

TO BE LIEUTENANT COMMANDERS

| | |
|-----------------------|----------------------------|
| Frederick J. Nelson | Stanley Leith |
| Joyce A. Ralph | William D. Wright, Jr. |
| James C. Guillot | Homer Ambrose |
| William H. Hamilton | Ralph W. D. Woods |
| William D. Anderson | William A. Graham |
| Murr E. Arnold | Robert S. Hatcher, an ad- |
| William M. Hobby, Jr. | ditional number in grade |
| William P. Burford | Edward W. Clextion, an ad- |
| Philip R. Coffin | ditional number in grade |
| Wells L. Field | Chester C. Wood |
| Marshall M. Dana | Clarence F. Ekstrom |
| Kenneth D. Ringle | |

POSTMASTERS

DELAWARE

Bennett H. Emory, Cheswold.

MAINE

Jerome G. Russell, Danforth.

MARYLAND

Anna G. Clatterbuck, Deer Park.

NEW YORK

Joseph J. Cruse, Poland.

SOUTH DAKOTA

Emma Peterson, Draper.
 Ira H. Pinnell, Eagle Butte.
 Ray W. Pitsor, Faith.
 William J. Gassen, Gregory.
 David K. Batchelor, Hot Springs.
 William H. James, Martin.
 Clyde M. McDonell, Murdo.
 Hilda M. Baukol, Roslyn.
 Arthur R. Siegmund, White River.

TEXAS

Daniel T. McElligott, Bells.
 George L. Keller, Dublin.
 Vernon May, Katy.

VIRGINIA

Susie A. Warburton, Dumbarton.

SENATE

MONDAY, MARCH 20, 1939

(Legislative day of Thursday, March 16, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Z^cBarney T. Phillips, D. D., offered the following prayer:

O Lord most high, before whose infinite majesty and greatness we bow in deep humility as we acknowledge our littleness and our dependence: Cover us with the shadow of Thy wings, that we may learn to trust Thee even as our fathers trusted and were not afraid. May we never be confounded though the waters roar and are troubled, though the cup given to multitudes to drink be a cup of anguish, and our hearts ache with perplexity as we sorrow over them.

Out of Thy holy sanctuary compose and uplift our thought, and renew Thy peace in us, that, with childlike faith, we may cast the burden of our care upon Thy loving fatherhood, and find surcease from the pain and sorrow of this world beneath the shadow of the cross on which the Prince of Glory died, even Jesus Christ, Thy Son, 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 Friday, March 17, 1939, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL

Mr. LEWIS. I observe the absence of a quorum, and ask that the roll be called in order to secure 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 | Danaher | La Follette | Russell |
| Andrews | Davis | Lee | Schwartz |
| Ashurst | Donahay | Lewis | Schwellenbach |
| Austin | Downey | Logan | Sheppard |
| Bailey | Ellender | Lucas | Shipstead |
| Bankhead | Frazier | Lundeen | Smathers |
| Barbour | George | McCarran | Smith |
| Barkley | Gerry | McKellar | Stewart |
| Bilbo | Gibson | McNary | Taft |
| Bone | Gillette | Maloney | Thomas, Okla. |
| Borah | Glass | Mead | Thomas, Utah |
| Bridges | Guffey | Miller | Tobey |
| Brown | Gurney | Minton | Townsend |
| Bulow | Harrison | Murray | Tydings |
| Burke | Hatch | Neely | Vandenberg |
| Byrd | Hayden | Norris | Van Nuys |
| Byrnes | Herring | O'Mahoney | Wagner |
| Capper | Hill | Overton | Walsh |
| Caraway | Holman | Pepper | Wheeler |
| Chavez | Hughes | Pittman | White |
| Clark, Idaho | Johnson, Calif. | Radcliffe | White |
| Clark, Mo. | Johnson, Colo. | Reed | Wiley |
| Connally | King | Reynolds | |

Mr. LEWIS. I announce that the Senator from West Virginia [Mr. HOLT] is detained from the Senate because of illness.

The Senator from Rhode Island [Mr. GREEN] and the Senator from Missouri [Mr. TRUMAN] are detained on important public business.

Mr. FRAZIER. I announce that my colleague the junior Senator from North Dakota [Mr. NYE] is absent because of illness.

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present.

LIMITATION UPON PUBLIC-DEBT OBLIGATIONS

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

To the Congress of the United States:

I am transmitting herewith a letter dated March 17, 1939, from the Secretary of the Treasury regarding the limitation placed upon the total amount of the public-debt obligations which may be issued and outstanding at any one time under authority of the Second Liberty Bond Act, as amended. You will note from this letter that the Secretary of the Treasury feels that there will be no necessity for increasing the present limitation of \$45,000,000,000 on the total public debt which may be outstanding at any one time, but does feel very strongly that it will be necessary to increase the present limitation of \$30,000,000,000 face amount of bonds which may be outstanding at any one time.

I recommend that the Congress take such action as may be necessary to give the Treasury the authority which will enable it to carry out its financing operations during the next fiscal year as may be for the best interest of the Government in line with market conditions at the time of such financing.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, March 20, 1939.

PAN AMERICAN UNION BUILDING

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to rescind the permission granted to the Pan American Union to erect an office building in the District of Columbia, which, with the accompanying papers, was referred to the Committee on Public Buildings and Grounds.

CONTINUATION OF SPECIAL STATISTICAL STUDIES BY THE DEPARTMENT OF LABOR

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Labor, transmitting a draft of proposed legislation to authorize the Department of Labor to continue to make special statistical studies upon payment of the cost thereof, which, with the accompanying papers, was referred to the Committee on Education and Labor.

CLAIMS OF CHOCTAW AND CHICKASAW NATIONS

The VICE PRESIDENT laid before the Senate a letter from the Chief Clerk of the Court of Claims, transmitting a certified copy of the special findings of fact and conclusions of the court in the case of the Choctaw and Chickasaw Nations against the United States, which, with the accompanying report, was referred to the Committee on Indian Affairs.

EXPORT TRADE AND BYPRODUCTS USES OF TOBACCO

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Agriculture, transmitting, in response to Senate Resolution 291 (75th Cong.), a report pertaining to the export trade in and byproducts uses of tobacco, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry and ordered to be printed, with illustrations.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following joint resolution of the Legislature of Nevada, which was referred to the Committee on Mines and Mining:

Senate joint resolution memorializing Congress relative to the passing of appropriate legislation for the erection and construction of four custom milling plants in Nevada at Government expense under terms looking toward the payment to the Government of principal and interest of such investment over a period of years, after which title to the same would vest in the State

Whereas a survey has been made by the United States Bureau of Mines relating to mineral resources of the State of Nevada; and Whereas the findings of this survey suggest that the erection of at least four custom milling plants at points of assured ore deposits in Nevada, in addition to the opening up of new ore bodies by purchasing small lots of ore from prospectors for cash and to place the same on an organization plan is entirely feasible and practicable; and

Whereas the most advantageous points in Nevada for the erection of such milling plants have heretofore been located in consideration of transportation facilities, ore deposits, centers of population, and low-cost power by the United States Bureau of Mines; and

Whereas it is conceived that the construction and operation of such plants under the supervision and administration of the United States Bureau of Mines for a length of time, at least equal to the time that the cash advances made by the Federal agency advancing the same are not fully repaid, is entirely feasible and would constitute a proper protection to the Federal Government or Federal agency which advances such sums; and

Whereas it is conceived that the Federal milling units or plants could remain encumbered to the Federal agency which would have advanced the cash for the building of the same, and at such time as the principal and interest of such investment might be fully repaid to the Government or Federal agency, as the case might be, after which title to such units would vest in the State of Nevada, thereby being of great material benefit to Nevada and its citizenry; and

Whereas after the cost of such milling units shall have been fully repaid to the Federal Government or Federal agency advancing such sums, together with interest thereon, such plants could be made to operate on a maintenance cost, or nonprofit basis, thereby reducing the cost of milling ores within the State, which would operate as a great stimulant to the mining industry; and

Whereas it is conceived by the investigation and survey thus made through the United States Bureau of Mines that four of such milling plants with a daily capacity of 50 tons each, located in a feasible and strategic point within the State of Nevada would not cost more than \$75,000 each in construction, and it is conceived that a revolving fund of \$25,000 for each unit to be used in the purchase of ore in small quantities and to be placed upon land now owned by the Government, or at small or no cost, would make a total maximum investment of not to exceed \$400,000, and the inception of such project which would be, consequently, over the years, amortized, being continually decreased; and

Whereas the buying of ores for cash from prospectors who produce in small quantities and tonnage only would finance prospectors on a basis more advantageous to them than they now enjoy and which would encourage them to greater effort, by which unemployment would be decreased and new ore bodies would be located; and

Whereas the legislature is convinced by conferences formerly had with the Government agency in Reno and with the Director of the United States Bureau of Mines at Reno that the survey above mentioned has been carefully and capably executed, and that the proposed construction plan hereinbefore mentioned is entirely practicable and feasible, and that the investment of money through the Government would be entirely secured and would promote the prosperity and well-being of the entire citizenry of Nevada; and

Whereas the stimulation which would thus be gained by the mining industry in Nevada would have a very beneficial effect upon the agricultural and other industries of Nevada, which would thereby increase the taxable property and taxable wealth of the State: Now, therefore, be it

Resolved by the senate and assembly, jointly, That the Congress of the United States be memorialized to pass appropriate legislation, presenting the conditions under which such milling plants

be constructed within the State of Nevada and the conditions under which the capital thus advanced is to be repaid to the Federal agency advancing the same; naming and prescribing the conditions under which title is to vest in the State of Nevada and under which Federal supervision and regulation of such plants shall cease, and other matters properly connected with the financing, erecting, and supervising of the same; and be it further

Resolved, That our Senators in the United States Senate and our Representative in Congress be requested to use all proper efforts to bring about the passage of laws covering the matters above referred to; and be it further

Resolved, That the secretary of state be, and he is hereby, directed to transmit properly certified copies of this resolution to the President of the United States Senate and the Speaker of the House of Representatives in Congress and to each of our Senators and our Representative in Congress.

The VICE PRESIDENT also laid before the Senate the following concurrent resolutions of the Legislature of Utah, which were referred to the Committee on Agriculture and Forestry:

Concurrent resolution relating to congressional action in liberalizing the terms and conditions of existing agricultural credit

Be it resolved by the Legislature of the State of Utah (the Governor concurring therein)—

Whereas the inadequate price of farm produce is now imposing undue economic burdens upon farm people; and

Whereas such inadequate prices make it impossible in many cases for farmers to meet current principal and interest payments on their indebtedness; and

Whereas agricultural credit delinquencies are increasing to an alarming extent through no fault or neglect of the farm debtor; and

Whereas the major agricultural creditor in this State is the Farm Credit Administration; and

Whereas Congress is now in session and has power to alleviate the credit emergency which faces a large number of farm people who are borrowing from this Federal agency: Now, therefore, be it

Resolved by the Legislature of the State of Utah, That we urge the Congress of the United States to enact legislation liberalizing the terms and conditions of Federal agricultural credit in favor of the debtor both with respect to manner of principal payments and rate of interest; be it further

Resolved, That a certified copy of this memorial be sent by the secretary of state to the President of the Senate and to the Speaker of the House of Representatives of the United States, and to each Senator and Representative in Congress from this State, and to the President of the United States.

Concurrent resolution relating to the approval of United States Senate bill 1179, by Mr. MILLER, to amend section 56 of the Emergency Farm Mortgage Act of 1933, as amended, and providing an interest rate of 3 percent per annum on loans to agricultural improvement districts

Be it resolved by the Legislature of the State of Utah (the Governor concurring therein):

Whereas the various agricultural improvement districts are now paying interest at the rate of 4 percent per annum on their loans, the Federal Government has at the same time through the provisions of the Bankhead-Jones Act loaned to farmers some \$35,000,000, for the purpose of land, such loans bearing interest at the rate of 3 percent per annum; and

Whereas the difference of 1 percent in the annual interest rate will greatly aid the distressed farmers and would lessen the discrimination between the two classes of loans, one being to enable the farmer to purchase more land and the other to prevent the farmer from losing the land he now owns; and

Whereas the farmers within these agricultural improvement districts pay the same interest rate as farmers outside of the districts on any loans they make through and from any governmental agency, in addition to the 4 percent they are now paying on loans from the Reconstruction Finance Corporation. The interest on first mortgages and 4 percent on loans from the Reconstruction Finance Corporation make a total of approximately 9 percent that farmers who have first mortgages on their lands are now paying, which is absolutely prohibitive under the present prevailing low prices for farm products; and

Whereas the farmers in irrigation, drainage, levee, and like districts must, in order to maintain the productivity of their land, keep the districts' canals, levees, and works in a proper physical condition; and

Whereas the creation of a permanent revolving fund from loans already made to such districts as the loans are repaid in the form of principal and interest and said revolving fund used for the same purpose and in the same manner as the original appropriation, will greatly aid the farmers in the districts; and

Whereas the creation of such revolving fund in such manner will not require any additional appropriation by the Congress but will enable economically sound districts to secure loans for rehabilitation purposes, such as dredging drainage canals, lining irrigation canals, strengthening levees, purchasing needed materials, etc.; and

Whereas the producer's great problem is that of distribution and marketing and to secure the influence of a system which will bring the products of the soil in the freest and most economic way to

the consumer and thereby create a steady and continuous demand rather than a seasonal one; and

Whereas it is our sincere belief that agriculture, horticulture, and viticulture need every legitimate method of the widest distribution and sale so that the great mass of the consuming public can purchase such products at a price within its reach: Now, therefore, be it

Resolved, That the Legislature of the State of Utah, the Governor concurring therein, declares its endorsement of United States Senate bill No. 1179 by Mr. MILLER, and respectfully urges the Congress of the United States to enact said bill into the law and to further support such legislation as will reduce the interest charges of the above-mentioned districts from 4 percent to 3 percent per annum and establish a permanent revolving fund; and be it further

Resolved, That a copy of this resolution be forwarded by the secretary of the State of Utah to the President of the Senate and to the Speaker of the House of Representatives of the United States and to each Senator and Representative in the Congress from this State and to the President of the United States.

The VICE PRESIDENT also laid before the Senate the following joint memorial of the Legislature of Montana, which was referred to the Committee on Agriculture and Forestry:

Memorial to the Congress of the United States urging amendments to existing laws pertaining to agriculture affecting wheat production in Montana; requesting quotas in wheat production be changed from an acreage basis to a bushel basis; urging provisions of means for raising revenue for the purpose of insuring a parity price for wheat produced

Whereas a great majority of those engaged in the agricultural industry in the State of Montana produce wheat of a grade produced in only small areas of the wheat-producing sections of the United States; and

Whereas hard, high protein content wheat can usually only be produced under dry-farming conditions, with their attendant hazards of crop failures from drought and insect ravages; and

Whereas the Montana wheat farmer cannot be limited by a quota on an acreage basis if he is to continue to produce wheat for society as he must increase his acreage in years favorable to production to offset his failure to produce in unfavorable seasons, and production control on a bushel basis would more nearly equalize and stabilize production; and

Whereas it is manifestly impossible for the Montana wheat farmer to produce this necessity for society unless he is assured of a price for his product in parity with the prices paid by society to the producer of any other necessity or implement of life; and

Whereas the farmer as a productive unit of society exercises little or no control over his product in the way of the price which it shall bring in the market and it has been found necessary to provide forms of benefit payments to him to make it possible for him to, in some degree, meet the costs of production and make it possible for him to continue to produce for society; and

Whereas the wheat farmer of Montana realizes that only by providing for the raising of revenue through the trade in his commodity, rather than depending on the changing temper of legislative bodies, can the assurance of funds needed for the stabilizing of the price for the commodity he produces on a parity with the market for other products be attained: Now, therefore, be it

Resolved by the House of Representatives of the State of Montana (the Senate of the State of Montana concurring), That we petition and pray the Congress of the United States for the enactment of the following amendments to existing laws pertaining to agriculture:

1. That production control be on a bushel instead of acreage basis.

2. That loan values and benefit payments on the wheat absorbed by domestic consumption be fixed at a figure which will compel a fair exchange for that wheat and bring about an honest and actual parity price.

3. That Congress, through taxation in the trade in wheat, provide revenue for assurance of a stable fund with which to meet such contingencies as may arise in insuring a parity price for wheat.

Be it further

Resolved, That a copy of this memorial, duly authenticated, be sent by the secretary of state to the Secretary of Agriculture, the Senate and House of Representatives of the United States, and to each of the Senators and Representatives of Montana in Congress.

The VICE PRESIDENT also laid before the Senate the following memorial of the House of Representatives of Montana, which was referred to the Committee on Public Lands and Surveys:

Memorial urging the Congress of the United States to cause a completion of the Lewis and Clark Highway

To the Honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the House of Representatives of the Twenty-sixth Legislative Assembly of the State of Montana, respectfully represent that:

Whereas there exists within the Pacific Northwest a condition of economic distress which has caused widespread unemployment creating much suffering and want of necessities of life among a great many of the people of said area; and

Whereas the Pacific Northwest is without proper military protection in that the said section is wholly cut off from the East by the Bitter Root Mountains with only one passage through said range from the Canadian border to Bannock Pass, a distance of some 800 miles; and

Whereas it has become the public policy as well as the urgent need of the United States to take affirmative steps to relieve the conditions aforesaid; and

Whereas the Lewis and Clark Highway follows a low elevation water grade from Portland, Oreg., across the States of Oregon, Washington, and Idaho, through the Lolo Pass, the lowest pass in the Bitter Root range and which is centrally located, to Missoula, Mont., and will provide an adequate military and commercial route which is so badly needed; and

Whereas the Lewis and Clark Highway has been completed with the exception of only 50 miles which lies wholly within the national forests of Idaho and appropriations for forest roads in national forests, which in Idaho cover 34,000,000 of its total 53,000,000 acres, are inadequate to provide for completion of said highway from that source; and

Whereas these national forests are of the largest, most beautiful, interesting, and valuable of the national forests, affording unsurpassed recreational opportunities for the people of the entire Nation and are not accessible either by rail or national highway; and

Whereas this highway would be of great benefit to the States of Idaho, Montana, Washington, and Oregon to facilitate marketing of their products; would provide adequate military protection to the Pacific Northwest; would provide adequate employment to reduce the critical effect of the present economic distress in this area; and would stimulate national trade and commerce; and

Whereas the Lewis and Clark Highway has been designated as eligible for Federal aid: Now, therefore, be it

Resolved, That the House of Representatives of the Twenty-sixth Legislative Assembly of the State of Montana, does most respectfully urge on the Congress of the United States that the said Congress pass such legislation and make the necessary appropriations to provide for the complete construction of the unfinished portion of said highway above mentioned, and that the Forest Service of the Department of Agriculture and/or the War Department and/or the Department of the Interior of the United States be authorized and directed to begin immediate construction thereon; be it further

Resolved, That the secretary of state of the State of Montana be authorized and is hereby directed to immediately forward certified copies of this memorial to the Secretary of Agriculture, the Secretary of War, the Senate and House of Representatives of the United States, to Senators and Representatives in Congress from the States of Idaho, Oregon, Washington, and Montana, and to the President, Franklin D. Roosevelt.

The VICE PRESIDENT also laid before the Senate the following concurrent resolution of the Legislature of the Territory of Hawaii, which was referred to the Committee on Immigration:

Whereas Hon. SAMUEL WILDER KING, Delegate to Congress from Hawaii, has introduced in the Congress of the United States of America a bill extending the privilege of legal entry into the United States to all alien wives married to American citizens prior to the year 1924; and

Whereas said bill will do justice and bring equality to American citizens and their alien wives: Now, therefore, be it

Resolved by the House of Representatives of the Twentieth Legislature of the Territory of Hawaii (the senate concurring), That the Congress of the United States of America be, and it is hereby, urged to adopt said bill which provides for admission of alien wives into the United States of America who were married to American citizens prior to 1924; be it further

Resolved, That copies of this concurrent resolution be transmitted to the President of the Senate of the Congress of the United States, to the Speaker of the House of Representatives of the Congress of the United States, to the Delegate to Congress from Hawaii, to the Secretary of the Interior of the United States, and to the Secretary of Labor of the United States.

The VICE PRESIDENT also laid before the Senate a joint resolution of the Legislature of Wisconsin, memorializing the President and Congress to resume negotiations for a Great Lakes-St. Lawrence seaway treaty, which was referred to the Committee on Commerce.

(See joint resolution printed in full when presented today by Mr. WILEY.)

The VICE PRESIDENT also laid before the Senate a joint memorial of the Legislature of Montana, favoring the enactment of legislation to protect the citizens of the State of Montana against the importation of natural gas from the Dominion of Canada, which was referred to the Committee on Finance.

The VICE PRESIDENT also laid before the Senate resolutions adopted by Local No. 153, International Woodworkers

of America, of Kansas City, Mo., and Lodge No. 1728, Steel Workers' Organizing Committee, of Cincinnati, Ohio, protesting against amendment to the National Labor Relations Act, which were referred to the Committee on Education and Labor.

He also laid before the Senate a resolution adopted by Dille Lodge, No. 1098, S. W. O. C., of Cleveland, Ohio, favoring continuance of the investigation by the subcommittee of the Committee on Education and Labor investigating violations of civil liberties, and so forth, which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution adopted by the Board of Supervisors of Contra Costa County, Calif., favoring the permanent assignment of one-half of the fleet for operations in Pacific waters, with headquarters at San Francisco Bay, which was referred to the Committee on Naval Affairs.

He also laid before the Senate a resolution adopted at Harrisburg, Pa., by the National Committee on Wildlife Legislation, favoring creation of a permanent standing committee on the conservation of wildlife resources, which was referred to the Committee on Rules.

He also laid before the Senate a resolution adopted by the Central Labor Union of Philadelphia, Pa., favoring the enactment of House bill 4223, providing for placing special-delivery messengers under the civil-service system, which was referred to the Committee on Post Offices and Post Roads.

ORDER OF BUSINESS

Mr. PITTMAN addressed the Chair.

The VICE PRESIDENT. Let the Chair state the question before the Senate. When the Senate took a recess on Friday last there were passed over by unanimous consent certain amendments pending to the so-called reorganization bill, which is the unfinished business. The Chair understands that several Senators desire to present petitions and memorials, bills, and so forth, and the Chair thinks he should recognize the Senator from South Carolina [Mr. BYRNES], and he can then yield to other Senators for the purpose of presenting routine business.

Mr. BYRNES. I am glad to yield to other Senators for that purpose.

AMENDMENT OF NEUTRALITY ACT

Mr. PITTMAN. Mr. President, I spoke to the Senator from South Carolina having the pending bill in charge and asked him if it would inconvenience him if I should make a unanimous-consent request at this time. He said it would not.

Mr. BYRNES. Certainly, I yield to the Senator from Nevada for the purpose indicated by him.

Mr. PITTMAN. I introduce a joint resolution providing for certain amendments to the so-called Neutrality Act. The proposed amendments have been discussed considerably without the exact facts of the amendment being known.

Mr. REED. Mr. President, I make the point of order that we cannot hear on this side of the Chamber.

The VICE PRESIDENT. Sooner or later the Senator from Kansas will learn that in the early morning and evening Senators must have conferences, not having seen each other for at least 48 hours. [Laughter.] The Senate will be in order.

Mr. REED. We would like to hear just the same.

Mr. PITTMAN. I ask unanimous consent that the joint resolution be referred to the Committee on Foreign Relations, that it be printed in full in the RECORD for the information of the Senate, and that a statement which I broadcasted last night in attempting to explain the reasons for the joint resolution be published in the RECORD following the joint resolution.

The VICE PRESIDENT. Without objection, the joint resolution will be received and referred, as requested.

The joint resolution (S. J. Res. 97), to be known as the Peace Act of 1939, was read twice by its title, referred to the

Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Resolved, etc.,—

PROCLAMATION OF ARMED CONFLICT BETWEEN FOREIGN STATES

SECTION 1. (a) That within 30 days after the outbreak of a declared or an undeclared armed conflict between foreign states the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the armed conflict.

(b) Whenever the conditions which have caused the President to issue any proclamation under the authority of this section have ceased to exist, he shall revoke the same by proclamation.

COMMERCE WITH STATES ENGAGED IN ARMED CONFLICT

SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials directly or indirectly to any state named in the proclamation.

(b) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States directly or indirectly to any state named in the proclamation, any articles or materials until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national. The shipper of such articles or materials shall be required to file with the collector of the port from which they are to be exported a declaration under oath that there exists in citizens of the United States no right, title, or interest in such articles or materials, and to comply with such rules and regulations as shall be promulgated from time to time by the President. Any such declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such articles or materials.

(c) Insurance written by underwriters on articles or materials included in shipments which are subject to restrictions under the provisions of this act, and on vessels carrying such shipments, shall not be deemed an American interest therein, and no insurance policy issued on such articles or materials, or vessels, and no loss incurred thereunder or by the owners of such vessels, shall be made the basis of any claim put forward by the Government of the United States.

(d) Whenever the President shall have revoked any proclamation issued under the authority of section 1 (a) the provisions of this section shall thereupon cease to apply in respect to the State or States named in such proclamation, except with respect to offenses committed prior to such revocation.

AREAS OF COMBAT OPERATIONS

SEC. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), and he shall thereafter find that the protection of citizens of the United States so requires, he shall issue a proclamation, whereupon it shall be unlawful, except under such limitations and exceptions as the President may prescribe, for citizens of the United States or vessels flying the flag of the United States to proceed through any areas defined from time to time by the President to be areas of combat operations and so specified in his proclamation.

(b) The President may from time to time modify or extend his proclamation as changes in the situation may in his judgment warrant, and when the conditions which have caused him to issue his proclamation have ceased to exist he shall revoke the same and the provisions of this section shall thereupon cease to apply.

RED CROSS AND OTHER EXCEPTIONS

SEC. 4. The provisions of sections 2 and 3 shall not apply to travel and trade on or over lands, lakes, rivers, and inland waters bordering on the United States. Furthermore, these provisions shall not prohibit the transportation by vessels under charter or other direction and control of the Red Cross, proceeding under safe conduct granted by states engaged in armed conflict, of officers and Red Cross personnel, medical personnel and medical supplies, food, and clothing, for the relief of human suffering.

TRAVEL ON VESSELS OF FOREIGN STATES

SEC. 5. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of the state or states named in such proclamation: *Provided, however,* (1) That the provisions of this section shall not apply to a citizen of the United States traveling on a vessel whose voyage was begun in advance of the date of the President's proclamation, and who had no opportunity to discontinue his voyage after that date; (2) that they shall not apply under 90 days after the date of the President's proclamation to a citizen of the United States returning from a foreign state to the United States; and (3) that they shall not apply to officers, agents, and employees of the Government of the United States traveling on official business under specific authorization by the President.

Whenever the President shall have revoked any proclamation issued under the authority of section 1 (a), the provisions of this section shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

ARMING OF AMERICAN MERCHANT VESSELS PROHIBITED

SEC. 6. Whenever the President shall have issued a proclamation under the authority of section 1, it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel engaged in commerce with any foreign state to be armed or to carry any armament, arms, ammunition, or implements of war, except small arms and ammunition therefor which the President may deem necessary and shall publicly designate for the preservation of discipline aboard such vessels.

FINANCIAL TRANSACTIONS

SEC. 7. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any state named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, or person: *Provided*, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peace-time commercial transactions.

(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

(c) Whoever shall violate the provisions of this section or of any regulations issued hereunder shall, upon conviction thereof, be fined not more than \$50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or agent thereof participating in the violation may be liable to the penalty herein prescribed.

(d) Whenever the President shall have revoked any proclamation issued under the authority of section 1 (a), the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

SOLICITATION AND COLLECTION OF FUNDS

SEC. 8. Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to solicit or receive any contribution for or on behalf of the government of any state named in the proclamation.

Nothing in this section shall be construed to prohibit the solicitation or collection of funds to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of funds is made on behalf of and for use by any person or organization which is not acting for or on behalf of any such government, but all such solicitations and collections of funds shall be subject to the approval of the President and shall be made under such rules and regulations as he shall prescribe.

(b) Whenever the President shall have revoked any proclamation issued under the authority of section 1 (a), the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the States named in such proclamation, except with respect to offenses committed prior to such revocation.

AMERICAN REPUBLICS

SEC. 9. This act shall not apply to an American republic or republics engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

USE OF AMERICAN PORTS AS BASE OF SUPPLY

SEC. 10. (a) Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port of the United States, fuel, men, arms, ammunition, implements of war, or other supplies to any warship, tender, or supply ship of a belligerent state, but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the act approved June 15, 1917 (40 Stat. 217, 221; U. S. C., 1934 ed., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security or neutrality of the United States, he shall have the power and it shall be his duty to require the owner, master, or person in command thereof, before departing from a port of the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men, or any part of the cargo, to any warship, tender, or supply ship of a belligerent state.

(b) If the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, has previously cleared from a port of the United States during such war and delivered its cargo or any part thereof to a warship, tender, or supply ship of a belligerent state, he may prohibit the departure of such vessel during the duration of the war.

SUBMARINES AND ARMED MERCHANT VESSELS

SEC. 11. Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States by the submarines or armed merchant vessels of a foreign state, will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. Whenever, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

NATIONAL MUNITIONS CONTROL BOARD

SEC. 12. (a) There is hereby established a National Munitions Control Board (hereinafter referred to as the "Board"). The Board shall consist of the Secretary of State, who shall be chairman and executive officer of the Board; the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce. Except as otherwise provided in this act, or by other law, the administration of this act is vested in the Department of State. The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions. The Board shall be convened by the chairman and shall hold at least one meeting a year.

(b) Every person who engages in the business of manufacturing, exporting, or importing any of the arms, ammunition, or implements of war referred to in this act, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

(c) Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, or implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate. Every person required to register under the provisions of this section shall pay a registration fee of \$100. Upon receipt of the required registration fee, the Secretary of State shall issue a registration certificate valid for 5 years, which shall be renewable for further periods of 5 years upon the payment for each renewal of a fee of \$100.

(d) It shall be unlawful for any person to export, or attempt to export, from the United States to any other state, any of the arms, ammunition, or implements of war referred to in this act, or to import, or attempt to import, to the United States from any other state, any of the arms, ammunition, or implements of war referred to in this act, without first having obtained a license therefor.

(e) All persons required to register under this section shall maintain, subject to the inspection of the Secretary of State, or any person or persons designated by him, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Secretary of State shall prescribe.

(f) Licenses shall be issued to persons who have registered as herein provided for, except in cases of export or import licenses where the export of arms, ammunition, or implements of war would be in violation of this act or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

(g) No purchase of arms, ammunition, or implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this act.

(h) The provisions of the act of August 29, 1916, relating to the sale of ordnance and stores to the Government of Cuba (39 Stat. 619, 643; U. S. C., 1934 ed., title 50, sec. 72), are hereby repealed as of December 31, 1937.

(i) The Board shall make an annual report to Congress, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war. The Board shall include in such reports a list of all persons required to register under the provisions of this act, and full information concerning the licenses issued hereunder.

(j) The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

REGULATIONS

SEC. 13. The President may from time to time promulgate such rules and regulations not inconsistent with law as may be necessary and proper to carry out any of the provisions of this act; and he may exercise any power or authority conferred on him by this act through such officer or officers, or agency or agencies, as he shall direct.

GENERAL PENALTY PROVISION

SEC. 14. In every case of the violation of any of the provisions of this act or of any rule or regulation issued pursuant thereto where a specific penalty is not herein provided, such violator or violators, upon conviction, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both.

DEFINITIONS

SEC. 15. For the purposes of this act—

(a) The term "United States," when used in a geographical sense, includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia.

(b) The term "person" includes a partnership, company, association, or corporation, as well as a natural person.

(c) The term "vessel" means every description of watercraft (including aircraft) or other contrivance used, or capable of being used, as a means of transportation on, under, or over water.

(d) The term "American vessel" means any vessel (including aircraft) documented under the laws of the United States.

(e) The term "vehicle" means every description of carriage (including aircraft) or other contrivance used, or capable of being used, as a means of transportation on or over land.

(f) The term "state" shall include nation, government, and country.

SEPARABILITY OF PROVISIONS

SEC. 16. If any of the provisions of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

APPROPRIATIONS

SEC. 17. There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this act.

REPEAL OF ACTS OF 1935, 1396, 1937

SEC. 18. The act of August 31, 1935 (Public Resolution No. 67, 74th Cong.), as amended by the act of February 29, 1936 (Public Resolution No. 74, 74th Cong.), and the act of May 1, 1937 (Public Resolution No. 27, 75th Cong.), and the act of January 8, 1937 (Public Resolution No. 1, 75th Cong.), are hereby repealed.

The statement presented by Mr. PITTMAN is as follows:

ADDRESS BY HON. KEY PITTMAN, CHAIRMAN OF THE SENATE FOREIGN RELATIONS COMMITTEE, OVER THE COLUMBIA BROADCASTING SYSTEM ON SUNDAY, MARCH 19, 1939

Rapidly increasing threatening conditions in the world force upon Congress the duty to expedite legislation that will permit our Government to act justly and at the same time to eliminate as far as practicable any causes that might bring us into a controversy that would force us into war. The existing Neutrality Act and the amendments thereto constitute a change in our international policy as it existed at the time that we entered the World War. It prevents our citizens and our ships from enjoying their right on the high seas under international law during war. And yet, notwithstanding this change of policy, we hear distinguished Senators and learned men in other phases of life charging that we are drifting into the same conditions that led us into the World War. They even charge that Woodrow Wilson dragged us into the World War. And they intimate or charge that the statements of President Roosevelt indicate that he is dragging us into another world war if such war should occur. None of the charges are true.

Let us remember that for several months before Congress declared war prominent statesmen like Theodore Roosevelt were crying out against the violation of our rights as neutrals under international law and demanding that our Government declare war against Germany. The tolerance and the patience of our President, our Congress, and our people was exhausted when the German Government, in February 1917, established a submarine zone hundreds of miles out in the Atlantic Ocean covering the high seas from Norway and Sweden to Africa and notified our Government that every neutral ship of commerce, whether carrying contraband or not, whether carrying the American flag or not, whether engaged with neutrals or not, would be sunk without notice when it entered that zone. And when, between March 1, 1917, and the date that we entered the war, a number of our merchantmen engaged in commerce with neutrals were sunk within that zone with the loss of the lives of our citizens, then President Wilson asked for a declaration of war, and he was supported almost unanimously by the Congress of the United States and by the sentiment of the people of our country. It was this determination to fight for our rights as neutrals on the high seas that forced us into the World War. Nothing else. All the other causes asserted are pure piffle. If anyone doubts this, let him read the great speech of Senator BORAH delivered in the Senate the night the war resolution was adopted.

The existing neutrality law constituted a surrender of those legal rights that we fought for in the World War. We have found out, however, that beginning with the last war not only were arms, ammunition, and implements of war declared to be contraband of war, but by reason of the fact that today wars are conducted by all the people of a country rather than by armies, that everything, even foodstuffs, were designated as contraband of war.

We have discovered that the existing law in some particulars is unjust if not unneutral. Let us take, for example, the conflict be-

tween Japan and China. Had the Embargo Act been placed in effect upon both of those countries China would have suffered more than Japan. This, of course, no humane man or woman in this country desired. The embargo would have only stopped the export of arms, ammunition, and implements of war, while all of the articles and materials used in the manufacture of arms, ammunition, and implements of war could be exported to both countries. China has no factories or munitions works with which to manufacture arms, ammunition, and implements of war, while Japan only requires the raw materials for such manufacture because Japan has ample factories and munition works to transform such raw materials into weapons of war. This same injustice applies in every case where a manufacturing country is warring with a nonmanufacturing country. It has been urged by some pacifists that we amend the neutrality act so that there will be an embargo placed not only on arms, ammunition, and implements of war but upon all materials that are used in the manufacture of such weapons. That would include nearly every mineral and every chemical and many things like cotton. It must be perfectly evident that in the event of a World War our people are not going to make the sacrifice of discontinuing substantially all of their exports, particularly in a time of mounting surpluses, loss of domestic purchasing power, and tragic unemployment. Congress will respond to the will of the people in these matters. In my opinion, Congress would not pass such legislation. I have never seen the logic of prohibiting the sale of arms, ammunition, and implements of war to Japan while at the same time shipping her millions of tons of scrap iron to be manufactured into instruments of death with which to slaughter the innocent and helpless people of China.

The great emergency that is facing the world and inevitably our own country if the march of the totalitarian powers continues—and I now see nothing to stop such march unless it be stopped by the immediate and united action of the liberty-loving people of Europe—demands our action. The emergency demands of our Government an expeditious and enormous increase of the capacity in this country for the production of materials and instruments of defense. It is totally impracticable, if not impossible, for our Government to sufficiently increase the capacity of Government works to meet any such emergency. Our Government must rely upon the expansion of the capacity of private industry. Private industry will not expand if it is denied the right and power to export its products. I am asked if placing in effect the cash-and-carry provision with regard to all materials would not be disadvantageous to China.

My answer is "no." Every port in China is controlled by Japan and nothing going into such ports can reach the Chinese Army. Whatever the Chinese Army receives must be overland from the west. Placing all materials under the cash-and-carry plan, and at the same time putting in force and effect the credit provisions of existing law, and which are retained in my resolution, as are the other provisions, would make it more difficult for Japan to import anything from the United States. China has not asked any credit in the United States. What she buys here she buys with silver, which we coin into money. It is also asked if placing all materials, including arms, ammunition, and implements of war, on the cash-and-carry basis would not benefit Great Britain and France. My answer, in the first place, is that that question is not a consideration in the passage of a Neutrality Act. The Neutrality Act has only one purpose, and that is to eliminate causes which might arouse controversies that would force us into a foreign war. Of course I must frankly admit that in the event of a world war that, so long as Great Britain and France control the seas, they alone will have access to our markets. But who can say how long one country or two countries will control the seas? Had we not entered the World War it is probable that Germany's submarines would have controlled the seas. Does it not seem unjust, however, if not unneutral, that the United States should close its markets to the purchase of arms, ammunition, and implements of war, particularly airplanes, in view of the situation in Germany and the attitude of its ruler? Great Britain and France are the only two powerful military countries in the world who have cooperated with the United States sincerely in the attempt to limit armaments and for the maintenance of the sanctity of treaties. Whilst the United States, Great Britain, and France were relying upon peace methods and allowing their military forces and implements of war to deteriorate, Germany, Italy, and Japan were increasing their armies and building instruments of war to an almost unconceivable extent.

We will not send any soldiers to fight in European or Asiatic countries. We have sufficient power, through our Navy and through our tremendous financial and economic resources, to resist any encroachment upon our rights. We are interested, however, in seeing that there is maintained in Europe a substantial balance of power, because if any one group obtains absolute power over Europe and Asia then we are faced with the defense of the Monroe Doctrine in Latin America. I have feared this ever since I broadcast a speech from southern California in September when Mr. Chamberlain was holding his conference with Hitler. I stated in that broadcast that, if the taking over by Germany of Sudetenland was the last step in his conquest, the surrender might be justified, even though it would result in the violation of a pledge to Czechoslovakia. But I contended at that time that, knowing the ambitions of Hitler, as I believed I did, that it would be but the first step in an advance that would mean the conquest of central Europe. In a broadcast over the National Radio Forum on the 20th of February I stated:

"Does any one doubt that Hitler has in his program the domination of Ukraine? In fact, does any one doubt that Hitler has the domination of Siberia in mind? If so, simply read his book

Mein Kampf. He is moving eastward at present. Is he succeeding? Hasn't Hungary joined his alliance? Did not the policy of appeasement of Great Britain surrender to the mercy of Hitler not only Czechoslovakia but Poland, Rumania, Yugoslavia, and Turkey? What is there to stop his domination, if not conquest, of these countries?"

And then I gave the history of the acts and the expressed ambitions of the Japanese Government. And after that, speaking of the totalitarian governments, I stated:

"Their intent to dominate the world is evident to any unbiased thinking person."

I was attacked by the German press on the grounds that I was a war monger and by some in the United States as being provocative. I do not consider that a person can ever be charged with being provocative so long as he tells the truth in the resistance of wrong. But now the situation is clear. Prime Minister Chamberlain in his speech at Birmingham, England, on March 17, in speaking of Hitler's violation of his promises, said:

"What reliance can be placed upon any other assurances that come from the same source? * * * Germany under her present regime has sprung a series of unpleasant surprises upon the world: The Rhineland, the Austrian Anschluss, the severance of Sudetenland—all these things shocked and affronted public opinion throughout the world.

"Is this the last attack upon a small state, or is it to be followed by others? Is this in fact a step in the direction of an attempt to dominate the world by force?"

Even today Hitler is demanding special and exclusive privileges in Rumania.

And so while this resolution that I will introduce on Monday solely on my own responsibility places all exports on the cash-and-carry basis, and while I do not desire any extraneous amendments offered to the resolution, it must be understood that I do not commit myself not to offer further legislation increasing the emergent powers of the President.

Mr. LEWIS. Mr. President, at this moment I call the attention of the Senate to the fact that on the 8th instant I introduced a bill, S. 1745, which was referred to the Committee on Foreign Relations and printed in full in the RECORD, at page 2447, touching the matter of neutrality, and announced that I would later address the Senate thereon. Subsequently I called attention to the fact that, being engaged as a member of the conference committee on the so-called defense or airplane bill, I would defer the remarks I intended to make.

Mr. VANDENBERG. Mr. President, in connection with the request submitted by the Senator from Nevada, I ask unanimous consent that a statement made by the senior Senator from Idaho [Mr. BORAH] on the same subject be printed in the RECORD.

The VICE PRESIDENT. Is there objection?

There being no objection, the statement by Mr. BORAH was ordered to be printed in the RECORD, as follows:

STATEMENT FOR THE PRESS BY WILLIAM E. BORAH, MARCH 19, 1939

The fact is that what we refer to as neutrality legislation is not in fact neutrality legislation. It is rather peace legislation. It abandons some of the most fundamental principles of neutrality as they had grown up through centuries of experience. If we are going to take up again legislation along the same lines, then I have reached the point where I should like to vote for a bill which would prohibit the sale, directly or indirectly, of all instrumentalities of war to any and all nations engaged in armed conflict. As soon as the proclamation of war is issued by the President as proposed, I would shut off absolutely the supplying of the instrumentalities of war.

The fact that the nations, or some of them, might have the ships and the money to come and get arms and carry them away should not be permitted to form an exception. We should say to all engaged in armed conflicts: We will furnish no loans. We will furnish no instrumentalities of war. We will not contribute in any way to mass murder.

The governments of the world extorted from their overburdened people last year \$15,000,000,000 for arms and armaments. In view of the awful situation, we can afford at least to refuse all help, directly or indirectly, after war is actually in progress. We should lodge discretion nowhere on that particular matter. We should refuse arms and armaments to those who are able to buy and have the ships to carry the same as to all others. In endeavoring to be neutral we should, insofar as possible, endeavor to be humane.

Mr. CLARK of Missouri subsequently said: Mr. President, in view of the fact that the Senate has just given unanimous consent to have printed in the RECORD the joint resolution introduced by the Senator from Nevada [Mr. PITTMAN] having to do with the Neutrality Act, and the Senator from Illinois [Mr. LEWIS] having referred to his bill on the same subject, both measures, as I see the matter, being calculated to facilitate the United States drifting into war, I ask unanimous con-

sent that there also be printed in the RECORD Senate Joint Resolution 84, recently introduced by the senior Senator from Wisconsin [Mr. LA FOLLETTE] and 12 other Senators, designed to keep the United States out of war.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The joint resolution (S. J. Res. 84) proposing an amendment to the Constitution of the United States for a referendum on war is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. Except in case of attack by armed forces, actual or immediately threatened, upon the United States or its Territorial possessions, or by any non-American nation against any country in the Western Hemisphere, the people shall have the sole power by a national referendum to declare war or to engage in warfare overseas. Congress, when it deems a national crisis to exist in conformance with this article, shall by concurrent resolution refer the question to the people.

"SEC. 2. Congress shall by law provide for the enforcement of this section.

"SEC. 3. This article shall become operative when ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution."

Mr. SHIPSTEAD subsequently said: Mr. President, earlier in the day sundry matters were introduced in the RECORD in connection with the joint resolution of the Senator from Nevada [Mr. PITTMAN] and the bill of the Senator from Illinois [Mr. LEWIS]. I ask unanimous consent to have printed in the RECORD in the same connection an excerpt from an address delivered last Saturday night at Canton, Ohio, by the former Under Secretary of State, Mr. Castle, relative to the same subject.

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

[From the New York Times of March 19, 1939]

CASTLE CAUTIONS OF DRIFT INTO WAR—IN ADDRESS TO OHIO LAWYERS HE CALLS ON COUNTRY TO MIND ITS "OWN BUSINESS"—SCORES "MISSIONARY MIND"—DENIES BRITAIN AND FRANCE HAVE "SUM OF FAIRNESS"—HOLDS POLICY TO LATINUS UNFAIR

CANTON, OHIO, March 18.—Calling on the United States to "keep out of the European mess," William E. Castle, former Under Secretary of State, said in a speech here tonight:

"Let's mind our own business—and keep our powder dry—avoid all the ideologies which are contrary to our own good system."

Speaking at a dinner marking the close of the annual institute of law, sponsored by the Stark County Bar Association, Mr. Castle questioned the argument that it would prevent war if the dictatorships were notified that this country was prepared to defend the democracies by force of arms.

"Is not this a notification to the democracies that, with the United States back of them, they need not make any compromises nor even try to satisfy any of the legitimate needs of the have-not countries?" Mr. Castle demanded.

"We cannot assert that the sum of wisdom and fairness is with Great Britain and France. They, too, have had their moments of imperialism. The people in this country who should have and do have the final voice when it is a question of war are not Government officials but the American people themselves.

NOT FAIRPLAY, HE CHARGES

"And I am dead certain that the American people have no desire to get into another European war. On the contrary, I am sure that they are determined to keep out. It is not, therefore, playing fair with the American people to lure them along a path which, although it is bordered with pious phrases, leads inevitably toward war.

"This seems to be a time when the United States is again getting into a missionary frame of mind. We make up our minds what form of government is the best form and then want to force it on others, whether they want it or not.

"Today who would dare to say that the strenuous attempt of the American Government to persuade Latin-American countries not to trade with Germany and Italy, admirable and high-minded as the purpose is in statement, has not back of it—quite unconsciously so far as most American officials are concerned—the desire to get for ourselves the trade that Germany and Italy now have.

"If we could go to the Latin-American countries and say, 'The totalitarian governments of Europe practice a doctrine which is abhorrent to American ideals. You are helping these nations to live and prosper through your trade. If you will buy only from us we shall be glad to take all your beef and your wheat as well as what we take now,' our position would be fair enough.

DEPLORES STIRRING UP HATE

"But it will not pay in the long run to go down there and stir up hate, try to disrupt trade with these European countries when we have not the slightest intention ourselves to step in and buy cotton and wheat and meat that we do not want and could not use.

"I think the really good-neighborly thing to do would be to say to them that we intend to buy all we can and to sell all we can and that, as we are friends and neighbors, we intend also to facilitate their arrangements abroad so that they can sell the rest of their products to the best advantage to themselves. What a surprise this would be to the totalitarian States. It would make their criticisms of us merely silly, would create a new atmosphere in which peace would have a chance."

Mr. Castle contended that this country's representatives abroad could fulfill their duty to promote democracy by proving to others the virtues of our own democracy. He added that they do not fulfill their duty when they attack others because then they become missionaries and endanger their own country.

Speakers at today's sessions included Luther Day, of Cleveland, and former Representative Arthur Malneck, of Columbus.

ADDITIONAL PETITIONS AND MEMORIALS

Mr. BYRNES presented a concurrent resolution of the Legislature of South Carolina, favoring the enactment of legislation to extend financial relief to certain counties in South Carolina wherein the Federal Government has purchased and condemned real estate, which was referred to the Committee on Agriculture and Forestry.

(See resolution printed in full when laid before the Senate by the Vice President on the 17th instant, p. 2901, CONGRESSIONAL RECORD.)

Mr. MALONEY presented the petition of the Greenwich (Conn.) Council of Women, praying that the United States take every practicable means to end the traffic in arms and supplies to Japan for use in operations in China, which was referred to the Committee on Foreign Relations.

Mr. TAFT presented a resolution adopted by the board of directors of the Ohio Chamber of Commerce, Columbus, Ohio, favoring balancing the Budget, a drastic reduction of Federal expenditures, and lowering the present tax burden, which was referred to the Committee on Finance.

Mr. CAPPER presented a resolution adopted by the Workers Alliance, of Fort Scott, Kans., favoring an additional appropriation of \$150,000,000 for the continuation of the Works Progress Administration program, which was referred to the Committee on Appropriations.

He also presented the petition of sundry members of Workers Alliance Local, G 1185, of Baxter Springs, Kans., praying for an additional appropriation of \$275,000,000 for the continuation of the Works Progress Administration program, which was referred to the Committee on Appropriations.

He also presented a petition of sundry citizens of Wakeeney, Quinter, Ellis, Collyer, and Ogallah, all in the State of Kansas, praying that the United States adhere to a policy of nonparticipation in aggression and take measures to discontinue the shipment of war supplies to Japan, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by General James H. Shields Council, No. 1368, Knights of Columbus, of Garnett, Kans., favoring continuance of the Neutrality Act, which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Richmond, Princeton, Moran, and Greeley, all in the State of Kansas, praying that the United States adhere to a general policy of neutrality, which were referred to the Committee on Foreign Relations.

Mr. WILEY presented the following joint resolution of the Legislature of Wisconsin, which was referred to the Committee on Foreign Relations:

Joint resolution memorializing the President and Congress of the United States to resume negotiations for a Great Lakes-St. Lawrence seaway treaty.

Whereas a piecemeal approach to the settlement of the matters and issues involved in the joint use of the Great Lakes-St. Lawrence waterway would not fulfill the long-time needs of the Midwest or the country at large; and

Whereas a complete cooperation of all States and countries is essential so that specific problems and usages may be determined and consummated by a comprehensive treaty containing adequate and sufficient safeguards and provisions for mutually

compensatory objectives of inland waterways and defense bases; and

Whereas the position of all interested parties should be indicated and declared so that our country will not be hampered by any uncertainty as to the future source and availability of supply of cheap and adequate hydroelectric power; and

Whereas the demands of national defense and productive power for our great industrial centers require multiple sources of hydroelectric power, and in an age so dependent upon power and transportation disastrous consequences will follow a failure to anticipate future needs of cheap power sources; and

Whereas such seaway will provide a means of transportation connecting and unifying the agricultural sections of the Midwest with the industrial sections of the East by a reduction of transportation costs that will be productive of expanded markets, added industries, increased purchasing power of the United States at large, improved capital and physical power plants for industry and defense, and stimulated employment; and

Whereas the Canadian and American Governments may extend and continue an inspiring example of cooperation for constructive improvement instead of cooperation only for destructive purposes; and

Whereas negotiations for a treaty should not be permitted to lapse and lull by reason of early failures caused by opposition created by special interests seeking to maintain their abilities to exploit the needs of the people: Now, therefore, be it

Resolved by the senate (the assembly concurring). That the Legislature of Wisconsin memorializes the President and the Congress of the United States to resume treaty negotiations and to enact necessary legislation for the procurement of a Great Lakes-St. Lawrence seaway; be it further

Resolved, That properly attested copies of this resolution be sent to the President of the United States, to both Houses of Congress, and to each Wisconsin Member thereof.

Mr. MURRAY also presented the following joint memorial of the Legislature of Montana, which was referred to the Committee on Military Affairs:

Memorial to the Congress of the United States of America requesting the passage of House Resolution No. 3320 and Senate bill No. 572, both of which bills are identical in form, and are for the purpose of providing for the common defense by acquiring stocks of strategic and critical raw materials, concentrates, and alloys essential to the needs of industry for the manufacture of supplies for the armed forces and the civilian population in time of national emergency, and for other purposes

To the Honorable Senate and the House of Representatives of the United States in Congress assembled:

Whereas there is now pending before the House of Representatives of the Congress of the United States, House Resolution No. 3320, and there is now pending before the Senate of the Congress of the United States Senate bill No. 572, which have for their purpose the purchase of strategic and critical raw materials, concentrates, minerals, and alloys essential to the national safety and for which there is at present an inadequate supply in the United States, and for the purpose of developing domestic deposits of strategic war minerals and materials necessary for industry; and

Whereas extensive deposits of manganese, chromium, and other strategic war minerals exist within the State of Montana, and remain in a comparatively undeveloped condition; and

Whereas it is the opinion of the legislative body of the State of Montana, the passage of these bills, or bills having similar object in view, are essential to the national safety of the United States Government and should be enacted into law by the Congress of the United States: Now, therefore, be it

Resolved, That the Twenty-sixth Legislative Assembly of the State of Montana, the Senate and House concurring, does hereby respectfully petition and request the Congress of the United States to enact into law House Resolution No. 3320 and Senate bill No. 572, or such other legislation now pending before the Congress of the United States of a like character; be it further

Resolved, That copies of this memorial be transmitted by the secretary of state of the State of Montana to the Honorable B. K. WHEELER, and the Honorable JAMES E. MURRAY, United States Senators, and to the Honorable JAMES F. O'CONNOR and the Honorable T. J. THORKELOSON, United States Representatives from the First and Second Congressional Districts of the State of Montana, respectively.

Mr. MURRAY also presented the following joint memorial of the Legislature of Montana, which was referred to the Committee on Mines and Mining:

Memorial to the Congress of the United States requesting the enactment of legislation to bring about control of basic metals, to create a control board, and suggesting the powers of said board

To the Honorable Senate and the House of Representatives of the United States in Congress assembled:

Whereas the sudden fluctuations in the ratio of supply to demand with resultant instability in the price of basic metals causes workers engaged in the production of the basic metals involved alternately to be employed and laid off at intervals uncertain both as to time of inception and duration, periods respectively characterized by hope of overcoming insolvency and fear of garnishment of wages, and by again being pushed onto relief rolls into hardship and

discouraging indebtedness (basic metals as used in this resolution shall include, but not be limited to copper, manganese, lead, zinc, silver, arsenic, gold, bismuth, iron, and molybdenum in any form such as, but not limited to, ore, concentrate, matte, cinders, blistered or refined);

Whereas the consequent uncertainty of employment has caused and is causing a feeling of unrest and insecurity among said workers; and

Whereas national regulation of the production and importation of basic metals would tend to equalize the discrepancies between the supply and demand of said metals and to remedy in a greater or lesser degree the evils above described: Now, therefore, be it

Resolved, That the Twenty-sixth Legislative Assembly of the State of Montana, the senate and house concurring, hereby does petition the Congress of the United States to enact legislation creating a basic metals control board consisting of five members, one to be appointed from the membership of the Mine, Mill, and Smelter Workers, one from the metal trades of the American Federation of Labor, one from the independent fabricators, one from the major mine owners, and one disinterested person, to be chairman, said board to have power:

1. To regulate the production in the United States of all basic metals;
2. To prohibit importation of foreign basic metals when and as long as there are any domestic basic metals on hand;
3. To compel mining, metal-producing, and ore-refining plants to continue in operation when and if said board can prove that continuing operation will return a reasonable profit to the plant in question;
4. To prevent interlinking of mining, metal-producing, and ore-refining companies or trusts detrimental to any or all of the workers employed in industries producing basic metals;
5. To recommend to Congress tariff rates to be imposed upon basic metals imported to the United States.

Be it further resolved, That copies of this memorial be transmitted by the secretary of state of the State of Montana to the Honorable Franklin D. Roosevelt, President of the United States; the Honorable B. K. Wheeler and the Honorable James E. Murray, United States Senators; and to the Honorable James F. O'Connor and the Honorable J. Thorkelson, United States Representatives of the State of Montana.

REPORTS OF COMMITTEES

Mr. SMITH, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 1096) to amend section 8c of the Agricultural Marketing Agreement Act of 1937, as amended, to make its provisions applicable to Pacific Northwest boxed apples, reported it without amendment and submitted a report (No. 181) thereon.

Mr. RUSSELL, from the Committee on Immigration, to which were referred the following bill and joint resolution, reported them each without amendment and submitted reports thereon:

S. 139. A bill for the relief of Maria Bartolo (Rept. No. 182); and

S. J. Res. 72. Joint resolution readmitting Mary Cohen Bienvenu to citizenship (Rept. No. 183).

Mr. HOLMAN, from the Committee on Immigration, to which was referred the bill (S. 1291) for the relief of William Carl Laude, reported it without amendment and submitted a report (No. 184) thereon.

Mr. MALONEY, from the Committee on Immigration, to which was referred the bill (S. 1394) for the relief of Johannes or John, Julia, Michael, William, and Anna Kostiuik, reported it without amendment and submitted a report (No. 185) thereon.

Mr. ANDREWS, from the Committee on Immigration, to which was referred the bill (S. 837) to admit Mrs. Henry Francis Parks permanently to the United States, reported it without amendment and submitted a report (No. 186) thereon.

Mr. SCHWELLENBACH, from the Committee on Immigration, to which was referred the bill (S. 1269) for the relief of Emil Friedrich Dischleit, reported it with an amendment and submitted a report (No. 187) thereon.

Mr. HUGHES, from the Committee on Immigration, to which was referred the bill (S. 808) for the relief of Calliope Minaca Pilavakis, reported it without amendment and submitted a report (No. 188) thereon.

Mr. BYRNES, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 83) authorizing the Committee on the District of Columbia to hold hearings during the Seventy-sixth Congress (submitted by Mr. KING on February 20, 1939), reported it without amendment.

Mr. HATCH, from the Committee on the Judiciary, to which was referred the bill (S. 499) to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1910, and for other purposes", approved March 3, 1909, as amended, so as to extend commissary privileges to civilian officers and employees of the United States at naval stations beyond the continental limits of the United States or in Alaska, reported it without amendment and submitted a report (No. 190) thereon.

INCREASE OF AGRICULTURAL PURCHASING POWER

Mr. THOMAS of Oklahoma. Mr. President, from the Committee on Agriculture and Forestry I report back favorably, with amendments, Senate bill 1855, to relieve the existing national economic emergency by increasing agricultural purchasing power; to increase the national income, to make possible a balancing of the Budget and, acting under the power conferred by section 8 of article I of the Constitution, to regulate the value of the dollar in the interest of the general welfare, and for other purposes; and I submit a report (No. 180) thereon. The bill has to do with the agricultural problem, but it involves and relates to monetary affairs; so I ask that the bill and report be referred to the Committee on Banking and Currency for the consideration of that committee.

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

Mr. THOMAS of Oklahoma. I also ask that a copy of the bill, together with a copy of the report, be printed in full at this point in the RECORD for the information of the Senate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Oklahoma? The Chair hears none.

The bill and report are as follows:

Be it enacted, etc.,

DECLARATION OF POLICY

SECTION 1. That it is hereby declared to be the policy of the United States that the price level as shown by the Bureau of Labor Statistics shall be adjusted to 100, and it shall be the duty of the Board of Governors of the Federal Reserve System, the Secretary of the Treasury, and the other executive departments of the Government to cooperate in the work of adjusting such price level as herein provided, and thereafter to keep such price level as nearly stable as such point of 100 as is humanly possible.

GOLD DOLLAR WEIGHT FIXED

SEC. 2. The weight of the gold dollar is hereby fixed at 12.9 grains of gold, nine-tenths fine. Such gold dollar, the weight of which is so fixed, shall be the standard unit of value, and all forms of money issued or coined by the United States shall be maintained at a parity with this standard and it shall be the duty of the Secretary of the Treasury to maintain such parity.

CERTIFICATES AGAINST SURPLUS GOLD AUTHORIZED

SEC. 3. There is hereby created in the Treasury a special reserve fund. There shall be covered into such fund (1) any gold in the general fund of the Treasury, (2) an amount of gold equal to the increase in value (resulting from the first section of this act) of any gold held as security for gold certificates and as a reserve for any United States notes and for Treasury notes of 1890, and (3) any gold hereafter acquired by the general fund of the Treasury. Notwithstanding any other provision of law, the Secretary of the Treasury is authorized and directed to issue certificates against the gold in such fund. Such certificates shall be in such form as may be prescribed by the Secretary, shall have and possess all of the privileges and the legal-tender characteristics of silver certificates now in the Treasury of the United States or in circulation, and shall be redeemable in any lawful money of the United States: *Provided*, That all such certificates shall be issued and paid into circulation to meet maturing bills and in such a manner as to assist in carrying into effect the policy set forth in section 1 of this act.

RELATING TO SILVER

SEC. 4. That the Silver Purchase Act (Public Law No. 438, 73d Cong.) is hereby repealed.

The Secretary of the Treasury is authorized and directed to purchase at not less than \$1.04 per fine ounce all silver newly mined in the United States that may be offered for sale.

The Secretary of the Treasury is authorized and directed to purchase all foreign silver which may be tendered in payment for agricultural products of the United States, which agricultural products are purchased for export at a price which shall be 25 percent above the New York market price for foreign silver as of the date of sale of such agricultural products: *Provided, however*, That the price to be paid for all silver acquired pursuant to the provisions of section 4 of this act shall not be higher than \$1.29 per fine ounce.

The Secretary of the Treasury is hereby authorized and directed to issue silver certificates against all silver purchased under this act on the basis of the monetary value of \$1.29 per fine ounce.

The Secretary of the Treasury is authorized and directed to purchase silver, both foreign and domestic, pursuant to the provisions of this act, until the amount of silver held in the Treasury of the United States shall constitute 25 percent of the total metallic monetary reserves of the United States.

CERTIFICATES OWNED BY UNITED STATES TO BE KEPT IN CIRCULATION

SEC. 5. When certificates issued under section 2 of this act, and when silver certificates issued under the provisions of this or any other act are received into the Treasury (other than by redemption) from any source whatsoever, and belong to the United States, they shall not be retired, canceled, or destroyed, but shall be reissued and paid out again and kept in circulation; but nothing herein shall prevent the cancellation and destruction of mutilated certificates and the issue of other certificates of like denomination in their stead, as provided by law.

STABILIZATION FUND CONTINUED

SEC. 6. The sum of \$1,500,000,000 heretofore appropriated and covered into a stabilization fund, as provided by paragraph (6) of section 10, Public Law No. 87, Seventy-third Congress, approved January 30, 1934, is hereby reappropriated and covered into the general fund; and paragraph (c) of said section 10 of said Public Law No. 87, Seventy-third Congress, is hereby repealed.

SEC. 7. The short title of this act shall be the "Dollar Value Regulation Act of 1939."

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 1855), as follows: "A bill to relieve the existing national economic emergency by increasing agricultural purchasing power, to increase the national income, to make possible a balancing of the Budget, and, acting under the power conferred by section 8 of article I of the Constitution, to regulate the value of the dollar in the interest of general welfare, and for other purposes," having considered the same, report thereon with the recommendation that it do pass, as amended, such amendments being as follows: On page 3, line 18, after the word "States" and before the word "at", insert "which agricultural products are purchased for export."

Amendment No. 2. On page 3, line 23, after the word "of" and before the word "this", insert "Section 4 of."

Amendment No. 3. On page 3, line 23, after the word "shall" and before the word "be", insert "not." Such amendment being a transposition so that said line 23 will read as follows: "of section 4 of this act shall not be higher than \$1.29 per fine ounce."

Amendment No. 4. On page 5, line 4, change "Section 6" to read "Section 7."

The bill has for its main purpose the raising of the general price level; hence, the raising of the prices of farm commodities.

The bill contains seven sections.

The first section is a declaration of policy, such policy being to adjust and regulate the price level to the point of 100, and thereafter keeping such price level adjusted to said point as nearly stable as is humanly possible.

Section 2 fixes the weight of the gold dollar by law definitely at 12.9 grains of gold nine-tenths fine. The present gold dollar contains 15 $\frac{1}{2}$ grains of gold, so that it is proposed to reduce the gold content of the dollar from 15 $\frac{1}{2}$ grains to 12.9 grains.

If section 2 is adopted, then the new gold dollar will contain just one-half of the gold content of the old gold dollar in use from 1834 to 1934.

Section 3 provides that all the free gold in the general fund of the Treasury shall be used as the basis for the issuance of new currency. The free gold referred to is as follows:

(a) Gold in the general fund in the sum of approximately \$700,000,000; and

(b) Gold resulting from the devaluation as provided in section 2 in an estimated sum of \$2,700,000,000; and

(c) Any gold which might hereafter be acquired, either from domestic producers or in the due course of trade, and the sum of \$1,500,000,000 reappropriated by section 5 of the bill from the stabilization fund and covered into the general fund.

If section 2 and section 6 should be enacted, then we would have an approximate sum of \$4,900,000,000 of free gold in the general fund which will be converted into a special reserve fund to be held as the basis of a like amount.

Section 4 provides first for the repeal of the Silver Purchase Act of 1934 (Public Law No. 438, 73d Cong.).

Secondly, the section provides for the purchase of all newly mined silver from mines located in the United States at a price of \$1.04 per fine ounce.

The regular or coinage value of an ounce of fine silver is \$1.29 per fine ounce so that on the basis of purchase as herein provided, the Government makes a profit from the seigniorage in the sum of 25 cents per ounce.

The plan of purchase is for the Government to issue silver certificates and exchange such certificates for all silver purchased under the act.

The section further authorizes and directs the Secretary of the Treasury to purchase silver, both foreign and domestic, pursuant to the provisions of this act, until the amount of silver held in the Treasury of the United States shall constitute 25 percent of the total metallic monetary reserves of the United States.

Section 5 provides that all certificates issued under this act and all silver certificates issued against silver bullion in the Treasury shall not be retired, converted, or destroyed, but shall be reissued and kept in constant circulation.

Section 6 provides for the reappropriation of the sum of \$1,500,000,000 from the stabilization fund and covering such sum into the special reserve fund for the purpose of currency issue.

Section 6 repeals section 10 of Public, No. 87, Seventy-third Congress, which provides that the law creating the stabilization fund shall expire on June 30, 1939.

If section 6 is enacted, then the stabilization fund is retained indefinitely with the sum of \$500,000,000 of the original \$2,000,000,000 left in such fund to be managed as provided by law.

RESULTS OF LEGISLATION

The bill, if enacted into law, will bring about the following positive and definite results:

First. It will reduce the weight, hence the value, of the gold dollar and fixes such weight definitely by law. On March 6 we had in the Treasury the sum of \$14,916,000,000 in gold; hence, the further devaluation of the gold dollar will result in a profit for the Treasury of approximately \$2,700,000,000.

Second. The bill, if enacted, will provide for the issuance of approximately \$5,000,000,000 of new currency against a like amount of free gold in the Treasury. Should this policy be adopted this money could be used to retire maturing obligations in the form of bond indebtedness and maturing bills. This would relieve the necessity of further borrowing and at the same time would make it unnecessary to raise the legal limit for the issuance of bonds above the present \$45,000,000,000.

Third. If the bill should be enacted, the amount of permanent, nonretirable currency in circulation would be increased by approximately \$5,000,000,000.

At the present time we have in actual circulation approximately \$1,000,000,000 in silver certificates, approximately \$275,000,000 of United States notes, and approximately \$4,000,000,000 of Federal Reserve notes.

Under the law and common practice Federal Reserve notes fluctuate widely. These notes are issued by the Federal Reserve banks upon collateral furnished by the member banks, and when the member banks pay their notes the currency is automatically retired.

Under the present policy the silver certificates, the United States notes, and the Federal Reserve notes in actual circulation total only about \$5,275,000,000.

The silver certificates and the United States notes in the total sum of \$1,275,000,000 are the only nonretirable money we now have in circulation.

While the record shows that we have gold certificates, Treasury notes of 1890, Federal Reserve bank notes, and national bank notes in circulation, the facts are that such notes have been ordered retired and the moment they appear in practical circulation or reach the banks, they are sent in to the Treasury for retirement and cancellation.

This bill, if enacted, will increase the permanent, nonretirable currency in the approximate sum of \$5,000,000,000; however, it is provided specifically "that all such certificates shall be issued and paid into circulation to meet maturing bills and in such a manner as to assist in carrying into effect the policy set forth in section 1 of this act."

Fourth. The bill, if enacted, will make it possible to keep the silver mines of the United States in operation. Otherwise most, if not all of such mines, will have to suspend operation.

Silver and gold have been recognized as monetary metals since the dawn of civilization. The first unit of currency in our money of account was the silver dollar containing 371 $\frac{1}{4}$ grains of fine silver.

During all our national history this dollar, known as the standard silver dollar, has never been changed or altered as to the silver content.

Today we have coined silver dollars in the sum of \$547,079,989, and have outstanding against a portion of such silver dollars and against silver bullion the sum of \$1,645,213,645 in the form of silver certificates.

Some 11 of our States produce silver, and while it has been the policy of our Government to help industry by tariffs and agriculture by subsidies, it cannot be charged that the policy herein suggested and provided is out of harmony with the general policy of the United States.

Fifth. In addition to raising the price level, which means agricultural prices specifically, and the placing of additional currency in circulation, the enactment of the measure will have the following effect upon our metallic monetary stock:

EFFECT UPON METALLIC MONEY STOCKS

By revaluation of the dollar our gold stock in the sum of approximately \$14,916,000,000 will become approximately \$17,600,000,000.

At present we have a total silver stock, as valued in gold, in the sum of approximately \$1,675,000,000, and by adding the revalued gold stock to the present silver stock, we find that we have a total metallic monetary stock in the sum of approximately \$19,275,000,000.

In passing, we might suggest that we are not issuing silver certificates against our metallic silver to the full extent of the law. We have sufficient silver in the Treasury which could be used for the issuance of an additional \$1,250,000,000 of silver certificates; hence, in the event this bill should become the law we would have acquired gold and silver stock sufficient to become the legal base, dollar for dollar, of over \$20,000,000,000 of currency. However, should we follow the formula set forth in the Federal Reserve

Act, of issuing money against a certain percent of gold and a certain percent of liquid collateral, we would have ample gold and silver to become the legal base for approximately \$50,000,000,000 of currency.

MONEY UNCERTAINTY

Today the most serious problem confronting our people and our economic structure is monetary uncertainty. This uncertainty is brought about in the main by the changing value of the dollar.

The dollar is our monetary unit and serves two purposes: (a) As a medium of exchange, and (b) as a measure of value.

In order to measure value we must have a standard. Public confidence is based upon just governmental policies and upon stability, and stability must be founded upon a standard.

DOLLAR CHANGES VALUE

All must admit that our monetary unit, the dollar, expands and contracts as a measure of value.

In 1920 the dollar, as a measure of value, was worth 64 cents. In 1933 the dollar was worth 167 cents, in March of 1937 the same dollar was worth 112 cents, and today such dollar is worth 130 cents.

Based upon this record, this question suggests itself: How may we have stability when the yardstick of value—the dollar—by which we measure stability is itself unstable?

The main objective of this bill is to raise prices by regulating and adjusting the value of the dollar to that point which will serve the best interests of all the people, and your Committee on Agriculture and Forestry recommends that the dollar should be regulated and adjusted so that its value in terms of commodities and property will be 100 cents, as shown by the Bureau of Labor Statistics, and your committee further recommends that when such dollar value has been regulated and adjusted to 100 cents that such value be stabilized at such point.

CONGRESSIONAL MANDATE

The bill gives a mandate to our money managers to regulate and adjust the value of the dollar to 100 cents, and then a further mandate to keep such dollar regulated and adjusted to the said 100-cent value.

CONDITIONS TODAY

Cotton and wheat, two major farm products, are world commodities; hence, as such, they are measured constantly in terms of gold throughout the world. The prices of these two commodities, when measured in terms of gold, are today the lowest in history.

Were it not for the Federal loan policy, cotton would be selling for less than 5 cents per pound, and wheat would be selling for less than 30 cents per bushel.

The Government loan policy has raised the price of cotton to some 8½ cents per pound to the farmers and has raised the price of wheat to some 50 cents per bushel.

The Government cannot continue its present commodity loan program, and farmers cannot possibly live on 5-cent cotton and 30-cent wheat.

AGRICULTURAL COMMITTEE'S POLICY

In reporting the Agricultural Adjustment Act of 1933 your Committee on Agriculture and Forestry developed and announced its policy. On page 7 of such committee report the committee recommended:

"That the purchasing power of the dollar should be fixed and stabilized at that point to serve the best interest of the people, trade, commerce, and industry, and that when such value is once fixed it should be stabilized at such value.

"We report further that no just, substantial, reliable, or permanent relief can be provided agriculture or any other industry until the money question is considered and adjusted."

DOLLAR VALUE NOT PROPERLY REGULATED

All must admit that to date the dollar value has not been satisfactorily regulated and adjusted.

As stated, the dollar value or purchasing power was reduced from 167 cents in February 1933 to 112 cents in March 1937. From March 1937 the dollar value has been increased from 112 cents to its present value of 130 cents as measured in commodities and property.

No one can conclude that such a value or purchasing power is a proper one. Our money managers have obviously adjusted and regulated the value or purchasing power of the dollar to 130 cents, but such value is not reducing unemployment, is not permitting of a balanced Budget, and is not providing even cost of production to the producers of raw material, including farm commodities.

1933 MONETARY PROVISIONS

Later, during the consideration of the bill in the Senate, the committee recommended that the said bill be amended to include monetary provisions calculated to cheapen the dollar and thereby raise prices.

Title III of said act was added to the bill on the floor of the Senate, and such title carried the monetary adjustment provisions. This title conferred upon the President discretionary powers as follows:

First. To have issued some \$3,000,000,000 in Federal Reserve notes.

Second. To issue \$3,000,000,000 in United States notes.

Third. To revalue the gold dollar by reducing its gold content by as much as 50 percent; and

Fourth. To provide for a wider use of silver in our monetary system.

ADMINISTRATION'S POLICY

During the first days of the new administration the President announced a policy of raising commodity prices. On May 6, 1933, over a Nation-wide radio hook-up, President Roosevelt said:

"The administration has the definite objective of raising commodity prices to such an extent that those who have borrowed money will, on the average, be able to repay that money in the same kind of dollar which they borrowed."

Again, on July 3, 1933, in a message to the London Economic Conference, the President said:

"Let me be frank in saying that the United States seeks the kind of dollar which a generation hence will have the same purchasing and debt-paying power as the dollar value we hope to attain in the near future."

And on July 5, 1933, in a second message to the World Economic Conference in London, he said:

"The revaluation of the dollar in terms of American commodities is an end from which the Government and the people of the United States cannot be diverted. We wish to make this perfectly clear: We are interested in American commodity prices."

On October 22, 1933, in a Nation-wide radio address, the President said:

"It is the Government's policy to restore the price level first."

Also, in this address he said:

"When we have restored the price level we shall seek to establish and maintain a dollar which will not change its purchasing and debt-paying power during the succeeding generation. I said that in my message to the American delegation in London last July, and I say it now once more."

The purpose of this recommended legislation is to carry into effect the definite and announced policy of the President as just set forth.

In support of the President's policy the committee calls attention to the platform declarations of the political parties of 1932 and 1934, 1936, and 1938, as follows:

The Democratic platform of 1932 contains the following declaration: "We maintain the depression of 1920 and the depression (the bankers calling old loans and refusing to make new loans) of 1929 were due to the indefensible contraction of credit for private profit at public expense, and we pledge the Democratic Party to preserve a sound currency at all hazards. * * * We promise to restore property values and to endeavor to establish a dollar of uniform permanent debt-paying power. * * * We approve the objective of a permanent sound currency established so as to prevent the former wide fluctuations in value, injuring, in turn, the producers, debtors, and property owners on the one hand and wage earners and creditors on the other hand—a currency which will permit full utilization of the country's resources * * *"

The Republican platform of 1932 contains the following plank: "We pledge a sound currency at all hazards. We will restore to the Congress the authority lodged with it by the Constitution to coin all money and regulate the value thereof * * *"

The Republican platform of 1936 on money is as follows:

"We advocate a sound currency to be preserved at all hazards. * * * We will restore to Congress the authority lodged with it by the Constitution to coin all money and regulate the value thereof * * *"

The Progressive platform of 1938 declared as follows:

"The ownership and control of money and credit without qualifications or reservations must be under public and not private control * * *"

The Farmer-Labor platform of 1934 likewise declared as follows: "Congress shall exercise the constitutional power to coin money and to regulate the value thereof."

The objective of the bill is to vitalize the provision of the Constitution wherein the Congress is given power to coin money and to regulate the value thereof.

The policy set forth by the President is the identical policy as set forth in the platform declaration of all of the political parties from 1932 to date.

In addition to the commitment of the President and the endorsement of all political parties, we report that all of the farm organizations are on record as being in substantial support of the suggested legislation.

To carry out the policy announced and exercising in part the powers conferred, the President proceeded to cheapen the dollar, which had the effect of raising prices correspondingly.

EFFECT ON PRICES

With the passage of said act and the exercise of a part of the powers by the President farm prices began to improve, and by March 1937 farmers began to see the dawn of better days for agriculture. Because of the monetary-adjustment program and other enactments, the price of cotton was increased from some 6 cents to some 14 cents per pound, and the price of wheat was increased from some 50 cents to \$1 per bushel.

The following table shows the total increase in the farm income for the years succeeding 1932 to date:

| | Farm income |
|------|-----------------|
| 1932 | \$7,500,000,000 |
| 1933 | 9,100,000,000 |
| 1934 | 10,400,000,000 |
| 1935 | 12,000,000,000 |
| 1936 | 13,500,000,000 |
| 1937 | 13,900,000,000 |
| 1938 | 10,600,000,000 |

The above figures were taken from a report prepared by the New York State Conference Board of Farm Organizations, embracing the

following: New York State Grange; New York State Horticultural Society; New York State Vegetable Growers' Association; New York State Federation of Home Bureaus; Cooperative G. L. F. Exchange, Inc.; Dairymen's League Cooperative Association, Inc.; New York State Farm Bureau Federation.

The New York State Conference Board further reports that "as the dollar's buying power goes up, farmers' and other basic producers' income goes down." Further, the report says:

"Between 1929 and 1933 the value of gold increased 140 percent, causing a very sharp drop in farm prices. Due to this monetary derangement, farmers of the United States have lost, between 1930 and 1937, inclusive, \$32,000,000,000 of their predepression average buying power. Producers of other basic commodities lost \$15,000,000,000 during the same period.

"Farmers and other basic producers comprise approximately 55,000,000 of our population. This reduction in income and buying power has caused urban unemployment."

CHANGES IN DOLLAR VALUE

The Bureau of Labor Statistics reports that in 1926 the dollar had a buying or purchasing power, in terms of commodities, in the sum of 100 cents. This Bureau further reports that by February 1932 the buying or purchasing power of the dollar had increased from 100 cents to 167 cents. This report further shows that, with the administration's program to cheapen the dollar and raise prices, the dollar's buying or purchasing power fell from 167 cents in February 1933 to 112 cents in March of 1937.

As the dollar increased in buying power from 1929 to 1933, farm income and national income decreased correspondingly, and from 1933 to 1937, as the dollar was cheapened, farm income increased correspondingly.

FEDERAL RESERVE BOARD PRODUCED RECESSION

Then, in 1937, when the man-made recession was brought upon the country, farm income and national income again decreased.

Based upon this record the New York State Conference Board of Farm Organizations reports that during the 8 years from 1930 to 1938 the farmers lost a total income in the sum of \$31,665,000,000. This board also reports that other basic producers lost a total of \$15,100,000,000, making a total deficit for farmers and other basic producers in the total sum for the 8 years of \$46,765,000,000.

HIGH PRICE LEVEL PRODUCES HIGH INCOME

The record shows that a high price level produces high incomes. For example, take the year 1920 with the highest price level in recent years, we find the following record.

High price level

| | |
|-----------------------------|------------------|
| Farm income..... | \$13,000,000,000 |
| National income..... | 69,000,000,000 |
| Value farm property..... | 66,000,000,000 |
| Value exports..... | 8,200,000,000 |
| Amount Treasury income..... | 6,000,000,000 |

Then take 1932, with a low price level, we have the following record;

Low price level

| | |
|-----------------------------|-----------------|
| Farm income..... | \$5,000,000,000 |
| National income..... | 48,000,000,000 |
| Value farm property..... | 36,000,000,000 |
| Value exports..... | 1,600,000,000 |
| Amount Treasury income..... | 2,100,000,000 |

With a high price level in 1920 wheat sold for \$2.50 a bushel, cotton sold for 42 cents a pound, corn sold for \$1.90 per bushel, and oats sold for \$1.04 per bushel.

In 1933, with a low price level, wheat sold for 30 cents per bushel, cotton sold for 5 cents per pound, corn sold for 15 cents per bushel, and oats sold for 10 cents per bushel.

EFFECT OF DOLLAR VALUE ON NATIONAL WEALTH

In 1929 the national wealth was estimated to be \$461,000,000,000, and as the dollar increased in value from 100 cents to a value of 167 cents in 1933, the national wealth declined correspondingly to the sum of \$213,000,000,000.

As the dollar became cheaper from 1933 to 1937, the national wealth again increased until 1937, when the recession came, and since that time the national wealth has been decreasing.

EFFECT OF DOLLAR VALUE ON BANK DEPOSITS

As the dollar became cheaper bank deposits increased as follows:

| | |
|-----------|------------------|
| 1933..... | \$37,000,000,000 |
| 1934..... | 41,000,000,000 |
| 1935..... | 45,000,000,000 |
| 1936..... | 51,000,000,000 |
| 1937..... | 53,000,000,000 |
| 1938..... | 52,000,000,000 |

As stated, a high price level produces high income; hence, a high price level produces increased buying or purchasing power.

The following table shows the farm income under high and low price levels:

| | 1919-20 high price level | 1932 low price level | 1937 rising price level | 1938 falling price level |
|------------------------------|--------------------------|----------------------|-------------------------|--------------------------|
| Cash cotton-lint income..... | \$2,016,000,000 | \$424,000,000 | \$795,000,000 | \$500,000,000 |
| Cotton lint and wheat..... | 2,282,000,000 | 460,000,000 | 883,000,000 | 667,000,000 |
| Farm income from— | | | | |
| Wheat..... | 1,597,000,000 | 207,000,000 | 617,000,000 | 440,000,000 |
| Hogs..... | 2,433,000,000 | 557,000,000 | 1,140,000,000 | 1,090,000,000 |
| Cattle and calves..... | 1,967,000,000 | 635,000,000 | 1,240,000,000 | 932,000,000 |
| Tobacco..... | 499,000,000 | 115,000,000 | 818,000,000 | 294,000,000 |
| Gross farm income..... | 16,935,000,000 | 5,284,000,000 | 9,611,000,000 | 8,403,000,000 |
| Per capita income..... | 259 | 41 | 127 | 106 |

STATUS OF GOLD AS MONETARY METAL

Section 2 of the bill proposes to reduce the weight, hence, the value, of the gold dollar.

From 1834 to 1934 the gold dollar contained 25.8 grains of gold, nine-tenths fine. In 1934, because of the increased value of gold, the weight of the gold dollar was reduced from 25.8 grains to 15 $\frac{3}{4}$ grains, nine-tenths fine.

In 1933 we had in the whole world a total of \$11,741,000,000 of monetary gold. When we revalued gold in terms of the new dollar content, we find that we have now in the world a total of some \$26,244,000,000 of monetary gold.

Of the world's supply of monetary gold, we have in our Treasury as of date March 6, 1939, the sum of \$14,916,417,692.50, which constitutes 57 percent of the total monetary gold in the world.

World statistics show that gold, because of increased demand brought about by increased taxes, increased debts, increased interest, and expanded international trade intercourse, has increased in value some 140 percent.

If the United States has some 57 percent of the world's gold, then the other fifty-odd nations together have only 43 percent.

VALUE OF GOLD INCREASING

Because of conditions not necessary to detail here, gold is coming to the United States daily and as gold comes here our percentage of the world's supply is increased and the gold left among the other nations is decreased.

As gold becomes scarcer in other nations its value increases, and as more and more gold comes here its value, as measured in commodities and property, increases correspondingly.

WORLD'S EXCHANGE BASED ON GOLD

At this time all world or international exchange is based upon gold; hence, with a diminishing supply among the other nations and with world trade increasing, the smaller the supply of world gold the greater will be its value.

In 1933 the old gold dollar of 25.8 grains had a purchasing power as measured in terms of commodities and property of 167 cents. Today if the domestic dollar is comparable in value to our new gold dollar, then the so-called 59-cent gold dollar has a buying power of 130 cents plus; hence, if section 2 is approved and the weight of the gold dollar is reduced to one-half the size of the former or old gold dollar, we will have a gold dollar weighing 12.9 grains, nine-tenths fine, but such gold dollar will have a buying or purchasing power of over 100 cents as measured in commodities and property.

MORE MONEY REQUIRED

Since 1933, taxes, debts, and interest have increased, making necessary more money with which to meet such increased overhead and fixed charges.

With the United States' share of the world's gold, in the sum of almost \$15,000,000,000, out of circulation and buried in Kentucky, we find that with standing increased world fixed charges there is less gold now available to back world currencies than before the several currency units were devalued.

WHAT PRICE GOVERNMENT?

The National Industrial Conference Board has made a report based upon the year 1936 showing the cost of government in the United States. From this report the following facts are reported:

"The cost of all government—Federal, State, and local—was \$17,047,000,000.

"That was more than the year's yield in this country from soil and earth—crops, livestock, metals, coal, oil, lumber; more than we spent for food, clothing, and rent; more than one-quarter of the national income.

"Federal and State Governments cost \$11,009,000,000.

"That was far more than American farmers raised; almost as much as our factory workers earned; almost as much as investors and landlords received.

"Federal Government cost \$8,576,000,000.

"That was more than American farmers' cash income; almost as much as it cost the American people to eat.

"State governments cost \$2,433,000,000.

"That was more than rent; almost as much as clothing.

"Local governments cost \$6,038,000,000.

"That was more than investors' stock dividends; more than interest on bonds and mortgages; more than premiums paid on all forms of insurance; more than freight and passenger transportation; more than the year's automobile sales."

ECONOMIC LAWS

The same economic law which controls the value of commodities, such as cotton, wheat, corn, tobacco, and rice, controls the value of our dollars. When such commodities are plentiful they are cheap, and when they are scarce they are high as measured in other commodities.

The foregoing is the quantitative theory of value. This economic law has been recognized since man began to think. The farm-relief program of this administration has been predicated upon this law, as evidenced by the following:

(a) Cotton was plowed under to make cotton scarcer, hence higher in price.

(b) Wheat was plowed under for the same reason.

(c) Hogs and cattle were killed in order to raise the price of meat.

(d) The present farm law provides for limited and controlled production of farm commodities in order to enable farmers to continue to reside upon the land.

SINGLE GOLD STANDARD

The single gold standard means that money is based upon and redeemable in the single commodity of gold. Formerly the United States and many of the leading world powers were on such a standard. Today no nation, large or small, is on a gold standard. Perhaps our country is the nearest to such a standard.

We have our basic dollar fixed by law at fifteen and five-twenty-firsts grains of gold, but our domestic currency is not redeemable in either coined gold dollars or gold bullion, so that domestically at least we are on a paper dollar or paper-currency standard.

ADVANTAGES OF COMMODITY DOLLAR

Since our money is not redeemable in gold, the only thing we can get for our dollars are other dollars or commodities of some form of property.

So long as the dollar was redeemable in gold the value of such dollar was the value of the amount of gold contained in the dollar. Gold being a commodity fluctuated in value or in terms of other property the same as any other commodity fluctuates in value in terms of other property.

The record shows that when gold was used to redeem money and was produced in the same proportion as taxes and debts increased and trade expanded, the value of gold remained stable, but at any time that a new gold field was discovered and gold came into circulation faster than the regular demand for money increased then gold itself became cheaper, the dollar fell in buying power, and prices increased.

This statement is borne out by the discovery of gold in California, in Alaska, and in South Africa.

In times of increased debts, taxes, and interest, if gold is not produced in increased proportion to such increased demand for money, then gold increases in value or buying power and prices fall.

GOLD NOT STABLE MEASURE OF VALUE

All now agree that any fixed quantity of the single commodity gold is not a stable measure of value. Every nation has a system for measuring value and such system is known as a commodity index. The number of commodities in the various systems varies. Some systems embrace but a few commodities, while our system, the Bureau of Labor Statistics, embraces some 784 commodities.

All must agree that the average price of 784 commodities would be more stable than the price of any one of such number of commodities.

The theory of a commodity index system is that should one commodity, such as gold, silver, copper, lead, iron, wheat, cotton, or corn, increase in value some other commodity in the system might lose value, so that the average would not be changed unless the standard by which such index was measured itself changed.

To the extent that the standard is changed, the price or value of the commodity or commodities which make up the index likewise changes.

It is the standard or measure of value which is now too high, and it is this standard which the Congress has the power to regulate, and your Committee on Agriculture and Forestry recommends that the value of such standard or yardstick of value be reduced to the end that prices may be increased correspondingly.

This recommendation is not based merely upon the wish of your committee, but upon a positive necessity if our Budget is to be balanced, if our debts are to be paid, and if our form of government is to continue to exist.

The Budget has not been balanced, taxes have not been paid, and debts have not been reduced on a 130-cent dollar.

The owners of tax-exempt bonds and the managers of banks are acting neither in the public interest nor even in their own personal interest when they exercise their economic power to foster upon the country an impossible standard or yardstick of value. Our money managers are now working on fallacious premises.

They claim that the dollar value can neither be regulated nor stabilized. The answer is that Governor Strong did both. While he was governor of the New York Federal Reserve Bank he regulated the dollar value up from 64 cents to 100 cents and then maintained such value without material fluctuation during the remainder of his life.

Our money managers have obviously fixed the value of the dollar at 130 cents and for months past they have maintained such value without material fluctuation.

DIFFERENCE BETWEEN REAL DOLLARS AND CREDIT DOLLARS

Your committee recommends and demands that the dollar value be regulated down from 130 cents to 100 cents and that when such 100-cent value is reached that all necessary power be used to stabilize such value at such point as nearly as is possible.

Your committee further suggests that our money managers are working on another fallacious premise. It is claimed by some in high places that an increase or decrease of credit or deposit dollars in circulation has the same effect upon prices as an increase or decrease of real dollars—gold, silver, or paper.

Since this depression came upon us the Government has issued bonds and pledged same for the creation of credit or deposit dollars to the extent of over \$30,000,000,000.

The increase in the national debt from \$16,000,000,000 to some \$40,000,000,000 accounts for \$24,000,000,000 of these credit or deposit dollars.

To the foregoing must be added the credit or deposit dollars created by the R. F. C. and the other agencies of our Government.

Since March 1937, while credit or deposit dollars have been increasing by multiplied billions, the value of the dollar has increased from 112 to 130 cents where it is today. Some persons in high

places seemingly have no fear of an increase in the Nation's bonded indebtedness; hence, have no fear of an increase in the number of credit or deposit dollars which are being forced into circulation; however, when it is suggested that some of our free surplus gold be used as the basis for a few real currency dollars, then our money managers express the fear that inflation is on the way.

The difference between real dollars—gold, silver, or currency—and credit or deposit dollars is that real dollars are price-measuring units, while credit or deposit dollars are not price-measuring units. If credit or deposit dollars were price-measuring units, then the expansion of such units by some \$30,000,000,000 in the past few years would have reduced the value of such units rather than have increased their value.

Your committee suggests and recommends that the expansion of the currency by real dollars will cheapen such dollars and that to the extent that such real dollars are made more plentiful, to a like extent prices will be raised. By such a program the price level can be raised to any given point.

No one can possibly deny that an increase in the currency in circulation will raise prices and that a decrease in such circulation will lower prices.

At this time we are not on a gold standard domestically, so that the amount of gold in our dollar has little if any effect on domestic prices. This cannot be said of so-called world commodities such as cotton and wheat.

Your committee suggests that when we were on an orthodox gold standard, with the gold content of the dollar definitely fixed by law, yet the price level could be changed at the will of the money managers without changing or altering the content of the gold in the dollar. The explanation and argument follows.

So long as we are able to buy and sell gold at the present price of \$35 per ounce, or at any fixed price, the dollar value in terms of gold will not change, but by expanding or contracting the currency in circulation we are able to raise or lower the price level, notwithstanding that the basic or redemption dollar is of gold with a fixed gold content.

For illustration: Today gold is worth \$35 per ounce and wheat is now worth 50 cents per bushel; hence, an ounce of gold is now worth 70 bushels of wheat. It cannot be denied that we can raise the price of wheat by expanding the currency in circulation. By adding new price-measuring units—real dollars; not credit or deposit dollars—to the circulation, we can raise the price level so that wheat will sell for \$1 per bushel.

Germany increased her circulation so as to make wheat sell for some 2,000,000,000 marks per bushel.

If by expansion of the currency wheat can be made to sell for \$1 per bushel, then without changing the gold content of the dollar the same ounce of gold is not worth 70 bushels of wheat, but instead is worth only 35 bushels of wheat.

It must be obvious to any student of money that whether we are on or off the gold standard we always have a managed currency. In 1919-20 we were on the orthodox gold standard, and at that time the dollar was worth only 64 cents as measured in commodities and property.

Likewise, in February 1933 we were still on the orthodox gold standard, and the same gold dollar as measured in commodities and property was worth 167 cents.

DUTY OF CONGRESS

The money question resolves itself into one issue, and that issue relates to the agency that is to manage our money. The Constitution says that the Congress shall have power to coin money and to regulate the value thereof. It is obvious that the Congress cannot perform this complicated task. The Congress works through committees, and no congressional committee has the time to devote to this all-important and highly technical matter.

The management of our money, namely, the regulation and stabilization of the value of the dollar, should be in the hands of the most capable men that the country has produced. These managers should have the most competent assistants that can be found and this task should be their first and only concern.

The Congress cannot possibly do this work, yet the Congress can create an agency to exercise its powers under a definite mandate to reach a certain and definite end.

The short and simple bill herein referred to sets forth the definite end to be reached, namely, the 100-point price level, and then provides additional power to existing Federal agencies to be used in reaching the end set forth.

While the bill is in the nature of an emergency measure, yet it is a necessary step in the matter of regulating the value of our money.

Again your committee suggests that there can be no possible return to prosperity until the value of the dollar is regulated downward, and that the sooner this is accomplished the sooner will better times come again to the people of the United States.

Your committee recognizes that the Committee on Banking and Currency has jurisdiction over the subject matter embraced in S. 1855; hence, we recommend that the bill, with the suggested amendments and this committee report attached thereto, be referred to the said Banking and Currency Committee.

AMENDMENT OF TENNESSEE VALLEY AUTHORITY ACT OF 1933

Mr. NORRIS. Mr. President, from the Committee on Agriculture and Forestry I report back favorably, without amendment, the bill (S. 1796) to amend the Tennessee Valley

Authority Act of 1933, and I submit a report (No. 189) thereon. I ask unanimous consent that the report be printed in the RECORD.

The VICE PRESIDENT. The report will be received, the bill placed on the calendar, and, without objection, the report will be printed in the RECORD.

The report is as follows:

The Senate Committee on Agriculture and Forestry, to which was referred the bill (S. 1796) to amend the Tennessee Valley Authority Act of 1933, as amended, having had the same under consideration, beg leave to report it back to the Senate with the recommendation that said bill do pass.

The bill provides for the amendment of the Tennessee Valley Authority Act of 1933, as amended, by striking out of said act sections 15 and 15a, and inserting in lieu thereof section 15.

The purpose of the bill is to make possible the consummation of the transaction in which the properties of the Tennessee Electric Power Co. and the Southern Tennessee Power Co. are to be purchased by the various municipalities and the Tennessee Valley Authority. All of the generating properties and transmission lines are to be purchased by the Tennessee Valley Authority. All of the distribution systems are to be purchased by the several municipalities. The negotiations for the purchase of these properties have been going on for more than a year between the Tennessee Valley Authority, on the one hand, and the Tennessee Electric Power Co. and the representatives of the Commonwealth & Southern Corporation, on the other, the latter in reality being the owner of the properties to be so purchased. These properties include local distribution systems, transmission lines, and generating plants. The local distribution systems, if the plan is completed, will be purchased and operated by the various municipalities. The transmission lines and generating plants will be purchased and operated by the Tennessee Valley Authority.

Under the existing Tennessee Valley Authority Act, as amended, the board of directors of the Tennessee Valley Authority are empowered to issue bonds and use the proceeds thereof for the construction of dams, steam plants, or any other facilities to be used for the generation and transmission of electric power; also for the construction or acquisition of transmission lines and for making loans to municipalities and cooperative organizations for the purchase of existing transmission lines and distribution properties. The authority under the law to issue bonds for the purchase of existing generating plants is extremely doubtful. It is this defect in existing law which the proposed amendment is mainly designed to remedy. The Authority has now, under existing law, authority to issue bonds for the construction of generating plants, but there is no express authority for them to issue bonds for purchasing existing generating plants. Practically the only additional authority granted by the proposed amendment is the power to use the proceeds of the bonds for the purchase of existing generating plants, as distinguished from the power to construct generating plants.

The total amount of the bond authorization is not increased. Under existing law the Authority is authorized to issue a total of \$100,000,000 in bonds. Of this total, \$50,000,000 is authorized under section 15 for the construction of dams, steam plants, and other properties, and for the purchase of transmission lines, and \$50,000,000 is authorized under section 15a for loans to municipalities and cooperatives. The proposed amendment merely combines these two sections into one authorization of \$100,000,000, the proceeds of which may be used for the purposes already authorized under existing law and, in addition thereto, the one additional purpose of acquiring existing generating facilities.

Section 15 of the existing law provides that the bonds issued thereunder shall have all the rights and privileges of Panama Canal bonds. This provision is omitted from the proposed amendment. This omission is made because of the objection of the Treasury Department to the issuance of any more bonds having the rights and privileges of the Panama Canal bonds.

Under existing law the authority to issue bonds under section 15a will expire on the 31st day of August, 1940. The proposed amendment would extend this time until the 1st day of January 1941. The Tennessee Valley Authority and the Commonwealth & Southern Corporation are now negotiating for the sale of some other properties now owned by the Commonwealth & Southern, and this extension of time is thought wise, in order to give more time for the perfection of such negotiations.

In trying to bring about the consummation of the agreement referred to for the sale of the Tennessee Electric Power Co. properties, there is one comparatively small hydro-generating plant, located about 50 miles from Nashville, Tenn., on a tributary of the Cumberland River. This is one of the properties included in the proposed sale. While there is no express provision in the Tennessee Valley Authority Act of 1933, as amended, prohibiting the purchase of a generating plant on any stream other than the Tennessee River or any of its tributaries, it is nevertheless believed that all the powers of the Tennessee Valley Authority are confined either to the Tennessee River, or some tributary of the Tennessee River, and it is the opinion of your committee that the purchase of this one hydro-generating plant on a tributary of the Cumberland River is not authorized under existing law. The purchase of this hydro-electric plant on a tributary of the Cumberland River is of minor importance, but it is one of the properties of the Tennessee Elec-

tric Power Co., and it would be unfair to expect the Tennessee Electric Power Co. to sell its entire system of generation, transmission, and distribution of electric current and not dispose of this one minor generating plant. In fact, the Commonwealth & Southern Corporation, as owner of the Tennessee Electric Power Co., would not and could not be expected, in all fairness, to dispose of its other properties and have that property still remaining on its hands.

It can, therefore, fairly be stated that the proposed amendment, if enacted into law, would, in addition to the powers it now has under existing law, give to the Tennessee Valley Authority power as follows:

(1) To purchase this one generating plant on the tributary of the Cumberland River;

(2) To issue bonds and use the proceeds thereof in the purchase of existing generating plants as distinguished from the construction of generating plants;

(3) To extend the power to issue such bonds from the 31st day of August 1940 to the 1st day of January 1941; and

(4) To eliminate from existing law the Panama Canal bond privilege now possessed by Tennessee Valley Authority bonds issued under section 15 of the Tennessee Valley Authority Act of 1933.

These are the only changes made in existing law.

Ever since the enactment of the Tennessee Valley Authority Act there has been a constant controversy existing in the courts between the Tennessee Valley Authority and the Commonwealth & Southern Corporation, representing its various subsidiaries, and a great deal of expensive litigation has been the result. The agreement reached by the Commonwealth & Southern Corporation and the Tennessee Valley Authority to carry out this sale of the Tennessee Electric Power Co. properties would end all such controversies and do away with any possible competition between the parties. The price agreed upon for the sale of these properties amounts to \$78,600,000, and has been agreed to by the representatives of the Tennessee Valley Authority and the Commonwealth & Southern. The proposed legislation is therefore agreeable to both the Tennessee Valley Authority and the private power companies. The principal objection that has always been made by the private power companies is that the Tennessee Valley Authority should not, in conjunction with municipalities, construct competing transmission lines or competing distribution systems in piecemeal, but that the Tennessee Valley Authority should purchase an entire system, such as the Tennessee Electric Power Co., at a value satisfactory to the private owner of the property, and thus refrain from doing an injury to the owner of such private electrical property. The tentative agreement of sale which the bill in question would approve meets this objection. The bill, therefore, is designed to give protection to the private owner and amend the law so that such protection can be brought about.

Therefore, the purpose of the proposed amendment is more for the protection of the private owner of electrical facilities in the Tennessee Valley than it is for the benefit of the Tennessee Valley Authority. The price agreed upon for the sale of these properties is liberal. It is admitted by Tennessee Valley Authority officials that the price is liberal and is probably greater than the value of the property to be purchased. When it was announced after the long negotiations that had taken place that an agreement for the sale of these properties had finally been reached, such agreement was given almost universal approval by the foes, as well as the friends, of the Tennessee Valley Authority. The price was admitted to be a very liberal one even by the enemies of the Tennessee Valley Authority, and the Tennessee Valley Authority agreed to such liberal price on the theory that it would end all litigation and useless and unnecessary, as well as destructive, competition. The committee feel, therefore, that the passage of this bill will give satisfaction to all interested parties.

Sections 15 and 15a of the Tennessee Valley Authority Act, as amended, and which this bill would repeal, are as follows:

"Sec. 15. In the construction of any future dam, steam plant, or other facility, to be used in whole or in part for the generation or transmission of electric power the Board is hereby authorized and empowered to issue on the credit of the United States and to sell serial bonds not exceeding \$50,000,000 in amount, having a maturity not more than 50 years from the date of issue thereof, and bearing interest not exceeding 3½ percent per annum. Said bonds shall be issued and sold in amounts and prices approved by the Secretary of the Treasury, but all such bonds as may be so issued and sold shall have equal rank. None of said bonds shall be sold below par, and no fee, commission, or compensation whatever shall be paid to any person, firm, or corporation for handling, negotiating the sale, or selling the said bonds. All of such bonds so issued and sold shall have all the rights and privileges accorded by law to Panama Canal bonds, authorized by section 8 of the act of June 28, 1902, chapter 1302, as amended by the act of December 21, 1905 (ch. 3, sec. 1, 34 Stat. 5), as now compiled in section 743 of title 31 of the United States Code. All funds derived from the sale of such bonds shall be paid over to the Corporation.

"Sec. 15a. With the approval of the Secretary of the Treasury, the Corporation is authorized to issue bonds not to exceed in the aggregate \$50,000,000 outstanding at any one time, which bonds may be sold by the Corporation to obtain funds to carry out the provisions of section 7 of this amendatory act. Such bonds shall be in such forms and denominations, shall mature within such periods not more than 50 years from the date of their issue, may be redeemable at the option of the Corporation before maturity in such manner as may be stipulated therein,

shall bear such rates of interest not exceeding 3½ percent per annum, shall be subject to such terms and conditions, shall be issued in such manner and amount, and sold at such prices, as may be prescribed by the Corporation, with the approval of the Secretary of the Treasury: *Provided*, That such bonds shall not be sold at such prices or on such terms as to afford an investment yield to the holders in excess of 3½ percent per annum. Such bonds shall be fully and unconditionally guaranteed both as to interest and principal by the United States, and such guaranty shall be expressed on the face thereof, and such bonds shall be lawful investments, and may be accepted as security, for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority or control of the United States or any officer or officers thereof. In the event that the Corporation should not pay upon demand, when due, the principal of, or interest on, such bonds, the Secretary of the Treasury shall pay to the holder the amount thereof, which is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated, and thereupon to the extent of the amount so paid the Secretary of the Treasury shall succeed to all the rights of the holders of such bonds. The Secretary of the Treasury, in his discretion, is authorized to purchase any bonds issued hereunder, and for such purpose the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds from the sale of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such act, as amended, are extended to include any purchases of the Corporation's bonds hereunder. The Secretary of the Treasury may, at any time, sell any of the bonds of the Corporation acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of the bonds of the Corporation shall be treated as public-debt transactions of the United States. With the approval of the Secretary of the Treasury, the Corporation shall have power to purchase such bonds in the open market at any time and at any price. No bonds shall be issued hereunder to provide funds or bonds necessary for the performance of any proposed contract negotiated by the Corporation under the authority of section 7 of this amendatory act until the proposed contract shall have been submitted to and approved by the Federal Power Commission. When any such proposed contract shall have been submitted to the said Commission, the matter shall be given precedence and shall be in every way expedited and the Commission's determination of the matter shall be final. The authority of the Corporation to issue bonds hereunder shall expire at the end of 5 years from the date when this section, as is amended herein, becomes law, except that such bonds may be issued at any time after the expiration of said period to provide funds or funds necessary for the performance of any contract entered into by the Corporation, prior to the expiration of said period, under the authority of section 7 of this amendatory act."

The new section which the proposed bill seeks to enact into law is as follows:

"Sec. 15. With the approval of the Secretary of the Treasury the Corporation is authorized to issue bonds not to exceed in the aggregate \$100,000,000 outstanding at any one time, which bonds may be sold by the Corporation to obtain funds for the construction or acquisition of dams with appurtenant facilities, generating plants, transmission lines, rural distribution lines, and other electric utility properties as authorized by this act, including the purchase of the electric utility properties of the Tennessee Electric Power Co., and for the purpose of carrying out the provisions of section 12a of this act. Such bonds shall be in such forms and denominations, shall mature within such periods not more than 50 years from the date of their issue, may be redeemable at the option of the Corporation before maturity in such manner as may be stipulated therein, shall bear such rates of interest not exceeding 3½ percent per annum, shall be subject to such terms and conditions, shall be issued in such manner and amount, and sold at such prices, as may be prescribed by the Corporation with the approval of the Secretary of the Treasury: *Provided*, That such bonds shall not be sold at such prices or on such terms as to afford an investment yield to the holders in excess of 3½ percent per annum. Such bonds shall be fully and unconditionally guaranteed both as to interest and principal by the United States, and such guaranty shall be expressed on the face thereof, and such bonds shall be lawful investments, and may be accepted as security, for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority or control of the United States or any officer or officers thereof. In the event that the Corporation should not pay upon demand, when due, the principal of, or interest on, such bonds, the Secretary of the Treasury shall pay to the holder the amount thereof, which is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated, and thereupon to the extent of the amount so paid the Secretary of the Treasury shall succeed to all the rights of the holders of such bonds. The Secretary of the Treasury, in his discretion, is authorized to purchase any bonds issued hereunder, and for such purpose the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds from the sale of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such act, as amended, are extended to include any purchases of the Corporation's bonds hereunder. The Secretary of the Treasury may, at any time, sell any of the bonds of the Corporation acquired by him under this

section. All redemptions, purchases, and sales by the Secretary of the Treasury of the bonds of the Corporation shall be treated as public-debt transactions of the United States. With the approval of the Secretary of the Treasury, the Corporation shall have power to purchase such bonds in the open market at any time and at any price. No bonds shall be issued hereunder to provide funds or bonds necessary for the performance of any proposed contract negotiated by the Corporation under the authority of section 12a of this act until the proposed contract shall have been submitted to and approved by the Federal Power Commission. When any such proposed contract shall have been submitted to the said Commission, the matter shall be given precedence and shall be in every way expedited and the Commission's determination of the matter shall be final. The authority of the Corporation to issue bonds hereunder shall expire January 1, 1941, except that such bonds may be issued at any time after the expiration of said period for refunding purposes or to provide bonds or funds necessary for the performance of any contract entered into by the Corporation, prior to the expiration of said period, under the authority of section 12a of this act."

It will thus be seen from an examination of existing law and the proposed amendment, that this bill, in effect, reenacts section 15a as it now exists, in its entirety. The only changes made therein are to give authority to "purchase" existing generating plants, as well as to "construct" generating plants, and by its terms expressly authorizes the purchase of the properties of the Tennessee Electric Power Co., which corporation now owns the one hydroelectric generating plant, above referred to, on a tributary of the Cumberland River. It also changes said section by extending the limitation for the issuing of such bonds, from August 31, 1940, to January 1, 1941. It also increases the amount of bonds to be issued under said section to \$100,000,000, but inasmuch as the bill strikes out section 15 of the Tennessee Valley Authority Act, there is no increase in the amount of bonds which can be issued.

If this bill is enacted into law it will decrease the amount of appropriation hereafter to be made by Congress for carrying out the objects of the Tennessee Valley Authority Act to make the Tennessee River navigable to the depth of 9 feet from Knoxville, Tenn., to the mouth of the river, because all of the purchase price of the properties included in the contemplated sale will be paid for by the Tennessee Valley Authority from the moneys received from the sale of electric power to municipalities. The largest hydroelectric plant included in the properties to be sold by the Commonwealth & Southern Corporation to the Tennessee Valley Authority is the Hales bar generating plant on the Tennessee River, a short distance below Chattanooga. This is the only privately owned dam on the Tennessee River, and in order to carry out the provisions of law included in the Tennessee Valley Authority Act it will be necessary for the Tennessee Valley Authority to purchase this dam and to increase its height, or to build another navigation dam between Hales Bar and the Chickamauga Dam, located a short distance above Chattanooga. If this sale is consummated, it will therefore follow that this dam will be purchased by money received from the sale of power, instead of by appropriations from Congress. It will thus lessen appropriations necessary to be made by the price of the purchase of Hales Bar Dam, or, in lieu thereof, the cost of a navigation dam between Hales Bar and Chattanooga. It is estimated that if this contemplated contract is consummated, moneys received from the sale of power will be increased in the neighborhood of \$5,000,000 per annum, with the result that the total revenue received by the Tennessee Valley Authority from the sale of electric power would be between \$11,000,000 and \$12,000,000 per annum.

The appropriations hereafter to be made by Congress to give effect to the Tennessee Valley Authority Act will also be greatly lessened by the purchase of transmission lines included in the contemplated sale, all of which will be paid for out of revenues received from the sale of power.

Notwithstanding the liberal price to be paid for the properties included in the contemplated sale, both the friends and critics of the Tennessee Valley Authority, as well as the Commonwealth & Southern Corporation, the real owner of the property to be sold, are satisfied with the price agreed upon for the sale of such properties. The elimination of potentially wasteful competition in this area would be a factor of major importance. An audit of the properties to be purchased, made by the engineers of the Tennessee Valley Authority, indicated that the value of the properties involved in the contemplated sale were not worth more than \$70,000,000. The difference between this sum and the total consideration of \$78,600,000 agreed upon can be regarded as the cost of eliminating this destructive competition, a competition damaging and injurious both to the Tennessee Valley Authority and to the private owner of the properties to be purchased.

It is extremely important, if this contract of purchase is to be made possible, that the legislation proposed be enacted into law as speedily as possible. Some of the municipalities in the area mentioned have already taken steps to build competing distribution systems. Such attempts are being held in abeyance, awaiting the consummation of the contract between the Commonwealth & Southern Corporation and the Tennessee Valley Authority. Chattanooga is an instance which illustrates the importance of speedy action. Something over 3 years ago, Chattanooga voted by an overwhelming majority to take Tennessee Valley Authority power, and, in order to do so, to issue bonds for the construction of a distribution system in Chattanooga, or to buy of the Tennessee Electric Power Co., through the Common-

wealth & Southern Corporation, the existing distribution system in that city. Lengthy negotiations between the municipality and the Commonwealth & Southern have not resulted in the sale of the distribution system, and the municipality has already commenced the construction of a municipal distributing plant, in order that it may get the benefit of cheap Tennessee Valley Authority power. This work is being held up until it is ascertained whether the tentative contract of sale will be carried out. But the city cannot wait indefinitely, and unless the legislation proposed is speedily enacted into law, the city must of necessity go ahead with the construction of the competing distribution system in Chattanooga, which would be to the detriment both of the city and of the Tennessee Electric Power Co.

The purchase of the properties involved in this tentative sale would bring to the municipalities of a large section of Tennessee Valley the cheap electric rates of the Tennessee Valley Authority, and thus save to the citizens of more than 100 municipalities millions of dollars in the purchase price of electric current.

Since the proposed change to be brought about by the enactment of this bill into law is agreed to by the officials of the Tennessee Valley Authority, is satisfactory to the private owner of the properties to be purchased, and is likewise agreeable to the public generally, and since the bill's enactment would reduce by many millions of dollars future appropriations to be made by Congress, your committee believe the speedy enactment of the bill into law is very desirable.

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR (PT. 3, REPT. NO. 6)

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to submit a report (pt. 3 of Rept. No. 6) from the subcommittee of the Senate Committee on Education and Labor, pursuant to Senate Resolution 266 of the Seventy-fourth Congress, investigating violations of the right of free speech and assembly and interference with the right of labor to organize and bargain collectively, relating to industrial munitions, and ask that it be printed.

The VICE PRESIDENT. Without objection, the report submitted by the Senator from Wisconsin will be received and printed.

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on March 17, 1939, that committee presented to the President of the United States the following enrolled bills:

S. 218. An act for the relief of Manuel D. A. Otero, as administrator of the estate of Teresita S. Otero, deceased; and

S. 219. An act for the relief of Emma Gomez.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. GERRY:

S. 1856. A bill conferring jurisdiction upon the United States District Court for the District of Rhode Island to hear, determine, and render judgment upon the claim of George Lancellotta; to the Committee on Claims.

By Mr. McCARRAN:

S. 1857. A bill to provide for the training of civil aircraft pilots, and for other purposes; to the Committee on Commerce.

By Mr. BURKE:

S. 1858. A bill for the relief of Harry Goff; to the Committee on Claims.

By Mr. LEE:

S. 1859. A bill to provide more effective Federal employment and civil-service preference for certain veterans or their wives and widows; to the Committee on Civil Service.

By Mr. TOBEY:

S. 1860. A bill relating to the military record of Paul Emory Tracy; to the Committee on Military Affairs.

S. 1861. A bill granting an increase of pension to Helen F. Blood; to the Committee on Pensions.

By Mrs. CARAWAY:

S. 1862. A bill to amend the Air Commerce Act to provide for the safety of passengers in aircraft; to the Committee on Commerce.

S. 1863. A bill authorizing the appointment of Carl Ferdinand Janson as a boatswain in the United States Navy; to the Committee on Naval Affairs.

By Mr. WHEELER:

S. 1864. A bill for the relief of Zelma Halverson; to the Committee on Claims.

S. 1865. A bill granting a pension to Elizabeth Campbell; to the Committee on Pensions.

By Mr. WILEY:

S. 1866. A bill to amend the Internal Revenue Code with respect to the credit for dependents allowable against net income in computing income taxes; and

S. 1867. A bill to amend the Internal Revenue Code with respect to the personal exemption allowable against net income in computing income taxes; to the Committee on Finance.

By Mr. MEAD:

S. 1868. A bill for a Coast Guard station at or near Dunkirk, N. Y.; to the Committee on Commerce.

By Mr. WHEELER and Mr. TRUMAN:

S. 1869. A bill to protect interstate commerce from the dangers of unsound financial structures and to establish improved procedures and standards for financial rehabilitation of railroads engaged in interstate commerce, and for other purposes; to the Committee on Interstate Commerce.

By Mr. BROWN:

S. 1870. A bill for the relief of Dionis Moldowan; to the Committee on Immigration.

By Mr. HATCH, Mr. SHEPPARD, and Mr. AUSTIN:

S. 1871. A bill to prevent pernicious political activities; to the Committee on Privileges and Elections.

By Mr. BARKLEY:

S. 1872. A bill granting a pension to Jesse Woods; to the Committee on Pensions.

By Mr. LOGAN:

S. 1873. A bill for the relief of Henry Cowgill, Jr.; to the Committee on Claims.

By Mr. ASHURST (by request):

S. 1874. A bill to amend the Criminal Code in regard to obtaining money by false pretenses on the high seas; and

S. 1875. A bill to provide for the transportation home of persons who have been arrested and subsequently released without conviction or convicted and placed on probation; to the Committee on the Judiciary.

By Mr. PEPPER:

S. 1876. A bill to readjust the commissioned personnel of the Coast Guard, and for other purposes; to the Committee on Commerce.

By Mr. SHEPPARD:

S. 1877. A bill for the relief of officers who failed to file application for benefits within the time limit fixed by the act of May 24, 1928; to the Committee on Military Affairs.

By Mr. O'MAHOONEY (for himself and Mr. SCHWARTZ):

S. 1878. A bill to provide for the distribution of the judgment fund of the Shoshone Tribe of the Wind River Reservation in Wyoming, and for other purposes; to the Committee on Indian Affairs.

(Mr. PITTMAN introduced Senate Joint Resolution 97, which was referred to the Committee on Foreign Relations, and appears under a separate heading.)

CHANGES OF REFERENCE

On motion by Mr. SHEPPARD, the Committee on Military Affairs was discharged from the further consideration of the following bills, and they were referred to the Committee on Finance:

S. 1325. A bill to increase annual payments to State and Territorial homes for veterans; and

S. 1495. A bill to increase annual payments to State and Territorial homes for veterans.

TENNESSEE VALLEY AUTHORITY—PRINTING OF ADDITIONAL COPIES OF HEARINGS

Mr. DONAHEY submitted the following concurrent resolution (S. Con. Res. 7), which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring). That, in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the special Joint Congressional Committee of the Congress appointed pursuant to

Public Resolution No. 83, approved April 4, 1938, to make a full and complete investigation of the administration of the Tennessee Valley Authority Act of 1933, as amended, be, and is hereby, empowered to procure the printing of 2,000 additional copies of the hearings held before the said committee during its investigation.

REDUCTION OF ARMAMENTS—MANUFACTURE AND SALE OF MUNITIONS

Mr. SHEPPARD submitted the following concurrent resolution (S. Con. Res. 8), which was referred to the Committee on Foreign Relations:

Whereas recent expressions from the administration here in Washington and by constituted authorities of certain other nations make it appropriate at this time to bend every effort to avoid another general war during the present generation because such a conflict would be so deadly and such a burden for all nations that eminent authorities agree modern civilization in its present form could not survive such a catastrophe for even a few years; and

Whereas the United States of America has long pursued the policy of contributing to the furtherance of peaceful relations between various nations through its activities in the establishment of The Hague Tribunal, the furthering of the success of the Washington Conference called in this city in 1921, in its participation in the London Conference in 1930, and in addition, to other attempts, its action in the First General Conference for the Limitation of Armaments, held in Geneva in 1932; and

Whereas the Secretary of State should be commended for his efforts through Geneva recently in advocating a reduction of armaments on the part of the great powers as a part of the program for peace advocated by the present administration, which said reduction in armaments will not only promote the mutual safety of all nations, but also will avoid further vast expenditures of tax money for armaments by the governments of peoples already poverty-stricken and tax-ridden; and

Whereas the experience of the World War as expressed at Versailles soon thereafter demonstrates that peace is also endangered most seriously by the inadequate restriction and control of the manufacture and sale of munitions of war, which matter was properly investigated by the Special Committee on Investigation of the Munitions Industry, authorized by the Senate; and

Whereas it is to the interest of the safety of society and the avoidance of another world war in the near future that the program of the administration for peace mentioned above should include the problem of restriction of the manufacture and sale of munitions of war: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Secretary of State be, and hereby is, respectfully urged to include in his commendable program for peace the matter of a mutual restriction and control of the manufacture and sale of munitions of war; and be it further

Resolved, That the Secretary of State be, and hereby is, further respectfully requested to secure treaties with all the great powers under which there will be effected among other needed provisions a reduction in all phases of armaments and all types of armed forces and a concerted restriction on the manufacture and sale of munitions of war so that this industry will be strictly regulated in the interest of preserving peace.

FREIGHT RATES ON CERTAIN TEXAS COMMODITIES

Mr. SHEPPARD submitted the following resolution (S. Res. 108), which was referred to the Committee on Interstate Commerce:

Resolved, That the Interstate Commerce Commission is hereby directed to make the necessary investigation and submit to the Senate tables showing existing railroad rates in this country on shipments of sulphur and sulphur products; petroleum and petroleum products; cotton and cotton products; agricultural products, natural and processed, including fruits and vegetables; poultry and poultry products; products made wholly or partly of steel or iron; lumber and lumber products; wool and wool products; mohair and mohair products, from points in Texas to points in freight zones to which Texas does not belong; and railroad rates on such shipments for similar distances from points in such other zones either to other points in such other zones or points in any other zone, including the zone in which Texas is located.

SALE OF COTTON ABROAD BELOW COST

Mr. GEORGE. Mr. President, I submit a resolution which I ask to have read by the clerk.

The VICE PRESIDENT. Without objection, the resolution will be read.

The resolution (S. Res. 107) was read as follows:

Whereas the world is today confronted with an international crisis of the gravest magnitude; and

Whereas the market for American cotton is rapidly becoming demoralized; and

Whereas cotton is a vital commodity to national defense; and

Whereas the United States Government is in possession of the largest quantity of raw cotton in the world; and

Whereas there is now under consideration the disposal of American cotton to the foreign trade below the cost of production and considerably below its cost to this Government; and

Whereas such policy is fraught with the gravest dangers and injustices to the American farmers, American industry, and the national economy: Therefore be it

Resolved, That it is the sense of the Senate that pending this world crisis no American cotton be sold to foreign purchasers at a price below the actual cost of said cotton to the Government of the United States, and that the Secretary of Agriculture is directed to negotiate no sales of American cotton to the foreign trade below its cost to this Government without the approval of the Congress.

Mr. GEORGE. Mr. President, it is not my purpose to speak to the resolution at this moment, but to give notice that I shall bring it up at the earliest opportunity after the disposal of the pending bill.

Mr. McNARY. Mr. President, does the Senator desire the resolution to lie on the table?

Mr. GEORGE. I was about to make that request.

Mr. McNARY. May I anticipate the request? I assumed that the able Senator would ask that the resolution lie on the table. On account of its extreme importance, the fact that the Senator from South Carolina [Mr. SMITH] has a bill which he wishes to take up this week looking toward the export of some of our surplus cotton, the effect it will have upon loans, and otherwise, I suggest that the resolution go to the Committee on Agriculture and Forestry, because at this time that committee is giving intense study to the very problem involved in and suggested by the resolution of the Senator from Georgia.

Mr. GEORGE. Mr. President, I have very great respect for the opinion of the distinguished Senator from Oregon, but I should much prefer to have the resolution remain on the table. It will in no sense conflict with the consideration by the Senate of the bill introduced by the distinguished Senator from South Carolina [Mr. SMITH], and that is not its purpose. It is a resolution expressing it as the sense of the Senate that no sales of American cotton to foreign purchasers should be made below the cost of production pending this world crisis without reference to Congress.

I should like to have the resolution remain on the table, with the assurance that I shall bring it up at the earliest possible opportunity.

The VICE PRESIDENT. Without objection, the resolution will lie on the table and be printed.

Mr. THOMAS of Oklahoma. Mr. President, I submit for the RECORD a telegram just received from the president of the Oklahoma State Cotton Exchange, supporting the George resolution. I ask that the telegram be printed in the RECORD at this point.

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

The telegram is as follows:

OKLAHOMA CITY, OKLA., March 20, 1939.

Senator ELMER THOMAS,
Senate Office Building:

Please support George resolution being introduced Senate today, directing Secretary not negotiate sale cotton without approval Congress.

W. M. HYNDS,
President, Oklahoma State Cotton Exchange.

BLOCK BOOKING AND BLIND SELLING OF MOTION-PICTURE FILMS

Mr. NEELY. Mr. President, I move that the Committee on Interstate Commerce be discharged from the consideration of Senate bill 280, to prohibit and to prevent the trade practices known as compulsory block booking and blind selling in the leasing of motion-picture films in interstate and foreign commerce. This bill, which I introduced on January 4, was referred to the Committee on Interstate Commerce on that day. On the 2d day of February the bill was referred to a subcommittee, with instructions to conduct hearings thereon. But these instructions have not been obeyed. This motion must, under the rule, lie over 1 day.

The VICE PRESIDENT. The motion will lie over, under the rule.

NATIONAL LABOR RELATIONS ACT—ADDRESS BY SENATOR BURKE

[Mr. BURKE asked and obtained leave to have printed in the RECORD a radio address delivered by himself on Saturday, March 18, 1939, on the subject What Shall We Do With the Wagner Act? which appears in the Appendix.]

ADDRESS BY SENATOR BRIDGES AT FOUNDERS' DAY CELEBRATION,
LINCOLN, NEBR.

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an address delivered by Senator BRIDGES at Founders' Day celebration, Lincoln, Nebr., March 14, 1939, which appears in the Appendix.]

REMARKS BY SENATOR JOHNSON OF COLORADO ON PRESENTATION OF
GAVEL TO REPRESENTATIVE TAYLOR OF COLORADO

[Mr. ADAMS asked and obtained leave to have printed in the RECORD the remarks of Senator JOHNSON of Colorado on the occasion of the presentation of a gavel to Hon. EDWARD T. TAYLOR, a Representative from the Fourth Congressional District of Colorado, which appears in the Appendix.]

GEORGE WASHINGTON—ADDRESS BY SENATOR PEPPER

[Mr. BYRD asked and obtained leave to have printed in the RECORD an address delivered by Senator PEPPER at the Washington Day dinner at Richmond, Va., on February 24, 1939, which appears in the Appendix.]

ST. PATRICK'S DAY DINNER—ADDRESS BY SENATOR MEAD

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an address on the subject Democracy and the Irish delivered by Senator MEAD at the one hundred and fifty-fifth anniversary dinner of the Society of the Friendly Sons of St. Patrick at the Hotel Astor, in the city of New York, on March 17, 1939, which appears in the Appendix.]

ADMISSION OF GERMAN REFUGEE CHILDREN

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a number of editorials advocating the enactment of legislation admitting German refugee children into the United States notwithstanding the quota, which appear in the Appendix.]

ACCOUNTING SYSTEM OF THE FEDERAL GOVERNMENT

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address on the accounting system of the Federal Government delivered by E. F. Bartelt, Commissioner of Accounts and Deposits, United States Treasury Department, before the National Association of State Auditors, Comptrollers, and Treasurers on November 16, 1938, which appears in the Appendix.]

RADIO REGULATION AND MONOPOLY—STATEMENT BY
S. HOWARD EVANS

[Mr. WHEELER asked and obtained leave to have printed in the RECORD a statement by S. Howard Evans, secretary of the National Committee on Education by Radio, before the Federal Communications Commission during the week of March 14, 1939, which appears in the Appendix.]

PHILIPPINE INDEPENDENCE—EDITORIAL FROM NEW YORK
HERALD TRIBUNE

[Mr. GIBSON asked and obtained leave to have printed in the RECORD an editorial from the New York Herald Tribune on the subject of Philippine independence, which appears in the Appendix.]

REORGANIZATION OF EXECUTIVE DEPARTMENTS

The Senate resumed the consideration of the bill (H. R. 4425) to provide for reorganizing agencies of the Government, and for other purposes.

Mr. McNARY. Mr. President, before the Senate adjourned on Friday last I requested that subdivision (b) of section 3 of the pending bill go over until today. At that time the able Senator from South Carolina [Mr. BYRNES] was attempting to correct or modify the subdivision by some committee amendments. Will the Senator proceed along that line now, so that we may offer individual amendments?

The VICE PRESIDENT. If the Senator will pardon the Chair a moment, the Chair will ask the clerk to state the first amendment passed over by unanimous consent.

The CHIEF CLERK. On page 3, line 18, it is proposed to strike out the words "United States Employees' Compensation Commission."

Mr. McNARY. Mr. President, I hope the Senate will reject that amendment. I briefly expressed my view on that subject on Friday. I thought the able Senator having the bill in charge was willing to have the amendment rejected.

Mr. BYRNES. Mr. President, I stated that I did not think the Senate should reject the pending amendment. I said I was going to ask the Senate to reject the amendment as to the Tariff Commission.

Mr. McNARY. Mr. President, I am somewhat confused about the situation. For many years the distinguished Senator from South Carolina has specialized in the field of administration mechanics. He has a bill, with which I am more or less familiar, known as Senate bill 1265. On page 12 of that bill he attempts to transfer the United States Employment Service to the Social Security Board. In view of the fact that we are treating of the United States Compensation Commission, would the Senator be willing to include the United States Employment Service in the class exempted under the section we are now considering?

Mr. BYRNES. To include it in the exempting provision?

Mr. McNARY. In the Senator's bill, which is now being considered by the select committee of which he is chairman, he attempts to transfer the United States Employment Service to the Social Security Board—a proposal which in itself has brought about much opposition in the country from organized labor and the employers of organized labor. Inasmuch as we are treating the subject of the employment situation and the service situation, would the Senator be willing to place in the section of this bill which we are now considering, subdivision (b) of section 3, a provision exempting the United States Employment Service from any Executive order that may be made by the President which would bring about a consolidation of that Service with another service?

Mr. BYRNES. Mr. President, I certainly should not be willing to make an agreement of that kind. As to the bill to which the Senator refers, on which hearings have been held, and with regard to which he and I know there is considerable difference of opinion, I will say that it was the thought of the Senator from South Carolina that whenever that bill is considered the committee will give consideration to the testimony, and determine whether or not, if the Unemployment Compensation Commission and the Employment Service are merged, they should be put in the Department of Labor, or in the Social Security Board, or in a public-works department, as urged by the Senator from Arizona. As a result of the hearings, the Senator from South Carolina will certainly enter into the consideration of that question with a more open mind than he had on the subject 6 weeks ago.

I see no reason at all why one bureau of one department should be exempted in this bill, and placed on an entirely different status from all other bureaus. I will say to the Senator from Oregon that the other bill has nothing to do with the United States Employees' Compensation Commission. I presume the Senator is discussing that matter only in connection with this one.

Mr. McNARY. I recognize the dissimilarity of the two agencies; but I am somewhat unhappy because the bill which is now being studied by the Senator's committee is in the nature of a reorganization bill, in that it deals with the creation of a new department of government and the transfer of a number of agencies.

Among those is the agency I now mention. In the bill providing for complete reorganization now pending broad functions are given to the President to abolish or transfer these agencies and the functions thereof. There is tremendous opposition throughout the country, as I view it, to placing the United States Employment Service under the Social Security Board. I thought we might meet that situation and remove all doubt by specifying in the pending measure that this agency of the Government should not be transferred. The purpose of the section we are now studying is to impose an inhibition against the employment of the executive functions of the Government to transfer any of these agencies, and the whole question can be settled now and forever if we include the agency mentioned by me in the subdivision we are now considering.

Mr. BYRNES. Mr. President, I certainly should not be willing to agree to that under any circumstances. While it is true that a number of persons have testified that they prefer

that the Employment Service should remain in the Department of Labor, there has not been one man who has given any study to the subject, there has not been a single witness, who has not said that if the United States Employment Service is ever to amount to anything, that Service and the Employees' Compensation Commission must be tied together. I have stated time and again in the committee, and have said so publicly in a statement, that I care not where it goes, except that I believe that in the interest of efficiency and in the interest of the workers of the Nation there should be one door through which a worker can go to report that he is out of a job, register for another job, and in the same place and at the same time file his claim for unemployment compensation; that he should not be made to run all around the town, to one office here and another office there, to different officials, presenting his case. So long as both services are placed in one bureau, I do not care in what department they are included. The Senator from Arizona urges with considerable force that they should be put into the Public Works Department, and I believe that matter certainly should be left to the consideration of the committee. I shall approach it with an open mind, and I think that the Senator will upon consideration agree with all of the witnesses. Even the Secretary of Labor made the statement before the committee that she was firmly of the opinion that the services should be put together; that she preferred that they should be placed in the Department of Labor; but that in the interest of the worker, and in the interest of the taxpayer, too, those two activities should be put together.

I hope the Senator from Oregon will not attempt to exempt this agency and provide that it shall never be touched, and place the Employment Service in the same status with the quasi-judicial organizations.

Mr. McNARY. Mr. President, I have great respect for the able Senator, who is in charge of the two bills to which I have referred, and I shall not attempt to direct his course. If he desires to make two separate issues, one in the consideration of the pending bill, and one in the consideration of the bill to come later, I shall yield to his wishes in the matter.

Mr. BYRNES. I will say to the Senator frankly that nothing specific is said about the matter. We give the power to abolish or transfer. We do not know what power the President will exercise under the measure. When it comes to the four organizations referred to in the bill to which the Senator has made reference, W. P. A. and P. W. A., the Employment Service, and the Employees' Compensation Commission we might have the notion that Congress itself will act on the matter, and if it does not think they should go in, it would be entirely satisfactory to me. If it is thought they should go into the Department of Labor, that will be entirely satisfactory to me.

I must say that since the hearings have started on the bill I have seen many reasons why the Employment Service should be left in the Department of Labor, provided we place the Employees' Compensation Commission there, or that it might be put in Public Works. My only interest is to put the two together, so that the worker will have one place where he can go and present his claims.

Mr. HATCH. Mr. President—

Mr. McNARY. I shall be very happy to yield in just a moment.

It would meet my notion better if the activity were covered in subdivision (b), but I shall not make the issue here, if it is the pleasure of the able Senator to have it raised in connection with the other bill. I shall be guided by his wishes in the matter, so I shall not again refer to it.

Mr. BYRNES. I hope the Senator will follow that course. I have indicated to him that I am open-minded on the subject.

Mr. McNARY. I yield to the Senator from New Mexico.

Mr. HATCH. In view of the agreement which has just been reached between the Senator from Oregon and the Senator from South Carolina, there is no occasion for my interrupting further.

Mr. McNARY. Very well. In the matter of the United States Employees' Compensation Commission, this Commission was exempted by the House committee and by the action of the House. By the committee amendment it has now been excluded from the agencies exempted from the possibility of an Executive order, which implies that the present President, or some future President, may change the location of this agency of government.

I have received many protests in the last few days about excluding this Commission from the exempted list, and I should like to know from the able Senator what reason he has in mind which makes him so tenaciously cling to his view that the Employees' Compensation Commission should remain the target of any President who wishes to issue an Executive order.

Mr. BYRNES. Mr. President, I have no objection to telling the Senator at this point the reasons which actuated me in suggesting this course in the committee.

I have no information from anyone connected with the administration that the President has any idea of issuing any order about this Commission. I may say for the benefit of other Senators that I have never conferred with the President about the pending bill since December 7 last, and neither then nor at any other time has the President indicated to me what ideas he has had in mind about a reorganization plan.

The fact is that the Employees' Compensation Commission has three duties. One has reference to the Longshoremen's Act. Under that act the Commission performs no quasi-judicial duty. Certain civil-service employees who are known as deputy commissioners are charged with the investigation of claims, and in the report of the Employees' Compensation Commission for the year ending June 30, 1938, this is what is said of that work:

Claims are handled by the deputy commissioner for the compensation district in which the injury occurred, and hearings are provided for where requested by any party in interest or deemed necessary by the deputy commissioner. A compensation order awarding compensation or rejecting a claim becomes final after 30 days from the filing of such order by the deputy commissioner. Within certain limitations—that is, on the ground of a change in conditions or on the ground of a mistake in a determination of facts, a deputy commissioner may review a compensation case at any time prior to 1 year after the date of the last payment. * * *

No review by the Commission of the action of the deputy commissioner upon a claim is provided for in either act.

Therefore, under the law the Commission has no power to review the action of a commissioner, and it means simply the determination by an agent, a civil-service employee, in the field of a case or an action.

There is no department of government which has not the power to consider claims for damages not exceeding \$1,000. Such claims are considered every day in the Navy Department, the Department of Agriculture, and the Interior Department, and no one would think of saying that the claims divisions of the departments should be exempted from consideration. They are on the same status with the activity provided for here as to everything except Government employees. The only other function is the determination of claims of Government employees. If we take the claims by Government employees, we find that most of their cases now come under the emergency acts.

The number of new cases reported during the fiscal year 1938 under the Employees' Compensation Act was 37,000, but the Works Progress Administration had 188,150. They consider claims for injury to a truck or to an individual. I saw no reason why this activity should be placed in a class with the Interstate Commerce Commission, the Federal Trade Commission, or any of the other agencies which are set forth. I admit that when I read the RECORD of the House proceedings, and saw that the gentlemen on the Republican side of the House asked those in charge of the bill how in the world the Employees' Compensation Commission got into the exempted class along with these other agencies, and the Representatives in charge of the bill did not give an explanation satisfactory to me, I thought the organization should be excluded.

I have no idea that the President would ever touch it, but he might transfer to the Department of Labor the administration of the Longshoremen's Act, which is administered by deputies in the field, and thereby save some money. He might transfer to the Civil Service Commission the consideration of the claims of Government employees, instead of having a separate commission with offices and a library and a counsel and all of the other incidents which go to make up the expenses of a commission. That was my reason.

Mr. McNARY. Mr. President, I hope the Senate will reject the amendment. I ask unanimous consent at this point to have read into the RECORD a telegram I have received from Mr. William Green, the president of the American Federation of Labor.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the clerk will read.

The legislative clerk read as follows:

WASHINGTON, D. C., March 16, 1939.

Senator McNARY,
Senate Office Building.

In behalf of the officers and members of the American Federation of Labor, I earnestly request that the United States Employees' Compensation Commission be maintained as a separate, independent organization. I urge that the action of the House of Representatives regarding this administrative body be approved by the Senate. We are strongly opposed to the provision which was incorporated in the reorganization bill by action of the Senate which provides that the Employees' Compensation Commission may be merged by order of the President with other governmental departments. Because of the public service the Compensation Commission rendered to Government employees, we are firmly of the opinion that it should be maintained as a separate, independent administrative body.

WILLIAM GREEN,
President, American Federation of Labor.

Mr. McCARRAN. Mr. President, addressing myself to the language on page 3, lines 18 and 19, which was discussed by the able Senator from Oregon, and without any desire to hold the Senate for any great length of time, I wish to draw attention to the fact that labor throughout the entire country is today opposed to having the particular Commission in question transferred to any other agency, which may result in affecting, reducing, or destroying the functions of the Commission as labor has recognized those functions during the existence of the Commission.

Mr. President, there is nothing which more closely touches or is in more intimate relations with the toiler of America today than that which affects him when he is afflicted and comes under the provisions of this particular Commission as it was set up and as it has functioned. So for that reason, as expressed by the telegram from the president of the American Federation of Labor which was just read, labor is interested today that the Employees' Compensation Commission shall not be included in any other department, where sight may be lost of its functions.

From the expressions of the able Senator from South Carolina it is quite apparent that he does not know to what particular branch of the Government the Commission in question might be transferred by an Executive order. That lack of knowledge on his part is the very thing which arouses labor today to oppose anything that would take the Commission out of its position as an independent agency.

Especially is that so in view of the fact that Congress, under the provisions of the bill as it now stands, will have no say whatever as to what may be the future history of any particular agency in which labor may be interested.

We are now addressing ourselves to labor; we are addressing ourselves to the position in which a laborer finds himself when he becomes afflicted. For that reason I trust that the amendment offered by the committee may not be sustained by the Senate, and I shall ask for a record vote upon the amendment.

Mr. FRAZIER. Mr. President, I have received a number of letters and telegrams from labor organizations and labor representatives in my State opposing the amendment of the committee to strike the Employees' Compensation Commission from the exempted list. They say they are well satisfied with the way the Employees' Compensation Commission is now administered. They say they do not know where it may be

placed. The Senator from South Carolina also says he does not know where it may be placed. If they knew where it was going to be placed they might take a different attitude toward the proposal, but so long as they do not know, and they are satisfied with it as it is, they want it to stay where it is, and do not want us to take the chance of its being placed in the Securities and Exchange Commission, or under the Social Security Board, or some other board or commission.

Mr. BYRNES. Mr. President, I wish to say only one word in response to what has just been said, and that is that Congress, of course, has no information that the Commission will ever be touched. Should it ever be included in any order Congress will have an opportunity to express its disapproval.

Mr. McCARRAN. I ask the able Senator from South Carolina upon what he bases that statement, in view of the fact that Congress, under the provisions of the pending measure, is excluded from all voice.

Mr. BYRNES. On the specific provision that any order which comes to the Senate will not become effective if the Congress—merely the House and Senate—by a resolution disapprove it.

Mr. McCARRAN. Those are not the terms of the bill as it now stands before the Senate.

Mr. BYRNES. Oh, yes. Those are exactly the provisions of the bill. Unless the Senate and the House disapprove it, the order becomes effective. So the House and the Senate, without the action of the President, can disapprove any order.

Mr. McCARRAN. That is the point to which some of us are addressing ourselves, and will address ourselves later on. The bill provides that unless there be affirmative legislative action, a reorganization plan becomes effective by the executive order of the President.

The PRESIDENT pro tempore. The question is on the committee amendment on page 3, line 18.

Mr. LEWIS. Mr. President—

Mr. McNARY. I was about to suggest the absence of a quorum, but I see the Senator from Illinois has risen, and I withhold the suggestion for a moment.

Mr. LEWIS. Mr. President, I wish to ask a question of the able Senator from South Carolina, the chairman of the committee and in charge of the bill. He is discussing the pending amendment of the committee, which provides for removing the particular labor agency completely out of jurisdiction of the Labor Department.

Mr. BYRNES. No, Mr. President, the pending amendment really has nothing to do with the Labor Department. The amendment has reference to a commission known as the Employees' Compensation Commission. As I have said, so far as I know no one has any knowledge that the Employees' Compensation Commission would be touched by anyone in any reorganization plan. The statement of the Senator from Oregon [Mr. McNARY] was that he did not want to have the Employees' Compensation Commission eliminated from section 3, which exempts a number of agencies.

He wanted the Commission exempted. The Senator from South Carolina, as previously indicated, has no interest in the matter at all except to say that he believes that it is one Commission concerning which, if the President or anyone else was reorganizing the Government, he might well say, "Here are two activities of a labor character which belong in the Department of Labor, and should be placed there, and one activity looking to the Government employees that might be placed in the Civil Service Commission." I do not think it is a matter of much importance. The number of employees involved is relatively small. In any event any reorganization plan which may be adopted will not save much money. I am content to have the Senate express its views upon the question without a roll call.

Mr. LEWIS. I wish to ask a question of the Senator from Nevada [Mr. McCARRAN] and the Senator from Oregon [Mr. McNARY], the leader of the minority. Do they conceive that the amendment removes certain labor elements from the administration of the Labor Department and transfers them to some new department?

Mr. McNARY. Mr. President, the provision adopted by the House would prevent the inclusion of the Employees' Compensation Commission from any Presidential order. The Commission was placed by the House in the class of agencies with respect to which Executive action may not be taken. By the removal of the exemption the Commission can be transferred from one department to the other by an order of the President. That is what organized labor does not want, because it does not know to what agency it will be transferred. So I am asking that the Senate reject the amendment so that the Commission will remain in the prohibited class against which an Executive order cannot be effective.

Mr. BYRNES. Mr. President, I will say to the Senator from Illinois that the amendment has absolutely no reference to the Department of Labor. The Employees' Compensation Commission has a relatively small number of employees. It has jurisdiction over and can make determination with respect to claims of longshoremen. It has jurisdiction over claims of certain persons in the District of Columbia, which claims are determined under the law by a deputy commissioner. The law provides that if anyone is aggrieved with the decision of the deputy commissioner he may ask for a review, not by the Commission but by the courts. That is why it seemed to me to be a function which really belonged in the Department of Labor.

If I were reorganizing governmental departments, I would take that function and put it in the Department of Labor, and I would take the function of handling the employees of the Government and put it in the Civil Service Commission which has to do with all governmental employees. That would be my idea of how to do it, simply in the interest of efficiency.

I have not the slightest idea that anyone connected with the American Federation of Labor had the opportunity to go into the question along that particular line. I do not have to have second sight to know that the members of the Employees' Compensation Commission are just as human as are the members of any other commission in Washington, and within the last few days nearly every person connected with the Commission in Washington has been writing, and I am sure the Senator has had a chance to see the telegrams and letters on the subject. He has undoubtedly received telegrams from people in Washington, and from people in his home State. One who has a job in the Government is likely to say, "Well, there is not anything in that bill about me, but I do not know. They might reorganize here and merge, and I might be out of a job. There might be done just what the Senator from South Carolina says; an Executive order might turn over to the Labor Department longshoremen's claims, and turn the employees' claims over to the Civil Service Commission. If that were done, what would become of me? I would have to go home and practice law." He is convinced that he was drafted out of his law practice into the position he now holds. He did not want any job here; he was simply drafted out of his job; and now an unpatriotic Government, failing to recognize the importance of his services, will cause him to lose his job, and it just ought not to be done. So then he goes to some friend in the American Federation of Labor and says to him, "Save me. Send a telegram saying that you are opposed to it." I will wager that my dear friend, William Green, as busy as he is with important things, had not the slightest idea what was behind the whole matter. But I know how those things occur. I have my desk filled with telegrams from bankers and building and loan associations. If we quit taking affirmative action simply because we receive requests of this nature there will never be any reorganization. That is the trouble with such matters.

Mr. LEWIS. Does the Senator from South Carolina assume that there is no foundation for the fears expressed by the Senator from Nevada [Mr. McCarran]?

Mr. BYRNES. I think the Senator from Nevada is perfectly sincere. He has received a telegram. I know that the man who sent the telegram and gave him the information was sincere. I know what has happened during the recess of

the Senate. Of course, members of the Commission would not send a telegram directly to me or to any other Senator, because they fear that if they did so they would get into trouble. So they go outside the Commission, to the fellow who has been asking them to do favors for him, and they say, "Whom can we persuade to get behind Senators and Representatives?"

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

Mr. BYRNES. I yield.

Mr. McCARRAN. If the telegram read by the Senator from Oregon bears the same date as the telegram which I received, and is of the same import, it was sent long before the time referred to by the Senator.

Mr. BYRNES. I know how such things occur.

The next thing I heard was from a man who has had considerable business with the Commission and who represents quite an extensive national interest. He began sending telegrams throughout the country, and almost immediately half a dozen Senators telephoned me that they had received two- and three-page telegrams, and asked me what it was all about.

We frequently receive such communications. Those who send such messages are obliged to do so in return for the favors done for them. Later the lobbyist will come back and say, "When you were in trouble, old sport, I helped you out. I want you to do this for me."

We might as well understand how the executive departments act. The members of the Commission persuade their friends to act in their behalf, and the friends are obliged to do so.

So far as the particular question under consideration is concerned, I will say to the Senator that it is immaterial to me. There is nothing in the bill which says anything about merging the employees of any particular commission. The United States Employees' Compensation Commission is left in the same category with every other department of the Government. I have sufficient confidence in the President to feel that in a matter of this kind, if the Commission is performing a duty which should be performed as an independent agency, he will leave it as an independent agency. However, if he moves it, he never could move half of it anywhere except into the Labor Department. If Mr. Green knew the situation I think he would be in favor of the amendment. He could not know where the Commission might go. Government commissions and agencies do not want to be touched, because those at the top are afraid they will lose their jobs. That is all there is to it.

Mr. BARKLEY. Mr. President, I wish to make a brief comment on the amendment. If it had not been for the fact that the House exempted the United States Employees' Compensation Commission from the operation of the bill, we probably would not have heard of this situation. The House exempted the Commission. For the reasons stated by the Senator from South Carolina, the committee felt that it was not a sufficiently important agency to take a position alongside the Interstate Commerce Commission and the Federal Trade Commission. The committee felt that it was not entitled to exemption from the power of the President to consolidate or to transfer it.

I agree with the Senator from South Carolina that it is not very material one way or the other what we do with respect to the United States Employees' Compensation Commission. I doubt very much if any money will be saved whether it is left where it is or whether it is transferred to the Department of Labor or to some other department. I do not think the question is important enough for us to get into a row over it. As a member of the committee, I will say that, so far as I am concerned, I am perfectly satisfied to join the Senator from South Carolina and have the Senate vote on the question by viva voce vote. If the Senate decides to reject the amendment, we on the committee will accept the decision as an expression of the opinion of the Senate. I think we might as well vote on the amendment with that understanding.

Mr. KING. Mr. President, I am so much opposed to the multiplicity of agencies and departments that I believe they should be consolidated wherever possible. I am very much in sympathy with the position taken by my friend from Nevada [Mr. McCarran]; but I believe labor would fare better if

this agency were placed in the Department of Labor than if it were to remain as an independent agency. If it were transferred to some organization hostile to labor, such action would be most inappropriate. However, I am sure that if any change is made it would be assigned to the Department of Labor, and I think that action would be to the advantage of the beneficiaries of the act.

Mr. NORRIS. Mr. President, I shall vote against the committee amendment. Inasmuch as my reasons may not be considered adequate by other Senators, I wish briefly to state those reasons.

If I had my way about it, Mr. President, I would not have any exemptions. I would vote for a motion to strike subsection (b) out of the bill entirely, so that there would not be any exemptions. I do not know why it is feared that certain bureaus or certain offices in the Government are in danger of being injured or obliterated by a reorganization bill. Everybody wants a reorganization bill. The committee has reported a bill which exempts from reorganization certain agencies, bureaus, and offices named in subsection (b) on page 3 of the bill. I am not fully informed as to the duties and jurisdictions of the various exempted agencies. I do not suppose any Senator knows them all in detail.

However, in a general way, in my judgment, many of them ought not to be exempted, for the reasons which have heretofore been given. So far as I have heard the reasons given, they would entirely disqualify from exemption more than half of the commissions included in subsection (b), if we were to apply the same reasoning to them that is now being applied to the United States Employees' Compensation Commission.

If we are to exempt any agency, it seems to me the United States Employees' Compensation Commission ought to be exempted. It seems to me there is more reason for exempting it than for exempting many of the others included in the list of exemptions.

For these reasons, inadequate though they may appear to some, I shall vote against the committee amendment with respect to this particular agency. If we are to exempt other agencies which have not as good reasons to be exempted as has the United States Employees' Compensation Commission, then I wish to leave the Commission in the exempted list.

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

Mr. NORRIS. I yield.

Mr. McKELLAR. How many employees and officers are there in the Commission?

Mr. NORRIS. I do not know.

Mr. McKELLAR. Can the Senator from South Carolina [Mr. BYRNES] tell us how many officers and employees there are in the United States Employees' Compensation Commission?

Mr. BYRNES. I do not know the exact number. I can obtain the information for the Senator. The Commission spends \$500,000 for administrative expenses. I do not know the number of employees.

Mr. McKELLAR. I imagine that no very great saving could be made in any event.

Mr. NORRIS. I do not think there would be any great saving, whether or not we exempted this particular agency. If there were no exemptions, I should not assume that the President of the United States would do anything radical or wrong in readjusting the agencies of the Government, which we wish to consolidate as much as possible.

I believe the President is just as anxious as are we to economize and to do nothing in the reestablishment, relocation, or remodeling of any of the agencies which would be detrimental to the public service.

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

Mr. NORRIS. I shall be glad to yield in a moment. If we are to draw the distinction which the Senator from South Carolina said the other day was drawn—for which I admit there is some reason—so as to exempt quasi-judicial agencies, and if that is the guide by which we are to act, under that definition I think there are reasons why the United States Employees' Compensation Commission should

be exempted. Personally I would not exempt any of them, because I think the only way to get a scientific readjustment and realignment of agencies of the Federal Government is to have no exemptions. Now I yield to the Senator from Kentucky.

Mr. BARKLEY. There is a great deal of force in what the Senator from Nebraska says; I am inclined to agree with him that probably there ought not to be any exemptions; but, as the Senator from South Carolina [Mr. BYRNES] explained in his address the other day, it is a condition and not a theory that we face. Every time there has been a reorganization bill before either House of Congress someone has expressed a fear that the President was going to remove this division or this bureau or that bureau from where it is and place it under some other jurisdiction.

Mr. NORRIS. Yes.

Mr. BARKLEY. Take, for instance, the Engineer Corps of the United States Army, which is a part of the Army. I dare say not a President of the United States who ever served or one who ever will serve would take the Army engineers out of the Army and out of the War Department. That is where the Army engineers belong; they are part of the Army.

Mr. NORRIS. Of course they are.

Mr. BARKLEY. They are a part of the military set-up. Yet someone was so fearful that some President might take the Army engineers out of the Army and put them somewhere else that the Army engineers were included in exemptions.

Mr. NORRIS. I concede, I will say to the Senator from Kentucky, if exemptions are to be provided the Army engineers are entitled to be exempted, but I think that can be said of every other agency of the Federal Government.

Mr. BARKLEY. I am inclined to agree with the Senator. Of course, the large list of exemptions found in the bill was included, I should say, in the House originally and has been agreed to, in the main, by the committee of the Senate in order to avoid controversies, some of them over moot questions, in order to get a bill through. It is a practical situation.

Mr. NORRIS. That is the theory on which the bill is drawn, and that is what the Senator from South Carolina very frankly admitted last week, that the exemptions were put in in order to pass the bill.

Mr. BARKLEY. I should say that there is probably just as little likelihood of the United States Employees' Compensation Commission being transferred to some department as there is that the engineers of the Army will be taken out of the Army and put in the Navy or the Labor Department or anywhere else. So it is not at all difficult to put the United States Employees' Compensation Commission on a parity with some of the agencies that are exempted, although not all of them.

Mr. NORRIS. I suppose someone could become very much excited on the theory that, under this bill, if we should not exempt the Army engineers the President might put the Army engineers under the United States Employees' Compensation Commission; that would be possible; everyone has got to admit that, I think; or the President might put them under the Navy Department. That is possible. He might do all these things.

Mr. BARKLEY. If any President did that, I think the very fact that he did so foolish a thing might raise some question as to his qualifications for the other duties that are incumbent upon him.

Mr. NORRIS. It certainly would. It seems to me that the best thing to do is to have no exemptions; but, no matter whether we have them or not, if we leave any bureau or agency unexempted we have got to have sufficient confidence in the President to think that he will not make a fool of himself.

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

Mr. NORRIS. I yield to the Senator from Montana.

Mr. WHEELER. I was going to say that I agree entirely with the Senator; but, if we are going to have some exemptions, why not exempt other bureaus? Here is the Reclamation Bureau. I agree that there should not be any exemptions, but the reason why people are demanding and asking for exemptions is that they are concerned as to what might

happen; and then we would find ourselves in such a position that one branch of Congress might say that a given plan was all right and the other branch of Congress, the Senate of the United States, might say it was all wrong; but it would still be a law. That is the thing creating the fear; that is why if the fears for a particular agency are sufficiently powerful it has been exempted, and if they are not sufficiently powerful it has not been exempted. The whole legislation is based upon the wrong theory.

Mr. NORRIS. I think it is. If there were no exemptions, Mr. President, I would feel more like supporting the amendment of the Senator from Montana, for whatever may be said about it it is more logical, it seems to me, than is subsection (b) which provides many exemptions without any reason for the exemptions that do not apply to the other bureaus and agencies that are left out of the exempted list. If we should undertake to draw a line, as the Senator from South Carolina said the other day, and exempt semijudicial agencies, while I do not believe that is necessary or desirable, we would have to say, it seems to me, if we were fair, that there was a reason given, and if we thought the reason was sufficient we ought to support it. As to this particular agency, I think that reason would leave it in the exempted class. I think it is a semijudicial agency, though not to the same extent as are some of the others that are in the exempted class. But if we are going to base our action on that theory, then it seems to me we ought to exempt it, although, it is conceded, I think, by all that its importance is probably overestimated.

I have mentioned the entire exempted list because when we put them all together the proposal becomes very important, for I think the exemptions take away, to a very great extent, from the good effect that this bill might have if it did not contain the exemptions.

I do not believe we are justified, Mr. President, in exempting agencies merely for the purpose of getting votes of Senators and Members of the House of Representatives. It makes me think somewhat of the old public buildings bills and rivers and harbor bills which always went through the Congress because they were built up on the basis that every Member of Congress had a piece of pie in the measure, and his votes for everything were secured on that account. Fundamentally it is wrong. So far as I am concerned, I would rather see reorganization defeated entirely than to have it passed in an emasculated form; but, so long as we are in the exemption business, this particular agency, in my opinion, is much more entitled to be exempted than are a great many others that are in the exempted class in the bill as now framed.

Mr. ADAMS. Mr. President, it seems to me that if it were possible to determine the manner in which Congress is to have control over reorganization, it would be much easier to vote on these matters. If we could vote on the Wheeler amendment in advance of determining these exemptions, some of us would know better what we should do. In other words, I am interested in knowing what control Congress is going to have over reorganization. If, as a matter of fact, an affirmative vote by Congress is to be required in order to approve a reorganization plan, there is no need for any exemptions in the bill. On the other hand, if such a plan will go into effect unless there is an affirmative vote by both Houses, a different situation is presented. I do not know that it would be agreeable, but if the consideration of the Wheeler amendment could be advanced ahead of the committee amendments in subsection (b) of section 3, and the question of what control Congress is to have over any proposed reorganization could be decided, it would be much easier for us to decide the question now presented.

Mr. WHEELER. Mr. President—

Mr. ADAMS. I yield to the Senator from Montana.

Mr. WHEELER. So far as I am concerned, if the Congress had the right by affirmative vote to say whether or not the reorganization of this particular bureau or that particular bureau should take place, then I would say that I would be perfectly willing that all the exemptions should be stricken from the bill, because, after all, the Congress then

would have the right to say whether the exemption should be made. Why should a little group say, "We want to be exempted," and why should some other group say, "We want to be exempted"?

The President ought to send a reorganization plan to the Congress, and say, perhaps, that this commission should be reorganized and that one should be reorganized and this bureau should be reorganized, because such action would save money and result in more efficient and effective government. Then the Congress should vote affirmatively upon such a plan. If the bill were in such a form, then I would say take out all the exemptions and put all agencies upon an equal footing when they come before the Congress of the United States.

Mr. BYRNES. Mr. President, I would not disagree with the Senator's contention; indeed, if we should adopt the Wheeler amendment, I think it would be perfectly proper to strike out all after the enacting clause of the bill except the Wheeler amendment, because the Wheeler amendment simply says to the President, "You can send a message to Congress on the subject of reorganization." The Constitution of the United States already gives him that power; today the President can send a message making any recommendation he pleases about any agencies, and when it is sent here a bill has to be acted upon. I agree that if the Wheeler amendment is adopted we can strike out all the remainder of the bill.

Mr. ADAMS. Mr. President, I have this feeling as to reorganization: As the Senator from South Carolina has told us, we have talked reorganization ever since I have been here and it was talked long before I came here; the Senator from South Carolina in the other House urged reorganization, but there is one thing that has never been done either by Congress or the President and that is to submit a plan of reorganization in detail. We have always debated the question as to who was going to do the reorganizing.

I know that the Wheeler amendment, if adopted, would simply put reorganization upon the basis of every other piece of legislation. The President recommends to us day by day legislation which he favors and we then pass upon it.

I am not clear why there should be any difference in reference to reorganization. I do not think it is a sound, complete criticism of a reorganization bill that we ask the President to make a recommendation to us, as he does in reference to the Army, in reference to the Navy, in reference to our currency, in reference to agriculture, and in reference to every other thing that comes before the Congress. In those respects the President exercises his constitutional function to make recommendations to us. In this measure we seek to do something different—to delegate authority, and to tie our hands to pass upon the result of the delegation.

It seems to me Congress could well work out a plan of reorganization; but we have not done it. We say to the President, "You work it out"; and the President says, "You give me the authority, and I will work out the details." Apparently, there never has been a willingness on the part of the Executive or of the Congress to work out a practical, detailed plan of reorganization; but we are arguing back and forth as to who is to do it.

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

Mr. ADAMS. Yes.

Mr. KING. Let me say to the Senator that which he already knows—that under the Bureau of the Budget bill, passed away back in 1922, the President was given unlimited power to organize and reorganize many of the branches of the Government. He has failed to do so, but he still has that power. I do not know why we should accord to him a disposition to do more in the future, when he has failed to exercise the authority which has been given to him in the past.

Mr. ADAMS. I will say to the Senator from Utah that the President has had the opportunity, and Congress has had the opportunity, and we have both failed. In other words, we all say that reorganization is desirable, but we do not set about doing it; and there are very practical reasons why we do not do it. If we set about a wholesale reorganization,

we bring in enough bureaus and enough outside influences to destroy every effort we make.

Congress naturally wants to put the burden back on the Executive, because, if we cut out the functions or the personnel of a bureau, down upon us come all the friends of the bureau; but I think we ought not to shirk our burden.

I do not think it is an answer to the need for reorganization for us to ask that authority be finally left in the Congress to assume the burden. We cannot delegate the power to pass legislation. There is no way in which we can do that. Bills which we pass, conferring powers upon the Executive, are sustained only when we lay down the rule that is to be applied. We cannot validly delegate the power to reorganize, any more than we can delegate to the President the taxing power.

We might say in an act of Congress, "The President of the United States shall levy such taxes as he thinks are in the public interest, and when he submits his tax measure to Congress it shall become effective unless by a concurrent resolution of both Houses it shall be disapproved"; but no one would contend that such a measure would be valid, because we cannot escape our responsibility. So, if we are not only going to give the President the power but are going to ask him to make a recommendation, I do not like to see us tie our own hands. I doubt if we can do it effectively.

Within the past few weeks we enacted a law in which we said to the President, "If you find certain things, we invite you to make a recommendation for the appropriation of additional money." The President did not wait long to take advantage of the invitation to make the request. If he has a definite plan for reorganization, I suggest that he set about doing greatly needed things. I am anxious to go ahead and have a reorganization which will be effective in increasing the efficiency of our governmental agencies, in reducing personnel, and in reducing expenses; and I am sure a majority of the Senate and of the House will sustain any reasonably fair reorganization plan. Apparently, by reason of numbers, we lack the ability to work out the details; but for that reason should we shirk the responsibility?

So, personally believing in reorganization and believing in the good faith of the Senate, I expect to vote for the Wheeler amendment if that shall be brought up first; and I shall then vote to leave to the President absolute and complete power, and cut out all of the exemptions from his recommendation.

Mr. LEWIS. Mr. President, I summon the able Senator from Colorado to reflect upon his observation to this extent: If there should be carried out the intimation made by the Senator from Montana [Mr. WHEELER], and other Senators on the floor, including the Senator from Colorado, that the President should at once send down his designation of what bureaus are to be merged out and what particular ones are to take their places as substitutes, promptly what would arise? There would arise what heretofore arose in a similar case: Eminent Senators on this floor would promptly rise to accuse the President of the United States of seeking to make a dictator of himself. It would be said that he assumed to direct what should be done when he knew that it was the duty and privilege of Congress to do it. It would be said that he was seeking to usurp the functions of the Senate; that he was seeking to subordinate Congress, and seeking to constitute himself the supreme dictatorial power. That is the form of utterance which would come if such suggestions as the able Senators have made should be followed by the President of the United States.

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

Mr. ADAMS. I will yield in a moment, if the Senator will pardon me. I think the answer to the able Senator from Illinois is that it is not the President of the United States who is seeking to usurp powers. It is the Congress that is seeking to give him certain powers. The question we are discussing is, What powers we are going to give the President, whether or not we propose to make him a dictator; not that he proposes to assume authority, but what are we going to do? Are we going to delegate our authority or are we going to abdicate it? That is all that is involved in this matter.

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

Mr. ADAMS. I yield to the Senator from Montana.

Mr. WHEELER. Of course there is nothing in any statement made by the able Senator from Colorado, or by me, which would indicate that we thought that anything the President was doing, or that anyone was seeking, was designed to make him a dictator. There is no intimation of that kind; and it seems to me unfortunate that we cannot legislate upon the floor of the Senate without that charge being brought into the matter in one way or another.

What we are now asking is that the Congress of the United States act in accordance with the Constitution of the United States. We are asking only that Congress legislate in the manner provided by the Constitution. I submit to the able Senator from the State of Illinois that when any lawyer who looks into the question will say, as Attorney General Mitchell said when President Hoover's bill was under consideration, that if the power is retained in one branch of the Congress to kill legislation by voting against it, such a course is unconstitutional. Legislation delegating legislative powers to the President is unconstitutional. And that is what we are doing—delegating to the executive branch of government the power to abolish functions of office and repeal laws, and then say that if one branch of the Congress approves the President's action and the other branch does not, it shall become the law. What lawyer upon the floor of the Senate will rise in his place and say that that would be constitutional? The fact that we condemn that practice on the part not of President Roosevelt but of any President of the United States, whoever he may be, and say it is unconstitutional, furnishes no ground for saying that we charge any President with wishing to become a dictator.

As I understand, the President is not asking for this legislation. This is legislation which was drafted in the House of Representatives and by that body sent over here. I submit that it is unconstitutional and is contrary to every fundamental principle of American Government.

Mr. LEWIS. Mr. President, the Senator from Montana forgets, I dare say, in the pressure of things occurring intermediately, what were the exact charges made against the President when the previous measure called the reorganization bill was pending in this body. The able Senator from Montana will not forget his own utterances, and the fears expressed on his own part and on the part of others that the President, in assuming to put this department and another department together and turn them into one, was creating for himself a power which gave to him peculiar arbitrary rights which were in violation of his own rights and those of the Senate of the United States.

Mr. WHEELER. I have never made the statement upon the floor of the Senate—

Mr. LEWIS. Where did the Senator make it?

Mr. WHEELER. I have never made the statement, either on the floor of the Senate or off the floor of the Senate, that the President of the United States was seeking dictatorial powers. I appreciate the fact that some Senators tried to put those words in my mouth, but never at any time have I said that; and I challenge the Senator to go back and read the RECORD and find any such utterance on my part.

Mr. LEWIS. If the Senator says so, I take his word, of course.

Mr. WHEELER. I challenge the Senator to go back and read the RECORD and find any place where I ever made the statement that the President of the United States wanted to become a dictator. I did say, and I repeat, that the people of the United States are jittery. I did say that we have given the present President of the United States more power than we have ever given to any other President in peacetimes. I did say, and I repeat, that the Congress of the United States ought to exercise its functions under the Constitution as the forefathers drafted the Constitution. We ought to have the intestinal stamina to stand up here and say that we can legislate. How can we expect the people of the State of Illinois, or the people of the State of Michigan, or the

people of the other States of the Union, to trust parliamentary government if we ourselves assert that we cannot trust ourselves to legislate honestly?

Mr. LEWIS. What is all this talk I hear, this contradictory palaver around me constantly, assuming that the President is usurping something, always assuming that he is doing something offensive to the Constitution? It is asked Why does he not choose the executive departments he asks to have consolidated and those he asks to have abolished and send the list to the Congress? This has been constantly asserted, and now it is asserted that if he did so, he would be wholly within his rights, after he has been condemned completely because it is assumed he should have done so.

Mr. WHEELER. Let me say to the Senator that we stand on the floor of the Senate and say to the executive branch, "If you want some legislation, why do you not send a message to Congress and state what you want? Why do you not send your recommendations here?" The President has sent his recommendations to Congress upon every piece of legislation, practically, which he has desired. No one has criticized the President of the United States for sending recommendations to Congress. On the other hand, some Senators have stood on the floor of the Senate and criticized the President because legislation was drafted in the executive department of the Government. I have never been one of those. I say that it is perfectly proper for the executive department of the Government to draft legislation, and that they should send their proposals to the Congress. I do not condemn the executive branch for doing that. I do not condemn the President for doing it. I condemn any weak-kneed Senator who has not the intestinal stamina to stand up, if he disagrees with the executive department, and say to the President of the United States, to Mr. Ickes, to Mr. Wallace, or to any other officer, "I disagree with you." If at any time I have denounced, it has been a denunciation of the Congress itself because of its spineless attitude in voting as "yes" men for every piece of legislation, fearful, as some Members of Congress have said, of losing their patronage.

Mr. LEWIS. Then we have before us—

Mr. ADAMS. Mr. President—

Mr. LEWIS. I beg the Senator's pardon.

Mr. ADAMS. I had the floor, and I desire to make an observation or two; then I shall be glad to yield.

Mr. LEWIS. I pause to hear the observation addressed particularly to myself.

Mr. ADAMS. I did not have in mind to direct an observation entirely to the Senator from Illinois, except, if I may, I did want to point out that the Wheeler amendment, which is now on the table, and which can be taken up later, goes beyond the bounds the Senator from Montana is suggesting. We have not in that amendment reserved to ourselves full legislative control.

I have not read the Wheeler amendment for a year, but, as I recall, it provided that when the President sent a reorganization plan to Congress the only right to vote which Congress would have would be "yes" or "no" on the plan as a whole; that Congress would surrender its right to make amendments; and, more than that, that we would bind ourselves to take a vote within a very limited time; and, in the Wheeler amendment, we would be going beyond any legislative proposal that ever came out of this body when we permitted the President to send us a measure which we took as it was, without change, or rejected it without change.

It seems to me that we would be going a long way in the Wheeler amendment. To say that the Wheeler amendment merely gives to the President the right to make recommendations is not accurate. It gives him power to submit a plan, which may be comprehensive and inclusive, and leaves us without any right to include anything in the plan or exclude anything from it.

One further observation, corroborating what the Senator from Montana has stated: I happen to be one of those who have never denounced on the floor of the Senate anyone who does not happen to follow my line of thought. I have never criticized the President of the United States. I have

never said anything about dictators. If I have any criticism—and it is not really criticism but comment—it is that Congress has the right to do as it pleases. The powers which the President of the United States enjoys, with the exception of very limited powers, come to him from the Congress. If we take the Constitution and scan the powers which the Constitution gives the President, we find his power as Commander in Chief of the Army and the Navy, his power to negotiate treaties, and to nominate officers; but, with very limited exceptions, every power he exercises is subject to the control either of the Congress or of the Senate.

There is not a Secretary in the President's Cabinet who does not owe his existence as such officer, and his salary, to an act of Congress. We can abolish all of the departments of the Government. Every Cabinet officer derives his position, his functions, his power, and his salary from the Congress. If Congress saw fit, it could strip the executive branch until all that remained of it was the President and the Vice President. They are the only constitutional officers in the executive branch. Whatever arbitrariness is exercised by the executive department is because Congress has vested the power and the opportunity in the Executive. Any complaint of dictatorship, of arbitrariness, is a complaint against Congress and not against the President.

Mr. LEWIS. Mr. President, unless I wholly misunderstand the statement of the able Senator, it is that there is to be submitted, or it is assumed there is now pending to be submitted by the President, a proposal to amalgamate the departments as he thinks best for the service of the Government and for the purpose of reducing expenses; and, as the able Senator from Montana used as his basis, that he shall do so exercising his constitutional right. Yet, after he has done his duty as the President and exercised his constitutional right, he is to send the report of the action back to Congress under an amendment called "the Wheeler amendment" for supervision by the Congress, so that it may pass upon whether it regards his action as Presidential and discretionary. We are constantly to sit in judgment on him and take power to reverse whatever he does. Then we, the Senate, shall make suggestions and with such amendments as we desire pass the law again. Then he, the President, may veto that. Then the measure is to be sent back to us and the President's veto is to be overruled. Finally, we are to have the ceaseless cycle, heaping condemnations upon condemnations, until at the end the departments will have worn themselves out and all their salaries run for the period of lifetime before action is had, and then all is clear. This is a theory which is called "succinct," "economical," and "beneficial" to be carried out.

In the first place, I answer the Senator from Colorado. I concur with him that he does not denounce, that he proposes wherever he can make suggestions of remedy.

In matters of finance he is literally a senatorial Euclid, who may present complete items of addition and subtraction and mathematical memoranda which I never can hope to understand. But in this other matter he has never so violated as to call for anyone's criticism, for the denunciation of anyone, or anything.

I insist now, however, that we have again this morning returned to the same ejaculations and expressions we indulged when the previous bill was before us, when everything was brought here on the theory that the President of the United States is an individual of such sinister design and dark intention and such hidden purposes that he is not to be trusted; that whatever he does he must return to Congress on the assumption that we are the sole depositories of all wisdom and virtue, and that we must pass on the wisdom of his actions or the honor of his intentions.

I say that such a method is wholly without patriotic sense. From that point of view it is not wise, it is not practical, it does not appear to me statesmanlike that a Senator should rise and say, "Why does not this man, as President, designate specifically what he wishes done in the matter of amalgamation and combination of this department and the other," and at the same time wait to say, if he should do that, that the President has committed such an offense against the Constitution, against his privilege, and in violation of

the honor of his office that we should regard any action of his contemptuously, and then visit on him not only condemnation, but condemnation as one who is repudiated by the Senate as wanting in capacity and lacking in a sense of the dignity of his office.

That sort of thing we condemn. If we trust the President, say so, and do so. If we do not trust in him, let us say so, and not send the matters to him, but dispose of them completely in this body. If the President cannot be trusted in the discharge of his constitutional duties, let us withdraw him from cooperation in this task. Let us trust with confidence something to him, as he trusts us to perform our duties. It is that which I wish to press upon this honorable body as worthy of our present and great consideration.

Mr. ADAMS. Just one word more, Mr. President. In the matter of trust, the question is, Do we trust in the soundness of the Constitution of the United States? Do we believe in the processes of government there laid down?

A legislative body is, as we see day by day, somewhat crude in its methods. We have difficulty in working out detailed legislation on the floor of the Senate, but in the final analysis we speak the voice of the people who sent us here, and it is the process of difference, of dispute, and of consideration, which ultimately results in making of the Congress of the United States the honest spokesman of the opinions of the people of the United States, crude and cumbrous in its processes, with no comparison in efficiency and in expedition with the executive branch.

Mr. WHEELER. Mr. President, the Senator from Illinois is a very able and distinguished lawyer.

Mr. LEWIS. I will not dispute that. [Laughter.]

Mr. WHEELER. I knew the Senator would not. He does not have to dispute it; he can admit it. I merely wanted to say to the Senator that if he will later, in the calm of his office and surrounded by his lawbooks, review the speech which he has just made, he will want to change it before he puts it into the CONGRESSIONAL RECORD, because, followed to its logical conclusion, his argument would be that if legislation is recommended and sent to Congress by the President and the distinguished Senator from Illinois disagrees with it, he, by that action, is saying to the country, "I do not trust the President of the United States."

Let me call the Senator's attention to the fact that other legislation which is advocated by the President of the United States is upon exactly the same basis as is the reorganization bill which has been recommended to the Congress. When Senators violently disagreed with the President with respect to some vital legislation which I proposed at the request of the President of the United States, and battled through the Senate, the Senator never heard me say that any Senator who disagreed with the President did not trust the President of the United States. An effort is now made to draw a red herring across the trail by saying to anyone who votes his convictions upon this matter and complies with the Constitution, "You do not trust the President of the United States."

I think the Senator from Illinois will want to amend his remarks when he comes to read them, because I believe that, able and learned as is the distinguished Senator, he does not wish to impute to any Senator, Democrat or Republican, that he does not trust the President of the United States merely because he votes against him or votes contrary to his views upon some legislative proposal.

Mr. President, since when has it come to pass in the United States Senate that a Senator cannot vote his convictions without the charge being made that he does not trust the President? It seems to me it is beneath the dignity of any Senator to make such a statement. If he will look at the record he will find that when it comes to progressive legislation I have as consistently voted with the President and with the present administration as has almost any other Member of the United States Senate. I resent the charge which is made that I do not trust the President of the United States. The Senator from Illinois entirely misconceives the legislation that is pending before us when he makes the statement he has made. I am sure that on

reflection, and upon a reading of the bill, and a reading of my amendment he will change his remarks in the RECORD.

Mr. LEWIS. Mr. President, there is no observation here made by me—

Mr. WHEELER. Mr. President, I still have the floor.

Mr. LEWIS. I beg the Senator's pardon. I thought the Senator turned to me and asked me respecting my correcting my statement.

Mr. WHEELER. I shall be glad to yield to the Senator from Illinois.

Mr. LEWIS. I will say there is nothing being stated about the legislation which comes from the President. There is nothing being said about the President sending down some recommendation of his for legislative action. I am referring, and specifically so stated, to the fact that the privilege is his under the Constitution to merge departments and agencies, and if he cares to undertake it, to do so on his own volition, or if he cares to do it by way of recommending that we do so by legislation, that is his privilege. But when that is within his power, when this body passes an act authorizing him to carry out that purpose, and when he does so and we require that he shall send his action back for our superior judgment, we reflect upon his action in a way that is unworthy, because that is not the tender of legislation. We would thereby propose to review his executive acts as President of the United States, performed within his power under the Constitution. That is the point and the distinction I make, I will say to the Senator from Montana.

Mr. WHEELER. Mr. President, it is a distinction without a difference. I am amazed that the Senator from Illinois would stand on the floor of the Senate and say that it is part of the executive duties of the President of the United States to merge the various agencies or other branches of the Government. The Congress of the United States created those branches. It was the Congress of the United States, not the President of the United States, that created the Forestry Service. It was the Congress of the United States that created the W. P. A. It was the Congress of the United States that created every single bureau, and not the President of the United States. Consequently when the question arises of repealing the laws creating those agencies, it is the duty of the Congress of the United States, as the representative of the sovereign people of this country, to say whether or not those laws shall be repealed.

Mr. President, the statement has been made that Congress cannot do the reorganizing. The only excuse for turning over to the President the matter of reorganizing the Government departments is that Congress cannot do its duty under the Constitution, that Congress is impotent, that Congress cannot be trusted.

Mr. President, we are not saying to the President, "We want to interfere with you," or "We do not trust you." But we say to him, "Neither you nor any other President of the United States can possibly understand all of the problems that affect the West." The President of the United States cannot possibly understand some of the problems that affect some other portions of the United States.

Mr. President, who is going to do the reorganizing? Does the distinguished and able senior Senator from Illinois for one moment think that the President of the United States is going to sit down in the White House and work out the details of the reorganization plan? Certainly not. Who is going to do it?

Mr. LEWIS. After the legislation is passed by the Congress authorizing the President to reorganize the Government departments it becomes his duty to do so.

Mr. WHEELER. The Senator knows the President of the United States himself cannot do it. There is no Senator who does not know that it would be a physical impossibility for the President, with all his other duties, to sit down and work out the details of a reorganization plan. To whom must it be delegated? It must be delegated to the same committee to which he delegated it before, or to some clerks in the departments, or some other men, and they will do it. If the President sends in a comprehensive plan, he will not

be able to read the whole plan. He cannot study and fully comprehend all the details of reorganization any more than he can fully understand and thoroughly examine the details of legislation which is sent here. It is a physical impossibility for any President to do it. And the distinguished Senator from Illinois, with his long and useful service in the Senate and in the House of Representatives, must know that that statement is correct.

Consequently we are not saying to the President of the United States, "We do not trust you," but we are saying to some little fellow in one of the Departments, "If you want legislation enacted to place the Forest Service in the Department of Agriculture, the Congress must approve it. The people in my State would say, 'We do not want that done, because we know how such a reorganization will affect us.'" If the House, with few Members representing such people, approves it, there is nothing I could do.

Mr. President, the House of Representatives contains relatively few Members from the West, as compared with the East. Let us assume that a request is sent to the House to abolish the Reclamation Bureau. We do not believe such a request will be made, but it could be made under the provisions of the pending bill. It might be said, "We want to abolish the Forest Service." We do not think any Government officials are going to do it, but they might want to do it. Or they might place the Forest Service under Mr. Ickes. Every stockman, every cattleman, and every farmer in my section would protest violently against such action. The House of Representatives might say, "We are in favor of it."

It would come over to the Senate, and a considerable number of Senators might vote against it, because there are relatively more Senators from the West in the Senate than there are Representatives from the West in the House. But the provision would still become the law, and our protest would not be heeded, our people would have no voice as to what should be done with reference to the legislation. That would be legislation with respect to a bureau which the Congress of the United States of America has created, a bureau which the President of the United States has not created.

Mr. President, it seems to me the idea, upon its face, is preposterous.

Mr. BARKLEY. Mr. President, we have gotten away from the matter which is pending in order to debate an amendment which seems to be in the offing.

Mr. WHEELER. That is true.

Mr. BARKLEY. But inasmuch as a constitutional question has been raised as to the power of the Congress to delegate to the President the right to reorganize the executive branches of the Government subject to a veto of Congress, I wish merely to observe that we have time and time again constituted the President as the agent of Congress to execute some duty that might be legislative in a sense. Congress can undoubtedly reorganize the departments; that is, it can legally do it. It has created them. If when it created separate agencies it had located them in some department, we probably now would not be confronted with the confusion and the chaos of duplication and all the difficulties that bring this proposed legislation to the floor.

What is the constitutional difference between delegating to the President the authority to regroup or transfer the agencies that we have created, and the passage of a law providing for a certain number of public buildings in the United States, and authorizing the President to determine where they are to be located?

In former days Congress, by what the Senator from Nebraska [Mr. NORRIS] this morning referred to as the old "pork barrel" method, provided in legislation the location of post offices and other public buildings. Finally, years ago Congress decided not to do it in that way. It provided for buildings. It made the appropriation, but it delegated its authority to locate those buildings to the President of the United States. No one has questioned the constitutionality of that delegation any more than now is questioned the delegation to the Interstate Commerce Commission of the

authority to make rates which Congress constitutionally and legally can do, but physically and politically cannot do.

Wherein lies the difference between making the President our agent to shift one bureau from one department to another, or to take into some department those that are floating around, like Halley's comet, all tail and no head, and authorizing him to do all the things we authorize him to do in the construction of public buildings, whether under the P. W. A., the W. P. A., or the annual appropriations we have provided for the construction of public buildings, wholly Federal, all over the United States? We have done the same thing as to flood control. We have passed flood-control bills authorizing the President, out of the funds appropriated, to decide where the flood-control devices shall be located and which shall have priority over the others. In a sense, those are legislative matters. Congress could have specified all the details in the act, but it did not see fit to do so. It delegated administrative authority to the President to decide the details. Wherein lies the difference?

Mr. WHEELER. I am very glad indeed that the Senator called my attention to that situation, because I think there is no doubt in the world that we have authority to delegate to the President of the United States, if we desire to do so, the power to shift bureaus back and forth. I say that fundamentally we should not do it. However, we have the authority to do so.

Mr. ADAMS. Mr. President—

Mr. WHEELER. If the Senator will pardon me, I shall be glad to yield in just a moment. However, when we say to the President, "You may abolish functions of office," we give him authority to repeal any law which we have placed upon the statute books.

Mr. LEWIS. Mr. President, that is not the issue before us.

Mr. WHEELER. I said to the Senator a moment ago that if he had read the bill he would not have made the argument which he did make.

Mr. LEWIS. I am referring to the amendment of my friend.

Mr. WHEELER. I will call the Senator's attention specifically to the bill, so that he will understand it. At the last session of the Congress the Senate took out of the bill the power to abolish functions of office. In the pending bill it is proposed to put it back. In the last session of the Congress the Senate said, "We will not give the President the power to abolish functions of office, or to create new functions of office." In the pending bill it is proposed to grant that power.

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

Mr. WHEELER. I yield.

Mr. ADAMS. I wish to venture a word as to the two analogies submitted by our distinguished majority leader.

With respect to public buildings, Congress appropriates a certain sum of money. However, Congress does not appropriate a lump sum of money for the heads of the departments to construct any building they please. Congress specifies the localities in which the buildings may be erected, and the amount that may be spent on each of them. What Congress does is to establish a list of public buildings, which is a larger list than the money will cover, and to say to the Secretary of the Treasury and the Postmaster General, "You may select public buildings from the approved list."

In the matter of flood control the same situation exists. A lump sum of money is appropriated, but it may be expended only upon projects which are approved by Congress. A flood-control bill contains a specification of individual projects and their costs.

Mr. WHEELER. I thank the Senator.

When we come to certain other Federal functions, speaking of the Tariff Commission or of the Interstate Commerce Commission, those are specific arms of the legislative branch of the Government. They are not arms of the executive branch of the Government. So I say to my distinguished leader that there is a vast difference between the functions of an arm of the legislative branch of the Government and those of an arm of the executive branch of the Government.

Let us lay aside entirely the constitutional question. Is the Congress of the United States impotent to act? I think

we ought to answer that question. When I find myself in disagreement with the learned Senator from South Carolina [Mr. BYRNES], I always doubt the correctness of my view, because he is so often correct. However, when he stands before the Senate and says that we cannot act, we cannot legislate, I ask, "What are the people in Europe fighting for at the present time?" We are told that they are fighting over ideologies. They are fighting over the question whether more power shall be given to the executive branch of the Government, or whether parliamentary government shall be preserved. People are giving their lives over that kind of an ideology. What do we find down through Anglo-Saxon history? The fight that has been made from the beginning of Anglo-Saxon history has been in behalf of retention of power by the parliaments. If we take the history of Norway, Sweden, and the other Scandinavian countries, what do we find? We find that the fight that has been going on from time immemorial is the fight over the question whether or not the power of the king shall be taken away. When the power of the king was taken away, I have no doubt that some who were subservient to the king stood on the floor of the parliament and said, "You do not trust the king, and so you want to take away this little power and that little power until finally you have a democracy."

The whole course and trend today in Europe, and the whole trend in the United States of America, is towards giving up parliamentary government and turning the power over to the executive branch of the government. I say that such a trend is wrong, and as long as I remain in this body I shall continue to fight that sort of thing, regardless of whether or not I am charged with not trusting the President of the United States.

Mr. LEWIS. Mr. President, will the Senator permit me to ask him a question?

Mr. WHEELER. Certainly.

Mr. LEWIS. Would the Senator say that if the Constitution of the United States vests a certain power in the President, and he proceeds to execute it, in that respect it is not his right to do so? Is not such a power a direct gift from the people themselves? It does not come from legislation; nor can legislation take it away from him.

Mr. WHEELER. The Senator is asking me whether or not it is a violation of the Constitution for the President of the United States to exercise a power granted to him. Of course it is not a violation of the Constitution, but will the Senator point out to me where in the Constitution of the United States the President is granted the power to abolish the functions of offices created by the Congress of the United States? Where in the Constitution is there a provision that the President of the United States has the right to repeal laws placed upon the statute books? Where has he the right under the Constitution to shift around bureaus which are created by the Congress of the United States?

Mr. LEWIS. Where is there any effort on his part to assume to do so?

Mr. WHEELER. There is none.

Mr. LEWIS. Then where is the foundation of the condemnation of assumptions of actions which have never transpired?

Mr. WHEELER. None, except as the Senator is trying to give it.

Mr. LEWIS. Why does the able Senator assume a condition and give it out to the world as an offense that the President is about to commit, and state that for that reason he will stand in this body as the one great guard at the bridge, to guard against the invasion and destruction of the country by the individual called the President of the United States?

Mr. WHEELER. After I listened to the discourse by the Senator from Illinois, I thought it was necessary to make that kind of a statement.

Mr. RUSSELL. Mr. President, some of us who are very anxious to go along with the Senator from South Carolina and the committee with respect to the amendments have very grave doubts as to the advisability of striking the United States Employees' Compensation Commission from

the exempted class. I understood the Senator from South Carolina to say that no great economy would be effected one way or the other. I wonder if the Senator would not be willing to withdraw his insistence on this amendment, in order that we may make progress with the bill.

Mr. BYRNES. Mr. President, I said several times that I did not believe that any great economies could be effected. I do not know that the United States Employees' Compensation Commission will ever be touched by any reorganization plan. I had no idea that the subject would provoke 2 hours of discussion. Of course, the discussion has not been on the amendment. The discussion has been on another feature of the bill.

I must admit that I am extremely eager to answer about a dozen statements of the distinguished Senator from Montana [Mr. WHEELER]. Of course, the time to answer them is when an amendment is pending relevant to the subject. I will agree to ask that this particular amendment be rejected.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment, on page 3, line 18, striking out "the United States Employees' Compensation Commission."

The amendment was rejected.

The PRESIDENT pro tempore. The clerk will state the next amendment passed over.

The next amendment passed over was, in section 3, subsection (b), on page 3, line 19, to strike out "United States Tariff Commission."

Mr. KING. Mr. President, the bill as it passed the House included the United States Tariff Commission as one of the agencies which should not come under the provisions of the bill for reorganization. The Senate committee amended the House provision by striking out, on page 3, lines 19 and 20, the words "United States Tariff Commission."

I have prepared an amendment striking out the Senate committee amendment. I have conferred with the Senator in charge of the bill and am advised that he will ask that the Senate committee amendment be rejected. Anticipating that there might be some opposition to my amendment, I have prepared a statement in support of my amendment referring to the duties and responsibilities of the Tariff Commission and the absolute necessity, if it is to be maintained, of keeping it as an independent body. In view of the assurance I have received that the committee amendment will be rejected, I shall not take the time of the Senate to make the statement which I have prepared, but I ask that it be inserted in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. Without objection, the statement may be printed in the RECORD.

The statement is as follows:

As the bill passed the House subsection b of section 3 of part I, title I, exempted the United States Tariff Commission from the agencies which the President might reorganize under the bill.

The Senate Reorganization Committee now proposes to treat the Tariff Commission as one of the agencies the President may reorganize under the bill. The Tariff Commission should not be included in the plan for reorganization and therefore should be specifically exempted by name in subsection b of section 3 of part I, title I, as is provided for in the bill as it passed the House.

Certainly the Tariff Commission is one of the independent agencies of the Government that Congress should maintain as independent as possible. The maintenance of its independence is essential to the accomplishments of the purposes for which it was organized. Without that independence it might as well be abolished entirely.

Before the establishment of the Tariff Commission, the Congress was generally dependent upon interested parties, or upon political sources, for information with respect to tariff questions. In order to remedy this situation, the Tariff Commission was created in 1916 for the purpose of providing the Congress with a source of authentic foreign trade and tariff information. Since its establishment, the Tariff Commission has functioned continuously as an independent agency charged with the duty of ascertaining and reporting directly, without the intervention of any political officer, to the Congress and to the President facts regarding the operations and economic effects of our commercial policies and tariff laws and pertinent facts concerning proposed changes therein. On a subject so highly complex and so much a matter of sectional and party controversy as the tariff, it is essential that the fact-finding body shall be as nonpartisan, unbiased, and as independent as it can be made. It was from a realization of this that the Congress provided that the Tariff Commission, unlike any other governmental board, be composed of an even number of members and that not

more than half of them be members of the same political party. If the Congress desires to be assured of a source of objective data and independent judgment on questions of foreign trade and tariff policy, it would seem essential that the Tariff Commission be continued as an independent agency.

As an extension of its fact-finding functions, the Commission, under the so-called flexible tariff provision (sec. 336 of the Tariff Act of 1930), "finds" differences in costs of production and in doing so exercises independent judgment and discretion in passing upon difficult questions of cost determination which at the same time involve important questions of public policy. Examples are decisions as to comparability of foreign and domestic products, as to methods of cost allocation, and cost averaging, and as to the selection of markets to be used in computing transportation costs. With respect to findings under this section, the President has only the power of approval or disapproval.

In addition, the Commission has certain functions which are formally quasi-judicial in character. Under section 337 of the Tariff Act of 1930, prohibiting unfair methods of competition in connection with imports, the Tariff Commission acts in a quasi-judicial capacity and its findings, before going to the President, are subject to review on questions of law by the United States Court of Customs and Patent Appeals. Its findings on questions of fact, if supported by evidence, are conclusive.

In my opinion, the authority should not be given to transfer the Tariff Commission to the State Department, the Department of Commerce, or the Department of the Treasury and put it under someone in one of those agencies. To do so would destroy the Tariff Commission and its usefulness to the Congress. Its reports would then be considered to be biased and partial to the policies of the particular political administration in power, and they would be opposed by all of those who are opposed to those policies. With six members of the Commission, not more than three of whom, under the law, being of any one political party, when reports are made by it to the Congress and to the President, all parties have confidence in such reports, and they can be used with certainty that the full facts have been stated without bias or partisanship. If there is a difference both sides may state their positions in a report and, consequently, the full facts are bound to be reported and made a record of. Therein lies the special value of the strictly bipartisan independent Tariff Commission.

Furthermore, a brief analysis of the functions of the Tariff Commission will show that it has not been itself a general regulatory authority and, with one exception, section 337, does not exercise quasi-judicial functions. Therefore, no need exists for taking from the Commission any of its administrative functions and, in particular, the control over the selection and promotion of its personnel. Furthermore, the analysis will also show that such a course would seriously impair the usefulness of the Tariff Commission.

Section 337 of the Tariff Act of 1930 which is still in effect, authorizes the Commission to investigate unfair acts or practices in importation and sale of commodities. The functions of the Commission under this section are quasi-judicial. The Commission makes findings of fact and law, and its findings of fact, if supported by evidence, are conclusive. Its findings on questions of law alone are reviewable by the Court of Customs and Patent Appeals. The work of the Commission under all other sections of law is essentially fact-finding. The Commission is essentially a research body, finding the facts, and reporting those facts fully, frankly, and without bias or partisanship.

The Commission is primarily an agency for the collection of reliable and unbiased information that is needed for a full objective consideration of tariff questions. Although the mere existence of a vast body of factual data is not a guaranty that all tariff action will be determined on a factual rather than a political basis, it is certain that without such information the Congress in adopting legislation, and the President in exercising the authority granted him regarding tariff matters, will be deprived of the best means of judging the merits of various proposals for tariff changes and the merits of information submitted in relation thereto by pressure groups.

Facts relative to tariff making, in order to be of use to the President, to the Congress, and to the public must fulfill the following requirements:

(1) The data must be gathered and developed impartially. The reports of the Tariff Commission have earned a high reputation in this respect; the public and all political parties have confidence in them not only because of the bipartisan membership of the Commission but also because of its nonpolitical and objective approach to tariff questions and because of the caliber, training, and experience of its economic, technical, and statistical staff.

(2) It is not sufficient merely to gather facts; they must be interrelated so as to show in their proper perspective the various factors affecting the competition between imported and domestically produced commodities. Other governmental bodies gather some of the data pertinent to tariff problems, but none of them is equipped to present the data in such a way as to throw light on the various elements entering into this competition. To do that is the special province of the Tariff Commission. It uses all the official statistics of the Departments of Commerce and Agriculture and the Census Bureau, but uses them only as a starting point in its analytical studies. Nearly always it finds it necessary also to obtain special information on its own initiative by field work and by questionnaire. In this way it obtains data as to costs, prices, and many aspects of the competitive situation.

The objective analysis of problems as complex as those which relate to tariffs involve a steady succession of qualitative judgments. If these judgments are made on a thoroughly disinterested basis and if the facts are fully developed and interrelated by experienced and competent analysts, the conclusions usually are unmistakable. The unprejudiced and sound exercise of these judgments requires a board rather than an administrative head of the organization and a nonpartisan composition of that board.

Whatever party and administration may be in power, and whatever may be the future vicissitudes of tariff policy, there will be no lessening of the need for a reliable and an unbiased factual basis for tariff making.

Mr. BYRNES. Mr. President, I desire to ask that the pending amendment be rejected.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment, on page 3, line 19, striking out the "United States Tariff Commission."

The amendment was rejected.

The PRESIDENT pro tempore. The clerk will state the next passed-over amendment of the committee.

The next amendment of the Select Committee on Government Organization was, on page 3, line 22, after the word "Board", to insert "the Federal Deposit Insurance Corporation, or the Board of Governors of the Federal Reserve System."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. TAFT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Ohio desire to address himself to the amendment last stated?

Mr. TAFT. No; I have an amendment of my own that comes in at this point.

The CHIEF CLERK. The next amendment of the committee is on page 4—

Mr. McNARY. Mr. President, would it not be better if we should, after completing the consideration of the committee amendments to subsection (b), consider all individual amendments to that subsection? I ask the Senator from South Carolina if he would have any objection to such procedure?

Mr. BYRNES. The only objection is that there are a number of amendments, and it will be sought to exempt practically every department. I thought we could dispose of the committee amendments in a very short time and then could recur to subsection (b).

Mr. McNARY. Very well.

The PRESIDENT pro tempore. The clerk will state the next amendment passed over.

The CHIEF CLERK. In section 24, page 11, line 17, after the words "limited to", it is proposed to strike out "20 minutes" and insert "not to exceed 2 hours", so as to read:

Sec. 24. (a) If the committee to which has been referred a resolution with respect to a reorganization plan has not reported it before the expiration of 10 calendar days after its introduction (or, in the case of a resolution received from the other House, 10 calendar days after its receipt), it shall then (but not before) be in order to move either to discharge the committee from further consideration of such resolution, or to discharge the committee from further consideration of any other resolution with respect to such reorganization plan which has been referred to the committee.

(b) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same reorganization plan), and debate thereon shall be limited to not to exceed 2 hours, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment just stated.

The amendment was agreed to.

The PRESIDENT pro tempore. The clerk will state the next amendment passed over.

The CHIEF CLERK. In section 25, page 12, line 14, before the word "hours", it is proposed to strike out "ten" and insert "twenty", so as to make the section read:

Sec. 25. (a) When the committee has reported, or has been discharged from further consideration of, a resolution with respect to a reorganization plan, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall

not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(b) Debate on the resolution shall be limited to not to exceed 20 hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. There was an amendment proposed by the junior Senator from Virginia [Mr. BYRD] which was pending when the Senate took up the committee amendments today. The amendment offered by the Senator from Virginia will be stated.

The CHIEF CLERK. On page 1, line 7, it is proposed to strike out "The President" and insert:

The Congress hereby declares that by reason of continued national deficits, beginning in 1931, it is imperative to reduce drastically Government expenditures and that such reduction may be accomplished in great measure by proceeding immediately under the provisions of this act. Accordingly, the President.

Mr. BYRD. Mr. President, I ask unanimous consent to modify my amendment by striking out the word "imperative" and substituting therefor the word "desirable."

The PRESIDENT pro tempore. The Senator has the right to modify his amendment.

Mr. BYRD. Then, I desire to strike out the word "drastically" and insert the word "substantially" in lieu thereof.

The PRESIDENT pro tempore. The amendment will be modified accordingly.

Mr. McNARY. Mr. President, may I inquire what was the last request of the Senator?

Mr. BYRD. To change the word "drastically" to "substantially." I also ask to modify the amendment by changing the word "great" to "some."

The PRESIDENT pro tempore. The amendment will be modified as requested by the Senator from Virginia.

Mr. BYRD. Mr. President, the amendment, as modified, reads:

The Congress hereby declares that by reason of continued national deficits, beginning in 1931, it is desirable to reduce substantially Government expenditures and that such reduction may be accomplished in some measure by proceeding immediately under the provisions of this act. Accordingly, the President.

Mr. BYRNES. Mr. President, will the Senator from Virginia yield to me?

Mr. BYRD. I am glad to yield to the Senator from South Carolina.

Mr. BYRNES. I will say to the Senator that to his amendment as modified I have no objection.

Mr. BYRD. Mr. President, my purpose in offering this amendment is to obtain a clear declaration from the Congress that the expenditures of the National Government today are excessive and should be substantially reduced. The amendment, as modified, carries out that declaration. I ask for the immediate consideration of the amendment.

The PRESIDING OFFICER (Mr. MILLER in the chair). Let the clerk report the amendment as it now reads as modified.

The CHIEF CLERK. As modified the amendment now reads:

The Congress hereby declares that by reason of continued national deficits, beginning in 1931, it is desirable to reduce substantially Government expenditures and that such reduction may be accomplished in some measure by proceeding immediately under the provisions of this act. Accordingly, the President.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia, as modified.

Mr. BARKLEY. Mr. President, I wish to say just a word. As offered originally the amendment of the Senator from Virginia carried with it the implication of a sort of self-condemnation on the part of Congress because none of these expenditures could have been possible without the action of

Congress. Notwithstanding the recommendations of any President, unless Congress appropriates the money the expenditures cannot be indulged in.

It seemed to me also that as originally offered the Senator's amendment carried with it a compulsory connotation that might not be possible of accomplishment. We all desire retrenchment in the expenditures of our Government. Of course, such retrenchment ought to be consistent with the efficiency of the Government. For that reason I agreed as a member of the committee to the amendment as modified by the Senator from Virginia. We all realize that it is desirable that expenses should be reduced, and while we may be too optimistic with respect to the amount of economy that can be brought about under any reorganization bill, I think we all hope that automatically very substantial economies will be effectuated. So I am glad to join with the Senator from South Carolina [Mr. BYRNES], the chairman of the committee which reported the bill, in accepting the amendment as modified by the Senator from Virginia, and I wish to express my appreciation to the Senator from Virginia for his willingness to modify the amendment.

Mr. BYRD. Mr. President, if the Senator from Kentucky is anxious to avoid the implication that the expenditures of the Government are excessive, then my modified amendment does not do that. In fact, it specifically states that "Congress hereby declares that by reason of the continued national deficits beginning in 1931 it is desirable substantially to reduce governmental expenditures," and to this extent is a condemnation of deficit spending as authorized by Congress. I want the Senate to understand that in supporting this amendment that the Members are voting to declare that the present expenditures of the Government are excessive and should be reduced.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McNARY. Does that complete the committee amendments?

The PRESIDING OFFICER. The pending amendment of the Senator from Virginia, as modified, has not as yet been acted upon. It is not a committee amendment.

Mr. McNARY. I appreciate that.

The PRESIDING OFFICER. The Chair is advised that the committee amendments have all been acted upon.

Mr. McNARY. That was the nature of my inquiry.

Mr. KING. Mr. President, with reference to the observations made by the Senator from Virginia [Mr. BYRD] and the Senator from Kentucky [Mr. BARKLEY], may I say that this bill, if it should be enacted into law, will not, in my opinion, work very great economies so long as the Congress yields to the importunities, as it has done for years and is now doing, of groups and organizations in all parts of the United States to take over functions of States and municipalities and to have the Federal Government exercise a sort of omnipotent power and assume the duties of a kind of benevolent despot to rule and control all the affairs of this Republic?

I am not blaming the executive department so much for expenditures; I blame the Congress. We close our ears to appeals for economy and rush to pass laws increasing expenditures for many purposes not within the power of the Federal Government. There are bills now pending before Congress for authorizations which, together with appropriations which will be made for the ordinary expenses of the Government for the next fiscal year, will reach \$14,000,000,000 or \$15,000,000,000. Before this session of Congress adjourns I have no doubt that there will have been appropriated at least \$10,000,000,000 and authorizations amounting to three or four or five billion dollars. The fault is with Congress. The Congress is failing, in my opinion, in its duty. It is too anxious to please the people, too anxious to make appropriations for every conceivable and for many inconceivable subjects. People are rushing to Congress for funds to aid in building houses and to assist in various private activities. Many citizens are losing their initiative and those fine qualities which were the basis of the progress and development of this great Republic.

So I agree with my friend, if I understood his statement, that we will be disappointed in the economies which this bill

will effectuate. The President may act as wisely and as economically and as patriotically as he desires, but we will not accomplish the objectives which we are declaring we seek when we lend ourselves to all kinds of wild and visionary schemes that demand appropriations from the Treasury aggregating, as I have said, \$14,000,000,000 for the next fiscal year.

Mr. BARKLEY. Mr. President, I wish to say a word in regard to what the Senator from Utah said a moment ago. I would be in favor of economy in the expenditures of the Federal Government even if there were no deficit. The only reason why there is a deficit is because the Congress has not raised the amount of revenue necessary to pay the expenses of our Government. But whether there were a deficit or not, I would always be in favor of reducing expenses insofar as they could be reduced consistently with the efficient operation of the Government. It may be that there have been times in the history of the country during the last 40 or 50 years when, even though the Budget was balanced and there was a surplus, the Congress could have reduced expenditures below what they were. So there is no difference between the Senator and myself as to the desirability of a reduction wherever it can be brought about without affecting the efficiency of the Government's operations.

Mr. KING. Just a word, Mr. President. If I understand my friend from Kentucky, there is an implication that we have neglected to impose taxes sufficient to bridge over the chasm which we have created by inordinate expenditures. It was only a few years ago when the revenue of the country was approximately from \$800,000,000 to \$1,000,000,000 a year. We have during the past 6 years under the present administration and during the last year or two of the preceding administration, by increasing taxes, augmented the revenues by between 500 and 600 percent. Taxes have become so heavy that individuals, corporations, and business generally have experienced a great depression and have failed to expand their activities and to increase the number of their employees in the various departments of activity in which they are engaged.

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

Mr. KING. I yield.

Mr. BARKLEY. I did not mean by my observation to criticize the Congress for not raising sufficient revenue so as to make unnecessary a deficit. I recognize that times come in the history of governments when they have to expend more than they raise in revenue, and that it would be unwise to make the burden of taxation sufficiently heavy to enable the Government at all times to meet with its revenues the expenses incurred.

Of course, in wartime we did that on the theory that the expenditures were protecting and preserving the liberties, the institutions, and traditions of our Government, which would be as valuable to future generations as they were to the generation that was alive at the time of the war. Even back before that, however, back in the nineties, it became necessary for the Government to borrow money on the theory that in the midst of a depression it was not wise to increase taxation sufficiently to enable the Government to meet its expenses, which at that time were almost insignificant in comparison to what they now are.

I am not in any sense criticizing Congress, because I think now and then there arise in all nations great crises, the solution of which is of benefit to future generations, when a part of the expense of the solution of the problem may be passed on. I am not one of those who would insist that Congress now ought to raise enough revenue to keep our expenses current and keep the Budget balanced, so long as we have an emergency the solution of which, if we can solve it, may be infinitely more valuable to those who are to come after us than to us who are alive today.

When I referred to the cause of a deficit being that the Congress had not raised enough money to pay what it had expended, I did not want the Senator to understand that as a criticism in any way of Congress for not doing so.

Mr. KING. I think I correctly understood the Senator. I am complaining of the persistent demands for the interven-

tion of the Government in matters outside of the jurisdiction of the Federal Government. There was a demand a short time ago—and it came, as I am advised, from various agencies in the executive departments—that we increase the bonded indebtedness to \$50,000,000,000, and I saw a statement from one of the most reputable of our newspaper correspondents—and they are all reputable, I may say—that we should go, or perhaps might go, to \$75,000,000,000 of public expenditures.

Demands for appropriations of such an amount are so fantastic as to receive the derision of all honest people; the figures of but \$50,000,000,000 are so excessive as to demand opposition.

A few years ago, if anyone had suggested that the Federal Government would increase its taxes five or six hundred percent and, notwithstanding that enormous increase, would increase its expenditures from 1,000 to 1,200 percent, and would increase its national debt to forty or forty-four billion dollars, such a person would have been regarded as an enemy not only of economy but of democratic government, because these enormous expenditures, if continued, can result only in inflation, and inflation imperils, if it does not destroy, democratic government.

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

Mr. KING. I yield.

Mr. VANDENBERG. I should like to call the attention of the Senator to just two rather dramatic figures to sustain his point of view, and certainly to sustain the pending amendment.

The total cost of Federal, State, and local government in the United States in 1937 represented the equivalent of every penny of income enjoyed west of the Mississippi River; and the total cost of Federal Government represented the complete confiscation of every penny of personal income in excess of \$5,000 in the United States. We not only are in the position that the Senator describes, we not only are in need of the pious declaration contained in the pending amendment, but we are very definitely in need of doing something about it, instead of merely talking about it.

Mr. KING. Mr. President, I recall some of the figures mentioned by the Senator from Michigan, and he has not exaggerated the situation. The burden of taxation last year imposed by the Federal Government, the State governments, and the subdivisions of the States, amounted to approximately 25 percent of the gross income of all the people of the United States. The gross income was substantially \$60,000,000,000, and 25 percent of that was taken from the people for the purpose of meeting the expenses of our various governments.

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

Mr. KING. In just a moment. This year, in my opinion, the governmental appropriations will call for 30 percent of the gross income of all the people of the United States.

I now yield to the Senator from Virginia.

Mr. BYRD. The Senator has made the point I intended to make—that the actual expenditures of government now are 30 percent of the total earnings of the people of the United States.

Mr. BARKLEY. The Senator now is referring to all governments?

Mr. KING. Yes; I stated that I referred to the National Government, the State governments, and their political subdivisions. But the expenditures of the National Government—which will this year, in my opinion, be approximately \$11,000,000,000—are a large part of the gross income of the people of the United States.

I am merely protesting against the failure of Congress to do its duty. We respond to the demands of the executive departments, and every executive department is asking for increased appropriations. I have examined the hearings of every subcommittee of the House Committee on Appropriations, and the hearings of the various subcommittees of the Appropriations Committee of the Senate this year; and I am within the bounds of accuracy when I say that substantially all witnesses who testified asked for increased appropriations.

I do not recall that any Members of either branch of Congress appeared as witnesses to oppose appropriations. Most of the testimony was given by persons in the executive departments; and substantially all of them were appealing for increased authority in their respective departments and agencies, and for increased appropriations, and in many instances for increased salaries.

It is unfortunate that in the consideration of appropriation bills, representatives of economy are not selected to appear before the committees and oppose demands for increased appropriations. There used to be, in the ecclesiastical courts, a "devil's advocate." There should be, in our hearings upon appropriation bills, active and energetic persons to elicit the facts and to oppose all demands for inordinate and wholly unjustifiable appropriations.

We have today upon the Government pay rolls, including of course the C. C. C. and the W. P. A., more than 5,300,000 employees; and the compensation of that enormous army aggregates something like eight or ten billion dollars. We are going on blithely appropriating more and more, however; and an examination of the appropriations bills this year will indicate, I believe, that we are increasing the appropriations by from one to two billion dollars over the appropriations for the preceding year.

Mr. TYDINGS. Mr. President, I can see no real reason for a reorganization bill in the form of that which is pending before the Senate, even if the Wheeler amendment should be adopted thereto.

Under our form of government, the President may formulate a reorganization plan without any act of the legislature, and he may submit it to the Congress with a message showing its need and merit, and the Congress may either accept it in whole or in part or reject it. No law is needed to accomplish the submission of a reorganization plan to the Congress by the President. On the other hand, the Congress itself, after appropriate hearings, may initiate a plan to reorganize the Government, pass it through both Houses of Congress, and submit it to the President for his approval. If he approves it, it becomes the reorganization plan of our Government. If he disapproves it, he may veto it, and then the law fails unless enough Members of both Houses vote to pass it over his veto, in which case it becomes the law anyway.

This is a Government in which legislation is supposed to originate in one of the two Houses of Congress, and not with the Executive. It is the Executive's mission to suggest or recommend appropriate legislation which may be needed from time to time. There is need for reorganization of the Government; but I insist that there is no need or excuse for abandoning the time-honored and constitutional ways of carrying out the objective we have in mind.

Already, I believe, one of the great causes of unrest in this country has been the transference of legislative power to separate and independent agencies, which in effect is creating a fourth branch of our National Government, not that of legislation, not that of judicial or executive functions of the Government, but administrative legislation within supposed limits fixed by Congress in passing various acts. As I have observed the workings of these legislative administrative agencies, they not only fill the country with uncertainty, but they allow a single man not elected by the people, not a Member of either House of Congress, in effect to pass laws in the name of Congress. We find that situation in the case of the National Labor Relations Board, in the case of the Wage and Hour Act, and in the case of various other activities of the Federal Government.

I am not at this moment complaining against any of the purposes for which the National Labor Relations Board was set up, or against the Wage and Hour Act, or other similar legislation. I am complaining that instead of Congress performing its legislative duties, it is more and more and more transferring in bulk to the executive branch of the Government our power to legislate. In times of great emergency that plan must always, to some extent, be adopted.

In times of great stress, when the welfare of the Nation depends upon quick action, we must to some extent surrender temporarily some of our legislative functions, per-

haps, in the interest of saving the Nation. But does such a condition now exist, in the case of the reorganization bill, as when the banks were closed in 1933, and it became necessary to hand over wide power in order to produce an economic flow of such strength as the slow and deliberate legislative action could not provide? No; such a condition does not exist. Of course, the need for reorganization exists; but even if no reorganization shall be effected at all at this session of Congress, the Government and the Nation will still endure. There is no real emergency, in the sense in which I use that word, and the President should either formulate some tentative plan for the reorganization of the Government and submit it to the Congress for such action as we may see fit to take, or we should initiate it and pass a bill through the two Houses of Congress and submit it to the Executive for such action as he may see fit to take.

Here we have a legislative proposal which transfers to the President, to some extent, and by our approval, the right of Congress to legislate, and leaves us only the slim authority of approving or disapproving any plan the President may propose. If the plan submitted should meet 90 percent with our approval and 10 percent with our disapproval, we would have no opportunity to correct the 10 percent which we did not like. We would adopt the plan in order to get 90 percent of what we might desire, when by the regular legislative processes we could get 100 percent if we desired.

Mr. SHIPSTEAD. Mr. President—

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

Mr. SHIPSTEAD. I am sure the Senator is aware of the fact that we have for some time submitted to the practice of departments themselves writing bills.

Mr. TYDINGS. That is correct.

Mr. SHIPSTEAD. They come here and present them and ask Congress to pass them, and I have known of instances where they requested Congress not to restrict or to define what they have in mind too closely, but to leave wide discretion to the department in the administration and interpretation of what the law actually means.

Mr. TYDINGS. I do not wish to go afield, but let me support what the Senator has just stated by a concrete illustration.

Congress passed an act providing that on certain governmental contracts only concerns could bid which paid the minimum wage found to exist in the community by the Department of Labor. In my State the highest wage for common labor was paid by a concern employing 15,000 to 18,000 people, and it was 56½ cents per hour. But the Department found that the highest wage paid ordinary labor in Pittsburgh was 62 cents an hour. So the whole State of Maryland was blanketed into the Pittsburgh area, notwithstanding the fact that there was not one concern in the entire State of Maryland, I am advised, which paid more than 56½ cents an hour. In other words, the Department found that the prevailing wage for ordinary labor in Maryland was 62 cents an hour, when not one concern in Maryland paid over 56½ cents an hour for ordinary labor. That is an example of the application of the legislative authority vested in the Department of Labor by this very Congress itself. That shows the abuse of legislative authority. It shows how we are really legislating, not on the floor of Congress but in the departments.

Of course a reorganization bill is going to result in many conflicting points of view. Perhaps no two Senators will agree 100 percent as to how the whole Government should be reorganized; they will disagree even on the President's proposal, if we authorize him to take action, and he submits a plan to the Congress. But, incidentally, he needs no authorization. He can recommend a particular plan to us in a message to the Congress without this legislation being passed at all, and why should we give up our legislative authority in this left-handed manner to the executive branch of the Government, when we ourselves are sitting here and, I believe, are perfectly competent to write our own reorganization bill?

I am not casting the slightest reflection or intending to cast any reflection upon the good will of the Executive, upon his

desire to reorganize the Government in a proper and economical and efficient manner; I do not mean to make any such implication. What I am attempting to say is that if there is need for reorganization, Congress having created the agencies which are to be reorganized, or consolidated, or eliminated, then Congress should do its job; it should initiate the legislation here and pass it on to the Executive for his approval or disapproval.

Of course, the proposal of the able Senator from Montana [Mr. WHEELER] is better, in my judgment, than to have no legislative right to have a voice in the matter at all, and I think he is on sound ground when he says that the act of Congress will contravene its constitutional authority if we allow a reorganization plan to stand if only one House disapproves it, because under our Constitution legislation must receive the approval of both Houses of Congress, and I believe Attorney General Mitchell was on sound ground in so advising a former Congress.

Mr. BORAH. Mr. President—

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

Mr. TYDINGS. I yield.

Mr. BORAH. I desire to ask the Senator a question which I think relates to the point he is discussing. Suppose we should pass the pending bill as it is now before us, as offered by the able Senator from South Carolina, and suppose the President should send a plan to the next Congress, we will say.

Mr. TYDINGS. In pursuance of the proposed legislation.

Mr. BORAH. Yes; and suppose that Congress should say, "We do not propose to be bound by that legislation. We will proceed with this matter in the full powers of the Congress, and deal with it as we would deal with an ordinary bill which comes here." What would prevent them from doing so?

Mr. TYDINGS. Not a thing in the world. The next Congress could undo entirely what this Congress is doing in this or any other bill.

Mr. BORAH. It seems to me so.

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

Mr. TYDINGS. I yield.

Mr. BYRNES. I would agree that the Congress could change the rule; but unless Congress did change the rule, they would have to proceed in accordance with the rule laid down in the pending bill. If the Wheeler amendment should be adopted, the same situation would exist. If Congress could say, "We will pay no attention to the rule of the Wheeler amendment, which rule is that when the order of the President comes to the Congress it is not referred to a committee but is immediately made a special order for the consideration of the Senate or the House, and is not subject to amendment and must be voted on by the tenth day. That is the Wheeler amendment. That would have to be done unless the Congress said, "We have changed our mind," and should bring in a different rule, which, if a majority of the Congress adopted it, would be the law.

Mr. BORAH. I think I entirely agree with the Senator. What I was seeking to develop was the idea that it would be impossible for this Congress to lay down a rule as to legislation, as to how we should proceed, and so forth, which would bind the next Congress.

Mr. TYDINGS. The Senator is correct.

Mr. BYRNES. We cannot lay down a rule even to bind this Congress, if Congress wants to change its mind.

Mr. BORAH. I agree with that, too; and I am quite sure, from my observation in the past, that no plan will reach this Congress. It will take a much longer time than that to formulate a plan and send it here.

Mr. TYDINGS. How ludicrous it is for us as a legislative branch of the Government to say that one of the great problems before this Nation is the necessity of reorganizing and consolidating and taking other action in respect to the functions of the executive branch of the Government, in the interest of economy and efficiency, but that we do not intend to do a thing in the world about it except to pass a resolution inviting the President of the United States to legislate for us, and that whatever way he legislates will be satisfac-

tory to us if we do not act on the plan within 10 days after he submits it.

Under the amendment of the able Senator from Montana we could not amend the President's plan, we could not dot an "i," we could not cross a "t," we could not take out a line or a paragraph. We would have either to vote it up or vote it down. If we agreed that 75 percent of it was good and that 15 percent was questionable and that 10 percent was bad, we would be bound to vote either "yes" or "no." We would have no chance to eradicate an injustice or a bit of inefficiency which might creep into a plan proposed by the President. Whereas if we act here in this body, after full debate, in the light of full discussion, we can correct, if we think desirable, any phase of a plan in the interest of efficiency or economy, or justice to the persons who are working in the bureaus.

Why should Congress abdicate its functions? There is no great emergency. The German Army is not at Bladensburg. No cities are being bombed. The farmers will not get any more for their wheat whether we reorganize or do not reorganize. The unemployed will still be unemployed. There will be millions on relief. The banks will still be functioning. The railroads will not be any worse off than they are. The slums will still be present, and only a gradual program of rehabilitation will be operating. Where is the emergency, that we should take our legislative power and hand it over to the Executive, who is not the legislative branch of this Government, and say, "We do not care to legislate on this particular proposal"?

Although we are the legislative branch of the Government, Constitution or no Constitution, tradition or no tradition, orthodox way or unorthodox way, we are going to let you do it for us, and even though we do not like the plan which you formulate, we will have no right to turn it down, to correct it, if we agree that a considerable part of it is good.

If that is the way to run a great government such as ours, then I think we ought to abdicate entirely, and let the President have any neutrality act he wants; let him take care of the raising of taxes; let him appropriate what he wants for relief; let him have all the money he wants, and let him carry out all the plans he has for helping the farmer, and for carrying on all the other phases of government.

Mr. President, if there is need for reorganization, we should write the plan in Congress. Let it go through the normal processes of government up to the Executive, and have him approve it or disapprove it. If we feel there is no need for reorganization we should do nothing at all.

We ought not to abuse the various executive activities of the Federal Government on the floor of the Senate, and hold this branch and that branch up to ridicule and abuse, and then continue to allow more legislative authority to be transferred to the executive branch of the Government.

I want to reorganize the Government as much as does anyone else; I am going to vote for the Wheeler amendment rather than not have reorganization; but, unless the Congress takes the initiative in this matter, I am not going to vote for any plan to reorganize the Government, because the executive branch has no right to become the legislative branch of this Government.

What I am about to say has no particular reference to the present administration, and I hope that no one who listens to these few sentences will think I mean to make any reference to the present administration; but there is something to be gained from the lessons of history. I remember when Germany lived under the constitution of Weimar. Germany had as chancellor a very good man named Bruening. The Reichstag, or German Congress, could not function, so Mr. Bruening decided that he would issue a few decrees under his police powers, because of the emergency that existed. So for a short while Germany was governed by decrees issued by the Chancellor.

Then Mr. Hitler came to power, and Mr. Hitler felt that what Mr. Bruening could do he could do, and he has been doing it ever since, and we have seen the results of all the power being confined in the executive branch of the govern-

ment and its ramifications in what is taking place in Europe and elsewhere today.

Mr. President, ours is a democracy. Let us quit talking about democracy unless the legislative branch of our Government is going to pass the legislation. There is no use beating our breasts about democracy and in a time when there is no stress, when there is no real emergency, handing over unlimited power to the executive branch of the Government, which, under our Constitution, has no right to legislate in behalf of the Congress.

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

Mr. TYDINGS. I yield.

Mr. SHIPSTEAD. The Senator from Maryland is aware, although he did not mention it—and I think it ought to be mentioned—that the Reichstag of Germany granted Chancellor Bruening the legislative power and right to issue decrees.

Mr. TYDINGS. I thank the Senator for his contribution. Yes; just as we are doing here, the Reichstag in Germany did under Mr. Bruening. It gave him the right to issue temporary decrees in his name; but that is not the American system of Government.

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

Mr. TYDINGS. I will yield in just a moment.

Mr. HATCH. I was interested in the point just raised by the Senator. How did the Senator say that right arose in Germany?

Mr. TYDINGS. To what right does the Senator refer?

Mr. HATCH. The right of the chancellor to issue executive decrees.

Mr. TYDINGS. I understand the Reichstag adopted a resolution providing that during the time it was not in session the chancellor could issue such decrees as he deemed necessary to cover the period of the emergency.

Mr. HATCH. Was it not a constitutional right?

Mr. TYDINGS. No. The constitution of Weimar was a democratic constitution which lodged the legislative power in the Reichstag, or the German Congress.

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

Mr. TYDINGS. I yield.

Mr. SMITH. Under the present proposal we do not have to pass any law. We simply acquiesce and let the Executive run the business. That is the only difference.

Mr. TYDINGS. Mr. President, the radio these days is full of appeals for democracy, appeals against the totalitarian states, appeals against authoritarianism, appeals against dictatorships. What, in essence, is the difference between dictatorship and democracy? Countries under a dictator have tax laws; we have tax laws. They have railroad legislation; we have railroad legislation. They have relief programs; we have relief programs. They have rearmament programs; and so do we. In effect, the dictatorship countries do the same things that we do. They carry out governmental programs. What, then, is the essential difference between their program and our program? It is one of method; that is all.

Our method of carrying out those programs, our method of formulating those programs, our method of operating government is different from theirs. We have a representative government. The chosen representatives of the people form the legislative branch, and in that branch resides all the legislative power possessed by the Federal Government. The Executive cannot pass a law or a resolution, or formulate a policy, or spend a dollar, or do one thing that we do not empower him to do. That is all the difference there is between the two forms of government. Yet, while we are condemning the authoritarian states, we are bit by bit adopting their methods which we condemn.

We go on the air; we arouse the country to the danger, and then we pursue the exact methods that the authoritarian states pursue. Is that not true? Who will rise to say that that is not true? Who will take issue with my statement? While we are talking about preserving democracy, while we are appropriating billions of dollars to save democracy, we are shooting democracy to death right here on the floor of the United States Senate and perhaps, also, at the other end of the Capitol.

Where is the emergency? There is no foe at the gate. There exists no such emergency today as existed in 1933, 1934, and 1935. The worst days of the depression, happily, are behind us. The banks are still open. Why cannot we legislate on this important subject? Why must we turn it over to the executive branch? Are we incompetent? Are we unable to do so?

Oh, I know the argument. It is said, "You cannot write a plan to reorganize the Government to which the House and Senate will agree." Who said that? Who can produce any proof to support that point of view? That is a mere supposition. I believe the Congress can write a plan, and I believe if that were done and the plan were presented to both Houses of Congress it could be adopted and would go to the Chief Executive, who would perform his regular function of approving or disapproving the plan.

Have we not gone far enough in handing over power to the executive branch of the Government? Many powers had to be handed over, perhaps. There may be just argument to support what has been done; but why hand this power over? Where is the emergency? There is no emergency. If we hand this power over, if we pass the bill, we simply write on the statute books of our country that the legislative branch of the Government is incompetent to legislate.

Furthermore, while we are on the subject, let me say that I do not want too much neutrality legislation, either. I would rather see Congress stay in session all summer, if need be—that is what we were elected for—and all fall, and all winter, and deal with these questions as they come up. Good man though the Chief Executive may be, and though his intentions may be of the very best, and his acts may be in the interests of the whole people—I do not want to reflect on him—yet I do not want to give to the Chief Executive the power to declare war, because the Constitution says that the Congress shall have the sole power to declare war. Bit by bit we have been handing him the power, bit by bit we have surrendered one after the other all the legislative powers which we heretofore exercised—the two-billion-dollar equalization fund; the right to reorganize the Government; the right to spend billions of dollars in any way that the President approves; the right to spend billions of dollars under W. P. A., not as you think or I think, but as he thinks.

There may have been some justification for that in 1933, 1934, and 1935, but I submit that the time has come when we ought to say where the money is to be spent and what action the Government may take which will lead to the pathway of war. Likewise we ought to say what plan of reorganization is to be adopted, because that is what we are here for.

Congress goes home in the summertime. When a great emergency exists I would rather have Congress continue in session, or we could come here each Monday morning, after our routine work is done, and consider the international situation from day to day, from week to week, and know where we are going, than to write a blank check which might be all right and might not be all right, and might be contrary to the action we would have taken had we acted as a legislative body should act rather than to have delegated power to the executive branch.

So, Mr. President, although I realize that the Senator from South Carolina has worked hard and long, and has done excellent and constructive work in trying to reconcile warring opinion, I rise merely to say that in my judgment, even though we may have made some headway, the question of passing legislation that we may not want, or somebody else may not want, has nothing to do with the issue. We must do our job; and I hope no Senator, either Democrat or Republican, will again rise on this floor and talk about bureaucracy or the inefficiency of an executive bureau, or dictatorship, or the loss of democracy all over the world, and then, when his name is called, vote for a bill which takes the legislative power away from us and hands it over, lock, stock, and barrel, to the Executive, with the excuse that we have saved our face because 10 days after the plan is submitted, although we cannot amend it or

change it, we can take it or leave it. In other words, we may be voting for a plan of reorganization to which a majority of the Senate is opposed.

Mr. MALONEY. Mr. President, I had not intended to make any remarks during the course of the discussion on the bill. I am sorry that I must so soon set aside the expressed hope of the distinguished Senator from Maryland that no Senator would again rise on the floor of the Senate and talk about the abuses of bureaucracy.

Mr. President, I was among those who resisted the reorganization bill last year. I was bitterly opposed to it because it seemed to me that it was a delegation of power without an easy recapture. However, it seems to me that the objections to the bill of last year have been overcome, and that those who led the fight last year have won the fight. So, because I am hateful of bureaucracy—because I detest its growing power and unfair influence—I propose to help bring about reorganization of the Government.

It is true that no real emergency, as such, exists. As I see it, there can be no emergency in the matter of reorganization. There comes before that the final catastrophe. For 150 years bureaucracy has grown; and, much as I dislike to be the one to admit it on the floor, Mr. President, Congress finds itself unable to cope successfully with the matter of reorganization. This is because of the wide difference of opinion here, because of the wide difference of interests over the land, because of sectionalism, or because one Senator or another has a favorite bureau, institution, commission, or organization.

Mr. President, I have concluded that the only way reorganization can come is by delegating the power to the Chief Executive, and at the same time retaining, as best we can, the influence and the power of Congress.

Earlier in the day some thought that a suggestion was made—and I think it was misinterpreted—that failure to vote for the bill would be evidence of a mistrust of the President of the United States. I am sorry there was such an implication. I have stated before that I thought President Roosevelt was the greatest leader of our generation. I have said that I thought he saved this Republic. I have said that I believed he would burn at the stake for his opinion. I do not take any of that back. I continue to insist that I was right. However, I reserve the right to resist any legislation without having it implied that I mistrust the President of the United States. I believe our solemn and sacred duty as Members of the Senate is to abide completely by our own convictions.

I agree with the thought and purpose within the Wheeler amendment. I propose to vote for the Wheeler amendment, and, if the opportunity is afforded, to vote for what appear to me to be other corrections and perfections in the bill. Because bureaucracy is a despicable thing, because there is a need for moving toward economy in government, and because I am firmly convinced that it is a subject so big and so unwieldy that Congress alone will not meet the situation, I propose to vote for the best reorganization bill we can devise.

Mr. CAPPER. Mr. President, I desire to speak briefly in support of the amendment offered by the Senator from Virginia [Mr. BYRD] to the pending executive reorganization bill.

This amendment would formally declare that the purpose of the bill is to effect reorganizations in the interest of reductions in governmental costs.

I say that this amendment should be adopted, by all means. I can see no logical reason for opposing it, unless the proposed reorganization is to be merely a shifting around and reshuffling of executive agencies, without any gain to the taxpayers.

Mr. President, I was discouraged, and I believe the majority of people in the country were discouraged, 2 years ago when President Roosevelt declared that the Federal Government could not function efficiently on less than \$7,000,000,000 a year.

Today we are running on a basis of practically \$10,000,000,000 a year; and the President informs us that any decided retrenchment in Government expenditures will se-

riously impede recovery. That statement is extremely discouraging.

It is proposed in the bill to give very broad powers to the Chief Executive in reorganizing departments. These broad powers could be used by the President to simplify the administration of the executive departments, and also materially to reduce the cost of administration. However, these same broad powers, if not restrained in some way, could also be used greatly to increase the functions of government, and greatly to increase the cost of administration.

Frankly, in the light of the experience of the past 6 years in increasing Government bureaus, boards, commissions, and other spending agencies—many of these increases and expansions having been accomplished by Executive orders without specific approval of Congress, I can see much prospect of increasing bureaucracy and increasing expenditures under this measure, unless it is properly safeguarded.

One safeguard would be to adopt the amendment offered by the Senator from Virginia [Mr. BYRD] and to set out plainly in the act itself a direction to the President to effect the reorganization in the interest of economy, with the express object of reducing Government expenditures.

There should be one more safeguard, if the proposed powers are to be given to the President at all. That safeguard should be the retained power of the Congress to pass on whatever reorganization plan is worked out by the President and his advisers.

This second safeguard—and I consider it a more effectual one than merely the direction to the President to use the proposed powers to effect governmental economies—is provided in the amendment offered by the Senator from Montana [Mr. WHEELER], which would require affirmative action by Congress before the proposed executive reorganization program could become effective.

Mr. President, I admit that any effective plan of executive reorganization probably will have to be initiated by the Executive, rather than by Congress. However, I also contend that in the last analysis Congress should have and should retain and zealously guard the power finally to pass on any proposed reorganization.

The Nation has had several unfortunate experiences through the tendency of Congress in the past few years to delegate too much power, and especially too much legislative power, to the Chief Executive.

I give the present Chief Executive entire credit for sincerity of purpose and a real desire to serve the best interests of the Nation.

In its present form the bill gives him too much power to be entrusted to one man, no matter who the President may be.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia [Mr. BYRD], as modified.

The amendment, as modified, was agreed to.

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

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

The LEGISLATIVE CLERK. On page 3, line 22, after the words "Railroad Retirement Board", it is proposed to insert the words "Federal Home Loan Bank Board, Federal Savings and Loan Insurance Corporation."

Mr. TAFT. Mr. President, among the exempted agencies which the committee included in the bill are the Federal Deposit Insurance Corporation and the Board of Governors of the Federal Reserve System. My amendment proposes to include also the Federal Home Loan Bank Board, which performs approximately the same functions for the building and loan associations that the Federal Reserve Board performs for the banks, and the Federal Savings and Loan Insurance Corporation, which insures building and loan deposits in the same manner that the Federal Deposit Insurance Corporation insures bank deposits.

I do not know the reasons which led the committee to include the Federal Deposit Insurance Corporation and the Board of Governors of the Federal Reserve System. They had not been included by the House. Whatever the reasons

are, it seems to me they must apply equally to the organizations which perform the same functions for the building and loan associations.

Mr. GLASS. Mr. President, the Senator knows, does he not, that the Federal Reserve System does not cost the Government a penny? The salaries of the Board itself are paid out of assessments on the banks. The Federal Reserve System is purely a private institution, except for the supervisory power of the Federal Reserve Board. The System does not cost the Government a penny. Neither does the Federal Deposit Insurance Corporation cost the Government a penny.

Mr. TAFT. In the first place, the Savings and Loan Insurance Corporation does not cost the Government a penny, either. I am not sure about the Federal Home Loan Board. But if we think the cost ought to be imposed on the building and loan associations Congress is perfectly at liberty to do so. I do not see that there is any distinction as to the function performed, which is the only question we are considering in this particular amendment. The Federal Home Loan Bank Board supervises about nine banks which then finance building and loan associations. Those building and loan associations are today financing about 40 percent of the new-home construction in the United States. They represent an important function in the general program. Of course for years there has been a hostility between the banks and the building and loan associations. They are jealous of each other. In every State of which I know the distinction is recognized. They are under different supervisory powers. So there is every reason for preventing a reorganization which would put building and loan associations under the banks, which is what they fear under a reorganization of the kind proposed, when the banks are excepted and the organizations referred to are not excepted.

It seems to me, in fact, the organizations referred to in my amendment perform a limited function. They supervise only building and loan associations. I myself see much more reason to include the Federal Reserve Board and the Deposit Insurance Corporation under the reorganization, because in the case of those organizations there is a great duplication of power. There are three different bodies supervising banks. There is much less objection, it seems to me, to exempting from this bill the operation of this concern which is limited to a particular group of institutions, administering a policy about which there is no question, administering a policy which, so far as I can see, could not possibly be administered any more cheaply or any better if it were put under some other department. Consequently, the very reasons that lead to the exemption of the list of institutions now appearing in the bill applies with redoubled force to the building and loan associations organization.

Mr. BYRNES. Mr. President, the Federal Reserve bank stock is owned by the member banks; the expenses of the Federal Reserve bank are paid by assessments upon the banks; and its funds never go into the general fund of the Treasury. There is a difference between the Federal Reserve Board and the Federal Home Loan Bank Board.

Under the reorganization bill passed in March 1933, the President ordered a reorganization of farm-credit institutions, and a splendid service was rendered. We had then, just as we have now, Federal land banks, cooperative banks, and the seed-loan organization. They were merged and were put under a governor who has charge of the Farm Credit Administration. A great service was rendered, in my opinion, in bringing together those agencies affecting loans upon farms.

I do not think the organization referred to by the Senator from Ohio should be exempted. The Government now has the Federal Home Loan Bank Board, the Federal Savings and Loan Association, the United States Housing Authority, and the Federal Housing Administration. Members of the Senate who are now opposed to or who have been opposed to the pending bill, such as the Senator from Oregon [Mr. McNARY], the Senator from Delaware [Mr. TOWNSEND], the Senator

from Wyoming [Mr. O'MAHONEY], and others, members of the committee presided over by the distinguished Senator from Virginia [Mr. BYRD], made an investigation, and, so far as my knowledge goes, the one bill that was introduced as a result of that investigation proposed "to establish the Federal Home Credit Administration, to coordinate the housing activities of the United States, and for other purposes."

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BYRNES. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. Is it not true that the various housing activities and housing authorities and housing commissions created by law are outside, perhaps, of accounting matters, the outstanding examples at the present time of institutions in connection with which great savings might be made under the United States Government by the simplification and consolidation of activities?

Mr. BYRNES. I know nothing about the views of the Executive, but certainly if I had the task of bringing about a reorganization I would have in mind the suggestion of the Senator from Missouri. Today the people in this country say, "You have a United States Housing Authority, a Federal Housing Administration, the Federal Loan and Insurance Corporation referred to by the Senator from Ohio." If there ever was an instance of reorganization being desirable and practicable this appears to me to be such an instance. We talk about Congress doing it, but let me say there was a bill introduced by the Senator from Virginia, with the backing of the committee of which the Senator from Oregon [Mr. McNARY] and the Senator from Delaware were members. That bill was introduced on May 6, 1937, and here we are in March 1939, and no action has been taken. I will read what the Senator from Virginia said about it. I am sorry that Senator is not on the floor, because I know he would agree with me. The Senator from Virginia said:

I have introduced a bill, though I have not been able to secure any consideration of it—

The Senator from Maryland [Mr. TYDINGS] is not present. I wanted to read this for his benefit, because it could have been said 25 years ago and it will be said 25 years from now. The Senator from Virginia, as earnestly advocating a reorganization of the Government as I have done throughout my service in Congress, pleading in the Senate, said:

I have introduced a bill, though I have not been able to secure any consideration of it, providing for the consolidation of the Home Owners' Loan Corporation and the Federal Housing Administration, and I am advised by experts that the enactment of that bill alone would save—

To the taxpayers—

\$25,000,000.

What is going on? The Banking and Currency Committee of the Senate has pending before it a bill with reference to the Federal Housing Administration. Who is opposing it? The Home Owners' Loan Corporation. The subcommittee of the Banking and Currency Committee has been sitting day after day. Why? Because that bill might take some little power away from the Home Owners' Loan Corporation. Therefore, the Banking and Currency Committee has held hearings day after day on a subject involving two housing activities, two lending agencies, each fighting for power; and when it comes to a bill which does not even mention institutions referred to by the Senator from Ohio, there is not a Senator on the floor who has not received telegrams from home. These have been sent out—prepaid telegrams—so somebody is paying for them—begging the Senate to vote for the amendment offered by the Senator from Ohio. Why? Because, perchance, somebody in the administration at some time might propose a reorganization plan. If any reorganization plan is proposed, I hope this is one place it will reach.

If, as the Senator from Virginia says, in the opinion of experts, by the merger of only two institutions \$25,000,000 could be saved, I want to know whether the Senate, at the

behest of building and loan associations that are acting merely at the suggestion of a telegram sent by their lobbyist here in the city of Washington, will adopt this amendment and thus prove to my good friend from Maryland that the Senate is incompetent.

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

Mr. BYRNES. I yield.

Mr. BARKLEY. The Federal Home Loan Bank Corporation was created in the beginning, very largely, to bale out the building and loan associations, put them on their feet, and enable them to function again. If the amendment which is now pending should be agreed to, the President, if he saw fit, might combine the Home Owners' Loan Corporation and the Federal Housing Administration and the United States Housing Authority which is now a bureau in the Department of the Interior, and all other housing activities, but he could not touch the Federal Home Loan Bank Board, which is set up for the aid of building and loan associations.

Mr. BYRNES. It is not intended by the man who holds the job that it shall be touched. I know what has been done during the last week. The question is whether this agency has the power that is behind other agencies so that when they say it cannot be touched it shall not be touched.

Mr. TAFT. Mr. President—

Mr. BYRNES. I will yield to the Senator in a moment. In the case of the Federal Insurance Loan Corporation there is no privately owned stock. There are \$100,000,000 of Government capital and \$16,000,000 of surplus owned by the Government. To say that because telegrams are sent throughout the country by one man in the city of Washington we should not act upon a question such as this is to confess omnipotence, which I certainly am not going to admit at this time. I will wait until the vote is taken.

Mr. TAFT. Mr. President, will the Senator state on what principle the other agencies in this long list are exempted?

Mr. BYRNES. That has been stated several times. I stated it with the frankness that I generally employ. They are quasi-judicial organizations, with the exception of the Veterans' Administration, and they are exempted because the Senator from Ohio would have voted to exempt them.

Mr. TAFT. Which one?

Mr. BYRNES. The Veterans' Administration. Will the Senator say he would not vote to exempt that organization? The Railroad Retirement Board is also exempted because the Senator would have voted to exempt it.

Mr. TAFT. Is not the reason that these organizations perform particular functions which Congress does not want to have interfered with?

Mr. BYRNES. They perform particular functions, and certainly Congress is not going to interfere with them; a majority would not do so. The Senator from South Carolina would vote against any exemption, but the Senator from Ohio would not. Another one is the Engineering Corps of the Army. The three organizations referred to have been exempted because not only the Senator from Ohio but Senators from practically all the other States would vote to exempt them, and, rather than spend 3 or 4 days discussing the question, as I told the Senator from Nebraska, the committee last year exempted them and the House exempted them. I do not have to ask why the House did it. The House did it for the reason I have indicated.

It is all right for us to stand here and say, "Look back through the political history of the country, and we must agree that parliamentary government is at stake; and, parliamentary government now being at stake, we cannot say that we cannot act."

Well, what are you going to say? Did you act? For 25 years every Republican President has been demanding action. Did you act? No. When this bill came up in the House of Representatives, every Republican when his name was called voted against it, with the exception of six or seven. Did the Republicans act this time? They did not, because the bill was submitted during a Democratic administration. The same thing happened when Mr. Hoover submitted the proposal during a Republican administration.

The Senator from Maryland [Mr. TYDINGS] says we must not admit that we are incompetent to act. I say when the proposal was submitted then, it was defeated. What happened during the Harding administration? A joint committee was created. The Senator from Mississippi [Mr. HARRISON], the then Senator from New York [Mr. WADSWORTH], and a number of Members still in the House or Senate sat for nearly a year and submitted a detailed plan of organization which Members today say ought to be submitted to the Congress. What happened? When it was submitted various amendments were offered, just as the distinguished Senator from Ohio [Mr. TAFT] now offers this amendment, and in a few minutes another amendment will be offered for civil aeronautics, and in a few minutes thereafter another one, and today we have had the amendment about the Employees' Compensation Commission. The Senators who offered the amendments and voted to exempt various governmental agencies in the Harding administration looked at the plan of reorganization and said, "No, no; not us. Not one vote for it. We are for reorganization, but we are not going to do this, because it touches the department in which we are interested."

Senators tell me today, "You know old So-and-so?" "Yes." "He is a fine old fellow, and he has just been to see me." I said, "Yes; he is a fine old fellow. He has been to see me, too." They say, "Have you looked into civil aeronautics?" "Yes." The telephone companies in South Carolina have made money in the last few days simply reporting on long-distance telephone calls. These calls were inspired by the aviation companies; and why? Because the men who hold the jobs here, knowing that it would be unwise for them to do it, get the representatives outside to do it; and from the Pacific to the Atlantic they are busy at this very minute.

Since I have been on the floor I have had Members tell me about efforts that have been made to get them to vote to exempt certain agencies. That is why we cannot legislate on the matter; and when we exempt them we get into the difficulty of having our friends at home, in the building and loan associations, ask us to exempt agencies. If it is done, we might as well exempt all the others.

I want to say just one more thing to Senators who believe, as does the Senator from Virginia [Mr. BYRD], who has devoted a great deal of time to this question, that one bill he reported from his committee, recommending the merger of these housing activities would save \$25,000,000. I want to know if we are going to deny to the President even the chance to consider saving \$25,000,000 by merging the various housing activities and agencies that are lending money, when the people of the United States at this time cannot even distinguish between them, because we have so many lending agencies.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BYRNES. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. If the Senator were President, and a measure were passed authorizing the President to get up a scheme of consolidating Government agencies, with the exemption of the various housing authorities which have been agreed upon on all sides as the classical illustration of a place where a saving could be made, would the Senator know where to begin on putting a program of economy into effect?

Mr. BYRNES. Mr. President, I should not know where to begin. I dare say the Members of the Senate themselves cannot distinguish between the activities of the United States Housing Authority and the Federal Housing Administration, and they are up here fighting each other to try to hold some power and to hold a little prestige. To exempt them is just an admission that the Congress cannot do anything toward reorganization.

Mr. TAFT. Mr. President, I have sufficient sympathy with the general purpose of the pending bill so that if the committee had not included the Board of Governors of the Federal Reserve System and the Federal Deposit Insurance Corporation, I should not have offered the pending amend-

ment. Nothing in what the Senator has said, however, seems to me to draw any distinction between the inclusion of those two agencies and the inclusion of the two agencies which I suggest, except that these two agencies are interested in financing and controlling a limited number of building and loan associations, whereas the other agencies control banks. I see nothing in the argument which would justify the inclusion of one without including the other.

I do not know how any money can be saved by abolishing this organization, or by consolidating it with another agency. It is an agency which simply finances a great many existing private organizations. It does not go out and build any houses. We are not going to affect in any way a Government housing program. The Government itself is not doing any financing. It is simply a group which is interested in protecting and building up the building and loan associations; and I may say to the Senator that this is no question of telegrams. This is no question of lobbyists. I have many organizations in my State. I have known the members of those organizations for years. They feel as strongly on this subject as anyone could feel, as strongly as the veterans feel on the subject of the Veterans' Administration. The Senator, in effect, says that because the veterans are strong we are afraid of them and we ought to exempt them, and because the building and loan associations are weak we ought not to exempt them.

Mr. GLASS. Mr. President, the Senator is hopeless if he cannot understand the difference between the Federal Reserve System and these other systems. It has been stated here that experts have given the opinion that \$25,000,000 can be saved by these consolidations. The Federal Reserve System, since its foundation 25 years ago, has cost the Government only \$50,000, and that was to set up the banks. Every single, solitary penny that is expended by the Federal Reserve System is exacted in fees from the banks, and the Government does not have to pay a dollar. The stock is privately owned. The Government does not own one dollar of the stock, but it does own stock in these other corporations.

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

The amendment was rejected.

Mr. WHEELER. Mr. President, I have already sent to the desk an amendment which I offer.

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

The LEGISLATIVE CLERK. On page 6, beginning with line 16, it is proposed to strike out all down to and including line 4 on page 7 and in lieu thereof to insert the following:

SEC. 5. The reorganization specified in the plan shall not become effective until after the enactment of a joint resolution specifically approving such plan. Any such joint resolution shall provide for the approval of such plan as a whole, without modifications, and shall contain no other provisions. If any such joint resolution providing for the approval of any such plan is introduced in either House, it shall at once become the special order therein and that House shall proceed to its consideration, without reference to a committee; and, not later than 1 hour after that House meets on the tenth calendar day (Sundays excepted) after the day on which such joint resolution was introduced, a vote shall be taken in that House on the question of the passage of a joint resolution approving such plan. If any such joint resolution is passed by one House, it shall be sent to the other House, and that House shall immediately proceed to its consideration, without reference to a committee. Not later than 1 hour after that House meets on the tenth calendar day (Sundays excepted) after it has received such joint resolution, a final vote shall be taken in that House on the question of the passage of such joint resolution. No notice or motion to reconsider the vote shall be in order.

On page 9, strike out all of part 2 down to and including line 2 on page 14.

Mr. WHEELER. Mr. President, this amendment of mine has been argued here, prior to the time of its offer, for so long and so vehemently by some Senators that I do not know that it is necessary for me even to take up much of the time of the Senate in discussing it. I do, however, wish

to call attention to some statements which have been made with reference to the amendment.

First of all, it has been said by my distinguished friend from South Carolina [Mr. BYRNES] that if this amendment should be adopted, we might just as well not have any legislation on the subject at all. As a matter of fact, I agree with much that the Senator from South Carolina has said with reference to reorganization. I know, just as well as he does, the difficulties of getting through legislation to reorganize a department, because several years ago—even before the Senator from South Carolina came to the Senate, I think—I introduced, during a Republican administration, a resolution for the purpose of making a study of certain reorganization plans which I felt would save the Government a considerable amount of money. But when we are talking about saving the money for the Government of the United States, let me say that we do not need any reorganization plan to save the Government a great deal of money in a number of the departments.

We can go to the Coal Commission and cut down a great number of employees who have been employed by that Commission, and we can save hundreds of thousands of dollars, without any reorganization bill. If we desire, we can go to the Civil Aeronautics Authority and save thousands upon thousands of dollars without any reorganization plan. We can go into the Federal Housing Authority and save thousands of dollars without any reorganization plan. We can go into every one of the departments, and, without any reorganization plan, without any legislation of any kind or character, if we really want to do the job, we can do it without any legislation of the kind now proposed.

I say this without attempting to reflect on the administration. Never in my memory has there been such extravagance and such waste as there has been in the new departments which have been set up in the Government under the emergency acts. I challenge anyone who has been in the Senate any length of time to stand on the floor of the Senate and deny that there has not been more waste and more extravagance under these new departments than there ever was in any department of the Government since he has been a Member of the Senate. Notwithstanding that fact, I wish to see a reorganization bill passed. The charge is always made against the reorganization bill that if it comes in there will be a filibuster; that it is not possible to get anything done because some Senator or some group of Senators can occupy the floor of the Senate and debate it and debate it until the proposed legislation is killed.

Under the amendment I have proposed I have suggested that when a proposed plan comes before us we will take it as it comes from the President of the United States; that we will agree to debate it not more than 10 days; that we will not permit it to go to a committee, to be held up in committee, but it will have to come on to the floor of the Senate immediately, and will have to be made a special order of business, and within 10 days voted upon by the House of Representatives and likewise by the Senate.

All I am attempting to do under my amendment is to reserve the right to the Senate and to the House of Representatives to indicate, after debating the proposal for 10 days, whether or not Congress desires to have the plan adopted. By the amendment we would agree to invoke cloture, for after the proposal was discussed for a limited time, the Senate would vote.

Let me read a statement that was made in the House of Representatives by the Honorable HATTON W. SUMNERS. I think everyone will agree that Mr. SUMNERS is unquestionably one of the ablest lawyers in the House of Representatives, not only one of the ablest lawyers but recognized by everyone as being one of the outstanding Members of the House. In speaking with reference to this matter he said:

Mr. Speaker, while the House has technically lost jurisdiction of the reorganization bill, that bill is still in process; and if the Members of the House should become convinced, as I am convinced, that some such amendment as that offered by me in the

House when the bill was under consideration here should be incorporated before the bill becomes law, that result would probably take place.

The House, by its own bill, has cut itself off from the opportunity itself to prevent the going into effect of a reorganization plan which it may believe to be contrary to the public interest. There can be no question about that.

To quote further:

There is a very definite similarity in relationship and in responsibility between the submission to the Houses of Congress by the President of proposed legislation and the submission by him of a proposed reorganization. Under the Constitution, if the President submits proposed legislation, either House of Congress is possessed of the power and charged with the duty to prevent its enactment if in its judgment the proposed legislation is contrary to the public interest.

Let me interrupt the reading of the statement long enough to say that the Senator from South Carolina has stated, in reference to this particular proposed legislation, that President Taft urged it, that some other Presidents urged a reorganization legislation. Then the Senator asked, "Did Congress act?" And he said: "Because Congress did not act upon these proposals made by a Republican President, and again by a Democratic President, and again by another Democratic President, the Congress of the United States has shown itself to be incompetent to pass legislation of this kind."

Mr. President, I challenge that statement. I say that that is not any indication whatsoever that the Senate or the House of Representatives is incompetent to legislate. President Taft undoubtedly sent proposed legislation to Congress which one branch of the Congress or the other said should not become a law, because in their judgment it was not in the public interest. President Wilson sent a proposal to the Congress which Democratic Senators and Democratic Representatives, as well as Republican Representatives and Senators, said should not become a law because it was not in the public interest. President Roosevelt has sent a legislative proposal here and Senators have rejected it, at least some of it, because they felt it was not in the public interest.

But because various Presidents of the United States have sent proposals for legislation to the Congress which a majority of the Congress has said was not in the public interest does that mean that Congress is incompetent to legislate and incompetent to do a particular job? Is the fact that some President of the United States has recommended a reorganization bill, or because several of them have done so, any reason for saying that we are incompetent to act, when a majority of the Congress has said the proposals were not in the public interest?

We hear men criticizing the Congress, denouncing the Senate, saying that we are incompetent to act, and that the Congress ought to be abolished. That is what is being said, that Congress ought to be abolished. When we stand before the American people and say that we are incompetent, they are going to quote the speeches we make. I am not one of the Members of the Senate who want to foul their own nest, particularly at this time.

Representative SUMNERS of Texas, in speaking of the constitutionality of the proposed legislation, proceeded to say:

That arrangement is much older than our own Constitution. It began with the beginning of the British Parliament. That arrangement in the long history of Anglo-Saxon government has helped to preserve stability in government.

This reorganization bill ignores the philosophy of that arrangement, and the House by its own legislation cuts itself off from the opportunity independently to prevent a reorganization from going into effect which in its judgment would be contrary to the public interest.

Just stop and think what the Senate would be doing. We are saying that we are to pass some legislation and turn it over to the executive branch of the Government, and when it comes back we will not be able to stop it even though 99 percent or 100 percent of us think it is contrary to the public interest.

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

Mr. WHEELER. I yield.

Mr. OVERTON. I do not know that I follow the Senator in that contention. It seems to me that the Congress would

not be surrendering its legislative power by the enactment of the pending bill. It would retain its power of legislation. If, under the proposed legislation, the President should send to the Congress a plan of reorganization, and if, as the Senator has pointed out, 99 percent of the Members of the Congress should be opposed to the plan—

Mr. WHEELER. Ninety-nine percent of the Senate.

Mr. OVERTON. Of the Senate? Then I beg the Senator's pardon. The point I am making is that the Congress does not surrender its power of legislation, because if a majority of the Congress should disapprove of any plan which the President may prepare and may send to the Congress, Congress would still have the affirmative power of enacting legislation which would completely do away with the proposed plan.

Mr. WHEELER. Then it would have to be done by a two-thirds vote.

Mr. OVERTON. No.

Mr. WHEELER. Oh, yes; because the President could veto the action of the Congress, and there would have to be a two-thirds vote to override his veto.

Mr. OVERTON. No; the Congress, by a majority vote of both Houses, could enact any legislation with reference to any particular plan, or could enact any legislation repealing the provisions of the pending bill, if it should be enacted into law, in whole or in part.

Mr. WHEELER. Oh, no.

Mr. OVERTON. The Congress of the United States cannot, and does not, by the provisions of the pending bill, surrender its legislative power. The only way in which the Congress of the United States can be deprived of its power of legislation is by a constitutional amendment and not by an act of one Congress as against what another Congress may do.

Mr. WHEELER. I agree that from the constitutional standpoint the Senator is correct. There is no power under the Constitution to do what is sought to be done in the proposed legislation. I agree with the Senator 100 percent in reference to that.

Mr. BARKLEY. Mr. President—

Mr. WHEELER. But I am saying that if what is being sought by the proposed legislation is constitutional, then we would deprive one branch or the other of Congress of the opportunity to keep from going into effect legislation upon which 100 percent of the Members of that body thought was contrary to the public interest.

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

Mr. WHEELER. I yield.

Mr. BARKLEY. I think the Senator misunderstood the Senator from Louisiana when he referred to the fact that the pending bill provided that the President might veto a resolution condemning a plan submitted by him to the Congress, and that it would take a two-thirds vote to override the veto. The bill provides for the adoption of a concurrent resolution, and concurrent resolutions never go to the President.

Mr. WHEELER. I understand.

Mr. BARKLEY. There would not be any question of veto.

Mr. WHEELER. The Senator and I were discussing an entirely different situation.

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

Mr. WHEELER. I yield.

Mr. BORAH. I quite agree with what the able Senator from Louisiana [Mr. OVERTON] has said, that, notwithstanding any legislation we may enact, the present Congress or a subsequent Congress may enact such legislation as it chooses, whether or not it conforms with the pending measure. But then what is to be gained by passing the proposed legislation? What are we to gain by it? The President, for instance, could send in a reorganization plan without our authority; it is not necessary for us to tell the President that he may send it in. There is nothing gained in that respect by passing the proposed legislation. Then, when the plan reaches Congress we may do with it what we please. So, what is gained by passing the proposed legislation?

Mr. WHEELER. I agree with what the Senator from Idaho has said. If the legislation is constitutional, then by its very terms the Senate is depriving itself of the power of preventing legislation going into effect when it itself says that in its judgment it is against public policy.

Mr. OVERTON. Mr. President, will the Senator yield further?

Mr. WHEELER. I yield.

Mr. OVERTON. I was simply taking issue with the Senator in what I understood to be the statement made by him that if we pass the bill we are surrendering and abandoning legislative authority.

Mr. WHEELER. We are if the bill is constitutional.

Mr. OVERTON. I understand we are simply giving the power to the President of the United States to initiate reorganization in the form of a plan, and that plan will go into effect unless it meets with the disapproval of both Houses.

Mr. WHEELER. Yes; but I am sure the Senator does not follow it through.

Mr. OVERTON. I think I understand the theory of the bill.

Mr. WHEELER. I made a suggestion to the Senator the other day. I said, suppose the plan is sent to Congress by the President of the United States, and the House of Representatives should approve the plan, but the Senate should disapprove the plan; it would still become law.

Mr. OVERTON. That is correct.

Mr. WHEELER. Consequently I say, without fear of contradiction, that we would be depriving either House of the Congress of the United States of its constitutional right affirmatively to pass upon legislation, if the bill now under consideration should pass.

Mr. OVERTON. To that extent I agree with the Senator.

Mr. WHEELER. Of course.

Mr. BARKLEY. The same thing might be said about any proposal for legislation. One House might adopt it unanimously, but if the other takes no action on it we have no law. Every law that is enacted to some extent interferes with the status quo. So if one were to use that argument against the right of Congress to veto a plan which the President had been authorized to submit, he might as well argue that although both Houses have not passed a measure, by reason of the fact that one of them passed it, it should be law.

Mr. WHEELER. Just the reverse of the situation is true.

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

Mr. WHEELER. I yield.

Mr. LOGAN. If I correctly follow the argument of the Senator from Montana, it seems to me his contention is that we delegate to the President the power to do certain things which we have no right to delegate to him, and if a Presidential order comes back to the Congress, and the Congress does not disapprove it, then it becomes a fixed order, without the approval of Congress, and if attacked in the courts perhaps would be held unconstitutional.

Mr. WHEELER. I think so.

Mr. LOGAN. While under the plan proposed by the Senator from Montana the President makes the reorganization, and then Congress affirmatively passes a resolution approving it after it has been done, thereby retaining its own legislative power, and exercises its own legislative power.

Mr. WHEELER. That is correct. The Senator has stated my exact position better than I myself could have stated it. I want to say that it is not my position alone, but every lawyer in this body with whom I have talked, who has examined the proposal, has come to the same conclusion with respect to it.

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

Mr. WHEELER. I yield.

Mr. TYDINGS. I think the Senator and all other Members of the Senate will agree that if no act were passed at all, and the President had at this time on his desk a complete plan for reorganizing the Government, he could submit it to the Senate and the House with the recommendation that we incorporate it into law. Is that not true?

Mr. WHEELER. That is true.

Mr. TYDINGS. In that event we could examine the plan and take it all or change it. In the event we pass the pending legislation, and the President submits a plan to both Houses, have we the right to change it?

Mr. WHEELER. No.

Mr. TYDINGS. If we should vote it down the whole gesture would be a complete nullity, would it not?

Mr. WHEELER. Yes.

Mr. TYDINGS. We would be right where we are today.

Mr. WHEELER. Yes.

Mr. TYDINGS. Then why, I ask, does not the President, who wants a reorganization, submit a plan to the Senate and the House, such as he thinks will be wise, with the recommendation that we incorporate it into law? Why is not that done, rather than to proceed in this indirect manner?

Mr. WHEELER. I agree with the Senator that that is what ought to be done, and I have said that I am willing to go along, because I want to see reorganization. Argument was made on the floor of the Senate when the previous reorganization bill was under consideration that the President could not accomplish any reorganization because Senators would filibuster against it, and debate it, so that the measure would not have a chance. So I said, "We will limit debate to 10 days." Then it was said, "But it may go to the committee, and the committee may hold it up." In reply I said, "We will provide that it shall not go to committee, and that it will be taken up in the Senate." I said, "We will agree that it will be voted upon without amendment. We will take it up and debate it for 10 days, and then Congress will either vote it up or vote it down." Of course, there are those who do not want to see Congress take affirmative action, and act to deprive one branch of the Congress of its legislative right, and even provide that if one branch acts favorably and the other does not the plan shall become the law. That would be quite the contrary, just the opposite from what the Senator from Kentucky said a moment ago.

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

Mr. WHEELER. I yield.

Mr. LOGAN. I recall that some years ago, soon after I came to the Senate, I made the statement that we create bureaus and that was the last control we had over them; that after that they controlled the Congress. If the President should send to the Congress a reorganization bill which should be placed before the Congress without any limitations at all, other than under such rules as we have, of course we would never get such a bill through Congress at all. But the simple amendment proposed by the Senator from Montana brings the legislation within the Constitution. In addition, he compels action within a reasonable time on any reorganization plan submitted by the President.

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

Mr. WHEELER. I yield.

Mr. MINTON. I understand the Senator views as unconstitutional the provision now in the bill, which provides that any reorganization measure shall be sent to Congress by the President, and unless Congress objects, it shall become law.

Mr. WHEELER. Yes; I think there is no doubt about it.

Mr. MINTON. Let me direct the Senator's attention to action of the Congress when, with respect to the rules of procedure in the highest court of the land, it passed legislation at a former session to permit the Court to formulate the rules which were to go into effect unless the Congress took adverse action before the adjournment of the last session. We provided that the Supreme Court should adopt those rules of court and submit them to the Congress and if the report of the Court should stay on our desks in Congress until the last session adjourned, and we took no action about the rules, they should become the law of the land, and they are the law of the land, because we took no action concerning them. I take it that the Supreme Court of the United States would not have been a party to a proceeding of that kind had they thought that the whole thing was a nullity.

Mr. WHEELER. I do not think that is a parallel case at all, in that it does not deal with substantive law. It simply deals with the rules of practice before the Court itself. That seems to me quite a different proposition from dealing with substantive law.

Mr. MINTON. It deals with the whole law of procedure.

Mr. WHEELER. Let us assume that the Senator is correct in that statement; is that any excuse whatever for taking away from the Congress of the United States the power to pass upon questions of public policy which perhaps vitally affect the people of the State of Indiana, or the people of Montana? I will repeat what I said before. The West is vitally interested in reclamation; it is vitally interested likewise in the Forest Service, because of the vast forests in the West. In the House of Representatives there are, relatively speaking, few Members from the West, because the Western States are sparsely settled. Legislation affecting that section, to do away with the Reclamation Bureau, might very easily be passed by the Congress of the United States, because I would say that a large part of the Eastern States are opposed to irrigation and reclamation.

Suppose, however, that the House approved a reorganization plan doing away with irrigation and reclamation, and it came over to the Senate of the United States, and because of the numerical strength of the West in the United States Senate we said, "We will not approve it." It would still be the law of the land, notwithstanding the fact that both branches of the Congress had not approved that particular legislation.

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

Mr. WHEELER. I yield.

Mr. TYDINGS. I think it is accurate to say that the Court, as a matter of its own inherent right, makes rules of court without any reference whatever to Congress. However, the President of the United States cannot reorganize the Government without action by Congress.

Mr. WHEELER. That is correct.

Mr. TYDINGS. I do not believe the analogy drawn by the Senator from Indiana [Mr. MINTON] is a correct one. The Court may act on its own initiative, but the President may not do so.

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

Mr. WHEELER. I yield.

Mr. MINTON. The Court may not make rules of court which have the force of law unless Congress says it may make them, or unless the Congress has failed to provide for rules and the necessity requires rules. The courts have no inherent power to make rules, except as a matter of necessity. Otherwise, they would be a legislative body.

Mr. WHEELER. The Congress of the United States has always delegated to the Interior Department and to other departments of the Government the right to enact rules and regulations for the government of the particular departments in carrying out legislation, the details of which we cannot attend to. That course has been held to be constitutional. For example, the Department of the Interior makes rules and regulations with reference to public lands in the carrying out of the public-land laws.

Mr. BYRNES. Mr. President—

Mr. WHEELER. I shall be glad to yield in just a moment.

So it is with every other department. We delegate to the departments the power to make rules and regulations. However, we do not delegate to the departments the power to change the substantive law of the United States of America in making those rules and regulations. When we delegate the power to make rules and regulations we do it with reference to a specific piece of legislation which we enacted. We do not grant general power to change the law or to abolish functions of office. We give no department the power to abolish the functions of office. I never heard of such an instance except the one to which the Senator called my attention the other day. If we did it in that instance, in my judgment, we did something that we should not have done, something that we had no right to do.

That instance is then cited as a reason why we should give the President of the United States the right to abolish

functions of office and to repeal any law upon the statute books.

Mr. BARKLEY, Mr. BYRNES, and Mr. McKELLAR addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Montana yield, and, if so, to whom?

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

Mr. BARKLEY. I should like to return to the analogy stated a moment ago by the Senator from Indiana [Mr. MINTON]. Undoubtedly the Supreme Court would have inherent authority to fix regulations of some sort with respect to the time counsel might occupy in argument, and various minor functions of that sort. However, the Supreme Court would have no authority, without the consent of Congress, to adopt a code of practice applicable not only to it but to all other Federal courts. The Congress authorized the courts practically to establish a code of practice in the Federal courts of the United States, with the provision that unless Congress should see fit to act otherwise by a certain date, or on the happening of a certain contingency, those rules and regulations should become substantive law. Otherwise, it was not necessary for Congress to authorize the Supreme Court to do what it could have done anyway.

Mr. McKELLAR. Mr. President—

Mr. WHEELER. I yield to the Senator from Tennessee.

Mr. McKELLAR. On that very point, let me read the provision of the Constitution which has something to say about this very subject. I quote from article III, section 2:

In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

In other words, the Constitution requires that such regulations be adopted by Congress before they can become the law.

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

Mr. WHEELER. I yield.

Mr. LOGAN. There is no similarity between the case referred to by the Senator from Tennessee [Mr. McKELLAR] and that referred to by the Senator from Kentucky [Mr. BARKLEY]. The Supreme Court enacted no law. It provided rules of procedure relating to the conduct of cases in the respective courts.

Mr. WHEELER. That is correct.

Mr. LOGAN. The Court did so pursuant to the powers vested in the Court by the Congress of the United States.

Mr. WHEELER. That is correct.

Mr. LOGAN. After the rules of practice had been prescribed, there was no change in the law. The rules were referred back to Congress, perhaps merely as a matter of courtesy. However, I think it goes without saying that the Supreme Court undid nothing which the Congress of the United States had done. The Congress of the United States has not attempted to prescribe any rules and regulations for the Supreme Court. The Supreme Court in its rules did not enlarge its jurisdiction or the jurisdiction of any other court.

Mr. WHEELER. Of course not.

Mr. LOGAN. It simply said, "A case shall be handled by this particular method or through this channel when it comes into any of the Federal courts."

Mr. WHEELER. I entirely agree with the Senator. Suppose the Congress of the United States had said to the Supreme Court of the United States, "We will give you the power to diminish the jurisdiction of the lower Federal courts," or "We will turn over to you the power to diminish your own jurisdiction, or to increase your own jurisdiction," I should say immediately that unquestionably we would have no authority under the Constitution to do anything of that kind. We say to the Court, "You may make rules and regulations pertaining to the practice in the Court." That is an entirely different thing. One situation deals with substantive law. The other deals with rules of practice before the courts, which is an entirely different thing.

Mr. BYRNES. Mr. President, will the Senator from Montana yield?

Mr. WHEELER. I yield.

Mr. BYRNES. I seldom interrupt. I am always willing to have the Senator interrupt me.

Mr. WHEELER. The Senator is welcome to interrupt.

Mr. BYRNES. Evidently Congress thought differently about it, because the Congress did not provide that it be advised as a matter of courtesy. I quote the law:

The Court may at any time unite the general rules prescribed by it for cases in equity with those in actions at law so as to secure one form of civil action and procedure for both: *Provided, however*, That in such union of rules the right of trial by jury as at common law and declared by the seventh amendment to the Constitution shall be preserved to the parties inviolate. Such united rules shall not take effect until they shall have been reported to Congress by the Attorney General at the beginning of a regular session thereof and until after the close of such session.

In order to preserve trial by jury, Congress thought it was necessary to provide that the merger of actions in equity and actions at law should be submitted to the Congress, and should not become effective until the end of a session, in order to give Congress the right to take action.

Mr. WHEELER. Will the Senator agree that the merger of common law and equity cases is not substantive law?

Mr. BYRNES. I agree to that statement.

Mr. WHEELER. The Senator will agree that that is not a matter of substantive law. It is a matter of practice.

Mr. BYRNES. I agree. What I say is that in the bill we provide that an order shall take effect at a certain time unless there is negative action. There has been considerable discussion of that provision. What I have stated is exactly what was done by the Congress. The rules became effective at the end of the session if Congress did not act in the meantime.

Mr. WHEELER. There is a vast difference between delegating to the Supreme Court, or to the head of one of the departments, the right to make rules of practice before that body, and changing the substantive law upon the statute books of the United States.

Mr. BYRNES. I agree; and I think there is an entire difference between Congress attempting to say what a court shall do, and Congress delegating to the head of the executive department the right to rearrange departments in the executive branch of the Government and submit an order to the Congress, that order not being effective if a majority of the House and Senate say it shall not become effective.

Mr. WHEELER. That is an entirely different thing.

Mr. LOGAN. Mr. President, will the Senator yield.

Mr. WHEELER. I yield.

Mr. LOGAN. I desire to make a further observation. In the law as read by the Senator from South Carolina [Mr. BYRNES], there is no suggestion that the Congress shall act in one way or the other. I said a moment ago, and I repeat, that the Court was given authority to do certain things, with the proviso that certain rights should not be denied. The rules were submitted to Congress as a matter of courtesy. The time at which the rules were to become effective was extended so that Congress could see whether anything had been done outside the authority conferred upon the Court by the act, and for no other purpose.

Mr. WHEELER. I thank the Senator very much.

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

Mr. WHEELER. I yield.

Mr. GEORGE. Let me make a suggestion to the Senator from Montana. As he and all other Senators will recall, the question of the revision of the rules was a matter of debate and controversy for a long time. It was discussed in the Senate. The Senator's former colleague, the distinguished Thomas J. Walsh, was then a Member of the Senate, and was very much interested in the matter. There was no delegation of power to the Justices to change substantive law. There was merely the power to prescribe the rules of practice and procedure in the courts. It was thought by some that the Court might go beyond the scope of its power, and might infringe somewhat upon substantive laws and rights; and so, out of an abundance of caution, the provision which the Senator from South Carolina [Mr. BYRNES] read was put into the act, that if in consolidating

the equity and common-law jurisdictions there was any attempt to circumscribe the right of trial by jury which obtained in common-law actions, the Congress itself should have the right to review and scrutinize the action.

As the distinguished Senator from Kentucky [Mr. BARKLEY] well points out, the rules and regulations prescribed by the Court were not to come back to Congress for any act of the Congress to give them validity. They were to come back to the Congress and remain with the Congress for a period of time merely because it was not contemplated that there should be any change whatever from the substantive law. In the meantime, if the Justices had gone beyond their powers during the period when their work was before the Congress for scrutiny and supervision, Congress, of course, was at liberty to take any action it wished to take. It was not the affirmative action or negative action of Congress that gave power to the rules. The law itself provided that the rules would not become effective until a certain event had taken place.

Mr. WHEELER. I thank the Senator very much for his statement.

Mr. MINTON. Of course, the Senator knows that for 150 years the Congress of the United States has been making what the Senator has referred to as "procedural law" for the Federal courts of this country?

Mr. WHEELER. The Senator is assuming a great deal.

Mr. MINTON. No; I do not think so. The Senator knows that the Congress of the United States has been making that kind of law. The Senator may make the distinction that lawyers make between procedural law and substantive law; and there is such a distinction, but nonetheless it is law.

The Supreme Court of the United States by promulgating a rule, which when applied and is applicable, becomes a law of the land, has taken over this function of Congress. It is done under an act of Congress which contains fewer safeguards, as the Senator from Georgia has just pointed out, than does the bill we are now considering, because under the bill any proposed plan must come back to the Congress, and, if it is to be set aside, there can be some action or check on the part of Congress, whereas the action of the Supreme Court under the legislation to which I have referred could come back to Congress, but there was not any requirement that Congress should take any action at all. So there was far more delegation of authority to the Supreme Court than there is to the President under this proposed act.

Mr. WHEELER. I cannot agree with the Senator's statement with reference to that matter at all. However, let us assume, for the sake of argument, that we delegated to the Supreme Court the power to make the rules of procedure. Then, if the Senator desires, let us assume that we perhaps should not have done that, although I think the Senator from Georgia [Mr. GEORGE] and the Senator from Kentucky [Mr. LOGAN], both of whom are very able and distinguished lawyers, both of whom have served as judges, agreed that we had a perfect right to do it.

Let us assume, however, we did not have any such right. What kind of an argument is it to say because we did it with reference to the Supreme Court of the United States that now the Congress ought to delegate its power—

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

Mr. WHEELER. If the Senator will let me finish the sentence then I will yield—to delegate its power to abolish the functions of offices to the executive branch of the Government, and give to Congress, not the perfect power of veto as some Senators have stated, for the bill does not do that, but rather merely provides that if one branch of the Congress approves a plan of reorganization then it becomes a law? It becomes a law if one branch of the Congress approves of it, although the other branch of the Congress disapproves it. Where is there any veto power in the Congress of the United States under those circumstances?

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

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from New York?

Mr. WHEELER. I yield.

Mr. WAGNER. I do not know that what I am about to say presents an exact analogy, although I think in the particular case the restriction which Congress has imposed upon itself is quite as effective as the restriction proposed by the pending measure. I refer to the Interstate Commerce Act.

Mr. WHEELER. Oh, no.

Mr. WAGNER. Let me make my point, and if I am mistaken the Senator will, of course, dispose of the argument. The making of freight rates is strictly a legislative function.

Mr. WHEELER. That is correct.

Mr. WAGNER. Both the Legislature and the Executive, when they prescribe rates, perform a legislative function.

Mr. WHEELER. That is correct.

Mr. WAGNER. But Congress decided long ago that that rate making was too intricate a problem for it to deal with in committee or upon the floor. So the Congress delegated the authority to make rates, a pure legislative function, to a commission.

Mr. WHEELER. That is correct.

Mr. WAGNER. And the Congress imposed upon itself the restriction that it would not change the finding of the Interstate Commerce Commission except by the concurrence of both Houses. After the Interstate Commerce Commission sets a rate and it is approved as having been made in the proper exercise of their functions within the standards prescribed, such act of the Commission is final, and the Congress itself has said so.

Mr. WHEELER. Of course.

Mr. WAGNER. May I follow that argument up?

Mr. WHEELER. Certainly.

Mr. WAGNER. And the Congress cannot amend the finding of the Commission unless both Houses determine by legislative vote that the Commission should have found some other rate.

Mr. WHEELER. That is correct.

Mr. WAGNER. So even though one House says, "We are going to stand by the Commission; the rates of the Commission are correct," if the other House says "no," the rates fixed by the Commission remain in force.

Mr. WHEELER. That is correct.

Mr. WAGNER. That is exactly what would happen under the pending bill.

Mr. WHEELER. I have repeatedly pointed out, at the last session and the present session, a distinction. Does not the Senator distinguish between the delegation of a power to a legislative arm of the Government—and that is what the Interstate Commerce Commission is—and the delegation of a power to the executive branch? There is that distinction. That is why a number of quasi-judicial bodies are exempted from the bill. If the Senator will follow the decisions of the Supreme Court, he will find that they distinguish between the delegation of power to an arm of the legislative branch of the Government and the delegation of power to the executive branch of the Government.

Mr. WAGNER. Mr. President—

Mr. WHEELER. Wait a moment. There is, it seems to me, a fundamental principle involved which is vastly important. In the one instance we are delegating power to a branch of our own, an agent of the Congress. Under the pending bill it is proposed to delegate it to the executive branch, to the President of the United States of America, whose duties are fixed by the Constitution, and it is proposed to delegate to him a right or power which belongs to the Congress of the United States. It is proposed to repose in the executive branch of the Government a power that belongs to the Congress. When the forefathers wrote the Constitution of the United States, why did they set up the legislative branch of the Government? They set it up because they wanted to have the legislative branch separate and distinct from the executive branch. There is no such distinction in Germany; there is no such distinction in Italy; there is no such distinction in Russia; and that is the system that is being advocated by some in the United States of America.

Mr. WAGNER. I may say to the Senator that we have done exactly that in the case of the Interstate Commerce

Commission. In the first place, what we were dealing with was rates which are much more substantive than the creation or transfer of departments, for the fixing of rates affects the welfare and interests of all the people of the United States. In that action the President also was included, for when he signed the bill delegating that power he was performing a legislative function.

Mr. WHEELER. No.

Mr. WAGNER. He was, because the legislation affected rates.

Mr. WHEELER. When the President signed his name he was performing an executive function; he was not performing a legislative function.

Mr. WAGNER. If the Senator will read the decisions, he will find that the making of rates is a legislative function.

Mr. WHEELER. Of course it is.

Mr. WAGNER. And to the extent the Executive participates in that function he is also performing a legislative function.

Mr. WHEELER. I beg the Senator's pardon. I challenge him to find me any decision of any court to that effect.

Mr. WAGNER. I think I can find it. But, irrespective of that, in the case of rates which, as I say, involve much more substantive matter than is involved in the bill now pending, the Congress has said that if either House favored the particular rates fixed, Congress could not change the action of the Interstate Commerce Commission.

Mr. WHEELER. That is correct.

Mr. WAGNER. That is exactly what we are doing in this instance. We are saying that if one House of Congress approves a reorganization plan, the plan shall become effective, while if both Houses disapprove the plan it is wiped out. That is exactly what is done under the Interstate Commerce Act and under the Tariff Commission Act.

Mr. WHEELER. I have tried to explain to the Senator that there is a distinction which the courts have repeatedly made.

Mr. WAGNER. I have tried to show the Senator that there is not any distinction, so I think we are not persuading one another.

Mr. WHEELER. Unfortunately for the Senator from New York, the Supreme Court and every other court in this land that has passed upon the question has pointed out the difference that I have pointed out to this body.

Mr. BARKLEY and Mr. ADAMS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Montana yield, and, if so, to whom?

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

Mr. BARKLEY. Waiving the question as to whether the President's signature to an act of Congress is a legislative or executive act, which may not have anything to do with the matter under consideration—

Mr. WAGNER. I did not say that; the Senator misunderstood me.

Mr. BARKLEY. I do not accuse the Senator of saying that; but the question of whether the signature of the Chief Executive to an act of Congress is a legislative act or an executive act may be open to debate. However, the Senator from Montana will not deny, I presume, that inasmuch as the power to regulate commerce set out in the Constitution includes rate making, which is a legislative act, and includes wages and hours on transportation systems, which is a legislative act, we have recognized the physical impossibility as well as the undesirability that Congress shall attempt to make rates, and therefore, we have set up an agency to perform that function. Now let us assume that the transfer of bureaus from one department to the other is a legislative act; then if we have the power to set up a commission to make rates for us because we cannot do it wisely, could we not set up a commission as the agent of Congress to transfer and consolidate and rearrange all departments; and, if we can set up an independent agency of Congress to do that, can we not make the President the agent of Congress to do it, just as we have made him the agent of Congress for the purpose of entering into trade agreements with other nations, which is a legislative matter, inasmuch as

Congress has the power to regulate commerce with foreign nations? We have set up or we could have set up an independent agency; but we made the President of the United States the agent of Congress to enter into these trade agreements between our country and others for the regulation of foreign commerce.

Mr. WHEELER. Yes; and how many Senators would vote for that again?

Mr. BARKLEY. I am not talking about the desirability of it; but I am one who would.

Mr. WHEELER. I am not.

Mr. BARKLEY. The Senator from Montana would not. We understand each other, then. I am talking, however, about the question of constitutionality, about the ability of Congress to set up an agency of its own to carry out a legislative function or a legislative mandate. My contention is that we may designate the President of the United States as the agent of Congress no less than we may set up an independent agency like the Interstate Commerce Commission, the Federal Trade Commission, or any of the other agencies that we have.

Mr. ADAMS. Mr. President, may I venture an interruption at this point?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Colorado?

Mr. WHEELER. I do.

Mr. ADAMS. The Congress of the United States did not give to the Interstate Commerce Commission unqualified power to make rates. The Congress laid down certain rules and standards, and those rates can be made only within those rules and standards.

Mr. WHEELER. That is correct.

Mr. WAGNER. I said the same thing.

Mr. GEORGE. Mr. President—

Mr. WHEELER. I yield to the Senator from Georgia.

Mr. GEORGE. I rose merely to make the observation made by the Senator from Colorado [Mr. ADAMS].

The power delegated to the Interstate Commerce Commission is not wholly legislative. The original jurisdiction to prohibit unjust rates is judicial. It is recognized as one of the judicial functions. The courts always had the power to say when a rate was discriminatory or when a rate was confiscatory, and in the protection of other and broader rights the power of the Interstate Commerce Commission rests in part upon the exercise of a judicial function; and, as the Senator from Colorado [Mr. ADAMS] has pointed out, the Interstate Commerce Commission and the Tariff Commission exercise no legislative power. They merely act as an agent of the legislative branch of the Government, under rules and regulations.

It will be recalled that when the Supreme Court finally sustained the validity of the so-called flexible provision of the Tariff Act in the Hampton case, it put its decision squarely on the ground that the Congress had not delegated legislative power to the Tariff Commission, but it had appointed the Tariff Commission its agent to exercise an administrative function under rules and regulations which theoretically at least were capable of precise and exact application. That is, of course, the state of our law.

There is no support for the contention that Congress may delegate legislative power. It may not do so. The single test of the validity of the act of the Congress, when that question is involved, is whether Congress has undertaken to delegate legislative power, or merely the power to apply a legislative formula that may at least theoretically be exactly applied.

As I read this bill—and I am asking now for information—no attempt is made to lay down rules and regulations under which the President shall proceed, beyond the general broad rule of effecting economies, and so forth, and, as I understand the bill, it does provide for the abolition of functions of government.

Mr. WHEELER. That is correct.

Mr. BARKLEY. Mr. President, may I ask the Senator from Georgia a question?

Mr. GEORGE. I shall be glad to answer it if I can.

Mr. WHEELER. I yield for that purpose.

Mr. BARKLEY. Under the power of the Constitution conferred upon Congress to regulate commerce among the States and with foreign countries, Congress, by legislative enactment, could legally have done everything that the Interstate Commerce Commission has done; could it not?

Mr. GEORGE. Oh, yes; beyond all doubt.

Mr. BARKLEY. Then, of course, it was a legislative matter. Then, to the extent to which Congress has surrendered the details of working out the final rules by which commerce shall be regulated, Congress necessarily has surrendered part of its legislative authority, assuming that it legally and constitutionally could have done so.

Mr. GEORGE. Oh, no; Congress has delegated none of its legislative power, and it is not within the power of Congress to delegate it.

Mr. BARKLEY. If Congress had done all the things that had been done under the Commission—

Mr. GEORGE. Presumably it could have.

Mr. BARKLEY. Would not that have been legislation, all of it?

Mr. GEORGE. Not at all.

Mr. BARKLEY. Why not?

Mr. GEORGE. The Commission acts as the administrative agent of the Congress in accomplishing the legislative will.

Mr. BARKLEY. Congress has jurisdiction to do everything it may authorize its agent to do.

Mr. GEORGE. Yes, certainly; and the Congress may authorize its agent to perform a ministerial or administrative act, but it may not give to its agent the power to legislate.

Mr. BARKLEY. Of course that draws a distinction as to whether fixing a rate on a railroad from Chicago to San Francisco is a mere ministerial act, or whether it is legislation, assuming that Congress legally and constitutionally could have fixed that rate in an act of its own.

Mr. GEORGE. Certainly Congress could have done it, because we do have the affirmative power under the power to regulate commerce. But what I said in the first instance was that much of the power to regulate rates is to control the making of the rates. The validity of an act of the Interstate Commerce Commission depends upon whether it has acted within the delegated power; whether it has applied the formula prescribed by the Congress under which it is authorized to act. If so, its act becomes valid. But it is a confused statement to say that Congress may delegate legislative power. It may not do so. It must prescribe the formula which its agent may apply to reach the legislative end or purpose.

Mr. BYRNES. Mr. President, will the Senator from Montana yield to me at that point?

Mr. WHEELER. Just a moment. I want to thank the Senator from Georgia, and say to him that he is entirely correct.

Mr. BYRNES. Will the Senator yield to me just at that point?

Mr. WHEELER. Let me finish my statement. The Senator from Georgia is entirely correct; and, if it will be recalled, the Supreme Court of the United States, in holding some of the New Deal laws unconstitutional, held them unconstitutional because there were not sufficient standards set up, and because of the fact that the Congress was attempting to delegate the power to legislate.

Mr. BYRNES. But the Senator from Montana will agree that the standards set forth in this bill are based on the identical standards of the 1932 act. The Supreme Court, in each of two cases in which the standards were attacked—the cases of *Isbrandtsen-Moller Co. v. United States* (14 Fed. Supp. 407) and *Swayne & Hoyt, Ltd., v. United States* (10 American Mar. cases 1790)—upheld the standard as sufficient. The theory of the House of Representatives, where this bill was drawn, was in accord with the statement of the Court as cited by the Senator from Georgia, based upon the Hampton case, which was cited with approval in the tobacco case, the decision being rendered in January of this year, in which the President was acting as the agent of the Congress, carrying out the declaration of the Congress

in accordance with the standards; and the standards had been previously upheld in the two cases to which I refer.

Mr. WHEELER. Let me say to the Senator that Attorney General Mitchell, in the case in which Congress enacted legislation during the Hoover administration, said that the restrictions imposed by the Congress were unconstitutional. If that legislation was unconstitutional, then certainly this is unconstitutional. That matter was called to my attention only today, and for that reason I have not yet read the Attorney General's decision; but the reason why we entered this argument was because of a revival of the Supreme Court issue. The reason the Supreme Court issue was injected was because some of those taking part in the debate wanted to show, perhaps, that some of us favored the Supreme Court, and we would not grant the same power to the President.

Mr. BYRNES. I do not say that.

Mr. WHEELER. No; I know the Senator from South Carolina would not say it, and he would not think it; and that is not the real reason. I have tried to explain to the Senate that this is not a question of not having confidence in the President of the United States. If that were the question, let me read the bill. Let me read the exemptions.

The Civil Service Commission is exempted. Why was it exempted? I suppose somebody would say it was exempted because those who were interested in the civil service did not trust the President of the United States!

The Coast Guard was exempted, I suppose, because some Senator or some Representative, or those who drafted this bill, and the Senator from South Carolina, did not trust the President of the United States!

The Engineer Corps of the United States Army was exempted, I suppose, because of the fact that the drafters of the bill in the House of Representatives did not trust the President of the United States.

The Mississippi River Commission was exempted because of the fact that the people living along the Mississippi River did not trust the President of the United States!

The Federal Communications Commission was exempted for the same reason!

The Federal Trade Commission, the General Accounting Office, the Interstate Commerce Commission, the National Labor Relations Board, the Securities and Exchange Commission, the Board of Tax Appeals, the United States Maritime Commission, the Veterans' Administration, the National Mediation Board, the National Railroad Adjustment Board, the Railroad Retirement Board, the Federal Deposit Insurance Corporation, and the Board of Governors of the Federal Reserve System were exempted for the same reason; and I assume that the reason why it was provided in the bill that there shall not be a change in the name of any executive department was because we did not trust the President of the United States; and the reason why the next provision (d) was inserted, forbidding the continuance of any executive agency beyond the period authorized by law for its existence, was for the same reason, that we did not trust the President of the United States!

There is not in the slightest degree any question of not trusting the President of the United States. If the bill were based upon that principle, if that were the reason, let me say to you that I would trust the President of the United States. It is not a question of that kind with me. I do not think the President will do all that ought to be done in the way of reorganization. I do not believe very much will be done, or can be done, under this bill; but I submit that what we ought to do is to give the President the power, and say to him, "Go ahead and reorganize any of these bureaus, any of these branches, any of these divisions that you want to see reorganized; send the bill down to the Congress of the United States, and then we will discuss it for only 10 days, and we agree that either the House or the Senate shall vote on the matter within 10 days." Take out all the exemptions. Those who put in the exemptions are the ones who should be accused of not trusting the President of the United States.

I am saying, let him approve it and send it to Congress, and let the Congress do its duty under the Constitution.

Mr. WAGNER. Mr. President, will the Senator permit me to make a statement, in view of what the Senator from Georgia said, so that I may not be misunderstood?

Mr. WHEELER. Yes.

Mr. WAGNER. The statement I made was that the fixing of rates is purely a legislative function. Of course, when that is delegated to a commission of some kind, the delegation must always prescribe standards, so that, strictly speaking, when the commission acts it acts in an administrative capacity. The result of their action is legislation. The court has no power to fix rates. The judicial function is to determine whether the rates are reasonable or not; and that is all the Court can do.

Mr. WHEELER. That is correct. I am glad to have the Senator explain it.

Mr. WAGNER. We meant the same thing.

Mr. WHEELER. Yes. There is no analogy between the Interstate Commerce Commission Act and this proposed legislation, because in the pending bill we say to the President, "You can abolish any function or office in any of the departments not exempted." We do not say that to the Interstate Commerce Commission, we do not say it to the Tariff Commission, and do not say it to any other body.

I wish to call attention again to the brief argument that was presented by Representative HATTON SUMNERS in the House of Representatives. He said:

There is a very definite similarity in relationship and in responsibility between the submission to the Houses of Congress by the President of proposed legislation and the submission by him of a proposed reorganization. Under the Constitution, if the President submits proposed legislation, either House of Congress is possessed of the power and charged with the duty to prevent its enactment if in its judgment the proposed legislation is contrary to the public interest. That arrangement is much older than our own Constitution. It began with the beginning of the British Parliament. That arrangement in the long history of Anglo-Saxon government has helped to preserve stability in government. This reorganization bill ignores the philosophy of that arrangement.

That is the point I am trying to impress upon the Members of the Senate, that the pending bill disregards the fundamental principles upon which this Government is based as a representative Government.

As I stated a while ago, I do not think the bill is so important; I do not think that the President will do too much under it. I want to see him do more than I expect he will be able to do under it. But I say that if a Republican President, and a conservative one at that, should be elected in 1940 as may very well happen, what would he do? He would say, "I want this power extended for 2 more years, or 3 more years, or 4 more years, because I want to carry out the reorganization of the departments which Mr. Roosevelt did not have power to do." What are you Democrats going to say? Are you going to say that you will not turn the power over to some conservative or reactionary Republican? You would not give it to him today. You would not give it to Harding; you would not give it to Hoover; you would not give it to Coolidge. Will you give it in 1940?

What are you going to do about it? You are going to say, "I will not do it because I do not like him, because he is a Republican, and I am not going to trust him because he may repeal all of the progressive legislation that was passed during the Roosevelt administration."

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

Mr. WHEELER. I yield.

Mr. PEPPER. I should like to ask the Senator from Montana of what does the legislative power consist? What is the exercise of the legislative function?

Mr. WHEELER. I do not quite understand the question.

Mr. PEPPER. I mean by that, when the legislative power of the Government is vested in the Congress, how does the Senator define the legislative power? The Constitution vests the judicial power in the Supreme Court and such inferior courts as the Congress shall from time to time establish.

Mr. WHEELER. That is correct.

Mr. PEPPER. We have a historical predicate upon which to form a definition of what constitutes the judicial power. What is the essence of the legislative power? Does it mean

that the Congress shall initiate and define every detail of legislation to which it gives approval, or does it mean the legislation shall not be effective until it is submitted to the approval of the people's chosen representatives, with the privilege of debating it?

Mr. WHEELER. I agree; but that is not being done in this instance. It means, under our system of government, that the Congress of the United States shall affirmatively, in both Houses, enact and approve legislation. That is the fundamental principle upon which our Government is founded, and that is the thing for which people have been fighting in the Anglo-Saxon countries for hundreds of years. Now it is proposed that we reverse that and give the power back.

Mr. PEPPER. What is the thing for which the people have been fighting for hundreds of years? What is the essential fundamental and quality of the legislative power? If the Congress of the United States has an executive proposal laid before it, and the Congress has untrammelled power of debate over that proposal, and the Congress votes in the regular way upon whether or not it will approve the proposal, can the Senator say that, so long as that power is exercised by the Congress, there has been any abdication of the legislative power?

Mr. WHEELER. Of course not; and that is not in the proposed legislation.

Mr. PEPPER. It is.

Mr. WHEELER. If the Senator makes that statement, then I cannot argue with him.

Mr. PEPPER. Let me see if I correctly understand the situation.

Mr. WHEELER. I am sure the Senator does not understand it, if he makes such a statement as he has just made.

Mr. PEPPER. I should be very glad to be enlightened, because I have one vote on the bill, which I should like to cast.

Mr. WHEELER. Let me show the Senator what would take place under the proposed legislation. The President submits his plan.

Mr. PEPPER. Yes.

Mr. WHEELER. I think perhaps the Senator was out of the Chamber when I explained it a moment ago. Let us take a concrete example. The people of my State are vitally interested in irrigation and reclamation; they are vitally interested in forestry, and they are vitally interested in mining. A great many of the people of the Eastern States, who have an overwhelming vote in the Congress, from New York and Pennsylvania and New England and New Jersey, all the great States in the East, are not at all interested in reclamation. If the Senator will read the RECORD he will find that speeches are repeatedly made by representatives from Pennsylvania and New York to the effect that we should not appropriate money for irrigation and reclamation, that the reclamation law should be repealed.

Let us assume, for the sake of argument, that we had a President who was unfriendly to irrigation and reclamation. Of course, President Roosevelt is very friendly; so I am not saying he would do such a thing; but let us assume we had a President in the White House who was unfriendly, and who would send an order to the Congress that had for its object the abolition of the Reclamation Bureau or providing for a curtailment of its powers, so that it would be of no importance. The bill would get to the House of Representatives, and they could debate it for 2 days and then take a vote on it. There would be no general discussion of it; it would be passed, and they would say, "We are in favor of the President's plan to abolish the Irrigation and Reclamation Bureau." The matter comes to the Senate, and we say that we want the Reclamation Bureau, and there are so many Members of the Senate from the West and Middle West who are in favor of it that there is an overwhelming majority against that order which destroys the Reclamation Bureau. But, notwithstanding the fact that the Senate may have voted overwhelmingly, perhaps 100 percent, against this reorganization order, it becomes the law of the land. Is that a parliamentary method

of procedure? Is that the Senator's conception of the things for which the people in the Anglo-Saxon countries and in the Scandinavian countries have been fighting for hundreds of years? Is that what they have sacrificed their blood for? Is that why they have gone out and fought for their ideologies?

Mr. PEPPER. The thing for which those people during all those generations have been fighting is an opportunity for the people to give or withhold their approval of proposed legislation and proposed governmental action. When the people's representatives express themselves and exercise that power, and when Congress refuses to reject a proposal, having the power to do so, it certainly has not been deprived of the right to exercise legislative power.

Mr. WHEELER. Congress does not have the power in this bill, as I have repeatedly stated. If both branches of the Congress were required to approve the order rather than one, I should say there was something to the argument.

Mr. PEPPER. To cite a typical case, if the Senator has an agent with whom he entrusts his business, and that agent is given authority to act, with the proviso that the agent's action shall not become effective until submitted to the principal and the principal has an opportunity for scrutiny of the action, and an opportunity to veto it, if he does not approve it, can it be said that the principal abdicates his authority? That is exactly what happens in this case.

Mr. WHEELER. Let us suppose it is a partnership, and there are two partners, and one approves and the other does not. What would the Senator say about the agent then?

Mr. PEPPER. I will answer the question.

Mr. WHEELER. Let me finish my question. Before legislation becomes effective under our Constitution, both branches must affirmatively approve it. It is not possible to legislate by negative vote under the Constitution of the United States.

Mr. PEPPER. Mr. President, there is nothing involved which has to do with the legislative power. The Senator may not approve of the particular method of exercising the power, but I ask the Senator, if the dictators of the world, before they could put into effect any of their executive fiat, had to submit them to a free legislative assembly, and offer the opportunity of free and untrammelled debate, and then they were permitted to put those things into effect if the assembly did not veto them or reject them or withhold approval from them, could the Senator say that the legislative function had been abdicated?

Mr. WHEELER. Of course, in the case of the dictatorships, in some countries there are things which call themselves parliaments, there are those they call members of parliament. Mr. Mussolini has what he calls a parliament; Mr. Hitler has one, and Mr. Stalin has one, and they call them "parliaments."

They submit matters to them, and the "parliaments" vote on them. But they vote as it is intended they should vote. I would suppose under the theory of the Senator he would say that they had parliamentary government.

Mr. PEPPER. The Senator perhaps would say that those were just pseudo-parliamentary acts.

Mr. WHEELER. We would have a pseudo policy under this theory of legislation.

Mr. PEPPER. Let us take the British Parliament, if the Senator wishes to choose that. If the Prime Minister embarks upon a legislative course, the Parliament has the privilege of stopping that procedure, or reviewing it, or criticizing and vetoing it, before it goes into effect. Can the Senator say that that ancient Parliament has ceased to be the citadel of parliamentary procedure?

Mr. WHEELER. In the United States it takes action by both branches of the Congress before a law becomes effective. The Senator wants a law to become effective after one branch of the Congress says it will not stand for it.

Mr. PEPPER. No; neither I nor the bill say that.

Mr. WHEELER. Then there is no use of arguing with the Senator.

Mr. PEPPER. Let me say to the Senator that I should like to present one point of view. The bill simply says that governmental reorganization is a very complicated matter; that it involves a great deal of detail; that it involves perhaps the

executive function of analysis and criticism and experimentation, and the like; and we are going to authorize an agent of ours to put into effect a reorganization plan which is perfectly within the scope of the legislative authority. We can delegate any legislative power of this sort that we care to. Then we delegate to what we regard as a competent agency this portion of our legislative power. Even if we stopped there, that would still be no violation of our legislative authority or abdication of our legislative power. But we go even further than that, and we say, "However, this delegation of power cannot be consummated and effectuated until the proposed exercise of it is laid before the Congress for examination, debate, and judgment."

It makes no difference how we exercise our authority to legislate. If we choose to have a viva voce vote instead of a vote by roll call, it is just as much an exercise of legislative power. The sentiment of this body every day is exercised by a negation, because the Presiding Officer sits in his chair and says, "Without objection, the bill is passed," and the Senate can pass any bill it chooses by negative action if the question is properly put by the Chair.

That is all we are doing in the present case. Can the Senator from Montana say that because the Vice President says, "Without objection, the bill is passed," it is not legally passed? It may be the most important piece of legislation to come before this body. Yet the Senator says that because we do not go through the more routine procedure we have abdicated the legislative power.

When the President sends down a proposal, and it is submitted from the Vice President's chair, and he says, "Without objection, the proposal goes into effect," is that an abdication of the legislative power?

Mr. WHEELER. Mr. President, I do not want to continue an argument when the Senator takes the position that in parliamentary government under our Constitution laws can be passed by negation. I just cannot follow that philosophy at all. It is absolutely contrary to every teaching I have ever heard or read of, and consequently, if that is the philosophy of the Senator from Florida I cannot agree with him.

Mr. PEPPER. Mr. President, the Senator has been a Member of the Senate for a long time. Since I have been on the floor of the Senate we have passed at least 500 laws by negation.

Mr. WHEELER. Not at all. We pass them by affirmative action, because any Senator can rise and object when the Vice President makes the statement as to unanimous consent. A measure is passed by unanimous consent.

Mr. PEPPER. But by negation.

Mr. WHEELER. No. How can a Senator say it is passed by negation simply because it is done by unanimous consent?

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

Mr. WHEELER. I yield.

Mr. ADAMS. It seems to me the argument that has been made is based entirely upon a false premise. There is one general clause in the Constitution of the United States. It happens to be in the first section.

Mr. WHEELER. Let me say to the Senator from Colorado that to some Senators the Constitution does not mean anything any more.

Mr. ADAMS. There are a few of us with obsolete opinions. Will the Senator indulge me a moment? The Constitution says:

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

The validity of a reorganization plan, so far as it comes back to Congress for action under a concurrent resolution, is not dependent on the exercise of legislative power. It is an enactment of law which becomes effective upon a condition. In other words, the fact that the two Houses concur in the matter does not make it legislation. It could just as validly have been provided that it would become effective when the three city Commissioners of the city of Washington approved it. That is, either we have given to the President authority to make a reorganization to become effective

upon a condition or it is not valid at all. And the Congress can fix any condition it pleases as to the going into effect of the law.

The same situation exists in connection with local option laws. A law is passed providing that when a certain thing takes place in the community then the law becomes effective there. We are not delegating legislative authority if we are merely delegating the authority to administer a law. That is all we can do. We cannot give to the President, we cannot give to anyone else, the authority to make laws. We can merely give him the authority to administer the law and put it into effect. The proposed reorganization law cannot be sustained upon any theory if in fact what the President does is in the nature of legislating. We could attach to the act, assuming it is valid, a condition upon which a plan would go into effect, but it would not be the action of either or both bodies of Congress.

Mr. WHEELER. I thank the Senator.

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

Mr. WHEELER. I yield.

Mr. SHIPSTEAD. I ask the question for my own information because it is one which rises in my mind. If legislative power is vested in Congress, we are in possession of that power under the Constitution. Can we delegate that power to any extent at all? If we can, can we then also say, "We delegate to the President all legislative power imposed in us by the Constitution? We will go home. Whatever action you take, whatever legislation you may see fit to make throughout the summer, shall be the law, provided we come back in the fall and either one of two Houses agrees." Does that question arise?

Mr. WHEELER. If the philosophy of the Senator from Florida is correct, then the Senator would be correct in assuming that what we could do would be to say to the President of the United States, or to any executive officer of the Government, to Mr. Ickes or to Miss Perkins, "We authorize you to appropriate for your department whatever money you need or whatever you want to spend." And we could say to the President of the United States, "You can appropriate whatever money you want to appropriate for W. P. A., or P. W. A., or anything else, and then we will come back, and you submit to the Congress of the United States a report as to what you have done, and if one House of Congress says that it is all right and the other says it is not, then your action becomes the law and the appropriation is sustained."

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

Mr. WHEELER. I yield.

Mr. BYRNES. I want to ask the Senator from Montana if he agrees with the Senator from Colorado that the Congress can authorize the President to sign an Executive order, and that we can say, "Your Executive order shall not be valid unless it receives the unanimous approval of the Republican Members of the United States Senate," or impose any other condition, as the Senator suggested just now. Does the Senator agree?

Mr. WHEELER. I do not agree with that.

Mr. BYRNES. That is what the Senator from Colorado said on the floor.

Mr. WHEELER. I did not hear what he said in respect to that.

Mr. BYRNES. The Senator stated that the Supreme Court said in January that we could say substantially that a law should not become effective unless the tobacco growers in a referendum agreed upon it. But, of course, the Senator from Colorado was only using an illustration when he made reference to unanimous approval by Members of the Senate.

Mr. WHEELER. Why argue about the theory of the question? Why argue as to whether we have a right to do it? I do not think we have. I have taken up a great deal of time. I think the American people want to see the legislative branch of the Government of the United States maintained; they want to see us maintain our authority and our power. I believe they are tired and weary of having us delegate our power to the executive branch of the Government. If Senators do not think that they are weary and tired, then let

them read the election returns of the last election. I think that is one of the best answers to the question.

Let me tell Senators that if they continue to delegate their power, and turn it over to the executive branch of the Government, when the next election comes around the boys who have delegated that power and said that they were incompetent to act will find that the voters will agree with them and leave them home; and, in my judgment, they probably should do so.

Mr. BYRNES. The Senator will agree that Congress in 1903 established a new department, and, with respect to certain matters, delegated and surrendered and abdicated and gave up its power, and told the President of the United States that under the act then passed he could transfer all statistical and scientific bureaus from any department of the Government to the Department of Commerce and Labor. The Senator knows that the people did not become excited about it. Years afterward President Coolidge exercised his privileges under that law. It is the law today. The people have not become excited about it or evinced any opposition to it. The Senate has not done a thing to repeal it, has it?

Mr. WHEELER. I did not know that it was on the statute books. The Senator did not know that it was on the statute books until he looked it up the other day.

Mr. BYRNES. The Senator is absolutely mistaken.

Mr. WHEELER. Then I withdraw the remark.

Mr. BYRNES. The Senator from South Carolina referred to the act of 1903 a year ago in the debates.

Mr. WHEELER. I think I remember it.

Mr. BYRNES. The Senator thinks he now remembers it. A moment ago he did not remember it, and was not even willing to admit that I might remember it.

Mr. WHEELER. What difference does it make?

Mr. BYRNES. It means only that the Congress then gave to the President the right to transfer bureaus and activities to the Departments of Commerce and Labor without even notifying the Congress by letter of his action. Today, because that law is still in existence, the President may transfer from any of the other departments any bureaus of a scientific or statistical nature. Neither the Senator from Montana nor the Senator from South Carolina would ever know of it. Yet when we talk about giving the President power to make a transfer, and to send his plan to the Congress, when we know that the plan does not become effective until we have an opportunity to act upon it, it is called an abdication, a surrender, and a forfeiture of all the rights of parliamentary government.

Mr. WHEELER. The Senator has told us that two or three times.

Mr. BYRNES. I thought the Senator did not know it.

Mr. WHEELER. The last part of what the Senator said he told me yesterday, and he told the Senate today.

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

Mr. WHEELER. Not for a speech. I am becoming weary, and I should like to conclude.

Mr. PEPPER. I assure the Senator that I shall not impose upon his generosity.

I desire to discover whether the Senator opposes the bill on the ground that what we propose to do is unconstitutional or on the ground that it is undesirable from a legislative point of view.

Mr. WHEELER. Both.

Mr. PEPPER. Does the Senator think the Supreme Court would hold that we had abdicated the legislative power if we should detach from the bill entirely our right of veto subsequent to the President's proposal?

Mr. WHEELER. I do not know that I quite understand the Senator's question.

Mr. PEPPER. If the bill should merely delegate to the President the authority to reorganize the executive branch of the Government without any exceptions, would the Senator say that the Supreme Court would not sustain that law?

Mr. WHEELER. I think it does not make a particle of difference whether or not there are exceptions in it.

Mr. PEPPER. In the Senator's opinion, would the Supreme Court sustain such a law or invalidate it?

Mr. WHEELER. I am quite certain that the Supreme Court would not sustain an act of Congress in the language of the present bill.

Mr. PEPPER. The Senator has that constitutional doubt. However, if the Senator should admit that the Supreme Court would sustain such a law, that would amount to a decision that we have not abdicated our legislative authority or duty; would it not?

Mr. WHEELER. The fact that the Supreme Court might hold that we had not violated our constitutional duty would not mean that we had not abdicated. It seems to me that is not the question at all. The question is whether or not Congress should delegate to the executive branch the powers which belong to Congress under the Constitution. When the Constitution was drafted, the framers said, "We will have an executive, a legislative, and a judicial branch."

We are now proposing to turn over to the executive branch of the Government the right to abolish functions of office. Once functions of office are abolished, the laws upon the statute books of the United States are repealed. I cannot understand how anyone can take any other view of the question.

I should like to finish reading what the distinguished Representative from Texas [Mr. SUMNERS] stated. He said:

What answer can there be when this action on our part is examined other than that we are afraid to trust ourselves in reorganization matters with our ordinary constitutional powers and responsibilities? And the question seems pertinent that if we are afraid to trust ourselves with that responsibility and power with regard to reorganization, why should the public trust us with them with regard to legislation?

Of course, as I said at the outset of my statement, many persons might say that because President Taft sent some proposed legislation to Congress which the Congress rejected, therefore Congress was not capable of legislating. It might be said that because President Wilson sent proposed legislation to Congress, which we did not enact, therefore, we were not capable of legislating. The same thing might be said with respect to Presidents Coolidge, Harding, and all the rest of them. However, when we say that we are not competent to vote on reorganization legislation, are we not saying in the same breath that we are incompetent for the same reason to pass upon ordinary legislation which comes before the Congress?

The Senator from South Carolina [Mr. BYRNES] said that a group of labor organizations would swarm down upon us, urging us to preserve this particular agency. Bless my soul! When the Guffey coal bill was before the Congress of the United States we passed it. Why did we pass it? Because of the fact that labor organizations demanded it, because they swarmed down upon the Congress of the United States demanding that we pass that legislation. Was it because the operators swarmed down on us? Or did some Members believe in its merits?

Organizations swarm down upon us in connection with every single bit of legislation. Other groups swarm down on us, including labor, business, farmers, and others. If we have not the courage to stand up and resist that pressure we ought to abolish the Congress and go home because we are not competent to legislate. If we are incompetent in one respect because we are afraid of labor organizations or afraid of this power or afraid of that we are in exactly the same position with reference to all other legislation that comes before the Congress.

I wish to read one more paragraph. Representative SUMNERS said:

This thing which the House proposes to do to itself, to its power, and its responsibility is far more important than its relationship to the particular item of legislation. We know that fundamental changes in governments like ours are brought about by precedents and practice. When we put our feet into the road and begin to walk we are going somewhere, and where we arrive depends upon the direction we take. This bill unamended leads in the wrong direction. It is a bad precedent.

There is no question that in formulating this bill we of the House could either keep or surrender this constitutional power without interfering with the efficiency of the Executive in carrying out the purposes of the bill. Any assumption to the contrary must be based upon the notion that the House as an institution

is unfit to be trusted with the exercise of its constitutional powers. We raise the question ourselves that if the House cannot be trusted with its constitutional powers with regard to reorganization, as we seem to believe, why should the House be trusted with regard to legislation?

I submit, Mr. President, that the reason why I am opposed to this legislation is not because of the effect of this particular piece of legislation. I say that we are traveling in the wrong direction, and we have been traveling in the wrong direction when we have been turning over the legislative power to the executive branch of the Government.

Some Senator said a moment ago that there was no objection in 1922 when we turned over certain legislative powers to Mr. Coolidge. It was said that there was no objection when we turned over such powers to Mr. Wilson, or to some other President. That was true. Why? Because of the fact that the people of the United States of America were not disturbed by world conditions. They did not see, as we see today, the trend of world affairs. They did not see a dictatorship in Italy which threatens the world. They did not see Hitler in Germany about to involve the world in war. They did not see a Stalin in Russia and they did not see the people of Japan under the iron heel of a dictatorship. They did not see the world on the brink of war. The whole trend of legislation throughout the world has changed.

Today men call themselves liberals who want to abolish constitutional parliamentary government step by step. They call themselves liberals when they seek to abolish parliamentary government. Liberals have fought and have always been designated as liberals, because they have been willing to sacrifice their lives for parliamentary government and representative government throughout the world.

So I submit that there is nothing liberal about the proposed legislation. It is reactionary. It is a step backward. It should not be passed by the Congress of the United States unless the Congress has a right affirmatively to say whether or not it wants the plans proposed by the Executive branch of the Government to become law.

Mr. McNARY. Mr. President, may I appeal to the Senator from Kentucky to take a recess at this time?

Mr. BARKLEY. Has the Senator from Montana concluded?

Mr. WHEELER. Yes.

Mr. BARKLEY. I have no desire to hold the Senate in session longer.

Mr. McNARY. I thank the Senator.

FARM CREDIT LEGISLATION—CHANGE OF REFERENCE

Mr. BARKLEY. Mr. President, a number of measures have been introduced dealing with the questions of farm credit and home owners' loan banks, which were created by legislation which came from the Committee on Banking and Currency. One of the bills was introduced by the Senator from Wisconsin [Mr. WILEY]. That bill has been referred to the Committee on Banking and Currency. Another of the measures, a joint resolution, was introduced by the Senator from Minnesota [Mr. SHIPSTEAD]. That measure has been referred to the Committee on Agriculture and Forestry. A third bill has been introduced by the Senator from Idaho [Mr. CLARK]. His bill has been referred to the Committee on Agriculture and Forestry.

Inasmuch as the Committee on Banking and Currency has always had jurisdiction of such proposed legislation, and has a regular subcommittee to consider it, I have taken up with the Senator from Minnesota [Mr. SHIPSTEAD] and the Senator from Idaho [Mr. CLARK] the question of re-referring their measures to the Committee on Banking and Currency. It is my understanding that it is agreeable to the authors of the measures that they be referred to the Committee on Banking and Currency, which has always had jurisdiction of such proposed legislation.

I will say to both Senators that in connection with such legislation there is a standing subcommittee of the Banking and Currency Committee, of which I am a member, and of which I think the Senator from Idaho [Mr. CLARK], the author of one of these bills, is also a member; and that

we can guarantee to the authors of the measures prompt hearing and consideration if the measures are re-referred.

Mr. SHIPSTEAD. Mr. President, I desire to follow the usual procedure of the Senate whenever I can do so. We have a certain situation as the result of farm-credit measures that have been reported from the Banking and Currency Committees of the Senate and the House, and passed by the Congress, for the purpose of extending credit to farmers. From investigations I have made, I have come to the conclusion that the result of that legislation has been to bail out the banks at the expense of the farmers, and it has not brought about any improvement in farm credit. For that reason I have introduced a joint resolution to remedy farm-mortgage-foreclosure sales and the taking of deficiency judgments.

Sixty thousand farms were foreclosed on in the past 4 years. We are making a propertyless farm class. Because it is an agricultural question and a social question rather than a banking question, I asked that the joint resolution be referred to the Committee on Agriculture and Forestry. However, I do not want to be obstreperous in the matter. I have a great deal of respect for the majority leader and for the standing committees of the Senate, and I am willing to yield, and to have the joint resolution go to the Banking and Currency Committee, with the hope that we shall receive a more sympathetic hearing than we have had up to this time.

Mr. BARKLEY. Mr. President, I will say to the Senator that in my opinion the Committee on Banking and Currency has always given thoughtful and sympathetic consideration to every farm problem. We reported, almost by unanimous vote at the last session of Congress, a bill reducing the interest rates provided for by law, which resulted in a charge upon the Treasury of the United States. We did that in a desire to help the farmers to meet their obligations. I think the record of the Banking and Currency Committee on farm credit matters has not been such as to justify any feeling that it would not give prompt and fair consideration to any bill dealing with this subject, and I do not understand the Senator from Minnesota to make any such insinuation as that.

Mr. SHIPSTEAD. I do not question the sympathy or the good will of the Banking and Currency Committee. I am talking about the results of legislation that has been passed here, judging from the reports I get from governmental sources, on the question of farm mortgages.

Mr. BARKLEY. Mr. President, I have not the numbers of the two measures; but I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from the consideration of the joint resolution introduced by the Senator from Minnesota [Mr. SHIPSTEAD] and the bill introduced by the Senator from Idaho [Mr. CLARK], and that they be referred to the Committee on Banking and Currency.

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

Mr. BARKLEY. I yield.

Mr. GURNEY. I have before the Senate a bill—Senate bill 1278—on the amortization of past-due feed-and-seed loans. May I have that bill also included in the Senator's request?

Mr. BARKLEY. Yes; that is entirely agreeable. All of the measures ought to be considered at the same time.

The PRESIDING OFFICER. Without objection, the bill and joint resolution referred to by the Senator from Kentucky and the bill referred to by the Senator from South Dakota will be—

Mr. HATCH. Mr. President, what was the request about the seed-loan bill? We have always handled those matters in the Agricultural Committee.

Mr. BARKLEY. The Senator from South Dakota [Mr. GURNEY] asked that a bill which he had introduced, with respect to seed loans, be also included in my request.

Mr. HATCH. The Senator from South Dakota requested that that be done in the case of his own bill?

Mr. BARKLEY. Yes.

Mr. McKELLAR. Mr. President—

Mr. BARKLEY. Has the request I made been granted?

The **PRESIDING OFFICER**. The request has not yet been acted upon. Without objection, the Committee on Agriculture and Forestry will be discharged from their consideration of the two measures referred to by the Senator from Kentucky and the bill referred to by the Senator from South Dakota and they will be referred to the Committee on Banking and Currency.

Mr. **McKELLAR**. Mr. President, if the Senator will yield, I desire to ask the Senator from New Mexico [Mr. **HATCH**] who is on the Agricultural Committee, whether a seed-loan bill has been reported this year.

Mr. **HATCH**. I think not.

Mr. **McKELLAR**. Has any such bill been introduced?

Mr. **HATCH**. Not to my knowledge.

Mr. **GLASS**. Mr. President, I do not see why the seed-loan bill should be referred to the Banking and Currency Committee. That never has been done heretofore.

Mr. **BARKLEY**. The bill provides for loans on seed through certain agencies which are now in existence, as I understand.

Mr. **GURNEY**. No; the bill to which I refer asks for an amortization program on past due seed and feed loans.

Mr. **GLASS**. Such bills never have been referred to the Banking and Currency Committee.

Mr. **BARKLEY**. Mr. President, I think the bill of the Senator from South Dakota is a different matter. Heretofore such legislation has come from the Committee on Agriculture and Forestry, and the bill probably ought to remain there. I had no objection to its going to the Committee on Banking and Currency; but it would be taking away from the Committee on Agriculture and Forestry a matter of which it heretofore has had jurisdiction. I thought the Senator's bill provided for some form of amortization through the Federal land banks and the other lending agencies set up by the Farm Credit Administration. If it does not do that—

Mr. **GURNEY**. It does refer to money that has previously been loaned by the Farm Credit Administration.

Mr. **WAGNER**. Mr. President, as chairman of the Banking and Currency Committee, may I clarify the situation? Those loan measures heretofore have been considered by the Committee on Banking and Currency in connection with the Agricultural Adjustment Act.

Mr. **BARKLEY**. That is true.

Mr. **WAGNER**. So I think the bill ought to go to that committee.

Mr. **HATCH**. Mr. President, because of the confusion on the floor it was impossible for me to learn what happened about the seed-loan bill.

The **PRESIDING OFFICER**. It has been referred to the Committee on Banking and Currency by unanimous consent.

Mr. **HATCH**. I made no objection at the time because the author of the bill requested that that be done. My recollection is, however, that each year the Agricultural Committee has considered seed-loan bills. As a member of that committee I wish to interpose an objection at this time to the bill's being referred to any other committee than the Committee on Agriculture and Forestry.

Mr. **McKELLAR**. Mr. President, I thought the bill had already been referred to the Committee on Banking and Currency.

Mr. **HATCH**. I ask that the action of the Senate referring Senate bill 1278 to the Committee on Banking and Currency be reconsidered.

The **PRESIDING OFFICER**. Is there objection?

Mr. **McKELLAR**. I understand that it has already gone to the committee.

Mr. **BARKLEY**. The Senator is referring only to the bill of the Senator from South Dakota [Mr. **GURNEY**]?

Mr. **HATCH**. That is correct.

The **PRESIDING OFFICER**. Is there objection to the request of the Senator from New Mexico to reconsider the action discharging the Committee on Agriculture and Forestry from the consideration of Senate bill 1278, the bill of the Senator from South Dakota, and its reference to the Com-

mittee on Banking and Currency? The Chair hears none, and the action is reconsidered.

Mr. **HATCH**. Now, I request that the bill be referred to the Committee on Agriculture and Forestry.

Mr. **WAGNER**. I make no objection.

Mr. **BARKLEY**. It is already there.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **McKELLAR**. Mr. President, I desire to request the Senator from New Mexico to look after the seed-loan bill and see that some action is taken on it.

Mr. **HATCH**. I may say to the Senator from Tennessee that the Agricultural Committee has always treated seed-loan bills with the utmost favor, and the program has been an entire success.

Mr. **McKELLAR**. It has. I know that the statement just made by the Senator from New Mexico is absolutely true.

At the request of Mr. **BARKLEY**, the Committee on Agriculture and Forestry was discharged from the further consideration of the following bill and joint resolution, and they were referred to the Committee on Banking and Currency:

S. 1250. A bill providing for a moratorium on mortgages held by the Farm Credit Administration, and for other purposes; and

S. J. Res. 65. Joint resolution relating to deficiency judgments against borrowers from Federal land banks, and for other purposes.

EXECUTIVE SESSION

Mr. **BARKLEY**. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The **PRESIDING OFFICER** (Mr. **LUCAS** in the chair) laid before the Senate messages from the President of the United States submitting the nomination of William O. Douglas, of Connecticut, to be an Associate Justice of the Supreme Court of the United States, vice Louis D. Brandeis, retired, and sundry other nominations (and also withdrawing a nomination), which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. **McCARRAN**, from the Committee on the Judiciary, reported favorably the nomination of Robert P. Patterson, of New York, to be a judge of the United States Circuit Court of Appeals for the Second Circuit, vice Martin T. Manton, resigned.

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.

If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. **McKELLAR**. I ask that the nominations of postmasters be confirmed en bloc.

The **PRESIDING OFFICER**. Without objection, the nominations of postmasters are confirmed en bloc.

ROBERT P. PATTERSON

Mr. **WAGNER**. Mr. President, a favorable report has been made today on the nomination of Judge Robert P. Patterson to be judge of the United States Circuit Court of Appeals for the Second Circuit. The nomination has been pending in the committee for some 7 weeks. I have consulted the leaders in the Senate and have consulted the chairman of the Committee on the Judiciary and the chairman of the subcommittee to which the nomination was referred, and they

are all agreeable to the immediate consideration of the nomination. This is really a promotion. Judge Patterson has made a brilliant record for a period of over 10 years in the Federal court of the southern district of New York. He is not of my political faith, but I took very great pleasure because of his unusual record in recommending his nomination, and because the circuit court of appeals has been without the services of one of the judges for some weeks, and it is probably the busiest circuit court of appeals in the United States. I ask that the nomination be immediately considered. It is unanimously reported by the committee.

Mr. McNARY. Mr. President, I have looked into the case, and I think a real emergency exists; so I should like to see action on the nomination today.

The PRESIDING OFFICER. The clerk will state the nomination.

The legislative clerk read the nomination of Robert P. Patterson, of New York, to be judge of the United States Circuit Court of Appeals for the Second Circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. WAGNER. I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the President will be notified.

The clerk will state the next nomination on the Executive Calendar.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. SHEPPARD. I ask that the Army nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Army nominations are confirmed en bloc.

That concludes the Executive Calendar.

RECESS

The Senate resumed legislative session.

Mr. BARKLEY. I move that the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 12 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, March 21, 1939, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received in the Senate March 20 (legislative day March 16), 1939

ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES

William O. Douglas, of Connecticut, to be an Associate Justice of the Supreme Court of the United States, vice Louis D. Brandeis, retired.

DEPARTMENT OF LABOR

Elmer F. Andrews, of New York, to be Administrator of the Wage and Hour Division, Department of Labor.

APPOINTMENTS BY TRANSFER IN THE REGULAR ARMY TO ADJUTANT GENERAL'S DEPARTMENT

Capt. John Baylis Cooley, Cavalry, with rank from August 1, 1935.

TO CAVALRY

First Lt. Loren Boyd Hillsinger, Air Corps, with rank from August 1, 1935.

APPOINTMENT IN THE NAVY

Pay Director Ray Spear to be Paymaster General and Chief of the Bureau of Supplies and Accounts in the Department of the Navy, with the rank of rear admiral, for a term of 4 years from the 1st day of April 1939.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 20 (legislative day of March 16), 1939

UNITED STATES CIRCUIT COURT OF APPEALS

Robert P. Patterson to be a judge of the United States Circuit Court of Appeals for the Second Circuit.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY
Capt. Philip James Henderson to Quartermaster Corps.

PROMOTIONS IN THE REGULAR ARMY

Harry Rex MacKellar to be colonel, Medical Corps.
Donald Carl Snyder to be major, Medical Corps.
Merritt Gartley Ringer to be major, Medical Corps.
Claude Benjamin White to be captain, Medical Corps.
Andrew Fredrick Scheele to be captain, Medical Corps.
Clark Bolton Meador to be captain, Medical Corps.
Maurice Edson Washburn to be captain, Dental Corps.
William Richard Arnold to be chaplain with the rank of colonel, United States Army.

POSTMASTERS

NEW YORK

Katherine A. Colligan, Halesite.

PENNSYLVANIA

Stephen A. Bodkin, Pittsburgh.

VIRGINIA

F. Cleveland Davis, Lexington.

WASHINGTON

John H. Field, Newport.

WITHDRAWAL

Executive nomination withdrawn from the Senate March 20 (legislative day of March 16), 1939

POSTMASTER

Hazel May Peterson to be postmaster at Nashua, in the State of Montana.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 20, 1939

The House met at 12 o'clock noon.

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

Almighty God, fount of all goodness and source of all power, we rejoice that the Eternal Mind was in the Incarnation. Into a harsh and benighted age this ideal type of Teacher came to infuse a holy conception of truth and brotherhood into the human life of this world. His age-old voice, yet new as the breath of the morning, still declares that the crushing afflictions, overwhelming as they are, in the balance of time are light and for the moment. His banner of the dawn will yet wave in triumph over the ruins of a vanishing night. Blessed Lord, may we trust in Thy strength and guidance. Endue us with clear thinking, cool judgment, and spiritual heroism; there is a humanity being brooded over by divine care. Heavenly Father, we turn our face to Thee while sin-seared minds are contriving unknown highways of death and destruction. O help us to work and pray, to live and die for the luminous truth of the world's Saviour, whose thought may we breathe, whose power may we exhale, and whose life may we live. In His adorable and holy name. Amen.

The Journal of the proceedings of Thursday, March 16, 1939, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was 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 March 15, 1939:

H. R. 2868. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide supplemental appropriations for the fiscal year ending June 30, 1939, and for other purposes.

On March 16, 1939:

H. R. 3743. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards,

commissions, and offices for the fiscal year ending June 30, 1940, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had agreed without amendment to a concurrent resolution of the House of the following title:

H. Con. Res. 12. Concurrent resolution authorizing the printing as a document of the congressional proceedings held in the House of Representatives on March 4, 1939, in commemoration of the one hundredth and fiftieth anniversary of the commencement of the First Congress of the United States under the Constitution.

FEDERAL HOUSING

Mr. FITZPATRICK. Mr. Speaker, I ask permission to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FITZPATRICK. Mr. Speaker, last Thursday while discussing the appropriation for the United States Housing Authority, the gentleman from Wisconsin [Mr. SCHAFER] asked me if I had heard from John L. Lewis. I replied to him in the negative. However, later in the afternoon, Mr. Anthony Wayne Smith, assistant counsel of the C. I. O., called me up and said they were opposed to the White amendment.

From the information I have received, if the White amendment remains in the bill it means the United States Government will have to cancel contracts with the local authorities amounting to almost \$400,000,000 and will throw thousands of mechanics and laborers out of work.

I appeal to the Members when the Interior bill is reported back to the House to vote against the White amendment and save the jobs of thousands of workers throughout the United States. [Applause.]

WASHINGTON, D. C., March 16, 1939.

HON. JAMES H. FITZPATRICK,
United States Capitol:

Urgently request you do everything which may lie within your power to obtain reconsideration by House of alterations in section of Interior Department appropriations bill governing expenditures by United States Housing Authority. Full amount provided in committee report should be restored by reinstating provisos permitting expenditures up to one and a half million on site to be repaid to United States Housing Authority. Unless this is done, appropriation is, in effect, reduced by million and half below committee report and appropriation to Authority is cut by one-third. New proviso limiting use of Federal funds to \$3,500 per family must be eliminated if Housing Authority is to function. Sponsors of this limitation have shown themselves completely ignorant of the housing problems with which they profess to deal. Believe it imperative that these items be corrected before final passage. The C. I. O. and organized labor generally is heartily behind the United States Housing Authority and the act, and regrets all tampering with the appropriation.

ANTHONY WAYNE SMITH,
Assistant Counsel of C. I. O.,
Executive Secretary, C. I. O. Committee on Housing.

AMERICAN FEDERATION OF LABOR,
Washington, D. C., March 16, 1939.

HON. JAMES F. FITZPATRICK,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN FITZPATRICK: I am writing to you with further reference to the White amendment to the appropriation bill, which limits the over-all cost of U. S. H. A. projects to \$3,500-per-family houses.

In the telegram sent to you earlier I made reference to the low average construction costs attained by the U. S. H. A. It seems to me important for Members of Congress to realize that the average construction cost of dwelling units in the U. S. H. A. aided projects have been forced to a low level through rigid economies. The average dwelling unit net construction costs upon which main construction contracts have been approved average \$2,830 per unit, or more than \$1,000 lower than the average cost of housing built in the same localities by private enterprise.

It is equally important for Members of Congress to realize that the White amendment limits the total and final cost per family to \$3,500. This over-all cost included not only construction but also land, nondwelling facilities, and equipment. The average estimated cost per dwelling unit for U. S. H. A. aided projects is \$4,507, excluding slum clearance. This over-all cost also reflects the economies attained by the U. S. H. A., being \$1,023 less than the average value of new housing insured by F. H. A. It is obvious in the light of these figures that the White amendment would eliminate practically all the 140 projects under construction, making it impossible

to do slum clearance and build low-rent housing projects in almost every part of the United States.

It is also important to note that the over-all cost of \$4,507 on the U. S. H. A. projects is an average cost and that on many projects this average cost will have to be exceeded. Even so, this cost does not include slum clearance, which under the act must be carried out as part of the program. The \$3,500 imposed as a maximum over-all cost by the White amendment implies that good housing can be built under this figure, including not only land, nondwelling facilities, new construction, and equipment, but also including the cost of slum clearance. We are convinced that no good housing can be built within this limitation, and that the adoption of the White amendment would prevent the U. S. H. A. from completing the 140 projects it has already initiated and prevent the U. S. H. A. from doing additional slum clearance and from building additional decent housing in any substantial part of the country. The amendment would inevitably scrap the whole U. S. H. A. program, deprive the building mechanics and laborers of the opportunity this program offers to secure private employment at fair labor standards, and would wipe out the prospects of rehousing in decent homes the men, women, and children who now live in the slums and blighted areas of the Nation.

The American Federation of Labor has backed the U. S. H. A. program from the beginning. The Houston convention of the American Federation of Labor, held in October 1938, unanimously approved the expansion of this program, which it held to be most vital to the Nation at this time. On behalf of the American Federation of Labor, I express my sincere hope that the friends of labor in the House of Representatives will support our view and defeat this destructive amendment.

Sincerely yours,

HARRY C. BATES,

Chairman, Housing Committee, American Federation of Labor.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein communications I received from the A. F. of L. and the C. I. O.

The SPEAKER. Without objection, it is so ordered.

LICENSING OF CIVILIAN MILITARY ORGANIZATIONS

Mr. SMITH of Virginia. 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. SMITH of Virginia. Mr. Speaker, I have today introduced a bill entitled "An act to make unlawful attempts to overthrow the Government of the United States; to require licensing of civilian military organizations; to make unlawful attempts to interfere with the discipline of the Army and Navy; to require registration and fingerprinting of aliens; to require deportation of certain aliens; to enlarge the jurisdiction of the United States circuit court of appeals in certain cases and for other purposes."

I offer this bill because I am confident that the great majority of loyal American citizens believe that legislation should be enacted now, at this session, to curb, prohibit, and punish some of those most flagrant, offensive, persistent, and organized subversive movements against our constitutional form of democratic government.

Many bills have been offered at this and previous sessions aimed at different phases of the subject. The bill which I present, and which is subdivided into five titles, includes the objectives of much of the legislation heretofore proposed. I have included in it only such provisions as I believe that every Member of Congress, irrespective of party, approves and can wholeheartedly support.

I recognize that many proposals of a controversial nature on this subject of un-American activities have been offered that would meet with opposition from one group or another. Such provisions I have eliminated with the idea that the bill here presented affords a fairly wide range of proposals for the beginning of needed legislation. I realize that if this bill becomes a law it will need revision and amendment, but feel confident that when the investigation of the Committee on un-American Activities has been completed we will have a clearer picture of the whole subject upon which to base comprehensive legislation.

In the meantime, the enactment of this legislation at this session of Congress will materially aid the Dies committee in carrying out the purposes of its investigation.

I claim no originality for the provisions of this bill. In fact, I have examined the provisions of numerous bills introduced by others in the House and in the Senate and have drawn freely from the language of such bills. All I

have sought to do is to codify the many proposals contained in other bills, eliminating those which I regarded as too controversial, and have tried to incorporate only those provisions that would meet with universal approval as being needful legislation. I have undertaken to present a bill in support of which we could all meet on common ground. The bill contains, in a large measure, proposals submitted and bills offered by Mr. DEMPSEY, of New Mexico; Mr. TAYLOR of Tennessee; Mr. FISH, of New York; Mr. VOORHIS of California; Mr. MAY, of Kentucky; Mr. McCORMACK, of Massachusetts; Mr. RANDOLPH, of West Virginia; Mr. DICKSTEIN, of New York; Mr. BROWN of Georgia; Mr. STARNES of Alabama; Mr. HOBBS, of Alabama; and many others; and some modest suggestions of my own.

There are millions of loyal American citizens who are being offended and alarmed daily by the persistent and overwhelming barrage of publications, pamphlets, and public utterances attacking our system of government, and by the known presence of paid agents of other governments fomenting disturbances in our midst; and these citizens are beginning to wonder why Congress does not enact some law or take some action to prohibit and to punish some of these more obvious attempts to undermine our constitutional form of government.

I am submitting this statement to the House in order to invite the attention of the Members to the provisions of this bill while it is being considered in committee, and I urge every Member to read the bill and, if you have any constructive criticism or amendment, to submit the same while the bill is under consideration by the committee, in order that unintentional hardships or injustices that may have been inadvertently included may be eliminated by committee amendment before the bill comes to the floor of the House.

I realize that there are those who will seek to sabotage any effort to suppress this wave of un-American and subversive activities, and the chief method of doing so is to call such bills "red baiting." This term always seems to have some magical effect on some people. Personally, I do not see anything against "red baiting." I myself am for "red baiting." The "reds" have been baiting loyal Americans and the American form of government constantly, and a little "red baiting" by good, patriotic, red-blooded American citizens with the same kind of poison bait that is being used to weaken our system of government meets with my full approbation. I am strong for the old philosophy of "fighting the devil with fire."

As I have stated before, I have no pride of opinion in the provisions of this bill, because they are to a large extent the work and the language of others, but I do hope that this appeal may bring forth constructive and helpful suggestions to perfect and strengthen the bill while it is being considered by the committee. Certainly I shall welcome any proposed change that would accomplish that purpose.

The bill is subdivided into five titles, and its provisions may be briefly analyzed as follows:

TITLE I

Section 1 makes it unlawful to advocate overthrow of the Government by force.

Section 2 makes it unlawful to publish or distribute literature advocating overthrow of the Government by force.

Section 3 makes it unlawful to defend assassination by word or writing of any officer of the Government.

Section 4 makes it unlawful to affiliate with any organization advocating overthrow of the Government by force.

TITLE II

Section 5. Makes it unlawful to organize or join civilian military organization without a license from Secretary of War.

Section 6. Secretary of War may investigate such organizations and require statement of purposes and objects under oath.

Section 7. Definition of civilian military organization.

Section 8. Exceptions.

Section 9. Makes it unlawful to advise member of Army or Navy to disobey orders.

Section 10. Gives power to seize literature advocating such.

Section 11. Definition of Army.

TITLE III

Section 12. Person not to be naturalized who advocates any other form of government for the United States.

Section 13. To prohibit aliens from commuting to United States for employment.

Section 14. Deportation of criminal aliens.

Section 15. Registration of aliens.

Section 16. How to register.

Section 17. Immigration service to require registration.

Section 18. Fingerprinting aliens.

Section 19. Forms for registration.

Section 20. First registration within 60 days.

Section 21. Commissioner of Immigration to keep records.

Section 22. To be deported for failure to register.

TITLE IV

Section 23. Unlawful to attempt or to conspire to commit violation of act.

Section 24. Punishment and deportation of any alien violating the act.

Section 25. Country refusing reentry of deported aliens to have quota suspended.

TITLE V

Sections 26 to 31. Provide for internment of certain aliens and enlarges jurisdiction of circuit court of appeals in certain cases.

I cordially invite constructive criticism for the improvement of the terms of the measure and the cooperation of all members in its enactment into law.

Mr. GEYER of California. Mr. Speaker, I rise to submit two unanimous-consent requests.

The SPEAKER. The gentleman will state them.

EXTENSION OF REMARKS

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio speech by Paul Scharrenberg on the subject of Federal aid to education.

Mr. RICH. Mr. Speaker, reserving the right to object, will the gentleman tell us again who made this address?

Mr. GEYER of California. Paul Scharrenberg, of the American Federation of Labor.

Mr. RICH. Is the gentleman willing to permit addresses made by anybody outside of Congress to go in the CONGRESSIONAL RECORD as part of our record?

Mr. GEYER of California. I think the other side has been doing it, have they not?

Mr. RICH. The Democrats are responsible for this RECORD. If the publication now known as the CONGRESSIONAL RECORD is to be filled with speeches of everybody else in the country, it will cease to be a record of the proceedings of Congress.

Mr. GEYER of California. Is the gentleman objecting?

Mr. RICH. Does the gentleman think this speech ought to go in?

Mr. GEYER of California. I think it ought to go in, or I would not have asked that it go in.

Mr. RICH. Why does the gentleman think it ought to go in the RECORD?

Mr. GEYER of California. I think it ought to go in the RECORD because it is educational in value. I think it ought to go in the RECORD because the American Federation of Labor have a right to let the world know what they want.

Mr. RICH. Is the CONGRESSIONAL RECORD a publication for the American Federation of Labor, or is it a record of the proceedings of Congress?

Mr. GEYER of California. Answering the gentleman, I may say it is just as much a vehicle for matters such as I now ask to have inserted as it is a vehicle for the Inglewood Daily News to put things in against Towne Neilander which perhaps are not true.

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

Mr. TABER. I object.

SHINGLE QUOTA AND MARKETING OF IMPORTED LUMBER

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I am introducing a bill to restore the 25-percent quota on importation of red-cedar shingles from Canada which became effective under the N. R. A. and was continued satisfactorily under the reciprocal-trade agreement with Canada. However, it was abrogated under the recent new treaty to the great detriment of the people of my district and the Pacific Northwest and it ought to be reinstated in the interests of

the workers and industries. We have asked President Roosevelt to give notice to Canada under paragraph (b), article X of the Canadian Trade Agreement for a revision of paragraph 1760, to bring this about and we have high hopes that the President will act favorably. If this is not done, we shall have to press for the enactment of this legislation, which is similar to that introduced in the Senate by the Senators of Washington and Oregon.

I am also introducing a bill to reenact the important and very essential lumber-marking proviso of the Tariff Act of 1930, as amended, which was enacted in the last Congress but also nullified under the last reciprocal-trade agreement negotiated with Canada. This would require imported forest products to be marked showing the country of origin, instead of being exempted from such marking provision.

The bills are as follows:

A bill (H. R. 5124) relating to the importation of shingles

Be it enacted, etc., That notwithstanding the provisions contained in any foreign-trade agreement heretofore or hereafter entered into, whenever any organization or association representing the producers of more than 75 percent of the red-cedar shingles produced in the United States during the previous half-year period shall request the President to limit the importation of red-cedar shingles from Canada, and the President finds from available statistics that the total quantity of red-cedar shingles produced in the Dominion of Canada which is entered, or withdrawn from warehouse, for consumption in the United States, during any given half of any calendar year exceeds or will exceed 25 percent of the combined total of the shipments of red-cedar shingles by producers in the United States and the imports during the preceding half year, the President shall issue an order limiting for the 6 months immediately following the half of the calendar year in which said excess occurred the quantity of red-cedar shingles to be imported from Canada to 25 percent of the combined total of the shipments and imports of red-cedar shingles for such preceding half calendar year. The President shall issue a new order for each half of the calendar year thereafter with the same limitations as hereinbefore set forth.

A bill (H. R. 5125) to amend the Tariff Act of 1930, as amended, with respect to the marking of lumber and timber imported from foreign countries

Be it enacted, etc., That the proviso contained in subdivision (J) of section 304 (a) (3) of the Tariff Act of 1930, as amended, is hereby amended to read as follows: "Provided, That this subdivision (J) shall not apply to sawed lumber and timbers, telephone, trolley, electric-light, and telegraph poles of wood, and bundles of shingles."

Sec. 2. The provisions of section 304 of the Tariff Act of 1930, as amended by this act, shall be effective after the thirtieth day following the date of enactment of this act, notwithstanding any provision to the contrary contained in any foreign-trade agreement heretofore or hereafter entered into under the authority of section 850 of the Tariff Act of 1930, as amended and supplemented.

STATEMENT OF THE UNITED STATES RED-CEDAR SHINGLE INDUSTRY, INC., RELATING TO THE 1939 RECIPROCAL-TRADE AGREEMENT WITH CANADA

The United States Red Cedar Shingle Industry, Inc., with its principal offices at Seattle, Wash., desires to present the following for your consideration in connection with the reciprocal-trade agreement with Canada.

The 1936 agreement provides for the free importation of shingles from Canada, but the United States reserved the right to limit importations of red-cedar shingles to 25 percent of the domestic requirements. In accordance with this reservation, Congress provided in section 811 of the Revenue Act of 1936 for the imposition of the 25-percent limitation during the continuance of the 1936 agreement.

The 1939 agreement provides (par. 1760 of schedule II) that shingles may be imported free, but reserves the right of the United States to impose a duty, not exceeding 25 cents per square, on red-cedar shingles imported in excess of 30 percent of the domestic consumption.

Even before ratification of the new agreement by the Canadian Parliament the threat of the impending change with regard to red-cedar shingles has produced dire results for our industry.

Imports of shingles in 28 days of January 1939 amounted to 303,675 squares. This is an increase of 60.5 percent over the average of the three January imports covered by the 1936 agreement. The figures are as follows: January 1936, 153,566 squares; January 1937, 168,779 squares; January 1938, 229,505 squares; an average of 183,950 squares; January 1939, 303,675 squares.

The immediate effect, however, was felt in November 1938, following the public announcement of the new agreement. The market broke approximately 17 percent, or 40 to 55 cents per square, and the combination of break in price and cancelation of orders caused a large percentage of mills to be shut down, thereby throwing many hundreds of men out of work and causing a confused situation for the manufacturers.

The next effect of the proposed agreement was vastly increased activity among Canadian mills, many of which (those having a suf-

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ficient log supply on hand), started running two shifts per day, 6 days per week, or 96 hours weekly, preparatory to dumping enormous quantities of red-cedar shingles on the American market in the spring of 1939. As logs became available other mills started up and the first result is the large increase in imports as indicated by the January figures.

The final effect will be a drastic reduction of our wage scale or the virtual abandonment of the American market to the Canadians. Each year since 1933 has seen an increase in wages in the industry, the average wage in 1938 being 92.3 cents per hour. Since that year, 1933, the industry has become completely unionized and, therefore, individual bargaining is no longer available to the manufacturers in the United States, as it is to Canadian operators.

The United States wage average is approximately 35 cents per hour higher than the Canadian average, or in percentage our average is approximately 60 percent greater than the Canadian average.

Another important factor in establishing Canadian control of the American market is the cost of the raw product—cedar logs. Our cost has been \$18 per thousand feet, whereas the Canadian manufacturer has been paying from \$12 to \$16. The lower log price in Canada, caused by a wage scale much inferior to the American loggers' scale, gives the Canadian shingle manufacturer a cost advantage of from 15 to 50 cents per square of manufactured shingles; taking the two items together—namely, labor cost and log cost—the Canadian mills enjoy a cost advantage of from 45 cents to 80 cents per square.

The final element of cost which may be compared is that of transportation of the finished product. The cedar-bearing section of Canada and that of the United States is approximately the same distance from the domestic market, and therefore there is parity in rail rates. The Canadians, however, enjoy an advantage in water shipments. According to law we must use American bottoms at established rates, whereas the Canadian mills are free to use the ships of any nation and may drive bargains where possible.

From the foregoing it is evident:

1. The new agreement has created a competitive situation which has broken the market and caused a serious curtailment of domestic production.

2. It has caused the import of an abnormal quantity of red-cedar shingles as compared with imports under the 1936 agreement.

3. It promotes labor disputes because the new condition makes necessary a substantial reduction in wages and an increase in hours of work.

CONCLUSIONS OF THE UNITED STATES RED-CEDAR SHINGLE INDUSTRY

That action be taken under paragraph (b), article X of the Canadian trade agreement, and a proposal be made to revise paragraph 1760 to provide for the right to limit the total quantity of red-cedar shingles which may be entered, or withdrawn from warehouse, for consumption during any given half of any calendar year, to a quantity not exceeding 25 percent of the combined total of the shipments of red-cedar shingles by producers in the United States and the imports of such shingles during the preceding half year, and for the right to impose an ad valorem duty of 25 percent on all red-cedar shingles imported into the United States in excess of the 25 percent quota aforesaid.

We believe the foregoing restriction would be fair to the red-cedar shingle industry in the United States and in Canada and to the domestic market. Twenty-five percent of the American market gives to Canada the same proportion of our shingle market it enjoyed during the years when manufacturing costs were on a parity. An ad valorem customs duty of 25 percent will amount to sufficient to reasonably equalize costs, thereby giving the domestic market red-cedar shingles produced under competitive conditions and in amounts in accordance with the demand.

We are attaching hereto a summary of facts in support of the proposed change together with charts on the wage situation in the United States and in Canada.

UNITED STATES RED CEDAR SHINGLE INDUSTRY, INC.,
By DAVID M. WILLIAMS, Secretary-Manager.

MEMORANDUM—PROPOSED CHANGE IN RED-CEDAR SHINGLE PROVISION OF CANADIAN TRADE AGREEMENT

The President to give notice to Canada under paragraph (b), article X of the Canadian trade agreement, signed November 17, 1938, of a proposal to revise paragraph 1760, as follows:

Provide for a reservation of the right to limit the total quantity of red-cedar shingles which may be entered, or withdrawn from warehouse, for consumption during any given half of any calendar year, to a quantity not exceeding 25 percent of the combined total of the shipments of red-cedar shingles by producers in the United States and the imports of such shingles during the preceding half year, and for the right to impose an ad valorem duty of 25 percent on all red-cedar shingles imported into the United States in excess of 25-percent quota aforesaid.

SUPPORTING FACTS FOR PROPOSAL TO REVISE CANADIAN TRADE AGREEMENT

1. The mill price of shingles dropped approximately 50 cents per square immediately following announcement of the Canadian trade agreement.

2. Canadian red-cedar shingle mills which have logs available have been running two 8-hour shifts per day, 6 days per week, or 96 hours weekly since January 1, 1939, preparatory to dumping enormous quantities of red-cedar shingles on the American market in

the spring. Other Canadian mills plan to run double shifts as soon as they can get a sufficient supply of logs in the spring.

3. Imports in January 1939 were 60.5 percent greater than the average of the 3 identical months under the old agreement: January 1936, 153,566 squares; January 1937, 168,779 squares; January 1938, 229,505 squares; average, 183,950 squares; January 1939, 303,675 squares.

4. The wage differential between American and Canadian mills is more than 30 cents per hour (see charts attached hereto).

5. The price of raw materials—cedar logs—in the United States is \$18 per thousand feet, or \$1.50 per square of manufactured shingles, compared to \$12 to \$16 per thousand feet, or \$1 to \$1.35 per square of manufactured shingles in Canada.

6. The two items—labor and logs—constitute a cost advantage to the Canadians of from 45 to 80 cents per square.

7. American mills have adequate machinery and labor to supply the entire American market. If there had been no imports of shingles during the past 3 years, the total amount of wages received by American workmen in the industry would have been increased 42.6 percent in 1936, 36.6 percent in 1937, 34.4 percent in 1938.

8. If American mills had supplied the entire United States market, the entire industry would have been employed 83 additional days in 1936, 71 additional days in 1937, 64 additional days in 1938.

9. Under the 1936 trade agreement, 25 percent of the American market gave the Canadians the same proportion of our shingle consumption they enjoyed during many years of wage parity, as found by the Tariff Commission in their 1934 report on the red-cedar shingle industry.

10. An ad valorem duty of 25 percent would amount to from 60 to 70 cents per square. This would enable the American producer to maintain present hours and wage scale and compete with Canadian shingles or imports over a 25-percent quota—yet Canadian shingles could always be imported.

11. A change in this part of the agreement with Canada will not involve any other government, as red-cedar shingles are not exported from the United States and are only imported from Canada.

12. American mills operate on a 6-hour day, 6-day week schedule, whereas Canadian mills work 8 hours per day, 6 days a week.

13. Present conditions necessitate protection for American mills, or a reduction of 50 percent in wages and an increase in hours of work.

Red-cedar shingle industry—Wage schedules in British Columbia, January 1939—6 mills located at Vancouver and Westminster, 1 at Port Moody (outlying mills would average 5 to 10 cents per hour less)

| | British Columbia | | | | | | | Average of 7 British Columbia mills | United States union scale |
|--------------------------------|------------------|-------------|-------------|------------|------------|------------|-------------|-------------------------------------|---------------------------|
| | Mill No. 1 | Mill No. 2 | Mill No. 3 | Mill No. 4 | Mill No. 5 | Mill No. 6 | Mill No. 7 | | |
| Sawyers: | | | | | | | | | |
| White | \$1.07 | \$1.11 | \$0.92 | None | None | None | \$1.03½ | \$0.98½ | \$1.28½ |
| Chinese | .92 | 1.11 | .92 | \$0.92 | \$0.85½ | \$0.92 | None | | |
| Packers: | | | | | | | | | |
| White | .63 | .58½ | .54 | None | None | None | .63 | .56½ | .94½ |
| Chinese | .54 | .58½ | .54 | .54 | .49½ | .54 | None | | |
| Filer | 1.10 | 1.05 | 1.00 | 1.00 | .80 | 1.00 | .67½ | .94½ | 1.54 |
| Fitter | .75 | .75 | .70 | .70 | .60 | .65 | .37½ | .64½ | 1.05 |
| Millwright | .55 | .65 | .70 | .65 | .55 | .65 | .40 | .59½ | .93 |
| Engineer | .50 | .60 | .65 | .60 | .65 | .60 | .65 | .61 | .84 |
| Firemen | .45 | .50 | .45 | .45 | .50 | .45 | .50 | .47 | .71 |
| Cut-off men | .60 | .65 | .65 | .65 | .60 | .60 | 1.10 | .69 | .84 |
| Splitter | .50 | .60 | .55 | .50 | .55 | .55 | .65 | .55 | .85 |
| Bolter | .65 | .65 | .55 | .65 | .65 | .65 | .65 | .63 | 1.00 |
| Deckmen | .40 | .50 | .45 | .40 | .40 | .45 | .45 | .43½ | .75 |
| Shipmen | .40 | .50 | .40 | .40 | .40 | .40 | .45 | .42 | .71 |
| Boom men | .50 | .50 | .50 | .50 | .50 | .50 | (?) | .50 | .86 |
| Talleymen | .45 | .50 | .45 | .45 | .40 | .40 | .40 | .43 | .77 |
| Car loader No. 1 | .40 | .50 | .50 | .50 | .50 | .50 | .50 | .49½ | .73 |
| Car loader | .40 | .40 | .40 | .40 | .40 | .40 | .40 | .40 | .67½ |
| Oil | .40 | .40 | .40 | .40 | .40 | .40 | .40 | .40 | .70 |
| Band nailer | .40 | .40 | .40 | None | None | None | .36 | .22½ | .67½ |
| Common labor | .40 | .40 | .40 | .40 | .40 | .40 | .40 | .40 | .67½ |
| Average | | | | | | | | .547 | .87 |
| Number of employees: | | | | | | | | | |
| White labor per shift | 17 | 40 | 22 | 50 | 30 | 55 | 96 | | |
| Chinese labor, per shift | 30 | 30 | 37 | 49 | 35 | 50 | None | | |
| Number of shifts per day | 2 | 2 | 2 | 2 | 2 | 2 | 1 | | |
| Hours per shift | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 6 |
| Days per week | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 |
| Machines in each mill | 12 | 18 | 15 | 24 | 16 | 24 | 24 | | |
| Piece work, per square: | | | | | | | | | |
| Sawyers: | | | | | | | | | |
| White | Cents 25-20 | Cents 26-21 | Cents 22-17 | Cents | Cents | Cents | Cents 24-20 | Cents | Cents 30-24 |
| Chinese | 22-17 | 26-21 | 22-17 | 22-17 | 20-16 | 22-17 | None | | None |
| Packers: | | | | | | | | | |
| White | 14 | 13 | 12 | None | None | None | 14 | | 21 |
| Chinese | 12 | 13 | 12 | 12 | 11 | 11 | None | | None |

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend the remarks I just made and to include therein the two bills to which I have referred, which are very short, also a statement from the United States Red Cedar Shingle Industry, Inc.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. SMITH]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. JENKINS]?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, I am today introducing a bill which provides for the payment of \$1,338,160.92 to the State of Ohio. A copy of this bill is as follows:

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 the State of Ohio, the sum of \$1,338,160.92, being the amount of payments with respect to old-age assistance under title I of the Social Security Act for the month

of October 1938 not paid to such State on account of the refusal of the Social Security Board to certify such amount for payment to such State.

My reason for introducing this bill is that this amount is actually owing to the State of Ohio from the Federal Government. The facts are about as follows: For some few months before October 1938 there was considerable confusion and misunderstanding between the Governor of the State of Ohio and the Social Security Board. The Board claimed that the Governor was not administering the old-age pensions properly in Ohio and the Governor maintained the contrary. As a result of this conflict the Social Security Board refused to come forward with its installment for the month of October 1938. The amount of that installment was \$1,274,438.97 designated as assistance and \$63,721.95 designated as a grant. Together these make the total of \$1,338,160.92.

When the Social Security Board refused to come forward with its payment which would match the payment to be made by the State of Ohio it became evident that the beneficiaries of the old-age pension law in Ohio might not receive their October installment. The Governor of Ohio so manipulated the situation as to effect a transfer of State

funds in Ohio with the result that Ohio paid both its own share and the share of the Federal Government. The old-age pensioners were not denied their October installment.

Whatever the trouble was that existed between these two agencies was later satisfactorily adjusted because the November installment was paid and every installment from that time has come forward from the Federal Social Security Board without interruption.

In other words the State of Ohio paid \$1,338,160.92 that should have been paid by the Federal Government. This bill asks that the State be reimbursed as it should be. There can be no question about the validity and the honesty of the claim of the State of Ohio.

Members of Congress and the Senators from Ohio in collaboration with the attorney general of Ohio and the Governor of Ohio have been negotiating with the Social Security Board in an effort to secure the payment of this sum. Negotiations have not been concluded and are still pending. This bill is introduced so as to protect the interests of the State in case this adjustment is not finally and promptly concluded. If developments indicate that our only chance for adjustment is through legislation then we will be well on our way with such legislation for this bill will have been referred to the proper committee and we will be that much further toward a final conclusion. Personally I hope that this matter may be adjusted. I confidently believe it can. It is a just claim and I feel the Government should come forward with a payment of this amount of money for the State has paid the Government's share and naturally expects to be reimbursed.

EXTENSION OF REMARKS

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a letter which I recently addressed to the Secretary of the Treasury relative to subsidized German imports, together with his reply thereto, and also a ruling just issued by the Treasury Department imposing countervailing tariff duties on such imports in accordance with the accompanying opinion of the Attorney General.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. TREADWAY]?

There was no objection.

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain correspondence between the Attorney General and myself.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. THOMAS]?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement from the Guaranty Survey on the subject "Will Government Investment Promote Business Recovery?" This is a very fine analysis of existing conditions, and I believe it will benefit every Member of the House to read and analyze this statement.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. LELAND M. FORD]?

Mr. SABATH. Mr. Speaker, reserving the right to object, this is a statement by whom?

Mr. LELAND M. FORD. It is a statement by the Guaranty Survey of New York City.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. LELAND M. FORD]?

There was no objection.

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a letter received from one of my constituents.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. GIFFORD]?

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include

therein a joint resolution passed by the Wisconsin Legislature pertaining to the Great Lakes waterways.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. GEHRMANN]?

There was no objection.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an excerpt from the Associated Press and from the International News Service regarding our foreign affairs.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. ALEXANDER]?

Mr. GEYER of California. Mr. Speaker, I object.

PERMISSION TO ADDRESS THE HOUSE

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. BOLLES]?

There was no objection.

Mr. BOLLES. Mr. Speaker, I intend to make some remarks today on the pitiful plight of the dairy farmer in my district. We are versatile in the producing and marketing of milk. These are real farmers, keenly alive to all the most modern in farm practice. They have great milk plants, silos, barns, stables—all sanitary herds free from tuberculosis and Bang's disease. In most of the five counties fluid milk is sold in the Chicago market, where 35 indictments have been returned against milk dealers and others on charges of conspiracy in the distribution of milk. What we want to know is when these persons are going to be brought to trial? I cannot answer but I hope the Attorney General of the United States will take cognizance of this at once.

In this connection let me say that last week the retail price to the consumer in the city of Milwaukee was cut from 12 to 10 cents a quart. How was that brought about? Not by any philanthropy by the milk monopolies but by cutting the price paid the producer from \$2.71 a hundred to \$2.10 a hundred. It will be noticed that the distributor's profit remains the same while the consumer's benefit is taken out of the pocketbook of the dairy farmer.

In the last 4 days I have received near a thousand reports from farmers in my district. They hope I can do something for them. I would like to but I seem to be in a helpless minority to impress upon the Agricultural Department any necessity of attention to the dairy which produces 20 percent of the agricultural value of the farm production.

I want Members of Congress to read some of these letters. I hope they will give greater understanding of the dairy farmer's situation. The spread between the price to milk producer and the consumer is far too great. Why should people in Washington pay 14 cents a quart for milk when it can be bought from the dairyman for from 2 to 3 cents a quart? Answer that. Somebody is being robbed at a profit.

Here is the story of Charles Morris, Sr., a good businessman of Sharon, Wis. Every Member of this House should read this letter. It gives a better picture of our circumstances in the First District of Wisconsin than I could paint. Think of the comic tragedy of spending a million dollars for Arctic reindeer when there are cows needing consideration—wealth-producing cows. Mr. Morris writes me:

I have two good farms, one in Rock County, 160 acres, and one in Walworth, 140 acres, very good farms, good buildings, and cash rent for both \$6 per acre, fairly good tenants, but they just cannot make them pay out. I am at present back on taxes also interest and no possible way to meet or overcome our present financial worries unless Congress finds a credit plan to help the farmers out. No buying, no chance to borrow money from the banks only on very short terms, and short terms are no good to the farmers. Of course, Stephen, you know that an act of God or from Congress must be coming forth at once or the poor farmers are gone. I am telling you of myself, but I am speaking for all farmers and small-business men. We are done, I tell you, providing Congress don't move, the grain rotted in the field before they threshed it, therefore the seed will not grow this spring and the farmer has no credit and no money to pay for seed. Now, then, what can they do? A great number of farmers right here in this community took out Federal loans in 1933, whereby as you know they gave away all their securities. Therefore, they have nothing to offer for credit and they are stifled, broke, up against a stone wall. Owing to untoward

circumstances which have arisen a few years back we are in dire want and pecuniary embarrassment. Being unable to meet our honest debts, what can be done? I want your suggestions, also every man in the House of Representatives. You boys must be able to work out some kind of a constructive program whereby we can have some buying power.

We have a small business here at Sharon but no buying power. Can't buy any stock to go ahead with, therefore we are at a standstill. What are we going to do, or what is Congress going to do? If people cannot pay taxes things are more serious than we think, my dear Stephen. As I have told you, I am talking for several other farmers and businessmen. Very soon interest is due, also taxes. These men are all over 65 years of age and May 1 they expect, myself included, to lay down and let the Federal land bank foreclose, pitch the property to hell and get an old-age pension. They mean business, Stephen. What do you think?

W. B. Sherman, of the Lake View Bee and Honey Farm, Elkhorn, says:

May I say I cannot believe many of the Members of Congress or the Senate realize how little income the farmers are receiving. I have a good farm and my milk check runs from \$50 to \$100 per month. I pay a hired man \$40, house rent, garden, and about 150 pounds of pork, besides expenses of feed, repairs, insurance, taxes \$170, threshing, silo filling and shredding bills, and how much do you imagine my wife and I get for our labor? We are receiving now about \$1 a hundred or 2 cents a quart for milk. The Milwaukee Journal published a report last fall showing earnings of the large milk trusts of five to ten million dollars. If Roosevelt wants to help business, would it not be wise to start at the bottom?

Then comes a plea from Joseph E. Vodas, in one of Rock County's excellent farm sections—Milton, Wis.:

Mr. BOLLES, as a Member of Congress, I wish to appeal to you if it would be in your power to help give us farmers a break. It is getting so that we farmers will not be able to exist with these low prices we are getting for our milk, etc., but what we must buy is still high, especially farm machinery or repairs for same. It really is no joke—the farmer won't be able to buy a new pair of overalls. All they got left is to keep up repairing the old ones and they won't stand that long any more either. What then? I believe there are plenty of people on relief without forcing the farmers on relief, which our Government will do if they don't do something about farm prices very soon. Taxes are going up right along. Now the farmers are getting very desperate and they will not stand for it long. All the Government is doing is investigating. Some of us farmers have been farming from 20 to 50 years and never had a Government investigator to come to our farm and ask any questions, etc., regarding how we are getting along. We farmers often wonder where they are investigating. The trouble is the farmers don't give any tips or commission. We farmers believe the Government has used this alibi long enough. It is about time they used some action. We are to be proud of our Government, but how can we when we receive such poor credit for our hard work?

JUST A ROCK COUNTY FARMER.

And here is another letter, one of several hundred of like tenor and import, from Emmett Wright, of my own county:

DEAR MR. BOLLES: For God's sake, see what can be done to get farm machinery down in price where it belongs or else get produce prices up to where they belong. One or the other is out of line, and we farmers believe it's farm products. We can't subsist and pay high prices and get so little for ours much longer. Something has to be done, and done quick. We don't kick on taxes or interest, but we must get our share of prices for milk and farm produce. Us farmers don't kick enough. If you want to do something worth while, look into this and act. This is the consensus of all the farmers out this way.

Now, what, I ask, is Congress to do with these questions? The question cannot be answered by laughing it off. Are we going to save these farmers of the type of Michael Kerkman, of Racine County, or let them to the relief rolls—

Do you know if the Government will bring to trial those that were indicted in the Chicago milk business? Something must be done. We received a 10 cents per 100 pounds cut in January, which left us \$1.50 per 100 pounds less 12 cents per 100 pounds for trucking to plant, or \$1.38 net. What will we receive in the flush period if that is all they will pay us now? In 1938 I produced 10,000 pounds more milk than in 1937 and received \$360 less money. I also know of other farmers that found the same results. With taxes rising and farm income declining, we can't make both ends meet and we will all soon be on relief.

And I close with another type of letter, from John Brandt, of Brodhead, Wis., in the cheese belt:

I am a farmer and have been farming for myself for 40 years, and I am considered a good farmer and I live on my farm. Now, this is the problem that I want solved: My age is 64—not able to farm, cannot hire, the farm will not produce enough to pay a man a living wage, say nothing about my wife and myself. Then comes taxes, insurance, fences, house, and barn and other upkeep. This

is the road to destruction. I am on this road with lots of company. If I could get a pension, say, \$1 per day, I could take one family off relief and let the young man and wife do the work on this farm and I could live in town. But in this locality the young people live in town and the old, crippled farmer must do the work.

EXTENSION OF REMARKS

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address delivered by the Governor of South Dakota.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GRISWOLD. Mr. Speaker, I ask unanimous consent that on Tuesday next after the disposition of business on the Speaker's desk and following the legislative program of the day and any special orders heretofore entered I may be permitted to address the House for 25 minutes.

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

There was no objection.

Mr. THILL. 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 Wisconsin?

There was no objection.

Mr. THILL. Mr. Speaker, events in Europe during the past week indicate that the game of bluff and counter bluff which the diplomats have been playing is now at an end. Present indications are that Hitler's 7-league boots will lead to another European conflagration. America must make up her mind today whether she will stay neutral or not. I, as one Representative in Congress, declare that I will never vote to embroil the United States in the coming European war.

The ominous war clouds which are gathering in Europe should be a warning to us to prepare our internal economy and our war mechanism for defense alone. An adequate standing army, an efficient navy, and a competent air force are needed for protection. In addition to that, a reserve officers' corps of good proportions should be maintained.

The United States must be more than careful to avoid any entangling alliances with any European powers. [Applause.]

NATIONAL DEFENSE

Mr. MAY submitted a conference report and statement on the bill (H. R. 3791) to provide more effectively for the national defense by carrying out the recommendations of the President in his message of January 12, 1939, to the Congress.

PERMISSION TO ADDRESS THE HOUSE

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SNYDER. Mr. Speaker, Ralph Waldo Emerson said: Beware when the great God lets loose a thinker on the earth.

Seventy-nine years ago the 19th of March the great God let loose a thinker in the humble home of Judge Silas Bryan at Salem, Ill. Thirty-six years after he was born William Jennings Bryan was nominated by the Democratic Party for President of the United States over the opposition of a Democratic administration.

By the profoundness of his thought, his passion for the common man, his devotion to private and public righteousness, his courageous advocacy of that which he believed to be right, William Jennings Bryan held the leadership of the political party with which he affiliated for almost two decades. Three times his party nominated him for the Presidency, when, under another leader elevated to leadership through Bryan's influence, the Democratic victory came to the Democratic Party. William Jennings Bryan was called to the high post of Secretary of State, where his devotion to the ideals of peace endeared him to the civilized world.

I had the honor of entertaining Mr. Bryan in my home in 1908. Yesterday I had the privilege of standing at the foot of the bronze statue of this Great Commoner overlooking the Potomac River in this Capital City of the Nation. Arm uplifted in characteristic gesture, yet not as the great orator, not as the profound statesman, not as the leader of a great political party, but rather as the advocate of the ideals of the Prince of Peace. William Jennings Bryan will live in the affection of his countrymen and in the admiration of the world.

Bryan's contributions to the welfare of mankind and to the realization of the ideals of democracy in the United States are so varied in form and multiplied in number that one cannot in the brief time permitted me so much as enumerate them. But outstanding in the achievements of democracy which he accomplished or to which he contributed much are the equitable principles of the income tax, the establishment of a Department of Labor in the Presidential Cabinet, the lifting of the womanhood of America from classification with the insane, the alien, and the convict by granting her the self-expression and protection of the ballot and the enduring wedge of democracy in the United States Senate by providing for the election of Senators by the vote of the people.

With his deeply rooted religious convictions it was but natural that the attempt of an atheistic science to substitute a molecule for a Maker should stir his nature to its very depths and lead him to devote his declining years to making clear the harmony between the works of God and the word of God. In the earnestness of this great purpose he overtaxed the superb physical powers with which he was endowed and which he used so unsparingly in his battles for the right as he visioned it. Thirteen years ago the great heart ceased, the eloquent lips closed, and the virile intellect lost its channels of expression. On this memorial of his birth he still lives in the institutions of his country, the love of the American people, and the respect of the world. Many in this House on this commemoration of the birthday of William Jennings Bryan can say with countless thousands who knew and loved him—

I cannot say, and I will not say
That he is dead; he is just away;
With a cheery smile and a wave of the hand
He has wandered into an unknown land
And left us dreaming how strangely fair
It needs must be, since he lingers there;
Think of him just the same, I say;
He is not dead, he is just away.

LEAVE OF ABSENCE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Mississippi, Mr. McGEHEE, may be granted an indefinite leave of absence as he has been called out of town on account of a death in his family.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

EXTENSION OF REMARKS

Mr. MAGNUSON. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to be allowed 15 days to do so.

The SPEAKER. The gentleman from Washington asks unanimous consent to revise and extend his remarks within 15 calendar days. Is there objection?

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Mr. Speaker, as I understand, when a Member obtains permission to extend his remarks in the RECORD that permission lasts 30 days. Is that correct?

The SPEAKER. That is correct.

Mr. MAGNUSON. Thirty days or 30 calendar days?

The SPEAKER. Thirty days.

Mr. MAGNUSON. Then, Mr. Speaker, I withdraw that part of my request relating to the 15 days.

The SPEAKER. The gentleman from Washington asks unanimous consent to revise and extend his own remarks in the RECORD. Is there objection?

There was no objection.

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by me at the Tomb of the Unknown Soldier on March 17.

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

There was no objection.

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Philadelphia Inquirer on Social Security.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. McCORMACK. 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 Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, in the New York Times of this morning appears a news item stating that 75,000 telegrams have been sent to the President as follows:

Appalled at Franco's brutal reprisals in conquered territory and outraged by Chamberlain's callous betrayal of Spanish Republic, American people urge you publicly denounce rebel regime as forcibly as you did Nazi outrages last November. In name of democracy we urge continued firm stand against recognition of Franco.

I simply wish to call the attention of the House to the fact that this is nothing but propaganda. I have in my hand a communication sent out within the past several days to various persons urging them to send telegrams to the President and enclosing therein the form of the telegram, which is exactly the same as those sent to the President. It is nothing but an organized drive, in other words, organized propaganda of the most contemptible kind. It simply shows how far some people and organizations will go to manufacture a false public opinion. So far as the city of Washington is concerned, that drive was under the leadership of the Washington Friends of Spanish Democracy. On Friday last I was informed that this drive was going to occur. I was given a copy of the telegram that would be sent to the President. On the communication sent out by this organization, if it is a bona fide one, which is doubtful, was a memorandum which reads as follows:

This is a sample of the 2,500 telegrams we are sending President Roosevelt as Washington's quota of the national 100,000-wire campaign. The telegrams cost only 10 cents each. They must reach the President by Sunday night, March 19. This is a rush order, but imperative. Can you make yourself responsible for at least 10 signatures and 10 dimes and get the signatures into this office immediately? The telegrams will be sent from here.

A few days later and on Friday or Saturday last another communication was sent out on a post card, as follows:

TWO THOUSAND FIVE HUNDRED WIRES BY SUNDAY

Have you collected your share of the signatures on the wire campaign to President Roosevelt? You received the sample wire yesterday urging him to speak out against Franco reprisals and to continue to deny recognition to the rebels. Our office will open all day Saturday and Sunday to receive the signatures that you have collected. Phone them into us immediately and bring the dimes when you can. You still have time. Washington's quota of 2,500 must be fulfilled.

WASHINGTON FRIENDS OF SPANISH DEMOCRACY,
1410 H Street NW.

Such efforts should be exposed. Such efforts are interesting to show the lengths that some movements will go to create an artificial public opinion, or to try and manufacture group pressure, and in this case directed toward the President of the United States.

I refer to this pressure campaign so that its methods, and by whom employed, and the purposes sought will be known to my colleagues in the House. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—LIMITATION ON PUBLIC DEBT (H. DOC. NO. 213)

The SPEAKER laid before the House the following message from the President of the United States, which was

read, and, with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

I am transmitting herewith a letter dated March 17, 1939, from the Secretary of the Treasury regarding the limitation placed upon the total amount of the public debt obligations which may be issued and outstanding at any one time under authority of the Second Liberty Bond Act, as amended. You will note from this letter that the Secretary of the Treasury feels that there will be no necessity for increasing the present limitation of \$45,000,000,000 on the total public debt which may be outstanding at any one time, but does feel very strongly that it will be necessary to increase the present limitation of \$30,000,000,000 face amount of bonds which may be outstanding at any one time.

I recommend that the Congress take such action as may be necessary to give the Treasury the authority which will enable it to carry out its financing operations during the next fiscal year as may be for the best interest of the Government in line with market conditions at the time of such financing.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, March 20, 1939.

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

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

The Chair will state that in order that we may get along with the program the Chair will not recognize other Members making requests for time after this request.

The gentleman from Pennsylvania is recognized for 1 minute.

Mr. RICH. Mr. Speaker, you can see by the request of the President that we are not going to increase the limit on the national debt beyond \$45,000,000,000, but the administration wants the privilege of increasing the sale of Government bonds.

If the President of the United States and the Congress wanted to do what is for the best interest of this great Nation of ours, they would economize in their expenditures, though they would not have to sell a great many more bonds and therefore would not have to ask for permission in the very near future to increase our national debt from \$45,000,000,000 to some point way beyond that amount, a travesty to American future generations. If you will read the Treasury's statement each day you will see that we are in a perilous condition and the sooner we act in an economical manner the better the country will be. We are going to have some requests here today for expenditure of funds. Such expenditures should not be made by the Federal Government and I want the Members of Congress to take recognition of that fact and act accordingly. Will you do it? [Applause.]

ORDER OF BUSINESS

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Speaker, the Committee on Appropriations has concluded hearings on the second deficiency bill and there are some items in it of great urgency. I have discussed with the gentleman from New York [Mr. TABER], the Speaker, and the acting majority leader the question of when we may get it taken up on the floor. We cannot report the bill today, but we could have it ready for Wednesday; and therefore, Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday be in order on tomorrow.

In this connection I may say that the Committee on Banking and Currency has the call, and I have consulted the gentleman from Alabama [Mr. STEAGALL], and the gentleman from Michigan [Mr. WOLCOTT] is present. The gentleman from Alabama has no objection. If this consent is granted,

we should like to call up the second deficiency bill on Wednesday and dispose of it, which would give the right-of-way, then, on Thursday and Friday to the Department of Agriculture appropriation bill.

The SPEAKER. The request assumes, of course, we will finish the Interior Department bill before the Department of Agriculture appropriation bill is taken up.

Mr. WOODRUM of Virginia. Yes.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I would like to have a clearer understanding of what the Banking and Currency Committee is going to bring up. As I understand, they do not have any bill that they can call up.

Mr. WOODRUM of Virginia. Perhaps they do not. I could not get in touch personally with the gentleman from Alabama, but he sent me a message on the telephone stating he had no objection to making the business in order on Wednesday in order on Tuesday. I do not know what the gentleman has to bring up.

Mr. MARTIN of Massachusetts. If they do not claim the right to use Calendar Wednesday, are we going any further in the call of committees?

Mr. WOODRUM of Virginia. I cannot answer the gentleman about that.

Mr. MARTIN of Massachusetts. I think we ought to have some information concerning that matter.

Mr. TABER. Mr. Speaker, will the gentleman from Massachusetts yield to me?

Mr. MARTIN of Massachusetts. Certainly.

Mr. TABER. The next committee on call would be the Committee on Coinage, Weights, and Measures, and the next one the Committee on Interstate and Foreign Commerce, followed by the Committee on Rivers and Harbors. I mention this, thinking it might help to find out what might be taken up.

The SPEAKER. The Chair may state that at this stage of the session it is usual to call at least one committee on Calendar Wednesday, and it may be agreeable to the other committees to waive the call on Wednesday so that we may go ahead with the appropriations bill.

Mr. MARTIN of Massachusetts. I would suggest that if the Banking and Currency Committee does not particularly want to claim the day we could set the day aside entirely.

Mr. WOODRUM of Virginia. Mr. Speaker, if that is agreeable, I ask unanimous consent that business in order on Calendar Wednesday next be dispensed with.

Mr. CANNON of Missouri. Mr. Speaker, it is my understanding that the majority leader insists that the Calendar Wednesday rule be observed. The agricultural bill is ready, and has been ready for some time. We can take up the bill on Calendar Wednesday or on Thursday or the following Monday.

Mr. WOODRUM of Virginia. Mr. Speaker, I understood it would be agreeable if we could get the deficiency bill out of the way by Thursday so that the agricultural bill could be considered on Thursday and Friday.

Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday next be dispensed with.

Mr. CANNON of Missouri. Mr. Speaker, reserving the right to object, is it the understanding that Tuesday will be taken up with other business?

The SPEAKER. If the agricultural bill is ready on Tuesday, the Chair knows of no reason why it should not be continued until later in the week.

Mr. CANNON of Missouri. Then I would have to object to dispensing with Calendar Wednesday.

Mr. JONES of Texas. The gentleman from Missouri states he does not want to start on Tuesday and then stop the consideration of the bill.

Mr. CANNON of Missouri. It would be perfectly agreeable to me to dispense with Calendar Wednesday if we could start with agriculture on Thursday.

Mr. WOODRUM of Virginia. That was my understanding, and I was not trying to interfere with that plan.

The SPEAKER. The Chair, of course, is somewhat embarrassed in answering the question. In the absence of the

majority leader, the gentleman from North Carolina [Mr. BULWINKLE] is acting temporarily as majority leader. The Chair sees no objection to the request proposed by the gentleman from Virginia [Mr. WOODRUM].

Mr. JONES of Texas. Mr. Speaker, as I understand it, the gentleman from Missouri [Mr. CANNON] does not object to dispensing with Calendar Wednesday, provided his bill will not be called tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM] under the circumstances? [After a pause.] The Chair hears none, and it is so ordered.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day, and the Clerk will call the first bill on the calendar.

AMENDING SOIL CONSERVATION ACT

The Clerk called the bill (H. R. 3800) to amend section 8 (e) of the Soil Conservation and Domestic Allotment Act, as amended.

The SPEAKER. Is there objection?

Mr. JONES of Texas. Mr. Speaker, in deference to one of the Members who wanted to be present to present an amendment, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

AGRARIAN CLAIMS COMMISSION, UNITED STATES AND MEXICO

The Clerk called House Joint Resolution 114:

Authorizing appropriation for expenses of a representative of the United States and of his assistants, and for one-half of the joint expenses of this Government and the Government of Mexico, in giving effect to the agreement of November 9-12, 1938, between the two Governments providing for the settlement of American claims for damages resulting from expropriations of agrarian properties since August 30, 1927.

Mr. MARTIN J. KENNEDY, Mr. BEAM, and Mr. KRAMER objected and the resolution was stricken from the calendar.

ADDITIONAL APPROPRIATION, FEDERAL PARTICIPATION, NEW YORK WORLD'S FAIR

The Clerk called House Joint Resolution 141, to authorize the appropriation of an additional sum of \$1,046,000 for Federal participation in the New York World's Fair, 1939.

Mr. KRAMER, Mr. RICH, Mr. GORE, and Mr. WOLCOTT objected and the joint resolution was stricken from the calendar.

PRIVATE CHARTER OPERATION

The Clerk called the bill (H. R. 2382) to amend section 704 of the Merchant Marine Act of 1936, as amended, and to amend section 706 (a) of the Merchant Marine Act, 1936.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object. This seems to be a very important bill. I have tried to understand the bill and do not, perhaps, because of my limited knowledge of the Merchant Marine Act. I do not understand what the legislation provides for. Will the gentleman from Virginia [Mr. BLAND] explain briefly?

Mr. BLAND. Mr. Speaker, when the United States Marine Commission was appointed there were four lines, perhaps five, that were then Government owned and were being operated by operating agents. Section 704 was amended. The first provided they should not be continued in operation longer than 1 year after the passage of the bill. The bill was amended in 1937 to continue the time and also give a preference to operators. The Maritime Commission has advertised three of those lines for sale. Bids have been received from one concern, the United States Lines, and the Maritime Commission takes the position that it has no authority to negotiate with the present owners, which will be necessary according to our view, in order to recognize the preference that has been accorded not only in the act of 1937 but also since 1920. The proposed bill simply gives the Maritime Commission authority to negotiate. Only one bid has been received, and we feel that it is in the interest of the public that the Commission should have the right to negotiate, but it is not mandatory in any respect that the Commission shall accept the bid or after

negotiation give preference to the present operators; in other words, in negotiating with the present bidders or the present operators or anybody else in the interest of carrying out the provisions of the law it is not mandatory that they shall accept the bid of any one person.

In other words, we want to vest the Maritime Commission with sufficient authority, because there is only one bid, and because of preferences that have been accorded, to consider all of the different interests, and then determine with respect to its decision as the best interest of the country demands, and we feel this is more in keeping with the settlements that have been made with the ocean-mail contract than it would be to accept the bid of one bidder, with complete control of the entire shipping under the American flag between the ports affected from north of Cape Hatteras to the Maine-Canada boundary.

Mr. WOLCOTT. Then, as I understand it, unless this bill is passed the Maritime Commission is bound to accept this lone bid.

Mr. BLAND. No; I do not say it is bound to accept, but, according to their views, they would have to reject the present bid and could not negotiate with anybody else. They say as the law is now written it compels competitive bidding.

Mr. WOLCOTT. Of course, it is to be presumed that in negotiations they would not accept an amount less than the bid which they received.

Mr. BLAND. I do not know about that.

Mr. WOLCOTT. This merely allows a little more latitude?

Mr. BLAND. Yes; it gives them more latitude in the disposition of the bid. It is an emergency measure by reason of the fact that they now claim they have no right to negotiate.

Mr. MAPES. Mr. Speaker, is this the bill for which a rule was requested from the Committee on Rules?

Mr. BLAND. Yes; it is the bill. The rule is pending, but that was not pressed because we hoped to have a Calendar Wednesday before that time.

Mr. MAPES. Mr. Speaker, my understanding was that the Committee on Rules was to hear the gentleman from Virginia and others interested in the legislation, and that a meeting of the committee was called for that purpose, and that at the request of the gentleman the hearing was postponed. I never knew just why the hearing before the Committee on Rules was postponed.

Mr. BLAND. Because we hoped to get the bill up on Calendar Wednesday. I had the assurance of the majority leader that we would be reached on the next Calendar Wednesday.

Mr. MAPES. It was not because of any request from the Maritime Commission or suggestion from the Commission that there were some things in connection with the legislation that needed to be straightened out?

Mr. BLAND. No. No request from the Maritime Commission to that effect.

Mr. MAPES. The minority leader has suggested this question: Is this the bill with respect to which there has been some talk that the gentleman might secure recognition to move to suspend the rules and pass the bill?

Mr. BLAND. This is the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 704 of the Merchant Marine Act of 1936, as amended (U. S. C., title 46, sec. 1194; 49 Stat. 2008, as amended April 1, 1937, ch. 64, 50 Stat. 57), is amended by striking out "and all operation of the Commission's vessels by private operators under such operating agreements shall be discontinued within 1 year after the passage of this act: *Provided*, That nothing herein contained shall prevent private operators, under such operating agreements, commencing voyages prior to said expiration date and completing them thereafter: *Provided further*, That nothing contained herein shall be construed as limiting or affecting the power of sale under provisions of section 705 of this act," and inserting in lieu thereof: "*Provided*, That the Commission shall first negotiate for the charter of said lines with the present operators, respectively, giving them preference in the awarding of the charter."

The first sentence in section 706 (a) of the Merchant Marine Act of 1936 (U. S. C., title 46, sec. 1196; 48 Stat. 2009), is amended by

inserting at the end thereof before the period, a comma and the following: "except as otherwise provided in section 704 of this act, as amended."

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That section 704 of the Merchant Marine Act, 1936, as amended (U. S. C., 1934 ed., Supp. IV, title 46, sec. 1194), is amended to read as follows:

"Sec. 704. All vessels transferred to or otherwise acquired by the Commission in any manner may be chartered or sold by the Commission pursuant to the further provisions of this act. Pending such charter or sale the Commission, under such agreements as it may deem advantageous, is authorized to operate such vessels for its account on lines in foreign commerce of the United States. In the case of any line being operated by the Commission on February 1, 1939, preference in the operation, sale, or charter thereof shall be given to the agent operating such line for the account of the Commission on such date. Before advertising any such line for sale or charter, and notwithstanding any advertisement prior to February 1, 1939, for such sale or charter, the Commission shall negotiate with the agent who on such date was operating such line for the account of the Commission for sale or charter of such line to said agent, and may negotiate with any other person for sale or charter of such line to such person. The Commission, pursuant to such negotiation, may enter into an agreement or agreements for such sale or charter upon such terms and conditions as will give preference to the operator who was operating such line on February 1, 1939, insofar as it may be possible to do so consistent with the purposes and policy of this act and with carrying into effect the requirements of said section 809 of this act: *Provided*, That if any such line shall be disposed of by negotiation, a full report thereof with reasons therefor shall be made to Congress at the earliest opportunity. Except as in the section otherwise specifically provided, nothing contained herein shall be construed as limiting or affecting the power of sale under the provisions of section 705 of this act."

"Sec. 2. Section 705 of the Merchant Marine Act, 1936, as amended (U. S. C., 1934, ed., Supp. IV, title 46, sec. 1195), is amended to read as follows:

"Sec. 705. As soon as practicable after the passage of this act, and continuing thereafter, the Commission shall arrange for the employment of its vessels in steamship lines on such trade routes, exclusively serving the foreign trade of the United States, as the Commission shall determine are necessary and essential for the development and maintenance of the commerce of the United States and the national defense: *Provided*, That such needs are not being adequately served by existing steamship lines privately owned and operated by citizens of the United States and documented under the laws of the United States. It shall be the policy of the Commission, except as otherwise provided in section 704 of this act, as amended, to encourage private operation of each essential steamship line now owned by the United States by selling such lines to citizens of the United States in the manner provided in section 7 of the Merchant Marine Act, 1920, and in strict accordance with the provisions of section 5 of said act, or by demising its vessels on bare-boat charter to citizens of the United States who shall agree to maintain such line or lines in the manner hereinafter provided."

"Sec. 3. Section 706 of the Merchant Marine Act, 1936, as amended (U. S. C., 1934 ed., Supp. IV, title 46, sec. 1196), is amended to read as follows:

"Sec. 706. (a) Except as otherwise provided in section 704 of this act, as amended, the Commission shall not charter its vessels to private operators except upon competitive sealed bids submitted in strict compliance with all the terms and conditions of a public advertisement soliciting such bids. Each and every advertisement for bids to charter the Commission's vessels shall state the number, type, and tonnage of the vessels the Commission is offering for bare-boat charter for operation as a steamship line on a designated trade route, the minimum number of sailings that will be required, the length of time for which the charter will be given, and all other information the Commission shall deem necessary for the information of prospective bidders.

"(b) The Commission shall have authority to, and shall announce in its advertisements for bids that the Commission reserves the right to reject any and all bids submitted."

"Sec. 4. Section 707 of the Merchant Marine Act, 1936, as amended (U. S. C., 1934 ed., Supp. IV, title 46, sec. 1197), is amended to read as follows:

"Sec. 707. Except as otherwise provided in section 704 of this act, as amended—

"(a) The Commission shall award the charter to the bidder proposing to pay the highest monthly charter hire unless the Commission shall reject such bid for the reasons set forth in subsection (b) of this section.

"(b) The Commission may reject the highest or most advantageous or any other bid, if, in the Commission's discretion, the charter hire offered is deemed too low, or the Commission determines that the bidder lacks sufficient capital, credit, or experience to operate successfully the line; but the reason or reasons for rejection of any bid, upon request of the bidder, shall be stated to such bidder in writing.

"(c) If the highest bid is rejected, the Commission may award the charter to the next highest bidder, or may reject all bids and readvertise the line: *Provided, however*, That the Commission may operate the line until conditions appear to be more favorable for a reoffering of the line for private charter."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to amend sections 704, 705, 706, and 707 of the Merchant Marine Act, 1936, as amended."

Mr. BLAND. Mr. Speaker, I ask unanimous consent at this point to extend my remarks in the RECORD and to include excerpts from certain statutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLAND. Mr. Speaker, section 704 of the Merchant Marine Act, 1936, as it was originally passed, provided that all vessels transferred to or otherwise acquired by the Commission in any manner may be chartered or sold by the Commission pursuant to the further provisions of that act. The section read further:

All vessels transferred to the Commission by this act and now being operated by private operators on lines in foreign commerce of the United States may be temporarily operated by the Commission for its account by private operators until such time and upon such operating agreements as the Commission may deem advantageous, but the Commission shall arrange as soon as practicable to offer all such lines of vessels for charter as hereinafter provided, and all operation of the Commission's vessels by private operators under such operating agreements shall be discontinued within 1 year after the passage of this act.

Nothing in section 704 provided preference to the then operators of Government-owned lines. In 1937 this section was amended, and the amendment provides for preference to the operators.

The 1937 amendment provided that the Commission shall arrange as soon as practicable to offer all such lines of vessels for charter as hereinafter provided, and added affirmatively: "Preference to be given to present operators."

The above law has never been repealed.

The intent and purpose of the Congress was (a) to deal fairly with the operators; (b) to protect the outer ports from monopolies and operation by one or more lines with headquarters in distant ports, where the interests of those operators might be in the ports of their headquarters and not general; (c) to encourage patronage of American-flag ships by diversity of operations; and (d) to build up business through the outer ports.

PREFERENCE PROVIDED IN OTHER SECTIONS OF THE ACT

The preference sections above recited are not the only provisions of the 1936 act looking to preference. While the preference to present operators did not expressly appear in section 704 until the 1937 amendment, yet section 809 of the 1936 act is in the same form now as when the law was enacted in 1936. It reads as follows:

SEC. 809. Contracts under this act shall be entered into so as to equitably serve, insofar as possible, the foreign trade requirements of the Atlantic, Gulf, and Pacific ports of the United States. In awarding contracts under this act, preference shall be given to persons who are citizens of the United States and who have the support, financial and otherwise, of the domestic communities primarily interested.

It will be observed that the language comprehends contracts of charter as well as sale, contracts of Government-owned and operated lines as well as others, and requires that preference shall be given to persons who have the support, financial and otherwise, of the domestic communities primarily interested.

Moreover, this section requires equitable distribution among ports in order to protect outer ports.

Section 402 of the act of 1928 required, in the certification of ocean-mail routes and in the establishment of such services, that such services should be distributed so as equitably to serve the Atlantic, Gulf, and Pacific coast ports.

Section 7 of the act of 1920 gave the same preference which is provided in section 809 of the act of 1936. It reads as follows:

Provided, That preference in the sale or assignment of vessels for operation on such steamship lines shall be given to persons who are citizens of the United States who have the support, financial and otherwise, of the domestic communities primarily interested in such lines if the Board is satisfied of the ability of such persons to main-

tain the service desired and proposed to be maintained, or to persons who are citizens of the United States who may then be maintaining a service from the port of the United States to or in the general direction of the world-market port to which the Board has determined that such service should be established.

HOW PREFERENCE TO BE RECOGNIZED—MANIFESTLY NEGOTIATION IS REQUIRED

The Commission very recently has held that legally it cannot undertake private negotiations with present owners of Government-operated lines either before or after bids, and that the only way in which the preference can be allowed is in the case where the present operator and the outsider submit equally or nearly equal bids. To pursue this course is to deny to present operators the preference given (a) under section 704, as amended, and (b) under section 809, where the Commission is specifically required—

In awarding contracts under this act, preference shall be given to persons who are citizens of the United States and who have the support, financial and otherwise, of the domestic communities primarily interested.

Any construction of the law which makes it mandatory to accept the highest bid without regard to the preference granted by law violates the preference accorded by the law and defeats the express language of the law.

It is contended that by section 707 (a) the Commission is required to accept the highest bid unless the bid is rejected for the reasons set forth in subsection (b), which is when the bid is too low or the bidder lacks sufficient capital, credit, or experience to operate successfully the line.

If the highest bid is rejected, the Commission, by subsection (c) of section 707, may award the charter to the next highest bidder, or may reject all bids and readvertise the line.

The Commission concludes that it has no power of negotiation; and to remove all doubt, the O'Leary bill permits those negotiations which may be found to be necessary to give effect to the existing law.

INVITATION TO BID UNCERTAIN

There were obviously three prospective bidders in the market. They were the United States Lines, the Cosmopolitan Shipping Co., and the Southgate Nelson Corporation. The existing subsidy awards to the United States Lines and the services operated by them from and to other more highly developed ports such as New York and London, gave them an advantage. They could afford to take chances which less favored bidders would find impossible. No one else without their advantage could take such a chance.

In the invitation to bid under the heading "Information and instructions," under the subtitle "(3) Substitution of vessels," it is provided that the Commission may substitute for any of the vessels awarded or chartered, or vessels owned by the operator substituted therefor, presently existing or newly constructed cargo vessels satisfactory to the operator, and upon such substitution all the provisions of the charter-party agreement, including provisions with respect to the payment of an operating-differential subsidy, should be applicable thereto, subject to the provisions of law then in effect; provided, however, that such adjustments of the basic charter hire may then be made (1) as may be necessary to conform to the provisions of law then in effect, and (2) as the Commission may deem fair and equitable. In the event of the failure of the operator to agree to pay such charter hire for any vessel so substituted by the Commission, the charter-party agreement shall terminate forthwith and the operator shall forfeit all rights thereunder and also pay to the Commission as liquidated damages a sum equal to 12½ percent of the aggregate amount of any subsidies previously received.

The uncertainty of these terms gave an advantage to the line which would obtain a monopoly. It is certain that all of the ships to be operated are so old that their useful and economic life in a few years will completely end. The Maritime Commission is building ships, and of those now being built and soon to be launched some will be required for substitution. The Commission, at the time of the substitution, will know the provisions of law then in effect. The invitation shows that they do not know now what the law will be then. Bidders should know what they are bidding on, and

this contemplates terms and conditions as well as physical and tangible property. The terms of substitution were uncertain. Obviously the bidders could not know them. Therefore the bidders were required by the invitation to guess the best they could and then were obligated to terms to be imposed in the future. They were required to bind themselves to obligations later to be determined, and obligate themselves if they could not accept those terms to a penal provision of 12½ percent of the aggregate amount of any operating differential subsidy previously paid.

An operator who was already operating extensive and favored services, who was already receiving subsidies, and whose bid would give him complete control of all American-flag services from Cape Hatteras north to the boundaries between Maine and Canada, manifestly could afford to take a gambler's chance. He was the only operator who could take such a chance.

No one else did take that chance, and the persons entitled by law to preferential consideration found themselves denied the preference given them by law.

In hearings before the Senate and House committees great stress is laid by the Commission upon the equitable principle of equal rights to all and special privileges to none. With that abstract principle we agree, but when the law gives a preference to a particular person, and that law has not been repealed, it is binding.

The O'Leary bill provides a means of giving to all a fair chance and equal opportunity. It provides a means of carrying into effect existing law. Surely a commission that has negotiated contracts involving many millions may negotiate these contracts. Certainly the only bidder who responded to this invitation to bid should not complain of negotiations. It was by negotiation that that bidder received its present services first under the old Shipping Board and then under the Maritime Commission, that it then disposed of its interests in the lines now constituting the Good Neighbor Fleet, and that it secured a termination of the European services for the Baltimore Mail Line and finally secured the transfer of that line to intercoastal service. That bidder would appear to be estopped from denying the right of negotiation to others. All that the O'Leary bill does is to accord to operators who have been carrying on against terrific odds an opportunity to deal on equal terms with existing subsidized lines.

The O'Leary bill provides equality of justice and opportunity to all.

SALE BY NEGOTIATION PREFERABLE

Great importance is attached to the so-called fundamental principle of disposing of Government property by public auction or by competitive bids. It is manifest that there are occasions when in justice to all this cannot be done, and when recourse must be had to negotiations. It is not often the case that insolvent railroads are sold by public auction or by sealed bids. Negotiations by officers of the court with interested parties are usual. In its enforcement of its own liens on vessels, the Maritime Commission found that such procedure was required to be followed. This was because long experience had shown that such procedure was necessary for the protection of all interests, and such procedure had become the law of the land. The same essential procedure is preferable in the case of the disposition of these services.

It is true that the Government owns the ships, but there is more at issue than mere sale or charter of ships. There are involved elements such as these: First, the right of all the ports affected to equitable service; second, the right of the Nation to have all of the ports of the Nation developed in the interest of trade promotion and development of facilities for the purposes of trade and national defense; third, the preference provided by law for the present operators, and repeatedly prescribed by law for citizens of ports in the area affected; fourth, the good will of these operators built up through the most trying years in the Nation's history; fifth, the business affiliations, connections, and agencies established at home and abroad by all who desire these lines, and the improvement or impairment of foreign-trade services that

may result from the final disposition of the lines; sixth, the local support of the ports interested and that disposition which will serve primarily the interests of the American merchant marine and secondarily the local interests; seventh, the geographical areas reached through each of the ports, the transportation connections, and economic possibilities of these areas, their part in a comprehensive scheme of national defense, and the best means of promoting the interests of those areas and economically serving them; and eighth, whether it is better to have a few big shipping companies serving many localities, or to have a larger number of more or less local companies serving their respective localities, contributing their time, efforts, means, money, and energies in promoting foreign trade, and by their collective efforts more effectually serving the Nation than a few monopolies in the shipping business.

There are many more factors that should enter into the final decision. These factors transcend all rivalries between lines or the continued existence of different services. They are of first importance and enter into the establishment and maintenance of services. These are questions that cannot be answered by competitive bidding or by public auction as the sole means of reaching these ultimate and superior objectives.

The argument made in this case that the Maritime Commission can always protect the outer ports carries little weight if the agencies for effectuating that protection are first destroyed. That is a question worthy of consideration by the Commission. The question of the best manner and means of accomplishing this end is not one to be answered always by competitive bidding.

All that the O'Leary bill does, in the limited number of instances cited in the bill, is to allow negotiations. After negotiation the decision is with the Maritime Commission to act as, in its opinion, under the law, the best interest of the country demands.

The proponents of this legislation feel that they can trust the Commission. The great work done by the Commission should assure the American people and the opponents to this measure that the Maritime Commission may be trusted. Of course the Commission may trust itself.

NEGOTIATION AUTHORIZED IN MERCHANT MARINE ACT, 1936, FOR SOME CONSTRUCTION CONTRACTS

In the Merchant Marine Act, 1936, provision is made under other circumstances for negotiation of construction contracts. See section 502 (b), wherein it is provided that—

In any case where the Commission finds that the construction differential exceeds 33 1/3 percent of such cost—

Construction cost of the vessel paid by the Commission, excluding the cost of national-defense features as provided in said section—

and the lowest bid of a responsible domestic shipbuilder is unreasonable, excessive, or collusive, the Commission may negotiate and contract with the view to construction in a domestic shipyard that is not unreasonable or excessive in cost or collusive in character. Where the Commission finds that the construction differential exceeds 50 percent of such cost, the Commission may negotiate and contract on behalf of the applicant to build such vessel in a domestic shipyard at a cost which will reduce the construction differential to 50 percent or less.

Section 502 (f), which permits allocations to different yards to provide necessary facilities for national defense, in addition, says:

In the allocation of construction work to such yards as herein provided, the Commission may, after first obtaining competitive bids for such work in compliance with the provisions of this act, negotiate with the bidders and with other shipbuilders concerning the terms and conditions of any contract for such work and is authorized to enter into such contract at a price deemed by the Commission to be fair and reasonable.

Again, in section 502 (f), provision is made for the allocation of construction work if the Commission shall find that the existing shipyards, including the navy yards, do not provide adequate facilities to meet necessary requirements for purposes of national defense and national emergency, with special regard to providing facilities for the national defense at strategic points.

It is provided that the Commission, after taking into consideration the benefits accruing from standardized construction, the conditions of unemployment, and the needs and reasonable requirements of all shipyards, may, with the approval of the President, allocate construction work to such yards and in such manner as it may determine to be fair, just, and reasonable to all sections of the country, subject to the provisions of said subsection. The act then provides:

In the allocation of construction work to such yards as herein provided, the Commission may, after first obtaining competitive bids for such work in compliance with the provisions of this act, negotiate with the bidders and with other shipbuilders concerning the terms and conditions of any contract for such work, and is authorized to enter into such contract at a price deemed by the Commission to be fair and reasonable.

We find that Charles Edison, Assistant Secretary of the Navy, recently told Senator BARBOUR of New Jersey that he was considering carefully a proposal that in building for the Navy shipbuilding contracts might be awarded on an allocation or assignment basis rather than on the basis of competitive bidding.

A detailed plan to that effect was submitted recently by John Green, president of the Industrial Union of Marine and Shipbuilding Workers of America, for the reason that it was believed that the plan would provide employment in such a way that the labor supply would be stable and adequate for the entire period of construction.

Assistant Secretary Edison advised Senator BARBOUR, according to newspaper reports, that in spite of the benefits that might be derived under the method proposed, it does run counter to the usual and accepted procedure in awarding public contracts in this country. He said, however, that if proper safeguards could be devised, such a method might be entirely in the public interests of efficiency and economy.

There is no such sanctity attached to competitive bids that other methods of procedure may not be followed where those methods are in the interest of efficiency or economy, good business, prevention of monopoly, sanctity of obligation, implied or express, observance of affirmative provisions of law under which persons have acted, or otherwise desirable.

The Commission which has served with such distinction in settling claims involving millions may be safely trusted with these negotiations. That same Commission adjusted many matters involving millions with the only bidder who responded to the invitation for bids involved in this legislation. It can safely be trusted to conduct the negotiations provided in this legislation.

Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. O'BRIEN], a member of the committee, may have permission to extend his remarks in the RECORD at this point and include certain quotations.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'BRIEN. Mr. Speaker, I have given careful study and consideration to the O'Leary bill, H. R. 2382, and to the background of the proposition involved therein. To me the bill appears to be entirely fair and equitable and in keeping with precedents of the past and the declared policy of Congress that we have and maintain an adequate and well-balanced merchant marine.

The question before us has reduced itself to the proposition of whether we are going to scuttle and scrap two or three small but efficient American shipping organizations, which have been operating Government-owned ships for many years, and turn these vessels and these businesses over to a single large combine. The Merchant Marine and Fisheries Committee, after exhaustive hearings, has unanimously declared itself against such a proposition and has gone on record in favor of maintaining these smaller organizations as a part of the American merchant marine wherever consistent with the best interests of the Government.

This action has been taken for two major reasons: First, it is merely carrying out the consistently declared policy of Congress; and, secondly, failure to enact this legislation would mean the destruction of these small but efficient ship-

ping units and the placing of these businesses in the hands of a larger single combine, the United States Lines, which itself has a notorious record for dipping deeply into the coffers of the Federal Treasury at the expense of the American taxpayer.

With reference to the first reason, namely, that this bill is merely carrying out the consistently declared policy of Congress, I refer back to the various shipping acts in which Congress has repeatedly stated that in the charter or sale of the Government-owned lines that preference should be given to the present operators thereof. Section 704 of the Merchant Marine Act, as amended, carries specific language to that effect. Unfortunately, however, Congress has never defined the term "preference," and hence the Maritime Commission, as well as the operators of these lines, have never had a clear and definite declaration of what Congress intended by granting this preference. The O'Leary bill does, to a large extent, define that preference.

Of particular significance with reference to this point, I desire to refer to a letter directed to the President of the United States on December 3, 1930, by a special committee appointed by him to investigate and recommend what disposition should be made of the American Diamond Lines and the America-France Line, taking into consideration that the then operators of the services had been outbid in competitive bidding for these services. This special committee consisted of Ira A. Campbell, H. D. Dalton, Edward N. Hurley, George S. Jackson, and Clarence M. Woolley. These gentlemen recommended that these services be sold to their then operators, namely, the American Diamond Lines, to the Black Diamond Steamship Corporation, and the America-France Line to the Cosmopolitan Shipping Co., despite the higher bid for these services placed by the United States Lines, the only other bidder.

Certain phases of this report are extremely pertinent and are very timely to the present situation here presented. I quote from certain passages of this report:

Our conclusions that the public interest would best be served by the sale of the American Diamond Lines to the Black Diamond Steamship Corporation and the America-France Line to the Cosmopolitan Shipping Co. are based upon the following considerations, namely:

1. The Shipping Board has followed the sound policy in consonance with the views of the framers of the legislation, which has made possible the upbuilding of our merchant marine, of placing the various Government services in the hands of different operators. This has resulted in the creation of new shipping concerns, many of them in ports other than New York. The United States has needed and still needs to develop as many substantial and capable organizations and executives in the shipping business as possible. It has been the recognition of this need and the confidence that they would be developed that has brought to constructive shipping legislation the support of Members of Congress, regardless of party lines, and of commercial and agricultural interests throughout the United States. The same policy should be followed wherever soundly applicable in the sales of the Government services. * * *

With specific reference to the America-France Line, which is operated by the Cosmopolitan Shipping Co., one of the lines under consideration in the O'Leary bill, the report continues:

The Cosmopolitan Shipping Co. has a good organization in the United States, with its principal office in New York and agencies in other cities, from which comes the largest part of its business. It has an unusually fine and active organization in France, with agents in every important commercial center from which it draws its foreign business.

The officers and agents of the company have devoted their efforts largely to the development of this particular service, extending over a period of 14 years. The company has built up a goodwill in the trade. This is evidenced not only by the way it has developed and held its business, but also by the very excellent letters of endorsement which have been presented to us.

So far as we can ascertain, no criticism has ever been made of the efficiency of the Cosmopolitan Shipping Co.'s management. The Shipping Board has recognized its efficiency by rating the company at its highest classification as an operator. If it had not been efficient, undoubtedly the Board would have changed the management long ago, for it could have turned it over to the United States Lines, which was operating to Cherbourg, or to other operators.

It seems to me that the forceful logic of the Campbell report applies to the present situation. If it was to the best interests of the Government and in keeping with sound public policy to continue the operation of the America-France Line

in the hands of the Cosmopolitan Shipping Co. then, and out of the hands of the United States Lines, the highest bidder, it is certainly more so today, for reasons I will show as we look into the past record of the United States Lines.

As to the second reason why the O'Leary bill should be passed, I return to my point that failure to enact this legislation will mean the loss of these small but admittedly efficient shipping units and undoubtedly the placing of these lines under the domination of the United States Lines, resulting in a monopoly for the United States Lines of Government-aided services in the North Atlantic and covering the United Kingdom, French, and German ports. Certainly this is not to be tolerated by the Congress. Better, indeed, is it that we foster and protect for our American merchant marine, as was said in the Campbell report, as many substantial and capable organizations as possible.

I have taken occasion to familiarize myself to some extent with the background of the Southgate Nelson Corporation and the Cosmopolitan Shipping Co., the companies involved under this bill, and I find that these two organizations are doing a splendid job in advancing the interests of the American merchant marine; that their cost to the Government does not at all compare unfavorably with the cost of the many other privately owned lines receiving Government subsidies. As is said in the Kennedy report made on November 10, 1937, giving an economic survey of the American merchant marine at page 34:

From the foregoing it is clear that, although the Government lines are maintained at a net loss, their record compares not unfavorably with that of certain of the subsidized lines.

As far as I have been able to learn, the record of the Southgate Nelson Corporation and the Cosmopolitan Shipping Co. has been open and honest. The record of the United States Lines who are now trying to take over these services and to monopolize Government subsidies is not nearly so wholesome. You are all familiar with the Black investigation. You are all familiar, I am sure, with the *Leviathan* case. In a stinging letter dated April 14, 1934, addressed to the advisory committee one of the present members of the Maritime Commission, Thomas M. Woodward, scored the International Mercantile Marine and the United States Lines for the attempted bargain they were trying to drive at the expense of the United States in regard to the *Leviathan* case. An enlargement of the facts may be advisable here.

Can we then be at all sure that these same drains on the Federal Treasury will not be continued? And what position would we be in to stop them if we permitted a monopoly to be set up? Where else could we turn in case of failure of this monopoly or how could we avoid succumbing to its demands? This is something to ponder over. Sufficient thought will bring us to the true thought behind the O'Leary bill.

TEMPORARY DETAIL OF UNITED STATES EMPLOYEES TO GOVERNMENTS OF AMERICAN REPUBLICS AND THE PHILIPPINES

The Clerk called the next bill on the Consent Calendar, H. R. 3134, to amend the act entitled "An act authorizing the temporary detail of United States employees possessing special qualifications to governments of American republics and the Philippines, and for other purposes," approved May 25, 1938.

THE SPEAKER. Is there objection to the present consideration of the bill?

MR. STEFAN. Mr. Speaker, reserving the right to object, I would like to have this bill explained. What has it to do with employing additional American technicians in the Philippine Islands?

MR. MAY. The purpose of the bill is this: In connection with certain trade agreements and commercial transactions between our outlying possessions and between the South American republics we have been detailing employees to the various governments from this Government. The only thing this bill provides is that when funds have been allocated to the Department of the Interior, for instance, to send some mining man down to Brazil—

Mr. STEFAN. Well, what will these specialists do in the Philippine Islands? In view of the fact that we are leaving the Philippines in 1946, what are they doing there now?

Mr. MAY. I do not know if they have one there, but, if so, it is undoubtedly in connection with the sugar transactions with the Philippines Islands. The only thing is to enable them to pay back to the particular department from their government.

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 act entitled "An act authorizing the temporary detail of United States employees, possessing special qualifications, to governments of American republics and the Philippines, and for other purposes", approved May 25, 1938, be, and the same is hereby, amended to read as follows:

"That the President of the United States be, and hereby is, authorized, whenever he finds that the public interest renders such a course advisable, upon agreement with the government of any other American republic or the government of the Commonwealth of the Philippine Islands, or the Government of Liberia, if such government is desirous of obtaining the services of a person having special scientific or other technical or professional qualifications, other than those persons covered by the act of May 19, 1926 (44 Stat. 565), as amended by the act of May 14, 1935 (49 Stat. 218), to detail for temporary service of not exceeding 1 year under such government any such person in the employ of the Government of the United States: *Provided*, That the President may, in extraordinary circumstances, extend the period of such detail for one or more additional periods of not to exceed 6 months each: *And provided further*, That while so detailed, such person shall be considered for the purpose of preserving his rights and privileges as such, an officer or employee of the Government of the United States and of the department or agency from which detailed and shall continue to receive therefrom compensation, and he shall receive additional compensation from the department or agency from which detailed not to exceed 50 percent of the compensation he was receiving as an officer or employee of the United States at the time of detail, and shall receive from the United States reimbursement for travel expenses to and from the place of detail and monthly allowances determined by the President to be adequate for quarters and subsistence during the period of such detail. The additional compensation, travel expenses, and other allowances authorized by this act to be paid to any such officer or employee shall be paid from any appropriations available for the payment of compensation and travel expenses of the officers and employees of the department or agency from which he is detailed: *Provided, however*, That if any of the governments to which details are authorized by this act shall express the desire to reimburse this Government in whole or in part for the expenses of such details, the President is authorized, when he deems it in the public interest, to accept such reimbursement and the amounts so received may be credited to (a) appropriations current at the time the expenses of details are to be or have been paid, (b) appropriations current at the time such amounts are received, or (c) in part as provided under (a) and in part as provided under (b) hereof; and such amounts shall be available for the purposes of the appropriations to which credited: *Provided further*, That if any of the governments to which details are authorized by this act shall express the desire to provide advances of funds to be used by this Government, in whole or in part for the expenses of such details, the President is authorized, when he deems it in the public interest, to accept such advances of funds, and the amounts so received may be established as trust funds, to be available for the purpose and under the provision of this act until the termination of the detail, any unexpended balance of the trust fund to be returned to the foreign government making the advance."

Mr. WOLCOTT. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: On page 2, line 13, after the words "Government of the United States", insert "whose services can be spared."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VESSLS FOR THE COAST AND GEODETIC SURVEY

The Clerk called the next bill, H. R. 138, to authorize the construction of certain vessels for the Coast and Geodetic Survey, Department of Commerce, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, 2 weeks ago when the calendar was called I enunciated what was to be the policy of the three Members appointed by the minority to supervise this calendar.

I sincerely regret that we have had to apply that policy to this bill, because I think the bill is meritorious. In keeping with the policy we have established I shall have to ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan that the bill be passed over without prejudice?

There was no objection.

MAILING OF REVOLVERS TO OFFICERS OF COAST GUARD

The Clerk called the next bill, H. R. 3231, to authorize the mailing of pistols, revolvers, and other firearms capable of being concealed on the person, to officers of the Coast Guard.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable and providing penalty," approved February 8, 1927 (44 Stat. 1059; U. S. C., title 18, sec. 361), is hereby amended by inserting the words "Coast Guard," after the word "Navy," in the first proviso thereof.

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.

NATIVE EMPLOYEES IN GOVERNMENT SERVICE ABROAD

The Clerk called the next bill, S. 1523, to authorize the payment of burial expenses and expenses in connection with last illness and death of native employees who die while serving in offices abroad of executive departments of the United States Government.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from New York [Mr. BLOOM] inform the House how much this will cost us?

Mr. BLOOM. It will not cost very much. It applies only to native employees in the Foreign Service. I believe it will not amount to more than \$1,000 a year.

Mr. MARTIN of Massachusetts. How many native employees do we have in our Foreign Service?

Mr. BLOOM. I do not have those figures with me.

Mr. MARTIN of Massachusetts. Mr. Speaker, this is a new departure involving expenditure of money for a new purpose. I think I shall have to ask that the bill go over without prejudice.

Mr. BLOOM. Mr. Speaker, if the gentleman will yield, this money comes out of the present appropriation; this does not call for an additional appropriation.

Mr. MARTIN of Massachusetts. The phrase in the bill "last illness" might mean the physician's bill.

Mr. BLOOM. No. This is only for the death of the employee.

Mr. MARTIN of Massachusetts. But the bill reads: "expenses in connection with the last illness and death" of the employee.

Mr. BLOOM. Illness and death are combined, but a limitation of not to exceed \$100 in any one case is embodied in the bill.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that this bill may go over without prejudice at this time.

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

There was no objection.

BRIDGE ACROSS MAHONING RIVER, YOUNGSTOWN, OHIO

The Clerk called the next bill, H. R. 1661, granting the consent of Congress to the city of Youngstown, Ohio, to construct, maintain, and operate a free highway bridge across the Mahoning River at or near Marshall Street, Youngstown, Ohio.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the city of Youngstown, Ohio, to construct, maintain, and operate a free highway bridge, and approaches thereto, across the Mahoning River, at a point suitable to the interests of navigation, at or near Marshall Street, Youngstown, Mahoning County, Ohio, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges and other structures over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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.

BRIDGE ACROSS MAHONING RIVER, YOUNGSTOWN, OHIO

The Clerk called the next bill, H. R. 1962, granting the consent of Congress to the city of Youngstown, Ohio, to construct, maintain, and operate a free highway bridge across the Mahoning River at or near Cedar Street, Youngstown, Ohio.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the city of Youngstown, Ohio, to construct, maintain, and operate a free highway bridge, and approaches thereto, across the Mahoning River, at a point suitable to the interests of navigation, at or near Cedar Street, Youngstown, Mahoning County, Ohio, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges and other structures over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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.

BRIDGES IN CADDO PARISH, LA.

The Clerk called the next bill, H. R. 2192, to extend the time for commencing and completing bridges across Cross Bayou, Twelve Mile Bayou, and Caddo Lake, in Caddo Parish, La.

Mr. PLUMLEY. Mr. Speaker, reserving the right to object, will the gentleman from Louisiana [Mr. BROOKS] inform us of the necessity for extending the time for the completion of these bridges?

Mr. BROOKS. Mr. Speaker, I may say to the gentleman from Vermont that as soon as the original bill was passed last year the highway commission began to get the rights-of-way cleared up. They were delayed. They are now prepared to go ahead, however, and let the bids on these particular bridges and begin their construction. The time runs out on August 1, I believe, and the bridges cannot be completed by that time. That is the reason for the request for the extension of time.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the time for commencing and completing the construction of bridges across Cross Bayou at Shreveport, La.; across Twelve Mile Bayou, approximately 3 miles north of Shreveport, La.; and across Caddo Lake at or near Mooringsport, La., authorized to be built by the Louisiana High Commission and/or the Parish of Caddo, La., for the purpose of operating free highway bridges and approaches thereto, approved August 19, 1937, in Public Act 318 of the Seventy-fifth Congress entitled "An act to authorize the construction of bridges in Caddo Parish, La.": is hereby further extended 2 years from this date, provided that the agencies above mentioned may construct the bridges herein authorized.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Strike out all of section 1, after the comma, following the word "Louisiana", in line 9, page 1, and in lieu thereof insert "by an act of Congress approved August 19, 1937, are hereby extended, with respect to each bridge, 1 and 3 years, respectively, from August 19, 1939."

Also, in line 3, page 1, change the word "time" to "times."

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.

BRIDGE ACROSS ALLEGHENY RIVER, WESTMORELAND COUNTY, PA.

The Clerk called the next bill, H. R. 2635, granting the consent of Congress to Westmoreland County in the State of Pennsylvania to construct, maintain, and operate a free highway intercounty bridge and approaches across the Allegheny River, connecting Valley Camp in Westmoreland County and East Deer Township in Allegheny County, to connect State Highway Routes No. 28 and 56.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Westmoreland County in the State of Pennsylvania to construct, maintain, and operate a free highway bridge and approaches thereto across the Allegheny River, at a point suitable to the interests of navigation, connecting Valley Camp in Westmoreland County and East Deer Township in Allegheny County, to connect State Highway Routes No. 28, which runs from East Pittsburgh to Tarentum, East Deer Township, Allegheny County, and No. 56 (Freeport Road), Lower Burrell Township, Westmoreland County, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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.

BRIDGE ACROSS ST. LAWRENCE RIVER AT OR NEAR OGDENSBURG, N. Y.

The Clerk called the next bill, H. R. 2661, to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., authorized to be built by the St. Lawrence Bridge Commission and its successors and assigns, by an act of Congress approved June 14, 1933, and heretofore extended by acts of Congress approved June 8, 1934, May 28, 1935, April 11, 1936, and August 12, 1937, are hereby extended 1 and 3 years, respectively, from the date of approval of this act.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 2, line 1, after the word "hereby", insert "further."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO ACT RELATING TO NATURALIZATION OF CERTAIN WOMEN BORN IN HAWAII

The Clerk called the next bill, H. R. 159, to amend an act entitled "An act relating to the naturalization of certain women born in Hawaii," approved July 2, 1932.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act relating to the naturalization of certain women born in Hawaii," approved July 2, 1932, is amended to read as follows: That for the purposes of subdivision (b) of section 3 of the act entitled "An act relative to the naturalization and citizenship of married women," approved September 22, 1922, as amended, a woman born in Hawaii prior to June 14, 1900, shall be considered to have been a citizen of the United States at birth.

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.

PERMITTING ADMISSION OF CERTAIN ALIEN WIVES OF UNITED STATES CITIZENS

The Clerk called the next bill, H. R. 160, to permit alien wives of American citizens who were married prior to the approval of the Immigration Act of 1924 to enter the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That part (4) of subdivision (c) of section 13 of the Immigration Act of 1924, as amended by an act of June 13, 1930, is hereby amended so as to read as follows: "or (4) is the alien wife of an American citizen who was married prior to the approval of the Immigration Act of 1924, approved May 26, 1924."

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.

BRIDGE ACROSS THE OTTAWA RIVER AT OR NEAR TOLEDO, OHIO

The Clerk called the next bill, H. R. 3225, authorizing the Department of Highways of the State of Ohio to construct,

maintain, and operate a free highway bridge across the Ottawa River at or near the city of Toledo, State of Ohio.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I notice that section 2 of this bill seeks to authorize the State of Ohio to condemn private property needed for the construction of this bridge. I assume the only lands involved are the lands upon which the approaches are to be built. I think it is rather presumptive on the part of the Congress of the United States to seek to authorize a sovereign State to exercise a prerogative which is given to it under its own constitution.

There are two questions with respect to these bridges which should be given consideration. They both involve need for legislation authorizing the construction of bridges. I presume the Congress of the United States gets its jurisdiction over the erection of bridges due to the fact that it retains control of the navigable streams. We seek in many bills to determine the manner in which bonds may be retired.

It seems to me a rather long way from determining whether a bridge will be an obstacle to navigation to determine how the bonds to construct that bridge will be paid. Likewise, it seems to me farfetched, and as I said presumptive on our part to seek to authorize a sovereign State to condemn property for the construction of approaches to a bridge under our general jurisdiction over streams.

I wonder if any member of the Interstate and Foreign Commerce Committee will explain to the House the justification for the provision in this bill under which we seek to give authority to the State to condemn for the construction of these approaches? I am not going to object to the bill, but it seems to me if the Committee on Interstate and Foreign Commerce is going to continue to presume we have authority to authorize the States to condemn, there should be some basis for it and some discussion must have been had in the committee which would be interesting to the House.

Mr. HOLMES. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Massachusetts.

Mr. HOLMES. I will try to explain. Usually these bridge bills are drafted on what is known as the regular bridge laws. In order to construct this bridge it is necessary for the State to get the consent of the Congress.

It will be noticed that section 1 provides—

That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, the department of highways of the State of Ohio be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Ottawa River.

That is the language of the bill under consideration at the present time. It also goes further and gives them the authority or right to condemn. We appreciate that the State has this authority now.

Mr. WOLCOTT. Why do we seek, then, to presume we have authority to give to it, if the State already has the authority?

Mr. HOLMES. As the gentleman raises the point, it is a question whether or not it is necessary for the Congress to do that far.

Mr. WOLCOTT. Why do we presume to give them the authority, if it is not necessary? I can appreciate an occasion where a man wants to build an industrial plant along a navigable stream, or a man wants to build a home along a navigable stream, or a man wants to build a summer cottage on one of our inland lakes which is navigable. Does not the gentleman think it is rather presumptive on the part of the Congress of the United States to tell him the type of building he shall build along a navigable stream or on any of the hundreds of lakes or on any of the connecting waters? If the gentleman does think so, is it not just as presumptive to tell the State of Ohio or any other State what construction they may place upon the banks of any navigable stream on land over which the United States Government has no control?

Mr. HOLMES. I think the gentleman has brought up illustrations that are entirely foreign to the question of an ap-

proach to a bridge which will facilitate traffic and will be used for postal, military, and other services.

Mr. WOLCOTT. It surely cannot be for the reason that the approach is a part of the Federal highway system, because the Federal Highway Act expressly provides that the States shall acquire the right-of-way before they may participate under the Federal Highway Act.

Mr. HOLMES. This authorizes them by congressional act to condemn property in connection with approaches to the bridge.

Mr. WOLCOTT. That is the point. By what authority do we seek to give the State of Ohio the authority to do something which under its own constitution it already has the right to do?

Mr. HOLMES. Under the general laws on which these bridge bills are drawn and recommended to the House.

Mr. WOLCOTT. I see the gentleman's point. I wish the Committee on Interstate and Foreign Commerce would give some consideration to this broad question whether we have the constitutional right or any other right to regulate the manner in which land will be acquired for the approaches to these bridges, and also the other question as to what authority we have to tell a State how it shall retire an indebtedness attending the construction of a bridge.

Mr. HINSHAW. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from California.

Mr. HINSHAW. It is my memory that there was a slight complication because of the fact that this bridge took a little nick out of the State of Michigan and another out of the State of Indiana. It is a peculiar location. I may be incorrect as to the exact facts.

Mr. WOLCOTT. Of course, the Federal Government would have no authority to give to the State of Ohio the right to condemn the property of another sovereign State, so we get right back where we started.

Mr. HOLMES. If the gentleman will yield, I should like to make the correction that this one is entirely within the State.

The SPEAKER pro tempore (Mr. WARREN). 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 in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Department of Highways of the State of Ohio be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Ottawa River, at a point suitable to the interests of navigation, at or near the city of Toledo, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the Department of Highways of the State of Ohio all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

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.

MUSKINGUM RIVER CANAL

The Clerk called the next bill, H. R. 3375, to authorize M. H. Gildow to construct a free, movable, pontoon foot-bridge across Muskingum River Canal at or near Beverly, Ohio.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That M. H. Gildow is hereby authorized to construct, maintain, and operate a free, movable, pontoon foot-bridge and approaches thereto across the Muskingum River Canal

at or near Island Park, in Beverly, Ohio, at a point suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to conditions and limitations contained in this act.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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.

BRIDGE ACROSS CUMBERLAND RIVER, TENN.

The Clerk called the next bill, H. R. 3418, granting the consent of Congress to the highway department of Davidson County, of the State of Tennessee, to construct a bridge across Cumberland River, at a point approximately $1\frac{3}{4}$ miles below Clees Ferry, connecting a belt-line highway in Davidson County, State of Tennessee, known as the Old Hickory Boulevard.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the highway department of Davidson County, of the State of Tennessee, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River at a point suitable to the interests of navigation, at a point approximately $1\frac{3}{4}$ miles below Clees Ferry, connecting a belt-line highway in Davidson County, State of Tennessee, known as the Old Hickory Boulevard, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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.

WACCAMAW RIVER, N. C.

The Clerk called the next bill, H. R. 3589, granting the consent of Congress to the State Highway Commission of North Carolina to construct, maintain, and operate a free highway bridge across the Waccamaw River between Old Dock and Ash, N. C.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the State Highway Commission of North Carolina to construct, maintain, and operate a free highway bridge and approaches thereto across Waccamaw River, at a point suitable to the interests of navigation, between Old Dock and Ash, in the counties of Columbus and Brunswick, State of North Carolina, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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.

NATURALIZATION OF ALIEN WORLD WAR VETERANS

The Clerk called the next bill, H. R. 4167, to extend further time for naturalization of alien veterans of ineligible race who served in the armed forces of the United States during the World War.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 (h) of the act approved June 24, 1935 (49 Stat. 397), entitled "An act to authorize the naturalization of certain resident alien World War veterans" is hereby amended to read as follows: "The petition for certificate of citizenship shall be filed with a court having naturalization jurisdiction prior to January 1, 1941."

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.

APACHE TRIBE OF THE MESCALERO RESERVATION, N. MEX.

The Clerk called the next bill, S. 876, to authorize the purchase of certain lands for the Apache Tribe of the Mescalero Reservation, N. Mex.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized in his discretion to purchase with any available funds heretofore or hereafter appropriated pursuant to authority contained in section 5 of the act of June 18, 1934 (48 Stat. L. 984), lots 1, 2, 3, and 4, north half northeast quarter southwest

quarter northeast quarter, north half southeast quarter northeast quarter, north half southeast quarter southeast quarter northeast quarter, section 24, township 15 south, range 15 east, and lots 4, 5, and 6, section 19, township 15 south, range 16 east, New Mexico principal meridian, New Mexico. Title to the lands shall be taken in the name of the United States in trust for the Apache Tribe of the Mescalero Reservation.

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.

THE INDIAN SERVICE

The Clerk called the next bill, S. 1477, to repeal section 9 of the act of March 3, 1875 (18 Stat. L. 450), as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 9 of the act of March 3, 1875 (18 Stat. L. 450), as amended (U. S. C., title 25, sec. 95), providing for the submission by bidders of certified checks or bonds in the amount of 5 percent of each proposal in excess of \$5,000 for goods, supplies, transportation, etc., for and on account of the Indian Service, is hereby repealed.

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.

INDIANS OF THE WINNEBAGO AGENCY

The Clerk called the next bill, H. R. 2971, for the relief of certain Indians of the Winnebago Agency.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$38,352.84 to the Treasurer of the United States for deposit in the official disbursing account of the superintendent and special disbursing agent of the Winnebago Indian Agency, Nebraska, to replace a deposit of individual Indian money in like amount with the State Bank of Winnebago, Nebr., defunct: *Provided*, That any sums, not exceeding in the aggregate the amount of this appropriation, recovered from said bank or the sureties on the bonds thereof, shall be deposited into the general fund of the Treasury.

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.

CHOCTAW AND CHICKASAW SANATORIUM AND GENERAL HOSPITAL

The Clerk called the next bill, H. R. 3703, to provide for conveying to the United States the land, buildings, and improvements comprising the Choctaw and Chickasaw Sanatorium and General Hospital.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 1104) may be considered in lieu of the House bill.

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, I assume the Senate bill is identical with the House bill as amended?

Mr. COSTELLO. I believe it is similar. There is some change in the language. I could not say the language is identical.

Mr. WOLCOTT. Is there any material change?

Mr. COSTELLO. No; the change is practically a matter of language only. It is not a change of any material thing.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the principal chief of the Choctaw Nation and the governor of the Chickasaw Nation be, and they are hereby, authorized to grant and convey to the United States of America, with the consent and approval of the Secretary of the Interior, not less than 160 acres and all buildings and improvements thereon comprising the Choctaw and Chickasaw Sanatorium and General Hospital.

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.

A similar House bill (H. R. 3703) was laid on the table.

PAYMENT OF ATTORNEYS' FEES FROM OSAGE TRIBAL FUNDS

The Clerk called the next bill, H. R. 4117, to provide for the payment of attorneys' fees from Osage tribal funds.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, pursuant to the terms of a contract approved by the First Assistant Secretary of the Interior July 3, 1933, between Fred Lookout, principal chief of the Osage Tribe of Indians, and certain attorneys therein named, modified pursuant to Osage Council Resolution No. 21, dated June 24, 1935, and extended for a period of 5 years from July 3, 1938, there is hereby authorized to be expended from any funds collected as a result of any suit or suits brought under said contract such sum as may be necessary to pay the fee provided for the attorneys so employed, not to exceed 12½ percent of such amount as may be recovered and collected for the Osage Tribe, as provided in the terms of the contract.

With the following committee amendment:

On page 2, in line 2, after the word "exceed", strike out "12½" and insert "10."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

The Clerk called the next bill, S. 1098, to amend section 12 of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing advances for crop insurance.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 12 of the Soil Conservation and Domestic Allotment Act, as amended, is amended by designating the existing provisions of said section 12 as subsection (a) and by adding at the end thereof the following new subsection (b):

"The Secretary is authorized to make advances to producers for the purpose of assisting them to insure their crops with the Federal Crop Insurance Corporation. The Secretary shall remit the amount of any such advances to a producer directly to such Corporation in payment of the premium on the insurance for which the producer has made application. Advances shall only be made to producers who are participating or who agree to participate in a program formulated pursuant to section 8. Except as otherwise provided in this subsection, the terms and conditions of such advances shall be fixed by the Secretary. The appropriation made in the Department of Agriculture Appropriation Act, fiscal year 1939, under the item entitled 'Conservation and Use of Agricultural Land Resources, Department of Agriculture,' shall be available during the fiscal year 1939 for advances authorized by this subsection."

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.

ALTERATIONS AND REPAIRS TO CERTAIN NAVAL VESSELS

The Clerk called the next bill, S. 829, to authorize alterations and repairs to certain naval vessels and for other purposes.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ACQUIREMENT AND CONVERSION OF CERTAIN AUXILIARY VESSELS FOR THE NAVY

The Clerk called the next bill, S. 828, to permit the President to acquire and convert, as well as to construct, certain auxiliary vessels for the Navy.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that this bill may go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PAYMENT TO NON-INDIAN CLAIMANTS

The Clerk called the next bill, S. 1476, to authorize an appropriation to pay non-Indian claimants whose claims have been extinguished under the act of June 7, 1924, but who have been found entitled to awards under said act as supplemented by the act of May 31, 1933.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum to compensate white settlers or non-Indian claimants whose claims have been extinguished under the act of June 7, 1924 (43 Stat. L. 636), but who have been found by the Secretary of the Interior, in conformity with the proviso to section 3

of the act of May 31, 1933 (48 Stat. L. 108, 109), to be entitled to increased compensation by reason of errors in the amount of award previously allowed, or entitled to original awards by reason of errors in the omission of legitimate claimants, the non-Indian claimants, or their successors, as found and reported by the Secretary of the Interior, to be compensated out of said appropriation to be disbursed under the direction of the Secretary of the Interior in the amounts found to be due them as follows:

Within the pueblo of Taos, \$10,733.05; within the pueblo of San Felipe, \$93; in all \$10,826.05.

With the following committee amendments:

On page 2, line 8, after the word "them", insert "including \$1,000 to be paid to Alberto Cruz for his house."

Line 10, after the word "Taos", strike out "\$10,733.05" and insert "\$9,733.05."

Line 11, after the word "all", strike out "\$10,826.05" and insert "\$9,826.05."

At the end of the bill insert: "Provided, That no part of the amounts 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 these claims, 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 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.

CHOCTAW INDIANS, MISSISSIPPI

The Clerk called the next bill, H. R. 3367, to define the status of certain lands purchased for the Choctaw Indians, Mississippi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title to all lands purchased by the United States for the benefit of the Choctaw Indians of Mississippi under authority contained in the act of May 25, 1918 (40 Stat. L. 573), and similar subsequent acts, not under contract for resale to Choctaw Indians, or on which existing contracts of resale may hereafter be canceled, is hereby declared to be in the United States in trust for such Choctaw Indians of one-half or more Indian blood, resident in Mississippi, as shall be designated by the Secretary of the Interior.

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.

ROCKY BOY INDIAN RESERVATION

The Clerk called the next bill, H. R. 4535, to add certain public-domain land in Montana to the Rocky Boy Indian Reservation.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 877) be considered in lieu of the House bill.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, may I ask the gentleman if it is an identical bill?

Mr. O'CONNOR. It is an identical bill; yes.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That there is hereby withdrawn from the public domain and added to the Rocky Boy Indian Reservation in Montana, subject to all valid existing rights and claims, all public-domain land in the following-described area: Sections 19 to 36, inclusive, township 31 north, range 14 east; sections 1 to 5, inclusive, sections 8 to 17, inclusive, sections 20 to 29, inclusive, sections 30 to 36, inclusive, township 30 north, range 13 east; townships 30 north, ranges 14 and 15 east; west half southeast quarter section 6, section 7, west half west half section 8, west half northwest quarter, southwest quarter section 17, section 18, section 19, west half west half east half section 20, sections 29 to 32, inclusive, township 30 north, range 16 east; sections 1 to 5, inclusive, sections 8 to 17, inclusive, sections 20 to 29, inclusive, sections 32 to 36, inclusive, township 29 north, range 13 east; township 29 north, range 14 east; northeast quarter, west half southeast quarter, west half section 5, section 6, section 7, west half west half northeast quarter, southeast quarter section 8, sections 17 to 20, inclusive, sections 29 to 32, inclusive, township 29 north, range 16 east; sections 1 and 2, township 28 north, range 13 east, sections 1 to 30, inclusive, township 28 north, range 14 east; and sections 6 and 7, sections 17 to 20, inclusive, and sections 29 and 30, township 28 north, range 15 east, Montana principal meridian.

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.

A similar House bill (H. R. 4535) was laid on the table.

CELEBRATION OF OPENING OF PANAMA CANAL

The Clerk called House Joint Resolution 163, providing for the participation of the United States in the celebration of the twenty-fifth anniversary of the opening of the Panama Canal.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That in commemoration of the twenty-fifth anniversary of the opening of the Panama Canal to the commerce of the world, the 15th day of August 1939 is hereby made a public holiday in the Canal Zone, and all officers and employees of the Federal Government on the Isthmus of Panama whose services are not required by the demands of the public service may be excused from duty all day on that day without loss of the pay which they would receive for an ordinary day's work.

Sec. 2. That the Governor of the Panama Canal may authorize suitable ceremonies in commemoration of the twenty-fifth anniversary of the opening of the Panama Canal, and he is hereby authorized to expend not exceeding \$5,000 out of any moneys appropriated or allotted for the maintenance and operation of the Panama Canal for any expenses connected with such ceremonies, including the printing and issuance of a suitable memorial booklet.

The joint resolution 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.

DELEGATION OF AUTHORITY WITHIN DEPARTMENT OF AGRICULTURE

The Clerk called House Joint Resolution 188, authorizing the delegation of certain authority within the Department of Agriculture.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Secretary of Agriculture may designate in writing the Director of Finance of the Department of Agriculture or, in his absence, the officer acting in his stead, to sign requisitions upon the Secretary of the Treasury for disbursing funds, and such requisitions shall be as valid as if they had been signed by the Secretary of Agriculture.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

UNDER SECRETARY OF AGRICULTURE

The Clerk called House Joint Resolution 189, to define the status of the Under Secretary of Agriculture, and for other purposes.

There being no objection, the Clerk read the joint resolution as follows:

Resolved, etc., That the Under Secretary of Agriculture is authorized to exercise the functions and perform the duties of the first assistant of the Secretary of Agriculture within the meaning of section 177 of the Revised Statutes of the United States (U. S. C., title 5, sec. 4) and shall perform such other duties as may be required by law or prescribed by the Secretary of Agriculture.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

EXPORTATION OF TOBACCO SEED

The Clerk called the bill H. R. 2378, to prohibit the exportation of tobacco seed and plants, except for experimental purposes.

The SPEAKER pro tempore. Is there objection?

Mr. MILLER. Mr. Speaker, I reserve the right to object, to have somebody explain the purpose of the bill.

Mr. KERR. Mr. Speaker, this bill prohibits the exportation of tobacco seed from a certain area in the South, the area known as the flue-cured tobacco area. It has become a business racket to take these seeds to all parts of the world, and plant them, and produce a substitute for our tobacco which is exported to these countries. These foreign growers have to send back every 2 years to get American seed. This is a measure to protect our export business. If the gentleman from Connecticut will read the report filed with this bill, he will readily see the importance of this legislation.

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It is, in my opinion, one of the most important measures proposed at this term of Congress.

Mr. MILLER. This is for the benefit of the tobacco grower?

Mr. KERR. Yes. Tobacco growers of this country. There is legislation of this kind in other countries which prohibits the exportation of their tobacco seeds for commercial purposes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That it shall be unlawful to export any tobacco seed and/or live tobacco plants from the United States or any Territory subject to the jurisdiction thereof, to any foreign country, port, or place, unless such exportation and/or transportation is in pursuance of a written permit granted by the Secretary of Agriculture. Such permit shall be granted by the Secretary only upon application therefor and after proof satisfactory to him that such seed or plants are to be used for experimental purposes only.

Sec. 2. Any persons violating any of the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 1 year, or by both such fine and imprisonment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

COTTON POOL PARTICIPATION TRUST CERTIFICATES

The Clerk call the bill (H. R. 3801) to extend the time for retirement of cotton pool participation trust certificates.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the appropriation of \$1,800,000 made in the Department of Agriculture Appropriation Act, 1939, under the item entitled "Retirement of Cotton Pool Participation Trust Certificates" shall remain available until December 31, 1939, and the authority of the manager, cotton pool, to purchase and pay for participation trust certificates, Form C-5-I, shall extend to and include the 30th day of June 1939, but after the expiration of said limit the purchase may be consummated of any such certificates tendered to the manager, cotton pool, on or before June 30, 1939, but where for any reason the purchase price shall not have been paid by the manager, cotton pool.

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.

AGRICULTURAL ADJUSTMENT ACT, 1938

The Clerk called the bill (H. R. 3955) to amend section 335 (d) of the Agricultural Adjustment Act of 1938.

The SPEAKER pro tempore. Is there objection?

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COSTELLO. Mr. Speaker, that concludes the call of the bills on the calendar eligible for consideration today.

AMENDING SOIL CONSERVATION ACT

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent to return to the first bill on the calendar, the bill (H. R. 3800), to amend section 8 (e) of the Soil Conservation and Domestic Allotment Act, as amended. We have agreed upon an amendment to that bill.

The SPEAKER pro tempore. Is there objection?

Mr. CHURCH. Mr. Speaker, I reserve the right to object. Which bill is this?

Mr. JONES of Texas. It is the bill H. R. 3800, the first bill called on the calendar today, that was passed over at my request.

The SPEAKER pro tempore. Is there objection?

Mr. CHURCH. Reserving the right to object, Mr. Speaker—

Mr. WOLCOTT. Mr. Speaker, this bill went over without prejudice when it was called.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CHURCH. Mr. Speaker, I object.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1940

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole

House on the state of the Union for the further consideration of the bill (H. R. 4852) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1940, and for other purposes.

CALL OF THE HOUSE

Mr. RANKIN. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and thirty-two Members are present, not a quorum.

Mr. JOHNSON of Oklahoma. 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. 36]

| | | | |
|--------------|--------------|-------------------|---------------|
| Andrews | Evans | McKeough | Risk |
| Arnold | Fenton | McMillan, John L. | Rockefeller |
| Bender | Fish | McReynolds | Seeger |
| Blackney | Goldsborough | Maas | Shafer, Mich. |
| Bolton | Grant, Ind. | Marshall | Shannon |
| Brown, Ohio | Harrington | Martin, Ill. | Short |
| Byron | Healey | Mason | Smith, Me. |
| Casey, Mass. | Izac | Monkiewicz | Smith, Ohio |
| Cluett | Keller | Murdock, Ariz. | Sweeney |
| Corbett | Kirwan | Murdock, Utah | Taylor, Tenn. |
| Creal | Kleberg | Osmers | Winter |
| Curley | Knutson | O'Toole | |
| Doughton | LeCompte | Rayburn | |
| Drewry | McGehee | Reece, Tenn. | |

The SPEAKER. Three hundred and seventy-six Members have answered to their names; a quorum is present.

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

The SPEAKER. Without objection, it is so ordered. There was no objection.

EXTENSION OF REMARKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a letter from the Tennessee Taxpayers' Association.

The SPEAKER. Is there objection?
There was no objection.

Mr. CULKIN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks.

The SPEAKER. Is there objection?
There was no objection.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1940

The SPEAKER. The question is on the motion of the gentleman from Oklahoma [Mr. JOHNSON] that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4852.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4852, with Mr. Buck in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose there was pending an amendment offered by the gentleman from Pennsylvania [Mr. RICH] on page 118, line 12.

Does the gentleman from Pennsylvania desire recognition?

Mr. RICH. Mr. Chairman, I do desire recognition, but I would like to have the amendment read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 118, line 12, strike out "\$3,500,000" and insert "\$500,000."

Mr. RICH. Mr. Chairman, in offering this amendment to cut out \$3,000,000 for roads and trails in the national parks I do so for the reason that we have appropriated millions of dollars in the past 5 or 6 years for this particular purpose. The New Deal has spent millions under W. P. A. and P. W. A. for the same purpose. We have built more roads and more trails in the national parks than in any other 20 years of the history of this Government. We have increased those roads to the extent that the parks are well taken care of. Now to

come here and ask you to appropriate \$3,500,000 to continue this work is not justified. Only the Park Commission knows what the money is to be expended for. Members of the Park Commission before our committee refused to tell us what this money was to be expended for. I think we, as Members of Congress, have a right to know what it is to be expended for, and each and every Member should know where it is to be spent before the money is appropriated. When that question was brought up at the hearing they appeared before the committee and I asked for the information, they said they would submit it to us. I understand they gave the clerk of the committee a list of the projects on which this money would be expended. Not a Member of this House, when the bill came to the floor, knew what this money was being spent for until after the Clerk gave a list of the projects to us here in the House. They offered to give it to me, provided I would not say anything about it. I said, "If I have to have it under those conditions, I do not want to know what it is."

I think I am giving you the absolute truth—that there was not a member of the subcommittee who knew what the expenditure of these funds was for at the time we reported the bill out. You understand, a list of the items had been given to the subcommittee since we have been here. I object to the National Park Commission, and I object to any branch of the Federal Government trying to spend money when the Members of Congress do not know prior to the time the money is granted by the Appropriations Committee what it is to be spent for. The Members of Congress should know where this money is to be spent. They refused to give me that information in the hearings. You have given too much money to Government officials to spend without knowing what it was for. If you are going to permit a bureau of this Government to request money and then to allocate it according to their idea of what is wise and proper, you should vote down my amendment. If you want to show the National Park Service or any other branch of the Government that the Members of Congress should know what they are spending the money for, then you should vote for my amendment.

You should vote for my amendment for another reason. I think you should vote for the amendment for the reason we have spent more money in the national parks in the last 5 years than we have in any other 20 years. A greater amount of money was expended through Executive order than has been expended by direct appropriations of Congress. The Park Commission is now rendering adequate service to the people of this country from the standpoint of roads and trails. You must realize that the more we spend to build new roads the more we will have to spend to keep up those roads. I think we have gone a little too far and a little too fast not only in our Park Service but in other lines of improvement of conditions in this country.

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

Mr. RICH. Yes. I yield for a question.

Mr. WARREN. I call the gentleman's attention to the fact that when we passed the Federal-aid road bill last year we very substantially and materially reduced the authorizations not only as to the amount of aid that went to the States, but all the way down the line on this bill.

Mr. RICH. We may have reduced that.

Mr. WARREN. We reduced this particular item.

Mr. RICH. But I say to the gentleman and to others on his side that they should not increase these appropriations without very substantial reason being shown why they should be increased.

Mr. Chairman, I hope the amendment will be adopted. [Applause.]

[Here the gavel fell.]

Mr. SCRUGHAM. Mr. Chairman, my district has but little direct interest in this item of the bill. However, I cite this fact in justification of the proposed expenditure, during the past year 16,233,688 people visited the national parks. If we assume an average Federal gasoline tax paid by each of these people of only 20 cents, the amount would practically equal the total of this item. It must be remembered further in this connection that the Government received something like \$1,180,745 from automobile tourists paid in

as fees from automobiles entering the parks. Further we should bear in mind that this item affords a substantial amount of relief through employment. The money will chiefly be spent and the work done in Alaska, Arizona, California, Maine, Oregon, Tennessee, Utah, Virginia, Washington, Wyoming—those are the major projects—and in a number of minor projects of which I have two or three pages listed, but with which I will not burden the RECORD.

The amount carried for roads and trails in last year's bill was \$5,991,120. This year the item is for \$3,500,000, which constitutes a reduction of almost \$2,500,000.

Mr. Chairman, I submit that this amount is not excessive. It is appropriated in response to a demand from the people who patronize the parks, and in this connection remember that more than 16,000,000 visit our parks every year. I ask that the amendment be defeated.

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

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 68, noes 110.

So the amendment was rejected.

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

Mr. Chairman, in voting on the amendment offered by the gentleman from Ohio [Mr. WHITE] limiting the over-all cost of the United States housing projects—

Mr. RICH. Mr. Chairman, I make the point of order that the gentleman is out of order in that he is not speaking to the amendment.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent to proceed out of order.

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

Mr. RICH. Mr. Speaker, the gentleman will have an opportunity later on to talk about this subject. We are very desirous of finishing the bill today.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed out of order for 5 minutes. Is there objection?

Mr. RICH. Mr. Chairman, we will let the gentleman proceed.

The CHAIRMAN. The Chair hears no objection. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. McCORMACK. Mr. Chairman, in voting on the amendment of the gentleman from Ohio [Mr. WHITE], an amendment limiting the over-all cost of United States Housing Administration projects to \$3,500, it is well for us to pause for a moment and realize what we are doing.

To those who are opposed to slum clearance and low-cost housing projects, who are opposed to a modern, progressive, humane, and practical consideration of the serious problems which generally exist throughout the United States, to those who close their eyes and ears to the demands and necessities for this great program which our country undertook years after other enlightened democracies did, what I or others may say is of little moment. To those of the opposite political party who feel that some political advantage might be obtained—although I cannot see it—what might be said against the White amendment might be of little moment.

Those, however, who are interested in this great program should realize what the White amendment does. For all practical purposes it so limits the operation of this great, humane program as to make it ineffective. At the present time there are about 140 projects under construction in at least 100 cities. This amendment, if enacted into law, would make it impossible to do slum clearance and low-cost construction work in most parts of the country.

The amendment limits the over-all cost of United States Housing Authority projects to \$3,500 per dwelling unit.

The existing limitation is \$1,000 per room and \$4,000 per dwelling unit in cities under 500,000, and \$1,250 per room and \$5,000 per dwelling in cities over 500,000 population.

This limitation applies to dwelling facilities.

This limitation does not include cost of land, street or sidewalk construction, if any; it includes what a builder calls

ordinary construction costs of a building. It does not include any furniture that is installed in an apartment.

The United States Housing Authority has kept within the limitation that now exists by law, but the present limitation is not an over-all limitation. The over-all cost of new housing, which includes land, nondwelling facilities, construction costs, and equipment, has been \$4,507. The White amendment would allow only \$3,500.

It must be borne in mind that this would also include the costs of slum clearance—demolition—which the present limitation does not include.

In the case of cities of less than 500,000 population, the White amendment is a reduction of much more than \$500. In the case of cities of over 500,000 it is greater than \$1,500.

The White amendment applies to all cities without regard to population, and the different problems that such a condition creates. This amendment will place this humane program in a strait jacket from which it cannot extricate itself. Not only will its adoption prevent the United States Housing Authority from completing the 140 projects under construction, but it will result in this program being ineffective in the future. The program will be paralyzed. As Mr. Straus told me on Saturday last:

In other words, this \$3,500 limitation has the effect of placing a limitation upon the cost of slum clearance, land, nondwelling facilities, demolition, and new construction \$500 lower in smaller places, and \$1,500 lower in larger places, than the statutory limit placed in the act in 1937 upon the cost of dwelling facilities alone excluding land demolition, and nondwelling facilities. It therefore does not reduce the present statutory limits upon costs by only \$500 and \$1,500 respectively. In effect, as shown by table II, it reduces these limitations, as they affect over-all costs, by from \$1,500 to \$2,500. With this limitation no slum clearance projects at all could be undertaken, and new housing projects could be undertaken in only a few very small communities with unusually low levels of wages and prices. It is safe to say that under the proposed amendment no projects could be built in any city in the United States with the population of more than 25,000 people.

For these reasons the proposed amendment is equivalent to a suspension of the United States Housing Authority program.

When the amendment was voted upon in the Committee of the Whole, among those present at that time only one Republican voted against the amendment. Undoubtedly many voted for it under the impression that it reduced the present limitation by \$500. Such an impression is incorrect. It reduces the present limitation directly and indirectly in cities of less than 500,000 in excess of \$1,250, and in cities over 500,000 in excess of \$2,200.

The service of this program is without regard to the political considerations or leanings of the people of the different cities. That is as it should be. Money has been allocated to cities whose people vote Republican as well as Democratic. Under existing law local housing authorities select the sites and operate and manage the projects. They are locally administered. This amendment in fact injures the cities by preventing the Federal Government in carrying out its loaning of the funds necessary and permissible under existing law. It will be the cities interested in such projects who will actually suffer. I hope this question, when we get into the House, will not be voted on from a partisan angle, although the fact that in the Committee of the Whole every Republican present but one voted for this amendment would justify the inference that at that time at least the policy of the Republican Party in the House is in opposition to the slum-clearance and low-cost housing program.

A vote for the White amendment is a vote against the slum-clearance program and the great humane results that will flow from its continuance. A vote against the amendment is a vote for the continuance of this humane program.

I hope when we enter into the House that this destructive amendment of a great humane program will be defeated. [Applause.]

Mr. SMITH of Ohio. Mr. Chairman, I ask unanimous consent to speak out of order for 5 minutes on the same subject.

Mr. JOHNSON of Oklahoma. Mr. Chairman, reserving the right to object, and I shall not in this instance, as the gentleman from Pennsylvania just stated, we want to

finish this bill today. We hope, therefore, there will be no further requests to speak out of order.

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

There was no objection.

Mr. SMITH of Ohio. Mr. Chairman, I repeat and emphasize here is one piece of legislation that will not stand the light of day. I repeat the United States Housing Act is one of the worst political rackets that ever was perpetrated upon the poor people anywhere in the world. Not only does it not benefit the poorest section of our population, but it foists upon them the most savage injustice.

Think of it—the very poorest people—W. P. A. workers, widows washing for a living, the aged poor, those with the most meager incomes, are driven by this communistic beast out on to the streets and then are compelled to pay taxes to maintain the rent of those people who are already able to pay their rent, and to pay high salaries to the politicians running the project.

Eighty-five percent of all taxes always, no matter upon whom levied, are paid by these groups—the poor people. Why? For the same reason that white sheep give more wool than black sheep—because there are more white sheep. Consequently, it is these groups who pay the bulk of the taxes that supply the capital for the projects and the annual Federal contributions used to liquidate said capital invested and the interest thereon.

Therefore, it is the grossest deception that these are low-rent houses. They are the highest rent houses in the United States and this highest rent is charged through taxation to the very poorest people in the land.

The United States Housing Authority, the local authorities, and the State housing authorities are deliberately making the people believe that the rental charges liquidate the capital invested and pays the interest. The rent does not go for those purposes at all. Actually, in the end, the rent charged for these houses pays no part of the capital invested or the interest. The rent charged actually is only about sufficient to maintain the upkeep of the project and to pay deserving politicians for running it.

The people in Ohio, and I suppose in the other States also, are being deceived into believing that there is a local housing authority that has control of the housing projects. The only thing any city has to do with one of these projects is that the mayor of the largest city in the housing district, the county commissioners, the probate judge, and the common pleas judge appoint the five members on the so-called Metropolitan Housing Authority. Reappointments are made only every 5 years. Just the moment these appointments are made, the Metropolitan Housing Authority is responsible to nobody in the world but the United States Housing Authority. The housing area has its own mayor, its own city solicitor, its own council over which the local people have no more control than they have over the operation of the United States Navy.

I have gone all through this and know exactly whereof I speak.

The time has just about come when the poor people of this country need somebody to rescue them from this cold-blooded bureaucracy that is devouring them.

We have had just about enough of this hypocritical sobbing for the poor. I am sure just as quickly as the public learns the truth about this United States Housing Act, it will disappear from our statute books as quick as a snowball in Hades. [Applause.]

The Clerk read as follows:

Blue Ridge and Natchez Trace Parkways: For continuing the construction and maintenance, under the provisions of section 8 of the act of June 8, 1938 (52 Stat. 635), of the Blue Ridge and Natchez Trace Parkways, including not exceeding \$3,100 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, to be immediately available and remain available until expended, \$4,000,000, of which amount not to exceed \$50,000 shall be available for personal services in the District of Columbia: *Provided*, That \$1,200,000 and any other sums received from other sources for said Natchez Trace Parkway shall be allotted and expended ratably between the States of Mississippi, Alabama, and Tennessee according to mileage of said parkway in each respective State and said allotments shall be

used for no other purpose: *Provided further*, That the Secretary of the Interior shall make a detailed statement of expenditures from this appropriation to the Senate and House Committees on Appropriations at the beginning of the next regular session of Congress.

Mr. REES of Kansas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REES of Kansas: On page 118, line 17, strike out the remainder of page 118 and all of page 119, down to and including line 11.

Mr. REES of Kansas. Mr. Chairman, this is a motion to strike from this bill an item of \$4,000,000. We have heard a lot on the floor of this House about economy, cutting expenses, and balancing the Budget—but here is a bill that contains more things we do not really need at this time than almost any bill that has been presented. It provides for a grand total expenditure of \$165,583,093.23. The committee in charge takes considerable credit for reducing the amount \$6,000,000 under Budget estimates. But, do not forget this, we are spending \$14,855,991.87 more under the present measure than we spent last year under a similar bill.

I realize a number of these items are necessary to carry on the affairs of our Government. But a good many of them are items of extravagance. If the membership of this House really want to economize, they can pare it down to the bare items of necessity and save the taxpayers a lot of money.

Here are some items of extravagance included in this bill:

Last year we appropriated \$783,000 for the operation and maintenance of public buildings outside the District of Columbia. This measure increases that amount by \$205,000.

Here is an obscure little item providing three-quarters of a million dollars for the maintenance, repair, and operation of automobiles for Indian Field Service employees, and the transportation of Indian school pupils. The hearings do not disclose the number of children receiving such transportation, but there are only 200,000 Indians—men, women, and children—in the whole country.

But here is the particular section of the bill to which I want to direct your attention, and which I shall ask to have stricken from the measure. It provides for the expenditure of \$4,000,000 for the Blue Ridge-Natchez Trace Parkways. The sponsors call it a parkway so it would seem to attach itself to our national-park system. It is conceded that it does not now connect national parks. It does not connect with any transcontinental highway. I agree with the Member who stated that it is only a subterfuge to get the Federal Government to construct and maintain this road.

If and when it is completed, it will be just a scenic highway which will have cost the Government something over \$60,000,000 for the particular benefit of the "leisure class" and a few tourists. Let me remark right here that the sponsors of this project started it by getting the administration to dip into relief funds to the tune of a million and a half dollars.

Last year the committee approved an expenditure of \$2,000,000 for these parkways, but the House saw fit to override the committee and raised it to \$7,000,000. As the distinguished gentleman from Oklahoma observed at that time, it was right there that the camel got his nose under the tent.

Ordinarily, Federal funds for highway construction are matched with funds from local communities or States. Here you are asking the Government to foot all the bills for the building and maintenance of a local highway, where there is neither necessity nor demand, except from the people in that particular vicinity. We are told that these States have given the right-of-way, which is nothing more or less than mountain scenery, as their contribution toward this project.

In passing, you will also observe a comparatively small item of \$50,000 to be spent for "personal services of certain officials" in Washington, D. C. The only explanation given for this item is from Mr. Demaray, of the National Park Service, who said the \$50,000 is for clerical personnel to keep proper records of this additional \$4,000,000 we are spending.

The report states there are 22.5 miles of the Natchez-Trace Parkway and 130 miles of the Blue Ridge Parkway under construction. So, apparently it would cost \$300 per mile just for the Washington bookkeepers on this project. Rather high-priced bookkeeping, it seems to me.

While there is such a real need for farm-to-market roads in this country, I just do not see how Members of this Congress can justify their vote for this extravagant expenditure of additional millions just to build a local, scenic highway which begins in the mountains and ends in the mountains.

Last year when the sponsors of this project secured an additional \$5,000,000 they made it seem more altruistic by suggesting that the parkway be constructed in the memory of Andrew Jackson, who traversed part of it with his troops on his way to New Orleans. Poor Andrew Jackson would turn over in his grave if he knew that more than 120 years later, after we had already plunged our country into a forty-four billion dollar debt, as an excuse for going into debt a few million more we did it in his name.

This is a fair example of a "pork barrel" bill. It contains provisions for the expenditure of stupendous sums in the great Northwest. We are spending millions for the Grand Coulee Dam, ostensibly for navigation but which will actually bring a vast acreage into cultivation to compete with our present crop surpluses. The bill also provides for an outright expenditure of millions for the construction of expensive apartment houses in the slum sections of our cities.

When the roll is called on the parkway section of this measure, to which I am objecting at this time, the Members from the Pacific States will join with the Members from our great cities in supporting this particular provision, because they will expect and receive the same cooperation from the Members of the States who are receiving these special benefits.

The newspapers in my part of the country have lauded a great Senator from Mississippi, who belongs to the majority party, who said: "The time has come when we must practice economy." When this appropriation bill gets to the Senate, containing the provision for this extravagant expenditure within his own State, do you think he will practice economy at that time? I hardly think so.

I hope you will support my amendment to strike this unnecessary item of \$4,000,000 for the Blue Ridge-Natchez Trace Parkways from this bill. I also hope we can eliminate other unnecessary items. I am serious when I tell you if you vote this appropriation bill without eliminating the unnecessary pork barrel provisions, you not only inflict an additional, unnecessary hardship upon the people of this country in a crucial time but you create a feeling throughout the country that Congress has no regard for the taxpayers, who just cannot pay the bill.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Kansas [Mr. REES] by which he proposes to strike out the appropriation for the Blue Ridge Parkway and the Natchez Trace.

The gentleman from Kansas misunderstands the situation. In the first place, one of these parkways is 19 percent finished and the other one is 49 percent finished. He tells you they do not connect with any transcontinental highways. I am surprised that he should make such a mistake in his argument on the floor of this House.

Mr. REES of Kansas. Will the gentleman yield?

Mr. RANKIN. For a question.

Mr. REES of Kansas. I said they did not directly connect with transcontinental highways; that is, did not attach themselves to any transcontinental highways.

Mr. RANKIN. Both of these parkways cross several transcontinental highways. How much more completely could they connect with them than to cross them?

I want to speak particularly with reference to the Natchez Trace, which has been under consideration for some time. This appropriation has already been cut a million dollars or more and certainly should not be further reduced. A great deal of the right-of-way has been acquired and the construction of this great parkway has been started.

The gentleman from Kansas spoke rather sarcastically about this being the road over which Andrew Jackson marched on his way to New Orleans. That is true; it is not only the road over which Andrew Jackson marched but this parkway is dedicated to the Choctaw and Chickasaw Indians, the best friends the white people of these United States ever had, at a time when friends were needed.

In the War of 1812, when we were in a desperate situation, when Winchester had been defeated in the North, when Washington had been invaded, when this Capitol and the White House had been burned by a ruthless enemy, when the Tories of New England had met in convention at Hartford and passed a resolution of secession from the Union, old Andrew Jackson marched down through that country and enlisted the aid of these Choctaw and Chickasaw Indians, who not only threw their territory open to him but also joined his forces and marched with him to victory.

Chief Pushmataha, who sleeps out here in the Congressional Cemetery, raised a regiment of Choctaws and Chickasaws who went with Jackson and fought in the Battle of New Orleans where they won a victory that thrilled the world.

As Sergeant S. Prentiss once said, they taught the newly fledged American eagle to match his talons with the lion's strength and raised America for the first time to the dignity of a world power.

Mr. REES of Kansas. Will the gentleman yield?

Mr. RANKIN. For a question.

Mr. REES of Kansas. Does the gentleman think that Andrew Jackson would approve the expenditure of \$4,000,000 here and now for this highway, 120 years afterward, when the country is \$44,000,000,000 in the red?

Mr. RANKIN. Yes; if he heard the debate against it, I think he would vote for it. [Laughter and applause.]

We might have been worse than "in the red" if the British had won that war. It is a shame that we have waited 120 years to honor those brave defenders of our country.

I want to pay my tribute, not only to the Choctaw and Chickasaw Indians, but to Pushmataha, chief of the Choctaws, who was of Chickasaw descent. He was a great Indian, a great patriot, a great American.

Tecumseh, the great Shawnee chief, came down there and tried to line up the Choctaws and Chickasaws on the side of the British. They had a great meeting, and he laid before them the reason why they should join the English. If they had done so, Andrew Jackson never could have got to New Orleans, and the chances are that the western half of this continent would have been lost.

Pushmataha replied that what Tecumseh said might be true, but that had not been their experience, living in friendship with the people of the United States. He said the whites were their neighbors. They had taken care of their sick. They had taught their women to work and paid them for it and had built cotton gins and bought their material. "When we have been sick," he said, "they have come and administered to us."

He stated further that Tecumseh could do as he pleased, but that they proposed to cast their lot with the Americans. And he did; and in my opinion he contributed more to the success of the American armies than any other man, except Andrew Jackson himself.

This great national parkway is not only a monument to the valor of Andrew Jackson but it is also a monument to the patriotism and loyalty of those Indians whom the United States later rewarded by taking their land away from them and driving them beyond the Mississippi River.

I can hear the old Indian's piteous lament, expressing the fate of the Choctaws and Chickasaws when he said:

I will go to my tent and lie down in despair,
I will paint me with black and will sever my hair,
I will sit on the shore where the hurricane blows
And reveal to the God of the Tempest my woes.
I will weep for a season on bitterness fed,
For my kindred are gone to the hills of the dead.
They died not of hunger nor ling'ring decay,
But the steel of the white man has swept them away!

Mr. RICH. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Pennsylvania.

Mr. RICH. What does the gentleman think Thomas Jefferson would say about this great orgy of spending?

Mr. RANKIN. If he could hear the debate on this item he would certainly vote for it. [Applause.]

It may be of interest to the Members of the House to know that the debate which took place between Tecumseh and Pushmataha was one of the ablest contests of its kind ever staged on this continent.

Tecumseh was a brave and an able man. He thoroughly believed that the white man would destroy the Indians unless they were successfully resisted. At this meeting he related how the white man had beguiled the Indians along the Atlantic coast to part with their lands for a few trifling beads and a little firewater, leaving them beggars, vagabonds, peons, and strangers in their own land, to be scorned and despised by their paleface neighbors. He told how the Shawnees and other northern tribes were being stripped of their patrimony. He laid down the principle that the Great Spirit had given the Western Hemisphere to all red people in common and that no particular tribe had anything more than the right of possession to any lands and, therefore, asserted any relinquishment of title by one tribe to be null and void, because many of the owners had not joined in the transfer.

These wrongs he declared had been made possible by the ingenuity of the whites in attacking only one tribe at a time, but if all Indians would join and combine their forces in one attack at one time, the white man could be driven back over the mountains whence he came; that the golden opportunity was now at hand to join hands with the British and forever scourge from their revered hunting grounds the hated paleface. He closed his eloquent address with a stirring appeal to the patriotism of the Choctaws and Chickasaws, asking if they would await complete subjugation or would they now join hands and fight beside the Shawnees and other tribes rather than submit.

Evidently Tecumseh's purpose had been fully accomplished. His magnetic words seemed to arouse every vindictive sentiment within the souls of the Choctaw and Chickasaw warriors; their savage enthusiasm had been stirred to white heat when Pushmataha calmly strode before the council fire and began his reply. What a pity that no accurate account of this debate between these two giant primitive orators was at that time preserved. Lincecum, Pickett, Randall, and other historians have left us brief excerpts; Cushman undertakes to give Pushmataha's speech in full; but his recital does not even do faint justice to the original and in no measure conforms to the Choctaw's account of it. For many years it was handed down from generation to generation by tradition to the Choctaws and Chickasaws, but it can be easily understood how that method might fail to preserve all the virile force and eloquence of this wonderful address. I will undertake to give it to you in part as nearly as possible, as related by the Honorable Charlie Carter, a former Member of this House, who was a descendent of a Chickasaw chief and who got it first hand from old Indians of the Chickasaw Tribe.

PUSHMATAHA'S REPLY TO TECUMSEH

Omiske, tushkahoma ho chukma hashche yumma. Anumpa tilofasih ish huko.

(Attention, my good red warriors. Hear ye my brief remarks.) The great Shawnee orator has portrayed in vivid picture the wrongs inflicted on his and other tribes by the ravages of the paleface. The candor and fervor of his eloquent appeal breathe the conviction of truth and sincerity, and, as kindred tribes, naturally we sympathize with the misfortunes of his people. I do not come before you in any disputation either for or against these charges. It is not my purpose to contradict any of these allegations against the white man, but neither am I here to indulge in any indiscreet denunciation of him which might bring down upon my people unnecessary difficulty and embarrassment.

The distinguished Shawnee sums up his eloquent appeal to us with this direct question:

"Will you sit idly by, supinely awaiting complete and abject submission, or will you die fighting beside your brethren, the Shawnees, rather than submit to such ignominy?"

These are plain words, and it is well they have been spoken, for they bring the issue squarely before us. Mistake not, this language means war. And war with whom, pray? War with some

band of marauders who have committed these depredations against the Shawnees? War with some alien host, seeking the destruction of the Choctaws and Chickasaws? Nay, my fellow tribesmen. None of these are the enemy we will be called on to meet. If we take up arms against the Americans, we must of necessity meet in deadly combat our daily neighbors and associates in this part of the country near our homes.

If Tecumseh's words be true, and we doubt them not, then the Shawnees' experience with the whites has not been the same as that of the Choctaws. These white Americans buy our skins, our corn, our cotton, our surplus game, our baskets, and other wares, and they give us in fair exchange their cloth, their guns, their tools, implements, and other things which the Choctaws need but do not make. It is true we have befriended them, but who will deny that these acts of friendship have been abundantly reciprocated? They have given us cotton gins, which simplify the spinning and sale of our cotton; they have encouraged and helped us in the production of our crops; they have taken many of our wives into their homes to teach them useful things, and pay them for their work while learning; they are teaching our children to read and write from their books. You all remember well the dreadful epidemic visited upon us last winter. During its darkest hours these neighbors whom we are now urged to attack responded generously to our needs. They doctored our sick; they clothed our suffering; they fed our hungry; and where is the Choctaw or Chickasaw delegation who has ever gone to St. Stephens with a worthy cause and been sent away empty handed? So in marked contrast with the experience of the Shawnees, it will be seen that the whites and Indians in this section are living on friendly and mutually beneficial terms.

Forget not, O Choctaws and Chickasaws, that we are bound in peace to the Great White Father at Washington by a sacred treaty and the Great Spirit will punish those who break their word. The Great White Father has never violated that treaty and the Choctaws have never yet been driven to the necessity of taking up the tomahawk against him or his children. Therefore the question before us tonight is not the avenging of any wrongs perpetrated against us by the whites, for the Choctaws and Chickasaws have no such cause, either real or imaginary, but rather it is a question of carrying on that record of fidelity and justice for which our forefathers ever proudly stood, and doing that which is best calculated to promote the welfare of our own people. Yea, my fellow tribesmen, we are a just people. We do not take up the warpath without a just cause and honest purpose. Have we that just cause against our white neighbors, who have taken nothing from us except by fair bargain and exchange? Is this a just recompense for their assistance to us in our agricultural and other pursuits? Is this to be their gracious reward for teaching our children from their books? Shall this be considered the Choctaws' compensation for feeding our hungry, clothing our needy, and administering to our sick? Have we, O Choctaws and Chickasaws, descended to the low estate of ruthlessly breaking the faith of a sacred treaty? Shall our forefathers look back from the happy hunting grounds only to see their unbroken record for justice, gratitude, and fidelity thus rudely repudiated and abruptly abandoned by an unworthy offspring?

We Choctaws and Chickasaws are a peaceful people, making our subsistence by honest toil; but mistake not, my Shawnee brethren, we are not afraid of war. Neither are we strangers to war, as those who have undertaken to encroach upon our rights in the past may abundantly testify. We are thoroughly familiar with war in all its details, and we know full well all its horrible consequences. It is unnecessary for me to remind you, O Choctaws and Chickasaws, veteran braves of many fierce conflicts in the past, that war is an awful thing. If we go into this war against the Americans, we must be prepared to accept its inevitable results. Not only will it foretoken deadly conflict with neighbors and death to warriors, but it will mean suffering for our women, hunger and starvation for our children, grief for our loved ones, and devastation of our beloved homes. Notwithstanding these difficulties, if the cause be just we should not hesitate to defend our rights to the last man, but before that fatal step is irrevocably taken, it is well that we fully understand and seriously consider the full portent and consequences of the act.

Hear me, O Choctaws and Chickasaws, for I speak truly for your welfare. It is not the province of your chiefs to settle these important questions. As a people it is your prerogative to have either peace or war, and as one of your chiefs it is mine simply to counsel and advise. Therefore, let me admonish you that this critical period is no time to cast aside your wits and let blind impulse sway; be not driven like dumb brutes by the frenzied harangue of this wonderful Shawnee orator; let your good judgment rule, and ponder seriously before breaking bonds that have served you well and ere you change conditions which have brought peace and happiness to your wives, your sisters, and your children. I would not undertake to dictate the course of one single Choctaw warrior. Permit me to speak for the moment, not as your chief but as a Choctaw warrior weighing this question beside you. As such I shall exercise my calm, deliberate judgment in behalf of those most dear to me and dependent on me, and I shall not suffer my reason to be swept away by this eloquent recital of alleged wrongs which I know naught of. I deplore this war; I earnestly hope it may be averted; but if it be forced upon us, I shall take my stand with those who have stood by my people in the past and will be found fighting beside our good friends of St. Stephens and surrounding country. I have finished. I call on all Choctaws and Chickasaws endorsing my sentiments to cast their tomahawks on this side of the council fire with me.

Mr. Carter tells us that at this point the air resounded with the clash of tomahawks cast on the side of Pushmataha; only a few warriors seemed still undecided.

Tecumseh, seeing the purpose of his mission thwarted, and thinking that Pushmataha could not understand his language, spoke to his warriors in his native tongue, saying:

Pushmataha is a coward and the Chickasaw and Choctaw braves are squaws.

But Pushmataha had traveled a great deal and knew a smattering of many Indian languages. He understood Tecumseh and realized the force of his insult. He turned to him and said:

Halt, Tecumseh! Listen to me. You have come here, as you have often gone elsewhere, with a purpose to involve peaceful people in unnecessary trouble with their neighbors. Our people have had no undue friction with the whites. Why? Because we have had no leaders stirring up strife to serve their selfish, personal ambitions. You heard me say that our people are a peaceful people. They make their way, not by ravages upon their neighbors but by honest toil. In that regard they have nothing in common with you. I know your history well. You are a disturber. You have ever been a troublemaker. When you have found yourself unable to pick a quarrel with the white man, you have stirred up strife between different tribes of your own race. Not only that, you are a monarch and unyielding tyrant within your own domain; every Shawnee man, woman, and child must bow in humble submission to your imperious will.

The Choctaws and Chickasaws have no monarchs. Their chiefs do not undertake the mastery of their people, but rather are they the people's servants, elected to serve the will of the majority. The majority has spoken on this question, and it has spoken against your contention. Their decision has therefore become the law of the Choctaws and Chickasaws, and Pushmataha will see that the will of the majority, so recently expressed, is rigidly carried out to the letter. If, after this decision, any Choctaw should be so foolish as to follow your imprudent advice and enlist to fight against the Americans, thereby abandoning his own people and turning against the decision of his own council, Pushmataha will see that proper punishment is meted out to him, which is death. You have made your choice; you have elected to fight with the British. The Americans have been our friends, and we shall stand by them. We will furnish you safe conduct to the boundaries of this Nation as properly befits the dignity of your office. Farewell, Tecumseh. You will see Pushmataha no more until we meet on the fateful warpath.

Thus ended the conference; thus parted two of the greatest and bravest Indians their race has ever produced.

It is most interesting to read their words in the light of subsequent events.

As I said, Pushmataha joined the Americans and went with General Jackson to New Orleans where he fought for the United States. Tecumseh went his way and died fighting with the British.

In after years, when he thought his people were being mistreated, Pushmataha came to Washington to protest to the President. While here he took sick and died. Before his death he made the request that when he was dead they would "fire big guns" over him—which they did.

He was buried with full military honors under a large purple beech tree in the old Congressional Cemetery at the end of East Capitol Street where he fittingly sleeps among the Nation's great of his day and generation.

There is nothing we can do for him and his brave followers now, but we can honor their memory, along with that of Andrew Jackson, by the construction of this great national parkway, and by so doing manifest our gratitude for their patriotic services in helping to defend the integrity, as well as perpetuate the honor and glory, of these United States. [Applause.]

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

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

Mr. HOFFMAN. I yield to the gentleman from Kansas.

Mr. LAMBERTSON. I am familiar with the origin of the Natchez Trace, and I may say Andrew Jackson's name was not connected with it in any shape or form.

Mr. RANKIN. The gentleman has heard of the Battle of New Orleans, has he not?

Mr. LAMBERTSON. The fact is that the Natchez Trace runs through the district of the gentleman from Mississippi, that is all.

Mr. RANKIN. Of course it does. Does the gentleman expect me to move away just for that reason?

Mr. HOFFMAN. The gentleman from Mississippi always makes a very eloquent plea when he wants us to spend money, but he does not always confine himself to the facts or the issues. The other day, when we were talking about an amendment and some on the left were opposing an appropriation, the gentleman made this remark—RECORD, page 4037:

I will tell you what is behind all this—you need not camouflage it—the Power Trust, that paid a lot of campaign expenses last year. That is what is behind it.

The gentleman was taunting us with the charge that the Power Trust, which seems to be his private bogeyman, contributed toward the campaign expenses of Republicans who were elected last year, and who now oppose the grant of additional fabulous sums to the T. V. A., the gentleman's pet baby, into which so many dollars contributed by northern taxpayers have gone—dollars spent in the gentleman's country. Oh, it is a wonderful thing to be charitable with other people's money, to be generous—yes, lavish—with it when it does not cost you anything.

I now ask the gentleman to place in the RECORD some time within the next week some evidence that the Power Trust paid any expenses last year or the year before or the year before that toward the election of any Republican Congressman. This is a fair request, because the gentleman meant the House and the galleries to understand that those on the left—the Republicans—had been elected with the aid of money contributed by the Power Trust. I challenge that statement, and I repeat that the gentleman place in the RECORD proof of his charge made on the floor of this House.

So today on this amendment, instead of talking about the question at issue, the gentleman delivered an oration about the Indians. He eulogized the Indians and Andrew Jackson. What relevancy has the valor of the Indians, long dead and gone, or the virtues of Andrew Jackson, to the discussion of the question now before us? What has that to do with whether or not we should now make this appropriation or vote for or against the amendment? The fact of the matter, if what has been said on the floor of the House and by the administration is true and in accord with the facts, is that we are in a desperate financial and economic situation. The people need shelter, they need clothing, and they need food; yet when we on our side try to economize so some of the money we have or the money we may be able to borrow can be devoted to the purchase of food, clothing, shelter, you come along with appropriations like these. When our people ask for bread and meat and potatoes you want to give them ice cream and cake and hors d'oeuvres, or even less substantial things.

Mr. FORD of Mississippi. Mr. Chairman, will the gentleman yield for a question?

Mr. HOFFMAN. I decline to yield.

We have only so much money. There is not enough to go around to pay for all the things we want. Why should we not spend what we have for the necessities of life, the things we must have, and let these other things, no matter how good they may be, which yet are not necessities, which are not essential to our welfare, go until we are back once more on a sound financial basis? When people need homes, when they need money for the very existence of life, as we have been told so frequently they do need money, why spend millions to build superhighways through parks? If the housewife needs a new washing machine, why buy her flowers? Undoubtedly she would appreciate the flowers, but she needs the washing machine.

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

Mr. HOFFMAN. I yield to the gentleman from Mississippi.

Mr. RANKIN. I want to put the gentleman on a real trail. While the gentleman is waiting for me to dig up the Republican campaign expenses I wish he would look into the question of why the Republican Legislature of Michigan outlawed rural electrification the other day, or virtually did so?

Mr. HOFFMAN. Why they did?

Mr. RANKIN. Yes.

Mr. HOFFMAN. I can only attend to my own duties down here. As the gentleman knows, we had a Democratic Governor out there who left us some million dollars in debt and then came down here to run the Department of Justice.

Mr. RANKIN. Why did that Republican administration shut the door of hope in the faces of the farmers of Michigan and destroy what we had done to secure rural electrification for them? That is a fair sample of what the Republican Party stands for.

Mr. HOFFMAN. Our legislature is opening wide the door which will lead our people back to a sound business administration. Once more we are getting back on the road toward recovery. Our farmers are far more interested in legislation which will enable them to pay their taxes, meet their debts, retain their homes, avoid mortgage foreclosures, than they are in electric lights.

If Democratic Governor Frank Murphy had been reelected and continued on the course which he was following, if the gentleman from Mississippi had his way and the Federal Government appropriated sufficient funds, it may be possible that we would have had electric lines throughout rural Michigan so that all farmers would have been able to obtain electricity had they been able to pay for it.

But it is more than probable, it is far more likely that if Murphy, with his little New Deal, had continued in control in Michigan, and if the Federal Government, this New Deal administration here in Washington, continued to follow the course which it had outlined, the farmers would have had no homes, no barns, no farms on which the electricity generated under the gentleman's plan might be used. An electric light, power for farm machinery, would be small consolation if there was no home left for the farmer in which to put his light bulbs, no barn in which to house the machinery which might be operated by electricity.

It is the solid things of life, the essential things of life, that the people of Michigan place first. It is the homes of the Michigan farmers, their ability to maintain themselves and to meet their taxes, that are of the first importance to us.

For our own selves we are glad that the President took Murphy out of Michigan. We feel sorry that he has inflicted him upon the Nation as a whole. Now that he and his methods have been kicked out of the State, Michigan is on the road back to prosperity; and if, at the coming election in Michigan, the people get out and show their faith in the Republican Party by voting a Republican ticket next April, we will, by the time the next general election rolls around, have Michigan well on the road toward a balanced budget, toward that prosperity which it has always enjoyed under Republican Governors.

Then, under sound business management and methods, farmers will enjoy not only the necessities of life, those things which enable them to live, but, because of the savings made in the State government by a Republican administration, they will have money left to purchase recreation, to buy electricity for their homes and their farm operations. [Applause.]

[Here the gavel fell.]

Mr. WEAVER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I hope very much the Blue Ridge Parkway, in which I am so vitally interested, will not get mixed up in this political discussion. Of course, we are greatly and vitally interested in the completion of this parkway, which, in my opinion, will be the greatest scenic highway in the world. I have not time now to undertake to tell the House the history of this movement, but I can say to my Republican friends that under Secretary Works, a great Secretary of the Interior, we established two national parks east of the Rocky Mountains, one known as the Great Smoky Mountains National Park and the other the Shenandoah Park. The States of North Carolina, Tennessee, and Virginia purchased the lands for the parks and turned them over to the United States. The States not being able to furnish all the funds, the John D. Rockefeller Foundation,

realizing the splendid value of these parks, contributed another \$5,000,000, with which we completed the purchases.

This parkway has been established to join these two great national parks. It is a going concern. The gentleman from Michigan talks about food and clothing. Mr. Chairman, the work that is today being given to the people in these back mountain stretches who have been isolated for so many years is being given to them through employment on this great scenic highway, the appropriation for which it is now sought to strike entirely from this bill.

We have already spent more than \$8,000,000 on the Blue Ridge Parkway and we have allocated several million dollars more which is being spent under contracts already made. More than 735,000 people visited the Great Smoky National Park alone last year. This park offers advantages of health and recreation and I want to plead with my friends here today to vote down the proposed amendment.

This is not a local matter and it is not for any individual Congressman. It runs through my district and through the district of Mr. DOUGHTON and the district of Major BULWINKLE, as well as through some Virginia districts. However, it is no more local than were the Grand Canyon of the Colorado or the Great Yosemite National Park. It will belong to the people and will give those who live in the congested areas of the East opportunities for healthful recreation and outdoor life.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. WEAVER. I yield to the gentleman.

Mr. REES of Kansas. Does not the gentleman think in view of the fact you overrode the committee to the tune of \$5,000,000 at the time this question came up, you can well afford, for the benefit of the country at large, to pass up this appropriation of \$4,000,000 at this time?

Mr. WEAVER. I may say to my friend, we did not do that.

Mr. REES of Kansas. I am thinking about the taxpayers of the country.

Mr. WEAVER. We asked the House for the appropriation. It was presented on its merits by Mr. DOUGHTON, myself, and the entire North Carolina delegation, and also the Virginia delegation, and the House gave us the money which has been allocated and is now being spent, and unless we now have the rest of the money the work will simply be slowed up.

Let me say to my friend that if he will just come down there once and see what we are doing, and if my friend from Pennsylvania, Mr. RICH, will also come down there sometime and see what we have to offer the American people, I am sure they will never offer another amendment to destroy this great and valuable enterprise.

Mr. REES of Kansas. Will the gentleman yield a little further?

Mr. WEAVER. Yes.

Mr. REES of Kansas. With respect to this great and fine monument the gentleman has just described, does the gentleman think the ordinary or average taxpayer, the fellow way back home, who is going to have to foot the bill, can begin to appreciate it and how can he expect to get any benefit from this fine monument the gentleman has described, and I appreciate the fact it is a very fine monument.

Mr. WEAVER. As someone has said, the tax that will just come in from oil and gas consumed in going over that road will help to pay its cost.

Mr. REES of Kansas. Is that the excuse the gentleman is offering—the oil and gas money will pay this bill?

Mr. WEAVER. No; I am offering it to the people because it is a great, outstanding enterprise for the American people, and for its value to the generations that shall come after us. [Applause.]

Mr. CARTER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the effect of this amendment which strikes out the entire paragraph relative to the roads connecting these parkways is to prevent them from getting any appropriation whatever in this appropriation bill.

Last year about \$7,000,000 was appropriated for the purpose of carrying on this construction. This year the committee cut it down to \$4,000,000.

Now, this project is an established project. It is under way, and it is going to be completed. It is simply a question of how fast we want to complete it, and while I am interested in cutting down expenditures wherever possible, I believe that in reducing the amount \$3,000,000 under what they received last year, we have made a very substantial cut.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield for a brief question.

Mr. REES of Kansas. Does not the gentleman from California, who has these great parks in his own district, really believe though that in view of the fact we handed this crowd \$5,000,000 extra money the last time, he could well help the country a little by withholding \$4,000,000 now?

Mr. CARTER. I believe they should be given a reasonable amount to continue this work.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield.

Mr. JOHNSON of Oklahoma. In answer to the statement of the gentleman from Kansas [Mr. REES] that the House increased this appropriation last year \$5,000,000, it is only fair to advise the gentleman and also the Members of this body that the appropriation was not increased one dime over the Budget estimate.

What happened was that a supplemental estimate for an additional amount was sent up from the Budget Bureau last year and this additional sum, amounting to \$2,000,000, was included in the second deficiency bill in accordance with the supplemental Budget estimate. The mere fact that in the beginning I opposed this legislation certainly is not applicable now. This great project is now not only started, but well on its way to completion. Congress has spoken and we, of course, cannot stop this project now.

Mr. REES of Kansas. But the gentleman well remembers that on the floor of the House he did tell this House—

Mr. CARTER. I decline to yield further at this time.

Mr. Chairman, I think we must go on with this construction work, and I believe in view of all the facts and circumstances cutting the amount down to \$4,000,000 is as far as we should go this year. This is a project that is under construction and it would be folly to abandon it. This amendment striking out the paragraph should be defeated.

Mr. RICH. Mr. Chairman, I rise in support of the amendment.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I wonder if the gentleman would suspend for a moment, so that I may submit a unanimous-consent request.

Mr. RICH. I yield, if it is not to be taken out of my time.

The CHAIRMAN. It will be taken out of the gentleman's time.

Mr. RICH. Then I cannot yield.

Mr. Chairman, when we had a Budget estimate increased last year, if you knew the pressure that was put upon the Budget officer by the men who are interested in this project, including Senators and Members of the House, you could appreciate why the Budget Bureau could not resist such pressure. The Budget officer had to yield or get out.

Greater pressure has been brought on this project, the building of these two highways, 800 feet wide, than any projects that I know of. Think of 800-foot highways traversing through this valley. The fact is that today they have money for these projects for many months to come. If we want to economize in governmental expenditures, we should certainly do it at this point, but I forecast one thing: While the committee cuts this down \$1,000,000, I tell the Members of the House now that when it goes over to the Senate they will see the \$1,000,000 restored, and there will be no cut in this bill.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes.

Mr. REES of Kansas. The gentleman will remember that when this measure was under consideration before the gentleman from Oklahoma [Mr. JOHNSON] referred to the sponsors of this amendment as the camel getting its head under the tent; and does the gentleman remember when the matter came up for consideration, that at that time he said he was not so much in sympathy with this appropriation of \$5,000,000?

Mr. RICH. Mr. Chairman, the gentleman from Kansas knows the facts with reference to the Blue Ridge and the Natchez Trace Parkway, and it has been disclosed here that Andrew Jackson did not know anything about such a parkway as we are to have, and I am wondering who is getting mixed up in his history, whether it is the gentleman from Mississippi [Mr. RANKIN], who is interested in having this parkway constructed through his State.

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

Mr. RICH. Mr. Chairman, I love the gentleman from Mississippi. The only trouble with him is that he cannot keep the Government out of business. He wants the Government in business all of the time and in every way.

Mr. RANKIN. And let me say this to the gentleman from Pennsylvania: He said just now that when the bill got over to the Senate they would put this cut back. If you strike this out, they certainly will, and they will put the whole thing back.

Mr. RICH. They will put back the amount stricken out; and not only that, but they will put back every item that was stricken out by this Committee; and when we come to conference, see if that does not happen. They are not going to be for economy and this House is not going to be for economy; not until the people of this country get a new Congress that will vote for economy in government will we get it.

Mr. LAMBERTSON. Oh, certainly, the senior Senator from Mississippi will not be for putting this cut back, surely.

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

Mr. RICH. Yes; to the gentleman from Michigan.

Mr. DONDERO. Mr. Chairman, Andrew Jackson's name has been brought into this discussion. I happen to be reading his life at the present time, and I have discovered that he said that he was one man who did not believe a national debt is a national blessing.

Mr. RICH. That ought to be news to some Members on the Democratic side, and I am glad the gentleman stated that to them, because they have been extolling Andrew Jackson of late, and they should do as he stated.

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

Mr. RICH. Oh, just a moment, until I give them a little of this history. They loved Thomas Jefferson for a time, but they went away from him because he said so much about economy in government. They could not follow Jefferson any longer, so that they have taken up Andrew Jackson, and now I ask the gentleman from Michigan [Mr. DONDERO] to once more repeat that statement so that Members on the Democratic side of the House will know that he was for economy.

Mr. DONDERO. He said that he was one man that did not believe that a national debt is a national blessing.

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

Mr. RICH. I am glad now that the gentleman from Mississippi should extol the things that Andrew Jackson stood for. Now let the gentleman from Mississippi follow Andrew Jackson in all things.

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

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

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield for me to make a unanimous-consent request?

Mr. BULWINKLE. Yes.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto close in 5 minutes.

Mr. LAMBERTSON. Mr. Chairman, I shall have to object to that.

Mr. STEFAN. Mr. Chairman, I want 1 minute.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in 16 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from Oklahoma that all debate upon the paragraph and all amendments thereto close in 16 minutes.

The motion was agreed to.

Mr. BULWINKLE. Mr. Chairman, I would not undertake to rise at this moment except for the fact that the gentleman from Pennsylvania [Mr. RICH] was in error in one of his statements. I think that he made the error unintentionally, but he ought not to say that the roadway is built 800 feet wide, for it is not.

Mr. RICH. I said parkway.

Mr. BULWINKLE. Oh, the gentleman said roadway; that it was 800 feet wide.

Mr. RICH. I meant the parkway.

Mr. BULWINKLE. And the reason that I am addressing the House is that what the gentleman said was a mistake. This parkway is 49 percent completed. I know the gentleman from Pennsylvania does not agree with this amendment offered by the gentleman from Kansas.

He knows, as well as the rest of us, the history of this project. Dr. Temple, who was formerly a Member of this House from Pennsylvania, who was a member of this committee, which established the Shenandoah and the Smoky Mountains Parks, when in North Carolina, told me that what he hoped to see eventually was a great scenic highway connecting these parks. Forty-nine percent completed, and then throw that away? Surely the gentleman does not mean that. Surely the gentleman from Kansas [Mr. REES] does not mean to do that.

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

Mr. BULWINKLE. Not right now.

I have never, in all my experience in the House, at any time voted for or made a speech in favor of increasing an appropriation over the Budget estimate, both under Republican and Democratic administrations. In the 18 years I have been a Member of this House, not once have I appeared before the Committee on Appropriations asking for an appropriation. But I say to you, my fellow Members, that this is a just and fair appropriation, the first great project in two great States. All we ask of you is to go down there and see this parkway that you have built for the people of the United States, and I say you will be proud of the work that has been done.

Mr. RICH. Mr. Chairman, will the gentleman yield further?

Mr. BULWINKLE. Yes; I yield.

Mr. RICH. Is not this parkway 800 feet wide?

Mr. BULWINKLE. The right-of-way, only in places.

Mr. RICH. And is this not beautified with shrubbery?

Mr. BULWINKLE. Now, just a minute. Let me answer one question at a time. The right-of-way is 800 feet wide in some places. In some others it is not. As to the beautification; yes. How? By native shrubs and by native trees being planted along there. If you could, if you would, sometime go there and look this roadway over, you will be proud of it, too.

Mr. RICH. I will say to the gentleman that if you build a parkway 800 feet wide and beautify it, it ought to be a fine-looking roadway.

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

Mr. BULWINKLE. I yield.

Mr. WHITTINGTON. Is it not true that where the parkway is 800 feet wide that is furnished by local interests?

Mr. BULWINKLE. Yes.

Mr. WHITTINGTON. And the parkway does not cost the Government anything?

Mr. BULWINKLE. The State furnishes it.

Mr. WHITTINGTON. And is it not true that the actual width of the highway connecting these parks is the same as the width of the actual roads at the entrance of the parks west of the Mississippi River?

Mr. BULWINKLE. Yes, sir.

Mr. RICH. Will the gentleman yield again?

Mr. BULWINKLE. I yield.

Mr. RICH. Is it not a fact that we have two highways now down through Virginia not far distant from this parkway, which will make three highways between Shenandoah Park and the Smoky Mountain National Park?

Mr. BULWINKLE. There is no road in the world that is practically on the top of the mountains.

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

Mr. BULWINKLE. I yield.

Mr. KELLER. Is it not true that if you go down that parkway you will see more Pennsylvania licenses than you do Virginia licenses? [Laughter.]

Mr. BULWINKLE. From Pennsylvania, as well as every State in the Union.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. LORD] for 3 minutes.

Mr. LORD. Mr. Chairman, there has been a great deal of agitation over this highway and considerable praise for the Choctaw Indians. I would like to get back to the highway. There has been some question over the width of it. The right-of-way of the parkway is to be 800 feet wide, except where it crosses Government land, and there they cut it down to 200 feet. When completed I suppose this will reach from Washington to the Gulf of Mexico. It was first to connect the parks. The parks were some four or five hundred miles apart. We have a road here much more than 1,000 miles in length. It is to be constructed entirely at the cost of the Federal Government. It is to be maintained by the Federal Government. For whom? For those who want to tour through that section. I do not blame these gentlemen who want this highway, but it is a big bill to pay in times when we do not have the money. I had the pleasure of driving over a portion of that road this summer, down through the Blue Ridge Mountains, where our friend has told us about these wonderful Choctaw Indians, but in place of living there, they have driven every living person, be they whites or Choctaw, out of the mountains. They drove them down into the valleys and they will not even let them live up there as they have in the past. I have talked with some of these people, and they are mourning still because they cannot stay in the mountains where they have lived during all their lives.

In the Seventy-fourth Congress we appropriated \$25,000,000 to build farm-to-market roads for our farm population. What happened in our last Congress? That was cut down to \$15,000,000 by the Chief Executive; yet we increase the amount of money to build these scenic highways that are of little, if any, value to the farmers of this Nation. I want to build highways, but let us build them where they will do some good. Let us build them where they will help our farmers. I was talking with a farmer from the West recently, and he said that what we need to help housing is roads to our back farms. We have plenty of farm homes where the farmers have left because in the muddy season they cannot get out to market. We should be building highways to help them to stay on the farms instead of building scenic highways all down through this mountain region.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Chairman, I have a prejudice for all the projects that have been started by relief money. Both the Natchez-Trace and the Skyline Drive got their first support of the President from relief money. Neither was started by appropriation by Congress.

There are two other things I want to recall that have not been mentioned about these two parkways today: First, it is

the first 100-percent Federal-aid road constructed in the United States. It is a violation of the old agreement on Federal-aid highways built in the States, that they should be built on a 50-50 basis. This is the first violation of that policy; this is the first 100 percent federally constructed highway in the United States. I have nothing against the Smoky Mountain Park. I have been there. I have been in the Shenandoah Park, too. If you want a scenic drive you will go over the Skyline Drive, but you will not take that route to go to the Smoky Mountains 500 miles away.

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

Mr. LAMBERTSON. No; I have not time or I would yield.

The other thing that is pernicious about these authorizations that came about in a left-handed way is that they can build approaches to these parkways indefinite in length and number to connect other highways, a thing that is perfectly ridiculous. Think of it, it is a scheme whereby they can build highways to connect other highways with the Skyline Drive. That is all contained in this plan; and there is no limit on the length these approaches may be.

As I said a while ago, it is the first violation of the 50-50 policy of Federal-aid highways.

Mr. Chairman, this scenic highway is not a road that anybody will take when driving between the two parks.

This sets a precedent. It opens up the proposition of building parkways clear across the United States between national parks. It gives them the same authority, practically.

I know this item is going to pass because there are not sufficient Members here who will vote against it. This highway proposition had its first victory on this floor a couple of years ago when the Central Valley, Calif., project was under consideration, a project where the Government is going to spend hundreds of millions of dollars to finish in California the tunnel across the Divide in Colorado, the one involving the Gila project in Arizona, another one for the St. Louis Jefferson Memorial, and the Coulee Dam. These, coupled with the Skyline Drive and the Natchez-Trace, constitute one grand and dignified pork barrel, and there are not enough Members here who have sufficient fighting interest in economy for saving the taxpayers' dollars to beat this gigantic pork barrel. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Nebraska [Mr. STEFAN] is recognized for 4 minutes.

Mr. STEFAN. Mr. Chairman, I think the most of this item has been covered, and I do not like to take much of the time of the Committee except to say that the people in my State, especially in my district, are for economy in road building and are very much interested in farm-to-market roads. I feel in this item we are breaking a precedent. I feel we should proceed with caution and that roads built by Federal aid should be built in accordance with the regular established plan and in an orderly way. I feel that people of other States should not be discriminated against, as they are in this instance, because here is an 800-foot parkway hundreds of miles long, being constructed by the Federal Government entirely out of Federal funds, with no participation by the States whatever; a highway to be maintained forever at the expense of the Federal Government by taxpayers of my State and other States. So far as my people are concerned, they are opposed to this method and manner of building roads because it breaks the orderly procedure of building Federal-aid highways. We in Nebraska must match road funds dollar for dollar. Why should these few States get a preference?

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

Mr. STEFAN. I yield.

Mr. CRAWFORD. Does the gentleman think this is the proper way for Government expenditures to be made, in that the money is not spent in a manner which increases production; namely, the opening of farm-to-market roads over which the farmer could get more goods to market and get back to his farm?

Mr. STEFAN. The gentleman is absolutely correct. The farmers are interested in farm-to-market roads. We need these farm roads. It is my feeling that when highways are built they should be built in an orderly and regular manner, that when Federal-aid highways are built they should be built after the program which Congress has laid down. If my State, Nebraska, is required to match dollar for dollar the money spent by the Federal Government in the construction of highways, I feel that the precedent should not be broken in this instance, and the people in Nebraska should not be discriminated against in favor of one or two States in the South.

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

Mr. STEFAN. I yield.

Mr. SABATH. The gentleman from Nebraska is well informed and takes a great deal of interest in the farmers and their problems. I know he will put in the RECORD the number of thousands of miles of farm-to-market roads that have been built under this administration. As a matter of fact, it runs into the thousands of miles, as the gentleman knows. He has the facts. Will he not put in the RECORD the number of thousands of miles of farm-to-market roads that have been built for the benefit of the farmers throughout the entire United States?

Mr. STEFAN. I may say to the distinguished gentleman from Illinois, for whom I have the very greatest respect, that we in Nebraska are thankful for the few miles of farm-to-market roads built in our State. The figures have been in the RECORD time and again and are available to the gentleman. But we have no such gigantic projects paid fully by the Government.

Mr. SABATH. I will supply the figures myself, then.

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

Mr. STEFAN. I yield.

Mr. WHITTINGTON. Is it not true that at Federal expense the entrances to the parks west of the Mississippi River have been constructed, altogether to the extent of several hundreds of miles, and that the construction of these entrances began before the starting of the Shenandoah Park or the Great Smoky Park?

Mr. STEFAN. But that is very small in extent compared to what is being spent here in the Southeast. Those are actual connections to national parks. This item is a gigantic highway in itself.

Mr. WHITTINGTON. I beg the gentleman's pardon. Is it not true that altogether about 900 miles of entrance roads have been constructed into those parks?

Mr. STEFAN. I wish the gentleman would let me proceed. After all, this is my time.

Mr. WHITTINGTON. I am perfectly willing that the gentleman should proceed, but I want him to get the facts.

Mr. STEFAN. I am willing to admit that something has been done in the matter of building entrances to the western parks, but not to nearly the extent it is being done in the case of this huge parkway.

Mr. WHITTINGTON. It amounts to just about the same mileage, I may say to the gentleman from Nebraska.

Mr. STEFAN. The gentleman is usually well informed on roads. He has helped me in my work on farm-to-market roads.

Mr. RANKIN. If the gentleman will yield, when the bill comes before the House I will aid the gentleman in increasing the item carried for the farm-to-market roads.

Mr. STEFAN. The gentleman has always helped out in the matter of farm-to-market roads and I thank him for his help.

Mr. RANKIN. That is involved in this item.

Mr. STEFAN. Farm-to-market roads are practical.

Mr. RANKIN. Farmers live along this road.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Chairman, we have been discussing this matter of the parks-to-parks highway from so many different angles that it is very easy to be under a misapprehension. Everyone must know that not one dollar taken off of this

appropriation will go to farm-to-market roads. It is in no way prejudicial to farm-to-market road development. This is a parkway development and it is giving to the crowded East just what the great West has, a playground for the people here, to which they are entitled. No one can say how damaging on human character is the effect of crowding teeming millions of human beings into our great cities of this eastern section, but all agree that giving our citizenship the privilege of spending a day or two close to Nature, as these parkways, pays real dividends in human character and happiness.

I am frank to say that I would be willing to see this parkway extended across Pennsylvania and New York, on up across New England, to the Canadian border. It is not a utility road. Every State that it traverses is required to donate 150 acres of land for every mile that the road crosses. This land is used entirely for scenic and recreational purposes.

We people of the West know too well that the folks in the East, those who are underprivileged, are entitled to go out occasionally and enjoy the best that Nature has to give them. That is the purpose of this project. In the northern part, through Virginia and North Carolina, it is 40 percent completed. To say now that we will cut off the appropriation would be the height of folly, just as the other day, when we acted unwisely and rapidly on an amendment concerning the Federal Housing Authority. After we have acted we discover it was not a wise thing to stop a project that has been under way for 3 years, and which the people want, not as a partisan group but in order to build a better citizenship. To adopt this amendment, in my opinion, would be highly inconsistent with the patriotic motives that I am sure actuate all of us.

Mr. REES of Kansas. Will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Kansas.

Mr. REES of Kansas. The gentleman suggested it would be a great thing for the Eastern States. As a member of the committee, did anybody from any eastern city appear before the committee and ask for the \$5,000,000?

Mr. LEAVY. I cannot say, offhand. It depends on what you call East.

Mr. REES of Kansas. Did anybody from the East request this appropriation?

Mr. LEAVY. It was assumed that we were going to make it because of its merit.

Mr. SABATH. Will the gentleman yield?

Mr. LEAVY. I yield to the distinguished gentleman from Illinois.

Mr. SABATH. Does not the gentleman think it would be a blessing and a benefit to the people of New York to make trips over our country and see the wonders and the advantages of our country instead of spending money going to Europe? Rather than spend money going over in these palatial boats that they use, would it not be of greater benefit to them to make a few trips through the South and West and familiarize themselves with the beauty of our own country?

Mr. LEAVY. I am certain any American who knows his America is a better American citizen by reason of that knowledge. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. REES].

The question as taken; and on a division (demanded by Mr. REES of Kansas) there were—ayes 7, noes 118.

So the amendment was rejected.

Mr. WHITE of Ohio. Mr. Chairman, I ask unanimous consent to return to page 15 of the bill for the purpose of offering the following amendment:

On page 15, following the amendment offered by me and adopted by the Committee of the Whole, strike out the period after the word "house" and insert a semicolon and the words:

Provided further, however, That the foregoing limitation shall not apply upon construction under contracts entered into prior to the date of the enactment of this act.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio [Mr. WHITE]?

Mr. LEAVY. Mr. Chairman, reserving the right to object, may I ask the gentleman, would not the effect of the amendment be to limit for all time in the future, after this fiscal year, the cost of a housing unit to \$3,500?

Mr. WHITE of Ohio. The effect of the amendment would have nothing to do with that. This amendment would take care of the thing that several of the gentlemen have talked about today—namely, exempt existing contracts from its effect.

Mr. MARCANTONIO and Mr. HOOK objected.

The Clerk read as follows:

Historic sites and buildings: For carrying out the provisions of the act entitled "An act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes," approved August 21, 1935 (49 Stat. 666), including personal services in the District of Columbia, \$24,000: *Provided*, That hereafter the authority of the Secretary of the Interior contained in such act, to acquire by gift on behalf of the United States any historic site, building, object, and antiquity of national significance, shall not be effective until an appropriation has been made for the operation and maintenance thereof subsequently to such proposed acquisition.

Mr. BLAND. Mr. Chairman, I desire to make a point of order against the proviso, commencing with the word "Provided," line 17, page 119, down to the end of the paragraph, in that it is legislation on an appropriation bill. According to the report, it expressly changes the language of the act.

The CHAIRMAN. Does the gentleman from Oklahoma [Mr. JOHNSON] desire to be heard?

Mr. JOHNSON of Oklahoma. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained.

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

Mr. Chairman, I would offer the same amendment as I offered about 10 pages back, in regard to historic sites and the St. Louis memorial, but I know it would not pass, although it should pass.

Mr. Chairman, we have 104 Federal employees of the Park Service now in St. Louis. The money from which they are being paid is about exhausted and apparently the President of the United States is not going to give them any additional relief money. The gentleman from Missouri has insisted during the last week or so in two or three speeches that he will never ask a dollar from the Treasury of the United States for the St. Louis memorial.

Now, here is the ridiculous situation in which we find ourselves. There is proposed here a historic site to be preserved, although we are creating an additional historic site in St. Louis, and we have 104 Federal employees there. The money to pay them is about gone, and this has amounted to two and a quarter million dollars. The Government has spent six and three-quarter million dollars for real estate. About the only purpose of the memorial anyway was to sell the real estate. Now, why not give this thing a decent burial instead of permitting it to live on like it is?

Let St. Louis know, let the Government know, and let the Park Service know that this thing is going to be ended in a decent and dignified manner. We should not allow any of this \$24,000 to go to pay the salaries of these 104 employees, but there is no use in offering an amendment to that effect.

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

Mr. LAMBERTSON. I yield to the gentleman from Pennsylvania.

Mr. RICH. Does not the gentleman believe they are making preparation for giving this proposition a decent burial and that is the reason we have this casket up here in the House now? We are going to carry it out before the session is ended.

Mr. LAMBERTSON. The mayor evidently has lost his influence with the President. His real-estate firm has been barred from the realty board of St. Louis.

The source that put the proposition over with the President is not in the best of repute. The project cannot succeed because Congress will never appropriate for it. The sponsors do not dare ask for money. They did not even dare, after 4 years of legal existence, to ask the Budget for

a dollar. They plan as long as this President is in office to get money year by year from relief funds to keep this proposition alive.

Across the river are two packing houses. An elevated railroad has to be taken down and a tunnel dug for it under the city, according to Mr. Ickes, before this memorial can be constructed. A lot of obstacles have to be overcome. Why not give this project a decent burial instead of letting it linger like this? [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

Salaries and general expenses, public buildings and grounds in the District of Columbia: For administration, protection, maintenance, and improvement of public buildings, monuments, memorials, and grounds in the District of Columbia under the jurisdiction of the National Park Service, including the National Archives Building; per diem employees at rates of pay approved by the Director, not exceeding current rates for similar services in the District of Columbia, and such employees in emergencies may be entered on duty subject to confirmation by the Secretary of the Interior; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses and carfare; leather and rubber articles and gas masks for the protection of public property and employees; furnishings and equipment; arms and ammunition for the guard force; not exceeding \$37,400 for purchase, repair, and cleaning of uniforms for guards and elevator conductors; and the purchase, maintenance, repair, exchange, storage, and operation of four motor-propelled passenger-carrying vehicles; \$7,950,962, of which amount, not to exceed \$500,000, shall be available for major repairs and improvements to public buildings, monuments, memorials, and grounds in the District of Columbia.

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

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 121, line 4, strike out "\$7,950,962" and insert "\$6,950,962."

Mr. RICH. Mr. Chairman, we are diligently trying to cut down this appropriation bill, but it seems as if we are getting nowhere fast. We called your attention to the fact that we want to cut down \$1,000,000 on the rentals we are paying here in the District of Columbia. Let me call your attention to the fact that in the hearings on the first deficiency appropriation bill we gave a list of the buildings in the District in which space was rented by the Government, the number of people employed by the new agencies, the number of square feet occupied, and the annual rental. The totals are as follows:

Persons employed in the various New Deal organizations that have been set up and are now occupying rented buildings number 22,711. The number of square feet occupied is 3,664,716. The annual rental is \$3,432,711.41. Think of it! We are paying \$3,400,000 and more for rentals in the District of Columbia mostly for New Deal agencies. Let me call your attention to the fact that this rental amounts to over \$150 a year per employee.

I wish to direct your attention to some of the buildings that are being rented. For instance, let us consider the Standard Oil Building, at 261 Constitution Avenue. We rent 37,195 square feet in that building, at a cost of \$68,810 per year. This is almost \$2 a square foot. Then there is the Tower Building, at Fourteenth and K Streets NW., occupied by the National Bituminous Coal Commission. We rent 7,714 square feet and pay a rental of \$14,193 a year. This is an exorbitant rent.

In the District National Bank Building, for the Accounts and Deposits, where 20 people are employed, a rental of \$22,745 per year is paid for 1,830 square feet. This is a most exorbitant rental.

At the Tower Building, at Fourteenth and K, the Committee on Enrollment and Disbarment occupies 14,022 square feet, at a rental of \$23,838 a year.

At 1331 to 1341 U Street NW, the Internal Revenue Bureau occupies 76,045 square feet and pays a rental of \$103,038.72.

I dare say if a Member of Congress had a business of his own or was looking after a business for someone else he could go out in the District of Columbia and rent space in buildings at a cost of less than one-half what we are paying for space in some of these office buildings.

Let me call your attention to 1001 Vermont Avenue, where the Federal Housing Administration occupies 100,414 square feet, for which we are paying an annual rental of \$155,000. This is an exorbitant rental.

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

Mr. RICH. I yield to the gentleman from Illinois.

Mr. KELLER. I should like to know how the gentleman arrives at that conclusion?

Mr. RICH. I take it from the figures given by the Interior Department. When the first deficiency bill was under consideration, the Department of the Interior was requested to submit a list of buildings, together with the number of square feet occupied by them and the price paid for the space. If you will refer to the hearings on the first deficiency appropriation bill, you will find all this information.

Mr. KELLER. But does it show that we are paying twice as much as would the gentleman for personal rental?

Mr. RICH. They do not say that; but if we had any brains at all, we would know it. It is too much for any building rental for office space in Washington, D. C.

Mr. KELLER. How does the gentleman know it?

Mr. RICH. Does the gentleman believe for a minute that anyone who pays \$2 a square foot for space in the District of Columbia is not paying an exorbitant rental for space for these New Deal agencies? What we want to do is cut out about half the New Deal agencies, and then we will get some place. [Applause.]

[Here the gavel fell.]

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

The amendment was rejected.

The Clerk read as follows:

All appropriations for vocational education under the Office of Education in this act shall be used exclusively for vocational education purposes.

Mr. KRAMER. Mr. Chairman, I ask unanimous consent to return to page 113, line 12, for the purpose of offering an amendment.

Mr. REES of Kansas. Mr. Chairman, reserving the right to object, will the gentleman explain the nature of his amendment?

Mr. KRAMER. Yes. The reason I am making this request is because I was absent last week and did not have an opportunity to present it at that time.

The amendment would provide an appropriation of \$8,500 for Joshua Tree Park, in California. This is a monument which was dedicated by the President in 1936 and without this appropriation nothing can be done with it.

The appropriation would be used for the employment of rangers and for constructing roads and getting the park into operation.

Mr. REES of Kansas. Further reserving the right to object, do I understand that this request has not been considered by the committee?

Mr. KRAMER. I understand the request has been considered by the committee and the members of the committee on this side had no objection.

Mr. REES of Kansas. What I want to know is whether or not there has been any hearing on this item or whether the matter has been presented to the committee.

Mr. KRAMER. I do not know whether the matter has been presented to the committee or not, but I mentioned it to the subcommittee.

Mr. REES of Kansas. Mr. Chairman, I do not like to object to a request of this kind, but it seems to me this is another amendment for a further expenditure of money and an unnecessary expenditure, and just one more item of extravagance, spending \$8,500 for nothing at all.

Mr. KRAMER. This is not an extravagance but a necessity in order to put this park into operation.

Mr. REES of Kansas. In all kindness to the gentleman from California, it seems to me this is a matter that should go through the committee in regular order.

Mr. KRAMER. I have told the gentleman what it is for. It is for the services of two rangers and for the purchase

of pick-up trucks and necessary office equipment during the period of next year.

Mr. REES of Kansas. Does not the gentleman still think it is a matter that ought to have gone before the committee and had some hearing on it?

Mr. KRAMER. I do not see where there is any significance in that, because the Committee of the Whole is here and there is nothing different in this amendment from any other amendment that might be offered. I am sure the gentleman would not oppose the amendment if it were brought to his attention.

Mr. REES of Kansas. Further reserving the right to object, is not this a matter that can come before the deficiency committee for consideration?

Mr. KRAMER. I do not know about that. I recall taking it up with the committee and they suggested that I might offer it in this way.

Mr. REES of Kansas. I believe this is a matter that could go before the deficiency subcommittee for its consideration and I therefore must object.

The CHAIRMAN. Objection is heard.

The Clerk read as follows:

GOVERNMENT OF THE VIRGIN ISLANDS

For salaries of the Governor and employees incident to the execution of the acts of March 3, 1917 (48 U. S. C. 1391), and June 22, 1936 (48 U. S. C. 1405v), traveling expenses of officers and employees, necessary janitor service, care of Federal grounds, repair and preservation of Federal buildings and furniture, purchase of equipment, stationery, lights, water, and other necessary miscellaneous expenses, including not to exceed \$5,000 for purchase, including exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, and not to exceed \$4,000 for personal services, household equipment, and furnishings, fuel, ice, and electricity necessary in the operation of Government House at Saint Thomas and Government House at Saint Croix, \$127,250.

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

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 133, line 15, strike out "\$127,250," and insert "\$67,250."

Mr. RICH. Mr. Chairman, I am trying to cut down the expense of the Virgin Islands. That is the place where the Government has put you all in the rum business. I have here a bottle of Government House rum that was manufactured in the Virgin Islands. Every individual citizen of the United States of America is a stockholder in this enterprise. The Government has spent, under the guise of relief, \$2,000,000 or more for the purpose of taking over the old rum plant, taking over two sugar plantations, and now we have every citizen of America manufacturing this Government House rum.

After they formed this company and spent two and a half million dollars on it, they incorporated it at \$30. Think of it. A \$30 incorporation after the Government had spent over \$2,000,000. One share is owned by the Secretary of the Interior, one share by the Assistant Secretary of the Interior, and one share by the Governor of the Virgin Islands, and with this enormous capitalization of \$30, they have been going in the red. Last year shows that you have gone in the red and that you are not able to make a dollar on this capitalization. A travesty to a business venture by the Federal Government. They compete with our American rum manufacturers who are taxed high for the privilege of manufacturing rum. Why should the Government compete with them? Why should the Government get into any business that competes with its citizens, whether it be transportation, whether it be electricity, or whether it be sugar growing, or whether it be rum manufacturing?

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

Mr. RICH. Yes. I yield to the gentleman from New York City.

Mr. FITZPATRICK. Is it not a fact that the Government does not make one cent of appropriation for the manufacture of rum?

Mr. RICH. Well, the Government has a rum factory. We made our appropriation, and the rum factory has its money, and now you are trying to camouflage the issue by appro-

priating to the municipalities, and the money goes also to the operation of these plants.

Mr. FITZPATRICK. Oh, I ask the gentleman to answer the question.

Mr. RICH. You are trying to camouflage the issue, that you are in the rum industry. I do not yield any more. You know you are losing money in the rum business. You have to support it some way sooner or later by more gifts.

Mr. FITZPATRICK. Why not answer the question?

Mr. RICH. You have made your appropriation, and you are going in the red now. You are camouflaging it, and if this rum industry were any good, if you could get along and make a profit, you would not have to appropriate \$127,000 now to run the government of the Virgin Islands. You would take the profits to pay your bills, but when you come in here and ask for aid, for each one of these islands to be appropriated the sum of \$127,000, you are only camouflaging the issue as to what the money is used for.

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

Mr. SCHAFFER of Wisconsin. Who imports and retails this Uncle Sam rum?

Mr. RICH. Uncle Sam is importing this himself.

Mr. SCHAFFER of Wisconsin. And does he collect the whisky tax on this rum also?

Mr. RICH. Uncle Sam is collecting the whole business. The gentleman is a stockholder. He is in the rum business. Every man, woman, and child in America, every Sunday school scholar, every citizen of America has an interest in that rum plant.

Mr. SABATH rose.

Mr. RICH. I cannot yield now. The Secretary of the Interior on April 26, 1937, sent every one of the members of the subcommittee a bottle of this rum. I still have mine. I do not know whether each of the others has his or not.

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

The CHAIRMAN. The gentleman from Pennsylvania declines to yield further.

Mr. RICH. I cannot yield. I want to show you what the rum plant is doing. They are afraid to put in the statement of what the rum plant has been doing. They say they cannot operate the sugar industry unless they have the rum plant, and when you have the rum plant it shows that you have gone in the red this year. Now, we come in and these men would have you believe that we are asking for this \$127,000 to run the municipality. The Government competes with the rum industry of America. There is no reason why they should compete with the rum industry of this country. That is setting the Government up in business, and I am opposed to it. I do not care whether it is in the manufacture of rum or in the 101 other things the Government is engaged in.

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

Mr. FITZPATRICK. Mr. Chairman, on page 956 of the hearing on the Interior appropriation bill, the acting chairman of the subcommittee, the gentleman from Oklahoma, Mr. JOHNSON, asked Governor Cramer, of the Virgin Islands, if there was any money recommended in the appropriation bill toward the rum business, and here is his answer:

Mr. CRAMER. There is no money in this appropriation for the Virgin Islands Co.

So the statement made by the gentleman from Pennsylvania is not correct according to the statement of Governor Cramer, of the Virgin Islands, and I ask the Members to vote down the amendment.

Mr. SCHAFFER of Wisconsin. Mr. Chairman, I rise in support of the amendment. For many years prior to the repeal of prohibition I had taken an active part in the fight to bring about repeal. I was somewhat surprised to find today that all of those who served in the dry forces, including many of the present Members of the House, are now in the rum-producing business under a general partnership with all of the American people. Our New Deal wets and dries have put Uncle Sam in the rum business in a big way. Our former dry leaders can vote to keep Uncle Sam in the Government

rum business. I am opposed to subsidies from the taxpayers' Treasury to permit Uncle Sam to engage in fields of private business endeavors. The gentleman from Pennsylvania [Mr. RICH], who exhibited a bottle of Uncle Sam's Government rum, correctly indicated that every American is a partner in Uncle Sam's rum business. I therefore find myself in strange company today—in partnership with Bishop Cannon, that great dry leader, in the Government rum-producing business. We should adopt the pending amendment and get Uncle Sam out of his Government rum business.

Mr. HOOK. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HOOK. There seems to be a lot of rum talk going on here, but there is no rum in this amendment. Therefore I make the point of order that the gentleman is not talking to the amendment.

The CHAIRMAN. The point of order is well taken, and the gentleman will proceed in order.

Mr. SCHAFER of Wisconsin. I am talking directly to this amendment.

The CHAIRMAN. The amendment is to strike out the sum of \$127,250 and substitute \$67,250.

Mr. SCHAEFER of Wisconsin. Mr. Chairman, this amendment reduces the appropriation for the operation of various Government activities, including the government rum business in the Virgin Islands. Therefore I am in order, the facetious interjection of my colleague from Michigan [Mr. Hook] to the contrary notwithstanding.

Mr. HOOK. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HOOK. The gentleman is violating the ruling of the Chair, who ruled he was speaking out of order. I insist on the point of order.

Mr. SCHAFER of Wisconsin. I am talking in favor of the pending amendment to reduce the appropriation from the Federal Treasury for the Government subsidized rum business in the Virgin Islands. This subsidized Government competition is unfair to competing American private business and to the American taxpayers.

I hope the pending amendment will be adopted so that private business will have notice that this Congress is in favor of ending subsidized Government competition with private business. We must encourage legitimate private business to expand or the time will soon be at hand when private business will not be able to employ millions of our people who need jobs and will not be able to produce the tax dollars for our New Deal Government spendthrifts.

Mr. LORD. Mr. Chairman, I rise in support of the amendment.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield for me to propound a unanimous consent request?

Mr. LORD. I yield.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close within 5 minutes.

Mr. LORD. Well, Mr. Chairman, the gentleman from Michigan [Mr. CRAWFORD] would like to speak on this amendment.

The CHAIRMAN. The Chair would like to inquire whether there are any other Members, aside from the gentleman from New York, who desire to be heard. Does any member of the committee desire to be heard?

Mr. JOHNSON of Oklahoma. I think not, Mr. Chairman.

The CHAIRMAN. The gentleman from Oklahoma [Mr. JOHNSON] asks unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes. Is there objection?

There was no objection.

Mr. LORD. Mr. Chairman, we have heard a great deal of discussion with regard to the Virgin Islands. I wanted to speak about our unfairness to the Virgin Islands by imposing a tax on sugar. I think if we should cut this down in the amount proposed by the amendment perhaps it would be unnecessary to impose an export tax of \$8 on sugar. That

tax is not demanded of any other possession in any other part of the United States.

These islands, under Danish rule, got along very well. They got along very well under the government we gave them under the Danish form. I think we have tried to go too far in governing the Virgin Islands. We have injected too much "domination from Washington" into their affairs and this interferes with their custom of making their "own way." I do not think we have been fair in our treatment of them. Of course, we went into this rum industry. We took the sugar factories out of production and put them into the manufacture of rum and the deal has not proven much of a financial success and it brings into the Islands entirely too much dictation from Washington. They have not prospered so well under the "rum program" and the manufacture of rum as when they produced cane for the manufacture of sugar, regardless of the tax. At the present time they export a great deal of sugar on which they have to pay export tax. While I do not want to advocate anything that will be detrimental to the islands, I do hope that this discussion has brought attention to the fact that we are not treating the islands with the regard we should treat them, and I hope it may bring about taking off this export tax on sugar so that they will be on an equality with other parts of the United States.

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

Mr. LORD. I yield.

Mr. STEFAN. Do I understand they must import sugar into the Virgin Islands?

Mr. LORD. No.

Mr. STEFAN. Instead of making sugar out of their sugarcane they are turning it into rum?

Mr. LORD. Yes; they are turning it into rum.

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

Mr. LORD. I yield.

Mr. RICH. I just want to call attention to what Mr. Brown said in answer to the gentleman from Washington [Mr. LEAVY]. He said:

The sugar-refining business of itself cannot carry on satisfactorily?

Mr. BROWN. The raw-sugar business by itself cannot make ends meet. It requires the rum business to be identified with it. The West Indies sugar factory failed. It did not have the rum business.

Now, the American public, interested in this Virgin Island company has failed, because they have gone into the red this year. Every member of the subcommittee knows they have gone in the red to make rum.

Mr. LORD. They must make it into rum, because we put such a tax against the sugar, an export tax of \$8 a ton, that they cannot manufacture sugar. We are really forcing them to manufacture rum that they do not want to manufacture. If we would lift this tax it would greatly assist the entire situation in the islands and make the growing of sugarcane and production of sugar more profitable to the individual operator. As it is being worked, I fear there is danger that the Government's rum program may tend to drive all of the private industry now engaged in the sugar business into a position where they will have to submit to Federal domination and produce raw products for the use of the Virgin Islands Co.—the federally owned enterprise. If this happens, it will be bad for the people generally. We all know that any people left to their own enterprise and free will can and will maintain a higher standard of living than they will ever enjoy for a long period of time under Federal domination and planned economy.

The CHAIRMAN. The time of the gentleman from New York [Mr. LORD] has expired. All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. RICH].

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 68, noes 91.

So the amendment was rejected.

The Clerk read as follows:

ST. ELIZABETHS HOSPITAL

For support, clothing, and treatment in St. Elizabeths Hospital for the insane of insane persons from the Army, Navy, Marine Corps, and Coast Guard, insane inmates of the National Home

for Disabled Volunteer Soldiers, persons charged with or convicted of crimes against the United States who are insane, all persons who have become insane since their entry into the military and naval services of the United States, insane civilians in the quartermaster service of the Army, insane persons transferred from the Canal Zone who have been admitted to the hospital and who are indigent, American citizens legally adjudged insane in the Dominion of Canada whose legal residence in one of the States, Territories, or the District of Columbia it has been impossible to establish, insane beneficiaries of the United States Employees' Compensation Commission, insane beneficiaries of the United States Veterans' Administration, and insane Indian beneficiaries of the Bureau of Indian Affairs, including not exceeding \$27,000 for the purchase (including 1 at not to exceed \$1,200), exchange, maintenance, repair, operation of motor-propelled passenger-carrying vehicles for the use of the superintendent, purchasing agent, and general hospital business, and including not to exceed \$185,000 for repairs and improvements to buildings and grounds, \$1,227,280, including cooperation with organizations or individuals in scientific research into the nature, causes, prevention, and treatment of mental illness, and including maintenance and operation of necessary facilities for feeding employees and others (at not less than cost), and the proceeds therefrom shall reimburse the appropriation for the institution; and not exceeding \$1,500 of this sum may be expended in the removal of patients to their friends; not exceeding \$1,500 in the purchase of such books, periodicals, and newspapers as may be required for the purposes of the hospital and for the medical library, and not exceeding \$1,500 for the actual and necessary expenses incurred in the apprehension and return to the hospital of escaped patients: *Provided*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates who are not or who cease to be properly chargeable to Federal maintenance in the institution and in returning them to such places of residence: *Provided further*, That not exceeding \$200 additional may be paid to two employees to provide mail facilities for patients in the hospital: *Provided further*, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes: *Provided further*, That during the fiscal year 1940 the District of Columbia, or any branch of the Government requiring St. Elizabeths Hospital to care for patients for which they are responsible, shall pay by check to the Superintendent, upon his written request, either in advance or at the end of each month, all or part of the estimated or actual cost of such maintenance, as the case may be, and bills rendered by the Superintendent of St. Elizabeths Hospital in accordance herewith shall not be subject to audit or certification in advance of payment; proper adjustments on the basis of the actual cost of the care of patients paid for in advance shall be made monthly or quarterly, as may be agreed upon between the Superintendent of St. Elizabeths Hospital and the District of Columbia government, department, or establishments concerned. All sums paid to the Superintendent of St. Elizabeths Hospital for the care of patients that he is authorized by law to receive shall be deposited to the credit on the books of the Treasury Department of the appropriation made for the care and maintenance of the patients at St. Elizabeths Hospital for the year in which the support, clothing, and treatment is provided, and be subject to requisition upon the approval of the Secretary of the Interior.

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

I would like to say to the members of the Committee that St. Elizabeths Hospital has made a request for additional funds for the improvement of their property. They wanted to construct several buildings, and from the number of patients they have in this hospital, it looks as if they should have the improvements; but when they suggested—

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

Mr. RICH. I cannot yield.

Mr. HOOK. Where are you going to get the money?

Mr. RICH. When they suggested these improvements, the only place they could suggest for the construction of any buildings was within their own grounds, and when they did that they admitted that to build any buildings there would naturally take away from the beauty and from the benefits which their patients now receive from the sunlight which they enjoy in going around over the grounds and sitting in parkways now on the grounds.

The committee cut this down, believing they should investigate as to whether it would not be better to acquire property away from the present site. For this reason the appropriation they asked for increased facilities was delayed for 1 year. Next year, no doubt, they will make other recommendations which will be for the best interests of St. Elizabeths Hospital. I congratulate the committee in deferring this proposition 1 year until proper investigation can be made for additional housing at St. Elizabeths. [Applause.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma. On page 136 at the end of line 4, after the word "repair", insert the word "and."

Mr. JOHNSON of Oklahoma. Mr. Chairman, this is merely an amendment correcting a typographical error.

The amendment was agreed to.

The Clerk read as follows:

COLUMBIA INSTITUTE FOR THE DEAF

For support of the institution, including salaries and incidental expenses, books and illustrative apparatus, and general repairs and improvements, and including not to exceed \$11,000 for improvement to the power, heating, and lighting system, \$150,950.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: Page 138, line 5, strike out the word "institute" and insert in lieu thereof the word "institution."

Mr. JOHNSON of Oklahoma. Mr. Chairman, this is an amendment that merely corrects the spelling of a word, changing the word "institute" to the word "institution."

The amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. WHITE of Ohio. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. WHITE of Ohio. Mr. Chairman, I ask unanimous consent to proceed out of order for 5 minutes.

Mr. HOOK. Mr. Chairman, I object.

Mr. WHITE of Ohio. Mr. Chairman, will the gentleman not reserve his objection? Numerous requests to proceed out of order have been granted today to enable Members to speak on the housing amendment. I want to speak on it myself in a reasonable way for 5 minutes, and in according me this privilege it will be nothing more than has been accorded several Members on the Democratic side.

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

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

There was no objection.

Mr. WHITE of Ohio. Mr. Chairman, the other day my friend from New York [Mr. FITZPATRICK] read a telegram from Mr. Bates. My answer to Mr. Bates is that I believe this amendment is necessary in fairness to the rank and file members of the organization he represents. They are the people who have to pay for these so-called slum dwellings—more costly and more elaborate under present plans than their own homes which they bought themselves through toil, thrift, and sacrifice.

If this was merely a question of what could be gotten out of the U. S. H. A. program in construction costs, that would be one thing. But it is more fundamental than that. The merit of the case should rest upon the underlying purpose of providing living quarters for the ill-nourished, the ill-clad, and ill-housed—and on a basis that is practical and fair to all other citizens. You cannot do that unless you keep the costs within the reach of the slum-family income. That is not being done today. The plain fact is that a slum family, notwithstanding the Government subsidy, cannot afford to pay the rent on a five- or six-thousand-dollar apartment. If you want this program to hit its real target, my amendment should be retained.

Of course the average costs for the country are much less than those of a great big city, like New York, for example. But why should the country, as a whole, be penalized by the costs in New York? This amendment has nothing to do with loans and grants. It deals only with the annual contribution plan. It is designed to apply to the costs borne by the Federal Government. The local participation is not included. It puts all communities on the same basis, and those with highest costs can still meet extra requirements by the local Housing Authority making up the difference in cases above this average.

Now then, is not our great responsibility that of examining the matter of fairness to the average American citizens

who are the backbone of the Nation, who carve out the progress of every community, who send us to Congress, and who depend upon us for equitable representation?

Beginning on page 162 of the hearings you will find tables of costs for projects under this program. Under the old set-up some of them cost as high as twelve and seventeen thousand dollars per family. Under the present set-up Mr. Straus, on page 165, cites an average cost of \$5,484 without demolition or clearance.

Do not forget another thing. These figures represent the original cost of construction only. They do not include the charges of the 60-year annual contributions. That runs into real money, too, because a complete application of the complicated formula of annual contributions shows that the Federal Government furnishes more than a million and a half dollars for every million-dollar project. Think of that. It means the full cost of the project and a half million more from Uncle Sam to be used to pay the interest charged by him.

The previous limitations apply only to dwelling-room facilities. You can see that substantial costs can be omitted if they are not classified as dwelling-room facilities.

Even so, let us take a look at the figures listed in the hearings. There are four projects at Boston with an average cost of \$6,017 per family; three at Cleveland averaging \$5,981; three in New York averaging \$6,385, four in Detroit averaging \$6,243. How do those total costs compare with the home of the average citizen clear across the country—of the farmer, the wage earner, the merchant, in small towns and big cities—people who do not get homes from the Government and furthermore have to pay this bill?

Do the citizens in Milton, Fla., Burley, Idaho, Ironwood, Mich., Meridian, Miss., Corydon, Iowa, Bryan, Ohio, Manchester, Pa., Tuscaloosa, Ala., Bloomington, Ill., Bath, N. Y., LaGrande, Oreg., Horicon, Wis., Waltham, Mass., or, for that matter, the average of the big cities, live in homes of such value? If not, then it stands to reason that homes of greater cost should not be built at their expense for others under Government aid.

[Here the gavel fell.]

Mr. WHITE of Ohio. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

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

There was no objection.

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

Mr. WHITE of Ohio. I yield.

Mr. FITZPATRICK. Is the cost to which the gentleman just referred cost under the United States Housing Authority or under P. W. A.?

Mr. WHITE of Ohio. Under the United States Housing Authority.

Mr. FITZPATRICK. Not one of the Housing Authority projects has yet been completed. According to their estimate the highest, I believe, is \$5,600; and according to the figures of the Department of Labor a dwelling unit cannot be constructed in any part of the United States for less than \$4,000.

Mr. WHITE of Ohio. Answering the gentleman from New York, I refer him to the table on page 164 of the hearings. There he will find the complete answer. They are the new estimates of U. S. H. A. itself, and I have quoted you their own figures.

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

Mr. WHITE of Ohio. I yield.

Mr. REED of New York. The survey shows that the potential market for houses costing \$4,000 has dropped from 54 percent to 24 percent within the last 5 or 6 years.

Mr. WHITE of Ohio. I think that is true.

In conclusion—

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

Mr. WHITE of Ohio. I regret it, but my time is almost up. I cannot yield for the moment.

Mr. Chairman, in conclusion, let me call attention to the fact that the purpose of this amendment is to bring the cost

within the range of the slum dweller, as expressed in the last sentence of an editorial which appeared in Sunday morning's Post. This editorial said:

Drastic reduction of the outlays and subsidies appears to be the only way of continuing this important social work.

[Here the gavel fell.]

Mr. HOOK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I listened with interest to the statement of the gentleman from Ohio who just preceded me on the question of housing. I call the gentleman's attention to the fact that for many, many years past we have subsidized housing in the United States, not through Government subsidies but by virtue of the fact that we allowed real-estate sharks to run rampant throughout the United States and flood the country with spurious real-estate bonds. You and I and the others who bought those bonds subsidized housing throughout the United States. Old people with small savings, widows with small life-insurance benefits were urged to purchase and did purchase, these bonds, with the result that their entire savings were swept away. The United States Government is striving to eliminate slums, and I think it is about time we stepped into this field and properly subsidized housing for the people of this Nation.

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

Mr. HOOK. I hope the gentleman will pardon me just a minute.

Inasmuch as the gentleman from Ohio mentioned the residents of the city of Ironwood, let me state for his information that the United States Government has a project in the city of Ironwood consisting of 119 homes for laboring men, men who labor in the mines, men who lived in old shacks but who helped to make the profits of those corporations which own the mines, profits made from the blood and sweat of those American workmen. The United States Government has now stepped in there to build, as I said, 119 homes.

Those homes are being rented to the common laborers who are residents of the city of Ironwood, Mich., at from \$12 to \$16 per month. I am sorry to say some people, not in this lower income bracket, have gotten into these homes. I have investigated this situation, and through my efforts it is being corrected. It is not completely corrected, however. I am informed that they are not accepting any persons outside the \$900 to \$1,800 income group. These people were entitled to those homes at those rents, and I thank God that there is a man in the White House, that there are new dealers, if you please, who are recognizing the man who goes down into the depths of the dingy mines to such an extent that they are at least giving him a decent place in which to live. [Applause.]

Let us subsidize the United States Housing Authority to such an extent that we will wipe out the tenements and slums throughout the United States. The highways and railroads were subsidized, not only under the New Deal but for many years before the New Deal came into being.

Mr. SACKS. Will the gentleman yield?

Mr. HOOK. I yield to the gentleman from Pennsylvania.

Mr. SACKS. May I observe that in the city of Philadelphia the Housing Authority, now controlled by the Republicans, has called off all housing work as a result of this pending amendment.

Mr. MARCANTONIO. Will the gentleman yield?

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

Mr. MARCANTONIO. In view of the contracts which have been given out, and in view of the launching of the program, if the White amendment is kept in this bill, the whole program will be scuttled as far as housing is concerned.

Mr. HOOK. There is not any doubt about that, and there is no doubt that that is the idea behind the amendment. There is no doubt that that is the purpose of the amendment. I have been here throughout the entire session and I have not seen an amendment offered by a Member on the other side of the House that did not have destruction as its motive.

Mr. O'CONNOR. Will the gentleman yield?

Mr. HOOK. I yield to the gentleman from Montana.
 Mr. O'CONNOR. May I call attention also to the fact that plans have been laid in the larger cities of my district, Great Falls and Billings, to provide buildings at \$4,000 per unit. If the reduction provided by this amendment stands, it will impair the entire set-up, because the \$4,000 includes not only the buildings but the land, cost of demolition of the old buildings, and all that sort of thing.

Mr. HOOK. There is not any doubt about that.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House, with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BUCK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 4852, the Interior Department appropriation bill, 1940, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. FITZPATRICK. Mr. Speaker, I ask for a separate vote on the White amendment, which places a limitation on the units of the United States Housing Authority appropriation, page 15, line 15.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. WHITE of Ohio. Mr. Speaker, a unanimous-consent request.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them in gross. The gentleman will state his request.

Mr. WHITE of Ohio. Mr. Speaker, I ask unanimous consent for the consideration of the following amendment on page 15, following the amendment offered by me and adopted by the Committee of the Whole:

Strike out the period after the word "house", insert a semi-colon, with the words "Provided further, however, That the foregoing limitation shall not apply upon construction under contracts entered into prior to the date of the enactment of this act."

The SPEAKER. The Chair thinks it proper for the House to vote on the amendments in gross at this time.

The amendments were agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. WHITE]?

Mr. MARCANTONIO and Mr. SACKS objected.

The SPEAKER. The Clerk will report the so-called White amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITE of Ohio: On page 15, line 15, after the amount "\$5,000,000", insert a colon and the following proviso: "Provided, That in the use of such funds the total and final cost, including all charges assumed by the Federal Government, shall not exceed \$3,500 for each family so housed."

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. WHITE of Ohio) there were—ayes 58, noes 187.

Mr. DINGELL. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The Clerk called the roll; and there were—yeas 77, nays 290, answered "present" 1, not voting 64, as follows:

[Roll No. 37]

YEAS—77

| | | | |
|-------------------|--------|---------------|---------------|
| Allen, Ill. | Austin | Carlson | Clevenger |
| Andersen, H. Carl | Boehne | Case, S. Dak. | Coffee, Nebr. |
| Andresen, A. H. | Bolles | Chapman | Cole, N. Y. |

| | | | |
|---------------|---------------|---------------|-----------------|
| Colmer | Hawks | Mapes | Schafer, Wis. |
| Cox | Heinke | Martin, Iowa | Smith, Ohio |
| Curtis | Hoffman | Martin, Mass. | Springer |
| Dondero | Hope | Michener | Stearns, N. H. |
| Dworshak | Horton | Monroney | Stefan |
| Fulmer | Jarrett | Mott | Taber |
| Gehrmann | Jenkins, Ohio | Mundt | Talle |
| Gifford | Jensen | Murray | Truver |
| Gilchrist | Johns | Plumley | Thill |
| Gillie | Johnson, Ill. | Reed, N. Y. | Vorvis, Ohio |
| Gore | Johnson, Ind. | Rees, Kans. | White, Ohio |
| Griswold | Jones, Ohio | Rich | Whittington |
| Gross | Kitchens | Robertson | Winter |
| Guyser, Kans. | Lambertson | Robison, Ky. | Woodruff, Mich. |
| Gwynne | Lord | Rutherford | |
| Halleck | Luce | Sandager | |
| Harness | McLean | Satterfield | |

NAYS—290

| | | | |
|------------------|--------------------|-------------------|------------------|
| Alexander | Drewry | Kennedy, Michael | Robinson, Utah |
| Allen, La. | Duncan | Keogh | Rodgers, Pa. |
| Allen, Pa. | Dunn | Kerr | Rogers, Mass. |
| Anderson, Calif. | Durham | Kilday | Rogers, Okla. |
| Angell | Eaton, Calif. | Kitzer | Romjue |
| Ashbrook | Eaton, N. J. | Kirwan | Routzohn |
| Ball | Eberharter | Kocalkowski | Ryan |
| Barden | Edmiston | Kramer | Sabath |
| Barton | Elliott | Kunkel | Sacks |
| Bates, Ky. | Ellis | Landis | Sasser |
| Bates, Mass. | Elston | Lanham | Schaefer, Ill. |
| Beam | Engel | Larrabee | Schiffler |
| Beckworth | Englebright | Lea | Schuetz |
| Bell | Evans | Leavy | Schwert |
| Bland | Faddis | Lemke | Scrugham |
| Bloom | Fay | Lesinski | Secombe |
| Bolton | Ferguson | Lewis, Colo. | Secret |
| Boren | Fernandez | Lewis, Ohio | Shanley |
| Bradley, Mich. | Fitzpatrick | Ludlow | Sheppard |
| Bradley, Pa. | Flannagan | McAndrews | Sirovich |
| Brewster | Flannery | McArdle | Smith, Conn. |
| Brooks | Folger | McCormack | Smith, Maine |
| Brown, Ga. | Ford, Miss. | McDowell | Smith, Va. |
| Buck | Ford, Thomas F. | McGranery | Smith, Wash. |
| Buckler, Minn. | Fries | McLaughlin | Smith, W. Va. |
| Buckley, N. Y. | Gamble | McLeod | Snyder |
| Bulwinkle | Garrett | McMillan, John L. | Somers, N. Y. |
| Burch | Gartner | Maclejewski | South |
| Burdick | Gathings | Magnuson | Sparkman |
| Burgin | Gavagan | Mahon | Spence |
| Byrne, N. Y. | Gearhart | Maloney | Starnes, Ala. |
| Byrns, Tenn. | Gerlach | Marcantonio | Steagall |
| Byron | Geyer, Calif. | Martin, Colo. | Sullivan |
| Caldwell | Gibbs | Massingale | Sumner, Ill. |
| Cannon, Fla. | Gossett | Miller | Sumners, Tex. |
| Cannon, Mo. | Graham | Mills, Ark. | Sutphin |
| Carter | Grant, Ala. | Mills, La. | Sweeney |
| Cartwright | Green | Mitchell | Tenerowicz |
| Celler | Gregory | Moser | Terry |
| Chandler | Griffith | Murdock, Ariz. | Thomas, N. J. |
| Chapman | Hall | Murdock, Utah | Thomas, Tex. |
| Church | Hancock | Myers | Thomason |
| Clark | Hart | Nelson | Thorkelson |
| Clason | Harter, N. Y. | Nichols | Tibbott |
| Claypool | Harter, Ohio | Norrell | Tinkham |
| Cochran | Havener | Norton | Tolan |
| Coffee, Wash. | Hendricks | O'Brien | Treadway |
| Cole, Md. | Hennings | O'Connor | Turner |
| Collins | Hess | O'Day | Van Zandt |
| Connery | Hill | O'Leary | Vincent, Ky. |
| Cooley | Hinshaw | Oliver | Vinson, Ga. |
| Cooper | Hobbs | O'Neal | Voorhis, Calif. |
| Corbett | Hook | Owen | Vreeland |
| Costello | Houston | Pace | Wailgren |
| Crawford | Hull | Parsons | Walter |
| Crosser | Hunter | Patman | Warren |
| Crowe | Izac | Patrick | Weaver |
| Culkin | Jacobsen | Patton | Welch |
| Cullen | Jarman | Pearson | West |
| Cummings | Jeffries | Peterson, Fla. | Wheat |
| D'Alesandro | Jenks, N. H. | Peterson, Ga. | Whelchel |
| Darden | Johnson, Luther A. | Pfeifer | White, Idaho |
| Darrow | Johnson, Lyndon | Pierce, N. Y. | Wigglesworth |
| Delaney | Johnson, Okla. | Pierce, Oreg. | Williams, Del. |
| Dempsey | Johnson, W. Va. | Pittenger | Wolcott |
| DeRouen | Jones, Tex. | Poage | Wolfenden, Pa. |
| Dingell | Kean | Polk | Wolverton, N. J. |
| Dirksen | Kee | Powers | Wood |
| Disney | Keefe | Rabaut | Woodrum, Va. |
| Ditter | Keller | Ramspeck | Youngdahl |
| Douglas | Kelly | Randolph | Zimmerman |
| Dowell | Kennedy, Martin | Rankin | |
| Doxey | Kennedy, Md. | Reed, Ill. | |

ANSWERED "PRESENT"—1

Arends

NOT VOTING—64

| | | | |
|---------------|--------------|-----------------|--------------------|
| Anderson, Mo. | Brown, Ohio | Doughton | Hartley |
| Andrews | Bryson | Fenton | Healey |
| Arnold | Casey, Mass. | Fish | Holmes |
| Barnes | Cluett | Flaherty | Kleberg |
| Barry | Creal | Ford, Leland M. | Knutson |
| Bender | Crowther | Goldsborough | LeCompte |
| Blackney | Curley | Grant, Ind. | McGehee |
| Boland | Dickstein | Hare | McKeough |
| Boykin | Dies | Harrington | McMillan, Thos. S. |

| | | | |
|--------------|--------------|---------------|---------------|
| McReynolds | Merritt | Richards | Short |
| Maas | Monkiewicz | Risk | Simpson |
| Mansfield | Mouton | Rockefeller | Smith, Ill. |
| Marshall | Osners | Schulte | Taylor, Colo. |
| Martin, Ill. | O'Toole | Seger | Taylor, Tenn. |
| Mason | Rayburn | Shafer, Mich. | Wadsworth |
| May | Reece, Tenn. | Shannon | Williams, Mo. |

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Arends (for) with Mr. Kleberg (against).
 Mr. Knutson (for) with Mr. Keogh (against).
 Mr. Leland M. Ford (for) with Mr. Hartley (against).

General pairs:

Mr. Mansfield with Mr. Wadsworth.
 Mr. Rayburn with Mr. Short.
 Mr. Doughton with Mr. Maas.
 Mr. Dickstein with Mr. Cluett.
 Mr. Boland with Mr. Taylor of Tennessee.
 Mr. Dies with Mr. Fish.
 Mr. Merritt with Mr. Mason.
 Mr. McReynolds with Mr. Simpson.
 Mr. Taylor of Colorado with Mr. Holmes.
 Mr. Boykin with Mr. Reece of Tennessee.
 Mr. Richards with Mr. Seger.
 Mr. May with Mr. Crowther.
 Mr. Hare with Mr. Blackney.
 Mr. Schulte with Mr. Shafer of Michigan.
 Mr. Barry with Mr. Brown of Ohio.
 Mr. Casey of Massachusetts with Mr. Fenton.
 Mr. Mouton with Mr. Bender.
 Mr. Curley with Mr. Grant of Indiana.
 Mr. Healey with Mr. LeCompte.
 Mr. Thomas S. McMillan with Mr. Risk.
 Mr. O'Toole with Mr. Osners.
 Mr. Harrington with Mr. Marshall.
 Mr. Martin of Illinois with Mr. Monkiewicz.
 Mr. Arnold with Mr. Rockefeller.
 Mr. Anderson of Missouri with Mr. Andrews.
 Mr. Bryson with Mr. Creal.
 Mr. Flaherty with Mr. Smith of Illinois.
 Mr. McGehee with Mr. Williams of Missouri.
 Mr. Barnes with Mr. Shannon.

Mr. ARENDS. Mr. Speaker, I have a pair with the gentleman from Texas, Mr. KLEBERG, who, if he had been present, would have voted "nay." I am recorded as voting "yea." I therefore ask to withdraw my vote of "yea" and be recorded as answering "present."

The result of the vote was announced as above recorded.

Mr. McGRANERY. Mr. Speaker, the gentlemen from Massachusetts, Messrs. CASEY, FLAHERTY, and HEALEY, are detained on very important business. Had they been present, they would have voted "nay."

Mr. CULLEN. Mr. Speaker, the gentlemen from New York, Messrs. O'TOOLE and CURLEY, are both in the hospital. Had they been able to be on the floor, they would have voted "nay."

Mr. SABATH. Mr. Speaker, my colleague, the gentleman from Illinois, Mr. McKEOUGH, was called home on account of illness. Had he been present, he would have voted "nay."

Mr. COCHRAN. Mr. Speaker, my colleague, the gentleman from Missouri, Mr. ANDERSON, was required to be home on account of illness in his family. If he had been present, he would have voted against the White amendment.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. RICH. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. RICH. Mr. Speaker, no one could doubt that I am opposed to the bill.

The SPEAKER. The Chair doubts it unless the gentleman makes the statement that he is opposed to the bill. Under the rule, the gentleman must state that he is opposed to the bill.

Mr. RICH. Mr. Speaker, I am certainly opposed to the bill.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. RICH moves to recommit the bill to the Committee on Appropriations with instructions to reconsider the bill and report the same back forthwith to the House with reductions of at least 10 percent of the total amount appropriated in the bill.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania to recommit the bill.

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 123, noes 215.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

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

Mr. MARTIN J. KENNEDY. Mr. Speaker, on this vote I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 267, nays 105, not voting 60, as follows:

[Roll No. 38]

YEAS—267

| | | | |
|------------------|--------------------|-------------------|------------------|
| Allen, La. | Dowell | Kennedy, Md. | Rankin |
| Allen, Pa. | Doxey | Kennedy, Michael | Richards |
| Anderson, Calif. | Drewry | Keogh | Robertson |
| Angell | Duncan | Kerr | Robinson, Utah |
| Ashbrook | Dunn | Kilday | Rogers, Okla. |
| Barden | Durham | Kirwan | Romjue |
| Bates, Ky. | Dworshak | Kitchens | Ryan |
| Beam | Eaton, Calif. | Kocialkowski | Sabath |
| Beckworth | Eberharter | Kramer | Sacks |
| Bell | Edmiston | Landis | Sasser |
| Bland | Elliott | Lanham | Satterfield |
| Bloom | Ellis | Larrabee | Schaefer, Ill. |
| Boehne | Englebright | Lea | Schiffner |
| Boren | Evans | Leavy | Schuetz |
| Boykin | Faddis | Lemke | Schwert |
| Bradley, Pa. | Fay | Lesinski | Scrugham |
| Brewster | Ferguson | Lewis, Colo. | Secrest |
| Brooks | Fernandez | Lewis, Ohio | Shanley |
| Brown, Ga. | Fitzpatrick | Ludlow | Sheppard |
| Bryson | Flannagan | McAndrews | Sirovich |
| Buck | Flannery | McArdle | Smith, Conn. |
| Buckler, Minn. | Folger | McCormack | Smith, Ill. |
| Buckley, N. Y. | Ford, Miss. | McDowell | Smith, Maine |
| Bulwinkle | Ford, Thomas F. | McGranery | Smith, Va. |
| Burch | Fries | McLaughlin | Smith, Wash. |
| Burdick | Fulmer | McLeod | Smith, W. Va. |
| Burgin | Garrett | McMillan, John L. | Snyder |
| Byrne, N. Y. | Gartner | Maclejewski | Somers, N. Y. |
| Byrns, Tenn. | Gathings | Magnuson | South |
| Byron | Gavagan | Mahon | Sparkman |
| Cannon, Fla. | Gearhart | Maloney | Spence |
| Cannon, Mo. | Gehrmann | Marcantonio | Starnes, Ala. |
| Carter | Gerlach | Martin, Colo. | Steagall |
| Cartwright | Geyer, Calif. | Massingale | Stearns, N. H. |
| Case, S. Dak. | Gibbs | Mills, Ark. | Stefan |
| Celler | Gore | Mills, La. | Sullivan |
| Chandler | Gossett | Monroney | Sumners, Tex. |
| Chapman | Grant, Ala. | Moser | Sutphin |
| Church | Green | Mott | Sweeney |
| Clark | Gregory | Mundt | Tarver |
| Claypool | Griffith | Murdock, Ariz. | Tenerowicz |
| Cochran | Hart | Murdock, Utah | Terry |
| Coffee, Nebr. | Harter, Ohio | Myers | Thomas, Tex. |
| Coffee, Wash. | Havener | Nelson | Thomason |
| Cole, Md. | Hendricks | Nichols | Thorkelson |
| Collins | Hennings | Norrell | Tibbott |
| Colmer | Hill | Norton | Tolan |
| Connery | Hinshaw | O'Connor | Turner |
| Cooley | Hobbs | O'Day | Van Zandt |
| Cooper | Hook | O'Leary | Vincent, Ky. |
| Corbett | Horton | Oliver | Vinson, Ga. |
| Costello | Houston | O'Neal | Voorhis, Calif. |
| Cox | Hunter | Owen | Walgren |
| Crosser | Izac | Farsons | Walter |
| Crowe | Jacobsen | Patman | Warren |
| Cullen | Jarman | Patrick | Weaver |
| Cummings | Jeffries | Patton | Welch |
| Curtis | Jenks, N. H. | Pearson | West |
| D'Alesandro | Johnson, Luther A. | Peterson, Fla. | Whichel |
| Darden | Johnson, Lyndon | Peterson, Ga. | White, Idaho |
| Delaney | Johnson, Okla. | Pfeifer | Whittington |
| Dempsey | Johnson, W. Va. | Pierce, Oreg. | Wolcott |
| DeRouen | Jones, Tex. | Pittenger | Wolverton, N. J. |
| Dingell | Kee | Poage | Wood |
| Dirksen | Keller | Rabaut | Woodrum, Va. |
| Disney | Kelly | Ramspeck | Zimmerman |
| Dondero | Kennedy, Martin | Randolph | |

NAYS—105

| | | | |
|-------------------|--------------|---------------|---------------|
| Alexander | Chiperfield | Gamble | Hawks |
| Allen, Ill. | Clason | Gifford | Heinke |
| Andersen, H. Carl | Clevenger | Gilchrist | Hess |
| Andersen, A. H. | Cluett | Gillie | Hoffman |
| Arends | Cole, N. Y. | Graham | Holmes |
| Austin | Crawford | Griswold | Hope |
| Ball | Culkin | Guy, Kans. | Hull |
| Barton | Darrow | Gwynne | Jarrett |
| Bates, Mass. | Ditter | Hall | Jenkins, Ohio |
| Bolles | Douglas | Halleck | Jensen |
| Bolton | Eaton, N. J. | Hancock | Johns |
| Bradley, Mich. | Elston | Harness | Johnson, Ill. |
| Carlson | Engel | Harter, N. Y. | Johnson, Ind. |

| | | | |
|---------------|---------------|---------------|-----------------|
| Jones, Ohio | Murray | Routzohn | Treadway |
| Kean | O'Brien | Rutherford | Vorys, Ohio |
| Keefe | Pace | Sandager | Vreeland |
| Kinzer | Pierce, N. Y. | Schafer, Wis. | Wheat |
| Kunkel | Plumley | Secombe | White, Ohio |
| Lambertson | Polk | Simpson | Wigglesworth |
| Lord | Powers | Smith, Ohio | Williams, Del. |
| Luce | Reed, Ill. | Springer | Winter |
| McLean | Reed, N. Y. | Sumner, Ill. | Wolfenden, Pa. |
| Mapes | Rees, Kans. | Taber | Woodruff, Mich. |
| Martin, Iowa | Rich | Talle | Youngdahl |
| Martin, Mass. | Robson, Ky. | Thill | |
| Michener | Rogers, Pa. | Thomas, N. J. | |
| Miller | Rogers, Mass. | Tinkham | |

NOT VOTING—60

| | | | |
|---------------|-----------------|--------------------|---------------|
| Anderson, Mo. | Dies | LeCompte | Osmers |
| Andrews | Doughton | McGehee | O'Toole |
| Arnold | Fenton | McKeough | Rayburn |
| Barnes | Fish | McMillan, Thos. S. | Reece, Tenn. |
| Barry | Flaherty | McReynolds | Risk |
| Bender | Ford, Leland M. | Maas | Rockefeller |
| Blackney | Goldsborough | Mansfield | Schulte |
| Boland | Grant, Ind. | Marshall | Seeger |
| Brown, Ohio | Gross | Martin, Ill. | Shafer, Mich. |
| Caldwell | Hare | Mason | Shannon |
| Casey, Mass. | Harrington | May | Short |
| Creal | Hartley | Merritt | Taylor, Colo. |
| Crowther | Healey | Mitchell | Taylor, Tenn. |
| Curley | Kleberg | Monkiewicz | Wadsworth |
| Dickstein | Knutson | Mouton | Williams, Mo. |

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Rayburn (for) with Mr. Short (against).
 Mr. McKeough (for) with Mr. Osmers (against).
 Mr. Kleberg (for) with Mr. Hartley (against).
 Mr. Curley (for) with Mr. Fenton (against).
 Mr. Leland M. Ford (for) with Mr. Bender (against).
 Mr. O'Toole (for) with Mr. Andrews (against).
 Mr. Caldwell (for) with Mr. Brown of Ohio (against).
 Mr. Boland (for) with Mr. Grant of Indiana (against).
 Mr. Barry (for) with Mr. LeCompte (against).
 Mr. Casey of Massachusetts (for) with Mr. Marshall (against).
 Mr. Doughton (for) with Mr. Risk (against).
 Mr. Harrington (for) with Mr. Monkiewicz (against).
 Mr. Merritt (for) with Mr. Blackney (against).
 Mr. Thomas S. McMillan (for) with Mr. Mason (against).
 Mr. Merritt (for) with Mr. Blackney (against).
 Mr. Dickstein (for) with Mr. Seger (against).
 Mr. May (for) with Mr. Gross (against).

General pairs:

Mr. McReynolds with Mr. Maas.
 Mr. Mansfield with Mr. Knutson.
 Mr. Healey with Mr. Shafer of Michigan.
 Mr. Dies with Mr. Reece of Tennessee.
 Mr. Taylor of Colorado with Mr. Wadsworth.
 Mr. Hare with Mr. Taylor of Tennessee.
 Mr. McGehee with Mr. Crowther.
 Mr. Mouton with Mr. Fish.
 Mr. Anderson of Missouri with Mr. Mitchell.
 Mr. Flaherty with Mr. Williams of Missouri.
 Mr. Martin of Illinois with Mr. Creal.
 Mr. Barnes with Mr. Shannon.
 Mr. Arnold with Mr. Goldsborough.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that on tomorrow, at the close of the legislative program, I may be permitted to address the House for 20 minutes.

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

There was no objection.

EXTENSION OF REMARKS

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by me on March 16, 1939, on the occasion of the one hundred and seventy-second birthday of Andrew Jackson, who is buried in my district.

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

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a broadcast by Paul Sharrenberg, of the American Federation of Labor, on the Harrison-Thomas bill.

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

There was no objection.

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain quotations from the Vegetable Trade Journal and from the secretary of the Vegetable Growers of America.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. TERRY. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. TERRY. Mr. Speaker, the bill which we have just passed has consumed about 10 days of the time of the House. I understand the bill is about 5 percent under the Budget estimate. I want to take this occasion to compliment the chairman of the subcommittee, the gentleman from Oklahoma, Mr. JOHNSON, for the splendid and efficient work he has displayed in piloting this bill through the House.

EXTENSION OF REMARKS

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RABAUT. Mr. Speaker, I have asked for this time to insert in the RECORD at this point an explanation of the concurrent resolution introduced this day by me to have printed a revised edition of the Biographical Directory of the American Congress.

This great work, which is the outgrowth of the Directory of the United States Congress and the General Government first published in 1859, has not been revised since 1928. The last volume of Hinds and Cannon Precedents officially states that a revised compilation be made periodically—and the 10-year period has already elapsed.

The need for the new compilation is apparent. It is shown by the fact there are more than 1,000 Members of Congress, who have served since 1928, whose biographies are not in the present volume. Of the 96 present Members of the Senate, 70 do not appear in the present work. And of the 435 Members of the House of Representatives, 362 have no mention in this 1928 edition. Furthermore, there is need of much revision of the biographies of former Members of Congress whose names are included. Because the records were obscure, between two and three thousand biographical sketches of Members who served in the early Congresses, before 1850, should be revised and additional information added. Since 1928, many other changes have occurred which should be recorded. During this 10-year period many of the former Members have died, and hundreds have left Congress for other reasons.

Mr. Ansel Wold, veteran clerk of the Joint Committee on Printing, who compiled the present edition, has continued his research, I am told, during these last 10 years. He has uncovered much new information that is of historical value and should be included in the revised edition. The present edition contains about 9,000 biographical sketches, all checked as carefully as possible during a 4-year period of study from 12 to 16 years ago. It contains more than 1,740 pages and lists historical data regarding all the Presidents from George Washington to Calvin Coolidge. It also contains a record of the Continental Congress, the census apportionment of Representatives through the years as the States joined the Union and the size of Congress grew. Beginning with the Fortieth Congress, March 4, 1867, this book lists Members of the House by congressional districts.

This present edition of the Biographical Directory of the American Congress is a revision of the Dictionary of the United States Congress, published in 1859 and revised in 1869 by Charles Lanham; the Biographical Annals of the Civil Government of the United States, published in 1876 by Charles Lanham and James Anglim; the Lanham edition

of 1876, as corrected by Joseph M. Morrison in 1887; the Political Register and Congressional Directory of 1878 by Ben Perely Poore; the Biographical Congressional Directory of 1903 by O. M. Enyart; and the 1911 revision of this work. Before 1809, apparently no effort was made to publish a directory of Members of Congress.

The value of the present book as a work of reference is incalculable. Not only the Government officials in Washington but schools and libraries throughout the country have need of such reference material.

From this brief sketch of the evolution of this great work and the deficiencies in the present book the need for a revision of the Biographical Directory of the American Congress is manifest.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend the remarks I made on the bill just passed and to include therein extracts from certain statements made by Chief Tush-Ma-ta-ha in his debate with Tecumseh, from which I quoted on the floor.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein several telegrams on the Housing Act.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in connection with statements made on the floor, in the debate on the Interior Department appropriation bill, and to include therein a brief article on Coulee Dam, written by O. J. Schuster.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. ALEXANDER] be permitted to address the House for 20 minutes on Wednesday next, following the special orders and the disposition of the legislative program.

The SPEAKER. The Chair takes the liberty of stating to the gentleman from Massachusetts that probably tomorrow there may be no legislative program, while on Wednesday there will be, probably. The Chair suggests that the gentleman modify his request accordingly.

Mr. MARTIN of Massachusetts. Mr. Speaker, I so modify the request that the gentleman from Minnesota be permitted to address the House tomorrow after the special orders and the disposition of legislative business.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House on Thursday next for 20 minutes, after the disposition of business on the Speaker's table and the legislative program of the day.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter submitting a resolution by the Los Angeles Building Trades Conference.

The SPEAKER. Is there objection?

There was no objection.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein articles from the Associated Press and the International Press regarding our foreign trade.

The SPEAKER. Is there objection?

There was no objection.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and to include therein an address delivered by the Secretary of the Interior, Mr. Ickes, at San Francisco, before the Commonwealth Club on February 17 last.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Milwaukee Journal of February 26, with reference to our foreign affairs.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House tomorrow, after the address of the gentleman from Minnesota [Mr. ALEXANDER] for 20 minutes.

Mr. SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. REED of Illinois, for 5 days, on account of death in family.

To Mr. RISK, for 10 days, on account of important business.

To Mr. LeCOMPTE, for 1 week, on account of illness.

To Mr. ANDERSON of Missouri, on account of illness in his family.

To Mr. MANSFIELD, indefinitely, on account of illness.

EXTENSION OF REMARKS

Mr. SIROVICH. Mr. Speaker, I ask unanimous consent to extend my own remarks by printing in the RECORD a speech I delivered on the floor of the House.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE

Mr. WOLCOTT. Mr. Speaker, on behalf of the gentleman from Michigan [Mr. BLACKNEY], I ask unanimous consent that he be granted 10 days leave of absence on account of illness.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members who have spoken today on the bill H. R. 4852, the Interior Department appropriation bill, may have 5 legislative days in which to extend their own remarks.

The SPEAKER. Is there objection?

Mr. RANKIN. Mr. Speaker, reserving the right to object, and I shall not object, I just want to take this opportunity to join the gentleman from Arkansas [Mr. TERRY] in congratulating the distinguished gentleman from Oklahoma [Mr. JOHNSON] for the masterful manner in which he handled this bill. He deserves the thanks of the House. [Applause.]

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. JOHNSON]?

There was no objection.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, I want to say to the Members of the House that I have never in my life enjoyed working with six men more than the six men on this Subcommittee on Appropriations. We have had a lot of hard work. I have opposed them many times, but they have been perfect gentlemen, and I take my hat off to them as being real, honest-to-goodness men. While they have put up with me in fighting this bill, they know I am for economy; yet in all fairness

to the things that transpired during our work in the committee, we have worked hard to cut the bill down, but without success. My hat is off to the men who were able to put this bill through as they have today.

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

Mr. RICH. I yield.

Mr. RANKIN. I think I express the feeling of the House when I congratulate the distinguished gentleman from Pennsylvania. He has put up a hard fight, and I think an honest fight. [Applause.] We are grateful for his courtesy and kindness to us all. [Applause.]

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a speech delivered by the chief justice of the Supreme Court of the State of New Jersey on March 17 in the city of New York, before the Friendly Sons of St. Patrick.

The SPEAKER. Is there objection?

There was no objection.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I beg the indulgence of the House for this minute to thank the gentleman from Pennsylvania [Mr. RICH], the gentleman from Mississippi [Mr. RANKIN], and the gentleman from Arkansas [Mr. TERRY] for their very kind and entirely too generous references to me and the manner in which I endeavored to steer the Interior Department appropriation bill through this House. It was a very difficult bill, as it always is. The Interior Department bill has 24 major departments or bureaus and numerous other divisions or agencies, many of which contain controversial items, which accounts for the delays we have encountered in passing this bill. Except for the fine cooperative spirit on the part of members of the Interior Subcommittee on Appropriations, as well as others who aided in the passage of the bill, it would not have been possible to cut this bill approximately 5 percent, as it has been pointed out by the gentleman from Arkansas [Mr. TERRY] and, I believe also, by the gentleman from Mississippi [Mr. RANKIN]. The bill, as it has just passed the House, contains total appropriations amounting to \$159,538,815.23, which is a reduction of \$7,594,278 below the Budget estimates. This, we feel, is a very good record. In reply to the gentleman from Pennsylvania, who, I am pleased to say, made a great contribution in the drafting and passage through the House of this bill, I desire to say that we admire his fighting spirit. It has been a genuine pleasure to work with such splendid, high-minded gentlemen as he and the other minority members of the committee. [Applause.]

ADJOURNMENT

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until tomorrow, Tuesday, March 21, 1939, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON WAYS AND MEANS

Public hearings will continue on Tuesday morning, March 21, 1939, at 10 a. m., on social-security legislation, in the Ways and Means Committee room in the New House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, March 21, 1939. Business to be considered: Railroad legislation, H. R. 2531.

There will be a meeting of the wool subcommittee of the Committee on Interstate and Foreign Commerce at 2 p. m.

Tuesday, March 21, 1939. Business to be considered: Wool-labeling bill, H. R. 944.

COMMITTEE ON NAVAL AFFAIRS

There will be a meeting of the Committee on Naval Affairs at 10:30 a. m. Tuesday, March 21, 1939, for the consideration of H. R. 4897, to authorize the Secretary of the Navy to proceed with the construction of a naval supply depot at Oakland, Calif., and for other purposes.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m. Wednesday, March 22, 1939, on the following bills: H. R. 5030, H. R. 4106, H. R. 3279, H. R. 3215, H. R. 1650, and H. R. 214. The meeting will be public.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday next, March 22, 1939, at 10:30 a. m., for the public consideration of H. R. 2306 and H. R. 3699.

COMMITTEE ON THE POST OFFICE AND POST ROADS

There will be a meeting of the Committee on the Post Office and Post Roads at 10 a. m. Tuesday, March 21, 1939, to consider substitute employee bills.

COMMITTEE ON FOREIGN AFFAIRS

There will be a meeting of the Committee on Foreign Affairs Wednesday, March 22, 1939, at 10 a. m., in the committee rooms, the Capitol, for the consideration of the following: H. R. 3065, to amend Public Law No. 370, Seventy-fourth Congress (International Boundary Commission, United States and Mexico) and S. 1045, to give effect to the International Agreement for the Regulation of Whaling, signed at London, June 8, 1937, and for other purposes.

COMMITTEE ON THE JUDICIARY

Beginning at 10 a. m. on Wednesday, March 22, 1939, there will be a hearing held before the subcommittee No. 4 of the Committee on the Judiciary on House Joint Resolution 176, declaring the conservation of petroleum deposits underlying submerged lands adjacent to and along the coast of California, below low-water mark and under the territorial waters of the United States of America, essential for national defense, maintenance of the Navy, and regulation and protection of interstate and foreign commerce; reserving the same as a naval petroleum reserve, subject to any superior vested right, title, or interest; and authorizing appropriate judicial proceedings to assert, ascertain, establish, and maintain the right and interest of the United States of America in such reserve and to eject trespassers.

COMMITTEE ON THE PUBLIC LANDS

There will be a meeting of the Committee on the Public Lands on Thursday, March 23, 1939, at 10 a. m., in room 328, House Office Building, to consider H. R. 3759, to authorize a National Mississippi River Parkway, and matters relating thereto.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold public hearings in room 219, House Office Building, Washington, D. C., at 10 a. m., on the bills and dates listed below:

Tuesday, March 21, 1939:

H. R. 137, H. R. 980, H. R. 1674, relating to annuities for Panama Canal construction force.

Thursday, March 23, 1939:

H. R. 141, H. R. 142, H. R. 1819, miscellaneous Panama Canal bills.

Tuesday, March 28, 1939:

H. R. 197, relating to the clearance of vessels; H. R. 199, relating to the allotment of wages by seamen; H. R. 200, relating to foreign towboats towing between American ports; H. R. 1780, relating to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries; H. R. 1782, relating to change of masters of vessels.

Wednesday, March 29, 1939:

H. R. 198, relating to the measurement of vessels; and H. R. 132, authorizing the use of condemned Government vessels for breakwater purposes.

Tuesday, April 4, 1939:

H. R. 3209, making it a misdemeanor to stow away on vessels; H. R. 3398, regarding the down payment of construction of new vessels; H. R. 3935, relating to the discharge of seamen.

Wednesday, April 5, 1939:

H. R. 3052, uniform insignia for Naval Reserve radio operators; H. R. 1010, intercoastal subsidy bill (WELCH).

Thursday, April 6, 1939:

H. R. 1011, acquisition of drydock facilities for United States Maritime Commission on San Francisco Bay (WELCH); H. R. 2870, acquisition of drydock facilities for United States Maritime Commission at Los Angeles (THOMAS F. FORD); H. R. 3040, acquisition of drydock facilities for United States Maritime Commission at Los Angeles (GEYER of California).

Thursday, April 11, 1939:

H. R. 1783, inspection of hulls of sail vessels and barges (BLAND); H. R. 1785, motorboat bill (BLAND); H. R. 1795, motorboat bill (HENDRICKS); H. R. 1809, inspection of motorboats, 15 gross tons up (MAGNUSON); H. R. 2398, regarding pilots on yachts (ANGELL); H. R. 3837, inspection of motorboats, 15 gross tons up (CONNERY).

Thursday, April 13, 1939:

H. R. 4220, load-line bill for seagoing vessels (BLAND).

Tuesday, April 18, 1939:

H. R. 2404, surgeon and hospital on vessels (SIROVICH); H. R. 2660, limitation of liability (SIROVICH); House Joint Resolution 153 and House Joint Resolution 194, investigate conditions pertaining to lascar seamen (SIROVICH).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

539. A letter from the Secretary of Labor, transmitting the draft of a proposed bill to authorize the Department of Labor to continue to make special statistical studies upon the payment of the cost thereof; to the Committee on Labor.

540. A letter from the Secretary of War, transmitting draft of a proposed bill for the relief of Ivan Charles Grace, Republic of Panama, which the War Department presents for the consideration of the Congress with a view to its enactment into law; to the Committee on Claims.

541. A letter from the Acting Secretary of the Interior, transmitting the draft of a proposed bill to repeal the acts of May 16, 1928 (45 Stat. 590), and December 23, 1929 (46 Stat. 55), authorizing the erection for the sole use of the Pan American Union of an office building on certain lands in the District of Columbia, and for other purposes; to the Committee on Public Buildings and Grounds.

542. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 24, 1939, submitting a report, together with accompanying papers and illustrations, on reexamination of Missouri River, Sioux City to mouth, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted November 17, 1938, and resolution of the Committee on Commerce, United States Senate, adopted November 8, 1938 (H. Doc. No. 214); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

543. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 25, 1939, submitting a report, together with accompanying papers and an illustration, on reexamination of the mouth of the Mississippi River, La., requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted November 17, 1937, and the Committee on Commerce, United States Senate, adopted November 18, 1937 (H. Doc. No. 215); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

544. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 24, 1939, submitting a report, together with accom-

panying papers and an illustration, on reexamination of Baudette Harbor, Minn., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 4, 1938 (H. Doc. No. 216); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

545. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 7, 1939, submitting a report, together with accompanying papers and an illustration, on reexamination of Black Walnut Harbor, Md., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted May 12, 1938 (H. Doc. No. 217); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

546. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 4, 1939, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Columbia River at and in the vicinity of Camas, Wash., authorized by the River and Harbor Act, approved August 26, 1937 (H. Doc. No. 218); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

547. A letter from the Secretary of War transmitting a letter from the Chief of Engineers, United States Army, dated March 4, 1939, submitting a report, together with accompanying papers and an illustration on a preliminary examination and survey of Town Creek (River) at Oxford, Md., authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 219); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

548. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 4, 1939, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Norwalk Harbor, Conn., authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 220); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

549. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 6, 1939, submitting a report, together with accompanying papers and an illustration, on reexamination of Mobile Harbor, Ala., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted July 1, 1938 (H. Doc. No. 221); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

550. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 6, 1939, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Meyers Chuck Harbor, Alaska, authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 222); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

551. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 7, 1939, submitting a report, together with accompanying papers and an illustration, on reexamination of Appomattox River, Va., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 24, 1937 (H. Doc. No. 223); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

552. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 4, 1939, submitting a report, together with accompanying papers and an illustration, on reexamination of Eastern Branch of the Elizabeth River, Norfolk Harbor, Va., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 8, 1938 (H. Doc. No. 224); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

553. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 7, 1939, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of, and review of reports on, Boston Harbor, Mass., authorized by the River and Harbor Act approved August 26, 1937, and requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted June 18, 1937 (H. Doc. No. 225); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

554. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 4, 1939, submitting a report, together with accompanying papers and illustrations, on reexamination of Houston Ship Channel, Tex., with a view to determining advisability of establishing suitable depths and widths for navigation in the old channel of Buffalo Bayou behind Brady Island, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted August 25, 1938 (H. Doc. No. 226); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

555. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 4, 1939, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Ogunquit-Perkins Cove, Maine, authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 227); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

556. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 24, 1939, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and reexamination of Menominee Harbor and River, Mich. and Wis., authorized by the River and Harbor Act approved June 20, 1938, and requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted February 8, 1938, and April 18, 1938 (H. Doc. No. 228); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

557. A letter from the Acting Secretary of the Treasury, transmitting the draft of a proposed bill for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prarie, and the dependents of Vern A. Needles; to the Committee on Claims.

558. A letter from the Acting Secretary of the Navy, transmitting the draft of a proposed bill to regulate the number of warrant and commissioned warrant officers in the Marine Corps; to the Committee on Naval Affairs.

559. A letter from the Attorney General, transmitting the draft of a proposed bill to provide for the transportation home of persons who have been arrested and subsequently released without conviction or convicted and placed on probation; to the Committee on the Judiciary.

560. A letter from the Attorney General, transmitting the draft of a proposed bill to amend the Criminal Code in regard to obtaining money by false pretenses; to the Committee on the Judiciary.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 4208) granting a pension to Carolyn M. Clawges, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JENKINS of Ohio:

H. R. 5118. A bill for the relief of the State of Ohio; to the Committee on the Judiciary.

By Mr. ALLEN of Pennsylvania:

H. R. 5119. A bill to amend an act entitled "An act to regulate interstate commerce in bituminous coal, and for other purposes"; to the Committee on Ways and Means.

By Mr. COCHRAN:

H. R. 5120. A bill to extend the benefits of the Ship Mortgage Act to certain vessels; to the Committee on Merchant Marine and Fisheries.

H. R. 5121. A bill to amend and clarify the Federal Ship Mortgage Insurance Act, title XI, Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. DUNCAN:

H. R. 5122. A bill to enroll certain persons on the citizenship rolls of the Cherokee Tribe; to the Committee on Indian Affairs.

By Mr. REED of New York:

H. R. 5123. A bill for a Coast Guard station at or near Dunkirk, N. Y.; to the Committee on Merchant Marine and Fisheries.

By Mr. SMITH of Washington:

H. R. 5124. A bill relating to the importation of shingles; to the Committee on Ways and Means.

H. R. 5125. A bill to amend the Tariff Act of 1930, as amended, with respect to the marking of lumber and timber imported from foreign countries; to the Committee on Ways and Means.

By Mr. SNYDER:

H. R. 5126. A bill to provide for the establishment of a national park or monument in the township of Perry, Fayette County, Pa. (including George Washington Grist Mill and the property adjacent thereto); to the Committee on the Public Lands.

By Mr. THOMASON:

H. R. 5127. A bill creating a commission to investigate and cause to be properly recorded the titles to land, which, by virtue of the relocation of the boundary between the States of New Mexico and Texas pursuant to the survey of Samuel Gannett, United States Supreme Court commissioner, is no longer located in the State or county in which it was commonly regarded as being located prior to such survey; to the Committee on the Judiciary.

By Mr. BATES of Kentucky:

H. R. 5128. A bill to prevent the discharge in bankruptcy of any debt incurred in contemplation of bankruptcy; to the Committee on the Judiciary.

By Mr. BLAND:

H. R. 5129. A bill 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; to the Committee on Merchant Marine and Fisheries.

H. R. 5130. A bill to amend certain provisions of the Merchant Marine and Shipping Acts, to further the development of the American merchant marine, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CHURCH:

H. R. 5131. A bill to provide for the acquisition by the United States of the Grosse Ile and Curtiss-Reynolds Airports; to the Committee on Naval Affairs.

By Mr. DEMPSEY:

H. R. 5132. A bill to amend the United States mining laws applicable to the area known as the watershed of the headwaters of the Bonito River in the Lincoln National Forest within the State of New Mexico; to the Committee on Mines and Mining.

By Mr. DISNEY:

H. R. 5133. A bill to amend certain provisions of the Internal Revenue Code relating to manufacturers' and producers' taxes; to the Committee on Ways and Means.

By Mr. DUNN:

H. R. 5134. A bill to amend title X of the Social Security Act (relating to financial assistance to blind individuals) so

as to authorize such assistance whether or not the State plan extends only to those blind individuals whom the Social Security Board considers to be needy; to the Committee on Ways and Means.

By Mr. GEHRMANN:

H. R. 5135. A bill to amend the Revenue Act of 1936 by extending the time for filing claims for refund of processing taxes to September 1, 1939; to the Committee on Ways and Means.

By Mrs. O'DAY:

H. R. 5136. A bill to amend the act entitled "An act to provide books for the adult blind," approved March 3, 1931; to the Committee on the Library.

By Mr. RANDOLPH:

H. R. 5137. A bill to prohibit the purchase of beer on credit by retailers in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SMITH of Virginia:

H. R. 5138. A bill to make unlawful attempts to overthrow the Government of the United States; to require licensing of civilian military organizations; to make unlawful attempts to interfere with the discipline of the Army and Navy; to require registration and fingerprinting of aliens; to enlarge the jurisdiction of the United States circuit court of appeals in certain cases; and for other purposes; to the Committee on the Judiciary.

By Mr. VOORHIS of California:

H. R. 5139. A bill to establish the Department of Military Defense, to make such establishment an instrument of national peace, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. MURDOCK of Arizona:

H. R. 5140. A bill to provide for the establishment of a national monument at Travertine Bridge, Gila County, Ariz.; to the Committee on the Public Lands.

By Mr. PETERSON of Florida:

H. R. 5141. A bill to amend section 2000 (c) (1) of the Internal Revenue Code with respect to the rate of tax on certain cigars; to the Committee on Ways and Means.

By Mr. VINSON of Georgia:

H. R. 5142. A bill to authorize the acquisition of two motor vessels for the Navy; to the Committee on Naval Affairs.

By Mr. RANKIN:

H. R. 5143. A bill to provide certain benefits for World War veterans and their dependents, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. BLOOM:

H. R. 5144. A bill to authorize the board of directors of the Columbia Institute for the Deaf to dedicate a portion of Mount Olivet Road NE., and to exchange certain lands with the Secretary of the Interior, to dispose of other lands, and for other purposes; to the Committee on the District of Columbia.

By Mr. HART:

H. R. 5145. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the mayor and aldermen of Jersey City, Hudson County, N. J., a municipal corporation; to the Committee on Claims.

By Mr. LEAVY:

H. R. 5146. A bill to amend the Tariff Act of 1930, as amended, with respect to the marking of lumber and timber imported from foreign countries; to the Committee on Ways and Means.

By Mr. STARNES of Alabama:

H. R. 5147. A bill to provide more effective Federal employment and civil-service preference for certain veterans or their wives and widows; to the Committee on the Civil Service.

By Mr. COOLEY:

H. R. 5148. A bill making an appropriation for cotton producers to insure parity payments; to the Committee on Appropriations.

By Mr. CASE of South Dakota:

H. J. Res. 220. Joint resolution to make available until June 30, 1940, the 1938 appropriation for water conservation and

utilization projects in the Great Plains and arid and semiarid areas; to the Committee on Appropriations.

By Mr. RABAUT:

H. Con. Res. 14. Concurrent resolution to print a revised edition of the Biographical Directory of the American Congress up to and including the Seventy-sixth Congress; to the Committee on Printing.

By Mr. EDMISTON:

H. Res. 133. Resolution amending the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. THOMAS of New Jersey:

H. Res. 134. Resolution calling for the appointment of a special committee of seven members to investigate the question of publicity and the dissemination of propaganda by the executive departments of the Government with a view to determining to what extent, if any, the existing statute has been violated; to the Committee on Rules.

By Mr. VINSON of Georgia:

H. Res. 135. Resolution to make S. 828, a bill to permit the President to acquire and convert, as well as to construct, certain auxiliary vessels for the Navy, a special order of business; to the Committee on Rules.

H. Res. 136. Resolution to make S. 829, a bill to authorize alterations and repairs to certain naval vessels, and for other purposes, a special order of business; to the Committee on Rules.

H. Res. 137. Resolution to make H. R. 2878, a bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, a special order of business; to the Committee on Rules.

By Mr. VOORHIS of California:

H. Res. 138 (by request). Resolution providing for a special committee of the House to investigate the case of former Representative John J. Hoeppel; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States to consider their House Memorial No. 2, with reference to the Lewis and Clark Highway; to the Committee on Roads.

Also, memorial, of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their House Concurrent Resolution 17, with reference to immigration and naturalization; to the Committee on Immigration and Naturalization.

Also, memorial, of the Legislature of the State of Utah, memorializing the President and the Congress of the United States to consider their House Concurrent Resolution 2, with reference to agriculture credit; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Utah, memorializing the President and the Congress of the United States to consider their Senate Concurrent Resolution 4, with reference to Senate bill 1179, concerning the Emergency Farm Mortgage Act of 1933, as amended; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Nevada, memorializing the President and the Congress of the United States to consider their Senate Joint Resolution 5, with reference to mineral resources of the State of Nevada; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to consider their concurrent resolution with reference to public lands purchased by the United States of America; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Alabama, memorializing the President and the Congress of the United States to consider their Senate Joint Resolution 53, with reference to Senate Joint Resolution 24, effecting submerged lands or tidelands of the State of Alabama; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States to consider their House Joint Memorial No. 14, urging provisions of means for raising revenue for the purpose of insuring a parity price for wheat produced; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States to consider their House Joint Memorial No. 13, effecting the importation of gas from the Dominion of Canada; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to consider their Senate Joint Resolution 16, with reference to negotiations for a Great Lakes-St. Lawrence seaway treaty; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H. R. 5149. A bill for the relief of Isidore Cvitcovich; to the Committee on Immigration and Naturalization.

By Mr. CALDWELL:

H. R. 5150. A bill for the relief of the Citizens State Bank of Marianna, Fla.; to the Committee on Claims.

By Mr. CANNON of Florida:

H. R. 5151. A bill for the relief of the Growers Fertilizer Co., a Florida corporation; to the Committee on Claims.

H. R. 5152. A bill for the relief of Winnie Reed; to the Committee on Claims.

By Mr. THOMAS F. FORD:

H. R. 5153. A bill granting an increase of pension to Gail E. Plunkett; to the Committee on Pensions.

By Mr. GAMBLE:

H. R. 5154. A bill for the relief of William F. Kliewe; to the Committee on Claims.

By Mr. GREEN:

H. R. 5155. A bill for the relief of George Preston Thomas; to the Committee on Naval Affairs.

By Mr. HART:

H. R. 5156. A bill for the relief of Adolph Ernest Helms; to the Committee on Immigration and Naturalization.

By Mr. LYNDON B. JOHNSON:

H. R. 5157. A bill granting a pension to Hattie House; to the Committee on Invalid Pensions.

By Mr. McGRANERY:

H. R. 5158. A bill for the relief of Itsuyo Shinagawa Tabuchi; to the Committee on Immigration and Naturalization.

By Mr. McLAUGHLIN:

H. R. 5159. A bill granting a pension to Margaret Gibson; to the Committee on Invalid Pensions.

By Mr. McLEOD:

H. R. 5160. A bill for the relief of Joaquim Santos Valente; to the Committee on Immigration and Naturalization.

By Mr. MACIEJEWSKI:

H. R. 5161. A bill for the relief of Peter Gurenas; to the Committee on Immigration and Naturalization.

By Mr. MICHENER:

H. R. 5162. A bill for the relief of Floyd M. Dunscomb; to the Committee on Claims.

By Mr. NICHOLS:

H. R. 5163. A bill for the relief of London T. Howard; to the Committee on Claims.

By Mr. O'TOOLE:

H. R. 5164. A bill for the relief of Bernard Rothstein; to the Committee on Naval Affairs.

H. R. 5165. A bill for the relief of Joseph LaRose; to the Committee on Naval Affairs.

H. R. 5166. A bill for the relief of John Norman Cosgrove; to the Committee on Naval Affairs.

H. R. 5167. A bill for the relief of Ciro Valente; to the Committee on Claims.

By Mr. PETERSON of Florida:

H. R. 5168. A bill granting a pension to Edith E. Cleveland; to the Committee on Invalid Pensions.

By Mr. PIERCE of New York:

H. R. 5169. A bill for the relief of Truman Baker and Adele Dashnaw; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 5170. A bill granting an increase of pension to Elizabeth Painter Menoher; to the Committee on Pensions.

By Mr. SABATH:

H. R. 5171. A bill for the relief of John P. Hart; to the Committee on Claims.

By Mr. SCHAFER of Wisconsin:

H. R. 5172. A bill for the relief of John Angus MacDonald; to the Committee on Naval Affairs.

By Mr. SUTPHIN:

H. R. 5173. A bill for the relief of Dr. Philip L. Schwartz; to the Committee on Claims.

By Mr. THOMASON:

H. R. 5174. A bill for the relief of C. C. Beardsley; to the Committee on Claims.

By Mr. VINCENT of Kentucky:

H. R. 5175. A bill granting an increase of pension to William M. Davis; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1820. By Mr. CURLEY: Letter of Federal Local Union, No. 20940, American Federation of Bookkeepers, Stenographers, and Accountants, New York City, urging the granting of \$150,000,000 additional for Works Progress Administration; to the Committee on Appropriations.

1821. By Mr. GAMBLE: Petition signed by Walter McKellar and other members of the Blauvelt (N. Y.) Parent-Teacher Association, urging enactment of Senate Joint Resolution 84 and House Joint Resolution 89; to the Committee on Foreign Affairs.

1822. By Mr. GEYER of California: Resolution of the Regular Veterans' Association of San Pedro, Calif., commending Congressmen IZAC, VOORHIS of California, GEYER of California, and others on their stand in the promotion of adequate and efficient national defense; also resolution signed by the following officers of the post: Otis L. Green, commander; W. T. Allen, Sr., vice commander; T. V. Snaddy, Jr., vice commander; David S. Anderson, adjutant; and T. W. Montgomery, quartermaster; to the Committee on Military Affairs.

1823. By Mr. HART: Concurrent resolution of the One Hundred and Sixty-third Legislature of the State of New Jersey, favoring the construction of a canal across the State of New Jersey; to the Committee on Rivers and Harbors.

1824. Also, memorial of the One Hundred and Sixty-third Legislature of the State of New Jersey, memorializing the Congress to enact Senate bill 223, providing for the exemption of certain vessels of the United States from the requirements of the Officers' Competency Certificates Convention; to the Committee on Merchant Marine and Fisheries.

1825. Also, memorial of the One Hundred and Sixty-third Legislature of the State of New Jersey, memorializing the Congress of the United States against the enactment of Senate bill 126 and House Resolution 188, designed to modify and interfere with existing interterritorial freight rates; to the Committee on Interstate and Foreign Commerce.

1826. By Mr. JOHNSON of Illinois: Petition of 47 members of the Federated Woman's Clubs of Fourteenth District of Illinois, endorsing Senate bill 280; to the Committee on Interstate and Foreign Commerce.

1827. By Mr. LUTHER A. JOHNSON: Petition of the Third Avenue Presbyterian Church, by Rev. Gordon A. MacInnes, minister, and H. G. Gribble, clerk of the session, of Corsicana, Tex., opposing the amending of the Social Security Act so as to include disabled and retired ministers; to the Committee on Ways and Means.

1828. Also, resolution of the House of Representatives of the State Legislature of Texas, urging that Senate bill 330, O'Mahoney-Borah Federal licensing bill, be modified so as to apply only to those engaged in interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

1829. Also, petition of Mrs. R. H. Sewell, corresponding secretary of the Woman's Club of Teague, Tex., and 20 members of the club, favoring House bill 3517; to the Committee on Education.

1830. By Mr. KRAMER: Resolution of the American Federation of Labor and the building trades department, relative to conditions in the small-house building field and insuring mortgages by the Federal Housing Administration; to the Committee on Banking and Currency.

1831. Also, resolution of Gen. Hunter Liggett, First Army Post, No. 510, American Legion, Department of California, relative to a suitable bill for the support of Mrs. Hunter Liggett; to the Committee on World War Veterans' Legislation.

1832. Also, resolution of the American Federation of Labor and the building-trades department, relative to having all construction work brought under Public Works Administration; to the Committee on Appropriations.

1833. Also, resolution of the Metal Trades Manufacturers Association of Southern California, relative to the removal of obstructions from the free flow of commerce; to the Committee on Ways and Means.

1834. By Mr. KEEFFE: Resolution adopted by the Wisconsin Legislature entitled "Memorializing the President and Congress of the United States to resume negotiations for a Great Lakes-St. Lawrence seaway treaty"; to the Committee on Foreign Affairs.

1835. By Mr. MARTIN J. KENNEDY: Petition of the Olive Oil Association of America, Inc., New York City, urging support of any legislation which may arise concerning an extension of the effective date of the new Federal Food, Drug, and Cosmetics Act; to the Committee on Interstate and Foreign Commerce.

1836. Also, petition of the Atlantic States Shippers Advisory Board, New York City, composed of 2,500 shippers and receivers of freight in the States of Delaware, Maryland, New York, New Jersey, Pennsylvania, and Virginia, opposing various Senate and House bills concerning transportation legislation; to the Committee on Interstate and Foreign Commerce.

1837. Also, petition of the Associated Actors and Artists of America, New York City, concerning appropriation for Dutch elm disease eradication; to the Committee on Appropriations.

1838. Also, petition of the Belle Glade Chamber of Commerce, Belle Glade, Fla., concerning freight rates applying to fruits and vegetables; to the Committee on Interstate and Foreign Commerce.

1839. Also, petition of the New York State Forestry and Park Association, Albany, N. Y., concerning appropriation for Dutch elm disease eradication; to the Committee on Appropriations.

1840. By Mr. KEOGH: Petition of the American Manufacturing Co., Brooklyn, N. Y., opposing the passage of the Fulmer bill (H. R. 57); to the Committee on Agriculture.

1841. Also, petition of P. J. Torchina, New York City, concerning the capital-gains tax, undivided-profits tax, and income-tax laws; to the Committee on Ways and Means.

1842. Also, petition of the American Photoengravers Association, Chicago, Ill., concerning social-security legislation; to the Committee on Ways and Means.

1843. Also, petition of the New York State Forestry and Park Association, Inc., Albany, N. Y., concerning the appropriation for Dutch elm disease eradication; to the Committee on Appropriations.

1844. Also, petition of Clara Abramson, Bronx, New York City, concerning hearings on Federal aid to education; to the Committee on Education.

1845. Also, petition of the University of Tennessee library staff, concerning House bill 3517; to the Committee on Education.

1846. Also, petition of the Northern Kentucky Education Association, Covington, Ky., concerning Senate bill 1305, providing for Federal aid for education; to the Committee on Education.

1847. Also, petition of the Whiting Teachers' Association, Whiting, Ind., concerning Senate bill 1305; to the Committee on Education.

1848. Also, petition of Arch R. Gerhart, secretary, Fifth District Education Association, Louisville, Ky., concerning Federal aid for public education; to the Committee on Education.

1849. Also, petition of the Pratt Institute, Brooklyn, N. Y., concerning House bill 2319; to the Committee on Education.

1850. Also, petition of the Herbert Hoover Junior High School, San Jose, Calif., concerning Federal aid for education; to the Committee on Education.

1851. Also, petition of the Department of Public Instruction, of Livingston, Tenn., concerning Senate bill 1305; to the Committee on Education.

1852. Also, petition of Catherine E. Condon, head of P. S. A. department, Syracuse University, New York, concerning House bill 2319, the Federal aid bill; to the Committee on Education.

1853. Also, petition of the public library of Iowa City, Iowa, concerning House bill 3517, Federal aid legislation; to the Committee on Education.

1854. Also, petition of the pupils of Bethune School, Charlotte, N. C., concerning the Harrison-Thomas-Fletcher bill for Federal aid; to the Committee on Education.

1855. Also, petition of the Loose-Wiles Biscuit Co., Long Island City, N. Y., concerning the National Labor Relations Act; to the Committee on Labor.

1856. Also, petition of the New York State Farm Bureau Federation, Ithaca, N. Y., concerning appropriations for fruits and vegetables, etc.; to the Committee on Appropriations.

1857. Also, petition of the Hudson River Conservation Society, Inc., New York City, concerning appropriation of \$200,000 for Dutch elm disease eradication; to the Committee on Appropriations.

1858. Also, petition of John J. Watson, of New York City, concerning House Resolutions 165 and 168; to the Committee on Immigration and Naturalization.

1859. Also, petition of Benjamin H. Namm, the Namm Store, Brooklyn, N. Y., concerning the Rogers and Wagner bills; to the Committee on Labor.

1860. Also, petition of the Oil Workers International Union, Fort Worth, Tex., concerning House Joint Resolution 176; to the Committee on the Judiciary.

1861. Also, petition of the American Federation of Bookkeepers, Stenographers, and Accountants, Federal Local Union No. 20940, New York City, favoring \$150,000,000 additional appropriation for Works Progress Administration; to the Committee on Appropriations.

1862. Also, petition of the American Federation of Teachers, Chicago, Ill., concerning House bill 3517 and Senate bill 1305, Federal aid to schools; to the Committee on Education.

1863. Also, petition of the American Communications Association, Point to Point Radio, Aviation and Cable Division Local No. 10, concerning the National Labor Relations Act and Senator WAGNER's health bill; to the Committee on Labor.

1864. By Mr. LAMBERTSON: Petition of Mrs. Ben Evans and 10 other citizens of Washington, Kans., urging the President of the United States and Congress to take every practicable means to bring to an end a traffic from our country which is compelling us to be a partner in the destruction of the Chinese people; to the Committee on Foreign Affairs.

1865. By Mr. LEAVY: Senate Joint Memorial No. 11, passed at the twenty-sixth session of the Washington State Legislature, recognizing the vital need for completion of

the Lewis and Clark Highway as a commercial and scenic artery to serve Washington, Oregon, Idaho, and Montana and facilitate the marketing of products of these States, to promote domestic travel and to enhance our military defenses, and urging the Federal Government to provide for the remaining 50 miles of construction over an area entirely within a national forest in the State of Idaho, which State is unable to finance an adequate highway system by reason of the fact that only 14,000,000 of its total area of 53,000,000 acres are taxable lands, the balance being in national forests; to the Committee on Appropriations.

1866. By Mr. MARSHALL: Petition of Cecil Scheckman, Norwood, Ohio, and others, relating to their opposition to Senate bill 1000; to the Committee on Labor.

1867. By Mr. MURDOCK of Utah: Joint resolution of the Legislature of the State of Utah, relating to congressional action in liberalizing the terms and conditions of existing agricultural credit; to the Committee on Agriculture.

1868. Also, joint resolution of the Legislature of the State of Utah, relating to the approval of Senate bill 1179, by Mr. MILLER, to amend section 56 of the Emergency Farm Mortgage Act of 1933, as amended, and providing an interest rate of 3 percent per annum on loans to agricultural improvement districts; to the Committee on Agriculture.

1869. Also, resolution of the Legislature of the State of Utah, approving the foreign policy of the President of the United States in relation to armaments and rearmament and relations with foreign countries in upholding the democracies; to the Committee on Foreign Affairs.

1870. By Mr. PFEIFER: Petition of Frank Gillmore, international president, the Associated Actors and Artistes of America, New York City, urging additional appropriation to eradicate Dutch elm disease; to the Committee on Appropriations.

1871. Also, petition of the New York State Farm Bureau Federation, Ithaca, N. Y., urging support of several items which they have recommended in the agricultural appropriations bill; to the Committee on Appropriations.

1872. Also, petition of the American Federation of Bookkeepers, Stenographers, and Accountants, No. 20940, New York City, favoring an additional appropriation of \$150,000,000 for the Works Progress Administration; to the Committee on Appropriations.

1873. Also, telegram from Abraham & Straus, Inc., department store, Brooklyn, N. Y., concerning wool products labeling bill; to the Committee on Interstate and Foreign Commerce.

1874. Also, petition of Rockwood & Co., Brooklyn, N. Y., concerning House bill 234; to the Committee on the Judiciary.

1875. Also, petition of the Hudson River Conservation Society, Inc., New York, concerning the Dutch elm disease eradication appropriation of \$200,000; to the Committee on Appropriations.

1876. Also, petition of the Namm Store, Brooklyn, N. Y., concerning the Rogers refugee bill; to the Committee on Immigration and Naturalization.

1877. Also, petition of the American Communications Association, New York City, concerning the National Labor Relations Act; to the Committee on Labor.

1878. Also, petition of the Consolidated Welfare League, Inc., Brooklyn, N. Y., favoring the President's recommendation for \$150,000,000 additional appropriation for the Works Progress Administration; to the Committee on Appropriations.

1879. By Mr. PLUMLEY: Petition of Ethel L. Taylor and 20 other ladies, of Burlington, members of the Young Women's Guild of First Church, urging an embargo on the shipment to Japan of military supplies; to the Committee on Foreign Affairs.

1880. Also, petition of Mrs. Richard Billings and 26 other citizens of South Royalton, favoring legislation to prevent sales of war materials and military supplies to Japan and other aggressor nations, and seeking exclusion of imports insofar as they contribute to such sales of war material; to the Committee on Foreign Affairs.

1881. Also, petition of Rutland Lodge, No. 1264, International Association of Machinists, opposing the St. Lawrence Waterway project; to the Committee on Foreign Affairs.

1882. Also, petition of Rutland Lodge, No. 1264, International Association of Machinists, opposing the granting of any reduction of rates in favor of southern and western areas; to the Committee on Interstate and Foreign Commerce.

1883. By Mr. ROMJUE: Petition of sundry residents of Anabel, Mo., protesting against Nazi and other antidemocratic demonstrations, such as were recently held in Madison Square Garden, New York; to the Committee on Foreign Affairs.

1884. Also, petition of sundry citizens of Marceline, Mo., favoring the passage of House bill 1; to the Committee on Ways and Means.

1885. By Mr. SCHAEFER of Illinois: Petition of Local No. 1038, Amalgamated Association of Iron, Steel, and Tin Workers of North America, Ralph B. Lentz, secretary, of East St. Louis, Ill., opposing amendment of the Wagner Labor Relations Act; to the Committee on Labor.

1886. Also, petition of Lodge No. 1226, Amalgamated Association of Iron, Steel, and Tin Workers of North America, Ed Mahoney, secretary, of East St. Louis, Ill., opposing amendment of the Wagner Labor Relations Act; to the Committee on Labor.

1887. Also, petition of Local No. 21, Illinois State Employees, Chicago, Ill., supporting House bill 4093, authorizing increases in hourly pay and vacation and sick leave for substitute postal clerks; to the Committee on the Post Office and Post Roads.

1888. Also, petition of the House of Representatives and Senate, General Assembly, State of Illinois, urging the President and Postmaster General to provide for a special commemorative postage stamp to be issued in honor of the distinguished record and achievements of Anton J. Cermak, late mayor of the city of Chicago; to the Committee on the Post Office and Post Roads.

1889. Also, petition of Lodge No. 1022, Amalgamated Association of Iron, Steel, and Tin Workers of North America, R. V. Johnson, secretary, of Granite City, Ill., opposing amendment of the Wagner Labor Relations Act; to the Committee on Labor.

1890. By Mr. SCHIFFLER: Petition of Josephine H. Skrzypek, secretary, St. Joseph's Society, No. 213, Polish Roman Catholic Union of America, Wheeling, W. Va., urging an amendment to the Social Security Act, providing for total exemption of sublodges of fraternal insurance organizations; to the Committee on Ways and Means.

1891. Also, petition of Dr. L. B. Lewellyn, of Wheeling, W. Va., urging that ministers be excluded from the social security; to the Committee on Ways and Means.

1892. By Mr. THOMAS of New Jersey: Resolution adopted by the New Jersey Association of Professional Engineers and Land Surveyors, at their nineteenth annual convention held in Newark, N. J., on January 15, 1939, advocating the passage of an act by Congress which would eliminate the retroactive features of a Federal tax on State, county, or municipal employees; to the Committee on Ways and Means.

1893. Also, resolution passed by the New Jersey Association of Professional Engineers and Land Surveyors, at a meeting held in Newark, N. J., on January 15, 1939, advocating an increase in Federal funds allocated to the purchase of materials on Works Progress Administration projects; to the Committee on Appropriations.

1894. Also, resolution passed at the last regular meeting of the Sussex County Peace Officers' Association, Newton, N. J., petitioning the Congress for the continuance of the Dies committee, and lauding the committee for the activities and investigations heretofore accomplished; to the Special Committee to Investigate Un-American Activities.

1895. By the SPEAKER: Petition of the city of Dearborn, Mich., urging consideration of their resolution with reference to Senate bill 591, concerning the United States Housing Act of 1937; to the Committee on Labor.

1896. Also, petition of the Missouri State Legislative Board of the Brotherhood of Locomotive Engineers, urging consideration of their resolution with reference to regulating mileage by law; to the Committee on Interstate and Foreign Commerce.

1897. Also, petition of the Central Labor Union of Philadelphia and Vicinity, Philadelphia, Pa., urging consideration of their resolution with reference to House bill 4223, concerning civil service; to the Committee on the Civil Service.

SENATE

TUESDAY, MARCH 21, 1939

(Legislative day of Thursday, March 16, 1939)

The Senate met at 12 o'clock meridian, on the expiration of their recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Mighty Maker of this wondrous frame, from Whom proceeds all beauty of perfection for which we sigh though we cannot attain unto it: Grant that, as we worship Thee with silent awe, we may feel Thy mystic presence, and Thy controlling rule, rooted in the invisible and held in its embrace as an infant lies in its mother's arms. Vouchsafe to us, in these troublous times, some glimpses of Thy purpose, some insight for the solution of every day's most pressing needs, that, as we dedicate our every aptitude to the fulfillment of our duty here, we may bring, through our readiness to minister, the strength of moral courage and the spirit of true hopefulness, shed abroad in our hearts by Thine own indwelling. We ask it in our Saviour's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, March 20, 1939, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL

Mr. LEWIS. I suggest the absence of a quorum, and request a roll call.

The VICE PRESIDENT. The clerk will call the roll.

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

| | | | |
|--------------|-----------------|-------------|---------------|
| Adams | Danaher | La Follette | Reynolds |
| Andrews | Davis | Lee | Russell |
| Ashurst | Donahay | Lewis | Schwartz |
| Austin | Downey | Lodge | Schwellenbach |
| Balley | Ellender | Logan | Sheppard |
| Bankhead | Frazier | Lucas | Shipstead |
| Barbour | George | Lundeen | Smathers |
| Barkley | Gerry | McCarran | Smith |
| Bilbo | Gibson | McKellar | Stewart |
| Bone | Gillette | McNary | Taft |
| Borah | Glass | Maloney | Thomas, Okla. |
| Bridges | Guffey | Mead | Thomas, Utah |
| Brown | Gurney | Miller | Tobey |
| Bulow | Harrison | Minton | Townsend |
| Burke | Hatch | Murray | Tydings |
| Byrd | Hayden | Neely | Vandenberg |
| Byrnes | Herring | Norris | Van Nuys |
| Capper | Hill | O'Mahoney | Wagner |
| Caraway | Holman | Overton | Walsh |
| Chavez | Hughes | Pepper | Wheeler |
| Clark, Idaho | Johnson, Calif. | Pittman | White |
| Clark, Mo. | Johnson, Colo. | Radcliffe | Wiley |
| Connally | King | Reed | |

Mr. LEWIS. I announce that the Senator from West Virginia [Mr. HOLT] is detained from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] and the Senator from Missouri [Mr. TRUMAN] are detained on important public business.

Mr. FRAZIER. I announce that my colleague the junior Senator from North Dakota [Mr. NYE] is absent because of illness.

The VICE PRESIDENT. Ninety-one Senators have answered to their names. A quorum is present.

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 of the Senate:

S. 876. An act to authorize the purchase of certain lands for the Apache Tribe of the Mescalero Reservation, N. Mex.;

S. 877. An act to add certain public-domain land in Montana to the Rocky Boy Indian Reservation;

S. 1098. An act to amend section 12 of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing advances for crop insurance;

S. 1104. An act to provide for conveying to the United States the land, buildings, and improvements comprising the Choctaw and Chickasaw Sanatorium and General Hospital; and

S. 1477. An act to repeal section 9 of the act of March 3, 1875 (18 Stat. L. 450), as amended.

The message also announced that the House had passed the bill (S. 1476) to authorize an appropriation to pay non-Indian claimants whose claims have been extinguished under the act of June 7, 1924, but who have been found entitled to awards under said act as supplemented by the act of May 31, 1933, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 159. An act to amend an act entitled "An act relating to the naturalization of certain women born in Hawaii," approved July 2, 1932;

H. R. 160. An act to permit alien wives of American citizens who were married prior to the approval of the Immigration Act of 1924 to enter the United States;

H. R. 1661. An act granting the consent of Congress to the city of Youngstown, Ohio, to construct, maintain, and operate a free highway bridge across the Mahoning River at or near Marshall Street, Youngstown, Ohio;

H. R. 1962. An act granting the consent of Congress to the city of Youngstown, Ohio, to construct, maintain, and operate a free highway bridge across the Mahoning River at or near Cedar Street, Youngstown, Ohio;

H. R. 2192. An act to extend the time for commencing and completing bridges across Cross Bayou, Twelve Mile Bayou, and Caddo Lake in Caddo Parish, La.;

H. R. 2378. An act to prohibit the exportation of tobacco seed and plants, except for experimental purposes;

H. R. 2382. An act to amend sections 704, 705, 706, and 707 of the Merchant Marine Act, 1936, as amended;

H. R. 2635. An act granting the consent of Congress to Westmoreland County in the State of Pennsylvania to construct, maintain, and operate a free highway intercounty bridge and approaches across the Allegheny River, connecting Valley Camp, in Westmoreland County, and East Deer Township, in Allegheny County, to connect State Highway Routes Nos. 28 and 56;

H. R. 2661. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y.;

H. R. 2971. An act for the relief of certain Indians of the Winnebago Agency;

H. R. 3134. An act to amend the act entitled "An act authorizing the temporary detail of United States employees, possessing special qualifications, to governments of American republics and the Philippines, and for other purposes," approved May 25, 1938;

H. R. 3225. An act authorizing the Department of Highways of the State of Ohio to construct, maintain, and operate a free highway bridge across the Ottawa River at or near the city of Toledo, State of Ohio;

H. R. 3231. An act to authorize the mailing of pistols, revolvers, and other firearms capable of being concealed on the person to officers of the Coast Guard;