do not start clearing out the slums and supplanting them with decent surroundings for the workers of this Nation.

I think there is no more important legislation that has come before this session of Congress than this measure. If we defeat this measure I think we will have completed a do-nothing session, insofar as contributing to the recovery of this Nation is concerned. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from North Dakota. I regret that I do not have more time to give the gentleman.

Mr. BURDICK. Mr. Speaker, it has been reported here that all of the Representatives from the farming sections of the United States will oppose this rule, because the farmers did not get what they wanted. I want to say that I represent a State where there is no other activity except agriculture. We are about as far removed from New York City as any other State in the Union that is engaged in agriculture. From my section of the country the gentlemen who represent that State in this House are not against the rule. We are not against any rule. We have never been against a rule, because it is a confession of weakness for this

House to decide that we shall not hear the merits of a bill. [Applause.]

I expect to keep my mind judicially inclined and listen to this bill. If it is a good bill I will support it. If it is not, I will vote against it. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I only have one other speaker, so I will ask the gentleman from Michigan to use his time.

Mr. MAPES. The gentleman has only one more speaker?

Mr. SABATH. That is all.

Mr. MAPES. I yield the balance of my time to the gentleman from Tennessee [Mr. Gore].

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for 10½ minutes.

Mr. GORE. Mr. Speaker, on day before yesterday I resolved doubt as to the self-liquidating character of the lending bill in favor of its sponsors and voted "aye" on the resolution. Today, on this bill there can be no doubt. The United States Housing Authority program is in no respect self-liquidating. It is not contemplated that any revenue from any project will ever be returned to the United States Government.

The cost of the program is paid in 60 annual payments from the Treasury of the United States. This bill authorizes \$800,000,000 to be loaned, but, mind you, that does not represent the cost of the program. It also authorizes the United States Housing Authority—and, mind you, when you authorize them, it will certainly be done—to make binding contracts for the payment of \$45,000,000 a year for 60 years—\$2,700,000,000. Add that to the \$28,000,000 every year to which we have already been committed, for 60 years, and you have \$73,000,000 a year for 60 years—\$4,380,000,000 to which the passage of this bill will definitely and positively commit the Government.

Mr. KELLER. Will the gentleman yield?

Mr. GORE. I decline to yield.

Mr. KELLER. Not for a question?

Mr. GORE. I decline to yield.

The regular order was demanded.

Mr. GORE. If I thought the gentleman was seeking information, I would yield. [Laughter.]

The faith and credit of the United States Government is pledged to the fulfillment of these contracts.

The chairman of my committee, whom I dearly love and whom I regret to oppose, will follow me; and I hope he will not say that any of this is misinformation, because it is not misinformation and I would be glad to substantiate every statement I have made in personal conversation with any Member of this House.

The municipalities do not pay one penny of the cost of these projects. Each transaction requires two contracts. Mind you, it is not done in one contract. There is a loan contract and a contribution contract. The contribution contract represents the cost of the program which is—now, listen to this—which is a minimum in every contract of 233 percent of the amount loaned. Some contracts—and I shall be glad to show them to any Member, I have analyzed dozens of them—some contracts pledge the payment of 250 percent of the amount loaned. The Government pays the entire bill. The municipalities get the buildings and the local units get the rent. Not only does the Government pay the entire bill, but it is pledged, and contracted, and bound to amortize the debt at the rate of 3 percent interest; and, mind you, the United States Housing Authority borrows the money at 1¾ percent.

If the contracts, if the projects, could be amortized by the Treasury they would be paid completely in a little less than 32 years by making the same payment, the same one, the same specific amount that they bind themselves in these contracts to pay not for 32 years, but for 60 years. Let me illustrate by this simple example. Here is the finance provision: I lend you \$53. I take your note, put it in this pocket; and then I make a side contract with you to pay you \$73, and I take that money out of my other pocket, which is supplied by the taxpayer, put it in the first pocket, pay off the \$53 and proclaim to the world that I have made a profit of \$20.

It is ridiculous, Mr. Speaker. I am one of the youngest Members of this House. Even though my people may keep me here for 10 years, for 20 years, for 30 years, for 40 years, or for 50 years, this program will not then be paid for; and every year our appropriation bills will carry an item of \$73,000,000 for this purpose for the next 60 years. My 18-months-old baby will be lucky to live to see one of these contracts consummated. It is ridiculous. How many people can name an apartment house that is inhabitable at the end of 60 years? I turn to another point.

The United States Housing Authority is guilty of disseminating the most reprehensible, deceptive, and misleading information. In spite of this cost I find that on June 2 Mr. Straus made a speech in New Haven, Conn., in which he said—and in order that no claim of misinformation or misquotation can be assigned to me, I read his statement. I quote:

"The loans which the U. S. H. A. makes to localities for financing the capital development of projects are absolutely returnable—every dollar—with interest—"

Listen to this—

"They do not cost the public a penny."

I guess that is where the chairman of the Committee on Rules got his information. [Laughter.]

Mr. SABATH. No; I had studied the bill. [Laughter.]

Mr. GORE. That is very pleasing. I continue the quotation:

"They do not cost the public a penny, but, in fact, yield a small interest profit."

Mr. Speaker, one must be charitable, and, indeed, modest in selecting his diction to call that "propaganda."

The program is advertised as low-cost housing. It is not low-cost housing. So far this program has cost an average of \$4,893 per family unit, and before we pay ourselves back by this crazy change-of-pocket procedure and doubling the interest on the taxpayers of the country it will cost us for every family unit an average of over \$10,000. One project has cost—and this is a statement from the United States Housing Authority substantiated this morning—one project has cost \$6,710 per family unit, and before we pay ourselves back—mind you, the project never pays one penny to the Government—it will cost in that project over \$14,000 per family unit. I am wondering how many of my colleagues live in such expensive abodes.

The program is advertised as one to rehouse the slum dwellers, and although specifically requested, not one iota of evidence has been presented that as much as one family from the abolished slum area has ever been rehoused in one of these projects. I want to read from the record of the hearings. I do not wish to be misunderstood in making the statement that not as many as one has been rehoused, but I asked for the information, and they could not show me where one had been. I read to you from page 304 of the record of the hearings in regard to the projects which have been opened:

MEMBER OF THE COMMITTEE. In these five projects what percentage of the occupants are from the slum areas which were demolished?

Mr. STRAUS. From the particular area demolished?

MEMBER OF COMMITTEE. Yes.

Mr. STRAUS. I do not know. I can find out. It is not very important. \* \* \*

I thought it was important!

And that is not misinformation.

It will be said following me, because I know the program and argument, that we have adopted a policy, that it should go on, and that we should not stop it. Well, England adopted it, as you have heard, and within 3 years they stopped it. Why? Because a catastrophe was impending for the exchequer.

Mr. Speaker, something was said about blunders. I do not subscribe to the theory that because we as representatives of the people, we as Democrats or as a Congress, have made a blunder or a mistake, we should keep right on and carry it through. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield the balance of the time to the chairman of the Banking and Currency Committee [Mr. STEAGALL], who is not a new Member, but who has served here and on that committee for over 20 years.

Mr. STEAGALL. Mr. Speaker, I shall not contend that if this House recognizes that a mistake has been made in passing the original legislation that we should not correct that mistake. I do call attention to the fact, however, that the bill before the House is simply a provision for the continuation of a program upon which the House has voted affirmatively at least three or four different times, and that this program should not be interrupted without full consideration of results. Since the program was begun projects have been inaugurated in all but 17 States and 38 States have passed enabling legislation for organization of local housing authorities. The problem of housing is one that challenges the sympathetic efforts of every Member of the House. It pertains not alone to our cities, but conditions that cry out to us are spread throughout the length and breadth of the Nation. The legislation is national in purpose and will benefit the people of the entire Nation.

The cities were the first beneficiaries of our efforts for relief, but those who were responsible for this legislation had a vision that swept beyond the confines of the cities of the country. Those of us who come from rural areas know that conditions there parallel the unfortunate conditions that have been depicted in some of the cities of the Nation. Slum housing in rural areas is just as deplorable as is the case in urban centers. The inauguration of this great reform has been successful to an extent that exceeds our expectations.

Under the act as it was initially passed and approved in September 1937, the United States Housing Authority was authorized to issue bonds in an amount not to exceed a total of \$500,000,000, \$100,000,000 of which was to be available the first year and \$200,000,000 the second and third years. That act also authorized annual contributions in an aggregate amount of \$20,000,000, \$5,000,000 to be available the first year and \$7,500,000 the second and third years. In June of 1938, amendments were adopted which increased the bond authorization to \$800,000,000 and made the full amount immediately available. The amendments increased the annual contribution authorization to \$28,000,000 and made the full amount immediately available. This annual contribution authorization has, however, been sufficient to cover projects involving only about \$650,000,000 in Federal loans, plus the 10 percent local capital participation.

The amendment to the bill proposed by the committee authorizes the United States Housing Authority to issue its bonds for an additional \$800,000,000. The proceeds of these bonds would be available for loans of not more than 90 percent of the cost of projects undertaken by local public-housing agencies. This increased authorization is an authority merely to borrow that sum, which will be used for loans that will be fully repayable to the United States Housing Authority with interest.

The bill authorizes the United States Housing Authority to contract for the payment of annual contributions to public housing agencies in the additional amount of \$45,000,000. These annual contributions will cover projects financed with the proceeds of the additional bonds of the United States Housing Authority in the amount of \$800,000,000 and the amount of \$150,000,000 unexpended. These contributions are intended to make up the difference between the rent which would otherwise have to be charged for decent new housing and the rent which the families living in slums can now afford to pay. The bill authorizes the extension of the program to families of low income in rural areas. Of the funds available to the United States Housing Authority for loans, \$200,000,000 are earmarked to provide housing for families of low income in rural areas.

The program to be carried out if this proposal is passed would rehouse 500,000 families in the United States. It will provide new housing facilities for 2,000,000 people—certainly not less than 1,500,000—in the United States, of whom more than one-half million would be in rural areas.

The statement has been made that residents in the slum sections of our cities have not in reality been rehoused. The program is just getting under way, and projects under construction cannot be used before completion. Under the present program 365 projects are under way and some of them finished and occupied. There is demand now for more funds than is provided in the measure under consideration, but the program will have to proceed in an orderly way. It is not calculated that funds to be made available under this bill will be exhausted in less than 2 years.

This bill would afford employment for one-half million men for a period of 1 year. It is estimated that in connection with expenditures of this kind three times the amount of those directly expended will be employed in the expansion of trade and in labor to be put to work in carrying out contracts for the erection of buildings and otherwise.

The record shows that down to this time, instead of costing \$6,000 per dwelling, the cost is not above \$4,000, and it is being gradually reduced lower than contemplated in the original act. We have now approached the time when the cost of these structures will average \$3,500 or less. On an average, they have never exceeded the limits established in the original law of \$5,000 per unit and \$1,250 per room for the more expensive construction in the larger cities, and \$4,000 per unit and \$1,000 per room elsewhere.

I desire to call attention of Members of the House to the provision in this bill for rural housing. Two hundred million dollars have been earmarked for the relief of slum conditions that obtain in the rural sections of the country. Enabling legislation passed in 17 States provides for the organization of local housing authorities in rural areas. The Secretary of Agriculture testified that the program can be extended to several areas in every State in the Union under local laws or under the Farm Home Corporation in the Department of Agriculture. I believe that the program is less difficult of administration in rural areas than in urban centers. There is on hand \$150,000,000 of the funds available to inaugurate a system of low-cost housing in rural areas, without the requirement of the 10-percent cash contribution required under the bill now before us, which is a departure from existing law.

Under this bill any local housing authority must first contribute 10 percent in cash of any loan to be made.

Mr. SIROVICH. Will the gentleman yield?

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

Mr. SIROVICH. The distinguished gentleman who has been battling for slum clearance has made a very interesting contribution; but I want to call his attention to the fact that although the United States Housing Authority assisted projects are built for 60 years with labor paid the prevailing wages, the average net construction cost of these projects is more than \$1,000 less than the comparable figure for private residential construction of all types.

Mr. STEAGALL. That is quite true, and I thank the gentleman.

I wish to call attention to the figures that have been given, which are calculated to give an exaggerated and unjust impression respecting the provisions of this bill.

The amount of annual contributions carried in this bill for the purpose of maintaining the low-rent quality of houses to be afforded the unfortunate people who are to benefit by this legislation is not such as has been pictured. The rate of interest paid by the United States Housing Authority at this time is 1½ percent. The rate of interest charged on loans is 3 percent. So that you have a margin of 1½ percent upon which to operate, and when we take into account earnings on the margin between the cost of the money and the rate applied, and apply that to annual contributions, it will reduce annual contributions to \$50,000,000. That is what the actual figures show.

Contrary to statements that have been made, not technically misleading, but calculated to create misunderstanding with reference to this bill, it is a loan bill insofar as the

money supplied to aid the local housing authorities in the construction of buildings is concerned. They are loans that will be repaid and loans that we have a right to expect will be repaid. The gentlemen who oppose us proceed with the figures handed us. I answer on a basis of the same figures that have been handed us. If they are correct when offered by the gentlemen who have preceded me, they should not be questioned when offered by me. On the basis of these figures we are justified in the statement that the difference of 1½ percent between the cost of money and the interest charged on loans if applied against annual contributions will reduce them to \$50,000,000 a year.

The bill provides for full repayment of loans but not to the Treasury for the reason that the Treasury does not part with a dollar. The Treasury does not furnish the money and the Treasury, of course, does not get the money back. The United States Housing Authority uses the credit of the Federal Treasury to borrow money, and the bill provides that the money will be returned to the United States Housing Authority for payment of its obligations.

The way in which figures are presented to this House would give an unjust impression. If we take any annual appropriation and multiply it by 60 the total will be appalling.

Such a calculation on the figures in this bill is far less staggering than it would be if applied to any of our various annual appropriations such as national defense, veterans' benefits, agricultural adjustment, and others made on that basis. It is not a fair way to present it. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution.

Mr. MARTIN of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 169, nays 191, answered "present" 1, not voting 67, as follows:

[Roll No. 154]

YEAS—169

Anderson, Mo.	Eberharter	Kilday	Robinson, Utah
Arnold	Edmiston	Kirwan	Rogers, Okla.
Barry	Ellis	Kocalkowski	Romjue
Beam	Evans	Kramer	Sabath
Beckworth	Fay	Larrabee	Sacks
Bloom	Flaherty	Lea	Sasscer
Boland	Flannagan	Leavy	Schuetz
Boykin	Flannery	Lemke	Schulte
Bradley, Pa.	Fries	McAndrews	Scrugham
Brown, Ga.	Fulmer	McArdle	Seger
Bryson	Gavagan	McCormack	Shanley
Buck	Gehrmann	McKeough	Shannon
Buckley, N. Y.	Gerlach	McLaughlin	Sheppard
Bulwinkle	Geyer, Calif.	McMillan, John L.	Sirovich
Burdick	Gibbs	Maclejewski	Smith, Conn.
Burgin	Grant, Ala.	Mahon	Smith, Ill.
Byrne, N. Y.	Gregory	Maloney	Smith, Wash.
Byrns, Tenn.	Griffith	Marcantonio	Snyder
Byron	Hart	Martin, Colo.	Somers, N. Y.
Cannon, Fla.	Harter, N. Y.	Martin, Ill.	Sparkman
Cannon, Mo.	Harter, Ohio	Merritt	Spence
Cartwright	Havenner	Miller	Steagall
Casey, Mass.	Healey	Mills, La.	Sullivan
Celler	Hendricks	Moser	Sutphin
Chandler	Hennings	Mouton	Tenerowicz
Claypool	Hill	Murdock, Ariz.	Terry
Cochran	Hobbs	Murdock, Utah	Thomas, Tex.
Coffee, Wash.	Hull	Myers	Thomason
Cole, Md.	Hunter	Nelson	Tolan
Colmer	Izac	Norton	Vinson, Ga.
Connery	Jarman	O'Connor	Voorhis, Calif.
Cooper	Jeffries	O'Day	Wallgren
Crosser	Johnson, Lyndon	O'Leary	Walter
Cullen	Johnson, Okla.	O'Toole	Ward
D'Alesandro	Johnson, W. Va.	Pace	Weaver
Darden	Jones, Tex.	Parsons	Welch
Delaney	Kee	Patrick	Welchel
Dempsey	Keller	Patton	Williams, Mo.
DeRouen	Kelly	Peterson, Fla.	Wood
Dickstein	Kennedy, Md.	Pfeifer	Zimmerman
Doughton	Kennedy, Michael	Ramspeck	
Duncan	Keogh	Randolph	
Dunn	Kerr	Rayburn	

## NAYS—191

Alexander	Doxey	Johns	Rich
Allen, Ill.	Drewry	Johnson, III.	Risk
Allen, La.	Durham	Johnson, Luther A.	Robertson
Allen, Pa.	Dworschak	Jones, Ohio	Rodgers, Pa.
Andersen, H. Carl	Elliott	Kean	Rogers, Mass.
Anderson, Calif.	Elston	Keefe	Routzohn
Andersen, A. H.	Engel	Kinzer	Rutherford
Andrews	Englebright	Kitchens	Sandager
Angell	Faddis	Kleberg	Satterfield
Arends	Fenton	Lambertson	Schafer, Wis.
Ashbrook	Ferguson	Landis	Schiffler
Austin	Folger	LeCompte	Secombe
Barden	Ford, Leland M.	Lewis, Colo.	Shafer, Mich.
Barton	Ford, Miss.	Lewis, Ohio	Simpson
Bates, Mass.	Gamble	Luce	Smith, Maine
Bell	Garrett	McDowell	Smith, Ohio.
Bender	Gartner	McGehee	Smith, Va.
Blackney	Gathings	McLean	Smith, W. Va.
Bland	Gearhart	McLeod	South
Boehne	Gifford	Maas	Springer
Bolles	Gilchrist	Mapes	Starnes, Ala.
Bolton	Gille	Marshall	Sumner, Ill.
Bradley, Mich.	Gore	Martin, Iowa	Taber
Brewster	Gossett	Martin, Mass.	Talle
Brooks	Graham	Mason	Tarver
Brown, Ohio	Grant, Ind.	May	Taylor, Tenn.
Carlson	Gross	Michener	Thomas, N. J.
Carter	Guyer, Kans.	Mills, Ark.	Thorkelson
Case, S. Dak.	Gwynne	Monkiewicz	Tibbott
Chipperfield	Hall	Monrone	Tinkham
Church	Halleck	Mott	Treadway
Clark	Hancock	Mundt	Van Zandt
Clason	Hare	Murray	Vorys, Ohio
Clevenger	Harness	Nichols	Vreeland
Cole, N. Y.	Hartley	Norrell	Wadsworth
Corbett	Hawks	O'Brien	Warren
Costello	Heinke	Oliver	West
Courtney	Hess	Osners	Wheat
Cox	Hinshaw	Pearson	White, Ohio
Crawford	Hoffman	Peterson, Ga.	Whittington
Culkin	Hope	Pierce, N. Y.	Wigglesworth
Curtis	Horton	Pierce, Oreg.	Williams, Del.
Darrow	Houston	Pittenger	Winter
Dirksen	Jacobsen	Plumley	Wolcott
Disney	Jarrett	Poage	Wolfenden, Pa.
Ditter	Jenkins, Ohio	Polk	Woodrum, Va.
Dondero	Jenks, N. H.	Reed, Ill.	Youngdahl
Dowell	Jensen	Rees, Kans.	

## ANSWERED "PRESENT"—1

Robison, Ky.

## NOT VOTING—67

Ball	Dies	Lanham	Rockefeller
Barnes	Dingell	Lesinski	Ryan
Bates, Ky.	Douglas	Ludlow	Schaefer, Ill.
Boren	Eaton, Calif.	McGranery	Schwert
Buckler, Minn.	Eaton, N. J.	McMillan, Thos. S.	Secret
Burch	Fernandez	Magnuson	Short
Caldwell	Fish	Mansfield	Stearns, N. H.
Chapman	Fitzpatrick	Massingale	Stefan
Cluett	Ford, Thomas F.	Mitchell	Summers, Tex.
Coffee, Nebr.	Green	O'Neal	Sweeney
Collins	Harrington	Patman	Taylor, Colo.
Cooley	Holmes	Powers	Thill
Creal	Hook	Rabaut	Vincent, Ky.
Crowe	Johnson, Ind.	Rankin	White, Idaho
Crowther	Kennedy, Martin	Reece, Tenn.	Wolverton, N. J.
Cummings	Knutson	Reed, N. Y.	Woodruff, Mich.
Curling	Kunkel	Richards	

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. BANKHEAD, and he answered "yea."

So the resolution was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Bates of Kentucky (for) with Mr. Robison of Kentucky (against).  
 Mr. Buckler of Minnesota (for) with Mr. Knutson (against).  
 Mr. Rankin (for) with Mr. Douglas (against).  
 Mr. Powers (for) with Mr. Thill (against).  
 Mr. Dingell (for) with Mr. Reece of Tennessee (against).  
 Mr. Rabaut (for) with Mr. Thomas S. McMillan (against).  
 Mr. Ball (for) with Mr. Cluett (against).  
 Mr. Crowe (for) with Mr. Coffee of Nebraska (against).  
 Mr. Sweeney (for) with Mr. Chapman (against).  
 Mr. Wolverton of New Jersey (for) with Mr. Rockefeller (against).  
 Mr. Creal (for) with Mr. Crowther (against).  
 Mr. Hook (for) with Mr. Reed of New York (against).  
 Mr. Magnuson (for) with Mr. Woodruff of Michigan (against).  
 Mr. Lesinski (for) with Mr. Ryan (against).

General pairs:

Mr. McGranery with Mr. Fish.  
 Mr. Martin J. Kennedy with Mr. Holmes.  
 Mr. Caldwell with Mr. Stearns of New Hampshire.  
 Mr. Lanham with Mr. Short.  
 Mr. Harrington with Mr. Johnson of Indiana.  
 Mr. Schaefer of Illinois with Mr. Stefan.  
 Mr. Burch with Mr. Eaton of New Jersey.  
 Mr. Cooley with Mr. Kunkel.

Mr. Barnes with Mr. Eaton of California.  
 Mr. Cummings with Mr. Secret.  
 Mr. Massingale with Mr. White of Idaho.  
 Mr. Ludlow with Mr. Dies.  
 Mr. O'Neal with Mr. Green.  
 Mr. Taylor of Colorado with Mr. Fernandez.  
 Mr. Thomas F. Ford with Mr. Mitchell.  
 Mr. Mansfield with Mr. Vincent of Kentucky.  
 Mr. Summers of Texas with Mr. Collins.  
 Mr. Boren with Mr. Patman.

Mr. ROBSION of Kentucky. Mr. Speaker, I have a pair with the gentleman from Kentucky, Mr. BATES. If the gentleman from Kentucky were present, he would vote "yea." I voted "nay." I wish to withdraw my vote and answer "present."

Mr. JOHN L. McMILLAN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

On motion of Mr. MARTIN of Massachusetts, a motion to reconsider the vote by which the resolution was rejected was laid on the table.

Mr. CULLEN. Mr. Speaker, if my colleagues the gentlemen from New York, Mr. CURLEY and Mr. FITZPATRICK, both of whom are ill, were present, they would have voted "yea" on the resolution. My colleagues the gentlemen from New York, Mr. MARTIN J. KENNEDY and Mr. SCHWERT, and the gentleman from South Carolina, Mr. RICHARDS, are unavoidably detained. If they were present, they would have voted "yea" on the resolution.

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had ordered that the Secretary be directed to request the House to return to the Senate the bill (H. R. 5982) entitled "An act for the protection against unlawful use of the badge, medal, emblem, or other insignia of veterans' organizations incorporated by act of Congress, and providing penalties for the violation thereof."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2697) entitled "An act to facilitate the execution of arrangements for the exchange of surplus agricultural commodities produced in the United States for reserve stocks of strategic and critical materials produced abroad."

The message also announced that the Senate insists upon its amendment to the bill (H. R. 7270) entitled "An act to amend the Bonneville Project Act," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BAILEY, Mr. SHEPPARD, and Mr. WHITE to be the conferees on the part of the Senate.

## PAYMENT OF ATTORNEY'S FEES FROM OSAGE TRIBAL FUNDS

Mr. ROGERS of Oklahoma. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4117) to provide for the payment of attorney's fees from Osage tribal funds, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. ROGERS of Oklahoma, Mr. O'CONNOR, and Mr. BURDICK.

## CONVEYANCE OF CERTAIN LANDS TO THE STATE OF NEVADA

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2133) authorizing the conveyance of certain lands to the State of Nevada.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. RICH. Reserving the right to object, Mr. Speaker, will the gentleman explain the bill?

Mr. DEROUEN. Mr. Speaker, the Senate bill that I have asked be considered at this time has passed the Senate and is now before the House. There are no amendments. This bill authorizes the conveyance of certain lands to the State of Nevada, and that is all it does. The bill contains the

usual reservation to the United States of mineral rights. There is no objection whatever to the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is authorized and directed to convey to the State of Nevada all right, title, and interest of the United States in the following-described area: The northwest quarter of the northeast quarter of section 11, township 43 north, range 51 east, Mount Diablo base and meridian, in part satisfaction of the grant to the State for university purposes made by the act of July 4, 1866 (14 Stat. 85): *Provided,* That the patent issued to the State for this tract shall contain a reservation to the United States for all oil, gas, and other mineral deposits, together with the right to prospect for, mine, and remove the same under such regulations as the Secretary of the Interior may prescribe.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### WENATCHEE NATIONAL FOREST

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5747) to authorize the addition of certain lands to the Wenatchee National Forest, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 10, after the period, add the following sentence: "Lands received in exchange or purchased under the provisions of this act shall be open to mineral locations, mineral development, and patent, in accordance with the mining laws of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

#### LOUISE WOHL

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6435) to authorize cancellation of deportation in the case of Louise Wohl, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

After line 11, insert:

"Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the nonpreference category of the quota during the current year."

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 291) authorizing and requesting the President to accept the invitation of the Government of Norway to the Government of the United States to participate in an International Exhibition of Polar Exploration, which will be held at Bergen, Norway, in 1940, and authorizing an appropriation to cover the expenses of such participation.

The Clerk read the title of the joint resolution.

Mr. TABER. Mr. Speaker, reserving the right to object, I understand the gentleman is prepared to offer an amendment.

Mr. BLOOM. I have an amendment on the Clerk's desk reducing the amount to \$15,000.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that the Senate joint resolution (S. J. Res. 137) may be considered in lieu of the House joint resolution and that the Foreign

Affairs Committee be discharged from consideration of the Senate joint resolution.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

*Resolved, etc.,* That the President is hereby authorized and requested to accept the invitation extended by the Government of Norway to the Government of the United States to participate in an International Exhibition of Polar Exploration, which is to be held at Bergen, Norway, in 1940.

Sec. 2. The President is authorized to appoint a commissioner to represent the United States at the exhibition, who will serve in this capacity without compensation; or the President is authorized to designate, upon the nomination of the Secretary of State, a permanent Government official as commissioner to represent the United States at the exhibition, who will serve in this capacity without additional compensation. The expenses of the commissioner and such staff as he may need to assist him will be met out of funds provided for the purposes of Government participation in the exhibition. The duties of the commissioner and his assistants shall be prescribed by the Secretary of State. The other departments of the Government are authorized and directed to cooperate with the Secretary of State or his authorized representatives in preparing the exhibit.

Sec. 3. The Secretary of State is authorized to employ such assistants as may be deemed necessary to carry out the provisions of this resolution, and to fix their reasonable compensation without regard to the civil-service laws and regulations and the Classification Act of 1923, as amended; to purchase such materials, contract for such labor and other services as may be necessary, without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5). The Secretary of State may delegate to the commissioner or other officer any of the powers vested in him by this resolution as may be deemed advisable.

Sec. 4. In order to defray the expenses of representation of the United States at the exhibition, including personal services in the District of Columbia or elsewhere; transportation of things; traveling and subsistence expenses; rent and heating, light, and maintenance services; printing and binding; selection, purchase, assembling, preparation, transportation, arrangement, safekeeping, demonstration, removing, repairing, and altering of an exhibit or exhibits, including the preparation of an exhibit plan; official cards; entertainment; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; communication service; purchase or rental of furniture and equipment; stationery and supplies, books of reference, and periodicals, newspapers, and other appropriate publications, maps, reports, documents, plans, specifications, and manuscripts; and ice and drinking water for office use: *Provided,* That arrangements for telephone services, rents, and subscriptions to newspapers and periodicals may be made in advance; and such other expenses as may be necessary in the opinion of the Secretary of State to carry out the purposes of this resolution; the sum of \$35,500, or so much thereof as may be necessary, is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until expended for the purposes of this joint resolution, and any unexpended balances shall be covered into the Treasury of the United States. All expenditures shall be subject to the approval of the Secretary of State and payable upon his certification: *Provided further,* That he is authorized in his discretion to delegate this authority to the commissioner or such other officer as he may deem advisable. Such expenditures shall not be subject to the provisions of any law regulating or limiting expenditure of public money other than this resolution, but this provision shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, or permit any indebtedness to be incurred in excess of the amount authorized to be appropriated.

Sec. 5. The heads of the various executive departments and independent offices and establishments of the Government are authorized and directed to assist the Secretary of State, or such other officers of the Government as may be designated or appointed by the Secretary of State, to assemble the exhibit, in the procurement, installation, and display of an exhibit or exhibits; to lend such materials, articles, manuscripts, documents, papers, specimens, and exhibits as the Secretary of State shall deem to be in the interest of the United States in carrying out the purposes of this resolution; and to contract for such labor or other services as may be requested by the Secretary of State, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5).

Sec. 6. The commissioner or officer in charge of the preparation of the exhibit, with the approval of the Secretary of State, may receive from any source contributions of material to aid in carrying out the general purposes of this resolution, and at the close of the exhibition or when the connection of the Government of the United States therewith ceases shall, under the direction of the Secretary of State, return the articles so contributed to the source from which they came, or dispose of them, or such portion thereof as may be unused, and account therefor.

Sec. 7. Any expenses incident to the restoration of any of the property assembled under the provisions of this resolution to such a condition which will permit its use at subsequent exhibitions or

celebrations, and for the continued employment of personnel necessary to close out the fiscal and other records and to prepare the reports, may be paid from the appropriation authorized herein.

Sec. 8. It shall be the duty of the Secretary of State to transmit to the Congress within 6 months after the close of the exhibition a detailed statement of all expenditures, together with such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference.

Mr. BLOOM. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Page 3, line 23, strike out "\$35,500" and insert in lieu thereof "\$15,000."

The amendment was agreed to.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I hope this resolution will pass. It is extremely fitting that we should be represented at the Polar Exploration Exposition at Bergen, Norway. Norway has always been our very good friend, and the United States polar explorations have been most notable. We, in Massachusetts, are especially interested, due to the fact that Admiral Richard Byrd has made such extremely valuable contributions.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House joint resolution (H. J. Res. 291) was laid on the table.

#### APPORTIONMENT OF COST BETWEEN THE UNITED STATES AND THE OWNERS OF CERTAIN BRIDGES

Mr. CROSSER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1989) to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the United States and the owners of such bridges, and for other purposes.

Mr. TABER. Mr. Speaker, reserving the right to object, will the gentleman explain this bill?

Mr. CROSSER. Mr. Speaker, the transportation bill that was passed last week contained a provision about the apportionment of the cost of alterations of bridges between the Government and the railroads when they were ordered changed or rebuilt by any of the departments of the Government. There will not be any agreement in conference on the bill before January, and the gentleman from Alabama [Mr. HOBBS] is interested in a matter down in his district and would like the legislation to take effect so far as the bridge matter is concerned now. This is practically the section that was in the transportation bill passed last week with regard to bridges.

Mr. TABER. It has to do with bridge matters and nothing else?

Mr. CROSSER. Nothing else but bridges.

Mr. TABER. And the committee has all agreed to it?

Mr. CROSSER. Yes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.—*

#### DEFINITIONS

SECTION 1. When used in this act, unless the context indicates otherwise—

The term "alteration" includes changes of any kind and reconstruction.

The term "bridge" means a lawful bridge over navigable waters of the United States, including approaches thereto, used and operated for the purpose of carrying railroad traffic, or both railroad and highway traffic.

The term "bridge owner" means any corporation, association, partnership, or individual owning any bridge, and when any bridge shall be in the possession or under the control of any trustee, receiver, trustee in bankruptcy, or lessee, said term shall include both the owner of the legal title and the person or entity in possession or control of such bridge.

The term "Secretary" means the Secretary of War acting directly or through the Chief of Engineers.

The term "United States," when used in a geographical sense, includes the Territories and possessions of the United States.

#### OBSTRUCTION OF NAVIGATION

SEC. 2. No bridge shall at any time unreasonably obstruct the free navigation of any navigable waters of the United States.

#### NOTICE, HEARINGS, AND FINDINGS

SEC. 3. Whenever any bridge shall, in the opinion of the Secretary, at any time unreasonably obstruct such navigation, it shall be the duty of the Secretary, after notice to interested parties, to hold a hearing at which the bridge owner, those interested in water navigation thereunder or therethrough, those interested in either railroad or highway traffic thereover, and any other party or parties in interest shall have full opportunity to offer evidence and be heard as to whether any alteration of such bridge is needed, and if so what alterations are needed, having due regard to the necessity of free and unobstructed water navigation and to the necessities of the rail or highway traffic. If, upon such hearing, the Secretary determines that any alterations of such bridge are necessary in order to render navigation through or under it reasonably free, easy, and unobstructed, having due regard also for the necessities of rail or highway traffic thereover, he shall so find and shall issue and cause to be served upon interested parties an order requiring such alterations of such bridge as he finds to be reasonably necessary for the purposes of navigation.

#### SUBMISSION AND APPROVAL OF GENERAL PLANS AND SPECIFICATIONS

SEC. 4. It shall be the duty of the bridge owner to prepare and submit to the Secretary, within 90 days after service of his order, general plans and specifications to provide for the alteration of such bridge in accordance with such order, and for such additional alteration of such bridge as the bridge owner may desire to meet the necessities of railroad or highway traffic, or both. The Secretary may approve or reject such general plans and specifications, in whole or in part, and may require the submission of new or additional plans and specifications, but when the Secretary shall have approved general plans and specifications, they shall be final and binding upon all parties unless changes therein be afterward approved by the Secretary and the bridge owner.

#### CONTRACTS FOR PROJECT; GUARANTY OF COST

SEC. 5. After approval of such general plans and specifications by the Secretary, and within 90 days after notification of such approval, the bridge owner shall, in such manner as the Secretary may prescribe, take bids for the alteration of such bridge in accordance with such general plans and specifications. All bids, including any bid for all or part of the project submitted by the bridge owner, shall be submitted to the Secretary, together with a recommendation by the bridge owner as to the most competent bid or bids, and at the same time the bridge owner shall submit to the Secretary a written guaranty that the total cost of the project, including the cost of such work as is to be performed by the bridge owner and not included in the work to be performed by contract, shall not exceed the sum stated in said guaranty. The Secretary may direct the bridge owner to reject all bids and to take new bids, or may authorize the bridge owner to proceed with the project, by contract, or partly by contract and partly by the bridge owner, or wholly by the bridge owner. Upon such authorization and fixing of the proportionate shares of the cost as provided in section 6, the bridge owner shall, within a reasonable time to be prescribed by the Secretary, proceed with the work of alteration; and the cost thereof shall be borne by the United States and by the bridge owner, as hereinafter provided.

#### APPORTIONMENT OF COST

SEC. 6. At the time the Secretary shall authorize the bridge owner to proceed with the project, as provided in section 5, and after an opportunity to the bridge owner to be heard thereon, the Secretary shall determine and issue an order specifying the proportionate shares of the total cost of the project to be borne by the United States and by the bridge owner. Such apportionment shall be made on the following basis: The bridge owner shall bear such part of the cost as is attributable to the direct and special benefits which will accrue to the bridge owner as a result of the alteration, and the United States shall bear the balance of the cost. In such direct and special benefits shall be included additional length of life or period of usefulness of a bridge. In apportioning cost due allowance to the bridge owner shall be made for the present value of bridge replaced at the time of replacement.

#### PAYMENT OF SHARE OF THE UNITED STATES

SEC. 7. When the Secretary shall have approved the general plans and specifications for the alteration of such bridge and the guaranty with respect to the cost thereof, and shall have fixed the proportionate shares thereof as between the United States and the bridge owner, he shall furnish to the Secretary of the Treasury a certified copy of his approval of such plans and specifications and guaranty, and of his order fixing the proportionate shares of the United States and of the bridge owner, and the Secretary of the Treasury shall thereupon set aside, out of any appropriation available for such purpose, the share of the United States payable under this act on account of the project. When the Secretary finds that such project has been completed in accordance with his order, he shall cause to be paid to the bridge owner, out of the funds so set aside, the proportionate share of the total cost of the project allocated to the United States; or he may, in his discretion, from time to time, cause payments to be made on such construction costs as the work progresses. The total payments out of Federal funds shall not exceed the proportionate share of the United States of the total cost of the project paid or incurred by the bridge owner, and, if such total cost exceeds the cost guaranteed by the bridge owner, shall not exceed the proportionate share of

the United States of such guaranteed cost, except that if the cost of the work exceeds the guaranteed cost by reason of emergencies, conditions beyond the control of the owner, or unforeseen or undetermined conditions, the Secretary may, after full review of all the circumstances, provide for additional payments by the United States to help defray such excess cost to the extent he deems to be reasonable and proper, and shall certify such additional payments to the Secretary of the Treasury for payment. All payments to any bridge owner herein provided for shall be made by the Secretary of the Treasury on warrants drawn by the Secretary, payable to the bridge owner.

#### APPROPRIATION AUTHORIZED

Sec. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

#### FAILURE TO COMPLY WITH ORDERS; PENALTIES; REMOVAL OF BRIDGE

Sec. 9. Any bridge owner who shall willfully fail or refuse to remove a bridge, or so much thereof as may have been found by the Secretary to be an unreasonable obstruction to navigation, or to comply with any lawful order of the Secretary, made in accordance with the provisions of this act, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished in any court of competent jurisdiction by a fine not exceeding \$5,000, and every month such bridge owner shall remain in default shall be deemed a new offense and subject such bridge owner to additional penalties therefor. In addition to the penalties above prescribed the Secretary may, upon the failure or refusal of any bridge owner to comply with any lawful order issued by the Secretary in regard thereto, cause the removal of any such bridge and accessory works at the expense of the bridge owner; and suit for such expense may be brought in the name of the United States against such bridge owner and recovery had for such expense in any court of competent jurisdiction. The removal of any bridge erected or maintained in violation of the provisions of this act or the order or direction of the Secretary made in pursuance thereof, and compliance with any order of the Secretary made with respect to any bridge in accordance with the provisions of this act, may be enforced by injunction, mandamus, or other summary process upon application to the district court of any district in which such bridge may, in whole or in part, exist, and proper proceedings to this end may be instituted under the direction of the Attorney General of the United States at the request of the Secretary.

#### REVIEW OF FINDINGS AND ORDERS

Sec. 10. Any order made or issued under section 6 of this act may be reviewed by the circuit court of appeals for any judicial circuit in which the bridge in question is wholly or partly located, if a petition for such review is filed within 3 months after the date such order is issued. The judgment of any such court shall be final except that it shall be subject to review by the Supreme Court of the United States upon certification or certiorari, in the manner provided in sections 239 and 240 of the Judicial Code, as amended. The review by such Court shall be limited to questions of law, and the findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive. Upon such review, such Court shall have power to affirm or, if the order is not in accordance with law, to modify or to reverse the order, with or without remanding the case for a rehearing as justice may require. Proceedings under this section shall not operate as a stay of any order of the Secretary issued under provisions of this act other than section 6, or relieve any bridge owner of any liability or penalty under such provisions.

#### REGULATIONS AND ORDERS

Sec. 11. The Secretary is authorized to prescribe such rules and regulations, and to make and issue such orders, as may be necessary or appropriate for carrying out the provisions of this act.

#### EXISTING PROVISIONS OF LAW

Sec. 12. The first sentence of section 4 of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906 (U. S. C., 1934 ed., title 33, sec. 494), and section 18 of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1899 (U. S. C., 1934 ed., title 33, sec. 502), shall be inapplicable with respect to any bridge to which the provisions of this act are applicable; and, in any case in which any requirement under either of such sections has been made with respect to the alteration of any bridge and such alteration had not been begun prior to January 1, 1939, the provisions of this act shall be applicable with respect to such alteration, and the Secretary shall make such additional findings and orders and take such other action as may be necessary in order to provide that such alteration will be made as nearly as possible in conformity with the provisions of this act.

#### RELOCATION OF BRIDGES

Sec. 13. If the owner of any bridge used for railroad traffic and the Secretary shall agree that in order to remove an obstruction to navigation, or for any other purpose, a relocation of such bridge or the construction of a new bridge upon a new location would be preferable to an alteration of the existing bridge, such relocation or new construction may be carried out at such new site and upon such terms as may be acceptable to the bridge owner and the Secretary, and the cost of such relocation or new construction, including also any expense of changes in and additions to rights-of-way, stations, tracks, spurs, sidings, switches, signals, and other railroad facilities and property, and relocation of shippers required

for railroad connection with the bridge at the new site, shall be apportioned as between the bridge owner and the United States in the manner which is provided for in section 6 hereof in the case of an alteration and the share of the United States paid from the appropriation authorized in section 8 hereof: *Provided*, That nothing herein shall be construed as requiring the United States to pay any part of the expense of building any bridge across a navigable stream which the Secretary of War shall not find to be in fact a relocation of an existing bridge.

Mr. CROSSER. Mr. Speaker, I offer the following committee amendments:

Page 1, lines 6 and 7, strike out "kind and reconstruction." and insert in lieu thereof, "kind, reconstruction, or removal in whole or in part."

Page 5, strike out after "and" in line 17 the balance of line 17 and all of lines 18 to 22, inclusive, and in lieu thereof insert the following: "that part of the cost attributable to the requirements of traffic by railroad or highway, or both, including any expenditure for increased carrying capacity of the bridge, and including such proportion of the actual capital cost of the old bridge or of such part of the old bridge as may be altered or changed or rebuilt as the used service life of the whole or a part, as the case may be, bears to the total estimated service life of the whole or such part. The United States shall bear the balance of the cost, including that part attributable to the necessities of navigation."

Page 7, strike out all after "refuse to" in line 16, down to and including "or to" in line 18.

Pages 9 and 10, strike out all of section 12, and in lieu thereof insert the following:

"Sec. 12. (a) The first sentence of section 4 of the act entitled 'An act to regulate the construction of bridges over navigable waters', approved March 23, 1906 (U. S. C., 1934 ed., title 33, sec. 494), and section 18 of the act entitled 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes,' approved March 3, 1899 (U. S. C., 1934 ed., title 33, sec. 502), shall be inapplicable with respect to any bridge to which the provisions of this act are applicable, except to the extent provided in this section.

"(b) Any bridge, the construction, reconstruction, or alteration of which was required by an order of the Secretary issued prior to July 1, 1939, and was not completed on such date, and in the case of which no penalties have accrued at the time of the enactment of this act, shall be constructed, reconstructed, or altered as required by such order, and not in accordance with the provisions of this act. In the case of any such bridge, however, the Secretary shall apportion the cost of the project between the bridge owner and the United States, and payment of the share of the United States shall be made, in the same manner as if the provisions of this act applied to such construction, reconstruction, or alteration, subject to the following limitations:

"(1) In case such construction, reconstruction, or alteration has not begun on the date of enactment of this act, such apportionment of cost shall be made only if (A) the construction, reconstruction, or alteration is carried out in accordance with plans and specifications, and pursuant to bids, approved by the Secretary, and (B) the bridge owner has submitted to the Secretary, a written guaranty of cost as provided for in section 5.

"(2) The Secretary's determination as to such apportionment, and as to such plans and specifications and bids, shall be final.

"(3) Such apportionment shall not be made if such construction, reconstruction, or alteration is not completed within the time fixed in such order of the Secretary or within such additional time (not to exceed 25 percent of the time allowed in the order for such completion) as the Secretary, for good cause shown, may allow.

"(c) Any bridge (except a bridge to which subsection (b) applies) the construction, reconstruction, or alteration of which was required by an order of the Secretary issued prior to July 1, 1939, and was not begun before such date, shall be subject to the provisions of this act as though such order had not been issued, and compliance with the provisions of this act and with such orders as may be issued thereunder shall be considered to constitute compliance with such order issued prior to July 1, 1939, and with the provisions of law under which it was issued."

Page 11, line 7, after "nothing", strike out "herein", and insert "in this section".

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN ULLMANN, JR.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 2427, authorizing the naturalization of John Ullmann, Jr., and consider the same.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to take from the Speaker's table the bill S. 2427 and consider the same, which the Clerk will report.

The Clerk read as follows:

*Be it enacted, etc.*, That, notwithstanding any other provision of law, at any time within 1 year after the date of enactment of this act, John Ullmann, Jr., of the United States Navy, retired, may be naturalized as a citizen of the United States by taking the naturalization oath of allegiance before any court having jurisdiction of the naturalization of aliens.

Mr. CASE of South Dakota. Mr. Speaker, this bill (S. 2427) is one of the most meritorious naturalization bills that has ever come to my attention. It will authorize the naturalization of John Ullmann, Jr., at any time within 1 year, by the taking of the naturalization oath of allegiance by Mr. Ullmann before any court having jurisdiction of the naturalization of aliens. It appears that Mr. Ullmann was born in Russia in 1884 and came to this country with his parents in 1892. The father, John Ullmann, Sr., took out his first papers in Clay County, Nebr., in 1893. They were under the mistaken belief that this was all that was required and that such action conferred citizenship upon the entire family, some of whom moved to South Dakota.

It was not until 1914 that Mr. Ullmann, Sr., received his final papers at which time John Ullmann, Jr., had reached his majority. In 1906 he enlisted in the Navy and at that time his citizenship was established to the satisfaction of the Navy Department officials upon an affidavit by the father. In 1914 his citizenship was again established upon a similar affidavit to the satisfaction of the Navy Department. Mr. Ullmann was retired at Shanghai, China, in 1936, upon the completion of 30 years' service. He immediately was appointed as an assistant deputy United States marshal in Shanghai, which position he held for 18 months. Since that time he has been employed by two or three American tobacco firms, representing their interests in China. He returned to this country in February of this year on a visit and was admitted as a citizen upon the presentation of his Navy papers. During the month of April he learned definitely that he did not acquire citizenship upon the naturalization of his father and immediately filed a declaration of intention, however, under the regular procedure, it will be 5 years before he can receive his final papers.

Mr. Ullmann has a wife and four children in Shanghai and they, of course, cannot come to this country until his citizenship is established and neither can he obtain a passport to return to China. He had an excellent record while in the United States Navy.

The consideration of the House in passing S. 2427 to meet this situation is appreciated.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

#### BRIEN M'MAHON

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2478) to limit the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases, and consider the same.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill S. 2478, and consider the same. Is there objection?

Mr. TABER. Mr. Speaker, I reserve the right to object. Will the gentleman please explain what this bill is?

Mr. WALTER. Mr. Speaker, this bill extends the statutory period so that Mr. McMahon, who was an Assistant Attorney General, may try the Harlan County cases over again without having the 2-year period apply to him. It does not involve any additional appointment. It merely permits the 2-year period to start from the time he left the employment of the Department of Justice.

Mr. TABER. Does this call for any additional expense?

Mr. WALTER. No.

Mr. TABER. And it relates specifically to him and not to anyone else?

Mr. WALTER. Not to anyone else.

Mr. HANCOCK. He was employed as a special counsel to try these cases, and this is to permit him to proceed with the cases of which he has had charge.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill as follows:

*Be it enacted, etc.*, That the employment of Brien McMahon as an attorney or counselor specially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice, at a compensation not to exceed the rate of \$10,000 per annum, to assist in the conduct of the case of United States against Mary Helen Corporation and others, in the eastern district of Kentucky, and the case of Société Suisse pour Valeurs de Metaux, petitioner, against Homer S. Cummings, Attorney General of the United States, and William A. Julian, Treasurer of the United States, in the District of Columbia, including all proceedings therein and any other case or proceeding, appellate or otherwise, that may arise out of or pertain to the matters or any of them involved in the said cases, shall not be construed to be employment within the meaning of sections 109 and 113 of the Criminal Code of the United States, as amended (U. S. C., title 18, secs. 198 and 203), or section 190 of the Revised Statutes of the United States (U. S. C., title 5, sec. 99).

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXEMPTION OF CERTAIN TELEPHONE EXCHANGES

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1234) to amend section 13 (a) of the act approved June 25, 1938 (52 Stat. 1069), entitled "Fair Labor Standards Act of 1938," and consider the same.

The SPEAKER. Is there objection?

Mr. RICH. Mr. Speaker, I reserve the right to object. What is this?

Mr. RAMSPECK. This is the so-called rural telephone exchange exemption. I think everyone is in favor of it. I talked with the gentleman from Massachusetts [Mr. MARTIN] and he is agreeable to this.

Mr. RICH. We may not object to this particular provision, but the gentleman has a lot of things in the National Labor Relations Act that ought to be changed. Can we expect any relief on that legislation which is anticipated by the people of this country?

Mr. RAMSPECK. This has nothing to do with the National Labor Relations Act.

Mr. RICH. This is the Wage and Hour Act?

Mr. RAMSPECK. Yes.

Mr. RICH. There are other features which the gentleman's committee is interested in, and are we to get any relief from that?

Mr. RAMSPECK. I cannot tell about that.

Mr. TABER. Will the gentleman tell how far this goes?

Mr. RAMSPECK. It simply exempts from the wage and hour provisions switchboard operators employed in telephone exchanges having less than 500 stations.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 13 (a) of the act approved June 25, 1938 (52 Stat. 1069), entitled the "Fair Labor Standards Act of 1938," be, and the same is hereby, amended by adding a new subsection 11 as follows: "or (11) any switchboard operator employed in a public telephone exchange which has less than 500 stations."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

#### SURPLUS AGRICULTURAL COMMODITIES

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent for the present consideration of a conference report on the bill (S. 2697) to facilitate the execution of arrangements for the exchange of surplus agricultural commodities produced in the United States for reserve stocks of strategic and critical materials produced abroad.

The SPEAKER. The gentleman from Alabama asks unanimous consent for the present consideration of a conference report upon the bill S. 2697. Is there objection?



Mr. TABER. Mr. Speaker, I reserve the right to object. Will the gentleman explain what this is?

Mr. STEAGALL. This conference report is entirely satisfactory to all of the conferees.

Mr. TABER. On both sides of the aisle?

Mr. STEAGALL. Yes.

Mr. TABER. And it is approved by the gentleman from Massachusetts [Mr. MARTIN]?

Mr. STEAGALL. Yes; with certain amendments which are entirely satisfactory to him.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 2697) to facilitate the execution of arrangements for the exchange of surplus agricultural commodities produced in the United States for reserve stocks of strategic and critical materials produced abroad, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"The Commodity Credit Corporation is authorized and directed to transfer to warehouses in or near cotton manufacturing centers in New England not to exceed 300,000 bales of cotton, to which it now has title or may hereafter acquire title, having regard for the grades and staples customarily required by manufacturers in that area: Provided, That all necessary costs in connection with such transfer will not result in additional net cost to the Corporation.

"In determining specific cotton to be exchanged under this Act, the determination shall be made by sampling and selection at the place where the cotton is stored on the date of ratification of a treaty providing for such exchange, and no cotton shall be exchanged under such treaty which, after such date, is transported to another place and there sampled and selected." And the House agree to the same.

HENRY B. STEAGALL,  
CLYDE WILLIAMS,  
BRENT SPENCE,  
JESSE P. WALCOTT,  
CHARLES L. GIFFORD,

*Managers on the part of the House.*

JAMES F. BYRNES,  
J. H. BANKHEAD,  
PRENTISS M. BROWN,  
JOHN G. TOWNSEND, Jr.,

*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 2697) to facilitate the execution of arrangements for the exchange of surplus agricultural commodities produced in the United States for reserve stocks of strategic and critical materials produced abroad, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

The House amendment provided that the Commodity Credit Corporation should warehouse in or near cotton-manufacturing centers in New England such reasonable amounts of cotton held as security for loans as the Corporation deemed necessary to meet local manufacturing needs, and in no event was the amount to be less than 300,000 bales. It was also provided that the written consent of the producer or borrower to reconcentration, as provided in section 383 (b) of the Agricultural Adjustment Act should not be required, and in determining specific cotton to be exchanged the determination was to be made by sampling and selection at the place where the cotton was stored on the date of the enactment of the act, and no cotton was to be exchanged which after such date was transported to another place and there sampled and selected.

The conference agreement provides that the Commodity Credit Corporation shall transfer to warehouses in or near cotton-manufacturing centers in New England not to exceed 300,000 bales of cotton, to which it has or may hereafter acquire title, having regard for the grades and staples customarily required by manufacturers in that area, provided that all necessary costs in connection with such transfer will not result in additional net cost to the Corporation. It is also provided that in determining specific cotton to be exchanged the determination shall be made by sampling and selection at the place where the cotton is stored on the date of the

ratification of a treaty providing for such exchange, and no cotton is to be exchanged under such treaty which, after such date, is transported to another place and there sampled and selected.

HENRY B. STEAGALL,  
CLYDE WILLIAMS,  
BRENT SPENCE,  
JESSE P. WALCOTT,  
CHARLES L. GIFFORD,

*Managers on the part of the House.*

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

#### POSTAL POWERBOAT SERVICE IN ALASKA

Mr. ROMJUE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 882, to authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes, and consider the same at this time.

The SPEAKER. The gentleman from Missouri asks unanimous consent to take from the Speaker's table the bill S. 882, and consider the same. Is there objection?

Mr. TABER. Reserving the right to object, Mr. Speaker, will the gentleman explain this bill?

Mr. ROMJUE. Under the present law the Postmaster General has no authority to make any contract for carrying passengers. All he can do is to make contracts in regard to carrying the mail. The Department has had great difficulty in getting anyone to carry the mail for the money they are allowed.

I would like for the Delegate from Alaska [Mr. DIMOND] to explain the details of it.

Mr. DIMOND. If the gentleman will yield—

Mr. ROMJUE. I yield.

Mr. DIMOND. In a certain part of Alaska, in that part which embraces the Alaska Peninsula and some of the Aleutian Islands, a region about 1,000 miles long, and containing six or seven or eight thousand people, there is difficulty in getting facilities for transportation for freight or passengers.

The purpose of this bill is to improve the service, so that in addition to furnishing transportation of the mail in this region, the bill will authorize the Postmaster General to require that the mail carrier also use in the service a safe and seaworthy boat of sufficient size to carry a reasonable number of passengers and some freight, in order to give adequate transportation service. The bill has the approval of the Bureau of the Budget and the Postmaster General, and we have a unanimous report from the Committee on the Post Office and Post Roads, and it has been passed by the Senate by unanimous consent.

Mr. TABER. What will be the additional cost?

Mr. DIMOND. In my judgment, the additional cost will be about \$20,000 a year, but it may be somewhat more. I want to say to the House, however, that in the recent contracts that were made in 1938 for the carriage of mails in Alaska, we effected a very great savings on other contracts, so that the Government, even under this bill, will not pay any more money for the service generally than it has paid out before.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. ROMJUE]?

There was no objection.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the Postmaster General may, in his discretion, contract for a period of not exceeding 4 years, without advertisement therefor, for the carriage of all classes of mail, by steamboat or other powerboat of United States registry, on the route from Seward, by points on Kenai Peninsula, Kodiak Island, Alaska Peninsula, the Aleutian Islands to Umnak Island, and points on Bristol Bay, Alaska, and vicinity, and back, by a schedule and under the conditions prescribed by the Postmaster General; the contractor to furnish and use in the service a safe and seaworthy boat of sufficient size to provide adequate space for mail, passengers, and freight, the annual cost not to exceed \$125,000, payment therefor to be made from the appropriation for powerboat service.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## KANIKSU NATIONAL FOREST

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2752) to include within the Kaniksu National Forest certain lands owned or in course of acquisition by the United States, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 10, line 18, after "forests", insert "Lands received in exchange or purchased under the provisions of this act shall be open to mineral locations, mineral development, and patent, in accordance with the mining laws of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. TABER. Mr. Speaker, reserving the right to object, is that a usual provision to put in this kind of a bill?

Mr. DEROUEN. Yes, sir. This was passed by both the Senate and the House. That amendment originated with the gentleman from California [Mr. ENGLEBRIGHT], who wishes this reservation made on all bills.

Mr. TABER. I have no objection, Mr. Speaker.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to address the House for 30 seconds.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHEPPARD. Mr. Speaker, when the resolution providing for the consideration of H. R. 7120, the lending bill, was voted on Tuesday last, I was absent from the House due to being in the hospital. Had I been present I would have voted "aye" on the adoption of the resolution.

## EXTENSION OF REMARKS

Mr. SHEPPARD. Mr. Speaker, at this time I ask unanimous consent to extend my own remarks in the RECORD and include a radio address by Mr. R. W. Blackburn, secretary, American Farm Bureau Federation, made last evening.

The SPEAKER. Is there objection?

There was no objection.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the resolution relating to the Housing Act.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## PETROLEUM INVESTIGATION

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent for the present consideration of House Resolution 290.

The Clerk read the resolution, as follows:

## House Resolution 290

Whereas in 1934 the Committee on Interstate and Foreign Commerce, by a subcommittee thereof, under authority of House Resolution 441, Seventy-third Congress, conducted a petroleum investigation and on January 3, 1935, submitted to the House a report thereon (Rept. No. 2, 74th Cong.), which investigation and report served as the basis for the enactment of important oil legislation; and

Whereas on July 22, 1939, the President of the United States addressed a letter to the chairman of the Committee on Interstate and Foreign Commerce of the House, reading, in part, as follows: "I appreciate the thoroughness with which the Committee on Interstate and Foreign Commerce conducted the petroleum investigation in 1934 in response to H. R. 441; but in the light of changes that have taken place, I believe the committee may wish to study developments since that time by investigation and hearings prior to the next session of the Congress. To this end, and with a view to the enactment of suitable legislation in the next session, I request that the petroleum conservation bill which I today discussed with you and Representative Cole be introduced at this session"; and

Whereas the bill referred to by the President in such letter was introduced on July 26, 1939, as H. R. 7372: Therefore be it

Resolved, That the Committee on Interstate and Foreign Commerce, as a whole or by subcommittee, is authorized—

(a) To conduct such investigation as may be necessary to bring up to date its study and report made pursuant to House Resolution

441, Seventy-third Congress, which provided for the investigation of (1) the production, importation, storage, transportation, refining, purchase, and sale of petroleum and its products for the purpose of determining whether there is an excessive supply of petroleum and its products; whether such excessive supply, if it exists, injuriously affects commerce in petroleum and its products and has the effect of rendering unprofitable the operation of wells of small but settled production and will cause their natural resources, induced by absence of restrictions upon the quantity which may move in commerce, results in waste and inferior uses; whether restrictions should be placed upon the quantities of petroleum and its products which may move in commerce when an excessive supply exists, and if so, whether such restrictions should regulate and coordinate commerce in petroleum and its products among the several States and with foreign nations, with fair and equitable apportionment among the States and among different operators and sources of supply; and whether commerce in petroleum and its products is of such a nature that it may be regarded as a unit for the purpose of establishing quotas irrespective of whether transactions are interstate or intrastate, or whether exportation or importation is involved; and (2) all other questions in relation to the subject of regulating commerce in petroleum and its products; and

(b) To investigate the methods and practices employed in the production and storage of petroleum from deposits within the United States, for the purpose of determining whether such methods and practices are wasteful of petroleum and the reservoir energy available for recovery thereof from such deposits; whether the employment of such methods and practices is inimical to the maintenance of reserves of petroleum, and of the facilities for the recovery and transportation thereof, available for military and supporting civilian needs in an adequate national defense; and whether the employment of such methods and practices burdens and obstructs interstate commerce and unduly limits the usefulness of instruments of transportation in, and causes the abandonment of facilities for, such commerce; and to investigate any other matters bearing upon the practicability and advisability of enacting legislation of the character of H. R. 7372, introduced on July 26, 1939; and

(c) To investigate methods and practices employed in the production, transportation, and distribution of petroleum and its products for the purpose of determining whether such methods and practices, in or in relation to interstate commerce in petroleum and its products, constitute unfair methods and practices from the standpoint of their effect upon producers and consumers.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) during the present Congress the results of its investigation, together with such recommendations for legislation as it deems advisable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony as it deems necessary. Subpenas shall be issued under the signature of the chairman of the committee or any member designated by him, and shall be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## RIGHT-OF-WAY FOR BLUE RIDGE PARKWAY ACROSS CHEROKEE INDIAN RESERVATION, N. C.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6668) to grant the State of North Carolina a right-of-way for the Blue Ridge Parkway across the Cherokee Indian Reservation in North Carolina, to provide for the payment of just compensation for said right-of-way, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to have the gentleman explain this bill.

Mr. DEROUEN. This bill has been before the committee for several years. It provides for a right-of-way through the Cherokee Indian Reservation in North Carolina. The disagreement was that the survey which was at first proposed went through the Soco Reservation, where the agricultural lands, the best lands of the Indians, were, and we objected to that. So finally, after long hearings during several years, we recently held a hearing before the committee and an agreement was reached by which we were willing to grant this right-of-way, provided it would not go through the Soco

Valley, and provided further that a new section would be added as section 8 of the bill, which provides as follows:

Nothing in this act shall be deemed to constitute a precedent for authorizing the Secretary of the Interior or any other officer of the United States to grant or take for any purpose any other Indian lands or property within the Cherokee Indian Reservation without the consent of the Eastern Band of Cherokee Indians.

The chief and the assistant chief of the Cherokees testified before our committee and agreed that if this amendment were added to the bill they would have no objection to the enactment of the bill.

This bill provides that the State of North Carolina must buy and pay for all this land, and give it without any cost to the United States Government.

Mr. RICH. What are we going to do to take care of the Indian tribes?

Mr. DEROUEN. The Indian tribes are cared for under the Indian laws.

Mr. RICH. If we take this land from the Indian tribes because of the passing of this legislation, what are we going to do to reimburse the Indians, and who is going to pay it?

Mr. DEROUEN. The Indians will receive \$40,000 for this right-of-way on the ridge and not in the Soco Valley, where they have their land. Both the chief and the assistant chief stated to the committee that there was no disagreement. The only thing they were afraid of was that other roads might be built. They did not want this to happen too often, and did not want other roads going through their reservation. They realized, however, that it would mean much to them as well as to other people, and there was no disagreement between the white folks in the States and the authorities. With the adoption of this change they were perfectly satisfied. They did not want this to constitute a precedent; and secondly, they did not want the road to go through the Soco Valley, but on the ridge, way up where no one lives.

Mr. RICH. Then the Indian tribes will not come back on the Federal Government at some time in the future and expect us to make them a further payment?

Mr. DEROUEN. Not at all. The State of North Carolina pays the Indian tribes \$40,000 for the right-of-way.

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I am a member of the Committee on Indian Affairs, but I have no recollection of our committee's considering this bill. The subject matter of the bill would seem to bring it within the jurisdiction of the Committee on Indian Affairs. What committee did consider this bill?

Mr. DEROUEN. I will explain to the gentleman. This has to do with a right-of-way for a road.

Mr. RICH. For a parkway.

Mr. DEROUEN. For a parkway, a continuation of the Great Smokies National Parkway. It has been before the Committee on Public Lands for several years.

Mr. SCHAFER of Wisconsin. If the gentleman will yield further, this is a matter directly affecting an Indian reservation. I believe that before the House should be asked to pass this bill by unanimous consent, a bill dealing with a subject within the jurisdiction of the Committee on Indian Affairs, the members of that committee, at least, should have had the matter called to their attention.

Mr. DEROUEN. Let me answer it this way, as far as reference to the committee is concerned: That was done by the Parliamentarian. We have had it for about 4 years trying to arrive at a compromise. This is not the type of reservation one ordinarily thinks of when one speaks of Indian reservations.

Mr. SCHAFER of Wisconsin. If the Indians involved in this reservation have expressed their approval of this proposed bill I shall not object.

Mr. DEROUEN. Yes; they have; the chief and assistant chief living on the reservation. That is what I am trying to tell the gentleman.

Mr. SCHAFER of Wisconsin. In view of that fact, Mr. Speaker, I will withdraw my opposition, but I respectfully suggest that when any more Indian reservation bills are

referred to the gentleman's committee that he send them to the proper committee for consideration.

Mr. DEROUEN. I thank the gentleman.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior is hereby authorized and empowered, whenever he may determine that the requirements of this act have been fulfilled, to grant and convey to the State of North Carolina a right-of-way for the Blue Ridge Parkway across any lands or other property within the Cherokee Indian Reservation in North Carolina held in trust by the United States for the Eastern Band of Cherokee Indians. Such grant and conveyance shall pass to the State of North Carolina in fee simple absolute all right, title, and interest of the United States and the Eastern Band of Cherokee Indians in and to all lands and other property situate and lying within the boundaries of said right-of-way.

SEC. 2. The location and boundaries of said right-of-way, which shall not exceed 1,000 feet in width, shall be determined by the Secretary of the Interior. Before approving any plan for the location and boundaries of said right-of-way the Secretary of the Interior shall transmit a copy of the plan to the council of the Eastern Band of Cherokee Indians, and shall allow said council at least 90 days thereafter for the submission of recommendations in favor of the approval or disapproval of the plan or in support of any alterations therein which said council may desire to propose. In determining the location and boundaries of said right-of-way, the Secretary of the Interior shall give effect to the recommendations submitted to him by the council of the Eastern Band of Cherokee Indians to the extent that he finds such recommendations to be consistent with the interest of the public in the proper placement of the Blue Ridge Parkway for recreational and other public purposes.

SEC. 3. In consideration for the granting of said right-of-way, the State of North Carolina shall pay to the United States in trust for the Eastern Band of Cherokee Indians a sum sufficient to constitute just compensation to the said band and the members thereof for the taking of said right-of-way for parkway purposes. The just compensation herein referred to shall cover all elements of damage for which the Constitution of the United States would require compensation to be made in proceedings brought by the United States for the condemnation of a like right-of-way across lands in private ownership, and shall also cover any further elements of damage for which the Constitution or laws of North Carolina would require compensation to be made in proceedings brought by the State highway commission for the condemnation of a like right-of-way across lands in private ownership, without diminution in either case for any benefits resulting from the use of said right-of-way for parkway purposes. All amounts agreed upon or awarded as just compensation for said right-of-way shall bear simple interest at the rate of 6 percent per annum until paid, to be computed from the date when deed for said right-of-way is accepted by the State of North Carolina.

SEC. 4. At any time after the determination of the location and boundaries of said right-of-way the council of the Eastern Band of Cherokee Indians may make a contract with the State of North Carolina, liquidating the sum to be paid as just compensation for said right-of-way and prescribing the time and manner of its payment. Such contract shall be approved by the Secretary of the Interior if he finds that the sum to be paid thereunder will meet the requirements of section 3 of this act and that the terms on which payment is to be made are fair and reasonable. Upon approval by the Secretary of the Interior such contract shall become binding upon the United States, the Eastern Band of Cherokee Indians, and the State of North Carolina.

SEC. 5. At any time after the determination of the location and boundaries of said right-of-way the Secretary of the Interior may execute and deliver a deed conveying said right-of-way to the State of North Carolina: *Provided, however*, That if no contract liquidating the sum to be paid as just compensation for said right-of-way shall have been made and approved, the Secretary of the Interior, before delivering such deed, shall require the State of North Carolina to furnish a bond, in form and amount satisfactory to him, conditioned for the payment of just compensation in accordance with section 3 of this act to the United States in trust for the Eastern Band of Cherokee Indians. Upon the delivery of a deed for said right-of-way and the acceptance of such deed by the State, title to said right-of-way shall vest in the State of North Carolina and right to the just compensation required in section 3 of this act shall vest in the United States, in trust for the Eastern Band of Cherokee Indians.

SEC. 6. After the delivery and acceptance of a deed for said right-of-way, the United States and the Eastern Band of Cherokee Indians shall each have the right to bring suit against the State of North Carolina for the enforcement of all obligations and rights running to or vested in either of them under this act, in the event of any controversy arising with respect to the amount to be paid as just compensation for said right-of-way or with respect to any other matters pertaining to said obligations and rights. Jurisdiction is hereby conferred upon the District Court of the United States for the Western District of North Carolina to hear and

decide any such cause in accordance with law and equity; to grant such relief therein to or against any party as may be appropriate and proper under the circumstances; and to issue all lawful process necessary for the accomplishment of the foregoing purposes. The Eastern Band of Cherokee Indians may intervene in, or be made a party to, any such suit brought by the United States, and the United States may intervene in any such suit brought by the Eastern Band of Cherokee Indians but shall not be made a party involuntarily: *Provided, however,* That promptly upon the institution of any such action to which the United States is not a party the said band shall cause written notice of the pendency of the action to be served upon the United States district attorney for the Western District of North Carolina, and that upon the expiration of 60 days from the date when such notice is served the United States shall be bound by any judgment or other order there- after entered in the proceedings the same as a party thereto. The practice, pleadings, forms, and modes of proceeding in any such cause shall conform, as near as may be, to the practice, pleadings, forms, and modes of proceeding in condemnation suits brought by the United States in said district court where title has passed under a declaration of taking; and the orders or judgments rendered in any such cause shall be appealable to the same extent and in the same manner, as near as may be, as like orders or judgments rendered in condemnation suits brought by the United States in said district court where title has passed under such a declaration. Acceptance of the deed for said right-of-way by the State of North Carolina shall constitute a consent to be sued under this section.

Sec. 7. Payment for said right-of-way shall be made by the State of North Carolina to the United States in trust for the Eastern Band of Cherokee Indians. All funds so received shall be deposited in the Treasury of the United States to the credit of the Eastern Band of Cherokee Indians, and shall be available for expenditure for such purposes as may be designated by the council of said band and approved by the Secretary of the Interior. In order to provide acceptable lands for purchase out of such funds the Secretary of the Interior is hereby authorized, in his discretion, to grant to the Eastern Band of Cherokee Indians the beneficial interest in any lands selected by the council of said band within the tracts in the vicinity of Ravensford, N. C., now owned by the United States and known, respectively, as the Ravensford tract, containing approximately 884 acres, and the Boundary Tree tract, containing approximately 322 acres; and the said Secretary is hereby directed to exclude from the Great Smoky Mountains National Park any lands so selected and granted: *Provided, however,* That the quarry site within the Ravensford tract shall not be granted to said band. Prior to the consummation of any such grant, payment shall be made for all lands included therein by the transfer of a sum equal to the fair market value of such lands, as determined by the Secretary of the Interior, from the funds placed to the credit of said band under this section to the credit of the fund "National Park Service, donations," which transfer the Secretary of the Treasury is hereby authorized to make upon request by the council of said band approved by the Secretary of the Interior. Funds so transferred shall be available for national park and monument uses, including the acquisition of lands for inclusion in the Great Smoky Mountains National Park. All lands purchased or otherwise acquired for the Eastern Band of Cherokee Indians with the funds received under this section shall constitute a part of the Cherokee Indian Reservation in North Carolina, shall be held by the United States in trust for said band, and shall be nontaxable and nonalienable to the same extent as other lands within said reservation.

With the following committee amendments:

Page 2, line 7, after the word "Interior", insert "except in the Socco Calley."

Page 8, after line 6, add a new section as follows:

"SEC. 8. Nothing in this act shall be deemed to constitute a precedent for authorizing the Secretary of the Interior or any other officer of the United States to grant or take for any purpose any other Indian lands or property within the Cherokee Indian Reservation without the consent of the Eastern Band of Cherokee Indians."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. COLE of Maryland and Mrs. O'DAY asked and were given permission to revise and extend their own remarks.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement by the national commander of the Veterans of Foreign Wars.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

#### WAGE-HOUR AMENDMENTS

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, the fact that there was no objection to the unanimous-consent request submitted by the gentleman from Georgia to consider a bill amending the Wage-Hour Act exempting only rural telephone exchanges having under 500 phones makes it very obvious that the rule reported yesterday to make in order the consideration of the three bills amending the Wage and Hour Act will not be called up.

We will not have a chance to vote on the Barden bill, for which the Committee on Rules provided a rule. We had every reason to expect it would come before the House. As one who was a member of the Labor Committee and who attended the hearings on that bill and as one who made the motion to recommit the Wage-Hour Act when it passed, may I say that the will of Congress has been thwarted by the leadership by not permitting the rule to come before the House. I believe the Barden bill would have passed the House. Something more than rural telephone exchanges needs to be exempted from the law. I would not have objected when that matter came up, but not a word has been said since this action has been taken, which means that the administration is afraid to let it come to the floor. We will not have a chance to consider it.

[Here the gavel fell.]

The SPEAKER. The Chair agreed to recognize the gentleman from Michigan [Mr. HOFFMAN], who states he has a question of personal privilege to present.

Mr. RAYBURN. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Texas.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for a half minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN].

There was no objection.

Mr. RAYBURN. Mr. Speaker, the House does not at this time seem to be inclined to consider very much legislation, especially any legislation of far-reaching importance. I have been asked, I guess, 50 times a day for the last week whether or not the so-called amendments to the wage-hour bill will be taken up for consideration during this session. The answer is, they will not.

Mr. SABATH rose.

The SPEAKER. Does the gentleman from Michigan [Mr. HOFFMAN] yield to the gentleman from Illinois?

Mr. HOFFMAN. Mr. Speaker, I do not.

The SPEAKER. The gentleman from Michigan [Mr. HOFFMAN] is recognized. How long does the gentleman desire?

Mr. HOFFMAN. Not very long.

The SPEAKER. The gentleman is recognized for "not very long."

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN. Mr. Speaker, under the rule that means 1 hour, does it not?

The SPEAKER. If the gentleman presents a question of personal privilege, he is entitled to 1 hour.

Mr. HOFFMAN. Mr. Speaker, I have a question of personal privilege to present, a question that also involves the privileges of the House.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. HOFFMAN. Mr. Speaker, this involves the integrity of the RECORD. Under date of July 27, when the gentleman from Illinois [Mr. KELLER] had the floor, certain remarks were made by me under a reservation of the right to object. I send to the Speaker's desk a printed copy of the RECORD and a transcript from the Official Reporters, which shows that all of those remarks made by me were stricken from the RECORD by the gentleman from Illinois. That is the question of personal privilege and of the privilege of the House I now present, and which will be followed by a motion.

The SPEAKER. The Chair is of the opinion that the gentleman presents a question affecting the privileges of the House and he is recognized for 1 hour.

Mr. HOFFMAN. Mr. Speaker, I shall be very, very brief.

Mr. Speaker, I raise this question because this is not the only instance in which the RECORD has not accurately reported the proceedings which have taken place on the floor. The question is not raised because the remarks which were stricken from the RECORD were deemed by me to be of any particular importance, but because it does involve the right of every Member, when he so desires, to have the remarks he made on the floor recorded in the RECORD.

Mr. DIRKSEN. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Illinois.

Mr. DIRKSEN. Would the gentleman care to apprise the Members of the language that was stricken, so that we will know what it is all about?

Mr. HOFFMAN. I will. I read from the official transcript. The gentleman from Illinois [Mr. KELLER] had the floor and said:

Mr. KELLER. Mr. Speaker, I ask unanimous consent to proceed for 2 more minutes.

The SPEAKER. Is there objection?

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, was the gentleman present in the Labor Committee this morning when John Lewis made that statement?

Mr. KELLER. Yes; I was.

Mr. HOFFMAN. Did you offer any objection?

Mr. KELLER. I did not.

Mr. HOFFMAN. You thought it was true, did you?

Mr. KELLER. I did not ask you for that, or anybody else.

Mr. HOFFMAN. No; but I am asking you. [Laughter.]

Now, all of those words were stricken from the RECORD, and Mr. KELLER's remarks appear as one connected statement without any interruption, without showing that anyone else took part in the colloquy. If those words had been stricken by someone on the Republican side, by some tory Democrat—if there be such a political creature—who had attempted to undermine the Constitution by destroying the right of free speech and a free press, perhaps I would not have thought much about it, because I know that the various "economic royalists" and all those who venture to question the wisdom or adaptability, whatever it may be termed, of the present program to our national problems, are to be criticized, and their remarks perhaps should be stricken from the RECORD; at least, that appears to be the view of some people. But the gentleman from Illinois [Mr. KELLER] is a self-styled great liberal.

Mr. LAMBERTSON. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Kansas.

Mr. LAMBERTSON. What does the gentleman call a "liberal" today?

Mr. HOFFMAN. One who is willing to decide everything for us, solve every problem, every crisis, every emergency, without a moment's consideration, give away everyone's property except his own; something along that line. [Laughter.]

When the gentleman from Illinois, who is creating that great lake over there in his State for the benefit of the carp and the people who live around it, creating it at the expense of the taxpayers of the Nation for the benefit of the voters of his district, so that the "economic royalists" can build their homes down there on its shores, after the Government fixes it up, talks so much, so loudly, and, some may think, so eloquently, about free speech, I was almost prostrated by grief when I saw in the RECORD what the gentleman had done; that he had committed, to him, the unpardonable, of depriving a fellow Member of the great constitutional right to free speech. [Laughter.] You could hear the foundations of this great Capitol of ours fairly quake; see them rock when the gentleman struck from the CONGRESSIONAL RECORD those words. The words themselves were not of any importance. It is the principle that is involved that makes the question important, vital. You would not deny to a poor, humble, ignorant, unassuming, and uneducated Republican, who is not a Communist, who is not antilabor, the privilege, would you, of just putting in a few words here and there? The law,

the Constitution, is for the protection of the weak, the lowly, those who are unable to defend themselves, as I am unable, incapable of defending myself from the mighty thrust of the gentleman from Illinois [Mr. KELLER]. He is strong, magnificent in his presence; his voice is music that charms us all when he takes the floor, his logic irresistible when he discourses of carp and lakes for his district, all at Government expense. So when the gentleman from Illinois, who has written books—the great author and the great statesman, as he styles himself—strikes from the RECORD those remarks, I believe the RECORD should be corrected.

Mr. GUYER of Kansas. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Kansas.

Mr. GUYER of Kansas. The gentleman was revising his remarks without extending them, was he not?

Mr. HOFFMAN. I do not know about that. What he did was to strike from the RECORD, and that without permission, the remarks of another Member.

Mr. Speaker, I will not take any more time, because I know you are all in a hurry to get away.

Mr. Speaker, I send to the Clerk's desk a motion.

The Clerk read as follows:

Motion offered by Mr. HOFFMAN: Mr. Speaker, I move to correct the RECORD, on page 10252, by inserting after the words \_\_\_\_\_ in the \_\_\_\_\_ paragraph, the following:

"Mr. HOFFMAN. Mr. Speaker, reserving the right to object, was the gentleman present in the Labor Committee this morning when John Lewis made that statement?"

"Mr. KELLER. Yes; I was.

"Mr. HOFFMAN. Did you offer any objection?"

"Mr. KELLER. I did not.

"Mr. HOFFMAN. You thought it was true, did you?"

"Mr. KELLER. I did not ask you for that, or anybody else.

"Mr. HOFFMAN. No; but I am asking you. [Laughter.]"

Mr. HOFFMAN. Mr. Speaker, the motion may be a little vague in that it states "after the words \_\_\_\_\_." The reason for this is that the official stenographer's transcript of what the gentleman from Illinois said does not indicate where this colloquy belongs, so we will have to ask the gentleman from Illinois to help.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. Does not the gentleman believe it would be a kindly act if the gentleman would hold his motion in abeyance and give the distinguished gentleman from Illinois a chance to ask unanimous consent to correct the error? I cannot believe that a great liberal would intentionally take it upon himself to censor the proceedings of the House.

Mr. HOFFMAN. Oh, I do not believe he did it either, in the spirit of censorship; probably his only thought was to preserve for posterity the purity, the continuity, of his thought; I just think it was a slip, you know, of the shears.

Mr. SCHAFER of Wisconsin. It was inadvertently done, and the gentleman should have the opportunity to ask unanimous consent to correct the error.

Mr. HOFFMAN. I think the gentleman from Wisconsin is right, because if you will refer to the stenographer's minutes you will notice that the gentleman from Illinois just took the shears and clipped off his set speech, inserted it, added to it here, and crossed out the remarks which I made. So I have not the slightest objection; in fact, I will be happy if the gentleman from Illinois wishes to make such a request, for I really love him, admire him, and think he does much to relieve what on occasion might otherwise be a dull day.

Mr. SCHAFER of Wisconsin. Why does not the gentleman yield to the gentleman from Illinois so he can ask unanimous consent to make the correction?

Mr. HOFFMAN. I will be glad to do that.

Mr. KELLER. I am not asking the gentleman to do that. The gentleman has his motion.

Mr. HOFFMAN. Suit yourself about it, but I would be glad to have you do it.

The SPEAKER. The question is on the motion of the gentleman from Michigan, to correct the RECORD.

The motion was agreed to.

**SURVEY AND STUDY OF THE NATIONAL PARKS, NATIONAL MONUMENTS, AND NATIONAL SHRINES**

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent for the present consideration of House Resolution 284.

The Clerk read the resolution as follows:

**House Resolution 284**

*Resolved*, That, for the purpose of making a survey and obtaining information necessary as a basis for legislation, the Committee on the Public Lands, as a whole, or by subcommittee, is authorized and directed to make a survey and study of the national parks, national monuments, and national shrines and of the administration of them and of the laws, rules, and regulations pertaining to them. The committee shall report to the House, as soon as practicable after January 3, 1940, the result of its findings, together with such recommendations for legislation as it deems desirable.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. TABER. Reserving the right to object, Mr. Speaker, it seems to me that to consider a resolution such as this by unanimous consent—I do not know that a report from the committee is available—is rather a broad-scale proposition. How much money will this survey cost?

Mr. DEROUEN. Not to exceed \$2,000.

Mr. RICH. When will the report come in?

Mr. DEROUEN. The report will be made during the recess of Congress, after the Congress adjourns.

Mr. DIRKSEN. Reserving the right to object, Mr. Speaker, only a short while ago a volume came to my desk, and I am sure it went to every Member of the House, which apparently indicated that a survey had been made by the Department of the Interior along the same line. Is not that true?

Mr. DEROUEN. That is where the trouble lies. None of us in the committee or in the Congress knows anything about all these monuments and parks for which we have been appropriating money. It has been approximately 16 years since a survey has been made by the Congress of this subject. It seems to me it would be proper and the part of wisdom that some committee of the Congress go and see for themselves about these monuments and parks and report to the Congress.

Mr. DIRKSEN. Is the matter so urgent that we cannot investigate a little further, at least until tomorrow, and see what sort of investigation the Department of the Interior has already made?

Mr. DEROUEN. The Department of the Interior has no objection to this resolution, and your minority leader is in agreement with it. We have consulted all parties concerned, and they are all in agreement that this would be a very conservative thing to do.

Mr. DIRKSEN. But they may not be aware that such an investigation has already been made and a report prepared in document form.

Mr. DEROUEN. From what I hear, there seems to be a disposition in the Congress not to accept the surveys of Mr. Ickes' Department.

Mr. RICH. Reserving the right to object, I realize the Speaker will make the appointment, but who is going to make the recommendations to the Speaker? Will the members come from the Public Lands Committee or from the Committee on Appropriations that makes the appropriations for these parks?

Mr. DEROUEN. The appointments will be made by the Speaker, and he will appoint, according to the usual custom, members of the minority and the majority, and then the matter will be referred to the Committee on Accounts.

Mr. RICH. I am interested in knowing whether the members of the committee will be from the Committee on the Public Lands or not.

Mr. DEROUEN. Yes; they will be from the Public Lands Committee.

Mr. TABER. Mr. Speaker, reserving the right to object, I understand there has been a survey made, and the survey

has been made available by the Department of the Interior. I wonder if the gentleman would not withdraw his request now and look at the copy of that survey that is in the possession of the gentleman from Illinois [Mr. DIRKSEN], and see if that does not answer his purpose before going ahead with a resolution tying us up to this expenditure?

Mr. DIRKSEN. I may say to the gentleman that if there is no duplication, I would have no reason to object, but I do not believe there ought to be overlapping of work in this field.

Mr. CARTER. Reserving the right to object, Mr. Speaker, what is to be the nature of this investigation?

Mr. DEROUEN. It is not to be an investigation. Let us be frank about it on both sides. I have been on the Public Lands Committee during the last 12 years, and my experience has been that whenever we bring any bills in here that have to do with monuments or parks, very few Members know anything about them. We have appropriated a lot of money for these purposes and Congress does not know anything about such matters, and it would therefore seem that \$2,000 would not be a large expenditure for the purpose of informing the Congress through a survey made by Members from both sides of the House, who will perform the work and tell the Members of the Congress what they have found. No one knows what has been done in the past, and I have no interest personally further than what I have just stated.

Mr. CARTER. Does not the gentleman know that that information is all available through the Department of the Interior, and all he has to do is to send a communication down there and get the information?

Mr. DEROUEN. I thought I knew about these matters myself; but let us be fair and frank about it. Every time I bring any of those reports from the Interior Department or from any of the bureaus, I am told that they are not correct. Now, what do I know about it? I do not know anything about it personally, and I am trying to be fair about the matter.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. DEROUEN. I yield.

Mr. SCHAFER of Wisconsin. Why does not the gentleman write a personal letter to Mr. Ickes?

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. CARTER. Mr. Speaker, reserving the right to object, I have requested that the gentleman hold this over until tomorrow. I would like to get some further information.

Mr. DEROUEN. May I call the gentleman's attention to this fact. We are about to adjourn, and unless we act on this matter now it will be too late to have it sent back to the committee and have appropriate action taken. If we adjourn and there is nothing done about this, we will be in the same position we have been in every year in the past.

Mr. CARTER. I think the gentleman will have time tomorrow to bring this up and for the present, Mr. Speaker, I am going to object.

The SPEAKER. Objection is heard.

**POSTAL POWERBOAT SERVICE IN ALASKA**

The SPEAKER. Without objection, the Chair will lay on the table the bill H. R. 2748, to authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes, a similar Senate bill having been passed.

**PETROLEUM INVESTIGATION**

Mr. WARREN. Mr. Speaker, I ask particularly the attention of the gentleman from Michigan [Mr. MAPES]. The resolution passed the House a few moments ago providing for an investigation by the Committee on Interstate and Foreign Commerce, and funds were provided for this investigation by the House yesterday on the second deficiency appropriation bill through the courtesy of Mr. WOODRUM of Virginia and Mr. TABER. I now ask unanimous consent for the present consideration of House Resolution 291, which I send to the desk and ask to have read.

The Clerk read as follows:

## House Resolution 291

*Resolved*, That the expenses of conducting the investigation authorized by H. Res. 290, incurred by the Committee on Interstate and Foreign Commerce, acting as a whole or by subcommittee, not to exceed \$25,000, including expenditures for the employment of experts and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee or by any subcommittee thereof conducting such investigation, signed by the chairman of the committee or any member of the committee designated by him, and approved by the Committee on Accounts.

With the following committee amendments:

Page 1, line 4, strike out "\$25,000" and insert in lieu thereof "\$15,000."

After line 11, add the following:

"Sec. 2. That the official committee reporters may be used at all hearings held in the District of Columbia unless otherwise engaged.

"Sec. 5. The head of each executive department is hereby requested to detail to said select committee such number of legal and expert assistants as said committee may from time to time deem necessary."

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to and the resolution as amended was agreed to.

## KYLE BLAIR

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 3104, for the relief of Kyle Blair, with a Senate amendment thereto, and agree to the Senate amendment. I might say for the information of the House that the bill passed the House with an appropriation of \$3,500. The Senate reduced that amount to \$2,500, and the author of the bill is agreeable.

The SPEAKER. The gentleman from Maryland asks unanimous consent to take from the Speaker's table the bill H. R. 3104, with a Senate amendment thereto, and concur in the Senate amendment. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read, as follows:

Page 1, line 6, strike out "\$3,500" and insert "\$2,500."

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

## BANKS BUSINESS COLLEGE

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 777, for the relief of Banks Business College, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The gentleman from Maryland asks unanimous consent to take from the Speaker's table the bill H. R. 777, with a Senate amendment thereto and concur in the Senate amendment. The Clerk will report the Senate amendment.

The Clerk read, as follows:

Strike out all after the enacting clause and insert:

"That the Banks Business College, a corporation organized in 1885 and existing under the laws of the State of New Jersey and having its principal place of business at Philadelphia, Pa., is hereby authorized to bring suit against the United States of America in the Court of Claims for the purpose of recovering any alleged damages suffered by the said Banks Business College which the Court of Claims may find to be attributable to the United States Government by reason of the said Banks Business College's being evicted on January 1, 1918, from the premises which it occupied.

"Sec. 2. Jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, consider, and determine such action upon its merits, with the view of rendering judgment, if any, in favor of the claimant for any such alleged damages described in section 1.

"Sec. 3. This act shall not be interpreted as raising any presumption or conclusion of fact or law but shall be held solely to provide for trial upon facts as may be alleged."

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 and a motion to reconsider laid on the table.

## CLAIMANTS OF DAMAGE BY FLOOD NEAR BEAN LAKE, PLATTE COUNTY, MO.

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1693) to confer jurisdiction on the District Court of the United States for the Western District of Missouri to hear, determine, and render judgment upon the claims of certain claimants who suffered loss by flood at or near Bean Lake, in Platte County, and Sugar Lake, in Buchanan County, in the State of Missouri, during the month of March 1934, with Senate amendments thereto, and concur in the Senate amendments.

The SPEAKER. The gentleman from Maryland asks unanimous consent to take from the Speaker's table the bill H. R. 1693, with Senate amendments thereto, and concur in the Senate amendments. The Clerk will report the Senate amendments.

The Clerk read as follows:

Page 1, line 3, after "That", insert "notwithstanding the lapse of time or any provisions of law to the contrary."

Page 1, line 5, after "judgment", insert "without interest, but with costs, under and in accordance with the same provisions of law as if the United States were a private party."

Page 2, after line 21, insert:

"Sec. 2. The United States district attorney for the western district of Missouri is hereby charged with the duty of defending the United States in any suit instituted under the authority of this act."

Page 2, after line 21, insert:

"Sec. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to pay judgments under this act. Such amounts shall be paid by the Secretary of the Treasury when the judgment of the district court has become final and on presentation to the Secretary of a duly authenticated copy of the judgment. Such payment shall be in full settlement of all claims against the United States on account of claims arising out of such flood damage."

The SPEAKER. Is there objection?

There was no objection.

The Senate amendments were agreed to.

## WOMEN'S BOARD OF DOMESTIC MISSIONS

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1875) for the relief of the Women's Board of Domestic Missions, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 7, strike out "\$2,500" and insert "\$1,500."

The SPEAKER pro tempore (Mr. RAYBURN in the chair). Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

## GEORGE SLADE

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2452) for the relief of George Slade, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 6, strike out "\$4,500" and insert "\$500, and the additional sum of \$50 per month in an amount not to exceed \$4,000."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

## J. MILTON SWENEY

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R.

4260) for the relief of J. Milton Sweney, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "\$2,000" and insert "\$800.90."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

#### NADINE SANDERS

Mr. KENNEDY of Maryland. Mr. Speaker, I call up the conference report on the bill (S. 1164) for the relief of Nadine Sanders, and I ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1164) entitled "An act for the relief of Nadine Sanders," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments.

AMBROSE J. KENNEDY,  
EUGENE J. KEOGH,  
J. PARNELL THOMAS,

*Managers on the part of the House.*

M. M. LOGAN,  
EDWARD R. BURKE,  
ARTHUR CAPPER,

*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1164), for the relief of Nadine Sanders, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

The Committee on Claims reported favorably on H. R. 1876, for the relief of the same claimant, in the amount of \$1,500, for damages sustained on account of personal injuries received on February 13, 1937, when the automobile in which she was riding was struck in Santa Fe, N. Mex., by a Soil Conservation Service truck. S. 1164 was substituted for the House bill on the floor of the House and passed with an amendment made on the floor, and accepted, reducing the amount from \$1,096.40, as reported by the Senate, to \$750. At the conference, the amount of \$1,096.40 was agreed upon.

AMBROSE J. KENNEDY,  
EUGENE J. KEOGH,  
J. PARNELL THOMAS,

*Managers on the part of the House.*

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### OKIE MAY FEGLEY

Mr. KENNEDY of Maryland submitted a conference report and statement on the bill (H. R. 875) for the relief of Okie May Fegley.

Mr. Speaker, I ask unanimous consent for present consideration of the conference report on the bill (H. R. 875) for the relief of Okie May Fegley.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. KENNEDY of Maryland. I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R.

875) entitled "An Act for the relief of Okie May Fegley" having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment and agree to the sum of "\$6,000" to be inserted in lieu of "\$5,000" in line 7, page 1.

AMBROSE J. KENNEDY,  
EUGENE J. KEOGH,  
J. PARNELL THOMAS,

*Managers on the part of the House.*

H. H. SCHWARTZ,  
J. G. TOWNSEND, Jr.,  
ALLEN J. ELLENDER,

*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 875), for the relief of Okie May Fegley, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

The Committee on Claims reported the bill in the amount of \$8,500 to compensate the claimant for injuries caused by a post-office truck and the bill passed the House in this amount. The Senate passed the bill in the amount of \$5,000 in lieu of \$8,500, and at the conference the compromise amount of \$6,000 was agreed upon.

AMBROSE J. KENNEDY,  
EUGENE J. KEOGH,  
J. PARNELL THOMAS,

*Managers on the part of the House.*

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### BARNET WARREN

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2271) for the relief of Barnet Warren, with House amendments, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Mr. KENNEDY of Maryland, Mr. KEOGH, and Mr. THOMAS of New Jersey.

#### FIVE YEARS OF THE TRADE-AGREEMENTS PROGRAM

Mr. COX. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

#### RESULTS FAVORABLE

Mr. COX. Mr. Speaker, heretofore I have briefly set forth some of the reasons why it was necessary for this Nation to reverse the tariff policy of the previous administration in order to improve the conditions of foreign trade. I have pointed out that the method chosen for accomplishing this was a logical and forward step in taking the tariff out of log-rolling politics. Today I intend to discuss some of the results of that program.

After 5 years of the reciprocal-trade agreements program, examination of the best statistical and other evidence available, obliges one to conclude that it has been a decided success. Quite naturally the program has not satisfied everyone. Some people were afraid that that which ought to happen might happen under the program, therefore they opposed it from the very outset. Some people believe that they have well-founded grievances against certain action taken in the operation of the program. It was not expected that some of those who had part of their unwarranted and excessive tariff subsidies taken away from them would applaud such action. They were not expected to view the program from a broad national viewpoint.

There are other individuals opposed to trade agreements who believe in taking all without giving anything in return. Some say they believe in reciprocity, but when it comes to reduction of the towering trade barriers they only give lip service to the principle. They would have us gain concessions in trade without giving any in return. Then there are



certain organizations whose very existence depends upon faultfinding and criticism; that is their stock in trade. No difference how convincing the evidence, they would not admit of success. They prophesied that trade agreements would be bad for the country and they would have it so. But it can fairly be said that the Nation as a whole endorses the trade-agreements program and believes that it has been successful in its accomplishments. I believe the results of this program give some justification for rejecting the theory that nations cannot have greater economic harmony. Although no one holds that we have arrived at the millennium since the passage of the Trade Agreements Act, our foreign trade has managed to "ride out the storm in comparative security"; its condition is much better than some other phases of our economy which have not had the advantage of such a constructive and far-reaching program. There is good reason to hold that the United States at last has adopted for itself a realistic tariff and commercial policy which fits its needs. The program goes a long way in adjusting the Nation to world conditions as they actually exist.

#### MEASURING TANGIBLE RESULTS OF TRADE AGREEMENTS

What then does the record show for 5 years? In the first place, agreements with 20 countries—21 agreements, including 2 with Canada—have been negotiated. The Czechoslovak agreement has been nullified. An agreement with Venezuela is under negotiation and a supplemental agreement is also being negotiated with Cuba. Exploratory conversations are going on with several countries and some other of the present agreements may soon be reopened for revision. All nations are invited to align themselves with this program of trade betterment. It is not an exclusive program for countries of a particular political ideology. It is comprehensive enough to include all forms of government.

The trade with the countries with which agreements have been concluded represents almost 60 percent of our total foreign commerce. This means that within the framework of the principles of fairness and soundness of the trade agreements the countries with which we carry on more than half of our foreign commerce apparently believe that a reversal of the trend of recent years is necessary, and have accepted our leadership; they have, by their acts, expressed a willingness to cooperate in liberalizing foreign trade. In addition to Canada, our good neighbor to the north and our second largest market, the list of countries includes Great Britain, our largest single market, France, Cuba, the Netherlands, and Brazil, other large markets and important suppliers of raw materials needed in the United States.

Our total trade embraced with these countries amounted in 1937 to over \$2,000,000,000. About 68 percent of this trade has been covered by concessions granted and received, including bindings of present rates of duty and binding items on the free list. These guaranties are of considerable importance in stabilizing commerce which is greatly needed at the present juncture of world events. United States exports have almost doubled since 1932 and 1933, the low years preceding the Trade Agreements Act. It is quite possible that much of this trade would have been regained without any reciprocity program. No one, so far as I know, attributes all this gain in trade to the agreements alone. Many other factors have entered into the picture. Nevertheless, a comparison of exports on a broad 2-year basis, 1934 and 1935, with the last 2 years of trade agreements, 1937 and 1938, shows an increase to agreement countries of about 61 percent; exports to nonagreement countries for the same comparative periods increased by about 38 percent. It has been suggested by opponents of trade agreements that the gains in exports have largely been in war materials. It may be true that considerable quantities of materials which can be used in war have been exported, but this is in no way a result of the trade-agreements program. No two people seem to agree on what constitutes war materials, and in final analysis practically everything which is exported may be utilized during a conflict. Tabulations have been placed in the RECORD, including petroleum products, trucks, and other articles of peaceful commerce as war materials. In any case,

we would have had sales of war materials quite apart from trade agreements. No special efforts are made to gain concessions abroad for our war materials, as some would have us believe.

I submit as part of my remarks a table from the Department of Commerce showing the summary of trade gains under the trade agreements by agreement and nonagreement countries:

*United States foreign trade with trade-agreement countries and with all others in 1937 and 1938 compared with 1934 and 1935*

[Millions of dollars]

Item	Comparison of 1937-38 with 1934-35			
	Average value		Change	
	1934 and 1935	1937 and 1938	Value	Percent
United States exports, including reexports:				
Total all trade-agreement countries <sup>1</sup> .....	759.8	1,224.8	+465.0	+61.2
Total, all nonagreement countries.....	1,448.0	1,996.8	+548.8	+37.9
Total, all countries.....	2,207.8	3,221.6	+1,013.8	+45.9
United States general imports:				
Total all trade-agreement countries <sup>1</sup> .....	793.9	1,073.6	+279.7	+35.2
Total, all nonagreement countries.....	1,057.4	1,448.5	+391.1	+37.0
Total, all countries.....	1,851.3	2,522.1	+670.8	+36.2

<sup>1</sup> Including the 17 countries (and colonies) with which agreements were in operation during the greater part of the last 12 months. Only 1 of the agreements was in operation throughout 1935, 6 throughout 1936, 12 by the middle of 1936, 15 by the middle of 1937, and 18 by the end of 1938. The agreement with Ecuador only came into force on Oct. 23, 1938, and is therefore not yet included in the above calculations as an agreement country. The new agreement with Canada, and the agreement with the United Kingdom (including Newfoundland and non-self-governing British colonies) which became effective Jan. 1, 1939, brought the number of agreement countries up to 19; an agreement with Turkey went into effect on May 5, 1939, making 20 countries.

Source: Records of Division of Foreign Trade Statistics, Bureau of Foreign and Domestic Commerce.

Exports represent only one side of a two-way street. Both sides must be open if the street is going to carry anything like a maximum of traffic. So it is with trade; it must move in both directions. Some groups, from a purely selfish viewpoint, would like to have exports without imports. We cannot have, and we may as well reconcile ourselves to the fact, exports without imports. It takes trade in both directions to make healthful commerce. It cannot be repeated too often that we must receive goods and services if we are to send them out.

From the point of view of relative gains in trade, with agreement and nonagreement countries, the import picture is less favorable than that for the exports—that is, the imports from nonagreement countries have increased more than have imports from agreement countries. In a similar broad comparison of a 2-year preagreement and postagreement periods, 1934 and 1935 compared with 1937 and 1938, imports from agreement countries increased by about 35 percent, while imports from nonagreement countries increased by 37 percent. This greater increase of imports from nonagreement countries was largely accounted for by raw materials principally from nonagreement countries. Products such as corn, as well as other agricultural products brought in because of the drought of 1936, happened to have come from nonagreement countries. This smaller increase in imports from nonagreement countries certainly justifies the conclusion that trade agreements have not ruined domestic industries by increasing imports.

If excessive barriers had been lowered, but no increase had been shown in trade we might assume that the removal of trade impediments prevented our foreign commerce from falling still lower. In some instances, a well-deserved victory may be won by merely holding the present position. A mere stabilizing of trade against the return to the desperate conditions of 1932 and 1933 might be considered a substantial measure of success.

The figures which I have just quoted as stated came from the Department of Commerce. I find that an independent study of the results of trade agreements appeared in the summer issue of the Harvard Business Review (p. 486). (Is the United States Losing Its Foreign Trade? Charles

A. Bliss, assistant professor of business statistics, Harvard University.)

Opponents of trade agreements cannot say that this analysis is Government propaganda. As a matter of fact, the article was generally unfavorable to the program. I quote the following:

The United States without question has gained an increasing share in the imports of agreement countries since the signing of trade treaties. This observation holds true even when Canada and France, the two largest countries in the agreement group, are excluded from the comparison.

The evidence on exports to the United States is not so clear. It suggests, however, that our importance as a customer has not increased parallel to our importance as a seller.

In other words, export trade has increased more with agreement than with nonagreement countries and imports were down in relation to exports, especially during 1938. With such unbiased evidence, it seems a little farfetched for opponents of trade agreements to maintain that we have lost out in bargaining for trade and that other countries have "gotten the best of us." Viewed in the light of our creditor position, it would seem that we have succeeded almost too well, particularly when it is recalled that our exports in 1938 exceeded imports by more than a billion dollars.

#### UNITED STATES GAINS IN RELATIVE POSITION IN TRADE WITH WORLD

The following figures from the above-quoted article of the Harvard Business Review seem significant:

	American exports as share of world exports	American imports as share of world imports
1934.....	11.3	9.0
1935.....	12.0	11.8
1936.....	12.2	12.8
1937.....	13.5	13.3
1938.....	14.0	10.0

From these figures it is seen that from 1934 to 1938 we improved our position by increasing our exports from about 11 to 14 percent of world exports while imports in 1934 were 9 percent of world total, and, after reaching about 13 percent in 1937, fell back to only 10 percent of the world total in 1938. The preliminary figures of foreign trade for the first 5 months of 1939 show a tendency for the import-export situation to more nearly equalize.

Not only has the trade of the United States been improved absolutely with agreement countries, but also relatively in relation to trade with some other countries. For example, Netherlands imports from the United States increased by 71 percent in 1937 over 1935, while the total increase in Netherlands imports from all countries was only 35 percent. Belgian imports from the United States increased more than 70 percent in 1937 over 1934, while total Belgian imports increased by only 44 percent. Swiss imports from the United States increased in 1937 over 1935 by 28 percent, while total Swiss imports from all countries increased only 1 percent.

#### EFFECTS OF AGREEMENTS ON AGRICULTURE

There has been a great deal said about the effects of the program in its relationship to agriculture. Many statistics have been placed in the CONGRESSIONAL RECORD in an attempt to show that trade agreements have operated in such a way as to injure agriculture. Some opponents have been so brash as to suggest that, for some reason or other, those sponsoring the program desire to aid industry to the detriment of agriculture. Of course, any such suggestion is pure imagination.

One method which has been used, in an attempt to mislead farmers, is to show a long list of imports of agricultural products for the depression years in comparison with the relative prosperous years of 1936 and 1937. In most instances there have been increases over the extreme depression low. In presenting the list there is always the implica-

tion, if not direct statement, that the increased imports are the results of trade agreements. In these tables wheat and corn have been shown, the importations of which largely resulted from the drought of 1934 and 1936; these lists include wool, hides and skins, and flaxseed, and other products which have always been imported because we do not produce enough for our own use. None of these items have been subject to a reduction in the general rates of duty in trade agreements.

Now some guarded reductions in duty on agricultural products, such as cattle, cheese, and cream, have been made. Opponents would make a much better case against the agreements if they limited their statistics and statements to those items which have been included; they realize that they are hard-pressed for a case and overstep themselves by padding their lists. Happily, farmers are becoming aware of these tactics of misrepresentation; they are gradually getting the truth of the matter.

Lists of increased imports of certain agricultural products for a few months of 1939 over 1938 have been inserted in the CONGRESSIONAL RECORD during the present session of Congress with the same misleading implications that the increases resulted from trade agreements. Some of these imports, such as wool and hides and skins, have increased because our economic condition is happily improving over last year and industry is utilizing more raw materials. The duties on these imports have not been reduced; the increased imports are a sign of the business upturn.

Since the trade agreement with Canada went in effect in 1936 there has been a desultory attack by some of the dairy groups because of small imports of dairy products. We have heard criticism because of the reduction in duty on cream. This well illustrates how unwarranted the attack has been against the program. For the first 6 months of 1939 exactly 567 gallons which was 0.04 percent of the annual quota set for imports of cream entered the United States under the reduced duty. Although the rates of duty were lowered the imports of cheese under that trade agreement have never approached the predepression level. As a matter of fact, imports of 1938 were only slightly above those for the emergency period of 1932 and 1933.

The following excerpt from an editorial of the Times, Fairmont, W. Va., illustrates the nature of the attack against the program and gives a substantial answer to the charges:

There is persistent reactionary Republican propaganda to the effect that the trade agreements have "directly resulted in an increasing flood of foreign pork into the United States." This assertion has been made frequently in the past 2 months on postcards broadcast by G. O. P. organizations and their aid societies.

Instead of the trade-agreements program having increased the imports of pork, as the Republicans claim, the figures show that the imports for the year 1934, the year in which the reciprocal trade agreements program was enacted by Congress, exceeded the imports for 1938 by more than half a million pounds.

The best over-all information available does not indicate that agriculture has come out on the short end of this program. The Department of Agriculture has found that the farm exports to the 16 countries with which agreements were in effect during the fiscal year 1937 and 1938 in comparison with the fiscal year 1935 and 1936 increased by \$102,000,000 or 55 percent, while to nonagreement countries the increase was \$20,000,000 or only 3 percent. For the same years of comparison, imports of agricultural products from agreement countries show a minus 3 percent, while imports of such products from nonagreement countries show a plus of 4 percent. The importation of agricultural products shows a result that is somewhat surprising in view of some of the criticisms which have been made in connection with the agreements. I realize that these figures represent an over-all average and that there is a certain weakness in the use of such averages, but these are not mere accidental relationships. I also realize that on a few items such as cattle, an increase in imports over the preagreement period is shown. This has occurred for a number of reasons other than lower rates of duty. This increase in imports of cattle does not necessarily mean that the cattle industry, however, has been seriously injured by the agreement with Canada. The limitation in imports at the reduced

duty through the quota, guarantees the domestic producers about 97 or 98 percent of the domestic market.

The gentleman from Pennsylvania [Mr. RICH] has taken the floor of the House on frequent occasions to point out the low levels of exports of cotton; he alleges that this condition is a result of trade agreements. From his expressed interest one might believe that many of his constituents are cotton producers and he is espousing their cause in Congress. One way to aid the cotton farmers is to assist them in obtaining lower tariffs and consequently lower prices on the manufactured products which they purchase and which are effectively protected by the tariff.

To anyone with a rudimentary knowledge of conditions in the world trade in cotton it must be apparent that the principal cotton-using countries of the world depend heavily upon the United States for their supplies of raw cotton, and under such conditions are not likely to establish, and have not established, tariff or other barrier against imports of American cotton. It is not tariff barriers that have checked our exports of cotton, but the systems of blocked exchanges, the shortage of American dollars, and the disparity in prices between American and foreign growths of cotton. To expect trade agreements to lower tariff barriers against American cotton when there were no such barriers is asking a good deal.

On the other hand, the trade-agreements program has helped foreign customers to obtain American dollars with which to buy American cotton, it throws its influence against the tangle of currency and exchange restrictions and it has very definitely—especially in the case of the United Kingdom, which is one of the largest foreign customers for cotton—obtained guaranties against future discrimination or barriers to imports of American cotton. Other agreements make a similar guaranty. To assert that the trade-agreements program has been a factor in the decline of the United States foreign market for cotton is to ignore and deny the main facts in the case.

Entirely eliminating cotton from the gains and losses between 1935-36 and 1937-38 we have an increase of \$106,000,000, or 108 percent, in gains of agricultural exports to agreement countries, and a gain of \$103,000,000, or 58 percent, to nonagreement countries. Of the \$106,000,000 increase in exports of foreign products, excepting cotton, to 16 trade-agreement countries during the period under consideration, the largest part was in our exports to Canada. Practically all of this increase occurred in items upon which Canadian duties were reduced by the trade agreement with that country. Furthermore, the expansion in quantity of exports to Canada of some of the leading commodities on which Canadian duty reductions were granted, was proportionately greater than the expansion of our exports of those same commodities to the rest of the world. These facts seem significant because Canada's economy closely parallels our own. The second largest part of the \$106,000,000 increase occurred in the exports of farm products, other than cotton, to the Netherlands, which rose by \$28,000,000, or by 224 percent. An examination also shows that the increase took place in items upon which the Netherlands duties were reduced by the terms of the trade agreement. Further, the third largest increase occurred in exports to Belgium, which rose by \$19,000,000, or an increase of 208 percent. These are some examples of the increases in agricultural products to agreement countries which gave us important concessions.

It is readily understood why some trade-agreement countries do not show equally favorable results with respect to agricultural products; several agreement countries themselves are primarily agricultural. Superficially unfavorable situations with respect to individual countries and specific items of trade can and have been found by critics of the program, who are primarily interested in discounting the wholesome effects of increased trade on our economy. I have alluded to some of them.

Literally hundreds of concessions for our agricultural products have been obtained from foreign countries. The list is too long to attempt to enumerate. Those who wish these

details are referred to the hearings before the Senate Finance Committee on March 1939, in connection with the proposed oil and fats taxes. A mere listing of these items covers 12 pages in the printed hearings. Now it is realized that not every one of these concessions has worked out 100 percent as was hoped and expected. But many concessions, such as the increased pork quota and removal of duty from lard by the agreement with Great Britain, are of tremendous importance to agriculture.

#### TRADE AGREEMENTS NOT ENDANGERED BY BILATERALISM

In view of the recent treaty for exchange of agricultural products for critical war materials with the United Kingdom, it has been suggested that the trade-agreements program has "washed-up" and that we are forced to follow the methods of the dictators in order to dispose of our surpluses. To my mind, that is a hasty and not a well-considered conclusion. In the first place, the proposed exchange of cotton for rubber relates to only two products; the arrangement was entered into as an emergency means of reducing surplus cotton and laying up war stores; the matter of forcing blocked exchange, as is the usual practice in barter deals, is not involved in the arrangement with the United Kingdom.

There have been some suggestions that countries trading on the narrow barter or compensation method have gained a greater proportion of trade than the United States; that we cannot cope with their methods. A recent release from the Department of Commerce shows that imports from the United States into 16 countries with which reciprocal-trade agreements were in effect prior to 1938 expanded on an average of approximately 40 percent in value in the years 1936, 1937, and 1938 over the 2 years, 1934 and 1935, while imports into those same countries from Germany increased by an average of about 2 percent in value. In terms of dollars, the release shows that the average annual gain in imports from the United States was approximately \$297,746,000, while that of Germany was only \$12,244,000. After all necessary qualifications in the listing of countries, I believe those figures are significant. The advantage to the United States may be even more pronounced than revealed by statistical results when account is taken of the heavy export subsidies paid by Germany on many commodities. The system of exchange of goods for goods or barter, clearing, compensating, or other similar trade programs upon first trial seem attractive to other countries, but this method of trading in reality limits the expansion of international commerce. One of the main difficulties to be encountered by countries embracing barter agreements is the creation of large blocked balances which can be liquidated only by the purchase of products in the particular country. American concerns at the present time which have done some bartering on their own are having trouble in liquidating their balances in Germany. It has been necessary for some countries to accept inferior merchandise at higher than competitive prices in order to liquidate their balances arising through barter arrangements. This system of trade may also lead to economic domination of smaller countries by the larger trading nations.

To follow that system is to follow a system of further regimentation. The trade-agreements program is the very antithesis of regimentation. It is based upon the fundamental proposition that trade flows more freely with less restrictions. Barter arrangements and bilateral balancing agreements are negotiated under the conditional most-favored-nation principle. This system has been proposed for the United States. It seems rather odd that those who have opposed further regimentation for the United States oppose trade agreements and favor a policy which would regiment our foreign commerce to the *n*th degree.

#### REPUBLICANS SUPPORT UNREGIMENTED TRADE

I find that numerous Republican papers and leaders understand the difference between freeing trade and regimenting it. Those in favor of less regimentation support the trade-agreements program. In a recent editorial the Toledo Blade (June 19) commented on Secretary Hull's invitation

to the dictator countries to join in his program of unregimenting trade and stated:

If Chancellor Hitler reacts in character, he will spurn Secretary Hull's invitation. However, the world has not forgotten Hitler's recent speech in which he asserted Germany must export or die. The food-ration cards give indisputable evidence of the failure of the Nazi plan of enforced economic self-sufficiency.

Trick currency schemes and subsidies on exports by the Reich do not have much guarantee of permanency. Meantime, the dictators are quick to complain that they are cut off from raw materials. The American reciprocal-trade plan shuts off no nation from any supplies if that country is willing to enter into the plan.

Those in the United States who have been skeptical about the merits of the Hull plan may do well to take a look at the figures. \* \* \*

These figures have arguments which will force attention even in autocracies walled in by propaganda.

While on the question of Republican support, I want to point out that several of my colleagues, Congressmen RANKIN, COFFEE of Washington, and KITCHENS have indicated several of these endorsements in their remarks on trade agreements during the present session of Congress. I do not wish to further burden the RECORD with these expressions and intend to mention only one or two.

The following excerpts from the Journal-Times of Racine, Wis.—June 23—is typical of the expressions of Republican papers favoring trade agreements:

These trade pacts have been successful. The countries involved—ours, as much as theirs—have experienced mutual benefits and are willing to go further along the same line by lowering a few more of the barriers blocking trade.

Last year, according to the Department of Commerce, we exported 9 percent of our production of movable goods of all sorts. It was the best year since 1930. That may sound like a small market to be concerned about, but it makes the difference between profit and loss for many industries. If the 9 percent can be increased and varied even a little, it will mean benefit to more industries and to the whole country.

The trade pacts are based on the recognition that we must sell abroad if we are to keep up our own standard of living and keep our own production thriving, and also that we cannot keep on selling unless we buy more goods or raw materials from foreign countries.

#### INTANGIBLE RESULTS OF THE TRADE-AGREEMENTS PROGRAM

There are more or less intangible but important results of the program which cannot be statistically measured. Under this program, policies of retaliation and ill will toward American products have been replaced by policies of good will and commercial cooperation in many parts of the world. The United States, I believe, is today exerting a profound influence in the direction of trade liberalization which is somewhat in keeping with our responsibility. Costly discriminations against American products have been eliminated, and guaranties have been secured against future discrimination not only in the countries with which agreements have been concluded but in countries which are not now in the orbit of these agreements. Through the most-favored-nation principle these countries have modified their treatment of our commerce. It would seem evident that the effect of the broad American program must be world-wide and profound in its implications. In the words of Secretary Hull:

The program \* \* \* offers the only practical alternative to a drift toward the anarchy of economic warfare, with all its disastrous consequences for the peace and progress of man. Its workability has been demonstrated beyond a shadow of a doubt. It can be embraced by all nations alike, without exception, and to the benefit of each and all.

As a matter of fact, it might be said that this program holds out the olive branch to all countries which care to engage in fair trade, carried on in accordance with the golden rule of commerce.

An important intangible result of the trade-agreements program is the favorable attention it has received throughout the world. The several conferences among the American countries have generally endorsed the economic principles of the present Secretary of State. The basic principles of the program are being put into operation by countries that have not yet negotiated agreements with the United States.

The International Chamber of Commerce, representing business organizations of many countries, has expressed the

desire to follow the leadership of the United States in its efforts to mitigate existing trade barriers. This organization strongly advocates trade agreements with strict observance of unconditional most-favored-nation policy.

It is interesting to note that in his annual report as reported by the New York Times, former Governor Winant, of New Hampshire, Director of the International Labor Office and an outstanding American citizen who has favored the Hull policy, stated:

Economic isolation is not the solution of the problems presented by the unequal distribution of natural resources and by needs for markets unless the workers are prepared to work longer hours, eat less and a lower quality of food, and live in poorer dwellings.

The Economic Intelligence Section of the League of Nations, which incidentally is still performing an important function as a clearing house for information and making important studies relative to economic matters, has endorsed the program and calls attention to the gains in trade derived from its operation.

#### TRADE AGREEMENTS A PEACE EFFORT

There has been some criticism because sponsors of the present program have maintained that it is related to peace. It has been suggested by the gentleman from New York [Mr. FISH] and others that the peace talk has been brought in order to gain public support of this broad program. It is not a mere coincidence that practically all of the peace organizations of the United States endorse this phase of our foreign policy. The real basis for this program, as it relates to peace, may be found in a speech of the present Secretary of State made in this House more than 20 years ago—February 1919. If one fairly examines the basic principles of this program, the connection is not at all farfetched. Removing the causes of conflict, the basic principle of trade agreements would seem to be a fundamental to world peace. The dangers of the present regime of world trade arise out of systems of special privileges and arbitrary favors. Special bargaining arrangements, arbitrary allotments of quotas, unnatural diversion of trade allotments or markets to special customers all constitute fertile soil for international conflict. The equality of treatment principle tends to remove the preferential trading which is a prime cause of dissatisfaction and conflict between nations. Gen. Hugh Johnson, who is an outstanding critic of the present administration, said of the foreign policy of the United States, November 1938:

It is based on a recognition that a sound trade structure must be restored to the world to appease the handicaps imposed upon less favored nations by the vicious instruments of economic war. This is fundamental. There are few military wars in history that cannot be traced to some economic cause. The World War did not cease at the armistice. It merely changed its form from military war to economic war through the imposition of impossible reparations and the scramble toward economic self-sufficiency by tariffs, quotas, subsidies, currency manipulation, and dumping. Mr. Hull's patient effort to restore economic peace is a necessary prelude to political peace in the world. That is point No. 1 in the foreign policy of the United States, its very foundation.

The unfortunate case of Czechoslovakia has been alluded to by our critics as an example of what a trade agreement permits or does not do. It is said that we had a trade agreement with Czechoslovakia, but that it did not save that country. The point would not be worth answering if it had not been uttered by a leader of the opposition. This, of course, is a short-sighted and superficial position to take regarding the peace angle of trade agreements. Naturally a mere trade agreement with one country, when the people of a third country need markets and has a starving population, will not prevent a march to war if the necessities cannot be obtained by peaceful commerce; when nations, with teeming populations can no longer get access to markets peaceably they will attempt to take them by force; human beings are not willing to starve nor see their offspring suffer from want if they think they can obtain food by conquest or forced trading. With the world divided up into tight tariff compartments we can expect little but freebooting tactics such as have been practiced on Manchuria, Ethiopia, and Czechoslovakia. A statesmanlike trade-agreements program inaugurated 20 years ago might have prevented some of the recent conquests of markets and

raw materials. But the world has for at least two decades gone in the wrong direction.

Thomas W. Lamont has endorsed the trade-agreements program as a peace measure in the following language:

As a lifelong Republican I am strongly for the work the present Secretary of State has done. His are distinct and helpful steps in building up the trade which is necessary to peace. We must make sacrifices. We must welcome lower tariffs, so in that way the standard of living will rise and the threat of war will be lessened.

In spite of the various interpretations placed upon the words of the great Republican President McKinley regarding the particular kind of reciprocity treaties or agreements he advocated, I believe he must have had the peace angle in mind when he said:

Commercial wars are unprofitable; reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not.

#### COMPACTS OR AGREEMENTS AMONG STATES ON THE ATLANTIC OCEAN

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (S. J. Res. 139) to authorize compacts or agreements between or among the States bordering on the Atlantic Ocean with respect to fishing in the territorial waters and the bays and inlets of the Atlantic Ocean on which such States border, and for other purposes.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. MAPES. Reserving the right to object, Mr. Speaker, will the gentleman state just what is proposed by this bill?

Mr. BLAND. When an identical bill was on the Consent Calendar yesterday Mr. Wolcott asked that it be passed over. He has since withdrawn his objection.

All that is proposed is consent to the States bordering on the Atlantic Ocean, for any two or more States to enter into compacts with respect to the fisheries, and particularly dealing with migratory fish, and if they cannot agree upon compacts they have to come back to the Congress for ratification.

Mr. MAPES. I have no objection.

There being no objection, the Clerk read the Senate joint resolution, as follows:

*Resolved, etc.,* That the consent of Congress is hereby given to any two or more of the States of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida to enter into compacts or agreements not in conflict with any law of the United States, for cooperative effort and mutual assistance for the uniform, common, or mutual regulation of fishing or of any species of fish, mollusks, or crustacea in the territorial waters and bays and inlets of the Atlantic Ocean on which such States border or to which their jurisdiction otherwise extends and of anadromous fish spawning in the inland waters of those States.

SEC. 2. The consent of Congress is hereby granted to States other than those specified but which have jurisdiction over inland waters frequented by anadromous fish of the sea to enter into compacts or agreements authorized by this act.

SEC. 3. The consent of Congress is hereby given to any of the aforementioned States to establish such agencies or authorities, joint or otherwise, as they may deem desirable for making effective compacts or agreements herein authorized.

SEC. 4. Any compact or agreement herein authorized shall become binding or obligatory only upon those signatory States whose legislatures shall have approved such compact or agreement.

SEC. 5. The right to alter, amend, or repeal this joint resolution is hereby expressly reserved.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, a few moments ago the gentleman from Kansas [Mr. LAMBERTSON] criticized the Rules Committee for not bringing in a rule on the wage and hour bill.

I want to say to him and to the House that the Rules Committee brought in every rule that a regular legislative committee of this House asked for. I regret very much that the last two rules which the committee brought before the

House for consideration, the lending bill and the housing bill, were defeated. That was very important and beneficial legislation, but it got nowhere. And I noted that the gentleman from Kansas voted against both of those bills.

Now, the gentleman from Kansas shows a deep interest in the wage and hour bill, which contemplates the destruction of benefits voted the American wage earner during the past session. Bear in mind that the Labor Committee never asked for a rule on this bill. In my opinion the Rules Committee was exceeding its authority in granting a rule, and although I was bound as chairman of the committee to accept the majority vote to grant a rule, because I feel that such action is against all precedents and rules of the House, I have refused to call same up. If anyone is to be criticized for such action it is me, and not the leaders of the House.

[Here the gavel fell.]

Mr. LAMBERTSON rose.

The SPEAKER pro tempore. The Chair thinks the Chair should recognize the gentleman from Kansas [Mr. LAMBERTSON].

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I call the attention of the gentleman from Illinois to the fact that I did not criticize the Rules Committee. I said that the Rules Committee had reported the three proposed bills and that the House had every reason to believe that they would come up before we adjourned, but that the leadership of this House was denying the House the chance in this session of Congress to vote on any amendments aside from this one exempting the rural telephone exchanges; that the House, if it had a chance would pass the Barden amendments. I did not say the Rules Committee had not reported the rule.

Mr. SABATH. Did not the gentleman vote against both rules brought in by the Committee on Rules which would have meant a great deal to agriculture, one, day before yesterday, and one today?

Mr. LAMBERTSON. Yes. Neither the spending nor the housing bill means anything to agriculture—only a drain. What it needs is rain.

[Here the gavel fell.]

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection it is so ordered.

Mr. GUYER of Kansas. Mr. Speaker, I have had many requests through the mail for extracts from the writings of ex-Senator John James Ingalls. I ask unanimous consent to extend my remarks and to include therein a eulogy on Ben Hill, of Georgia, paragraphs from Blue Grass and the sonnet Opportunity, and to insert them at this point in the RECORD.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, the object of this brief sketch is to again call the attention of the Congress and the public to the superlative literary productions of Hon. John James Ingalls, former United States Senator from Kansas, who a half century ago was the most colorful figure in the public life of the Capital and the most eloquent orator of his time as well as a great poet and essayist. I can give only very brief quotations from his most noted productions—one from his eulogies, one from his essays, and one from his poetry.

Upon the death of Senator B. H. Hill, of Georgia, in 1883, Senator Ingalls delivered one of his greatest eulogies, from which I quote:

Ben Hill has gone to the undiscovered country.

Whether his journey thither was but one step across an imperceptible frontier, or whether an interminable ocean, black, unfluctuating, and voiceless, stretches between these earthly coasts and those invisible shores, we do not know.

Whether on that August morning after death he saw a more glorious sun rise with unimaginable splendor above a celestial horizon, or whether his apathetic and unconscious ashes still sleep in cold obstruction and insensible oblivion, we do not know.

Whether his strong and subtle energies found instant exercise in another forum, whether his dextrous and disciplined faculties are now contending in a higher Senate than ours for supremacy, or whether his powers were dissipated and dispersed with his parting breath, we do not know.

Whether his passions, ambitions, and affections still sway, attract, and impel; whether he yet remembers us as we remember him, we do not know.

These are the unsolved, the insoluble problems of mortal life and human destiny which prompted the troubled patriarch to ask that momentous question for which the centuries have given no answer: "If a man die, shall he live again?"

Every man is the center of a circle whose fatal circumference he cannot pass. Within its narrow confines he is potential, beyond it he perishes, and if immortality be a splendid but delusive dream, if the incompleteness of every career, even the longest and most fortunate, be not supplemented and perfected after its termination here, then he who dreads to die should fear to live, for life is a tragedy more desolate and inexplicable than death.

Of all the dead whose obsequies we have paused to solemnize in this Chamber I recall no one whose untimely fate seems so lamentable, and yet so rich in prophecy of eternal life, as that of Senator Hill. He had reached the meridian of his years. He stood upon the high plateau of middle life, in that serene atmosphere where temptation no longer assails, where the clamorous passions no more distract, and where the conditions are most favorable for noble and enduring achievements. \* \* \*

He was competitive and unpeaceful. He was born a polemic and controversialist, intellectually pugnacious and combative, so that he was impelled to defend any position that might be assailed or to attack any position that might be entrenched, not because the defense or the assault were essential, but because the positions were maintained and that those who held them became by that fact alone his adversaries. This tendency of his nature made his orbit erratic. He was meteoric rather than planetary, and flashed with irregular splendor rather than shone with steady and penetrating rays. His advocacy of any cause was fearless to the verge of temerity. He appeared to be indifferent to applause or censure for its own sake. He accepted intrepidly any conclusions that he reached, without inquiring whether they were polite or expedient.

\* \* \* His oratory was impetuous and devoid of artifice. He was not a posturer nor phrase monger. He was too intense, too earnest, to employ the cheap and paltry decorations of discourse. He never reconnoitered a hostile position nor approached it by stealthy parallels. He could not lay siege to an enemy, nor beleaguer him, nor open trenches, and sap and mine. His method was the charge and the onset. He was the Murat of senatorial debate. \* \* \*

But in the maturity of his powers and his fame, with unmeasured opportunities for achievement apparently before him, with great designs unaccomplished, surrounded by the proud and affectionate solicitude of a great constituency, the pallid messenger with the inverted torch beckoned him to depart. There are few scenes in history more tragic than that protracted combat with death. No man had greater inducements to live. But in the long struggle against inexorable advances of an insidious and mortal malady he did not falter nor repine. He retreated with the aspect of a victor; and though he succumbed, he seemed to conquer. His sun went down at noon, but it sank amid the prophetic splendors of an eternal dawn.

With more than a hero's courage, with more than a martyr's fortitude, he waited the approach of the inevitable hour, and went to the undiscovered country.

Ingalls has received the admiration of the English-speaking world for at least three of his superlative compositions: The inimitable prose poem, *Blue Grass*; his unsurpassed eulogies; and his incomparable sonnet, *Opportunity*. Upon the rugged granite boulder which marks his last resting place is a bronze plaque bearing this epitaph, a part of a sentence from his masterpiece of prose, *Blue Grass*:

When the fitful fever is ended, and the foolish wrangle of the market and forum is closed, grass heals over the scar which our descent into the bosom of the earth has made, and the carpet of the infant becomes the blanket of the dead.

In the limit of this brief and faltering sketch I have time only for one paragraph of *Blue Grass*, the gem-like, polished beauty of which gives a hint of its character:

Grass is the forgiveness of Nature—her constant benediction. Fields trampled with battle, saturated with blood, torn with the ruts of the cannon, grow green again with grass, and carnage is forgotten. Streets abandoned by traffic become grass-grown like rural lanes, and are obliterated. Forests decay, harvests perish, flowers vanish, but grass is immortal. Beleaguered by the sullen hosts of winter, it withdraws into the impregnable fortress of its subterranean vitality, and emerges upon the first solicitation of

spring. Sown by the winds, by wandering birds, propagated by the subtle horticulture of the elements which are its ministers and servants, it softens the rude outline of the world. Its tenacious fibers hold the earth in its place, and prevent its soluble components from washing into the wasting sea. It invades the solitude of deserts, climbs the inaccessible slopes and forbidding pinnacles of mountains, modifies climates, and determines the history, character, and destiny of nations. Unobtrusive and patient, it has immortal vigor and aggression. Banished from the thoroughfare and the field, it abides its time to return, and when vigilance is relaxed, or the dynasty has perished, it silently resumes the throne from which it has been expelled, but which it never abdicates. It bears no blazonry of bloom to charm the senses with fragrance or splendor, but its homely hue is more enchanting than the lily or the rose. It yields no fruit in earth or air, and yet should its harvest fail for a single year, famine would depopulate the world.

Shakespeare did everything better than anyone else—Shakespeare, who opened wide the portals of the human mind and soul and invited all the earth for guest; Shakespeare, who whispered into the vocabularies of the world the sweetest words that ever filtered through the hearts of men. Shakespeare did everything else better than anyone else, until Ingalls wrote *Opportunity*. *Opportunity* is the master sonnet of the English tongue. In poetry the sonnet is probably the most mechanical and artificial form of verse, consisting always of just 14 lines, a sort of automatic poem. It is the easiest kind of poem to write, and therefore it is most difficult to write a superior one. There are only a few worth remembering. Shakespeare, Milton, Wordsworth, and Elizabeth Barrett Browning wrote some good ones, but a better judge of literature than myself said that when he looked for one superior to Ingalls' *Opportunity* he looked in vain. On the walls of my office in Washington I have a facsimile in his own handwriting.

Critics have nagged at this poem as sinister in its gesture to fatalism, and many have attempted to answer *Opportunity* with another sonnet declaring that every morning opportunity knocks; but their music fades in the splendor of Ingalls' orchestration, for, say what you will of the philosophy of Ingalls' sonnet, the stately march of its majestic music sets all the orchestras of the soul to singing.

#### OPPORTUNITY

Master of human destinies am I!  
Fame, love, and fortune on my footsteps wait.  
Cities and fields I walk; I penetrate  
Deserts and seas remote, and passing by  
Hovel and mart and palace—soon or late  
I knock unbidden once at every gate!  
If sleeping, wake—if feasting, rise before  
I turn away. It is the hour of fate,  
And they who follow me reach every state  
Mortals desire, and conquer every foe  
Save death; but those who doubt or hesitate,  
Condemned to failure, penury, and woe,  
Seek me in vain and uselessly implore.  
I answer not, and I return no more.

#### ANNOUNCEMENT

Mr. RANDOLPH. Mr. Speaker, on roll call No. 152, I was unavoidably absent from the Chamber on official business. Had I been present I would have voted "nay."

Mr. Speaker, I ask unanimous consent to revise and extend my own remarks.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

#### CITY OF PIERRE, S. DAK.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6446) amending section 4 of the act entitled "An act to authorize the city of Pierre, S. Dak., to construct, equip, maintain, and operate on Farm Island, S. Dak., certain amusement and recreational facilities; to charge for the use thereof; and for other purposes."

The Clerk read the title of the bill.

Mr. COCHRAN. Mr. Speaker, reserving the right to object, has the bill been reported?

Mr. MUNDT. Yes; the bill has been reported. It was called on the Consent Calendar last Monday and objected to by the gentleman from Indiana [Mr. SCHULTE]. I have

since gone over the bill with the gentleman from Indiana and he has withdrawn his objection.

Mr. COCHRAN. Will the gentleman explain the bill briefly?

Mr. MUNDT. This bill simply corrects legislation passed in the last session setting up a game refuge in the Missouri River. That legislation was inadvertently drawn so stringently that it prevented the game wardens from controlling predatory animals. This bill corrects that situation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

*Be it enacted, etc.,* That section 4 of the act entitled "An act to authorize the city of Pierre, S. Dak., to construct, equip, maintain, and operate on Farm Island, S. Dak., certain amusement and recreational facilities; to charge for the use thereof; and for other purposes", is amended by adding at the end thereof the following: "Nothing herein shall be construed to prohibit the said State or city or any agency of the United States operating on said island from removing therefrom, by such means as it may deem appropriate or advisable, such wild bird or other animal, except migratory birds, unless authorized by a permit issued pursuant to the Migratory Bird Treaty Act, that may become detrimental to the maintenance of said island as a wild game refuge, park, or forest."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. JOHNS asked and was given permission to revise and extend his remarks.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection.

There was no objection.

Mr. Speaker, when the gentleman from Georgia asked to have legislation passed by unanimous consent exempting 500,000 employees of telephone exchanges from the Wage and Hour Act, we were led to believe that we were going to have other amendments to the Wages and Hours Act considered. Had we known that it was only going to be the telephone exchange operators who were to be covered and that the administration was only in favor of that kind of legislation, I question very much if that bill would have gone through for the reason if objection had been registered we might have obtained additional legislation so far as amendments to the Wages and Hours Act are concerned. When the majority leader says we will have no such legislation, the majority party is responsible for that kind of action.

[Here the gavel fell.]

#### INDUSTRIAL RECONSTRUCTION

Mr. KELLER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois [Mr. KELLER]?

There was no objection.

Mr. KELLER. Mr. Speaker, for the purpose of directing the attention of the public and of the Congress to the need for careful study of the grave problem of mass unemployment, I have this day introduced a bill, H. R. 7480, that may well serve as a working basis for our normal legislative processes of committee consideration, public hearings, amendment, and debate. It is in no sense an emergency measure, although the conditions that call it forth cry out for remedy; but if we have learned anything in the past 5 or 6 years, it is that the unemployment problem is not to be tackled as is a four-alarm fire.

Shortly after the Congress recesses I am sailing for Europe, at my own expense, to acquaint myself with what they are doing over there, especially in Sweden and Norway, in their efforts to deal with this most important problem of unemployment, and I hope to bring back with me some information that may be helpful to the Congress when this bill, and

measures with similar objectives, shall be taken up at the next session of Congress.

The bill for an Industrial Reconstruction Act presents a detailed plan to require American industry to function in the public interest on the basis of an economy of abundance, with employment for all able and willing to work. It provides an administrative body, planning agencies, guarantees of the cost of increased production under expansion programs, credit facilities, and a Federal licensing system applicable directly to the major industries in and touching interstate commerce. It creates a Capital Issues Banking System, paralleling in structure the Federal Reserve Bank System, which will underwrite and market all securities affecting interstate commerce and place a prohibitive tax on private investment banking.

The plan is complete, worked out within the framework of democracy and the present American business system. It is not destructive of capitalism, the profit incentive, and/or individual initiative. It is based upon the findings of economists, industrial engineers, and other experts that a coordinated expansion program under governmental direction is practicable, and that through it we can realize full utilization of our productive capacities, natural resources, manpower, and available credit and capital reservoirs.

The plan is a constructive proposal whereby we may effect a permanent recovery from an era of panic, depression, industrial stagnation, and mass unemployment. Mass purchasing power, through employment for all, with higher wage and salary levels for those in the lower brackets, will keep pace with the controlled, ever-ascending spiral of increased production, with a national income of one hundred and thirty to one hundred and thirty-five billions as an attainable goal. The gradual elimination of Government spending for pump-priming purposes will accompany this development, and the augmented Federal revenues due to the increasing national income will make possible lower taxes, a balanced Federal Budget, and the reduction of the public debt.

There should be no hasty criticism of this plan. Prejudice should not speak prematurely. Let the captains of industry and finance and all others who will instinctively oppose it first make certain that they have a more sound and more workable substitute. Let them be definitely concrete in their counter proposals. The people of the United States are long wearied of specious generalizations about "restoring confidence in the business world," "business appeasement," "starting the flow of investment capital," "Budget balancing," "lowering the tax burden," and all such. The people want to be told exactly how these things are to be done and precisely what results may be expected to follow therefrom.

In the closing days of the first session of this Seventy-sixth Congress we have rejected the recovery-lending program and the increased housing program. We have curtailed the work-relief and direct-relief appropriations to such an extent that it is necessary to drop from relief rolls almost a million people at a time when still another million are certified as eligible and are waiting to get on the rolls if they are to be permitted to live. Of what, in God's name, can we be thinking? Does anybody believe that the way to recovery lies on "Unemployment and Starvation Highway No. 1"?

Obviously there can be found a safe and sound way out of the morass in which we have been struggling for now a decade. To deny that is to indict our civilization and the intelligence of our people, and to admit the utter failure of democratic processes and institutions. And the way out must not be a way by which a fortunate few escape from the morass by trampling the less fortunate under foot. It must be a way that is wide enough for a whole people, available to all, and affording equal security to all.

Such a way, I believe, may be constructed through the bill I have introduced.

#### ANNOUNCEMENT

Mr. VOORHIS of California. Mr. Speaker, my colleague from California, Mr. THOMAS F. FORD, was unavoidably detained. Had he been present this afternoon, he would have

voted "yea" on the consideration of the rule for the so-called housing bill.

## EXTENSION OF REMARKS

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD on the subjects of The Farmer Pays the Bill and The Agricultural Merry-Go-Round.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. MURRAY]?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. SCHULTE] is recognized for 5 minutes.

Mr. MAPES. Will the gentleman yield?

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

Mr. MAPES. Would the majority leader, who is now occupying the Speaker's chair, care to say what the program for tomorrow will be?

The SPEAKER pro tempore. Unless the bill authorizing a housing census is taken up tomorrow, the Chair knows of no business. The Speaker, who will be here tomorrow, may, of course, recognize someone. It is the intention now to bring up a bill authorizing the housing census, and that is all.

Mr. MAPES. That is the bill that provides for incorporating into the regular census a census of housing utilities, electrical equipment, and so forth?

The SPEAKER pro tempore. That is my understanding.

Mr. MAPES. The Committee on Rules has reported a rule?

The SPEAKER pro tempore. Yes.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. SCHULTE. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the polar exposition bill at the point in the RECORD where that bill was passed.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. SABATH] may be granted the privilege of extending and revising the remarks he made today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana [Mr. SCHULTE]?

There was no objection.

## MILK INVESTIGATION

Mr. SCHULTE. Mr. Speaker, some time ago a resolution was introduced in the House by the gentleman from Virginia asking for an investigation of the milk situation and all relations thereto in the District of Columbia and the milk shed surrounding the District. This resolution was referred to the District of Columbia Committee of the House which handles the affairs of the District. It was my privilege to serve as a member of the Subcommittee on Health, that considered the resolution and we went into it very thoroughly and extensively. As is well known, the committee was blocked in its every effort. Various Members tried to do everything they possibly could to throw obstacles in our way. In spite of that, Mr. Speaker, we continued on. At that particular time some of the gentlemen from Virginia were very anxious and very excited about the fact that we were going to bring milk in from other parts of the United States. The claim was made that the District of Columbia belonged to 800 farmers living in Virginia and 635 farmers living in Maryland, that no other farmer had the right to sell his products in Washington. It was claimed that just those patent-leathered, kid-gloved, limousine-riding farmers who occupy the territory adjacent to the District of Columbia should have this privilege, denying the right to all the other farmers in the State of Maryland and in the State of Vir-

ginia. These people virtually said, "No, my friend, you cannot bring your milk in here or your products. We have the sole right. Why, you might contaminate some of the people in the District. They might be poisoned by your milk."

They made the same statement to the farmers of Pennsylvania. They made the same statement to the farmers of Ohio, Indiana, Illinois, and all the other States. They said, "Your milk is not any good."

Let us consider as exhibit A, my good friend the gentleman from Wisconsin? He was raised on Wisconsin milk.

Let us consider as exhibit B, the gentleman from Wisconsin [Mr. KEEFE] and my good friend from Illinois [Mr. DIRKSEN], my good friend from Indiana [Mr. GILLIE], and myself. Contrast those gentlemen with the gentleman from Virginia. [Laughter and applause.] Which goes to prove, Mr. Speaker, that we produce very good milk in other States, as well as Maryland and Virginia.

Mr. Speaker, I want to make one point.

Mr. MURRAY. Will the gentleman yield?

Mr. SCHULTE. I yield to the gentleman from Wisconsin.

Mr. MURRAY. Does the gentleman think that the Congressmen from Virginia and Maryland would really have voted for that trade barrier when it came right down to it?

Mr. SCHULTE. I am not able to speak for them, but I know some of the Representatives from Maryland and Virginia resent that trade barrier just as much as you and I.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SCHULTE. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. A few of those Maryland and Virginia Representatives voted for the million-dollar Eskimo pork project. They did not seem to have any conscience about permitting reindeer milk to come in here and compete in the Washington milkshed.

Mr. SCHULTE. I do not know anything about their thoughts, but I am quite certain, after talking with several of them, that they had intended to vote for the Schulte milk bill which has as its purpose to break down that most vicious barrier that exists around the District of Columbia.

Just recently one of the national magazines, which is sent all over the United States, carried quite a story about the monopoly that has been developed by the patent-leather farmers around the District and some of the distributors in the District of Columbia. We tried to hurry through the Schulte bill so we could have it enacted into law, but because of certain parliamentary tactics that were used it was impossible to do so. I told you at that time that they were going to try to break several independent distributors. We have that spectacle today. Right now the Maryland-Virginia patent-leather-shoe and limousine farmers are selling it to the Richfield Dairy at 17 cents a gallon. They are selling it to Sylvan Seal for 17 cents a gallon. While these distributors can buy at this price, yet their consumers still pay the same high price. Yet the Embassy-Fairfax Dairy must pay 27½ cents a gallon. They are out in the fields right now trying to take away from the Embassy-Fairfax the farmers who are supplying them their milk, with the sole intent of breaking the Embassy-Fairfax Dairy because this dairy has the audacity to try to sell milk at a reasonable price to the consumers in Washington. This entire fight came on because Embassy and Fairfax Dairies were selling milk to the people of Washington at reasonable prices, to wit, 12 cents per quart for grade A milk.

[Here the gavel fell.]

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SCHULTE. Mr. Speaker, that is just a part of what is going on. They say, "Oh, we feel sorry for the farmer." This patent-leather farmer that I am talking about, this limousine farmer who drives over his fields in his automobile and does no work, claims that he cannot supply milk unless he gets 28 cents a gallon. He must have at least that. He has proved conclusively that he can manufacture and



produce milk for 17 cents. If not, why is he selling to these particular dairies? The point I am trying to make is that they are getting on an average four and one-quarter cents for the milk sold to Richfield and Sylvan Seal. If the Maryland and Virginia producers, these limousine farmers, can sell milk to Richfield and Sylvan Seal for 4½ cents a quart, then why can they not sell it to the little children on the streets who are white and anemic? This same group, this same outfit, these same vultures, are denying milk to these little tots right today. They say to them, "You are going to pay 14 cents a quart or we are going to let you rot on the streets."

Mr. Speaker, I hope and feel that the Members of this House are very much in sympathy with me in trying to break down this trade barrier that lies around the District of Columbia. I hope that when we come back next year we can prove to the people that we are sincere, that we realize and appreciate the plight in which they find themselves, and that we will say to the people who live in Washington, "We are going to bring down the price of milk," in spite of the ruthless tactics of Mr. Derrick, who heads the Maryland-Virginia Association, and who has been successful in selling himself and his racket to these producers at the expense of a lot of anemic little children and poor families in the District of Columbia. I do hope the people of Washington will help me in this fight by buying milk only from the independent dairies in Washington, who are giving their assistance to the people in this fight for lower-price milk. [Applause.]

[Here the gavel fell.]

#### EXTENSION OF REMARKS

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein the proceedings on the occasion of the dedication of the radio press gallery.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio broadcast under the auspices of the American Wildlife Institute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. O'CONNOR, Mr. VOORHIS of California, and Mr. SMITH of Ohio asked and were given permission to extend their own remarks in the RECORD.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made earlier in the day.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

#### PRICES FOR FARM CROPS

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, the tragedy of an attempt by the Federal Farm Board to support farm prices by buying surpluses is history. It now appears that history may repeat that tragedy in the loans of the Commodity Credit Corporation.

It must be apparent that the farm problem will not be solved until we establish a self-creating and self-financing market for surplus farm products. Such a solution is possible. Perishable surplus crops can be converted into fuel alcohol to supply the demands of a motor age for an improved motor fuel—an alcohol-blend gasoline.

In this way oats and corn that horses no longer eat will be consumed by the engines that have replaced them. In this way acres producing surplus cotton can grow sorghums, and sorghums will make motor fuel.

Such a solution will pay its own way and injure nobody. The increased purchasing power of the farmer will increase the demand for motor fuel and offset any shrinkage in gasoline consumption, and at the same time protect our diminishing oil reserves against the increased rate of consumption.

Mr. Speaker, I ask unanimous consent to extend my remarks and include therein the outline of a measure to accomplish this purpose, which I propose to introduce.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. GREGORY, for Friday and Saturday, on account of important business.

#### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1710. An act to provide for the cancelation of certain notes acquired by the Farm Credit Administration as a result of the activities of the Federal Farm Board; to the Committee on Agriculture.

S. 2654. An act to amend subsection (n), section 77, of the Bankruptcy Act, as amended, concerning payment of preferred claims; to the Committee on the Judiciary.

#### SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 6. An act to return a portion of the Grand Canyon National Monument to the public domain;

S. 474. An act to amend section 92 of the Judicial Code to provide for a term of court at Kalispell, Mont., and, subject to the recommendation of the Attorney General of the United States, to permit the provision of rooms and accommodations for holding court at Livingston and Kalispell, Mont.;

S. 809. An act for the relief of Jessie M. Durst;

S. 839. An act to amend the Retirement Act of April 23, 1904;

S. 891. An act for the relief of J. C. Grice;

S. 1092. An act for the relief of Sigvard C. Foro;

S. 1394. An act for the relief of Johannes or John, Julia, Michael, William, and Anna Kostiuk;

S. 1429. An act for the relief of Earl J. Reed and Giles J. Gentry;

S. 1816. An act for the relief of Montie S. Carlisle;

S. 1821. An act for the relief of Harry K. Snyder;

S. 1905. An act for the relief of Elizabeth E. Burke;

S. 2056. An act for the relief of N. F. Clower and Elijah Williams; and

S. 2408. An act for the relief of Russell B. Hendrix.

#### BILLS AND JOINT RESOLUTIONS 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 and joint resolutions of the House of the following titles:

H. R. 543. An act for the relief of Imogene Enley;

H. R. 1177. An act for the relief of Bessie Bear Robe;

H. R. 1436. An act for the relief of William H. Keesey;

H. R. 1881. An act for the relief of Anne Boice;

H. R. 2102. An act for the relief of Ada Fuller;

H. R. 2178. An act to amend sections 6 and 7 of the act entitled "An act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States," approved June 29, 1936;

H. R. 2346. An act for the relief of Virgil Kuehl, a minor;

H. R. 2514. An act for the relief of G. E. Williams;

H. R. 2610. An act for the relief of G. W. Netterville;

H. R. 2642. An act to amend the act entitled "An act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States," approved June 29, 1936, and for other purposes;

H. R. 2738. An act providing for the disposition of certain Klamath Indian tribal funds;

- H. R. 2750. An act to prohibit the issuance and coinage of certain commemorative coins, and for other purposes;
- H. R. 2875. An act to provide that pensions payable to the widows and orphans of deceased veterans of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall be effective as of date of death of the veteran, if claim is filed within 1 year thereafter;
- H. R. 2883. An act to amend the Federal Firearms Act (Public, No. 785, 75th Cong.) so as to more adequately define the term "ammunition" as said term is defined in said act;
- H. R. 2971. An act for the relief of certain Indians of the Winnebago Agency;
- H. R. 3025. An act to amend an act entitled "An act to reserve lands to the Territory of Alaska for educational uses, and for other purposes," approved March 4, 1915 (38 Stat. 1214-15);
- H. R. 3084. An act for the relief of Violet Dewey;
- H. R. 3157. An act for the relief of Frank Lopez, administrator of the goods, chattels, and credits which were of Alice C. Lopez, deceased;
- H. R. 3215. An act to amend the act of March 2, 1929 (45 Stat. 536);
- H. R. 3337. An act for the relief of the estate of Arthur Weltner;
- H. R. 3345. An act for the relief of Ninety Six Oil Mill, of Ninety Six, S. C.;
- H. R. 3569. An act for the relief of J. Aristide Lefevre;
- H. R. 3795. An act to provide a right-of-way through the Chilkoot Barracks Military Reservation, Alaska;
- H. R. 4008. An act to authorize an exchange of lands between the War Department and the Department of Labor;
- H. R. 4100. An act to amend the naturalization laws in relation to an alien previously lawfully admitted into the United States for permanent residence and who is temporarily absent from the United States solely in his or her capacity as a regularly ordained clergyman or representative of a recognized religious denomination or religious organization existing in the United States;
- H. R. 4115. An act for the relief of W. C. and James Lattane, and Willie Johnson;
- H. R. 4261. An act for the relief of the estate of Frank M. Smith;
- H. R. 4264. An act for the relief of Corabell Wuensch, Jackie Lee Wuensch, and Mary Rainbolt;
- H. R. 4306. An act to make the United States Coast Guard Academy library a public depository for Government publications;
- H. R. 4434. An act to provide for the abatement of personal taxes from insolvent building associations in the District of Columbia;
- H. R. 4609. An act for the relief of Charles Enslow;
- H. R. 4638. An act authorizing the Secretary of Agriculture to prepare plans for the eradication and control of the pink bollworm, and for other purposes;
- H. R. 4732. An act to provide for the issuance of a license to practice chiropractic in the District of Columbia to George M. Corriveau;
- H. R. 4733. An act to provide for the issuance of a license to practice chiropractic in the District of Columbia to Laura T. Corriveau;
- H. R. 4742. An act to provide for the establishment of the Chalmette National Historical Park in the State of Louisiana, and for other purposes;
- H. R. 4783. An act to provide a right-of-way;
- H. R. 4784. An act to provide a right-of-way;
- H. R. 4847. An act for the relief of Leland J. Belding;
- H. R. 4983. An act to amend sections 712, 802, and 902 of the Merchant Marine Act, 1936, as amended, relative to the requisitioning of vessels;
- H. R. 5056. An act for the relief of Nicholas Contopoulos;
- H. R. 5450. An act to extend the time within which applications for benefits under the World War Adjustment Act, as amended, may be filed;
- H. R. 5516. An act for the relief of Charlotte E. Hunter;
- H. R. 5611. An act to amend section 9 of the act of July 3, 1926 (44 Stat. 817), entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes";
- H. R. 5684. An act amending the act of Congress of June 25, 1938 (C. 710, 52 Stat. 1207), authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath Business Committee, and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe;
- H. R. 5743. An act for the relief of Walter C. Holmes;
- H. R. 5764. An act to provide for the establishment of a cemetery within the Crab Orchard Creek dam project, Williamson County, Ill.;
- H. R. 5775. An act for the relief of Michael M. Cohen;
- H. R. 5912. An act authorizing the Secretary of War to permit Salt Lake City, Utah, to construct and maintain certain roads, streets, and boulevards across the Fort Douglas Military Reservation;
- H. R. 5988. An act to amend an act entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States and for other purposes," approved June 8, 1938 (Public Law No. 583, 75th Cong., 3d sess.);
- H. R. 6114. An act to authorize postmasters within the Territory of Alaska to administer oaths and affirmations, and for other purposes;
- H. R. 6266. An act providing for the incorporation of certain persons as Group Hospitalization, Inc.;
- H. R. 6268. An act to authorize the Commissioner of Internal Revenue to make certain allowances for losses by leakage and evaporation upon withdrawal of packages of brandy or fruit spirits under certain conditions;
- H. R. 6273. An act to exempt certain motorboats from the operation of sections 4 and 6 of the Motor Boat Act of June 9, 1910, and from certain other acts of Congress, and to provide that certain motorboats shall not be required to carry on board copies of the pilot rules;
- H. R. 6320. An act to establish the status of funds and employees of the United States Naval Academy laundry;
- H. R. 6405. An act authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes;
- H. R. 6528. An act to provide for the creation of the George Rogers Clark National Memorial, in the State of Indiana, and for other purposes;
- H. R. 6538. An act to amend the Agricultural Adjustment Act of 1938;
- H. R. 6539. An act to amend the Agricultural Adjustment Act of 1938;
- H. R. 6540. An act to amend the Agricultural Adjustment Act of 1938;
- H. R. 6541. An act to amend the Agricultural Adjustment Act of 1938;
- H. R. 6555. An act to amend the act of March 28, 1928 (45 Stat. 374), as amended, relating to the advance of funds in connection with the enforcement of acts relating to narcotic drugs, so as to permit such advances in connection with the enforcement of the Marihuana Tax Act of 1937 and to permit advances of funds in connection with the enforcement of the customs laws;
- H. R. 6585. An act to provide for the disposition of certain records of the United States Government;
- H. R. 6641. An act for the relief of the Arkansas State Penitentiary;
- H. R. 6872. An act to amend sections 4886, 4887, 4920, and 4929 of the Revised Statutes (U. S. C., title 35, secs. 31, 32, 69, and 73);
- H. R. 6873. An act to amend sections 4904, 4909, 4911, and 4915 of the Revised Statutes (U. S. C., title 35, secs. 52, 57, 59a, and 63);
- H. R. 6875. An act to amend section 4903 of the Revised Statutes (U. S. C., title 35, sec. 51);

H. R. 6899. An act granting pensions to certain veterans of the Civil War;

H. R. 6925. An act to waive the age limit for appointment as second lieutenant, Regular Army, of certain persons now on active duty with the Air Corps;

H. R. 7086. An act to provide for insanity proceedings in the District of Columbia;

H. R. 7093. An act to provide for the rank and title of lieutenant general of the Regular Army;

H. R. 7263. An act to permit the importation free of duty of certain literature for distribution at the Golden Gate International Exposition of 1939;

H. R. 7288. An act to perfect the consolidation of the Lighthouse Service with the Coast Guard by authorizing the commissioning, appointment, and enlistment in the Coast Guard of certain officers and employees of the Lighthouse Service, and for other purposes;

H. R. 7320. An act to amend the District of Columbia Revenue Act of 1939, and for other purposes;

H. R. 7411. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;

H. J. Res. 159. Joint resolution authorizing the selection of a site and the erection thereon of the Columbian Fountain in Washington, D. C.;

H. J. Res. 183. Joint resolution authorizing the Librarian of Congress to return to Williamsburg Lodge, No. 6, Ancient Free and Accepted Masons, of Virginia, the original manuscript of the record of the proceedings of said lodge;

H. J. Res. 188. Joint resolution authorizing the delegation of certain authority within the Department of Agriculture;

H. J. Res. 208. Joint resolution authorizing the Joint Committee on the Library to procure an oil portrait of former President Herbert Hoover;

H. J. Res. 264. Joint resolution to approve the action of the Secretary of the Interior deferring the collection of certain irrigation-construction charges against lands under the San Carlos and Flathead Indian irrigation projects;

H. J. Res. 272. Joint resolution to provide for the observance and celebration of the one hundred and fiftieth anniversary of the settlement of the city of Gallipolis, Ohio;

H. J. Res. 315. Joint resolution to provide for the adjudication by a commissioner of claims of American nationals against the Government of the Union of Soviet Socialist Republics; and

H. J. Res. 340. Joint resolution providing that the farmers' market in blocks 354 and 355 in the District of Columbia shall not be used for other purposes.

#### ADJOURNMENT

Mr. WARREN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 14 minutes p. m.) the House adjourned until tomorrow, Friday, August 4, 1939, at 12 o'clock noon.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mrs. NORTON: Committee on Labor. S. 1234. An act to amend section 13 (a) of the act approved June 25, 1938 (52 Stat. 1069), entitled "Fair Labor Standards Act of 1938"; without amendment (Rept. No. 1448). Referred to the committee of the Whole House on the state of the Union.

Mr. BURDICK: Committee on Indian Affairs. H. R. 793. A bill authorizing payment to the Sisseton and Wahpeton Bands of Sioux Indians for certain lands ceded by them to the United States by a treaty of July 23, 1851; with amendments (Rept. No. 1449). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHELCHER: Committee on the Post Office and Post Roads. H. R. 2665. A bill to provide increases in clerical allowances at certain offices of the third class, and for other purposes; with amendments (Rept. No. 1450). Referred to the Committee of the Whole House on the state of the Union.

Mr. STEAGALL: Committee of conference. S. 2697. An act to facilitate the execution of arrangements for the exchange of surplus agricultural commodities produced in the United States for reserve stocks of strategic and critical materials produced abroad (Rept. No. 1451). Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. WARREN: Committee on Accounts. House Resolution 291. Resolution providing for the expenses incurred by House Resolution 290 (Rept. No. 1542). Ordered to be printed.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KENNEDY of Maryland: Committee of conference. H. R. 875. A bill for the relief of Okie May Fegley (Rept. No. 1453). Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KELLER:

H. R. 7480. A bill to encourage and protect commerce among the States and to regulate its flow in order to assure continuous economic prosperity and security, to promote full and effective utilization of available production capacities and make full employment and economic abundance accessible to all, to increase the national income, promote adequate and ever-rising standards of living limited only by our national resources, and to free business from restraints on production, expansion, and trade; (a) by expanding and licensing production of the major industries engaged in interstate commerce, under adequate consumer, labor, business, and public safeguards; (b) by providing the necessary consumer purchasing power for such expanded production through increased employment, assured supplies and flow of credit, better balanced income distributions, increased efficiency, aids in marketing, and reasonable assurances against losses in such expanded production; (c) by making possible under democratic processes such balanced expansion programs and providing the capital funds therefor through the establishment of a National Capital Issues Banking System; and to create the Industrial Reconstruction Commission and other agencies to carry into effect and administer the foregoing purposes; to the Committee on Ways and Means.

By Mr. FAY:

H. R. 7481. A bill to amend section 3339 of the Revised Statutes of the United States; to the Committee on Ways and Means.

By Mr. KELLY:

H. R. 7482. A bill to further amend the act entitled "An act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes," approved August 29, 1935, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. FADDIS:

H. R. 7483. A bill to authorize the Secretary of War to furnish certain markers for certain graves; to the Committee on Military Affairs.

By Mr. FLAHERTY:

H. R. 7484. A bill to safeguard and protect the lives of fishermen at sea and to inspect fishing vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. HENDRICKS:

H. R. 7485. A bill to regulate the issuance of commemorative coins; to the Committee on Coinage, Weights, and Measures.

By Mr. KRAMER:

H. R. 7486. A bill to amend paragraph 1798 of the Tariff Act of 1920, as amended (U. S. C., 1934 edition, supp. IV, title 19, sec. 1201, par. 1798); to the Committee on Ways and Means.

By Mr. RANDOLPH:

H. R. 7487. A bill to provide for the promotion of the welfare of displaced labor in relation to the economic effects flowing from scientific and technological developments; to the Committee on Interstate and Foreign Commerce.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS:

H. R. 7488. A bill granting an increase of pension to Anna M. Lewis; to the Committee on Invalid Pensions.

By Mr. BARRY:

H. R. 7489. A bill for the relief of Frederick P. Sell; to the Committee on Claims.

H. R. 7490. A bill for the relief of Florence Conjard; to the Committee on Claims.

By Mr. FAY:

H. R. 7491. A bill for the relief of the alien, James Neohoritis; to the Committee on Immigration and Naturalization.

By Mr. KENNEDY of Maryland:

H. R. 7492. A bill for the relief of J. Frank Kuner, private, uniformed force, United States Secret Service; to the Committee on Claims.

H. R. 7493. A bill for the relief of Roy F. Lassly, former acting chief disbursing clerk, Department of the Interior; to the Committee on Claims.

By Mr. KING:

H. R. 7494. A bill for the relief of Robert William Holt; to the Committee on Claims.

H. R. 7495. A bill for the relief of Gloria D. Downing; to the Committee on Immigration and Naturalization.

By Mr. LESINSKI:

H. R. 7496. A bill for the relief of Joseph B. Rupinski and Maria Zofia Rupinski; to the Committee on Immigration and Naturalization.

By Mr. MARTIN of Iowa:

H. R. 7497. A bill granting an increase of pension to Abigail Daugherty; to the Committee on Pensions.

By Mr. MILLER:

H. R. 7498. A bill to provide for the presentation of a medal to Cynthia Chapin in recognition of her valor in saving the lives of 33 of her fellow citizens; to the Committee on the Library.

By Mrs. O'DAY:

H. R. 7499. A bill for the relief of Juda Hersch Katz; to the Committee on Immigration and Naturalization.

By Mr. PETERSON of Florida:

H. R. 7500. A bill for the relief of W. P. Richardson; to the Committee on Merchant Marine and Fisheries.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5209. By Mr. HARTER of New York: Petition of 30 citizens of the Forty-first District of New York, opposing the closing of the nursery-school project in Buffalo; to the Committee on Appropriations.

5210. By Mr. MERRITT: Resolution of the Queens County committee of the American Legion, New York, urging the passage by Congress of the bill now pending to establish a 2-cent first-class mail rate throughout the county of Queens; to the Committee on the Post Office and Post Roads.

5211. By Mr. PFEIFER: Petition of N. V. Noyes, commissioner of agriculture, Albany, N. Y., urging passage of Senate bill 2212; to the Committee on Appropriations.

5212. Also, petition of the Laundry Workers Joint Board of Greater New York, concerning the Fair Labor Standards Act; to the Committee on Labor.

5213. Also, petition of James A. Urich, executive director, American Federation of Housing Authorities, Washington, D. C., urging favorable action on Senate bill 591; to the Committee on Banking and Currency.

5214. By Mr. VOORHIS of California: Petition of Earl A. Brown, of Pomona, Calif., and 227 other Work Projects Administration workers of the Twelfth Congressional District to the Congress of the United States, asking for the repeal of the wage-reduction provisions and the 30-day furlough for all workers employed 18 months, and petition against any further reduction in hourly rates; to the Committee on Appropriations.

## SENATE

FRIDAY, AUGUST 4, 1939

(Legislative day of Wednesday, August 2, 1939)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Reverend Duncan Fraser, assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O Thou who are the light of the minds that know Thee, the life of the souls that love Thee, and the strength of the wills that serve Thee: Help us so to know Thee that we may truly love Thee, so to love Thee that we may fully serve Thee, whom to serve is perfect freedom. Through Jesus Christ, our Lord. Amen.

#### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Thursday, August 3, 1939, was dispensed with, and the Journal was approved.

#### CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Davis	Lucas	Sheppard
Andrews	Downey	Lundeen	Shipstead
Austin	Ellender	McCarran	Smith
Bailey	George	McKellar	Stewart
Bankhead	Gerry	Maloney	Taft
Barkley	Gibson	Mead	Thomas, Okla.
Borah	Gurney	Miller	Thomas, Utah
Bridges	Hale	Minton	Tobey
Brown	Harrison	Murray	Townsend
Bulow	Hatch	Neely	Truman
Burke	Hayden	Nye	Tydings
Byrd	Herring	O'Mahoney	Vandenberg
Byrnes	Holt	Pepper	Van Nuys
Capper	Johnson, Calif.	Pittman	Wagner
Chavez	Johnson, Colo.	Radcliffe	Walsh
Clark, Idaho	King	Reed	Wheeler
Clark, Mo.	La Follette	Russell	White
Connally	Lee	Schwartz	
Danaher	Lodge	Schwellenbach	

Mr. MINTON. I announce that the Senator from Mississippi [Mr. BLBO], the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Iowa [Mr. GILLETTE], the Senator from Rhode Island [Mr. GREEN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Alabama [Mr. HILL], the Senator from Delaware [Mr. HUGHES], the Senator from Illinois [Mr. SLATTERY], and the Senator from New Jersey [Mr. SMATHERS] are absent on important public business.

The Senator from Ohio [Mr. DONAHEY], the Senator from Virginia [Mr. GLASS], the Senator from Kentucky [Mr. LOGAN], the Senator from Louisiana [Mr. OVERTON], and the Senator from North Carolina [Mr. REYNOLDS] are unavoidably detained.

The VICE PRESIDENT. Seventy-four Senators have answered to their names. A quorum is present.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 875) for the relief of Okie May Fegley.