

directing attention to the fact that the mining industry is not asking aids or grants of the Government, whereas many others are receiving huge subsidies, and further noting that removal of tariffs on base metals has admitted foreign metals to our markets in such quantities that new capital cannot be induced to invest in the American mining industry, and urging enactment of a resolution by Senator MURRAY, of Montana, to extend the moratorium on mining-claims assessment work; to the Committee on Mines and Mining.

3021. By Mr. O'NEAL: Petition of sundry citizens of Kentucky, protesting against legislation looking toward returning prohibition to the District of Columbia; to the Committee on the District of Columbia.

3022. By Mr. PFEIFER: Petition of the Plazine Oil Co., Inc., New York City, opposing extension of the Connally Act (S. 1302); to the Committee on Interstate and Foreign Commerce.

3023. Also, petition of the Wagner Baking Corporation, Newark, N. J., urging support of certain changes in the National Labor Relations Act; to the Committee on Labor.

3024. Also, petition of Walter Scott Free Industrial School for Crippled Children, Inc., New York City, favoring the Wheeler bill (S. 2009) and the Truman bills (S. 1989 and S. 1990); to the Committee on Interstate and Foreign Commerce.

3025. By Mr. THILL: Resolution of the Republican Men's Forum, of Milwaukee, Wis., adopted on April 29, 1939, urging that the economic welfare of the country, and the general welfare of the employer, the laborer, and the public require and will best be served by the defeat of bill S. 1970, by amendment of the Wagner Act, and by adoption of general labor legislation based upon equitable recognition of the duties and rights of all, and that in the consideration and enactment of labor legislation action is recommended along the lines of bill 154A of the Laws of Wisconsin, 1939; to the Committee on Labor.

3026. By Mr. VAN ZANDT: Petition of C. L. Nonemaker, president, and Mildred B. Dahlberg, secretary, of Townsend Club, No. 2, of Altoona, Pa., deploring the unemployment of thousands of citizens in the Twenty-third Congressional District of Pennsylvania, and urging the Ways and Means Committee to report without any amendment House bill No. 2 to the floor of Congress as indication that the Ways and Means Committee are governed by the voices of millions of citizens and not by the voice of private interests; to the Committee on Ways and Means.

3027. By the SPEAKER: Petition of Army Base Local, No. 43, of the United Federal Workers of America, petitioning consideration of their resolution with reference to the National Labor Relations Act; to the Committee on Labor.

SENATE

THURSDAY, MAY 11, 1939

(Legislative day of Monday, May 8, 1939)

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

Rev. William S. Abernethy, D. D., pastor of Calvary Baptist Church of Washington, D. C., offered the following prayer:

Eternal God, our Heavenly Father, may we place in Thy hands this day our best powers of mind and body and soul. Even as the disciples of old put their slender resources in the hands of the Saviour, and they were multiplied, and the multitude was fed, so may we today dedicate our talents to the service of our fellow men and, in so doing, dedicate them to Thee.

May God bless today this weary, suffering, bewildered world, and bless the efforts of all who are engaged in the endeavor to afford relief and bring humanity out of its wilderness of despair. So we pray for this honorable body. May God give them health and strength and wisdom, and, above all, may they realize that when they have reached the end of their human resources there are great reservoirs of power still available. May we, when this day shall have

closed, experience a certain sense of satisfaction because we have done our best.

We offer this prayer in the name of Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, May 10, 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. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Ellender	Lee	Russell
Andrews	Frazier	Lodge	Schwartz
Ashurst	George	Logan	Schwellenbach
Barbour	Gerry	Lucas	Sheppard
Barkley	Gibson	Lundeen	Shipstead
Bilbo	Gillette	McKellar	Slattery
Bone	Glass	McNary	Stewart
Borah	Green	Maloney	Taft
Brown	Guffey	Mead	Thomas, Okla.
Bulow	Gurney	Miller	Thomas, Utah
Burke	Hale	Minton	Tobey
Byrd	Harrison	Murray	Townsend
Byrnes	Hatch	Neely	Truman
Capper	Hayden	Norris	Tydings
Caraway	Hill	Nye	Vandenberg
Chavez	Holman	O'Mahoney	Wagner
Clark, Idaho	Holt	Overton	Walsh
Connally	Hughes	Pepper	Wheeler
Danaher	Johnson, Calif.	Pittman	White
Davis	Johnson, Colo.	Radcliffe	Wiley
Donahay	King	Reed	
Downey	La Follette	Reynolds	

Mr. MINTON. I announce that the Senator from Indiana [Mr. VAN NUYS] is detained from the Senate because of illness.

The Senator from Nevada [Mr. McCARRAN] is absent on official business for the Committee on the Judiciary.

The Senator from South Carolina [Mr. SMITH] is absent because of illness in his family.

The Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Missouri [Mr. CLARK], the Senator from Iowa [Mr. HERRING], and the Senator from New Jersey [Mr. SMATHERS] are detained on important public business.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

ACQUISITION OF STOCKS OF STRATEGIC MILITARY MATERIALS

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 572) to provide for the common defense by acquiring stocks of strategic and critical materials essential to the needs of industry for the manufacture of supplies for the armed forces and the civilian population in time of a national emergency, and to encourage, as far as possible, the further development of strategic and critical materials within the United States for common defense, which was to strike out all after the enacting clause and insert:

That the natural resources of the United States in certain strategic and critical materials being deficient or insufficiently developed to supply the industrial, military, and naval needs of the country, it is the policy of Congress and the purpose and intent of this act to provide for the acquisition of stocks of these materials and to encourage the development of mines and deposits of these materials within the United States, and thereby decrease and prevent wherever possible a dangerous and costly dependence of the United States upon foreign nations for supplies of these commodities in times of national emergency.

Sec. 2. To effectuate the policy set forth in section 1 hereof the Secretary of War, the Secretary of the Navy, and the Secretary of the Interior, acting jointly through the agency of the Army and Navy Munitions Board, are hereby authorized and directed to determine which materials are strategic and critical under the provisions of this act and to determine the quality and quantities of such materials which shall be purchased within the amount of the appropriations authorized by this act. In determining the materials which are strategic and critical and the quality and

quantities of same to be purchased, the Secretaries of State, Treasury, Interior, and Commerce shall each designate representatives to cooperate with the Secretary of War and the Secretary of the Navy in carrying out the provisions of this act.

SEC. 3. The Secretary of War and the Secretary of the Navy, when they deem such action appropriate, shall direct the Secretary of the Treasury through the medium of the Procurement Division of his Department and from the funds authorized by the provisions of this act to make purchases of such materials in accordance with specifications prepared by the Procurement Division of the Treasury Department and approved by the Secretary of War and the Secretary of the Navy and to provide for the storage and maintenance, and, where necessary to prevent deterioration, for the rotation of such materials. To accomplish such rotation, the Secretary of the Treasury, with the approval of the Secretary of War and the Secretary of the Navy, is authorized to replace acquired stocks of any material subject to deterioration by equivalent quantities of the same material by such method as he may deem serves best the purposes of this act. The Secretary of the Treasury is empowered to meet, out of the funds authorized in this act, expenses necessary to accomplish this rotation. The commodities so purchased shall be stored by the Procurement Division of the Treasury Department on military and naval reservations or in other locations approved by the Secretary of War and the Secretary of the Navy.

SEC. 4. Materials acquired under this act except for rotation to prevent deterioration shall be used only upon the order of the President in time of war, or when he shall find that a national emergency exists with respect to national defense as a consequence of the threat of war.

SEC. 5. For the procurement, transportation, maintenance, rotation, and storage of the materials to be acquired under this act, there is hereby authorized to be appropriated the sum of \$100,000,000, out of any money in the Treasury not otherwise appropriated, during the fiscal years June 30, 1939, to and including June 30, 1943, to be expended under the direction of the Secretary of War and the Secretary of the Navy: *Provided*, That any customs duties paid on such materials, imported from any place not included in the United States, as defined in section 401 (k) of the Tariff Act of 1930, as amended by section 2 of the Customs Administration Act of 1938, shall not be covered into the general fund of the Treasury of the United States, but shall be credited by the Secretary of the Treasury, to be available for expenditure until the expiration of the then next fiscal year; *And provided further*, That materials purchased under this act and imported shall be entered at the customhouse in accordance with regulations to be prescribed by the Secretary of the Treasury: *And provided further*, That purchases under this act shall be made in accordance with the Buy American Act of March 3, 1933 (47 Stat. 1520), and a reasonable time, in the judgment of the Secretary of War and Secretary of the Navy shall be allowed for production and delivery from domestic sources.

SEC. 6. In the acquisition of stocks of materials, as herein authorized, the agency charged with the duty of acquiring the same shall, as to the materials acquired outside the United States—

(a) Request the appropriate department or departments to undertake the acquisition of the same from those nations which are indebted to the United States and which will consent to credit the agreed purchase price on the principal of such indebtedness; and

(b) Further request the appropriate department or departments to undertake the acquisition of the same from those nations which will consent to exchange such materials for surplus agricultural commodities produced in the United States: *Provided*, That the acquisition of such material shall not be delayed on account of the negotiations undertaken under paragraph (a) and (b) of this section.

SEC. 7. That the Secretary of the Interior, through the Director of the Bureau of Mines and the Director of the Geological Survey, is hereby authorized and directed to make scientific, technologic, and economic investigations concerning the extent and mode of occurrence, the development, mining, preparation, treatment, and utilization of ores and other mineral substances found in the United States or its Territories or insular possessions, which are essential to the national defense or the industrial needs of the United States, and the quantities or grades of which are inadequate from known domestic sources, in order to determine and develop domestic sources of supply, to devise new methods for the treatment and utilization of lower grade reserves, and to develop substitutes for such essential ores and mineral products; to explore and develop, on public lands and on privately owned lands, with the consent of the owner, deposits of such minerals, including core drilling, trenching, test pitting, shaft sinking, drifting, crosscutting, sampling, and metallurgical investigations and tests as may be necessary to determine the extent and quality of such deposits, the most suitable methods of mining and beneficiating them, and the cost at which the minerals or metals may be produced.

For the purposes of carrying out the provisions of this section there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, for each of the fiscal years ending June 30, 1940, 1941, 1942, and 1943, the sum of \$500,000, of which amount \$350,000 shall be appropriated to the Bureau of Mines and \$150,000 to the Geological Survey.

Mr. THOMAS of Utah. I move that the Senate disagree to the amendment of the House of Representatives, ask for a

conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. THOMAS of Utah, Mr. JOHNSON of Colorado, Mr. SCHWARTZ, Mr. AUSTIN, and Mr. GURNEY conferees on the part of the Senate.

MISSISSIPPI RIVER BRIDGE NEAR FRIAR POINT, MISS.—CONFERENCE REPORT

Mrs. CARAWAY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 964) creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.; and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1 and 4. That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows: In lieu of the word "thirty" insert the word "forty"; and the House agree to the same.

HATTIE W. CARAWAY,
JOHN H. OVERTON,

Managers on the part of the Senate.

VIRGIL CHAPMAN,
FEHR G. HOLMES,

Managers on the part of the House.

The report was agreed to.

PETITIONS

The VICE PRESIDENT laid before the Senate resolutions of the Connecticut Osteopathic Society, the Maine Osteopathic Association, the Missouri Association of Osteopathic Physicians and Surgeons, the North Carolina Osteopathic Society, and the Oklahoma Osteopathic Association, favoring the amendment of Senate bill 1620, the so-called Wagner national health bill, so as to preserve the freedom of choice of the physician and school of practice to persons entitled to medical care, and providing osteopathic representation on Federal and State advisory councils, which were referred to the Committee on Education and Labor.

He also laid before the Senate a petition of sundry citizens of Birmingham, Ala., praying for the enactment of the so-called Wagner-Van Nuys-Capper antilynching bill, and favoring a prompt investigation of recent lynchings by the Federal Bureau of Investigation, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEE

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

S. 949. A bill for the relief of Robert Clyde Scott (Rept. No. 421);

S. 1033. A bill for the relief of Albert P. Dunbar (Rept. No. 415);

S. 1047. A bill for the relief of Emerson J. French (Rept. No. 422);

S. 1165. A bill for the relief of Fred M. Munn (Rept. No. 416);

S. 1225. A bill for the relief of August R. Lundstrom (Rept. No. 423);

S. 1669. A bill relating to the military record of Irving L. Leafe (Rept. No. 417); and

S. 2183. A bill authorizing the President of the United States to appoint Sgt. Alvin C. York as a colonel in the United States Army and then place him on the retired list (Rept. No. 418).

Mr. MINTON, from the Committee on Military Affairs, to which was referred the bill (S. 1069) for the relief of George Edelman, reported it without amendment and submitted a report (No. 424) thereon.

He also, from the same committee, to which was referred the bill (S. 608) to authorize the Secretary of War to furnish

certain markers for certain graves, reported it with an amendment and submitted a report (No. 425) thereon.

Mr. PITTMAN, from the Committee on Foreign Relations, to which was referred the bill (S. 2043) authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Okla., to be held May 18 to May 25, 1940, reported it with an amendment and submitted a report (No. 419) thereon.

Mr. HAYDEN, from the Committee on Mines and Mining, to which was referred the bill (S. 1288) providing for the suspension of annual assessment work on mining claims held by location in the United States, reported it adversely and submitted a report (No. 420) thereon.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that that committee presented to the President of the United States the following enrolled bills and joint resolution:

On May 9, 1939:

S. 752. An act to amend section 78 of the Judicial Code, relating to the district of Idaho.

On May 10, 1939:

S. J. Res. 111. Joint resolution designating August 19 of each year as National Aviation Day.

On May 11, 1939:

S. 1515. An act for the relief of the Louisiana National Bank of Baton Rouge and the Hibernia Bank & Trust Co., of New Orleans.

REPORT OF THE FOREIGN RELATIONS COMMITTEE—GENERAL RADIO REGULATIONS (CAIRO REVISION, 1938)

As in executive session,

Mr. WHITE, from the Committee on Foreign Relations, reported favorably Executive B, Seventy-sixth Congress, first session, being a certified copy of the revision of the general radio regulations annexed to the International Telecommunications Convention, signed at Madrid on December 9, 1932, adopted on April 8, 1938, by the International Telecommunication Conferences which convened at Cairo, Egypt, on February 1, 1938, to revise these regulations, the additional radio regulations and the telephone and telegraph regulations also annexed to the Madrid Convention, and a certified copy of the final protocol, with the reservations made by certain governments, and he submitted a report (Exec. Rept. No. 3, 76th Cong., 1st sess.) thereon.

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. HILL:

S. 2401. A bill authorizing the building of a sewage-disposal plant for Florence, Ala.; to the Committee on Military Affairs.

By Mr. GILLETTE:

S. 2402. A bill providing for certain proclamations by the President in the case of war between two or more foreign states, and for other purposes; to the Committee on Foreign Relations.

By Mr. JOHNSON of California:

S. 2403. A bill granting an increase in pension to Ellen F. Clifford; to the Committee on Pensions.

By Mr. McNARY:

S. 2404. A bill to authorize the disposal of the Portland, Oreg., old courthouse building; to the Committee on Public Buildings and Grounds.

By Mr. BILBO:

S. 2405. A bill conferring jurisdiction on the Court of Claims to hear and determine the claims of the Choctaw Indians of the State of Mississippi; to the Committee on Indian Affairs.

By Mr. WHEELER:

S. 2406. A bill authorizing the appointment of John Ogden Kilgore and Ford Trimble as captains in the Regular Army; to the Committee on Military Affairs.

S. 2407. A bill granting the consent of Congress to the counties of Valley and McCone, Mont., to construct, main-

tain, and operate a free highway bridge across the Missouri River at or near Frazer, Mont.; to the Committee on Commerce.

By Mr. GEORGE:

S. J. Res. 133. Joint resolution to confer jurisdiction on the Court of Claims or the District Court of the United States for the Northern District of Georgia to hear, determine, and render judgment upon the claim of Mrs. J. W. Marks, of Stephens County, Ga.; to the Committee on Claims.

FLORIDA SHIP CANAL—AMENDMENT

Mr. LEE (for himself and Mr. MEAD) submitted an amendment intended to be proposed by them to the bill (S. 1100) for the completion of the construction of the Atlantic-Gulf ship canal across Florida, which was ordered to lie on the table and to be printed.

AMENDMENT TO AGRICULTURAL DEPARTMENT APPROPRIATION BILL

Mr. GILLETTE submitted an amendment intended to be proposed by him to House bill 5269, the Agricultural Department appropriation bill, which was ordered to lie on the table and to be printed, as follows:

On page 28, line 12, after the word "thereof", to strike out down to and including the word "condemned" in line 15.

THE FARM PROBLEM—ADDRESS BY SENATOR GILLETTE

[Mr. NORRIS asked and obtained leave to have printed in the RECORD a radio address on the subject of Our National Farm Problem, delivered by Senator GILLETTE on Monday, May 8, 1939, which appears in the Appendix.]

SCHOOL SAFETY PATROLS—ADDRESS BY SENATOR REYNOLDS

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD a radio address on the subject of school safety patrols delivered by him on the Sunday Drivers' Program of the National Broadcasting Co. on May 7, 1939, which appears in the Appendix.]

INSURANCE AGAINST WORLD ANARCHY—ADDRESS BY SENATOR HERRING

[Mr. HARRISON asked and obtained leave to have printed in the RECORD an address entitled "American's Insurance Against World Anarchy," delivered by Senator HERRING at the annual dinner, Association of Casualty and Surety Executives, Hotel Plaza, New York, N. Y., Tuesday evening, May 2, 1939, which appears in the Appendix.]

LETTER FROM SENATOR HOLT WITH REFERENCE TO W. P. A.

[Mr. HOLT asked and obtained leave to have printed in the RECORD a letter addressed by himself to the people of Lincoln County, W. Va., relative to W. P. A., which appears in the Appendix.]

A FAIR BREAK FOR LABOR—ADDRESS BY EDWARD CORNEABY

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an address by Edward Corneaby on the subject of A Fair Break for Labor, which appears in the Appendix.]

QUESTION OF PERSONAL PRIVILEGE

The VICE PRESIDENT. When the Senate took a recess yesterday afternoon the Senator from North Carolina [Mr. REYNOLDS] had given notice that today he desired to address the Senate on a matter of personal privilege. The Chair recognizes the Senator from North Carolina.

Mr. REYNOLDS. Mr. President, I desire today to discuss, not at great length, matters which have been brought to my attention during the course of several months, published in a certain column written here in Washington, known as the Merry-Go-Round.

Initially, I desire to state that there is no stronger advocate than myself of freedom of the press, freedom of speech, and freedom of religion. The newspapers have a perfect right to criticize or condemn any legislation that I may recommend or foster if they think such legislation will not prove beneficial to our Nation or if they think it is not worthwhile legislation. Every citizen has the same right and privilege. I for one would not curtail or even weaken one iota of this God-given right in a free America.

But, Mr. President, freedom of the press is not freedom to libel. Freedom of the press is not freedom to slander, whether the object of the slander be a private citizen or a Member of the Senate of the United States of America.

The matter probably would not be so serious if the comments were confined merely to the columns of the Merry-Go-Round; but these reports are picked up by other writers throughout the country even before I have an opportunity to enter a denial, and consequently the general public naturally grows to believe these unwarranted attacks and insinuations, which are written in a clever, left-handed style.

In that connection I may state in passing that I have implicit confidence in the integrity of the press of America. The people of America have the same implicit confidence in the press of America. That confidence has grown out of the fact that for many years here at the National Capital the press of the country has been represented by men of integrity, men of character, men who could be believed, men who send over the wires only statements of truth and fact, and who rarely attempt to color any story they send from here to their respective clients. These reputable correspondents of reputable newspapers throughout America have built for themselves a fine reputation for character, integrity, and truth by relating squarely and fairly and truthfully the facts from day to day and from time to time, until as a result of their integrity and character and of the truthfulness as to statements of fact they have educated the 130,000,000 people of America to rely implicitly upon that which they read in the respective columns of American newspapers as the news which emanates from Washington. The danger we are now experiencing is that some columnists wielding the pen are always endeavoring to color the facts and to lead the people to believe anything but the truth; and, as a result thereof, having been educated by the reputable newspaper correspondents of Washington, when the American people read certain statements from the pens of columnists, such as those who are the authors of the Merry-Go-Round, they immediately assume that the words written by such authors are as truthful as if they came from the pen points of the reputable, truthful reporters residing here in the city of Washington as the representatives of the press of the country.

Mr. President, I have stated time and again on the floor of the Senate, by letter, and in radio addresses and speeches throughout the Nation, that I do not condone the practices of dictators. I have time and time again joined millions of other American citizens in bitterly denouncing the inhuman treatment of defenseless minorities in Germany, Italy, and other foreign countries; but I insist that the United States should remain aloof from foreign political entanglements or embroilments unless we are prepared to be dragged into another world war. Articles falsely accusing me of being lined up with the "bund" merely tend to divide our Nation at a time when perhaps more than at any other period in our Nation's history we need unity. These manufactured stories also have the effect of giving encouragement to the Nazi groups by leading them to believe that I, as a Senator—and, for that matter, other Members of this body whose names I shall later mention—condone their practices, when as a matter of fact I have preached, I might say, from the housetops, that nazi-ism, fascism, and communism should be banished from our shores. I have reiterated in the strongest language I could command that there is no room in this Nation for such philosophies; and I have advocated shipping back to the lands whence they came all those who preach in our country those foreign doctrines that would undermine our democratic form of government.

Unfortunately, the only way a public official can avoid vilification by these two men, the authors of the Washington Merry-Go-Round, is to bow to their will and the will of those whom they serve.

No man enjoyed to a greater degree the confidence and respect of the Members of the Senate of the United States, Republicans and Democrats alike, than did our lamented leader, the late Senator Robinson, of Arkansas. Shortly after I came to the Senate I was outraged when I read the

false attacks of these two columnists upon that great statesman. They referred to his practice of law and reflected upon his integrity. He ignored the attacks. The Senator from Mississippi [Mr. HARRISON], as a matter of fact, was time and again subjected to abuse because he was the friend of Judge Wilson, who, as a judge in the Virgin Islands, denounced Drew Pearson's father, who was then Governor of the Virgin Islands. Pearson was a Hoover appointee, but he continued in office under the Democratic administration, because Mr. Pearson, who was Governor of the Virgin Islands, was an eminently honest and sincere man.

When Judge Wilson and Governor Pearson were asked by the President to resign they did so. Wilson acted in good faith. Pearson was immediately appointed to an office in the Interior Department, where he remained for the rest of his life. When I learned that the President of the United States had appointed Mr. Pearson to a position in the Department of the Interior I was very happy, because personally I was fond of Mr. Pearson. He was one of the most fatherly, one of the most gracious, one of the most kind-hearted men I have ever known in all my life; and, as a matter of fact, when Mr. Pearson, the father of Drew Pearson, experienced difficulty in reference to the Virgin Islands matter, I personally did everything within my power as a Senator of the United States and as a member of the Committee on Territories and Insular Affairs to retain him in that position, because I was convinced of his honesty and his integrity; and, with many thousands of his friends, I grieved when he was called to the Great Beyond.

I speak again of our beloved and departed colleague, Hon. Joseph Robinson, of Arkansas. I recall that once upon a time hurriedly there was handed to me, when I first came to the Senate of the United States, a statement to be inserted in the Appendix of the CONGRESSIONAL RECORD. I did not take time to read the statement. Next morning its contents were called to my attention, and I found that it contained insinuations and a slur upon Joe Robinson, the leader. Without the slightest hesitation, as those who are now here and who were here then know, I came into this Chamber and publicly denounced the article, and asked that it be expunged from the RECORD, and extended my apologies not only to Senator Robinson himself but to the other Members of this body. That I did willingly and without the slightest hesitation, because I felt that I had done that great man a great injustice—not an intended injustice, but an injustice—because I had failed to take the precaution to read that statement prior to inserting it in the CONGRESSIONAL RECORD.

I may add in passing that that was a great lesson to me. It was my first lesson as a Member of the Congress of the United States, because never since then have I inserted in the RECORD any article from the hand of anybody without personally reading it. I want to say further that never during my term here have I cast the slightest slur upon any Member of this body; but in every State into which I go from time to time, as many of the Senators who do me the honor to listen today know, I say nothing but praise for them, regardless of their respective positions and regardless of their political affiliations because for every Member of this body I have the very deepest affection.

In that connection I recall that a few days ago in the city of New York, when I delivered an address in the banquet hall of the Hotel Astor, at Forty-second and Broadway, under the auspices of the American Defense Society, to which address I will refer later for a particular reason, I mentioned the fact that my colleague the senior Senator from New York [Mr. WAGNER] had introduced a bill providing for the admission into the United States of 20,000 refugee children within the next 2 years. I took occasion to say that I honored the Senator from New York, that I knew of no man for whom I had a greater affection, that we differed only in opinion. My colleagues know, as I do, that we would be foolish to become angry at one another because we do not always vote the same way or because our opinions differ upon various questions. We do not consider ourselves as conservatives or liberals, not as Democrats or Republicans, when we are in yonder cloak-room, but as friends affiliated together in the interest of the

American people, here to do that which our consciences dictate to us to do.

I remarked at the time to the constituents of the Senator from New York that he was the busiest man in Washington, that very infrequently did he find it possible to be in his office; that he was chairman of several subcommittees and chairman of the great Banking and Currency Committee. I reminded them of the fact, in order that they might know that I spoke sincerely, that innumerable times school children from his State come to Washington, as they do from all our States. Frequently they cannot see the Senator, and when they do come and I see them I invariably invite them into my office and provide them with little pamphlets giving the history of the Capitol, and provide them with cards with my signature on them admitting them to the galleries of the Senate. In addition to that, I invariably say, "You youngsters go back home and tell your mothers and your fathers that your Senator is the hardest working Senator in Washington. And do not forget to tell them, boys and girls, to vote for BOB WAGNER when he comes up again for election." Our diversity of opinion makes no difference in our personal relations.

Mr. President, I had just spoken in regard to our departed friend, Governor Pearson. While the controversy concerning him was on the Senate committee, of which the Senator from Maryland [Mr. TYDINGS] was chairman, was called upon to make an investigation, and because the Senator from Maryland, in the discharge of a public duty, a duty he was sworn to perform, did not do what Pearson and Allen wanted him to do for the father of Drew Pearson himself, he earned then and there their enmity, and from that day to this has been slandered by them from time to time.

I remember well the time of which I have just spoken, and I believe the Senator from Maryland, the chairman of the Committee on Territories and Insular Affairs, will recall that I supported Mr. Pearson, then the Governor of the Virgin Islands, and tried my best to have him retained in that position. In that connection I well remember the day when the chairman of the Committee on Territories and Insular Affairs, the Senator from Maryland, and our able friend and colleague the senior Senator from Utah [Mr. KING], joined me, and the three of us took a taxicab at the Capitol and drove to the White House, where we conferred with the President of the United States in regard to this matter. These two Senators, who now honor me with their presence, will recall very vividly the conversation we had with the President of the United States.

The newspapers have stated, in reference to the Senator from Maryland, that in the Senator's campaign for reelection last summer, Pearson contributed more than \$30,000 to defeat the Senator from Maryland. If that story is true—and I am inclined to believe everything I see in the newspapers except what is written by Pearson and Allen—it would be interesting to know whose money it was they spent for the purpose of defeating the Senator from Maryland, who was so overwhelmingly reelected.

The Senator from Florida [Mr. ANDREWS] has been held up to ridicule by these men. The senior Senator from South Carolina [Mr. SMITH] and the junior Senator from South Carolina [Mr. BYRNES] have been denounced by them. The majority leader, the Senator from Kentucky [Mr. BARKLEY], within the last month has been accused of treachery amounting to treason to the President of the United States, solely because he failed to take orders from Pearson and Allen.

As all my colleagues know, hardly a week passes that the Vice President of the United States, who is respected and loved and admired by every Senator, whether he is a Republican or a Democrat, is not misrepresented before the people of the Nation and ridiculed by these men, because he will not consult them and will not follow the views of those who dictate their conduct from time to time.

We resent those insinuations and statements in regard to the President of this body, and every one of us has from time to time resented and now resents the accusations made against our leader, the Senator from Kentucky, and the

accusations made against the beloved Vice President of the United States, who presides over the Senate daily.

Mr. Jesse Jones, the Chairman of the Reconstruction Finance Corporation, a Democrat from the Lone Star State of Texas, as fine a public official as this administration has had, is slandered day after day. The former Secretary of Commerce, the Honorable Daniel Roper, a man who has served his country with honor in many positions, has been held up to the scorn of a nation by those two men. The Assistant Secretary of Commerce, Colonel Johnson, of South Carolina, has been attacked by them. I recall that several years ago the Secretary to the President of the United States, Mr. Marvin McIntyre, who now unfortunately is ill, and is spending some time at his old home town, which is my home, in the mountains of western North Carolina, was attacked by Pearson and Allen, who tried even to reflect upon his character.

Senators, a man in public life has no defense. All he can do, as a matter of fact, is to enter a denial. He cannot write letters to the newspapers defending himself. His letters would be published, if published at all, where, perhaps, they never would be seen.

In view of the character of the Members of the Senate, to be attacked by these writers seems to people who know them to be almost a tribute. But those who read the newspapers of the country do not know them, and they are misled by them. They are misled because, as I stated in the outset of my remarks, the men of honor and of integrity and of character and of truthfulness who for so many years have represented the press of the United States have educated the readers of the various newspapers of the country to believe when they see them in print the articles which come over the wires from their pens here at the Capital. Therein lies the danger as the result of the reputable correspondents having educated the reading public of America to the point where they believe what they read in the American press, because it is a free press.

Mr. President, I determined I would not remain silent, as others have with a few exceptions, but, on the contrary, that I would reply to the utterly false, left-handed statements of these men. I can understand the motive of their attacks upon me. Mr. Allen is a correspondent of the Philadelphia Record. The Philadelphia Record is owned and published by Mr. David Stern. Because of my humble efforts to keep this country out of war, Dave Stern evidently determined to injure me through Allen and Pearson. I know that if I would change my position within a very short time the Merry-Go-Round would hold me up to the Nation as a great statesman and a great patriot. But neither Drew Pearson, Bob Allen, nor Mr. Dave Stern can cause me to change my views on this question, which I believe of such vital importance to the people of America.

I digress here to say that, regardless of any attacks made upon me, the only way anyone will ever make me shut my mouth in my endeavor to do what I think is my duty in this body is to shoot me. They cannot frame me and jail me because I can say with a great deal of happiness that if they were to do so there would be thousands of real, full-blooded, honest-to-God Americans there to take me out. The only way they can stop me from talking in the interests of the people of America, in my humble, feeble endeavor to keep us from being led into foreign entanglements and again into war—the only way they can keep me from trying to keep the foreign elements abroad from coming here and taking the jobs that should go to our unemployed—and there are now 11,000,000 persons out of employment in the United States—the only way they can shut my mouth and stop me is to shoot me; and so long as I am in this body I am going to speak my conscientious convictions.

I know there are many Senators who do not agree with some of my statements made on the floor of the Senate, or with my way of thinking, but I know that those Senators are convinced of the fact that I am honest in my endeavor; and when Senators do not vote as I vote, when their convictions are not parallel with mine, I have for them the

same respect I always have had. What would this body be if it were not a forum for the purpose of discussing the great issues in which we are interested at this time?

Members of the Senate, I made a statement a moment ago as to what would happen if I were to change my position. I will restate what I said. After I mentioned Dave Stern, I said, "I know that if I would change my position, within a very short time the Merry-Go-Round would hold me up to the Nation as a statesman and a patriot."

Let us see about that. Let us see how true that statement is. Let us see how very true it is. Yesterday when I decided to take the floor, I addressed, regardless of the harm that has been done to me, a very respectful telegram to Messrs. Pearson and Allen, as follows:

MESSRS. PEARSON AND ALLEN,
Washington Merry-Go-Round,
Press Building, City:

Shall appreciate it if you will favor me by sending to me this afternoon, by Western Union messenger, collect, copies of all articles written by you for columns of Washington Merry-Go-Round since January 1 this year which have any reference of any nature whatsoever to myself.

(Signed) ROBERT R. REYNOLDS,
United States Senator.

In order to prove to Senators what the attitude of these men would be if one were to bow to their will and talk and vote as they want one to talk and vote, I will read the answer which I received within an hour thereafter:

DEAR SENATOR: Would like very much to comply with your request but that would entail several hours' work going through the files, and, regretfully, I just haven't the time for that. Why don't you ask the Library of Congress to dig up this material for you?

The fact is, I was desirous of having those gentlemen provide me with those articles for the very reason that I did not want them hereafter to be able to say that the subject matter and the point I am making today had been eliminated.

They have plenty of clerks for that purpose. Have just been informed of your announcement that you intend to discuss us tomorrow. Look forward to the occasion with lively interest though I must confess I feel a bit slighted that you are only going to devote 2 hours to us. We ought to be worth more of a ride than that. After all the nice things—

I hope Senators will note this, which only goes to prove, as I stated a while ago, that if you bow to their will and talk as they think you ought to, and vote as they think you ought to vote, you are an angel, but if you do not, you are a traitor to your fellows.

We ought to be worth more of a ride than that. After all the nice things we said about you last year when you were running for reelection—

Remember, up until the time I was reelected I was all right with them.

After all the nice things we said about you last year when you were running for reelection as a liberal we ought to be worth at least a couple of weeks speechifying on your Nazi activities.

I want Senators to bear in mind those three words: "Your Nazi activities." I am coming to that.

I say that what these men write cannot be believed. I happen to know that there are many Members of the Senate who share the identical opinion, and I happen to know that there are many Members of the House of Representatives who likewise share that opinion. Further than that, there is a member of the Cabinet of the United States who shares their opinion and who shares my opinion in regard to Allen and Pearson. I refer to a member of our beloved President's Cabinet by the name of Cordell Hull. I recall that I served my first short term in the United States Senate with Cordell Hull, who was then the colleague of the Senator from my sister State of Tennessee [Mr. McKellar], and according to my recollection the present Secretary of State occupied the seat in the Senate Chamber I now indicate. The Honorable Cordell Hull, Secretary of State, says that these men are unworthy of belief.

Let us see about that. I shall read to the Senate a statement I read sometime ago in the Merry-Go-Round. I still take the Washington Herald, but I have that portion consigned to the bathroom before I begin to read any other

portion. Here is a column of the Washington Herald of Friday, April 14, 1939. Let us see what they said that eventually occasioned the remarks addressed to me by letter and by word of mouth that I have just stated to the Members of the Senate. This article was published in the Times-Herald. I am going to read it to the Senate so Senators can understand its significance.

WASHINGTON DAILY MERRY-GO-ROUND
(By Drew Pearson and Robert S. Allen)

The State Department has just heaved a big sigh of relief after terminating one of the most crucial episodes of international prodding in years.

Objective of the State Department, or perhaps it is more accurate to say of the President himself, has been to push, goad, or cajole the British Empire into the realization that democracy is at stake in Europe.

All this took place during a period of diplomatic double-crossing in which British banks actually were lending money to Germany for rearmament, and the Federation of British Industries was negotiating a secret pact with German industry in violation of the Anglo-American trade agreement.

In other words, they are charging that the British, in violation of the trade-treaty obligation, were lending money to Germany.

British double-crossing finally became so flagrant that when Roosevelt, Hull, and Welles got the full drift of it, they sent a virtual ultimatum to Chamberlain that, as far as the United States was concerned, Great Britain could fish or cut bait.

CZECHOSLOVAK INVASION

Part or all of this may be denied—

They therefore insinuate that it was the truth, but they say:

but the actual facts are that tension in United States-British relations came to a head on or about March 16, one day after Hitler had swallowed the remains of Czechoslovakia.

It will be recalled that on March 14, just as the entire world realized Hitler was about to break his pledge to the Czechs, American correspondents in London cabled that the British Government saw no cause for alarm. This was because the British Foreign Office had called in United States correspondents and told them that the British Government was unperturbed.

British serenity continued next day even with Nazi troops actually on the march, and it was not until 2 days later that the British Government began to burst forth in a fine flare of righteous indignation over Hitler's violation of his pledge at Munich.

Reason for the British rightabout-face was partly British public opinion. But in the interim, also, Chamberlain had received from Roosevelt the message just referred to, in which the President warned that Britain could expect no more support from the United States, moral or material or through the sale of airplanes, if the Munich policy continued.

In effect, Roosevelt bluntly asked whether Britain was a Nazi nation or a democracy, and warned that the United States would watch Chamberlain's future policy for the answer.

HISTORY AFTER MUNICH

To get the full picture of British double-crossing, and to understand what led up to this crisis in Anglo-American relations, it is necessary to trace events after the Munich crisis last October.

Following Munich the Roosevelt administration instructed Ambassador Joe Kennedy to suggest to Chamberlain that the only thing Hitler understood was the straight arm, and that it would be an excellent idea to call an abrupt halt on appeasement.

Supposedly Chamberlain agreed. Whereupon Roosevelt and his State Department mapped out a program carefully calculated to show Hitler that he could give the democracies no more lip.

To this end the United States deliberately recalled its Ambassador from Berlin, deliberately planned that Secretary Ickes should scold the Nazis, and that Acting Secretary Welles, in turn, should scold the German chargé d'affaires for his effrontery in protesting. It was no accident that Roosevelt's address to Congress on the state of the Nation vigorously slapped down the dictators and asked for heavy air armament.

Furthermore, American soundings taken in Europe all showed that this strategy was having an excellent effect, that Hitler and Mussolini both were worried.

BRITISH CHICANERY

But about this time the State Department began to get wind of what the British were up to. In the first place British bankers had engaged in a scramble for business in Sudetenland. They had even started making deals with the Germans before the cession of the Sudetens was decided upon at Munich.

Later it was discovered that whenever the State Department would take a stern stand against Hitler, Sir John Simon or other Tory members of the British Cabinet would go around to the Nazis and tell them that Britain was not in sympathy with these United States pronouncements.

The State Department had known for some time that Sir Auckland Geddes, former British Ambassador to Washington and head of the Rio Tinto mines in Spain, had been subsidizing Franco. But

now it developed that Franco was sending the money back to Germany to buy arms. Thus the British were subsidizing Hitler.

Even more startling, it was discovered that where the Nazis were not able to barter, as with Sweden, which demands cash, British banks were loaning money outright to Germany to finance rearmament. Of course, they were getting a nice, fat interest rate.

Also, it dawned on high officials here that no less a person than Prime Minister Chamberlain himself is heavily interested in German armament, his Imperial Chemical Industries owning a good block of stock in the Dynamit Actien Gesellschaft and in the giant I. G. Farbenindustrie A. G., largest trust in Germany.

Finally, just before the last Czech crisis, the State Department learned that the powerful Federation of British Industries, in which several Cabinet members are represented, had worked out a secret trade agreement with the Nazis undercutting the United States and the Anglo-American trade agreement so laboriously negotiated by Cordell Hull.

UNITED STATES SEES RED

By this time the sentiment of Roosevelt, Hull, et al., toward the British would have burnt up the printed page. Their almost inescapable conclusion was that the oligarchy which actually rules Britain was anxious at heart to preserve the dictators, and secretly feared the strengthening of democratic government similar to the Popular Front in France or the Negrin regime in Spain.

All this came to a head with the Hitler march into Prague, plus the occupation of Memel. Roosevelt issued his strong warning in between these two events.

Indications are that even the British Tories now are worried. They admit their mistake in trusting Hitler after the Munich agreement. There is no question regarding the status of British public opinion. But both Hull and Roosevelt still are keeping their fingers crossed about the British Cabinet and wondering whether it will stay put.

I remember the morning I read that article. I called on the telephone a man whom I consider one of the best-informed Members of the United States Senate, and told him of the article. My recollection is that he had read it. He is now present in the Chamber. I told him I could not believe it, and that I was going to address to the Secretary of State a letter requesting that he advise me whether or not the things related by Pearson and Allen were true. So I wrote a letter to the Secretary of State. Follow me carefully. Let us see what Cordell Hull, former United States Senator, now a member of the President's Cabinet as Secretary of State, says in reply to the following letter which I addressed to him on April 15:

APRIL 15, 1939.

HON. CORDELL HULL,
Secretary of State, Washington, D. C.

MY DEAR MR. SECRETARY: In the columns of the Times-Herald, issue of Friday, April 14, 1939, under the head of the "Washington Daily Merry-Go-Round," there is an article by Messrs. Drew Pearson and Robert S. Allen concerning the chicanery of Great Britain. This article begins by stating in its first paragraph that "the State Department has just heaved a sigh of relief after terminating one of the most crucial episodes of international prodding in years," etc.

I respectfully request that you write me the full facts in this matter. In other words, I respectfully request that you substantiate in writing the entire article heretofore referred to by Mr. Pearson and Mr. Allen.

Thanking you very much for your prompt attention to this most important matter, I am,
Respectfully yours,

ROBERT R. REYNOLDS,
United States Senator.

On April 19 I received from Hon. Cordell Hull the following letter, on the letterhead of the Department of State, in response to the one I have just read:

DEPARTMENT OF STATE,
Washington, April 19, 1939.

The Honorable ROBERT R. REYNOLDS,
United States Senate.

MY DEAR SENATOR REYNOLDS: I have received your letter of April 15 calling to my attention an article published under the caption of the "Washington Merry-Go-Round," which appeared on Friday, April 14, with regard to Anglo-American relations. I cannot "substantiate in writing the entire article." Those parts of it of which I have knowledge are so thoroughly inaccurate and misleading that they could not, in my judgment, be substantiated by anyone.

The article is one of a series written in a style which would convey the impression to the reader that the author or authors have access to the official files of this Department, or have been informed of the thoughts, words, and actions of this Department, as also of the thoughts, words, and actions of other governments. There is no such access, and the impression conveyed has absolutely no basis so far as this Department is concerned.

Sincerely yours,

CORDELL HULL.

This is Cordell Hull speaking, through his letter of April 19, 1939, which I have in my hand and which any Senator is privileged to inspect. In other words, a man in whom Senators have implicit confidence, a man with whom many Senators now in the Chamber have served, a man who we all know is a man of integrity, our Secretary of State, says that Pearson and Allen try to leave the impression that they, and they only, have access to the private files of the Secretary of State. I say that such statements as are being made by them from day to day relative to international or foreign affairs should be condemned, not only by Cordell Hull, but by every Member of the Congress. Pearson and Allen would lead their reading public of perhaps a million people to believe that they, and they alone, have a right to look through the files of the State Department and obtain all the data they want. Secretary Hull says their statements are absolutely without any basis.

Let me read again what the Secretary says, because I want Senators to remember it:

The article in one of a series written in a style which would convey—

That is how they get away with it. A newspaper in my State published an editorial about me which I intend to read to the Senate today. It was stated in its columns that the newspaper had never been convicted of libel or slander. Why? Because it uses an underhand style of writing to convey an impression, as does the article which I read, which discusses the President of the United States and the Secretary of State.

Mr. Cordell Hull says that the statements of Pearson and Allen are not true. He virtually says there is not a word of truth in the article.

Let us examine the question further. I respect confidences. Perhaps many persons do not, but I do. When Mr. Hull wrote me that letter I brought it to the attention of only one Member of this body; he is present here today, and listens to what I say, and will substantiate, if necessary, every word I say in regard to this letter.

So yesterday when I decided to answer the statement of these gentlemen, and decided to make denial of every single thing they have charged against me in connection with being a representative of the Nazi government and with heading an organization that is financed by mysterious money, I wanted to hear what somebody else thought of them and what somebody else said about them. So in yonder room I took the telephone receiver in hand. Sitting across from me were two Members of this body who overheard my conversation with Secretary Hull. I did not know at the time that they overheard it, but they mentioned it to me after I had walked through the room. I said, "Mr. Hull, tomorrow on the floor of the Senate I am going to take occasion to answer stories from time to time published about me in the Merry-Go-Round column, stories that are absolutely false, absolutely without foundation. I am forced to do it, for if I do not answer them I will be destroyed. Mr. Hull, do you recall that I sent you a clipping of the Merry-Go-Round column several weeks ago, at which time I wrote you a letter and asked you to verify the truth or falsity of the statements in that column?" Secretary Hull said, "Yes, Senator, I recall it." I then said, "Well, Mr. Secretary, tomorrow I am going to answer some malicious, unfounded charges."

I owe it not only to myself to do so, but I owe it to my colleagues with whom I am serving. I have virtually been branded as a traitor, as a scoundrel, as a representative of that government which the American people hate worse than any other government on the face of the earth. The writers of this column are trying to destroy me; I am standing here today in my own defense, and I hope to God that they will never decide to destroy any other Member of the Senate, as they tried to destroy a Member of the Senate from the State of Maryland and others, as they have tried to destroy the Secretary of State by telling the world that they had the inside and could virtually get anything they wanted from the secret files of the State Department. I wonder

if the American people will condone such action on the part of the press? I say now to the American press—and there are honorable gentlemen at the head of it—that such men as those to whom I refer will eventually destroy the confidence of the American people in the American press if the newspapers that subscribe to their column continue to publish it.

I said further to Secretary Hull, "I should like to be able to bring to the attention of the Senate the letter that you wrote me, together with the column, and my letter to you."

Here [exhibiting] is the Secretary's letter. If any Senator wishes to see it, he is at liberty to do so.

The Secretary said, "Senator, I have no objection. I will be glad to have you do it; I will be glad to have you put it in the RECORD."

Here [exhibiting] is the letter which Cordell Hull, the Secretary of State, wrote to me as a result of the letter I addressed to him. Bear in mind, Senators, the underhanded, left-handed style of writing of these men.

I come to statements to which I have objected. I now bring to the attention of the Senate the following under date of January 18, 1939:

Washington Daily Merry-Go-Round—

They head this statement in their column on this date with the caption—

Tar-Heel Fuehrer.

Friends of BOB REYNOLDS, usually shrewd Senator—

I thank them for that compliment; I have never before been referred to as being "shrewd"—

from North Carolina, are worried over his plan to loose a Senate speech praising Adolf Hitler.

The wisecracking REYNOLDS took a trip to Germany last summer and was wined, dined, and flattered by moguls of the Goering-Goebbels clique. He came back singing their praises and acclaiming Hitler as a great man. Nobody took this seriously until Bob unpacked the material he had brought back and began to write a Senate speech proclaiming the virtues of Adolf and describing nazified Germany as a virtual paradise.

Some of Bob's friends are wondering what influences prevailed on him—

Listen to that, Senators—some of my friends, they say, are wondering "what influences" prevailed on me—

in Berlin, and whether his move to get appointed to the Senate Foreign Affairs Committee was not inspired by the Nazis.

Already some of REYNOLDS' colleagues are derisively calling him "The Tar-Heel Fuehrer."

Consider that specimen of underhanded, left-handed writing. In the first place, let us find out as to the truth of this statement. I wish to deny emphatically that when I was in Germany I ever talked with a single German official. The truth about the matter is that after the election last fall I went to Europe. I think I visited about 14 or 15 different countries there. I saw Mr. Chamberlain personally, having been introduced to him by Mr. Kennedy. I saw the Prime Minister of France. I was in a number of other countries. I finally journeyed, by way of Bucharest and old Vienna, up to Prague, where the bank was robbed by Hitler of about \$85,000,000 in gold, belonging to a country that was swallowed up by him in his mad desire for territory and for conquest. I left Prague one night on the train and reached Berlin the next morning. I spent 2 nights and 2 days in Berlin. I was on a Thomas Cook & Son's tour. I never talked with a single official of the German Government, and, as a matter of fact, the only official place that I called was the American Embassy, where I talked with those in charge.

What do Pearson and Allen say? Senators, I defy them to prove what they have said. When a man makes a statement he ought to be in a position to prove the statement; otherwise he does great injustice. There is not a Member of this body who would make an accusation against a fellow Member unless he was able to prove it. The danger, the pathetic feature of it is that one can make a charge against anybody, regardless of his innocence, and half the people will believe that charge. Let me refer again to this specimen of underhand writing.

Friends of BOB REYNOLDS, usually shrewd Senator from North Carolina, are worried over his plan to loose a Senate speech praising Adolf Hitler. The wisecracking REYNOLDS took a trip to Germany last summer and was wined—

That is absolutely untrue—
dined—

That is also absolutely untrue—
and flattered—

That is absolutely without foundation of truth—
by moguls of the Goering-Goebbels clique.

That is absolutely false, but the people of the United States who read that column will believe it, because they think that Pearson and Allen are reputable representatives of the press like those who represent the newspapers here at the Capitol.

He came back singing their praises and acclaiming Hitler as a great man.

I came back saying just exactly what the President of the United States said in an address at a joint meeting of the two Houses of Congress of the United States, in which, according to my recollection, Mr. Roosevelt said that the totalitarian states for the time being, at least, had succeeded in solving the unemployment question, and had succeeded in solving the surplus-capital question. I did state, when I got off the boat, that they had made great headway on roads; and every man in the United States Senate who has been there knows that to be a fact. I had not seen those roads, I had not been in Germany since 1933, and I wanted to see the marvelous roads I had heard referred to. I believe, if I recall correctly, I heard the Senator from Tennessee [Mr. MCKELLAR] speak about them. I wanted to see the great stadiums that the Germans had built. I wanted to see what they were doing, in order that I might be able to warn the American people that we had better take our heads out of the sand and wake up to what is going on, or else we would lose all of our trade. But the writers of this column made the accusation, and what in the name of God can a man do?

Well, I have this comfort: When persons do you a grave injustice and you are in a sense defenseless because you have not the medium through which to answer, their day will come. Something will come to their lives that will make them pay for this sort of thing. It always comes home. I have never seen it fail in my life. Make a false accusation against a man that is calculated to destroy him, do your fellow man a great injury, and the chickens always come home to roost. Something will happen. I pray to God it will not happen within their families. If they have wives and are fathers, I pray to God that the punishment will not come upon the members of their families, but the punishment will come. It always does.

Now, let us see what they say:

Nobody took this seriously until Bob unpacked the material he had brought back and began to write a Senate speech—

In the first place, I never in my life wrote a speech to deliver in the Senate except on about two or three different occasions—

proclaiming the virtues of Adolf and describing nazified Germany as a virtual paradise.

Some of Bob's friends are wondering what influences prevailed on him in Berlin, and whether his move to get appointed to the Senate Foreign Affairs Committee was not inspired by the Nazis.

"What influences prevailed on him in Berlin?" What do these men want to do? What impression do they want to leave? They want to leave the impression that I sold out my country. They want to leave the impression that I am a traitor. They want to leave the impression that I sold out and was paid in gold. No other impression could be gained from that article, after saying that I was "wined and dined and flattered."

They say further:

Whether his move to get appointed to the Senate Foreign Affairs Committee was not inspired by the Nazis.

Senators, let me say to you that for 3 long years I have tried my best to be designated as a member of the Foreign Relations Committee, and finally, after worrying them from time to time, the Senator from Mississippi [Mr. HARRISON] and the Senator from South Carolina [Mr. BYRNES] secured for me a place on the committee. The Senator from Kentucky [Mr. BARKLEY] will verify the statement that ever since he has been the leader of this body I have been doing my best to obtain membership upon the Foreign Relations Committee; yet these men would have the 1,000,000 American people who read their column believe that I sold out to Berlin, and that that is why I wanted to become a member of the Foreign Relations Committee.

That was on February 8.

Now, let us see what else they say. They attack, left-handedly, two other Members of this body, for whom everyone has the utmost respect.

I read from the Washington Merry-Go-Round of February 7, 1939. They have a paragraph divided now into "gems"—Gem No. 1, Gem No. 2, Gem No. 3.

Gem No. 2: Senators HIRAM JOHNSON—

Listen to this, Senators:

CLARK, REYNOLDS, and others spent an afternoon fuming against the idea of selling airplanes to France.

But—last year it was revealed that Secretary Hull—

They are attacking Cordell Hull again—

was allowing planes to be sold to Germany in violation of the treaty of Berlin, which states that Germany "shall not import" arms or aircraft from the United States; and also in violation of the Neutrality Act which the above Senators wrote, stating that no licenses shall be issued by the State Department "in violation of a treaty." At that time the above Senators said nothing.

By their left-hand writing they would leave the impression that the Senator from California [Mr. JOHNSON], the Senator from Missouri [Mr. CLARK], and I were trying to keep planes from being sold to France for the benefit of Germany, for they follow that statement by stating that Secretary Hull was in on the thing with Senators JOHNSON, CLARK, and REYNOLDS because he permitted airplanes to be shipped to Germany in violation of the treaty. They not only attack me but they attack other Members of this body.

Yes, I was one who protested. Yes, the Senator from California [Mr. JOHNSON] was one who protested. Yes, the Senator from Missouri [Mr. CLARK] was one who protested, and others; but by using that language in that manner they again attack the Secretary of State.

The next article was the very next day, attacking me again. See how cleverly this is done! See how they write so that people will derive certain impressions, and the readers will believe certain things, not knowing the truth, and not knowing that a man here is trying to do his duty to his country; but what can we do?

Let us see the Merry-Go-Round of February 8, under the head of "Nazi Press." That follows the one of the day before which I have just read, an insinuation that the Senator from California, the Senator from Missouri, Secretary Hull, and I were trying to help Germany by preventing the sale of planes on the one hand to France, and Secretary Hull, on the other hand, was permitting American planes to be sold to Germany. What impression does that leave? It leaves the impression that Secretary Hull was violating a treaty, and permitting the sale of planes to Germany to help them, while the Senator from Missouri, the Senator from California, and I were protesting against the unlawful sale of planes to France in order to help Germany, linking us all together.

All right. This article in the Washington Daily Merry-Go-Round of February 8, 1939, has a paragraph entitled:

NAZI PRESS

Immediate effects after January 4 appeared to be good. Rome and Berlin both were scared. Then the Nazi-Fascist-controlled press got to work. They played up the anti-Semitic angle, claimed that Roosevelt had become the tool of Jewish bankers in New York, was pitching the United States of America into war at the behest of the Jews. Naturally, the Nazis knew these reports would be cabled back to the American press.

Nazi papers headlined all the speeches of Representative HAM FISH; also of Senator REYNOLDS, of North Carolina, who visited Berlin last summer.

I was there last December. They may call that summer if they want to.

These eminent statesmen were played up to the German people as representative of the great American masses; Roosevelt as the tyrant. Later—

Listen—

Later Senators CLARK, NYE, and HIRAM JOHNSON became the great heroes of the Nazi-Fascist papers.

There they are. Just the day before they had made that insinuation against the Senator from California, Secretary Hull, and the Senator from Missouri; and the very next day they come back to say:

Nazi papers headlined all the speeches of Representative HAM FISH; also of Senator REYNOLDS, of North Carolina, who visited Berlin last summer. These eminent statesmen were played up to the German people as representative of the great American masses; Roosevelt as the tyrant.

Later Senators CLARK, NYE, and HIRAM JOHNSON became the great heroes of the Nazi-Fascist papers. This press play was partly for the purpose of making the German and Italian people believe they had nothing to worry about from the United States; partly for the effect upon the American public through reprints in the American press.

That was February 8.

On March 21 the Washington Merry-Go-Round—I have in my hand a copy of the Times-Herald—started off with Hitler. They want to connect my name every chance they get with Hitler's name; and in every article it will be noticed that my name, regardless of rhyme or reason, is connected with that of Hitler.

Those who have talked with Adolph Hitler recently report that there are just two things which send him into paroxysms of rage. One is any suggestion that the German people are not behind him. Even the merest thought that he does not have the 100-percent support of all Germans causes him almost to go berserk.

Second is the fact that the United States Congress passed the recent air armament bill with only 15 votes dissenting. This he considers a direct insult, if not an attack on Nazi Germany.

It is obvious that Hitler followed the reports of the air program debate in Congress very closely, and one very confidential report received in high places states that at first he was both pleased and deceived by the speeches of Senators REYNOLDS, CLARK, and NYE.

Now they have the Senator from North Dakota [Mr. NYE] in it. They first take me in, then they take in the Secretary of State, then the Senator from California, then the Senator from Missouri, and now they have taken in the Senator from North Dakota.

Thinking that they represented American opinion, Hitler was confident that air armament would be defeated.

Then the next thing is headed "Hand of GARNER." They say so much about our Vice President—God bless him—that there is no use reading any of that.

Now I come to the next one. This, dated Thursday, April 27, is a little screed in what they call "Under the Dome." In North Carolina we have a newspaper called "The News and Observer, Under the Dome." It is owned by the Honorable Josephus Daniels, our Ambassador to Mexico. I dare say they took the heading from his paper. It is said they are accustomed to taking things. At least there is a case in court, I understand, in which they are charged with taking some stuff some lady wrote, and that lady is suing them, claiming that it was her writing and not theirs.

This is what they say here:

Senator MINTON, of Indiana, does not conceal his dislike for Senator REYNOLDS.

That is just another knock at me, following up this Nazi business. I remember the morning that came out in the newspaper I laughed at it, because I do not believe I have any better friend in the United States Senate than SHERMAN MINTON. Frequently we do not agree about certain matters pending before the Senate, but at the same time I respect SHERMAN MINTON. I think he has a fine personality, and we have always been the very best of friends. The very morning that was published in the paper SHERMAN MINTON—I call him

"Shay"—called me on the telephone at my office. He was extremely indignant about that statement in the column, and said "Bob, you know that you have not a better friend in the Senate than I. There are times when we differ, but you know that you and I have been friends for the years that I have been here, and I do not believe I have a better friend in the Senate than you."

Because I point out to the American people that England has failed to grant Ireland its absolute independence, must I be labeled an agent of Germany? Because I point out to the American people England's violation of the Balfour treaty, must I be labeled as a Hitlerite? I am asking my colleagues in all fairness about these matters.

Now let me come to the knockout, let me come to that paragraph in the column of these men which attacked me underhandedly, left-handedly, and left the impression with the American people that I am an agent of Hitler, and that my organization, the Vindicators, is financed by Hitler's money, by the money of the "bund." Let me show how cleverly that is done. I want Senators particularly to note this.

This particular column to which I now refer comes from the Daily Press, Newport News, Va., Thursday morning, May 4, 1939. It was sent to me, as a matter of fact, by the president of the Hampton Roads (Va.) Unit of the American Vindicators, the organization which I head. I desire to read the whole thing to the Senate. I want all my colleagues to look at this. They will see that in the middle of what I am going to read I have it marked with a red pencil. The paragraph relating to me is sandwiched right in between all the other propaganda which is published there. Let us see what it is:

WASHINGTON.—Two members of the House Un-Americanism Committee have unearthed evidence that Nazi agents are under orders to conduct an aggressive "smear democracy" campaign throughout the country. The sensational documents show that:

Bund branches are required to compile card indexes of every person in their localities who publicly endorse the administration's foreign policy.

Bund members must write two letters to these individuals denouncing them and produce copies of the letters as proof that they were sent.

Bund members must write letters to Congressmen, Senators, and newspaper editors at regular intervals attacking the President and his anti-Nazi-Fascist views.

Bund members are urged to subscribe to and distribute copies of *The Vindicator*, Fascist weekly recently launched by Senator REYNOLDS of North Carolina with mysterious financial backing.

What else could they desire to infer and to leave in the minds of the American people than that I sold out to the Germans, sold out my Government to the Germans, when I was in Berlin, when they said I was wined and dined and flattered, and not a word of it is true, so help me God.

How can men be so vile as to attempt to ruin another man? They must be Communists; they must want to flood this country with all the riffraff from all the foreign soil in the world, because consistently on this floor I have fought against our country going into war, and I admit that from day to day I give Britain and France hell because I believe down in my heart of hearts that they are doing their best to take us into war and kill the sons of American mothers. So help me God, so long as I live I will never vote to send the son of an American mother to any foreign shore as a soldier and insofar as all the foreign countries are concerned, they can all go to hell, because none of them are our friends.

Mr. SHIPSTEAD. Mr. President—

The PRESIDING OFFICER (Mr. HATCH in the chair). Does the Senator from North Carolina yield to the Senator from Minnesota?

Mr. REYNOLDS. I yield.

Mr. SHIPSTEAD. The propaganda the Senator produces here reminds us of the kind of propaganda distributed prior to and during the World War against the late distinguished Senator from Wisconsin, the elder Senator La Follette, Senator Norris, and Senator Gore, and others in the House of Representatives and the Senate who were opposed to our entering the war. Evidently the same thing is going on now.

Mr. REYNOLDS. I thank the Senator for his observation. I have been told the same thing a thousand times. There is

propaganda sweeping this country today to take the United States into war. As the Senator from Washington [Mr. BONE] stated on the floor of the Senate a few days ago, any man who is not blind and can read the newspapers and magazines knows that this country is flooded with literature, "hate" literature, to make the American people hate until they get to the burning point, and will want to go further and sacrifice their sons.

My God, think of going into another war, when day after day veterans apply at my office for help in obtaining admission to hospitals, and I am told day after day by the officials of the hospitals that veterans who need hospitalization cannot get into the hospitals because they have not sufficient room for them. Do I not know it?

Someone told me in the cloakroom a day or so ago concerning the position taken by the junior Senator from Minnesota [Mr. LUNDEEN], at the time of the World War. I have not had an opportunity to ask him about it, but I was told that prior to the World War he was a Member of the Congress of the United States, and that he fought courageously and vigorously against our going into the war because he knew it would bring about the murder of many sons of American mothers and would cost the taxpayers billions upon billions of dollars. The Senator from Minnesota, then a Member of the House, fought against our entering the war, and when the fever heat was high, as a result of false propaganda in this country, and the Senator went back to the State of Minnesota, they told him that they wanted to hang him. They wanted to burn him alive. They threw the furniture out of his office into the street; they dragged him down to the railway station and locked him in an ice boxcar and sent him out of town, and said that if he came back they would kill him. But, thank God, the Senator from Minnesota, patriot that he is, is in the United States Senate today, because his constituents in Minnesota knew that he did the right thing, and knew that he felt he was doing the right thing when he voted as he did.

As the senior Senator from Minnesota [Mr. SHIPSTEAD] suggests, the same kind of propaganda is sweeping the country today that was sweeping the country then, and anyone who raises his voice against it is damned. The Communists can go out and speak their say, but the moment an American citizen rises to question their conduct he is called a traitor and a scoundrel. I will bring that to the attention of the Senate in a moment.

Those who are fighting me most bitterly today are the Communists in this country. Every issue of the *Daily or Sunday Worker* is vilifying and libeling me.

I wish to say in passing that I do not think the American people are awake to what is going on in this country, and I sometimes feel that I will give up the fight. I say to myself, "What is the use of my wasting my energy and all my time gallivanting over the country and making speeches, and speaking on the floor of the Senate, and talking to this club and that club? No one appreciates it." I sometimes feel that I should like to see us go to war; but then a million mothers would spend the rest of their lives in misery. I sometimes feel that we ought to open up the floodgates and let the immigrants from all the world come to this country and take charge of it. If they do not have charge of the country now, they soon will.

Let me continue with what I was reading. In the middle of this article I am sandwiched in, and I want the reporter to have it printed just as it is so the readers of the CONGRESSIONAL RECORD may see the clever writing done by these men.

Sandwiched in the middle of the article is the following:

Bund members are urged to subscribe to and distribute copies of *The Vindicator*, Fascist weekly recently launched by Senator REYNOLDS, of North Carolina, with mysterious financial backing.

I am coming back to that. They then say:

A special bund-supported organization has been set up to push propaganda among the Indian tribes.

Literature attacking democracy as a Communist device to build up dictatorship is being sent out in large quantities, particularly in the South and West.

One document consists of the stenographic record of a speech made by a Los Angeles Bund leader, in which he declared it was the duty of Hitler supporters to "smear Roosevelt and defame democracy."

"Nowhere in the Constitution is it stated," said he, "that the Union is a democracy, and therefore the 'protect democracy' cry is only a maneuver of the enemies of the United States, the anti-Nazis."

This bund leader also is quoted as saying that when he was in Germany he received special training in how to "expose the evils and crimes of democracy."

I read that to the Senate, and the whole of it, in order that Senators may see what clever propagandists these writers are in sandwiching in that small statement there against me.

Let me read it again:

Bund members are urged to subscribe to and distribute copies of the *Vindicator*, Fascist weekly recently launched by Senator REYNOLDS, of North Carolina, with mysterious financial backing.

First, by the employment of the words "mysterious financial backing" they would have their readers believe that I sold out to Berlin when I was there in December. No other interpretation could be placed upon it, and in proof of that I will read to the Senate editorials from newspapers of my own State. Before doing so, however, I hope I may be pardoned for making a personal reference.

I am a native of North Carolina. I have lived there all my life. I love my State. I am fighting for what I believe to be right; I am doing all that I can for the State and the country I love, and whether my State ever returns me to the United States Senate or not will be perfectly all right with me. The people of North Carolina have been good to me. If they should never send me back to the Senate I could not complain. I love them all. I love the people of America. I love my country. I have visited most of the countries of the world, and the more countries I visit the more I love America and the more I love the people of America. Pearson and Allen are trying to destroy me in the eyes of the American public, and I defy them; I demand that they prove their allegation; and I am throwing it right back in their lap.

It may be asked, "What harm did it do you?" I have already said to the Senate that the reputable correspondents here at the Capitol have a reputation for telling the truth, giving the facts, and educating the American people to believe what they read in the newspapers. That is why these men are believed.

In North Carolina there is a lovely little city by the name of Burlington, which is in the County of Alamance. The first blood shed in the Revolution was spilled there. I have many friends there. I have carried that county many times. All through my political life I have been opposed by machine politicians. When I campaigned for the United States Senate in 1932, virtually every one of the machines in every one of the 111 counties in North Carolina was against me. The Democratic congressional set-ups in the 11 congressional districts of North Carolina were against me, and every newspaper in North Carolina was against me, I think, except one little weekly with a circulation of about 900. But I took the stump against the man who was then a Member of the United States Senate, and who had been Governor of my State, and my friends defeated him, and gave me the greatest majority any man ever received in the State of North Carolina during its political history.

In 1932 I was elected for two terms, the short term and the long term. Then came 1938. During the years from 1932 to 1938 the same newspapers were against me. My recollection is now that there were only two newspapers in North Carolina that were for me. One is published at Wilmington, N. C., the *Wilmington Star News*, a daily, owned by a friend of mine named Rye Page, and the other is just about the finest weekly newspaper in North Carolina, published in tabloid form at Roanoke Rapids, N. C. All the other newspapers in North Carolina fought me viciously, but my friends defeated them, and I am putting them on warning now that when I come up again 6 years from now I am going to crucify them. They had better get busy and write more editorials about me now, for I warn them I am going to beat them worse than I ever beat them in my life. They have been my enemies. I want them to remain my enemies,

and all in God's world I want are the friends that I had, because they can do the trick, God bless them!

Senators may ask whether that article hurt me. Let us see. Here is an editorial from the *Daily Times News*, Burlington, N. C., Alamance County. This publication has been striking at me from time to time since the Merry-Go-Round articles first came out; but it has never been friendly. When a newspaper is against you, it is going to use everything in the world it can. Let us see what this newspaper says. I am going to read the entire editorial. I am not going to read just what the Merry-Go-Round says. It does not make me blush, not at all. I "can take it."

RAMBUNCTIOUS REYNOLDS

Our BOB REYNOLDS, securely ensconced in the Senate for another 6 years, seems to have broken out with a rash of pro-"isms" that is not conducive to building up one's popularity among one's constituents, particularly when one is a Senator from a State that boasts—yea, even as Senator REYNOLDS himself has boasted—that its native-born population is among the highest by ratio of any State in the Union.

And of that I am proud, Mr. President. I am proud that North Carolina has fewer aliens than are found in any other State in the entire Union—less than one-half of 1 percent—and I hope always to keep it as it is. There are many States of the Union whose people wish that their States were in the fortunate position of my State.

North Carolina does not want fascism or communism.

I do not either, and I will prove that to the Senate.

They despise Hitler, loathe Mussolini, and regard Stalin with suspicion and distrust.

I do, too, but I am not blaming them for doing anything in the world they can. I am not standing here and saying that I could wish Stalin and Hitler and Mussolini were lying dead. I do not wish anybody dead. I do not wish anybody any harm. I want to do what I can for my country; and I repeat, I am going to continue to talk about Great Britain and France and Soviet Russia, which is lining up with Great Britain and France, because, as I have stated—and I may be wrong—I believe that they are trying to drive us into war. Some Members of this body do not agree with me, but they do not hear me criticize them and talk behind their backs. I have just as much respect for them as I have for a Senator who is 100 percent with me. What is this but a forum?

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

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Oregon?

Mr. REYNOLDS. I yield.

Mr. HOLMAN. I have just come into the Chamber, having been engaged in Senate committee work. I do not know what the distinguished Senator has said in his speech up to this moment, but my notion is that the Senator from North Carolina is not on trial. Those who criticize his position in the matter of curtailing immigration into the United States are on trial.

Mr. REYNOLDS. I thank the Senator very much for his contribution.

Continuing the editorial:

But North Carolinians are seeing their junior Senator becoming more and more tarred with unfavorable publicity in which the Tar Heel solon is pictured, time and again, as a pro-Nazi.

"Pictured, time and again, as a pro-Nazi" by the Merry-Go-Round column.

And this is most alarming to a State and a nation where sentiment is overwhelmingly against Hitler in any and all manifestations of his conduct, personality, and methods of "governing."

Who is not against him? Who would condone the persecution of poor, unprotected minorities? I have condemned it time and again.

Senator REYNOLDS probably does not regard himself as a pro-Nazi at all. He perhaps bitterly resents the accusation. Yet something is obviously wrong. A man does not get a sardonic and biting write-up in the magazine *Ken*—

Get it and read it. Find out the names of those who edit it.

as an American Fascist, nor is he assailed by fellow Senators as something approaching one, nor do responsible columnists castigate him as pro-Hitler—

I wonder to whom he is referring when he uses the words "responsible columnists."

nor do the dailies of his own State seriously question his ideological beliefs—all without cause. Someway, somehow, an incipient fascism has insinuated itself into the REYNOLDS reputation until it has reached really distressing proportions.

This editorial is from my State. How did the writer happen to pen that editorial? He reads the Washington Merry-Go-Round column. He has been reading it this year, since it charged left-handedly that I was wine and dined and flattered and that I sold out when I was in Berlin for 2 days.

The Washington Merry-Go-Round, which steps on many toes but never yet has had a suit for libel against it to stick—

Why? Because of its insinuating, left-handed style of writing—

comes out with an open hint—

That is what it is—

that the Vindicator—

That is my newspaper; I am coming to it shortly—

"Fascist weekly recently launched by Senator REYNOLDS, of North Carolina, with mysterious financial backing," is financed by Nazi money.

That is what the editorial says.

The charge is made that German-American Bund members of this country are urged by their higher-ups to subscribe to the publication and to distribute it in their campaign of propaganda to "smear democracy."

Now, this is bad, very bad, for a Democratic Senator from a Democratic State, who used his allegiance to the present Democratic administration as one of his talking points in his campaign for reelection. Maybe Senator REYNOLDS is the victim of a malicious plot. Maybe he doesn't mean it when he gets up in the Senate to fulminate against Britain and France and to speak in extraordinarily tender terms of Italy and Germany—although that's his right, of course. Maybe where there's a lot of smoke, no fire exists. Maybe. * * * Maybe Senator REYNOLDS had better begin trying to put his house in order. Right now it would seem that an active and vigorous counter-publicity agent is his most pressing need.

If putting my house in order means that I must desist in my efforts from day to day to keep my country out of foreign entanglements or embroilments which might lead to war; if putting my house in order means that I am to keep my mouth shut when I believe that Great Britain, France, and Soviet Russia are trying to get us into a war to save the democracies of imperialistic Britain, socialistic France, and communistic, anarchist Russia—I shall never put my house in order, because I shall never want to put my house in order.

If putting my house in order means that my mouth is to be closed on the floor of the Senate in trying to keep out of this country millions from foreign lands who would take the jobs of American men and women, I do not want to put my house in order.

If putting my house in order means that I must refrain from doing my best to bring about the enactment of laws for the deportation of alien criminals and undesirables who are trying to undermine our Government, I do not want to put my house in order.

If putting my house in order means that never again shall I say that we ought to banish nazi-ism, fascism, and communism because, as I have said a thousand times, there is room in this country only for Americanism, then I do not want to put my house in order.

I want to say to the people of North Carolina and to the American people that if I am to be deprived of the opportunity of talking about these matters in the interest of my country, and doing my bit to save America for Americans, so help me God, I never want to come back to the United States Senate!

If that is the way the American people feel about the subjects which I am sponsoring, the best thing to do is to take up arms and get into uniform tomorrow, and go over and tell Great Britain, "Yes; we are going to save you. We saved your democracy once before." Tell France, "Yes; we are going to save you," and say to the other member of the military alliance, Soviet Russia, with its 178,000,000 Communists, "We have come over here, at the sacrifice of the

sons of American mothers, to save your democracy." Then, as time goes on, hundreds of thousands of little pine boxes draped with American flags will be greeted at the docks and at the railway stations by American mothers who will look down upon the faces of their sons in cold death.

If American mothers want to give their sons in death for the democracy of any country in the world, even including Soviet Russia, it is all right with me. If the American people now are damning me, as are the authors of the Washington Merry-Go-Round, because of my position in regard to immigration, then open up the floodgates.

We now have between 11,000,000 and 12,000,000 men and women out of employment. In addition, as statistics show, 26,000,000 people are working only part time. We have 3,000,000 men on the W. P. A. rolls, and 1,000,000 more who want to get on. We have 300,000 young men in the C. C. C. camps, and an equal number who want to get in. We have 4,000,000 men on the Government pay roll and on the pay rolls of the 48 States, 10,000 municipalities, 3,100 counties, and thousands upon thousands of political subdivisions. If the American people want to open up the floodgates, particularly in view of the fact that our great President says that one-third of the people today in the United States are undernourished and improperly clothed, that is all right with me. I am becoming sick and tired of the battle. Let the floodgates be opened. Let refugees and aliens from all over the world come to the United States. While we are opening the gates, let us open them to Ethiopia, China, and Japan. It will be all right with me. If I am to be damned for the things which I have advocated, I never want to come back to the United States Senate.

I am going to read something else. I am not going to keep anything from the Senate. I thank Mr. Bernarr Macfadden and the editor of Liberty Magazine for an editorial in that magazine, which, fortunately for me, has a circulation which I understand is about 2,000,000. Bernarr Macfadden stated that any man in this country who takes a stand and tries to help his country, tries to do what he can for America, is immediately branded as a Fascist. However, he said in that editorial, which I shall read, that I "can take it." I can. I wish to say again that I am not going to be run out of the fight. I took the oath for 6 years. I am going to stay here for 6 years. At the end of that time, if my people in North Carolina want to turn me down and damn me for trying to help the American people, then I do not want to be in the United States Senate.

Let me read what my home-town newspapers say about me. First, I want to tell the Senate something about my home-town newspapers. My home-town newspapers are owned by two gentlemen, Mr. Don Elias and Mr. Charles A. Webb, gentlemen of fine character. There are two newspapers in my home town, the Asheville Daily Citizen and the Asheville Daily Times, both owned by the same men. My home-town newspapers all my life have been viciously and violently opposed to me. Sunday will be Mother's Day, and when I go home to visit my mother, as I am going to do again tomorrow—and I thank God here and now that she is living; may God spare her life for many years to come; and I hope all Senators are as fortunate as I am in having their mothers still with them—when I go home they never even mention my name in the newspapers or say that I am there, and they have always "given me hell" in their editorials. I am glad of it, because they are two of the most unpopular sheets anywhere in the United States. Their representative is here today in the gallery, and I hope he wires that to them. [Laughter.] I do not want them ever to be for me. I want them to continue to be against me, as they have always been. Always I have beaten the socks off of them, and when I come up for reelection 5 years from now I will beat them again.

To show what my home-town newspapers say about me, I will read an editorial from the Asheville Citizen. They cannot do me any more harm than they have tried to do from day to day for the past 20 years. During my campaign for the United States Senate in 1932 they would hardly print a notice that I was going to speak. I want them to stay

against me. Let it be understood that we understand one another from now on. Here is what they wrote about me:

SENATOR REYNOLDS SPEAKS FOR HIMSELF

Senator ROBERT R. REYNOLDS made a speech in Boston Sunday night. This is hardly news. The foreign situation weighs heavily on his conscience nowadays, and he expresses his anxiety in frequent speeches.

The burden of his Boston fulmination was denunciation of "imperialistic Britain and communistic France" and a warning to the American people against being poisoned in their judgments of Hitler and Mussolini by propaganda. All this has become for Senator REYNOLDS an old refrain.

The Senator is entitled to have and to hold his own views about the foreign policies of this country. The Citizen would be the last to deny him this elemental right, even though its exercise now brings him into conflict with the administration whose blessing he sought so industriously when he was a candidate for reelection.

That is a reference to the fact that the President and I somewhat differ as to the foreign policy of the country. During the years that have gone by they "cussed" me because I voted for everything the President wanted. Now that I have to differ with the President on this one issue they are "cussing" me again.

What does concern us is the fear that the rest of the country may conclude that Senator REYNOLDS speaks for a large majority of the people of North Carolina when he airs his own views on Britain, France, Italy, and Germany.

Such is not the case. Senator REYNOLDS is not speaking the convictions of his own constituents when he berates France and Britain and defends Hitler and Mussolini left-handedly. The truth of the matter is that if Senator REYNOLDS had spoken in the spring of 1938 as he is speaking today, he would have been overwhelmingly defeated.

During the campaign perhaps I did make one or two speeches in North Carolina. I do not think I made any more than that—and in those speeches I played particularly upon the fact that we ought to stay out of war; that we ought to keep clear of any foreign entanglements and embroilments; and that I wished that George Washington were here in order that his words of wisdom might ring in the ears of every single American.

Taken by and large, the people of North Carolina support the foreign policy of the Roosevelt administration. They agree with President Roosevelt that the best way to keep the United States out of a world war is to prevent a world war, and that the best way to prevent a world war is to apply diplomatic and economic pressure on Hitler and Mussolini.

In other words, sanctions.

North Carolinians realize that France and Britain—

Listen to this. I will show the Senate how much sense is possessed by the fellow who wrote this editorial—

North Carolinians realize—

Do not believe this, because this is not so. The fellow who wrote this editorial is reflecting upon the intelligence of the people of my State when he makes this statement, and I resent it—

North Carolinians realize that France and Britain are about the only friends that the United States has among the larger powers of Europe.

Then why in hell do they not pay us that \$20,000,000,000 they owe us? [Laughter.] Why do they not show some appreciation for the 38,000 sons of American mothers who were killed and now lie cold in death in foreign soil? What this fellow is writing is a lot of crap. [Laughter in the galleries.]

The PRESIDING OFFICER. Under the rules of the Senate, no expression of approval or disapproval is permitted and laughter is not permitted in the galleries. The occupants of the galleries will please observe the rules of the Senate.

Mr. REYNOLDS. I continue reading from the editorial:

Senator REYNOLDS may find much to praise in the regimes of Hitler and Mussolini. The people of North Carolina do not. Senator REYNOLDS may distrust and even hate France and Britain. The people of North Carolina do not. It is to be hoped that the rest of the country will thoroughly understand that in the present instance Senator REYNOLDS is not speaking for North Carolina.

Senator REYNOLDS is speaking for North Carolina when he says that North Carolinians have sense enough to know that the American people have not a friend upon the face of the earth. Britain, France, Russia, Germany, Italy—all

of them—would double-cross us at the drop of the hat. If we have not sense enough to know that, the mothers of America ought to send their sons over there and let them be slaughtered and brought back to them in death.

No, my home-town newspapers do not like me; they never have; but they hate me now, because I do not vote as they think I ought to vote. I will say to the correspondents for the Asheville Daily Citizen and the Times that, insofar as I am concerned, they can step to hell.

Here is another editorial entitled "Let Them Come In." The editorial reads:

It is difficult to see why such vigorous opposition has been expressed to the Wagner-Rogers bill which would permit the entry to the United States of 20,000 young Germans. The immigration would be spread out over easy periods of 2 years. Responsible committees, working for months, have assured that none of the young newcomers would become public charges, for each would have a home arranged for him in advance.

Men and women of intelligence, both from the liberal and conservative ranks, have given this legislation their endorsement. Mr. Herbert Hoover is one of them. Miss Dorothy Thompson is another. And surely no eyes were entirely dry after reading the moving testimony offered in behalf of the bill by Miss Helen Hayes, our first lady of the stage and a mother.

It is tiresome to iterate the stock but true argument that America traditionally offers a haven to oppressed peoples. Of course, we do that. It is one reason for our greatness. We need not be reluctant, then, in offering security in America for these 20,000 children—a handful, indeed, in comparison with the number that have entered other lands. For, is it not pessimistic to insist that we are no longer a land of opportunity, or to depreciate our acknowledged compassion for humanity, especially the child?

When I read that editorial in the Asheville Times, which is owned by the same bunch, I sat down and wrote the editor and told him that I was against him on that issue; that I was going to fight the Wagner bill which would admit 20,000 refugee children from Germany into this country; that I was going to fight it on the floor of the Senate until the "cows come home." I stated in that letter that I thought our first duty was to take care of the millions of orphans and refugee children in this country before we undertook to care for the refugees and orphan children from other lands in the world; and I mean it. If the American people want the orphans of the world to come here, then, let us be fair; let us bring in the millions from China, the 500,000 from Ethiopia, the 1,500,000 from Spain, the 5,000,000 from the Ukraine in Russia, and several hundred thousand or a million from Germany. Let us bring them all in. I am getting tired of preaching the doctrine of trying to save America for Americans. If Americans do not care, I do not care.

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

Mr. REYNOLDS. I yield.

Mr. HOLMAN. Does the Senator's correspondent explain how it is to be guaranteed that the 20,000 refugee children from Germany never at any time will become public charges?

Mr. REYNOLDS. The proponents of the bill say that every child that comes here from Germany must be under 14 years of age. That is correct. But let us remember that 5 years from now they will be 19 years of age, and then we will find the 20,000 boys and girls from Germany competing for jobs with 20,000 sons and daughters of America who cannot now get jobs.

The Senator from Oregon inquires what guaranty will be given that the refugee children will not become public charges.

Mr. HOLMAN. Yes.

Mr. REYNOLDS. The proponents of the bill say they are going to provide bond to guarantee that they will not become public charges. Let me say, remembering the number of unemployed in this country today, that if times do not get better the fellows who give the bond will be on relief themselves.

I am going to take my time today and tell about it all. I am defending myself; my political life is at stake; I have been viciously and violently attacked; but I will again say that "I can take it."

Who are the Vindicators? Ever since I have been in the United States Senate I have been working with the Senator from Pennsylvania [Mr. DAVIS] and a number of others to

try to pass immigration laws which would deport alien criminals and protect the American people. I have never yet been able to get a bill for that purpose out of the committee. I have never yet been able to secure the passage of a bill of that kind, but I have tried. Now I have about five bills before a subcommittee, and I shall come to them in a minute. As a result of speeches that I made throughout the length and breadth of the land in regard to the matters I have been talking about, as a result of innumerable radio speeches upon the subject of foreign relations and immigration—and, by the way, next week, as soon as I come back from North Carolina, I am going to make two more of those speeches over the National and Columbia Broadcasting Systems—I have received thousands upon thousands of letters from persons of all stations in life in the United States, all of them pleading and begging that I and others do something to keep the country out of war, and to stop aliens from coming in and taking the jobs of Americans. When the showdown comes in this country—and it is coming; do not fool yourselves; the enemy is boring from within—when the showdown comes, and it is coming within the next 7 to 10 years, we shall find that people who will save our country will be the workingmen, the poor people, many of whom have not had work for years, and who, during that time, have used up their little savings. That is what I find from my correspondence. I only wish some of the Members of the Senate could see the hundreds of letters I receive from day to day, pleading with me to do something.

Then I decided that I would band together the American people who may be truly interested in their country. I virtually reached into the air, and I pulled out a word called "vindicators." That means, according to the dictionary, to defend from without, and to defend from within. It is one word. It is easily remembered. I knew I could not find a more appropriate word, because I know, as you do, Mr. President, that there is more danger to our country from within than there ever has been from without.

So I decided to organize this movement. I was afraid somebody might think I had an ulterior motive. I have no political ambition except to return to the United States Senate again 6 years from now; but, as I stated a moment ago, if my people of North Carolina want to condemn and damn me for preaching Americanism and trying to help the people of America, I do not want to come back. As for any other political ambition, I have none whatever. Why in the name of heaven should I work as I do, from early morning until late at night, and keep all my office force working, when hundreds of letters come in daily? It means nothing to me, except that I want to help the American people; because I know now that the American form of Government is on trial, as was said by Mark Sullivan in his column this morning in the Washington Post.

So, fearing that it might be thought that there was something selfish about the movement, I incorporated it. I called it "The Vindicators' Association of America." I incorporated it in the District of Columbia; and among other things I provided in the articles of incorporation that I, the president, as long as I am president, could never receive one penny of compensation in the form of a salary or anything else. Before I started this organization, people came to me and said, "Bob, if you 'can take it,' go ahead; but if you 'cannot take it,' keep your mouth shut, and sit in your seat in the Senate every day and say nothing. So long as you keep your mouth shut and never do anything, nobody will ever attack you. If you 'can take it,' go ahead; but, mark my word, you will be attacked by the Communists. You will be attacked by everybody who is in opposition to the things you stand for; and watch! Watch what you drink, and watch what you eat, and look out. They will frame you." I know it. I know the Communists are going to do their best to get me; but the only way they can stop me is to shoot me, because if they put me in jail I shall have an audience of a thousand persons every time I want to talk from between the bars. There are at least a thousand people in the country who believe as I do.

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I read the charter of the Vindicators:

We, the undersigned, all citizens of the United States, and a majority citizens of the District of Columbia, desiring to associate ourselves as a corporation pursuant to the provisions of title 5 of chapter 5 of the Code of Law for the District of Columbia, do hereby certify as follows:

First. The name or title by which this corporation shall be known in law shall be The Vindicators, Inc.

Second. The term for which it is organized shall be perpetual.

Third. The particular purpose and objects of said corporation shall be to bring about the association of all American citizens regardless of party affiliation—

Listen—

or religious creed into a Nation-wide association to be known as The Vindicators, as heretofore mentioned, which organization or association of American Vindicators shall be for the sole and exclusive purpose of promoting Americanism, which embodies patriotism and good citizenship. And for the further purpose and particular object of—

If I am a traitor, if I am to be hanged, if I am to be damned, if I am to be destroyed for trying to do something I believe to be for the interest of my country, then I am willing to be condemned as a traitor; I am willing to be destroyed.

Here are the objectives of the Vindicators. Listen well to them, Senators, and if there is anything un-American about them, I should like to know it. But I warn Members of the Senate, be careful how loud from the housetops you preach Americanism. Be careful how loud from the housetops you try to defend your country, regardless of what it is about. Do not become too much interested. There are five objectives of the Vindicators:

(a) To keep America out of war.

If there are American mothers here today who want to sacrifice their sons to save the democracy of Russia, it is all right with me.

This to be accomplished by the enactment and the administration of neutrality laws, by staying clear of any foreign entanglements or becoming involved in foreign embroilments, and by insisting that America look after its own internal affairs without meddling into the internal affairs of other nations.

I am only saying that which was said by George Washington, the Father of his Country. If there is anything un-American about that, I should like to know it.

(b) To provide employment for the millions of American citizens who are today without employment by prohibiting any further immigration to the United States for a period in duration of the next 10 years, or such time as every single employable of our 12,000,000 unemployed has been provided with work. And by deporting aliens who have usurped the jobs of American citizens and who are now enjoying employment which should firstly be provided to American citizens. And by encouraging private industry and increasing the purchasing power of the masses in order that the present overproduction may be enjoyed by those who are under-consuming.

The Senator from Idaho [Mr. BORAH] says that the trouble with this country is underconsumption and not overproduction. Remembering those words of wisdom from that man whom I so greatly respect, I put that expression into the charter when one morning I sat down and dictated the whole thing in 30 minutes.

Should I be condemned, should I be destroyed for trying to save for American citizens the few jobs available in America today?

Objective No. 3:

(c) Deport all undesirable aliens, many of whom—

As we all know—

are now attempting to undermine the Government of the United States by advocating the overthrow of the American Government, and by the preaching of false doctrines in the form of many "isms," including nazi-ism—

That is, Hitler in Germany—

fascism, and communism, and thereby attempting to banish every and all "isms", with the exception of Americanism, with a view to paramounting Americanism in the minds of every man, woman, and child within the confines of the United States of America.

Is there anything objectionable in that, Senators, when our penitentiaries and jails are crowded with criminals who are

not citizens of our country, and their keep, their clothing, and their food are being paid for by the taxpayers of America?

(d) Bring about the mandatory registration and fingerprinting of every alien in the United States in order that there may be actually ascertained the number of aliens residing within the borders thereof at the present time, and for the further purpose of ascertaining the location of these aliens so that their activities may be observed in case of war, since every alien within our midst—

I am not talking about naturalized citizens, Senators. They are just as good as native-born citizens. I am talking about persons who have come here illegally, or who have come here legally and remained illegally, and are not American citizens.

since every alien within our midst would be a potential enemy or spy in case of an invasion. To deport those who came here illegally or who entered legally and have remained here illegally.

If there is any objection to that, I should like to know it.

No. 5 objective:

To encourage and sponsor an adequate national defense by providing such armaments and implements of defense in numbers and quantity sufficient to provide the United States with an army and navy and an air force sufficiently large to protect its borders and its shores from a foreign invasion, and to command the respect of the nations of the world which are bent upon aggression and conquest—

And our destruction. Those are the five objectives.

Fourth, the corporation—

That is, the Vindicators Association of America—

the corporation shall be a nonprofit organization designed purely and simply for the purposes heretofore mentioned in paragraphs first, second, third, and fourth; and it is distinctly understood that any and all surplus funds that might be attained by the corporation shall be used for the purpose of publicizing the corporation itself and for the purpose of making distribution of literature, and carrying out the objects and principles of the corporation by any other modern methods or means, such as the radio, magazines, newspapers, etc.

That the corporation shall be privileged to conduct its affairs as a fraternal organization or association by organizing chapters, camps, lodges, nests, or similar designations, in each and every county of the United States, with the privilege of issuing booklets and pamphlets as to rules and regulations designating the hour and date of meetings, etc.

Seventh. That none of the officers of this association shall be permitted to receive any regular salaries or designated daily, weekly, or monthly compensation.

Mr. President, that is the charter. If there is anyone who can say I am a traitor, that I am untrue to my oath, let him say so now.

Mr. HOLMAN. Mr. President—

The PRESIDING OFFICER (Mr. MILLER in the chair). Does the Senator from North Carolina yield to the Senator from Oregon?

Mr. REYNOLDS. I yield.

Mr. HOLMAN. I am interested particularly in that part of the Senator's discussion which has to do with immigration. As a member of the Committee on Immigration and of the subcommittee which has the Senator's bill in charge, I have endeavored to ascertain the approximate number of aliens now in this country. As nearly as I can ascertain, 4,000,000 is about the correct number.

I remind the Senator that most of us do not know how many 4,000,000 people are. That is more people than the entire population of Oregon, Washington, Idaho, Montana, Wyoming, and Nevada. I agree with the Senator that it is time to prevent more aliens coming into this country.

Mr. REYNOLDS. I thank the Senator. In reference to that matter, I am, unfortunately, unable to tell the Senator how many aliens there are in the country, because we are the only country in the world which does not have a registration act. I have claimed repeatedly that there are from 4,000,000 to 7,000,000. Those who are opposed to my idea about these things claim that there are 3,000,000. I cannot prove they are wrong and they cannot prove that I am wrong, because, unfortunately, we have no law requiring the registration of aliens, and we are the only nation in the world which does not keep track of them.

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

Mr. REYNOLDS. I gladly yield.

Mr. TYDINGS. The Senator will recall that the recent relief bill did not provide sufficient money to employ all the people who are out of work; so, in order to make the money go as far as we could make it go, an amendment was inserted providing that only American citizens should be eligible to relief. As a result of that amendment I think about 30,000 to 40,000 were taken off the relief rolls because they were not citizens of the United States. In other words, those 40,000 aliens had been getting relief when there was not sufficient relief money to pay to all American citizens who had applied for it.

Mr. REYNOLDS. I desire to say in that connection, and before I forget it, that I have been attacked for not standing by President Roosevelt on this issue. Every Member of the Senate knows that since I have been in the United States Senate I have been classified as a new dealer, have been classified as a liberal. I believed in the things our great President was trying to do. I knew he was doing everything in the world that he could do for the suffering and the unfortunate in this country.

During my first 6 years in the United States Senate the President and I differed several times. I differed with the President in the case of the St. Lawrence treaty; I differed with the President on the question of the United States entering the World Court, and at that time I spoke for hours in this Chamber from this side, while on the other side was that eminent statesman and patriot who sits there now and listens to my words, the distinguished and able Senior Senator from California [Mr. JOHNSON]. I thank God we did not enter the World Court, because, as I stated then, it was the back door to the League of Nations, and if we had been in the League of Nations in 1935, when Great Britain wanted us to join them in oil sanctions against Italy, we would have been in war, and thousands upon thousands of American mothers would have been in mourning today. So much for that.

After Pearson and Allen began their underhanded attacks upon me, their left-handed attacks, in January, by stating that I sold out, virtually, when I was wined and dined and flattered in Berlin, I began to get the reaction from it. Things became so bad after their first statement, and after I had decided upon the organization of the Vindicators to help Americans, I had to issue the letter I hold in my hand to the newspapers of America. In order that my position may be plain, I shall read the letter I sent to the newspapers of America, asking them to print my letter in full in order that the people might know for once and all my position. Some of them printed it, some of them did not; but from the bottom of my heart I thank those newspapers which did print it. The letter, which was dated February 22, 1939, reads:

UNITED STATES SENATE,

February 22, 1939.

DEAR MR. EDITOR: In view of the fact that I have been grossly misrepresented in some quarters in connection with the Vindicators movement, which I started, I respectfully request that, in all fairness to me, you publish the contents of this letter.

I wish to briefly state the aims of this program:

1. Keep America out of war by enacting strict neutrality laws, staying clear of foreign political entanglements and embroilments, and stop meddling in the internal affairs of other nations.
2. Banish all foreign "isms" (nazi-ism, fascism, and communism).
3. Stop all immigration for the next 10 years, or until such time as all of our idle are reemployed.
4. Register and fingerprint all aliens in order that we may ascertain the number of aliens in the United States and where located.
5. Deport all criminals and undesirable aliens and expel those here illegally or those who arrived legally and have remained illegally.

The word "vindicators" merely designates those who are participating in this Nation-wide patriotic movement to bring about the enactment of legislation to carry out the objectives stated above. Any American citizen, regardless of race, political affiliations, or religious creed may become a member of the Vindicators. There is no initiation fee, nor are there any dues.

I am of the opinion that those who have bitterly condemned this movement have done so without having learned the facts. If there are any opponents to the above program, I would appreciate their advising me of their objections, and I would likewise appreciate those in sympathy with the program writing me so that I may have the benefit of their cooperation and encouragement.

Those endorsing this movement are striving to glorify Americanism and patriotism. We are endeavoring to arouse the American people to the realization of the dangers of these foreign "isms"—communism, nazi-ism, and fascism—that now infest our country and threaten to undermine the foundation of our Republic. The time has arrived when we must rekindle the flame of true American democracy, when we must rally and unite to preserve and strengthen the ideals, the doctrines, and the institutions that have made our Nation the world's greatest citadel of freedom and liberty. I do not conceive how any real American would object to these principles and objectives.

With the interest of all Americans in mind we have adopted the slogan "Our citizens, our country, first."

Respectfully yours,

ROBERT R. REYNOLDS,
United States Senator.

Mr. President, it is said that the Vindicator is a Fascist weekly. I will let my colleagues say whether or not the truth has been told in that respect. I desire to tell the Senate a little something about the organization.

Very few people interested in America have any money. I have not. All I have is my salary. I depend entirely upon that every month. Incidentally, in regard to that salary I may add that Mr. Pace, the financial clerk of the Senate, takes out of my salary of \$833 per month \$500 a month in payment of a home. I never owned a piece of property in my life, and I want to own a home sometime. I never owned a home in my life. I love America. I love our Capital City. So I found a place just a stone's throw from the dome of the Capitol, right down East Capitol Street, on the corner sandwiched in between the United States Supreme Court Building and the Folger Shakespearean Library. I wanted that place. I made up my mind I was going to buy it, because every day when I looked out of my bedroom window I could spy the dome of the Capitol of the greatest country in all the world. So I was successful in buying that place by means of making a down payment of \$1,000, which I had saved, and then I made an arrangement to pay off the balance at the rate of \$500 a month, and Mr. Pace has an order on my salary for \$500 a month.

Perhaps I am too enthusiastic about Americanism, perhaps I am too much interested in trying to do my part to save America for Americans, but I did it. I have never been sorry that I did.

I have here the first copy of the American Vindicator. This week I am going to send to every Member of the Senate a copy of the American Vindicator. This is a copy of the first issue—April 1929. I wish to ask every Member of this body, when they find the time to do so, to read every line in this issue of the American Vindicator. If then they find one single word in it that is un-American, if they find one single word that is friendly to Germany, or Italy, or Rumania, or any totalitarian state, I declare to the Senate that I will submit myself to any punishment which may be prescribed.

I know what is in the Vindicator, because I do not have anyone to edit it. I pick out the material. I edit it myself, and with the exception of a few paragraphs it is all gleaned from other newspapers.

It is said it is a Fascist weekly. On the very front page of the American Vindicator, given a most prominent position, is the following paragraph:

NAZI UNIFORM BAN SOUGHT

Des'gined to drive all Nazi organizations in the United States out of existence, a bill prohibiting wearing of uniforms by persons engaging in foreign propaganda has been introduced in the House by Representative GAVAGAN, Democrat, of New York.

GAVAGAN assailed the appearance of "uniformed Nazis" at the recent rally of the German-American Bund at Madison Square Garden in New York City.

The bill imposes penalties up to 1 year imprisonment for violations.

Following is the editorial at the end of the paragraph I just read:

This bill will apply to all foreign "ism" organizations wearing uniforms and should go further—

This is what I wrote—

should go further in use of flags other than those of the nations themselves.

Here is another article on the front page:

Bring Them All Before Us.

That is the heading.

In a House speech Representative DICKSTEIN, Democrat, of New York, demanded that the Dies committee subpoena Fritz Kuhn and other leaders of the German-American Bund.

Representative DICKSTEIN is the chairman of the Immigration Committee in the House. He is violently opposed to every one of my immigration bills. But regardless of that, I give him front-page space.

"If the committee would call them in and expose their activities, people would not have attended such meetings as that in New York the other night," DICKSTEIN said.

Declaring the committee "was organized for a year and didn't subpoena a real Nazi leader," DICKSTEIN denounced Nazi and Fascist propaganda in demanding the committee subpoena heads of hundreds of organizations alleged to be spreading subversive propaganda.

The very thing my organization seeks to do is to banish nazi-ism and fascism—and let us not forget communism. There is much talk against nazi-ism and fascism, but our people seem to have forgotten the evils of communism.

Let us see what else there is in the American Vindicator. Let us see whether the publication is un-American. On the editorial page appears the following:

The official organ of The Vindicators Association, Inc.

A national patriotic organization, the objectives of which are to—

That is carried in every issue—

1. Keep America out of war.
2. Register and fingerprint all aliens.
3. Stop all immigration for the next 10 years.
4. Deport all alien criminals and undesirables.
5. Banish all foreign "isms."

That means nazi-ism, fascism, and communism.

On the second page I publish an article from a minister of the gospel, who says:

Communism, fascism, and nazi-ism have no place here.

The article takes up nearly the whole page. In that article that minister of the gospel says, and that is included in the columns of the Vindicator:

To all united fronts of nazi-ism, fascism, and communism, let ring in patriotic hearts the language of the President of the United States: "If another form of government can present a united front in its attacks on democracy, the attack must be met by democracy. Such a democracy can and must exist in the United States."

To all these propagandists we say: If you believe that communism, nazi-ism, and fascism are better than Americanism, then go back to Stalin, Hitler, and Mussolini; if you do not, then for the love of God's truth stop propagandizing about them and let us live in peace.

In the first issue I wrote a lead story of about seven columns which I dictated one afternoon. One of the paragraphs is entitled:

DISGRACEFUL DEMONSTRATIONS

The United States today is infested with "isms" of every description and from every corner of the globe.

No other country in the world would permit the disgraceful demonstrations by alien-minded groups that are taking place in the country today. Recently in the city of New York, in Madison Square Garden, 28,000 of the bund assembled, while without the walls of Madison Square Garden more thousands, opposed to nazi-ism, assembled. This is the political battleground of the "isms" of the world. Recently, in Chicago, San Francisco, Los Angeles, and other great metropolitan centers of the country huge demonstrations of foreign groups have been held.

Americanism has been shifted to the background. Foreign "isms" have gone to the front.

Every sort of "ism" on the face of the earth is being preached upon the virgin soil of America with the exception of Americanism.

And that is God's truth.

Senators, let me say something more about the Vindicator. I have read the charter. Pearson and Allen say it has been financed by "mysterious money." To begin with, I issued 17,000 copies of the American Vindicator. I paid for those 17,000 copies with my own savings. They were printed here in the city of Washington, and the masthead evidences the fact that it was printed by union labor. I mailed those 17,000 copies to 17,000 people who had written me only a few

weeks prior thereto in regard to the program I had suggested. As a result of the distribution of the 17,000 copies there was a popular demand for an additional 20,000 copies. I had printed the additional 20,000 copies. As the result of the printing of the 20,000 and 17,000 issues there was a popular demand in the United States for 167,000 copies, every penny of the cost being paid for by the \$1 per year subscription for the American Vindicator itself. If any Senator wishes to see that in the books in black and white, I shall be delighted to show him exactly where we stand. But nobody else can see them. The writers of the Merry-Go-Round column cannot see them. This is our business, for the American people. It is our business and not the business of those who would destroy men who are endeavoring to do something for the American people, as I am, by making sacrifices of every conceivable description.

I wish to say that, despite what Messrs. Pearson and Allen say, the American Vindicator within the next 12 months will be a powerful patriotic organization in the United States, because the American people have arrived at a realization of the fact that the time has come to perfect a united front against all the "isms"—nazi-ism, fascism, and communism. The time has come to save their country for their sons and daughters, who today cannot find employment, regardless of how hard they try.

Mr. President, I now wish to bring to the attention of the Senate a few letters and other documents.

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

Mr. REYNOLDS. I yield.

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

The PRESIDING OFFICER (Mr. MILLER in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Lee	Russell
Andrews	Frazier	Lodge	Schwartz
Ashurst	George	Logan	Schwellenbach
Barbour	Gerry	Lucas	Sheppard
Barkley	Gibson	Lundeen	Shipstead
Bilbo	Gillette	McKellar	Slattery
Bone	Glass	McNary	Stewart
Borah	Green	Maloney	Taft
Brown	Guffey	Mead	Thomas, Okla.
Bulow	Gurney	Miller	Thomas, Utah
Burke	Hale	Minton	Tobey
Byrd	Harrison	Murray	Townsend
Byrnes	Hatch	Neely	Truman
Capper	Hayden	Norris	Tydings
Caraway	Hill	Nye	Vandenberg
Chavez	Holman	O'Mahoney	Wagner
Clark, Idaho	Holt	Overton	Walsh
Connally	Hughes	Pepper	Wheeler
Danaher	Johnson, Calif.	Pittman	White
Davis	Johnson, Colo.	Radcliffe	Wiley
Donahay	King	Reed	
Downey	La Follette	Reynolds	

The PRESIDING OFFICER. Eighty-six Senators have answered to their names. A quorum is present.

Mr. REYNOLDS. Mr. President, I had just stated that in my opinion those boring from within are destroying the Government. I believe I know what I am talking about as well as any man in the United States, because I know that no one receives more letters than I do from every State in the United States on the subject of foreign affairs and on the subject of immigration. I know that no Member of the Senate has been over the country to a greater extent than I have been since the 1st of January, making speeches about our foreign policy and the question of immigration.

A moment ago I stated that right now America needs unity. Right now America needs a united front. Right now America is being called upon to prove that our kind of democracy is the best form of government in the world. In substantiation of that fact I wish to read an article which I mentioned earlier in my remarks, written by Mr. Mark Sullivan.

Mr. Mark Sullivan is right. I do not think Mr. Sullivan is a Nazi. I never heard anybody call him a Nazi. This is what he says. It is not Senator REYNOLDS speaking. It is Mr. Mark Sullivan speaking. This article was published in the Washington Post of today. It is headed, "Our Tepid Workers":

The most pregnant thought I have read in many weeks, the most full of meaning for America, if America can be made to understand, is contained in three short sentences by Columnist John T. Flynn. I quote:

"In the world today there is a great competition going on."

He is right.

"It is a contest between three economic systems"—

He is right—

"the Communist, the Fascist, and the democratic-capitalist systems."

He is right.

"The victory will go to the system which succeeds within its own borders."

Mark that, Mr. President, because that is the thing I have been eternally preaching.

By a system succeeding is meant succeeding in an economic sense.

That is why I want the United States to succeed in an economic sense. That is why I want the people in the United States to forget about the troubles, economic and otherwise, of the people abroad, and concentrate their attention upon the troubles at home, where we have plenty of them.

Mr. Sullivan continues:

As Mr. Flynn explains, that system will win which brings to its people the highest degree of economic contentment.

He is right.

This test of winning can be expressed briefly and roughly as the largest quantity of employment, the minimum of unemployment.

He is right. Let us make our form of government succeed in the face of all the problems with which we are confronted.

He continues:

Whichever of the three systems succeeds in doing this the best and the quickest within its own borders will probably overcome the other systems, will probably dominate the world.

He is right.

In this competition of economic systems, what do we see today?

Let us see what Mr. Mark Sullivan says:

In the Communist country, Russia, we see every government official striving desperately to make his country's system succeed. With passionate devotion he strives to make communism work. If he fails in energy or in faith, he is a traitor, and is shot. Men are executed, groups of them, for mere lack of diligence or zeal, which is regarded as sabotage.

In Russia, with everyone striving for the success of the Government, those who do not succeed are shot.

Mr. Sullivan continues:

In the Fascist countries—more comprehensively the Nazi-Fascist countries, Germany and Italy—we see the same. Every government official believes passionately in his country's system, drives himself with high dedication to make it work, to make it a success. If he fails in diligence he is sent to a concentration camp. If his failure goes to the extent of willful sabotage he would be shot as a traitor.

But turn to the leading democratic-capitalist country. In the United States what do we see? In the body of our Government officials, those in the level well toward the top, the level from which comes much of the spirit of the whole, what do we find?

We find many, a majority, who believe in our American system, believe in it in a tepid, taken-for-granted way.

That is all.

We find some who believe in our system with emotional fervor, a spirit born of realization that our system is in peril. These strive with real zeal to make our system work.

I am one of those, Mr. President, who believe that our system is dangerously imperiled.

Mr. Sullivan continues:

It is these officials who recognize the frictions and obstacles, governmental and otherwise, which tend to make the functioning of our system difficult or impossible. They try earnestly to get these obstacles removed.

MANY HALF-HEARTED WORKERS IN UNITED STATES

We see such men among our Government officials, and we see the larger group of men who, taking the American system for granted, assuming calmly that it will always be, do their work faithfully but calmly.

Millions of Americans are at this hour proceeding, as Mr. Sullivan says, calmly, undisturbed, believing that it will

always be as it was when our Government was founded by our forefathers, but one of these days they will wake up to find that they are under the rule of Communists.

We see those. But we see something else.

If the whole body of American Government officials, below the highest but above the mass, the level from which initiative is supposed to be supplied and which should give color and spirit to the whole—if that level of Government service were carefully surveyed, we would find many officials who fall into one or another of the following categories:

1. Persons who are Communists—

He is referring to persons now employed by our Government. By the way, I may remark that if some of the things that take place in this country were to take place in Germany or Italy or Russia or even England, for that matter, or France, they would not be tolerated for a moment.

The No. 1 classification is:

1. Persons who are Communists or sympathize with Communist philosophy or look with tolerance on Communist activity, some of whom hold important positions in Federal agencies and projects.

2. A class who, sincerely disavowing communism, or even socialism, nevertheless wish to bring about in America something which one of this group describes as "twentieth century collectivism." Any form of collectivism would be, necessarily, such a handicapping of individualism that the latter would die.

3. A class whose attitude toward the American system is one of cynicism, or lackadaisical indifference. With intellectual detachment, they speculate on whether the American system will survive.

TEST OF SUCCESS IS ECONOMIC

As he said in the opening paragraph:

The aggregate of the groups enumerated here, it is tenable to say, prevails in influence over those who work with affirmative zeal to preserve the American system.

Let the reader ask himself: In a world competition in which the American system is supported by some only half-heartedly and in which the Communist and Nazi-Fascist systems are manned and supported by persons having fanatic zeal—in such a competition, can we have complete confidence that our system will win the competition?

That is the question. He concludes by saying:

The test of success is economic. Specifically, the test at this moment is whether America gets business recovery. But if America loses the competition, it loses much more than its economic system. We would lose our democratic institutions of government, with the individual rights and liberties they provide. And we would lose our whole spiritual life. We would lose not merely freedom of religion but religion itself. For if either of the other philosophies dominates the world, it will insist that religion be supplanted by worship of state or of race.

Mr. President, I desire now to bring to the attention of the Senate an editorial from the Evening Journal and New York American of Tuesday, May 9, 1939. The editorial is headed "Real Neutrality Is Only Path of Peace for America," and it reads:

The address of former Secretary of State Bainbridge Colby on neutrality before the United States Senate Committee on Foreign Relations is a veritable textbook for all Americans of today.

I quite agree with that statement. As a member of the Foreign Relations Committee, I had the pleasure and the honor of listening to Mr. Colby when he testified before the committee on May 4, according to my recollection. So thoroughly impressed was I by his statements of fact that yesterday I sought permission of the Senate to have published in the Appendix of the RECORD his statement before the committee. It has been published and may be found in yesterday's RECORD, which is on the desks of Senators. It will be recalled that Mr. Bainbridge Colby was Secretary of State under the administration of Woodrow Wilson.

The editorial continues:

It is the product of the matured judgment of a statesman, a diplomatist and a man who knows at first hand the damage the last war wrought to our well-being.

Mr. Colby did the country an added service when he drew from the files of our state papers the following masterly definition of what constitutes our proper position in a war, of Secretary of State John Hay, March 10, 1904, on the occasion of the breaking out of war between Japan and Russia:

"All officials, civil, military, and naval, are hereby directed not only to observe the President's proclamation of neutrality in the pending war between Russia and Japan, but also to abstain from either action or speech which can legitimately cause irritation to either of the combatants.

"A war inevitably increases and inflames the susceptibilities of the combatants to anything in the nature of an injury or slight by outsiders.

"It is always unfortunate to bring Old World antipathies or jealousies into our life, or by speech or conduct to incite anger and resentment toward our Nation in friendly foreign lands; but in a Government employee, whose official position makes him in some sense the representative of the people, the mischief of such actions is greatly increased."

Contrast this sound, traditional American position of the Secretary of State of Theodore Roosevelt and the position of the Secretary of State of Franklin D. Roosevelt and the President himself in the present European crisis.

It is the difference between real neutrality and a bogus neutrality, between a soothing attitude and a belligerent attitude, which by "notes" and threats inflames the very passions that the administration clumsily seeks to calm.

Moreover, other people than public officials and other instruments and agencies than Government agencies, if utterly intemperate, can also do great harm not only to this country but to themselves, not only to the American people but to their own kin and kind, by inciting to violence of sentiment if not of deed.

I wish to call particular attention of the Members of the Senate to this paragraph:

Obviously, many Fascists claim to be pro-American merely because they are anti-Communist, and many Communists masquerade as true Americans because they are anti-Fascist.

In other words, Mr. President, there is going on in this country today a fight between the Communists and the Fascists; the battle of the "isms" of the world has been transferred from Spain to the soil of the United States of America. The editorial continues:

These pretenders are not Americans at all.

They are aliens indulging in their alien hatreds and conflicts and trying to impose these bitter alien antagonisms on our peaceful people.

These propagandists, alien in spirit, are not pro-American or pro-liberal in any true respect.

They are anti-American, antidemocratic.

They are opposed to one form of tyranny but in favor of another.

They are against their enemies, not for the friends and the hosts of America—not for American institutions.

They abuse American liberties; they sacrifice American interests to their own prejudices; they violate American ideals of peace and isolation and of the wise and just enjoyment of our American privileges.

The mask of Americanism should be torn from the faces of such masqueraders, and they should stand revealed for what they actually are—alien agitators.

Alien agitators. Mr. President, I am doing my best by attempting to secure the enactment of legislation to rid this country of them. Until the Congress passes laws that will bring about the mandatory deportation of alien agitators, present chaotic conditions in the United States will continue.

Mr. Colby speaks of "the fashion which became prevalent after the Great War to encourage grandiose schemes for the creation and preservation of peace."

But, as Mr. Colby logically points out, this interference with the ages-long war tendencies of European nations, however well meant, is the very thing that will put us into war, for in the family rows of Europe the United States is now a third-party meddler.

Even efforts for pacification in matters that do not concern us may be looked on as "intervention," and, therefore, may be construed as an act of war, for, as Mr. Colby again points out, the administration has not been impartial in its effort to promote peace in Europe, but has, by inference, if not directly, already named the aggressor nations.

"The discretion already vested in the President under the Neutrality Act is excessive and dangerous. Instead of enlarging the discretion of the President I think it would be a wise step toward preserving the constitutional distribution of power to reaffirm congressional control of this great issue of war and to devise legislation to safeguard it.

"The unchecked discretion of a single man is not a sufficient guaranty of the Nation's peace amid the pitfalls of discretionary tariffs, embargoes, restrictions, options, and permission, such as are contained in some of the measures proposed.

This is particularly true of the Thomas amendment to the Neutrality Act, which allows the President to name an aggressor nation, even though we have no personal grievance against that nation.

That is tantamount to dictatorship and is in contravention, as Mr. Colby says, of the very spirit of our institutions.

The "will to keep out of war" is our salvation at present.

But I may add that whether or not we shall be able to keep out of war I am now unable to state because so much hatred is being engendered throughout the world by propaganda that shortly we may find ourselves in the same position that

we were in prior to our entrance into the World War on April 6, 1917.

The "will to keep out of war" is our salvation at present. That will lies in the hearts of the people and in their representatives, the Congress of the United States.

As Mr. Colby urges in his contained and reasoned speech, only three things are necessary to keep us out of Europe and its perpetual blood shambles:

1. Absolute neutrality as outlined by John Hay.
2. The war-making power must never slip from the hands of Congress.
3. The will of the people must always be ascertained, even by Congress, before we ever embark on a foreign war.

The destiny of the American people shall never pass into French, English, or Russian hands.

It must remain in the hands and hearts of our own people, who have repeatedly said: "Isolation, yes; defense, yes; but no participation in foreign wars."

Mr. President, in order that my colleagues may know the injustice done to me as the result of the articles in the columns of the Merry-Go-Round, charging left-handedly that I am in the pay of the Nazi government or the representatives of Germany, I desire to read one of a great many letters which I have received.

I have a letter here from one doctor, and I have a telegram from a group. This letter is from Dr. Carl W. Sawyer, White Oaks Farm, Marion, Ohio.

ROBERT R. REYNOLDS,
*Committee on Foreign Relations,
United States Senate, Washington, D. C.*

DEAR SIR: Replying to your letter of April 29, 1939, containing an article on the Migration of Members of the Medical Profession From Europe Into the United States, and asking me to write to the Senators and Members of Congress in this State asking them to approve your actions, I wish to reply that under present circumstances it is not possible for me to do that.

I do not know Dr. Sawyer. I sent him a speech that I made in regard to the invasion of professional men from Europe who were taking the practice of physicians in this country.

He continues:

Bob Allen and Drew Pearson, in the Washington Merry-Go-Round of May 7, 1939, state that the student-body publication of the University of North Carolina has attacked your Americanism and that they claim that you are a Fascist.

Evidently the writer of this letter reads the Merry-Go-Round columns.

Naturally, I would be loath to discuss or ask support for any measure dealing with any foreign-relation subject which you might present until sufficient evidence had been brought forth to prove that you were a true American and not allied with foreign organizations.

All of which goes to prove that those who read the columns of Allen and Pearson believe what they say to be the truth; but Cordell Hull, the Secretary of State, says they tell the truth only one-fourth of the time, and one-fourth of the truth only two-thirds of the time. I ask Dr. Sawyer to say whether or not they are telling the truth by listening to the words of Cordell Hull, the Secretary of State of the United States of America.

On the other hand, I happened to pick up this morning one of a number of telegrams on my desk in regard to my bill. This telegram is from La Fayette, Ind., under date of May 10:

HON. ROBERT R. REYNOLDS,
United States Senate, Washington, D. C.:

Our medical society, 90 strong, solidly back of you, greatly appreciate your loyalty to our profession and devotion to our country. Are writing our Senators and Representatives to support your bill in its entirety.

This telegram is signed by Dr. J. W. Shaffer, chairman of the legislative committee, I assume, of the Medical Society of La Fayette, Ind.

Mr. President, I have here from my State of North Carolina several letters to which are attached the Merry-Go-Round column, in which I have been sandwiched in between all of this propaganda about the Nazis and the German Government, and so forth. I desire to read into the RECORD a letter I received the other day, before I knew I was going

to talk on this matter. It is from Duke University, Durham, N. C., from Dr. J. Douglass Poteat:

DEAR SENATOR REYNOLDS: The enclosed clipping appeared in the Durham Sun yesterday afternoon.

The clipping is, The Merry-Go-Round.

It is, of course, only the latest of a series of public references to your espousal of a political and social ideal which is the denial of the democracy which in your campaign for election to the Senate you so heartily proclaimed. In the face of these repeated references you have remained strangely silent.

I had to speak, Senators. I could not remain silent any longer when these enemies were telling the American people left-handedly, backhandedly, underhandedly, absolute falsehoods, which I am throwing back into their laps. If the American people who read the column would believe these enemies let them bring the proof. I dare them. I defy them.

Your only utterances which I have seen have served in fact to lend support to their validity.

For weeks I have gone along with this sort of thing. I talked to friends of mine, and they said, "Do not get into an argument with a newspaper man. Those fellows have a million readers a day. They will never say anything good about you, and the people who read their column will never see your denial of it, and half the people will believe it."

As a public servant representing the people of North Carolina and of the United States in the country's highest legislative hall, you have no right to ask that citizens back your hand without seeing what's in it. The people have a stake in that hand, and they have a right to know what you have in it and how you propose to play it.

In this clipping the authors of the Merry-Go-Round speak of some "mysterious financial backing." I repeat that the "mysterious financial backing" was the cost of a few thousand copies of the American Vindicator. I should like to show you, Mr. President, all that has been spent to date, and I should like further to show you that I have the backing of millions of the American people. I wish to say again that the American people are waking up to the fact that this country is "lousy" with propagandists; and we are coming to a showdown between the 100-percent Americans and those who are against America.

It seems to me (and to not a few others whom I have heard express themselves) that in the face of these charges which seriously question your fundamental loyalties, there is an obligation that you make your position unequivocally clear. I should greatly appreciate your letting me know what that position is.

Mr. President, my friends said that I must take the floor and deny these vicious, malicious untruths. The unfortunate feature is that the statements and allegations, underhanded, left-handed, and malicious, having been made, millions who read that column will believe them and only the 75,000 who read the CONGRESSIONAL RECORD will ever see my denial. That is the only source of denial I have. But at least I have had the opportunity, thank God, to put myself on record and defy Pearson and Allen to prove what they have alleged. It will be remembered that they made those left-handed attacks not only against the Secretary of State but against the Senator from North Dakota [Mr. NYE], the Senator from Missouri [Mr. CLARK], and the Senator from California [Mr. JOHNSON].

I have not answered Dr. Sawyer's letter. I shall send him a copy of today's RECORD, so that he may read my answer.

I received a letter from Mr. Roger Gant, a gentleman of very high character in North Carolina. I am sorry I have not the letter he wrote me. When I answered it I returned his letter to him, because in my answer I asked him to do me the favor of asking the editor of the Burlington Times-News to publish my entire answer in the columns of his newspaper. I wrote Mr. Gant on May 8 as follows:

MAY 8, 1939.

MR. ROGER GANT,
Care Glen Raven Cotton Mills, Glen Raven, N. C.

MY DEAR MR. GANT: I thank you so much for your letter of May 5 which I found awaiting me here at the office this morning, and am hastening a response by the earliest possible post.

I want to assure you of my appreciation of your having sent to me clipping from the Burlington (N. C.) Daily Times-News, issue of Thursday, May 4, 1939, in the form of an editorial entitled "Rambunctious Reynolds," which editorial I have read very carefully.

May I say that the editor of that newspaper has done me a very serious injustice. He would have you believe that I am pro-Nazi or pro-Fascist, when the truth of the matter is I am only pro-American.

As you have probably observed through the columns of the CONGRESSIONAL RECORD from time to time, I have interested myself actively upon the floor of the Senate in an earnest endeavor to do my part toward keeping this country out of any foreign entanglements or embroilments that might lead us into another war. I believe that I can say without hesitation that any man who can read or write knows that this country today is being flooded with propaganda which would lead us into entanglements and eventually into war to again save the democracies of England and France. Our last participation in the World War, although brief, has to date cost this Nation more than \$60,000,000,000, about sixty-eight billions, and before we will have liquidated finally the obligations incurred during that brief participation the taxpayers of America will have been called upon to pay around the one hundred billion mark. Today our veterans' hospitals are filled with ex-service men of the World War, and many thousands who are endeavoring to gain admission to these respective veterans' hospitals are denied admission on account of the fact that space is limited.

I should dislike very much to see England and France weakened but I am not willing to permit the United States to join forces with Great Britain, France, and perhaps the Soviet Union for the purpose of saving the democracy of those three countries at the expense of the taxpayers of the United States of America.

I have recognized British and French propaganda in this country and I have from time to time attacked those two nations on the ground that they are attempting to lead us into another massacre. I have repeatedly stated that we should attend to our own problems here at home and should cease giving so much time and attention to the troubles of those abroad, and because of these activities on my part to keep my country out of war I have been branded as a Fascist or a Nazi, and this is furthest from the truth.

Yes, I did organize the Vindicators' Association, Inc., of which I am the president. I have merely attempted to band together the Americans for the purpose of preserving America for Americans, and in so doing I am announcing by editorial in the next issue of the Vindicator, May issue, which will be off the press this week, that I am opposed to nazi-ism, fascism, communism, and all "isms," and that there is room in the United States today only for Americanism.

Because I have attacked Britain and France on the grounds that they are attempting to get us into war, and because I am condemning communism, I have been attacked and accused of being a Fascist or Nazi.

The Vindicator had its financial beginning by way of six or seven hundred dollars which I personally advanced to get it organized, and now it is carrying its own burden financially exclusively by way of the \$1 per year subscriptions which we obtain for the Vindicator. It is published from month to month, and under separate cover I am asking my secretary to provide you with a copy of this paper, and I respectfully request you to read every line of it very carefully.

I asked him to read every line of it carefully, because Pearson and Allen referred to my paper as a Fascist weekly. Again I wish to say that I am sending every Member of the Senate and every Member of the House of Representatives the April issue and the May issue, and, in justice to myself, I ask every one of my colleagues to read every single line of them. I continue reading:

The Vindicators' Association, Inc., has objectives. They follow:

1. Keep America out of war.
2. Register and fingerprint all aliens.
3. Stop all immigration for the next 10 years.
4. Deport all criminal and undesirable aliens.
5. Banish all foreign "isms"—nazi-ism, fascism, and communism.

If that isn't a real 100-percent American program, I should like to hear of any objections. Well, there are objections. There are objections by minority groups in this country who would have us admit 20,000 refugee children from Germany—

I mention that because the Communist paper, which is constantly attacking me, puts that in the headlines. The Communists are attacking me because I do not see eye to eye with some of my colleagues upon the subject. They have the same right to reason in the matter that I have. I continue reading:

There are objections by minority groups in this country who would have us admit 20,000 refugee children from Germany; who would have us open wide the gates of immigration so that millions from abroad might enter here and usurp jobs which rightly belong to American citizens; and I am being persecuted by those who would have us provide security, collective security, that is to say, by joining Great Britain and France and perhaps Soviet Russia, because

we learn through the columns of the press that Great Britain is doing her best to secure an alliance, military or otherwise, with Soviet Russia. I am opposed to uniforming American sons and arming them for the purpose of fighting side by side with the soldiers of Communist Russia, and I am sure that you would likewise oppose any such suggestion.

In particular reference to the editorial heretofore mentioned, I quote: "The Washington Merry-Go-Round, which steps on many toes, but never yet has had a suit for libel against it to stick, comes out with an open hint that the Vindicator, 'Fascist weekly recently launched by Senator REYNOLDS, of North Carolina, with mysterious financial backing,' is financed by Nazi money. The charge is made that German-American Bund members of this country are urged by their higher-ups to subscribe to the publication and to distribute it in their campaign of propaganda to 'smear democracy.'" This is an absolute falsehood. Personally, I don't know a single member of the bund. I have never talked with any of them or corresponded with any of them to my knowledge, and further, to my knowledge the Vindicators' Association has never solicited a subscription from any member of the bund. This is just more propaganda for the purpose of smearing me on account of my attitude toward the administration's so-called foreign policy, which so-called foreign policy has been severely criticized from time to time as you have no doubt noted through the columns of the press.

I am for America for Americans alone. I am against any change in the form of government which we now enjoy. I am bitterly opposed to any minority groups in this country which stand for anything except 100-percent Americanism. I am against nazi-ism, fascism, and communism, as heretofore related. I deplore the persecution of the minorities in German territory and in Italian territory.

With assurances of my highest esteem and trusting that you will favor me by handing this letter to the editor of the Burlington newspaper with the request that he publish same in full, together with your letter to me under date of May 5, I beg to remain,

Faithfully yours,

ROBERT R. REYNOLDS,
United States Senator.

Mr. President, if I have ever seen a member of the bund in my life to know who he was and to recognize him, I am not aware of it. I have never seen or talked to or corresponded with a member of the bund to my knowledge. Many people write to us and want to subscribe to the American Vindicator. They say that it is really the only 100-percent American publication they have seen in the country, and they wish it were a daily instead of a monthly. We will accept a subscription from anyone, whether he is white or whether he is black, whether male or female, whether a Republican or a Democrat, whether a Communist, a Fascist, or a Nazi, a Chinaman, or what not.

When a subscription is sent to the Washington Post or to the Washington Times-Herald do the managers write back and say, "Tell us whether you are white or black, your age, whether you are Democratic or Republican, whether you are Catholic or Protestant. Tell us what your business is, and whether you are a Communist or a Nazi?" Certainly not. Perhaps we have had letters from persons who are members of the bund, but if we have, I do not know it, and no one in my organization knows it; and to my knowledge we have never written anyone concerning whom we had the information that they were members of any foreign "ism" or organization asking him to distribute copies. But those who are desirous of destroying us and those who are working with the group which wants to destroy the ones who are working for the American people and the American Government will grab at anything in order to bring about such destruction.

I have before me the letter which I received from Dr. Poteat, of Duke University. I shall now read my answer to Dr. Poteat:

MAY 8, 1939.

MR. J. DOUGLAS POTEAT,

Care of School of Law, Duke University, Durham, N. C.

MY DEAR MR. POTEAT: I thank you very much for your letter of May 5, contents of which I have noted carefully.

I am very happy that you wrote me in reference to this matter, and I am pleased indeed to have the opportunity of responding so promptly. You enclosed a clipping from the Durham paper entitled "Nazi Bunds Under Orders to Smear United States Democracy," this article by Messrs. Pearson and Allen.

I have read this article, and I note particularly the paragraph which you had in mind, of course, when you wrote me. This paragraph reads as follows: "Bund members are urged to subscribe to and distribute copies of the Vindicator, Fascist weekly, recently launched by Senator REYNOLDS, of North Carolina, with mysterious financial backing." If this weren't such a serious charge it would really be laughable. Fact is, I do not know personally a single member of the bund, nor have I personally ever seen a member of

the bund. I was informed last Saturday, when I spoke in New York at the Astor Hotel, under the auspices of the American Defense Society, that Fritz Kuhn, who is the head of the bund, was among those present at the luncheon, but he was not pointed out to me, and if I saw him I didn't recognize him, and if I ran into him today I wouldn't know him.

Not to my knowledge have I ever written a single person who belongs to the bund in regard to the Vindicator. Of course, in soliciting subscriptions we have written a great many people who had written me, and everyone who wrote me in support of my objectives of the Vindicators was supplied with a copy of the April issue of the American Vindicator, together with the request that they subscribe and secure other subscriptions, but if any of these people to whom letters have been sent were members of the bund it was unknown to me or anyone connected with the organization itself, so that paragraph above referred to in regard to myself is without foundation of fact or truth. Just why the authors of this column should refer to the American Vindicator as a Fascist weekly is beyond my comprehension, because, in my opinion and the opinion of a great many people, this paper is an all-American publication, serving as the official organ of the Vindicators' Association, Inc. The Vindicators have as their five objectives the following:

1. Keep America out of war.
2. Register and fingerprint all aliens in the United States.
3. Stop all immigration for the next 10 years, or until such time as the millions of Americans now unemployed have been provided with employment.
4. Deport all alien criminals and undesirables.
5. Banish all "isms"—communism, nazi-ism, and fascism.

If that isn't an all-American program, I have never heard of one, and in order, my dear Mr. Poteat, that you may be properly informed in reference to the Vindicators, I am asking Miss Hoke, who takes this letter, to mail you, under separate cover, a copy of the April issue, and after you have read it I should like very much to have your ideas as to whether or not there is anything Fascist about it. I am against fascism, nazi-ism, and communism, and all "isms" foreign to the American form of government.

With assurances of my highest esteem, and again thanking you for having written me, I beg to be,
Faithfully yours,

ROBERT R. REYNOLDS,
United States Senator.

I merely bring this to the attention of the Members of the Senate in order that they may know that I have been done a very grave and great injustice, not only in my State, but throughout the entire Nation, in that I have been virtually charged with being a traitor. I repeat that if trying to do what one can best do in the small way that I have done it is to be a traitor, then I am happy to be labeled a traitor.

In regard to the bund, let me say, Mr. President, that from time to time I make speeches over the country. I have made a number of speeches. I am going to refer only to speeches I have made of recent date. I was invited by the Junior Order of American Mechanics to deliver a patriotic address upon Americanism at Newark, N. J., about 2 weeks ago, on a Saturday night, in a hotel where they were holding their annual State convention.

Lest some Senators may never have heard of the Junior Order of American Mechanics, I may advise them that it is one of the oldest patriotic organizations in America. It is over half a century old. The headquarters are in one of the most historic cities of America—Philadelphia. Its membership consists of approximately 450,000 paid-up patriotic Americans. They believe that an American flag should wave above every schoolhouse in the United States. They believe that the Bible, which is so despised by Stalin and others, should be in every home and in every schoolhouse of the United States. They believe that every child in America should be provided with an education at the expense of the taxpayers. In other words, they believe that the child of the poorest family should be provided the same educational opportunities that are provided the children of the richer families. That is the one thing which has made America the greatest country in all the world. Education of the masses in America has made us the strongest nation in the world; for, as we know, the strength of a nation is measured only by its intelligence, and not by its great numbers, as might be illustrated by bringing to the attention of the Senate the 450,000,000 people of China fighting against about 70,000,000 Japanese.

I went to Newark to make a speech under the auspices of the Junior Order of American Mechanics as the result of a suggestion made to the State councilor by Mr. James L. Wilmet, who is the national secretary. When these

patriots of New Jersey assembled there, the hotel in which I was speaking, and because I was speaking, was picketed by Communists, who walked up and down and distributed literature and said that I should not speak there, that I was opposed to communism. They had parades there. I think it is sad to contemplate that even today there are times when an American citizen is not permitted to express his views upon patriotism, to praise his flag, and to praise his country without being picketed by those who are alien-minded to our form of government.

The next time I spoke was, as I recall, last Friday in the city of New York. I received an invitation to go there from an incorporated society known as the American Defense Society. I do not know how many members the organization has. I know it is a very reputable organization, composed purely of Americans who are extremely desirous of keeping America out of war; and I have been told that most of its members are mothers who have sons of such an age that they would be subject to the draft in case something should happen and we were dragged into war.

I spoke for about an hour and a half. During 30 minutes I spoke over the radio in a national hook-up. I have before me a copy of my speech. Tomorrow I shall ask that it be printed in the RECORD. When I arrived at the hall, which I think was on the eighth floor of the Hotel Astor, a number of newspapermen were there, and one of them said, "Say, do you know this fellow Fritz Kuhn is here?" I said, "No. That is all right. I wish the world could hear my speech today on Americanism." I wish Hitler could have heard it; I wish Mussolini could have heard it; I wish every person within the confines of the United States who believes we should have some other form of government could have heard it.

So I took my seat at the banquet table. I was introduced by a Major Cross, former commander of the American Legion in the State of New York, who is now an assistant attorney general of the State of New York. I spoke for about an hour and a quarter or an hour and a half. I imagine I spoke for about an hour after I went off the radio.

After I had concluded, the Communist Sunday Worker published an article with reference to my speech. The Communists have both a Daily Worker and a Sunday Worker. They not only work every day in the week, but they work on Sunday. They not only work every day in the week and on Sunday, but they work night and day, and, believe it or not, they are making tremendous progress. They have succeeded in putting the Nazis and the Fascists out in front. They have succeeded in making the American people hate Hitler and Mussolini, the Nazis and the Fascists, so much so that we never hear anything more about communism. Communists are snickering up their sleeves because while we are asleep they are working.

This is what the Sunday Worker said:

Nazi bund cheers Senator REYNOLDS.

If I should see Fritz Kuhn in the middle of the street, I would not know him. When I was at the banquet I was not sufficiently interested in him to ask that he be pointed out to me. The meeting was open. So far as I know, anybody could come who would pay the cover charge. According to the National Defense Society's Banner, anybody could come. It did not make any difference whether he was a Communist, Nazi, Republican, Democrat, Independent, male, or female. Even an alien could have gone if he had the money. So the Communist Sunday Worker, which is after me every day, says:

Nazi bund cheers Senator REYNOLDS.

I did not invite Fritz Kuhn to be present. I do not know the man. I have never received a letter from the man. I have never spoken to him. I know nothing about him. But the Communists would have their reading public believe that he is a bosom friend of mine, and that I had invited him to be present. That is propaganda. Listen to what the Sunday Worker says:

Senator REYNOLDS "tickled to death" to see Fritz Kuhn in place of honor at American Defense Society luncheon.

"Tickled to death!" It will be noticed that that expression is in quotations. When I was told Kuhn was present, I said, "That is all right. I wish the world were here." I repeat that I wish Hitler, Mussolini, Stalin, and everyone else could have been present, particularly Stalin, because in my address I think I said that in addition to stopping Hitler and Mussolini we ought to stop Stalin. Perhaps he will be stopped.

The article continues:

United States Senator ROBERT R. REYNOLDS of North Carolina, outspoken admirer of Adolf Hitler—

I never mentioned Hitler. It will be noted from every letter I have brought to the attention of the Senate that I have stated that I am against any such form of government. In every word in my newspaper which I have brought to the attention of the Senate I have denounced that form of government.

The article continues:

United States Senator ROBERT R. REYNOLDS of North Carolina, outspoken admirer of Adolf Hitler, declared here yesterday that he would "fillbuster until the cows come home" to block passage of legislation to permit the children of victims of Nazi aggression from entering America.

I did say that, and that is what the Communists are sore about. I intend to vote against the bill. I intend to speak against it. I have received thousands upon thousands of letters from people, some of them even writing a prayer that the bill will be defeated, and stating that their own sons and daughters have never been provided employment, and their own children cannot find work. At that meeting I said, "My heart goes out in sympathy to little children, more so to orphans than refugees. We would like to take them into our arms, but my first duty is to my country."

Some of my colleagues, including the Senator from Utah [Mr. KING] do not see eye-to-eye with me on that question. Nevertheless, I do not condemn the Senator from Utah because the Senator from Utah believes we ought to take in these children. On the other hand, I believe we ought not to take them in, because I think we ought to take care of our own children first.

The article continues:

The Senate's spokesmen for the Fascist axis made this declaration at a luncheon at Hotel Astor, given by the American Defense Society, after declaring to reporters in the lobby he was "tickled to death" to know that Fritz Kuhn, fuhrer of the Nazi-American Bund, had a place of honor in his audience.

I did not say any such thing, and the Communists are simply telling a falsehood.

REYNOLDS' tirade against aliens, democracy, Stalin, W. P. A., and defense appropriations was delivered to an audience which included fascism's elite in America.

Mr. President, when I mentioned the W. P. A., I mentioned the unfortunate men and women upon W. P. A. I voted for every W. P. A. appropriation. I have stood liberally by my President on every single proposal for the benefit of the unemployed in America. I did not vote for the \$150,000,000 appropriation, because I thought the W. P. A. could probably get along with \$100,000,000, and that that amount would be sufficient until after an investigation had been made. I have voted for everything that was possible for the farmers. I have voted for the unfortunate people of my land. I voted for labor, organized and unorganized. I propose to continue to do so. That is not all. I voted for a tremendous national-defense appropriation to appease the American people, who were afraid that Mussolini and Hitler were coming over here next week to destroy them. I intend to vote to appease the appetites of our unfortunate people; and I invite those who say I have not done everything in the world that I could do for the poor and for the laboring men of this country merely to look at my record.

It was preceded by an introduction by Jeremiah Cross, storm-troop-minded—

I do not know what is responsible for that expression. I had never met Mr. Cross until the day I was seated at the luncheon table—

Jeremiah Cross, storm-troop-minded former commander of the American Legion in New York, and at present assistant State attorney general.

When I read that, I was somewhat exercised. I thought perhaps Mr. Cross was connected with the bund. I had never met Mr. Cross until I took my seat at the table and was introduced to him. I was told that he was a former commander of the American Legion.

Yesterday afternoon I was walking downstairs on my way to a committee room and I met Mr. John Thomas Taylor, who is the legislative representative of the American Legion in Washington. Many Senators know him. I said: "John, tell me, do you know a Major Cross, who was a former commander of the American Legion in New York State?"

He said: "Certainly. There is no man of better character in America. He is now assistant attorney general of the State of New York. Why do you ask?"

I said that Major Cross had introduced me at a luncheon, and that the Communist newspaper called him a storm-troop-minded former commander of the American Legion, and I wanted to know what I had gotten into. Mr. Taylor said: "There is no finer man in America. He is 100 percent American. He is one of the most active men in the American Legion, and he is fighting for the same thing for which you are fighting."

Kuhn lends a hand.

In his introduction Cross made an unconvincing disclaimer of Kuhn's presence in the audience, but the Hitler's United States branch office manager blew this sky high after the luncheon, when he told reporters he liked Senator REYNOLDS' speech "very much."

That is what the Communist newspaper stated Kuhn had said. He liked my speech "very much."

"I underline every word he said," Kuhn declared.

As REYNOLDS spoke, Kuhn listened attentively from table No. 2, immediately in front of the speakers' table. Sitting with him were nine other members of nazidom's high command in America. They included James Wheeler-Hill, national secretary of the bund; Richard J. Mettin (in whose name the table was reserved), national bund treasurer; G. Wilhelm Kunze, national relations director of the bund; and Gustave J. Elmer, national organizer, and four bund office assistants.

Cross' disclaimer of Kuhn's presence was made doubly unconvincing because of the distribution of the following literature at the luncheon:

1. A handbill advertising "grand opening exercises" to be held at Camp Siegfried on May 21.

What that is, I do not know; I never heard of it.

2. Father Coughlin's Social Justice.

I have heard of that and read it.

3. The Vindicator, Senator REYNOLDS' openly Fascist sheet, published in North Carolina.

PRaises HOOVER AIDE

Although Senator REYNOLDS' tirade against aliens lasted for the better part of an hour and a half, he put forward his theme at the outset: A plea for complete isolation for America. Kuhn, whose cue from Cross' introduction was to keep quiet, immediately forgot himself and burst into applause.

"I see sitting not far from this festive board," said the pro-Nazi Senator—

I am the "pro-Nazi" Senator, declared so to be by the Merry-Go-Round and by this Communist publication.

"I see sitting not far from this festive board," said the pro-Nazi Senator, "the Honorable Bainbridge Colby." He praised Colby, former President Hoover's Assistant Secretary of State, for his testimony in behalf of complete American isolation.

I thought that Bainbridge Colby was Secretary of State in the Cabinet of Woodrow Wilson. That was my recollection, but this Communist newspaper says that he was in the Cabinet of President Hoover.

A friend of the Senator's whispered to newspapermen later that REYNOLDS was having 300,000 copies of Colby's speech printed to be mailed to "professionals" at the Government's expense. It was Colby who virtually invited Hitler to invade Latin America.

I never heard of such a thing as that. Colby was Secretary of State under Wilson, was he not, I will ask the Senator from Georgia?

Mr. GEORGE. He was.

Mr. REYNOLDS. This Communist newspaper says he was Assistant Secretary under President Hoover. That was years ago, before Hitler was ever heard of, was it not?

Mr. GEORGE. It was.

Mr. REYNOLDS. And this Communist newspaper says that Colby invited Hitler to invade Latin America.

REYNOLDS, who has voted against all W. P. A. appropriations—

I have voted for all W. P. A. appropriations; I have voted for every one of them. I failed to vote for the additional \$50,000,000, but I will again state that if our President says that our people are suffering I am going to vote the necessary funds, because so long as we can vote billions of dollars for armament we can afford to provide money to appease the hunger of the people of America. I put America on guard to that effect. This Communist publication is just about as accurate as Pearson and Allen; they must be comrades—

REYNOLDS, who has voted against all W. P. A. appropriations, shed crocodile tears for the "millions of Christian Americans who are walking the streets without jobs" and was passionately applauded by the well-fed and well-dressed audience, including a portly white Russian with a double-barreled mustache.

I did not see that gentleman.

From the press table the Senator's sweating, ruddy face, twisting with feigned emotion, bobbed about above the beefy shoulders of Fritz Kuhn, who sat between the speaker's table and reporters.

"I wish the American people might be provided with sleeping powders so that they might not hear all this talk of war," the Senator said, chiding newspapers for printing "so much" foreign news.

I think that what is upsetting our people today and the reason why we cannot get down to hardtack and work is that we have got the war jitters. We are thinking so much about what is going on elsewhere in the world that we cannot get down to business here. I think the newspapers would do the American people a great service if they would not print so much of foreign news.

"I wish the American people would quit talking about war. In my humble opinion those who are injuring America are those who are frightening the American people.

"I regret that while the press seems to be against the President on domestic collective security, it supports him on collective security in foreign affairs."

There are so many mistakes in this article that it would take me some time to read all the article and to cover the mistakes. The hour is growing late, and I will merely hand the article to the Official Reporter and ask unanimous consent that it all be included in the RECORD as a part of my remarks.

Before doing that, however, I will refer to one more statement, as follows:

In attacking Senator WAGNER's resolution to open America's doors to 20,000 child victims of Hitler, REYNOLDS referred to his "good friend, BOB WAGNER."

I told the Senate about that earlier today. I do not think I have a better friend in the Senate than the Senator from New York [Mr. WAGNER]. The fact that he believes other than I do upon this subject is no reason why I should hate him. I have respect for his opinions.

The PRESIDING OFFICER. Without objection, the article to which the Senator has referred will be printed entire in the RECORD.

The article referred to is as follows:

[From the Sunday Worker of May 7, 1939]

NAZI BUND CHEERS SENATOR REYNOLDS; RAPS REFUGEE PLAN—SENATOR REYNOLDS "TICKLED TO DEATH" TO SEE FRITZ KUHN IN PLACE OF HONOR AT AMERICAN DEFENSE SOCIETY LUNCHEON

(By Ernest Moorer)

United States Senator ROBERT R. REYNOLDS, of North Carolina, outspoken admirer of Adolf Hitler, declared here yesterday that he would "filibuster until the cows come home" to block passage of legislation to permit the children of victims of Nazi aggression from entering America.

The Senate's spokesman for the Fascist axis made this declaration at a luncheon at Hotel Astor given by the American Defense Society after declaring to reporters in the lobby that he "was tickled to death" to know that Fritz Kuhn, fuhrer of the Nazi-American Bund, had a place of honor in his audience.

REYNOLDS' tirade against aliens, democracy, Stalin, W. P. A., and defense appropriations was delivered to an audience which included

fascism's elite in America. It was preceded by an introduction by Jeremiah Cross, storm-troop-minded former commander of the American Legion in New York and at present assistant State attorney general.

KUHN LENDS A HAND

In his introduction Cross made an unconvincing disclaimer of Kuhn's presence in the audience, but Hitler's United States branch office manager blew this sky high after the luncheon when we told reporters he liked Senator REYNOLDS' speech "very much."

"I underline every word he said," Kuhn declared.

As REYNOLDS spoke, Kuhn listened attentively from table No. 2, immediately in front of the speakers' table. Sitting with him were nine other members of nazidom's high command in America. They included James Wheeler-Hill, national secretary of the bund; Richard J. Mettin (in whose name the table was reserved), national bund treasurer; G. Wilhelm Kunze, national relations director of the bund; and Gustave J. Elmer, national organizer, and four bund office assistants.

Cross' disclaimer of Kuhn's presence was made doubly unconvincing because of the distribution of the following literature at the luncheon:

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2. Father Coughlin's Social Justice.

3. The Vindicator, Senator REYNOLDS' openly Fascist sheet published in North Carolina.

PRaises HOOVER AIDE

Although Senator REYNOLDS' tirade against "aliens" lasted for the better part of an hour and a half he put forward his theme at the outset: A plea for complete isolation for America. Kuhn, whose cue from Cross' introduction was to keep quiet, immediately forgot himself and burst into applause.

"I see sitting not far from this festive board," said the pro-Nazi Senator, "the Honorable Bainbridge Colby." He praised Colby, former President Hoover's assistant Secretary of State, for his testimony in behalf of complete American isolation. A friend of the Senator's whispered to newspapermen later that REYNOLDS was having 300,000 copies of Colby's speech printed to be mailed to "professionals" at the Government's expense. It was Colby who virtually invited Hitler to invade Latin America.

REYNOLDS, who has voted against all W. P. A. appropriations, shed crocodile tears for "the millions of Christian Americans who are walking the streets without jobs" and was passionately applauded by the well-fed and well-dressed audience, including a portly white Russian with a double-barreled mustache.

From the press table the Senator's sweating, ruddy face, twisting with feigned emotion, bobbed about above the beefy shoulders of Fritz Kuhn who sat between the speaker's table and reporters.

BOWS TO HITLER

"I wish the American people might be provided with sleeping powders so that they might not hear all this talk of war," the Senator said, chiding newspapers for printing "so much" foreign news. He wished Americans had never heard about Czechoslovakia, Austria, or Albania.

"I wish the American people would quite talking about war. In my humble opinion, those who are injuring America are those who are frightening the American people.

"I regret that while the press seems to be against the President on domestic collective security it supports him on collective security in foreign affairs." As proof of this "support" he exhibited a copy of the isolationist New York Post and complained that it had "five columns of its first page devoted to foreign news."

"Have they no care for the millions of Christians who are walking the streets hungry?" he cried.

Egging Hitler into an attack on the Soviet Union, he shouted, "As long as Hitler continues to go east, I'm satisfied. I tell you, it's not Hitler we have got to stop. It's Stalin!"

The Belvedere Roof Garden of Hotel Astor shook with applause. Fritz Kuhn and Wheeler-Hill seemed to be in ecstasies, and the white Russian mustaches fairly danced.

But to make it plain that he was referring to other things than Stalin, he followed up with a right jab at American democracy. Quoting Bainbridge Colby, he said, "There's no such thing as American democracy or American republicanism. There's just Americanism.

ASKS IMMIGRATION BAN

"I observe that an effort is being made to bring the Soviet Union into an alliance for the protection of a certain section of the world. The mothers of America will never permit their sons to don a uniform to save the democracy of the Soviet Union."

Thus, curiously, this devoted disciple of Hitler made the one admission that is most difficult for them: that the Soviet Union is a democracy in the truest sense of the word; and with this admission he coupled an attack upon American democracy.

"Now I come to immigration," he said. "If these bills" (the Wagner and other bills to permit limited numbers of victims of Nazi aggression to come to America) "pass, you will find in our midst four to seven million spies—aliens.

"You wouldn't know how to locate them—that's why I introduced my bill to require mandatory registration and fingerprinting of all aliens upon our soil. I have also introduced a bill to bar all immigration for 10 years. I insist upon the passage of that bill."

In attacking Senator WAGNER's resolution to open America's doors to 20,000 child victims of Hitler, REYNOLDS referred to his "good friend" BOB WAGNER.

"When Bob is away," he said, "and delegations of school children come to visit his office—the children love him, you know—I always invite them over to my office and give them some of my literature and little cards with my name signed on it giving them the right to sit in the Senate visitor's gallery.

"Don't misunderstand me. There's nothing I love more than homeless little children. But before I will let BOB WAGNER's resolution pass I will filibuster till the cows come home."

After the luncheon was over the Daily's reporter happened to be in the washroom when Fritz Kuhn entered.

A gray-haired little man of about 65 somewhat timidly approached the Nazi Fuehrer and said, "Mr. Kuhn, I have always wanted to shake your hand." Kuhn disposed of a towel and obliged. "I," said the little man, "am August Kupka, president of the Federal Grand Jurors Association."

Later, in reply to a question, Mr. Kupka somewhat deflated his position. He was, he told reporters, honorary vice president of the eastern district of the Federal Grand Jurors Association. He lives in Flushing.

Leslie J. Thompson, chairman of the society's committee on immigration which sponsored the luncheon, was a bit jittery when asked about Kuhn's presence.

Two thousand invitations had been given to John J. Cecil, an insurance man, and it was Cecil who invited Kuhn, he said. Anyway, Kuhn's treasurer was listed on the official table list.

Mr. REYNOLDS. Mr. President, I am now going to close by bringing to the attention of the Senate an editorial from Liberty magazine. I wish to thank the writer of this editorial for his contribution. I recognize that grave, serious, and injurious charges have been made against me. I recognize that half the people who read those charges in the columns of the Merry-Go-Round will believe them because the honest men of integrity representing the press of the country here at the Capitol have educated the American people to believe that they send out the truth in fact, and my denial, of course, will never reach the ears or the eyes of many of the American people. I have spoken today, however, merely that I might challenge the men to whom I have referred who attack character. I have spoken today in order that I might challenge them and defy them to prove the truth of a single statement made by them which I have read here today—one single, left-handed, underhanded charge that they have made. Thank God, the American people will certainly know, and I hope the press at least will state, that our Secretary of State, Mr. Hull, says that Drew and Pearson tell the truth only one-fourth of the time and only one-fourth of the truth two-thirds of the time. The Secretary of State is a man in whom we all have faith.

I close Mr. President, by reading a portion of an editorial from Liberty Magazine, which, I am informed, has a circulation of between 1,000,000 and 2,000,000. The editorial is entitled "Immigration Adds to Unemployment." I will merely read one paragraph and then will ask that the entire editorial be printed in the RECORD. The paragraph I desire to read is as follows:

In a recent speech in Congress Senator REYNOLDS stated: "We have expended billions of dollars in an effort to provide employment for the unfortunate men and women. Unemployment, therefore, is indeed a mammoth problem, and our huge unemployment record exists despite the fact that 3,000,000 of our people are on the relief rolls, and that 4,000,000 people in the United States are working either for the Government of the United States or for the respective State governments. The statement has been made that 80 percent of all the unemployed in the entire world are to be found in the confines of the United States."

Of course, Senator REYNOLDS is branded as a Fascist by the foreign recipients of our beneficence; but if fighting for Americanism of the Washington and Lincoln type subjects him to this libel, he "can take it."

The PRESIDING OFFICER. Without objection, the editorial referred to by the Senator from North Carolina will be printed in its entirety in the RECORD.

The editorial entire is as follows:

[From Liberty of May 20, 1939]

IMMIGRATION ADDS TO UNEMPLOYMENT

It will be everywhere admitted that the unemployment roll in this country is an unspeakable scandal, a disgrace that we will probably never entirely efface; the disastrous situation brought into being largely by the attitude of this administration toward industry.

Capitalists, industrialists, investors, employers, or whatever they might be termed, are all human, although in some instances they are greedy and grasping; but they naturally want to protect their interests.

A business that does not make a profit soon disappears. Throughout the entire history of this country business has been

encouraged and stimulated. Government officials have recognized that the more business we have, the more profit earned, the greater will be the rewards of all concerned.

This administration furnishes the first example of officials attacking this source of prosperity.

The great problem we are facing at the present time is the making of more jobs. But notwithstanding the unemployment emergency, we find a desire on the part of many of our officials to open our ports to an increased number of immigrants. This addition to our population should be denounced. Immigration should be stopped altogether.

Suppose these immigrants do secure jobs upon arrival. They put an American citizen out of a job * * * they make one job less for our own people.

If the father of a family was heavily in debt and had to provide for a number of children, and had to borrow money or accept charity to support them, would it be wisdom on his part to accept a few more dependents to add to his burdens?

Well, this accurately represents the situation that exists in this country at the present time. Here we are, with almost a third of our wage earners unemployed, billions required to keep people on the dole or in charity jobs, and what earthly reason have we for adding to our unemployment burdens by allowing immigrants to land on our shores? They are strangers and should be barred out absolutely. Why should we assume the responsibility of their support? Why should we rob our own citizens of employment?

Senator ROBERT REYNOLDS has introduced a bill, No. S. 409, that will stop immigration in the United States for those desiring permanent residence for a period of 10 years, or until such a time as the Department of Labor can certify that unemployment in the United States does not exceed 3,000,000.

The Senator doubtless has in mind Mrs. Perkins, who failed to deport immigrants who were unlawfully in this country, for in this bill he has made it a felony for any official who tries to defeat the purpose of this act by failing to enforce it.

It is indeed a sad commentary when we have to make a law to compel an official to respect his oath of office and enforce the law.

In a recent speech in Congress, Senator REYNOLDS stated: "We have expended billions of dollars in an effort to provide employment for the unfortunate men and women. Unemployment, therefore, is indeed a mammoth problem, and our huge unemployment record exists despite the fact that 3,000,000 of our people are on the relief rolls, and that 4,000,000 people in the United States are working either for the Government of the United States or for the respective State governments. The statement has been made that 80 percent of all the unemployed in the entire world are to be found in the confines of the United States."

Of course, Senator REYNOLDS is branded as a Fascist by the foreign recipients of our beneficence; but if fighting for Americanism of the Washington and Lincoln type subjects him to this libel, he "can take it." He has apparently recognized the deplorable need of protecting our own home folks. When foreigners are given jobs and native-born American citizens are denied them, this is indeed cause for caustic criticism. As long as there is a good American citizen on the unemployed list there is no earthly reason why we should be accepting prospective job-seeking citizens from other countries. We should protect our own homes first of all, and after that duty has been properly assumed, humanitarian motives can rightly be encouraged.

BERNARR MACFADDEN.

Mr. REYNOLDS. Mr. President, in closing I ask unanimous consent that a radio address delivered by me in April 1938 on the subject of eliminating the profits of war be included in the RECORD as a part of my remarks in order that the readers of the RECORD may know what my position was more than a year ago.

The PRESIDING OFFICER. Without objection, the address will be printed in the RECORD.

The address referred to is as follows:

Ladies and gentlemen of the radio audience, in discussing a subject as perplexing and vital as eliminating the profits of war, the subject on which I have been invited to speak this evening, it will be helpful to picture in our minds the striking contrast between the United States and other countries.

The United States is a peace-loving nation. Most of the other large countries across the seas are militaristic. Those countries through centuries past have lived, existed, and even thrived on wars. History teaches that the rulers of those countries exploit their own people, keeping them in fear of the iron hand, and from time to time conquer and annex weaker countries.

Today the affairs in foreign countries continue to hold the center of the stage in America.

From all accounts, chaos is spreading among the nations across the seas, playing havoc with commerce and living conditions.

Fear is growing that at any hour a general war may burst on Europe and move in Asia, sweeping defenseless countries in its wake. The rule of reason over there has disappeared—the rule of might prevails in those countries.

And that fear of war has spread to and invaded our shores. Everywhere I go—in Washington or in North Carolina—I am greeted with the similar question, "Senator, do you think we are going to have war?" Our people realize what is taking place "over there."

with radio and telegraphic communications, newspaper and air-mail reports, and shipping transportation facilities as perfect as they are, it is but natural that America is well informed as to European and Asiatic developments. True, a large percentage of the news that reaches here from abroad is strictly censored, but sufficient facts are revealed to warn the United States of the war conditions prevalent all over the world.

The rash boasts and the dire threats of arrogant dictators hurled at peace-loving nations is a manifestation of the ugly temper of the power-crazed rulers.

It is for this reason that the American people are gravely concerned, yes, fearful, and justly so, over the foreign situation.

For the wounds experienced by thousands of our youth in the Great World War have not as yet healed. The scars are still fresh in memory.

The twenty-odd billions of dollars that we loaned to the Allies remains unpaid. These debtor nations have defaulted not only on the principal but scornfully have refused to pay Uncle Sam any interest. And the war that was to make the world safe for democracy cost the people of the United States around \$65,000,000,000 to date.

Conservative estimators vouchsafe the opinion that ere the last United States war bond is redeemed and the last surviving veteran goes to his final reward the World War will cost this country \$100,000,000,000.

As referred to a moment ago, the wounds inflicted on our soldiers have not as yet healed—the American mothers and fathers are still mourning for their loved ones who lost their lives in that conflict.

So it is no wonder—it is no surprise—that America as a whole is determined to stay out of war. America is not now nor has it ever been an aggressor nation—America has never fought a war of conquest.

But it is regrettable that unless we pursue a most cautious course we may be drawn into other people's wars. In a free country like ours—and may I point out at this juncture that our people should be thankful for living in a democracy like this and should do everything in their power to cherish and preserve America—it is to be expected that there would be a diversity of opinion as to objectives and methods in trying to avoid war. But when a crisis faces the Nation, then all groups should and must work in harmony for the ultimate benefit of the Nation as a whole—yes, for the saving of the Nation from being destroyed, whether from sinister forces from the outside or from preying influences on the inside. So, as I stated, it is but natural that we have in this country groups of people known as internationalists, others are isolationists, others favoring the adoption of a middle-of-the-road course, while others are munition manufacturers.

Among the latter class are some selfish interests who would lead us to war. However, every thinking person knows that America does not want to engage in any war. When in a recent speech our great President, Franklin D. Roosevelt, acclaimed, "I hate war," he voiced the sentiment of every true American patriot. Awakened to this fact, Congress has written laws that are intended to prevent these first fatal steps and incidents which bring about war and make more difficult the task of selfish war lords who would involve us in war.

These laws are referred to as the neutrality laws of the United States. These laws provide that Americans in war zones enter or remain in same at their own risk. Why should an entire Nation be placed in jeopardy because of the whim of an individual or because of a small group desiring to feather its own nest? These laws discourage trade relations with nations engaged in war. These laws forbid the shipment of American-made munitions to belligerent countries. The law would constitute for this country, a "mind our own business" policy, while other nations bombed, burned, and bled.

The law gives the President broad discretionary powers and frees him from pressure programs similar to the ones that some assert tended to engulf this country into the war 3,000 miles away from home in 1917.

Today certain groups are applauding the President for the course he is pursuing in the carrying out of the congressional mandate, while others bitterly assail him for the policy that we are following in the frightful struggle between China and Japan. Still others hail the President for his neutral attitude in the terrible Spanish situation, while others are caustic in their criticism over the refusal to permit the shipment of war implements and accessories to the loyalists in Spain. And so it is—contrasting schools of thought—various ideas and ideals as to how to keep America out of war—how the Nation should best proceed in these exasperating and nerve-testing days while shells and bombs drop on unprotected humans and innocent women and children drop like stricken animals in shattered streets.

For the past few years I have advocated a definite policy that I hope will keep America out of war. In Congress and out of Congress by Nation-wide radio addresses and addresses before patriotic societies and organizations, I have warned the Nation against any foreign entanglements. I maintain that with the existing unemployment situation here in this country Uncle Sam has sufficient troubles of his own without attempting to meddle in the political affairs of other nations. If by the wave of a magic wand or some occult power we could stop the frightful conflicts in Europe thereby restoring peace into a war-torn world, then I say there would be few Americans who would not be willing, yes, gladly, to lend the helping hand.

Our dipping into these boiling foreign political pots would complicate more an already strained situation, and we would only get

our hands scalded. If we had been embroiled in their political set-ups for the past few years I believe that we would now be at war. Only the fact that the United States has remained aloof from these foreign involvements do I attribute the fact that no general war has broken out in continental Europe.

The recent announcement by the able Secretary of State, Cordell Hull, that outlined the United States' policy in foreign affairs brought reassurance to the country that the administration is trying to do everything humanly possible to avert any war. Especially pleasing was the emphasis that the notable Cabinet member placed on the determination to avoid any foreign political alliances—alliances that would prevent this Nation from pursuing an independent course thereby not being compelled to pull other countries' chestnuts out of the fire. Secretary Hull has handled a most deplorable situation in a most masterful manner.

Another vital step in the direction of peace is the new naval program outlined by our President and concurred in by the House. A strong naval, military, and air defense is the best insurance we can have against war. No country will dare to attack another country when it knows that its opponent is amply fortified and better equipped.

I am a firm believer that a death blow would be delivered at least to propaganda that leads to war if the profits were taken out of war. If the time comes when this Nation must go to war—if the time ever arrives when our Nation must fight to defend itself from an invading enemy—then Uncle Sam should conscript money as well as men for war purposes. Let us draft the munition makers as well as soldiers and sailors—why permit a small clique of manufacturers of war implements to grow fabulously wealthy while millions of our youth forfeit their lives in defense of the Republic. Let the Government draft the owners of factories and their factories in the next war and the next war will be long delayed in arriving.

Greed and selfishness, tyranny and a desire for added power cause most wars. Let us outlaw all profits in wartime—so that the heavy burdens of war be shared by all classes of our citizens alike and then some would not be so hasty in plunging us into a devastating catastrophe.

Of course, I do not expect everybody to agree with me in this opinion. When the Nation is in peril all good citizens will subordinate their views to the welfare of the country. That is particularly true in the United States. When our Nation is not in peril the main distinction between us and a dictator is the ability and right of the people to express their thoughts. Therefore the time to comment is before the war breaks out.

Those interested in this important subject may write me here at the Nation's capital, address Senator ROBERT R. REYNOLDS, United States Senate Office Building, Washington, D. C.

It is a sad commentary on our civilization that a few misguided leaders have set the world aflame and that a crazed-stricken world has driven this peaceful Nation into the necessity of expending billions of dollars for armaments in order that we might keep abreast with the other powerful countries.

Our sound advice and fervent appeals have gone unheeded. Our treaties were thrown in the discard by one foreign nation after the other.

Hence to delay our program for defense might result in attack or invasion of our country. Despite the ravages of war in other parts, America must march on—America will march on, true to its principles and doctrines as set forth by the founding fathers. America must serve as a beacon light for the darkened countries. We must be prepared. Our democracy must survive. Our democracy will survive.

PERSONAL EXPLANATION

Mr. SLATTERY. Mr. President, one of the local Washington newspapers of this morning's issue carries a story concerning an alleged investigation of my conduct while chairman of the Illinois Commerce Commission, an office which I resigned when appointed to my place in this honorable body. A similar story also appeared in some of the Chicago newspapers.

My natural inclination would be to ignore such false and malicious charges. However, I feel that in justice to myself, and in fairness to my colleagues in the Senate of the United States and to the Governor of the State of Illinois, who appointed me, I should state briefly my attitude toward this obvious attempt to besmirch my name by baseless innuendo and unfounded charges.

I welcome a complete and thorough investigation by any proper authority of my conduct while chairman of the Illinois Commerce Commission. I have nothing to conceal. My conscience is clear.

If any investigation is made, it will show clearly that no misconduct occurred while I held office as chairman of the Illinois Commerce Commission, or at any time during my service as a public official. Such an investigation into these charges of impropriety also will disclose that they are motivated only by unfair political tactics.

The charges stand refuted by the record, which shows that during my tenure of office in Illinois as chairman of the commerce commission I ordered rate reductions against the Commonwealth Edison Co. and its affiliates, the utility mentioned in the stories, which now result in a savings to the utility consumers of the metropolitan area of Chicago of more than \$6,000,000 per year. The record also will show that while chairman of the commission I consistently ordered utility rate reductions affecting all types of service in an amount exceeding \$10,000,000 a year.

I deeply regret that the first time I should speak before this distinguished body should be in reference to a matter of this kind. My remarks are made solely to explain my position, not only to you with whom I serve, but to the Governor and the people of Illinois, who have every right to demand a complete examination of the records of their public servants.

My purpose in making this statement at this time is to remove at once the unpleasant stigma which has been so unjustly attached to my name.

WHAT IS NAZI-ISM?

Mr. KING. Mr. President, a baneful and dangerous philosophy has been thrust upon the world during the past few years by the Nazi regime in Germany. Its philosophy is aimed at the destruction of democratic governments and the religious and moral forces which have brought peoples in many lands to a high degree of civilization. Nazi-ism is the foe of religion—an enemy of those principles which have found expression in the lives and conduct of hundreds of millions of human beings. The philosophy of world peace and world unity, of a common brotherhood of man, and the dignity and the right of the individual—the reign of law and of justice—are to yield to the reign of dictators enforced by military power. The rights of minorities are to be ignored and the will of the dictator is to control in all of the activities of individuals and community life.

Following the World War, throughout the world the great mass of the people of all lands, dedicated their efforts to the rehabilitation of a shattered world and the establishment of peace and international fellowship. Democratic forces were operating in nearly all lands and democratic States were growing in influence, and bringing peace and order and good will under a reign of law. In the midst of this rehabilitation of peoples and nations, sinister forces made their appearance, particularly in Germany. Nazi-ism was born and an evil force let loose in the world. Adolf Hitler attacked the rising tide of democracy in Germany and superimposed upon the German people a dangerous and deadly system which attacked the moral, religious, economic, and political life of Germany. He organized a powerful military force and directed the energies and activities of the people toward the erection of a powerful military dictatorship. He destroyed Austria—an independent state; invaded Czechoslovakia—a liberal, progressive, and democratic Republic—and brought, by devious ways, Yugoslavia and Hungary within the circle of his economic and, indeed, political influence. Nazi-ism is now threatening Poland, a progressive, liberal commonwealth. The dread figure of Hitler hangs like a pall over many countries in Europe, and millions of people, who are devoting their lives to the useful arts and to the promotion of peace and good will, are compelled to direct their energies into channels required to resist the invading forces of dictators. Italy, which has made such important contributions to the arts and to literature and science, and which has played such an important part for centuries in the world's development, is now a Fascist state and an important factor in what is known as the "axis." She is bound, together with the Japanese Government, in this axis, and this compels the people in many countries to reexamine their situation with a view to determining whether they must, for their own safety, protect themselves by diverting their resources and energies into military channels.

The world longs for peace and the great mass of the people everywhere regard nazi-ism and fascism not only as disturbers of the peace but as enemies of the moral, eco-

nomie, and religious regeneration of the world. The creed of nazi-ism is found in *Mein Kampf*—the Bible of nazi-ism. It is a challenge to Christianity and to the moral and spiritual forces which have led the march of civilization throughout the world.

As I have indicated, nazi-ism is the enemy of every form of religion. It seeks the destruction of the Jews and other religious elements. Catholics and Catholicism are feeling the heavy hand of nazi-ism, and all organizations, moral and religious, which do not accept the philosophy of nazi-ism, meet the most bitter and relentless form of persecution.

In *Mein Kampf* Hitler has declared that—

What the Germans want is not a peace brought about by olive branches in the hands of sniveling pacifists and sobbing old women, but a peace guaranteed by the victory-rich sword of a people of lords and masters, which sword brings the world into the service of [our] higher kultur.

He regards the Germans as a super-race and declares that—

The time will come when problems will arise which only a highest race of lords, having at their command the means and resources of the whole planet, can solve.

The philosophy of nazi-ism is concretely revealed in the activities of the Nazi regime. Not only are the Jews the victims of cruel persecutions, but other religious groups are feeling the oppressive hand of nazi-ism.

We are familiar with the report submitted by Mr. James G. McDonald, an American citizen of high standing, who was appointed by the League of Nations to investigate conditions in Germany and particularly to ascertain the extent of the persecutions to which German nationals were subjected. His report, after 2 years of investigation, is a factual presentation of the frightful and indeed horrible treatment to which Jews, Catholics, and Protestants were subjected by the Nazi regime. Proof is incontestable that the most frightful persecutions were inflicted upon not only Jews but Catholics and Protestants. Mr. McDonald states that—

Relentlessly, the Jews and "non-Aryans" are excluded from all public offices, from the exercise of the liberal professions, and from any part of the cultural and intellectual life of Germany. Ostracized from social relations with "Aryans," they are subjected to every kind of humiliation.

He further states that—

Outstanding thinkers of the two great Christian communities in Germany and abroad raise their voices and protest against this attack which threatens to increase the number of refugees.

He also declares that—

When domestic policies threaten the demoralization and exile of hundreds of thousands of human beings, he cannot remain silent.

And he adds that—

He would be recreant if he did not call attention to the actual situation and plead that world opinion, acting through the League and its member states and other countries, move to avert the existing and impending tragedies.

A report by the Committee for Catholic Refugees submitted a year ago bears evidence of the cruel and criminal policies being pursued by the Nazi government. The report refers to the oppression and the various forms of persecution and to the fact that priests in large numbers have been placed in concentration camps and otherwise severely persecuted.

The Nazi leader, in his efforts to undermine and destroy governments, has not confined his efforts to force. He bases some of his policies upon what some denominate as peaceful methods; that is, where action is taken without the firing of guns. It is analogous to the placing of a gun at the head of a person and demanding his money. If the money is surrendered, no shot is fired. And so the Chancellor contends that a peaceful method has been pursued. It is not aggression if he does not shoot, though by threats he accomplishes his designs.

We are familiar with the fact that one of Mr. Hitler's earliest policies was, after trade-unions had been destroyed and all liberal opposition silenced, artfully to manipulate the use of the words "Aryan" and "non-Aryan." Without the slightest historical or scientific justification, certain German

citizens—born in Germany and whose ancestors had inhabited German territory for centuries—were characterized as non-Aryans, by which it was pretty largely meant "Semites."

However, the Semitic race includes many eastern peoples, among them Arabs; and it was, therefore, more suited to Hitler's purpose to call these victims, whom he was to despoil and denationalize, non-Aryans, thereby placing all citizens of German "blood and soil" into the class of Aryans, and all other citizens, including especially those that had at least one Jewish grandparent—that is, had one-eighth Jewish blood—as non-Aryan. This, of course, furnished the basis for disfranchising them, depriving them of all civil rights, despoiling them of their property, and ultimately driving them forth into other lands without means of subsistence.

Obviously, the real motives in the cruel and relentless persecution of the Jews were, first, to rid Nazi-ism of people historically and spiritually seekers of peace, and who created or developed the idea, and believed with unalterable devotion in the conception of one God and in a religion based upon the love of God; second, to rob them of their property, real and personal, including their business enterprises, plants, and houses, and give it to Nazi followers as a reward for their barbarous actions, and, of course, to add to the revenues of the Nazi state; and, third, to establish a precedent for the exploitation and confiscation of Catholic and, later, Protestant church property and to make the state completely totalitarian in religious as well as in political power.

It should be added, however, that the Nazi religion, if it may be so denominated, is paganistic. It is the philosophy of Nietzsche and is the apotheosis of the state. In Nazi-ism the state is supreme and the individual is unimportant. His loyalty is only to Hitler, who embodies the power and authority of the state itself.

I fear that Mr. Hitler succeeded in convincing Mr. Chamberlain in his Munich Conference that his purpose was to gather into one nation or empire those of purely German blood. It is known that in Germany and Austria there were hundreds of thousands of citizens who were the result of intermarriages between Jewish and German and other so-called Aryan races. There are some persons who think of the Jews as a homogeneous group, of a uniform racial type in all parts of the world.

Dr. Joseph N. Moody, in his pamphlet, declares that "nothing could be further from the truth." He adds that there is no such thing as a Jewish race in the biological sense of the term. He states that anthropological studies have revealed that from the beginning Jews were not a single people of a like origin, but were composed of Semitic elements, to which had been added large numbers of non-Semitic types. All know that there were many Greeks, Romans, and other nationals who connected themselves with the Jewish faith, particularly during the last two centuries before the beginning of the Christian era. And it is a fact that, in every period since, individuals of different races have attached themselves to the Jewish religious community.

The theory of the purely "German blood" was automatically to include all peoples and groups speaking the German language. However, Hitler did not limit himself to retaking from the Allies of the World War territory that had been taken in that war from Germany. He reached out for the peoples that had been under the dominion of the Austro-Hungarian Empire and had not ever been a part of Germany as such.

Thus we have seen a pseudo knight-errant claiming to rescue persecuted minorities in other lands—Czechoslovakia, Lithuania, and Austria, for example—while at the same time persecuting, in the cruelest ways known in modern times, hundreds of thousands of persons in his own Nazi Germany. Under the coercion of spurious plebiscites, Hitler has succeeded in turning foreign minorities into so-called majorities, and then converting each country into totalitarianisms, thus blotting out all minorities and crushing minority rights. After having, I fear, deluded Prime Minister Chamberlain into crediting the limited theory of strictly "German blood,"

Hitler proceeded to take by force Czechs, Slavs, and other races under his domination, thus giving the lie to every statement and pledge he made at Munich and at preceding conferences. It would seem that his ambitions for power know no bounds.

I quote as significant on this subject an excerpt from an editorial of the London Observer of Sunday, March 26, 1939:

A full English translation of Mein Kampf is at last available. Any reader among the 200,000,000 of the English-speaking world can at last realize that Herr Hitler's book is the soul of the man and the creed. In this Bible, or Koran, of embattled fanaticism and unbounded ambition there is one towering idea. Herr Hitler not only aims at the most powerful empire yet seen in history, he says plainly that this world domination by a superior race must be impregnable established; and that all powers and forces which might seriously compete with it must be struck down or otherwise disabled.

There has been some criticism of the Versailles Treaty, and undoubtedly some of its terms were unjust, but in the light of the oppressive acts of Hitler and the so-called treaties imposed by him upon Austria and Czechoslovakia, may we not infer what kind of a peace treaty Germany would have imposed on the allied nations if she had won the World War? We recall the oppressive terms which she imposed upon Rumania during that great contest. Does anyone now believe that such a treaty would not have been far worse than the Treaty of Versailles? It is about time we were aroused to a realizing sense of the "brutalitarian" government that holds not only its German citizens in political and military servitude, but pursues this same course with any and every country that has been in process of conquest, thus making the Treaty of Versailles moderate in comparison. As a matter of fact, under the Versailles Treaty, peoples were allowed to move about from country to country and to take their property and effects with them, and to enjoy civic and other advantages, none of which are allowed to the oppressed and persecuted Nazi citizens, and those of other countries as rapidly as Hitler can obtain dominion over them.

While we recognize the right of the people of a country to establish such government as they deem best to meet their needs, a proper regard should be had for the principles of justice and morality, and it should be recognized that a government so established should be promotive of the happiness and welfare of those owing it allegiance.

As civilization advances nations are drawn into closer relationship and constitute what is called the "family of nations."

We recognize the rights of individuals, our neighbors, but we are not forbidden to protest against brutal and inhuman treatment of the children of our neighbors. It is assumed that in this age nations will treat their nationals in a spirit of justice, and certainly in a spirit of humanity.

I do not subscribe to the view that American citizens or our Government may not take cognizance of the conduct of other nations, particularly where such conduct will manifestly bring repercussions in our country as well as in other countries. Our Government has frequently raised its voice in protest against brutal and inhuman treatment by governments of their own nationals. Because of our traditions and our desire to live at peace with all men and nations, we are told by some that no matter what cruel forms of persecution and brutality are practiced in other lands against defenseless human beings, our Government must remain silent and American citizens must express no condemnation.

The editor of Mr. Mussolini's newspaper a short time ago took occasion to tell the United States "to mind its own business"; and undoubtedly there are some Americans who believe that we have no right to raise our voices against the slaughter of innocent Chinese—men, women, and children—or the expulsion from Germany and other European countries of several million people, and the subjection of many of them to the most brutal and cowardly treatment, including robbing them of their properties.

I do not accept the view that our Government must remain absolutely silent, and that the American people shall express no opinion when great wrongs are being done, when hundreds

of thousands of people are being driven from their homes, and thousands placed in concentration camps and subjected to such brutalities as to cause the death of many. The view has been expressed by some that our Government has remained silent when other governments have subjected their nationals to cruel and barbarous persecution. In my opinion, the reverse has been the case. And, because this is a historical fact which should be recognized by American citizens, I wish to invite the attention of the Senate to a recent study of the course pursued by our Government when citizens of other countries have been subjected to cruel and barbarous treatment.

The study was made by Mr. Salmon O. Levinson, a distinguished Chicago lawyer, who gained international fame as a result of his pioneering work in developing what has been called the "outlawry of war" doctrine as a basis of international law. Mr. Levinson has been not infrequently called the "Father of the Kellogg Pact."

He has divided his study into two parts:

In the first, he shows what precedents have been created when, in years passed, our Government has been confronted by persecutions for racial, religious, or political reasons in other lands.

In the second, he indicates the bearing of these precedents on our present situation.

Mr. President, I regard this study as particularly important at this time, in view of what is occurring in Germany, as well as some other countries in Europe. I therefore ask to have it incorporated in the RECORD as part of my remarks.

THE PRESIDING OFFICER. Without objection, it is so ordered.

The statement is as follows:

AMERICA

We are living in a period of seismic and kaleidoscopic changes. Some are surely of the earthquake variety, and most are so rapid as to make the world gasp for breath. Let us deal with this revolutionary history as it bears upon two vital aspects of our national life.

First, what duty does America owe to outrageous violations of the laws of humanity and what guide do our governmental precedents furnish us?

Secondly, what are our duties and obligations in the protection of our American representative democracy, of our own matchless individual liberties established and cherished for 150 years?

Both these questions need clarification and emphasis in the light of present world conditions and of our own historic past. In some respects they dovetail.

AMERICAN BACKGROUND

Gladstone, the greatest liberal British statesman of modern times, not only paid a superlative tribute to our Constitution but to him is also ascribed the following significant warning:

"The Government of the United States represents what is on a large scale the last experiment in establishing and maintaining free political institutions. Should that experiment fail, the world may well despair of the character and processes of government for an indefinite future."

This is a grave and timely warning. We need to defend our national inheritances not only with battleships and airplanes but with those heroic moral and spiritual qualities which have marked the evolution of the American people. This is not lackadaisical nationalism. For we are composed of all the peoples of Europe, and all who came here craved liberty and freedom of opportunity.

By reason of certain recent developments across the Atlantic it has been said that we are back to the old order—the old order of military alliances, secret diplomacy, imperialistic deals, plots, and counterplots. But America has never belonged to or been a part of the old order. Washington and Jefferson established a new order in a new world. The base of this new order is liberty, security, and peace. In his farewell address, Washington says: "Tis our true policy to steer clear of permanent alliances."

Harmony, liberal intercourse with all nations are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand." And it is but the natural and evolutionary development from "no military alliances" to "no war" which latter is the gist of the Briand-Kellogg Pact, a purely American idea, and the first universal treaty against war between nations in the history of civilization. This Pact of Paris is the law of the world and the cornerstone of the administration's foreign policy. We cannot here refrain from doing honor to one of the leading statesmen of our generation, the senior Senator from Idaho, whose name and devotion are imperishably identified with this fundamental law against war. The Kellogg Pact, which came into effect on July 24, 1929, has continued to be the cardinal foreign policy of three administrations. The nonrecognition of territory seized or annexed by or under the brazen threat of force is an indispensable corollary to that pact.

Washington's Farewell Address furnishes us another vital American principle so pertinent to present-day problems. It should be written in letters of gold in every church, schoolroom, and legislative hall of our country. We quote the entire paragraph:

"Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure—reason and experience doth forbid us to expect that national morality can prevail in exclusion of religious principle."

Dr. Arthur H. Compton, famous physicist of the University of Chicago, some months ago put our religious history thus: "Civilization, as we know it in America, has been built up by the inspiration and energy of religious-minded people."

The European scene today emphasizes the enduring wisdom of Washington's political last will and testament. His words of advice shine like stars in the American firmament. Indeed, Washington, Jefferson, Franklin, Madison, and Hamilton are recognized as the greatest government geniuses in history. As Ben Jonson said of Shakespeare, they are "not of an age but for all time."

Let us consider together the position the United States occupies in present world complications: What are our duties, our rights, and what precedents our own political history provide for our guidance. First of all, permit us to make it clear that we hold in our hearts no hostility, no enmity, to any nation, to any peoples on the face of the earth. Our America covets no territory; is, in fact, moving in the other direction in the Philippines; has no traditional or war grudge against any country. On the contrary, our people, comprising naturalized citizens and their descendants from practically every nation of the globe, are deeply interested, spiritually and materially, in the welfare and security of all peoples. To this end America would gladly join in or lead any movement that has for its prime objective a reuniting of the family of nations, the readjustment of the maladjustments—financial, economic, and territorial—resulting from the Great War and its turbulent aftermath, which, without creating new and dangerous problems and precedents, would reasonably serve to promote justice and contentment among all peoples. Our international diplomacy has sometimes been criticized as weak and ineffective. This criticism largely arises from its openness and freedom from intrigue. For example, in the matter of war: In 1898 President McKinley announced as an American policy that we will fight no wars of aggression or conquest and will accept no spoils of war. In 1917 President Wilson reiterated this policy in even broader and more generous terms. On this unprecedented policy, proclaimed by a Republican as well as by a Democratic President, the American people stand firm as a rock.

Consider also our position and conduct in the World War. We were a belligerent in that conflict only 19 months. Yet in that short time we invested a sum far greater than any other participant did in the 4 years of its duration, namely, the colossal amount of \$45,000,000,000. Likewise we organized and equipped an army of 4,000,000 boys, who, despite necessarily scant training, won the admiration of the world for their bravery and patriotism. Unquestionably American participation tipped the scales to an allied victory. But when the victors sat around the peace table the United States alone among the victors refused to touch a dollar of the huge German reparations or a foot of conquered territory. Thus by our deeds did we immortalize the American policy announced by Presidents McKinley and Wilson.

No other nation in the history of mankind ever pursued such an unselfish and generous course in war or peace. And though we have suffered the severest economic and financial losses as a part of the shattering effects of the World War, we have since the armistice not only borne no malice nor hostility toward our former enemies, but both our Government and our people have made generous loans for rehabilitation purposes to Germany, to Austria, and to Hungary aggregating billions of dollars. Where can history furnish a parallel to this conduct?

AMERICA'S RIGHT AND DUTY WHEN LAWS OF HUMANITY ARE VIOLATED

In view of these things it is not only the right under the comity of nations but also the moral duty of the United States to make its voice heard in Europe, to protest the inhumane outrages that, to the shame of civilization and Christianity, are being perpetrated on innocent people by the most brutal methods known to modern times. These outrages include persecution of religion and race, denial of freedom of conscience (which is and must always be accompanied by loss of freedom of the press), the destruction of the very texture of Christian civilization, the tortures of concentration camps, the illegal confiscation of property of the persecuted, the denial of all protection of law by making their victims outlaws by sovereign decree, and finally the expulsion of these despoiled and helpless victims, thereby creating hundreds of thousands of homeless refugees who must either starve and die or be foisted without moral or legal right upon the governmental and private charity of other nations.

All these outrages are typified and unbelievably perpetrated by and in Nazi Germany, although some other nations are brazenly violating treaties freely entered into and using violence and inhumane methods to secure imperialistic and dictatorial objectives, other nations are throttling liberty of conscience, of speech, and of the press. And to avoid any possible misunderstanding the fact is, and almost every American knows, that we have no finer quality of patriotic, peace-loving, industrious, and educated citizens than the many millions of our own Germans, both naturalized and native born. If a poll should be taken of all Americans of German descent it would come as near showing unanimous opposition to religious and racial persecutions, denial of due process of law, and lawless confiscations of property as would any other group of our American citizenry.

From Von Steuben, in our Revolutionary struggle, who deservedly stands on a parity with Lafayette as a foreign friend of American liberty, through the great Carl Schurz to the present time, no right-thinking person has ever questioned the marvelous contribution to freedom, culture, art, science, and religion with which the Germans have enriched American soil. But facts inside Nazi Germany, though kept from their own people, are shockingly known here and must be faced and dealt with as a menace to our own country, to the very foundations of religion, and hence to civilization itself.

The persecution of minority groups began in Nazi Germany shortly after the advent of Hitler as Chancellor in January 1933. Spoliation and expulsion of the Jews had been in Hitler's original National Socialist platform. But soon after assuming power he crushed and oppressed labor unions, the social democrats, and all political opposition. It is estimated that labor unions' property to the extent of \$50,000,000 was confiscated and the unions destroyed.

In order to give color of justification to the developing cruelties of anti-Semitism and to furnish a basis for excruciating laws, the spurious theory of "Aryanism" was devised for the purpose. If anyone will look into the Encyclopedia Britannica, or the very recent discussion at Cambridge, England, he will find that the word "Aryan" refers only to language or speech. It does not relate to blood or soil or race or color of eyes or hair—solely to language and speech. But the Nazis have corrupted the word to their own uses to mean "Nordic," or, as formerly known, "Norman." A couplet of Tennyson might enlighten the Nazis on their own theory of "Aryanism":

"Kind hearts are more than coronets,
And simple faith than Norman blood."

In order to bring into clearer vision to everyone, and particularly to bring home to the Germans how outrageous these "non-Aryan" persecutions and oppressions are, let us make the following suppositions:

1. Suppose that the United States literally adopted and accepted the Nazi definition of "Aryanism," namely, those of 100-percent pure "Aryan" blood under the present Nazi laws.

2. Then suppose our Government enacted identical punitive laws against all our German "Aryan" citizens. In other words, suppose America should suddenly rise up against German so-called Aryans, deprive them of all political and civic rights, despoil them of their property, put them in concentration camps at the will of our President, and, finally, having drained them dry of money and property, exile them as refugees to wither and die unless these millions of innocent and helpless people were voluntarily befriended by other nations. For we would merely be doing exactly the same thing, only in reverse, that the Nazis have done to their so-called non-Aryan citizens. And we would be doing it with the same moral right, to wit, none, and with the same legal right, if we can imagine the American people enacting such inhumane laws.

3. What is not supposition is that if we did such things, America would rightly be called the pariah of nations; we would surely have lost all sense of morality, humanity, and international honor.

These religious and racial persecutions are so well known to the American people through our most dependable newspapers and international press that it is wholly unnecessary to harrow again our feelings of shame and pity by their recital. But if Herr Hitler challenges the truth of these charges of inhumane conduct the United States will gladly join in the appointment of an independent high-class committee to ascertain and report the real facts. Indeed, we would personally welcome an open and full investigation.

Before calling the roll of great Englishmen and Americans, official and lay, who have protested and condemned acts of inhumanity and religious persecution, we set forth a few of the Nazi persecutions of other religious denominations, Protestant and Catholic.

THE CASE OF DR. NIEMOELLER

Consider the case of Rev. Dr. Martin Niemoeller, the great Lutheran Protestant pastor. He was the minister of the Jesus Christ Evangelical Lutheran Church of Dahlem, Berlin. During the war he won fame as a patriotic German naval officer, commanding U-boats in the Mediterranean and being decorated over and over again for exceptional bravery. Entering the Christian ministry after the war he had risen swiftly to the pastorate of this famous Berlin church. He had carefully refrained from taking any part in politics, holding that to be out of accord with his position as a Christian minister. He had, however, as an individual German citizen, joined the National Socialist Party and voted the Nazi ticket in the election of 1933, which placed Hitler securely in power.

Pastor Niemoeller, in other words, was ready to support the Nazi government in all its political and social policies. It was only when that Government overstepped the bounds to dictate to the church what it must preach, whom it must elect and obey as its bishops, and to set up a vast bureaucracy of Nazi politicians in

charge of church affairs—it was only then that Pastor Niemoeller protested. For nearly 4 years, as head of a company of fearless Protestant ministers, he insisted on freedom for the church from state control. He was warned, he was threatened, his home was constantly entered and searched by the secret police.

In July 1937 Martin Niemoeller was arrested. Taken to prison, he was held incommunicado for 7 months, never being brought into court to find out the charges against him, never even having a copy of any formal indictment served on him in prison. He was simply left there alone behind the bars of his prison, while all that his friends inside and outside Germany could do was to agitate that he at least be tried. Finally he was tried in February and March 1938, in proceedings from which the public, including Niemoeller's own wife, was excluded, proceedings so farcical that Niemoeller's lawyers at one point withdrew from the case, insisting that it was a travesty on justice. The sentence passed on Niemoeller was for 7 months of incarceration and a fine of 1,500 marks (\$600). The fine was immediately paid and the court held that Niemoeller, having already spent 8 months in prison, could go free. Yet when this world-famous Christian minister stepped outside the doors of the courtroom, before he could so much as greet the wife and children who were waiting there for his release, he was immediately rearrested by the Nazi secret police and rushed off to a concentration camp, where he is held to this day. That is an almost unbelievable example of religious persecution of Protestant Christians in Germany.

The Niemoeller case is only one of many, but, because of his standing, his ability, his courageous conduct during the war, and his acceptance in very large measure of national-socialist principles, his case is historic and revolting to all sense of governmental decency.

PERSECUTION OF CATHOLICS

The Nazi persecution of Catholics has been shrewdly camouflaged, first by the Concordat with the Pope, which somewhat lulled all suspicion, and then by official denials, and where these would be too obviously false, by reckless and unscrupulous charges of immoral conduct against priests and other Catholics. Here are quoted a few extracts from the reliable London Catholic Herald and the Commonweal.

On December 31, 1937, the Herald contains the following:

"His Holiness has referred in very serious terms to Germany, stating that things must be called by their real names. 'We wish to speak of the very sad fact of persecution in Germany, because we want to give things their proper name.'

"In Germany," the Pope went on, "there is a religious persecution. It is being said and has been said for a long time that that is not true. We know, however, that it is a persecution and a grave one. Seldom there has been a persecution which was so serious, so terrible, so painful, and so sad in its deepest consequences. It is a persecution where neither the use of violence, nor the pressure of menaces, nor the deceptions of cunning and lie are missing."

The Commonweal, July 2, 1937, carries an article on Nazi Persecution of Catholics, by Waldemar Curian:

"Waves of filth and fury have swirled up about Germany's priests and religious—waves that have their wellspring in the inner chambers that determine the press policy of the Third Reich. You cannot open a German newspaper without finding at least one account of a trial on statutory charges involving priests or religious as defendants. A newspaper has no choice in the matter of printing these reports. The Nazi policy intends that even the tiniest village should regard rectory and convent alike as dens of abomination. The radio, too, plays its part, and Nazi party organs carry news stories with such headlines as 'Can the Church Stand the Truth?' 'Incredible Patience of the Hierarchy,' 'Children Outraged in Convent Schools,' 'Corruptors of Youth Clad in Cassocks,' 'Spotless at the Altar but Scandalous as Educators,' 'A Devil in a Surplice.'

"Der Schwarze Korps has a circulation of over 500,000. This is the official journal of the S. S., the 'Black Bodyguard,' whose leader, Himmler, is chief of the coordinated German police. This sheet unfailingly launches most devastating attacks against church and cloister, with respect for neither Pope nor Bishops. A few examples will serve. It carries a caricature of high church dignitaries and creates the impression through the caption that a priest who has not run a foul of decency is 'the individual case.' Another cartoon is directed against the Bishop as follows: 'How will I clean up this pigsty? Can't be done. So the dung stinks to high heaven. That will bring the police, and they'll take care of it.' And the police closed an Episcopal convent with the contention that regulations there were of a sort that 'represented a serious threat to morals.'

Owing to the complete domination of the press and the courts by the Nazi government it is impossible effectively to refute these degrading charges.

Recent outbreaks against Cardinals Innitzer and Faulhaber and stern condemnation by the Pope of both anti-Catholicism and anti-Semitism show that these persecutions are growing progressively worse and are part and parcel of the Nazi philosophy of totalitarianism.

Under cover of these religious persecutions the Nazi government is not overlooking the vast monetary advantage that is thus offered. The step from oppression, persecution, and "protective imprisonment" in concentration camps to confiscation, baldly or under legal devices, of the victims' property is a small and diabolically logical one. No one outside the Nazi chieftans can possibly estimate the vast total amount of this ingenious sovereign racketeering. But

even a rough guess shows it to run into billions of marks. The recent "Baron Munchhausen" fine extorted from German and Austrian Jews when an exiled and half-distracted 17-year-old Polish boy shot a German third secretary in Paris shocked the world as the acme of senseless brutal governmental injustice. And, of course, when these innocent victims are completely cowed and despoiled of all means of subsistence, the stage is set for their exile, leaving their fate of life or death to the mercy of other nations. "Other nations!" What cares the Nazi master of propaganda, Herr Goebbles, about "other nations"? A recent Associated Press dispatch from Berlin reads:

"If the foreign press invokes our human feelings, why we will be glad to present the Jews to them. If people say, 'Why, the Jews aren't doing anything,' I say they provoke us by their very presence. What do we care about foreign countries anyway? The world should leave us alone. We are not harming anybody."

We now quote from state papers and addresses on what rights and duties arise to other nations in the face of persecution and oppression by one nation that violates the laws of humanity and of God, and that also foists heavy and unjust burdens upon other nations. And especially we cite the inspiring words and acts of our own Government, which, in times past, has had the courage and humanitarian impulse and has exercised the right to protest and condemn these inhumane practices.

This right is well recognized and is based on—

(a) The laws of humanity, of Nature, and of God which transcend all man-made laws which violate them;

(b) The right to protection against the inevitable effect of despoiling and banishing by direct or indirect methods large numbers of men and women, who are thereby forced to seek life and home in other countries, thus making the question not a local but an international one; and

(c) The friendly moral right of every nation under the comity of nations to protest against outrages and inhumane conduct occurring in any country. The manner of protest may sometimes be open to criticism but the right of protest is undeniable.

PRECEDENTS OF SOVEREIGN PROTESTS AGAINST OUTRAGES IN OTHER NATIONS

Stowell, in his work in *Intervention in International Law* (p. 52), says that there are many instances of firm diplomatic protests in both hemispheres on different grounds, including governmental persecutions amounting to inhumane conduct.

Stowell says, on page 63:

"Governmental persecution may be sufficiently gross to amount to inhumane conduct. Particularly frequent have been the instances of intolerance; that is, the denial to large numbers of persons of the liberty to profess their religion."

Both our Government and our people have the proud record of expressing their moral protests against and condemnation of outrages on liberty, religion, and race emphatically and frequently.

In the early days of this Republic President John Quincy Adams wrote:

"This principle, that a whole nation has a right to do whatever it pleases, cannot in any sense whatever be admitted as true. The eternal and immutable laws of justice and of morality are paramount to all human legislation."

The name Kossuth is loved by all who prize liberty. Austria and Russia combined to defeat Kossuth, and after he had taken refuge in Turkey they demanded his surrender. Here was a matter with which our country had no direct concern. Hungary, Austria, Russia, Turkey, all undoubtedly considered that the crushing of the Kossuth forces and whatever punitive action any of them desired to take, were matters altogether of internal policy with which the United States had rightfully nothing to do.

That was not the view of Americans of that day. They did not invite war nor threaten a disruption of friendly relations by voicing the moral indignation of this civilized Nation. Daniel Webster, then a Member of the United States Senate, declared in a speech in Boston:

"We have all had our sympathies enlisted in the Hungarian effort for liberty. We have all wept at its failure. Despotism from abroad intervened to suppress the hope of free government in Hungary. Gentlemen, there is something on earth greater than arbitrary or despotic power, and that is the aroused indignation of the civilized world."

Thereafter, having in the meantime become Secretary of State, Webster set forth the views of this Government:

"While performing with strict and exact fidelity all their neutral duties, nothing shall deter either the Government or the people of the United States from exercising at their own discretion, the rights belonging to them as an independent nation, and of forming and expressing their own opinions, freely and at all times, upon the great political events which may transpire among the civilized nations of the earth."

Kossuth was not put to death. He was brought to this country on an American public vessel, after a resolution to that effect had been passed by Congress. He was presented to the Chief Executive, to both Houses of Congress, and was honored throughout the land.

Czarist Russia seems to have been the model or prototype which is being followed in persecuting Jews, although the present government of Germany has broadened it to include Catholics and Protestants. On April 15, 1882, Secretary of State Frelinghuysen, dealing with the Russian outrages on Jews, gave instructions to our Ambassador to Russia "to express the hope that the Imperial Government

would find means to cause the persecution of these unfortunate fellow beings to cease."

These Russian persecutions called forth two notable meetings, one at the Mansion House in London on February 1, 1882, and the other in New York City, at Chickering Hall, held on the same day.

We quote excerpts from the London speeches of some of the greatest men of England of that day. Resolutions were passed and sent to Prime Minister Gladstone to use his diplomatic influence to stop the outrages.

At this meeting the Earl of Shaftesbury, distinguished philanthropist and statesman, said in part:

"There may be, or there may not be, a precedent for such a meeting; but I hold that in these days of what is called the 'solidarity of nations,' of enlarged responsibilities and greatly increased force of public opinion—if there is not a precedent, it ought to be established on this very day. I am glad that the people of England have come forward to make a solemn declaration that, in their belief, there are moral as well as material weapons; that the moral weapons in the long run are the more effectual and the more permanent; and that it is our duty to resort to those moral weapons when for use of the material we have neither the right nor the power * * *"

Lord Shaftesbury offered the following resolution:

"That in the opinion of this meeting the persecutions and the outrages which the Jews in many parts of the Russian dominion have for several months past suffered, are an offense to civilization to be deeply deplored."

The Bishop of London said:

"A few years back our country was horrified with accounts of atrocities committed in what were then provinces of the Turkish Empire. The country was moved, but it had the consolation of knowing that though the sufferers were Christians, the perpetrators were almost all of another creed. Now, alas, the case is the reverse. Those who have perpetrated these atrocities are men who bear the name of Christians; so that the persecutions of the Middle Ages, on which history has long set the stamp of reprobation, have been reproduced in the latter part of the nineteenth century. * * * Speaking here from this platform, I may without presumption, in the name of every member of the Church of England, second the resolutions which Lord Shaftesbury has proposed."

Cardinal Manning, on behalf of the Catholics, said:

"It is because I believe that we are high above the tumults and conflicts of party politics, that we are in the serene region of human justice, that I am here today. * * * Further, I may say, that while we do not intend to touch upon any question in the internal legislation of Russia, still there are laws larger than any Russian legislation, laws which are equally binding in London, in St. Petersburg, and in Moscow—the laws of humanity, of nature, and of God—which are the foundation of all other laws; and if in any legislation these are violated, all nations of Christian Europe, the whole commonwealth of civilized and Christian men, would instantly acquire a right to speak out loud. * * * Is there any career of public utility, any path of honor, civil or military, in which the Jews have not stood side by side with their countrymen? * * * For uprightness, for refinement, for generosity, for charity, for all the graces and virtues that adorn humanity, where, I ask, will be found examples brighter, or more full of true human excellence, than in this branch of the Hebrew race. * * *

"There is but one word more I have to say. * * * There is a Book, my Lord, which is common to the race of Israel and to us Christians. That Book is a bond between us, and in that Book I read that the people of Israel are the oldest people upon the earth. Russias and Austrias and Englands are but of yesterday compared with the imperishable people, which—with an inextinguishable life and immutable traditions, and faith in God and the laws of God, scattered as it is all over the world, passing through the fires unscathed, trampled into the dust and yet never combining with the dust into which it is trampled—lives on, still a witness to us, a witness and a warning. We are in the bonds of brotherhood with it. The New Testament rests upon the Old. They believe in half of that for which we would give our lives. Let us, then, acknowledge that they are united with us in a common sympathy."

Canon Farrar, at the same meeting, said:

"The Jews are at once the noblest and the most trampled-upon nationality in the world. Their religion was the cradle of Christianity. The Jews have among them names which, as Sir Walter Scott says, as compared with any of our names, are like the gourd to the cedar, and which go back to the time when the voice of God shook the mercy seat between the Cherubim. It is the Jewish nation that humanity owes the deepest debt of gratitude, and it is on that nation that humanity has inflicted the deepest wrongs."

James Bryce also addressed this meeting and said in part:

"I feel honored in being asked to address this meeting * * * to confirm the testimony already given, that those who then spoke out so strongly against atrocities committed by Mohammedans against Christians feel now similar indignation against the attacks made by Christians upon Jews. * * *

"The resolution which I have to propose is as follows: 'That the lord mayor be requested to forward a copy of these resolutions to the Right Honorable W. E. Gladstone and the Right Honorable Earl Granville, in the hope that Her Majesty's Government may be able, when an opportunity arises, to exercise a friendly influence

with the Russian Government in accordance with the spirit of the preceding resolutions.' * * * It is, indeed, enough to make one blush for modern civilization to think that a people like the Jews—a people whose ancient literature is so sacred in our eyes, on whose ancient religion our own is based, who have rendered such eminent services to learning and science—in the nineteenth century should be subjected to such terrible persecution."

A mass meeting in New York City February 1, 1882, at Chickering Hall, was called at the request of ex-President U. S. Grant, Roscoe Conkling, and other distinguished American citizens. Mayor Grace, of New York, presided and made the following brief address:

"In the name of freedom of thought, of religious liberty, I feel that we are called upon to protest against the tyrannical illiberality of a government which permits the persecution of an entire people for the simple reason that they are of a peculiar race and peculiar faith. * * * I am strongly reminded of the words of Pope Innocent IV, in a letter which he wrote in defense of the Jews in 1247, where he says: 'What a shame it is they should be more miserable under Christian princes than their ancestors were under Pharaoh.'"

The chief address was delivered by ex-Secretary of State William H. Everts, who in part said:

"But it is said, Do not nations correspond only through governments, and are not governments clothed with complete authority within the territories over which they rule, and are they not jealous of any intimations or suggestions made by friendly governments, however close their amity may be? Well, gentlemen, the time has gone when kings, couriers, and ships of war were the only messengers between nations, and when state proclamations and announcements of ambassadors were the only messages that passed between nation and nation. All this wonderful apparatus of communication which the world rejoices in and uses every day, all this vast apparatus was not made for men and the transfusion of people with people, but the common diffusion of the world's common property in the interchange of thought, of feeling, and of purpose. All nations now speak directly to nations, under no constraint or formality, and under no difficulty of making themselves understood."

In 1891 the United States complained to the Russian Government of its harsh treatment of the Jews, which forced them to emigrate in large numbers to this country. On his instructions to the American ministry, February 18, 1891, Secretary of State James G. Blaine spoke of the action taken by the Russian Government as a step which "would not only wound the universal and innate sentiment of humanity but would suggest the difficult problem of affording an immediate asylum to a million or more of exiles without seriously deranging the conditions of labor and social organization in other communities."

Mr. Blaine further observed: "The Government of the United States does not assume to dictate the internal policy of other nations, or to make suggestions as to what their municipal laws should be or as to the manner in which they should be administered. Nevertheless, the mutual duties of nations require that each should use its power with a due regard for the results which its exercise produces on the rest of the world."

The American representative was directed to read this instruction to the Russian Minister of Foreign Affairs. President Benjamin Harrison, in his annual message, December 9, 1891, said:

"This Government has found occasion to express, in a friendly spirit but with much earnestness, to the Government of the Tsar its serious concern because of the harsh measures now being enforced against the Hebrews in Russia. By the revival of anti-Semitic laws, long in abeyance, great numbers of those unfortunate people have been constrained to abandon their homes and leave the empire by reason of the impossibility of finding subsistence within the pale to which it is sought to confine them. The emigration of these to the United States—many other countries being closed to them—is largely increasing and is likely to assume proportions which may make it difficult to find homes and employment for them here and to seriously affect the labor market. It is estimated that over 1,000,000 will be forced from Russia within a few years. The Hebrew is never a beggar; he has always kept the law—life by toll—often under severe and oppressive civil restrictions. It is also true that no race, sect, or class has more fully cared for its own than the Hebrew race. But the sudden transfer of such a multitude, under conditions that tend to strip them of their small accumulations and to depress their energies and courage is neither good for them nor for us. The banishment, whether by direct decree or by not less certain indirect methods, of so large a number of men and women is not a local question. A decree to leave one country is, in the nature of things, an order to enter another—some other. This consideration, as well as the suggestions of humanity, furnishes ample ground for the remonstrances which we have presented to Russia, while our historic friendship for that Government cannot fail to give assurance that our representations are those of a sincere well-wisher."

In 1902 Secretary of State Hay called the attention of the powers to Rumania's violation of the Treaty of Berlin and her unjustifiable oppression of the Jews. Stowell, page 69, comments:

"As the correspondence indicates, Secretary Hay's intention was to demand justice for the oppressed Jews in conformity with the principles of international law and the dictates of humanity. This action was taken, as he said in his dispatch of August 11, 1902, to Mr. McCormick, 'not alone because it (the United States) has unimpeachable grounds to remonstrate against the resulting injury to itself, but in the name of humanity.'"

The French Government also took a hand in this protest. Stowell says, page 67:

"From Paris the French consulate at Jassy had received the following telegram of instructions: 'The persecutions begun against the Jews at Jassy cause here a just and general indignation. Take prompt and energetic steps to put a stop to an iniquity which is a dishonor to the Rumanian Government.'"

The Kishineff massacre in Russia of 1903 led to other meetings of protest in the United States, notably one at Carnegie Hall, New York, May 27, 1903, over which Mayor Seth Low presided. Carl Schurz at this meeting spoke these memorable words:

"The persecution and maltreatment of human beings on account of their race or their religious belief is always an offense not only unjust to the victim, but also degrading to the offender. But the persecution and maltreatment of the Jews, as mankind has witnessed it, and is now witnessing it in several countries, has been not only especially barbarous in the ferocity of its excesses, but in a singular degree self-debasing and cowardly in the invention of the reasons adduced for its justification. These horrors are not only one more revelation of the ulterior tendency of a movement which here and there even assumes the mask of superior respectability. Here is the whole question again brought before the tribunal of the conscience of mankind. May this event serve to put in clearer light the fact that the history of the world exhibits no more monumental record of monstrous injustice than the persecutions inflicted upon the Jews during so many centuries. We may then also hope to see the other fact universally recognized that wherever the Jewish race, with its wonderful vitality and its remarkable productiveness of talent and energy, enjoys the equal protection of just laws and a due appreciation of its self-respect, it will, far from remaining a race of aliens, furnish its full contingent of law-abiding, peaceable, industrious, public-spirited, and patriotic citizenship, vying with the best."

Ex-President Grover Cleveland, at this meeting, made this notable contribution:

"The influences which have called us together tonight grow out of our recognition of the promptings of Christian civilization and our dutiful devotion to the best and deepest of our national characteristics. This demonstration furnishes cheering and reassuring evidence that our American sympathy for the oppressed and abused, wherever they may be, our American love of humanity, and our attachment to justice and right, are still active and unimpaired. There is another American trait inwoven with the warp and woof of our national character, which is here exhibited in most gratifying freshness and strength. Our people, when their sympathies are touched, when their humane instincts are challenged, and when their hatred of oppression is aroused, are not afraid to speak, and in such circumstances it is not their habits to smother or cautiously soften their words.

"Every American humane sentiment has been shocked by a late attack on the Jews in Russia—an attack murderous, atrocious, and in every way revolting. As members of the family of mankind, and as citizens of a free nation, we are here to give voice to the feeling that should stir every true man, and every American worthy of the name. There is something intensely horrible in the wholesale murder of unoffending, defenseless men, women, and children who have been tacitly, if not expressly, assured of safety under the protection of a professedly civilized government. Such things give rise to a distressing fear that even the enlightenment of the twentieth century has neither destroyed nor subdued the barbarity of human nature, nor wholly redeemed the civilized world from 'man's inhumanity to man.' * * *

"Let the people of the United States, gathered together in such assemblages as this, in every part of the land, fearlessly speak to the civilized world, protesting against every pretense of civilization that permits medieval persecution, against every bigoted creed that forbids religious toleration and freedom of conscience, against all false enlightenment that excuses hatred and cruelty toward any race of men, and against all spurious forms of government protection that withhold from any human being the right to live in safety and toil in peace."

At a Chicago meeting on May 18, 1903, a petition was approved and delivered to Secretary of State John Hay, under President Theodore Roosevelt. Whereupon Secretary Hay said:

"No person of ordinary humanity can have heard without deep emotion the story of the cruel outrages inflicted upon the Jews of Kishineff. These lamentable events have caused the profoundest impression throughout the world, but most especially in this country where there are so many of your coreligionists who form such a desirable element of our population in industry, thrift, public spirit, and commercial morality. Nobody can ever make the Americans think ill of the Jews as a class or as a race * * *. We know them too well. In the painful crisis through which we are now passing the Jews of the United States have given evidence of the highest qualities—generosity, love of justice, and power of self-restraint."

President Theodore Roosevelt took a firm stand in this matter and, as might be expected, was not afraid to deliver a resounding moral protest to the Russian Government in the face of these brutal outrages. Quoting from Thayer's Life of Roosevelt, pages 229, 230:

"Russian mobs ran amuck and massacred many Jews in the city of Kishineff. The news of this atrocity reached the outside world slowly; when it came the Jews of western Europe, and especially those of the United States, cried out in horror, held meetings, drew up protests, and framed petitions asking the Czar to punish the criminals. Leading American Jews besought Roosevelt to plead their cause before the Czar. As it was well known that the Czar would refuse to receive such petitions and would regard

himself as insulted by whatever nation should lay them before him by official diplomatic means, the world wondered what Roosevelt would do. He took one of his short cuts. He sent the petitions to our Ambassador at Petrograd, accompanying them with a letter which recited the atrocities and grievances. In this letter, which was handed to the Russian Secretary of State, our Government asked whether His Majesty the Czar would condescend to receive the petitions. Of course, the reply was 'No,' but the letter was published in all countries, so that the Czar also knew of the petitions and of the horrors which called them out. In this fashion the former ranchman and Rough Rider outwitted, by what I may call his straightforward guile, the crafty diplomats of the Romanoffs."

Commenting on this, Stowell says:

"Finally, public opinion in America became thoroughly aroused, and on December 17, 1911, the American Ambassador officially notified the Russian Government of the termination of the treaty of 1832."

In 1915, in the early stages of the World War, there occurred the Turkish persecution of Armenian Christians, and the United States, despite the inherent dangers involved, intervened diplomatically on the dictate of common humanity. Stowell (p. 80) comments as follows on this action:

"This action is of especial interest since it took place at a critical moment of the war (1915). The New York Evening Post, October 5, 1915, prints the following report from Washington: 'The Turkish Government will be formally notified that unless the massacre of Armenians ceases, friendly relations between the American people and the people of Turkey will be threatened. Instructions to that effect had gone today to Ambassador Morgenthau at Constantinople for presentation to the foreign office.'"

RELIGIOUS PERSECUTION OF CATHOLICS IN MEXICO IN 1935

On January 31, 1935, there was submitted to the Senate by the senior Senator from Idaho, former head of the Foreign Relations Committee of the Senate, a resolution protesting against the persecution of "Christians of all faiths" in Mexico, but relating mainly to the persecution of Catholics at the time, and calling for the appointment of a senatorial investigating committee. The Borah resolution provides:

"Whereas serious antireligious outbreaks have occurred in Mexico under the regime of the National Revolutionary Party now in control of the government of Mexico; and

"Whereas the persecutions of Christians of all faiths now being practiced in Mexico have aroused indignation and protest throughout the civilized world; and

"Whereas it has been the national policy of the Government and the dominant Revolutionary Party of Mexico to discourage religious profession and obliterate religious worship; and

"Whereas the present Mexican Government prohibits the time-honored practice of private religious instruction and education of children and compels parents as an only alternative to ignorance to educate their children in schools teaching hostility to orthodox religion; and

"Whereas Christian residents of Mexico who complain of such intolerance are flagrantly mistreated and abused: Now, therefore, be it

Resolved, That the Senate of the United States deems it fitting and proper to protest the antireligious campaign and practices of the present rulers of Mexico; and that it views with the gravest concern such ruthless persecution of helpless men and women who have become the innocent victims of antireligious persecutions; be it further

Resolved, That the Committee on Foreign Relations of the United States Senate, or a subcommittee thereof, be authorized to conduct hearings and receive such evidence as may be presented relating to religious persecution and antireligious compulsion and agitation in Mexico for the purpose of determining the policy of the United States in reference to this vital problem and in what way we may best serve the cause of tolerance and religious freedom."

CONCLUSION OF QUESTION 1

Thus we see in the actions and precedents of our past Executives and Secretaries of State, and of our past and present statesmen and publicists, a clear path of duty which we owe to the laws of nature, of God, and humanity. Protests by any nation against the infractions of these sacred highest laws are both permissible and laudable and should be received in a friendly spirit as a part of the comity of nations. Every effort should be made, just as between personal friends, to induce their assuagement and cessation on the basis of good will and mutual cooperation. Under our Constitution and Bill of Rights, America permits no invasion of freedom of religion, no laws of persecution against minorities, and hence is as well justified as any nation to urge the abandonment of such practices as make for ill-will and economic as well as political friction. The main obstacle to good will, which is indispensable to world harmony, is that some nations seem to regard it as a one-way street, something that is virtuous and praiseworthy when extended to them, but lacking in national merit when required of them. Let us try to break down this barrier not only by reciprocal commercial treaties but by reciprocal moral conduct. In this way only can the family of nations be reunited.

OUR DUTY TO AMERICA

We come then to the second great question which confronts us: What are our duties and obligations in the protection of our con-

stitutional democracy, our matchless liberties established and cherished for 150 years?

First of all, it is obviously incumbent upon us to regard with open eyes the period in which we live, to strip away all pretenses as to the forces which today work most powerfully to establish the nature of international life, and thus to comprehend the dangers from which our democracy must be safeguarded. If there are vital portions of the earth, if there are great nations in which the sanctity of the pledged word is no longer observed, in which rule by force or by the threat of force has supplanted rule by law and by the appeal to reason, an awakened democracy must look squarely in the face the dangers which a return to the arbitrament of the sword constitutes for all nations who seek a stable and peaceful world order.

It would appear that certain great figures do not care to have the democratic peoples thus realistically consider and openly discuss the spread of arbitrary rule based on armed might. For the public leaders or the press of the democracies to tell the truth about this development and to warn against its menace is, we are told by one European ruler, "war mongering"; and a European minister of foreign affairs has recently made the unprecedented suggestion that it is a part of the duty of the accredited diplomatic representatives of the democracies to see that newspaper correspondents reporting to their countries shall send no reports from the totalitarian states which shall disclose the extent and nature of these antidemocratic developments. All such candid recognition of facts as facts is stigmatized, in the highest quarters, as "war agitation."

We are for peace. To accuse this Nation of war agitation is to malign the principles of every administration in our history. It is to distort and defame the spirit and desire of every American citizen. Search our Nation from one end to the other and you will scarcely find one person in it who is not wholly, honestly, and passionately desirous of peace. Our people have no desire but, in the words of Scripture, to "live peacefully with all men." They will sacrifice to almost any length in order to preserve peace in all our international relations. But it is a just and lasting peace to which their hearts are devoted, not an armed and rearing truce between wars and conquests.

For that reason, while we persist in our determination to maintain peace in all our international relations, we are determined likewise to provide adequate protection for our free institutions within our own borders and to cooperate with all the other republics of this hemisphere against encroachments upon the democratic liberties which they, like we, have gained by the sacrifice of blood and treasure. We do not intend, we will not permit, our armed strength, by threat or otherwise, to be used in aggression anywhere in the world. But we cannot close our eyes to the perils in which our democracy walks at the present hour, and so we mean to use the limitless resources which are in our hands to forge weapons of protection, to the end that the most precious possession of all—our human liberty—may be made secure against sabotage or attack.

For the supreme stake for which we in the democracies live today, and if need be which we will defend to the death, is human liberty. It is this which our brave fathers have bequeathed to us, the one pearl of surpassing price which we must retain and hold fast even if it cost us all else that we have. Human liberty, the rights of men proclaimed in our Declaration of Independence and given legal definition in our Federal Constitution, that irreducible dignity of the human spirit which is the basis of our political institutions and which lies at the very heart of the religious faiths espoused by most of our people—these are the heritage of our past, and these are the possessions which make life worth living for us today. Freedom and liberty are the ends for which this Government was born and the ends for which we who love this Nation and believe in its destiny live. And we will not permit any actual or potential invader to place in jeopardy the expectation that our children shall receive unimpaired from our hands this boon which our fathers handed to us as a sacred trust.

We ask freedom to maintain and conduct our own forms of republican government and individual liberty in this hemisphere, as we freely grant the right of others to their own desired forms of government, dictatorial, autocratic, or totalitarian. But under no circumstances, pursuant to no pleas or threats, will we allow the autocratic forms of government known in other parts of the earth to become established in the New World or to undermine or destroy the liberties of our American republics.

Furthermore, it is evident that the time has come when we must reaffirm our unmistakable intention of defending our liberties, not only from all attack from without, but equally from those more sinister and dangerous attacks which arise on occasion within our own national life. This liberty which we cherish—what is it but that freedom of speech, freedom of the press, freedom from search and seizure, freedom to worship after the dictates of conscience which are assured to all Americans in the constitutional Bill of Rights? And these measures of freedom can only be secure in a society without discrimination because of religion, race, or any other form of division. Yet from time to time we discover, operating in our midst, movements which have as their avowed aims the introduction of these very causes of social discrimination and disability. Against all such alien intrusions which seek to set up within American life communities dedicated to alien ideals and inimical to American conceptions of liberty and democracy, we must set our faces with unflinching determination. Such influences have no proper place in this land "conceived in liberty, and dedicated to the proposition that all men are created equal."

If asked, therefore, to declare the policy of the United States in this period of peculiar international stress, we would affirm—

First, that as this Nation is dedicated to the attainment and perpetuation of human freedom, the Government and the people of this Nation regard it as their responsibility to speak out, in the name of liberty and the dignity of humanity, against all forms of persecution and oppression, wherever they may appear and whatever forms they may take; and

Second, that this Nation, the gift to us of the sacrifices and blood and toil of our fathers who thought no price too high to pay for liberty, intends to preserve here a democracy so strong that it will provide an impregnable home of freedom for ourselves and our children, while it continues to hold aloft its historic symbol of hope and promise for the vision and inspiration of the liberty-loving of all mankind.

Above all, the question for the American people is not "Do you want war?" No one in his right mind would answer that question save only to reply with a thunderous "No." Such a question itself begs the question. "Do you want liberty?" "Do you want freedom of conscience?" "Do you want to preserve American ideals of individual and religious liberty?" And "Do you care deeply enough for these blessings to defend them, to fight for them, if necessary to die fighting for them?" These are the real questions, answers to which the American people are not even in the shadow of a doubt. For is there an American "with soul so dead" who, with our priceless liberties in peril, would not cry out with Nathan Hale, "I regret I have but one life to give to my country"?

INVITATION TO PARTICIPATE IN INTERNATIONAL EXHIBITION OF POLAR EXPLORATION, BERGEN, NORWAY

The PRESIDING OFFICER (Mr. Lodge in the chair) laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations:

To the Congress of the United States of America:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State to the end that legislation may be enacted authorizing and requesting the President to accept the invitation of the Government of Norway to the Government of the United States to participate in an International Exhibition of Polar Exploration, which will be held at Bergen, Norway, in 1940, and authorizing an appropriation of the sum of \$35,500, or so much thereof as may be necessary, for the expenses incident to such participation.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, May 11, 1939.

[Enclosure: Report.]

CONFIRMATION OF NAVY AND MARINE CORPS NOMINATIONS

Mr. WALSH. Mr. President, as in executive session, I ask unanimous consent to report from the Naval Affairs Committee the nominations of a large number of naval officers and some promotions in the Marine Corps. Some others are officers of high rank who are being assigned to important bureaus in the Department. As the list is long, and if it is not acted upon at once it will have to be printed three times, I ask unanimous consent that the nominations in the Navy and Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection the report will be received, and, without objection the nominations in the Navy and Marine Corps are confirmed en bloc.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER, as in executive session, laid before the Senate a message from the President of the United States submitting the nomination of Brig. Gen. Max C. Tyler, Corps of Engineers, United States Army, for appointment as a member and president of the Mississippi River Commission, as provided for by law, vice Brig. Gen. Harley B. Ferguson, to be relieved, which was referred to the Committee on Commerce.

REMOVAL OF INJUNCTION OF SECRECY FROM CERTAIN CONVENTIONS

As in executive session,

Mr. PITTMAN. Mr. President, I ask unanimous consent that the injunction of secrecy be removed from the texts of the following conventions now pending before the Committee on Foreign Relations:

Executive J, Seventy-fifth Congress, third session, a draft convention (No. 61) concerning the reduction of hours of work in the textile industry, adopted by the International

Labor Conference at its twenty-third session, held at Geneva, June 3-23, 1937;

Executive A, Seventy-sixth Congress, first session, a convention between the United States of America and Canada, signed at Ottawa, September 15, 1933, providing for emergency regulation of the level of Rainy Lake and of other boundary waters in the Rainy Lake Watershed, as recommended by the International Joint Commission established pursuant to the provisions of the treaty signed at Washington on January 11, 1909, relating to questions arising between the United States of America and Canada;

Executive K, Seventy-sixth Congress, first session, a convention between the United States of America and Sweden for the avoidance of double taxation and the establishment of rules of reciprocal administrative assistance in the case of income and other taxation, signed at Washington on March 23, 1939; and

Executive L, Seventy-sixth Congress, first session, a draft convention (No. 63) concerning statistics of wages and hours of work in the principal mining and manufacturing industries, including building and construction, and in agriculture, adopted by the International Labor Conference at its twenty-fourth session, held at Geneva, June 2-22, 1938.

The PRESIDING OFFICER. Without objection, the injunction of secrecy is removed from the conventions referred to by the Senator from Nevada, and they are made public.

The conventions are as follows:

[Executive J, 75th Cong., 3d sess.]

INTERNATIONAL LABOUR CONFERENCE

DRAFT CONVENTION [No. 61] CONCERNING THE REDUCTION OF HOURS OF WORK IN THE TEXTILE INDUSTRY

The General Conference of the International Labour Organisation, Having met at Geneva in its Twenty-third Session on 3 June 1937;

Considering that the question of the reduction of hours of work in the textile industry is the second item on the Agenda of the Session;

Confirming the principle laid down in the Forty-Hour Week Convention, 1935, including the maintenance of the standard of living;

Considering it to be desirable that this principle should be applied by international agreement to the textile industry; adopts this twenty-second day of June of the year one thousand nine hundred and thirty-seven, the following Draft Convention which may be cited as the Reduction of Hours of Work (Textiles) Convention, 1937:

ARTICLE 1

1. This Convention applies to—

- (a) persons employed in an undertaking which fulfills the condition stated in paragraph 2 of this Article, including persons employed in any branch of such an undertaking which branch does not fulfill that condition; and
- (b) persons employed in a branch of an undertaking which branch fulfills the condition stated in paragraph 2 of this Article, even though the undertaking does not fulfill that condition.

2. The condition referred to in the preceding paragraph is that the undertaking or branch of an undertaking is engaged wholly or mainly in one or more of the series of operations delimited in paragraphs 3, 4 and 5 of this Article in the course of the manufacture of any kind of thread, yarn, twine, cord, rope, netting or felt, or any woven, piled, knitted or lacework fabric from any one or more of the following materials: cotton, wool, silk, flax, hemp, jute, rayon or other synthetic fibre, or any other textile material whether of vegetable, animal or mineral origin.

3. The series of operations referred to in paragraph 2 of this Article begins—

- (a) in the case of cotton, with the reception of the bales ginned cotton for breaking and cleaning;
- (b) in the case of wool, with the reception of the raw wool for sorting and cleaning (excluding the process of anthrax disinfection);
- (c) in the case of silk, with the reeling of the silk from the cocoon or the steeping of the silk waste;
- (d) in the case of flax, jute and hemp, with the operation of retting, except where this operation is effected as work accessory to that of an agricultural undertaking;
- (e) in the case of rayon or other synthetic fibre, with the reception of the materials used in the chemical production of the fibre;
- (f) in the case of rags, with the sorting of the rags or the reception of the sorted rags; and
- (g) in the case of any other textile material, with the operation prescribed by the competent authority as corresponding to the operations set out above.

4. The series of operations referred to in paragraph 2 of this Article includes the operations of bleaching, dyeing, printing, and

finishing and similar operations, and ends with the packing and despatch of the products specified in that paragraph.

5. The series of operations referred to in paragraph 2 of this Article includes the making in whole or in part of any garment or other article only in the following cases:

- (a) the case of hosiery manufacture; and
- (b) cases in which the garment or other article is made by the same process as the fabric thereof.

6. In any case in which it is doubtful whether an undertaking or branch of an undertaking fulfils the condition stated in paragraph 2 of this Article, the question shall be determined by the competent authority after consultation with the organisations of employers and workers concerned where such exist.

7. Where and so long as the principle of a forty-hour week is applied to persons to whom this Convention applies in accordance with the provisions of any international labour Convention other than this Convention, the competent authority may exclude such persons from the application of this Convention.

8. This Convention applies to persons employed in both public and private undertakings.

ARTICLE 2

The competent authority may, after consultation with the organisations of employers and workers concerned where such exist, exempt from the application of this Convention—

- (a) persons employed in undertakings in which only members of the employer's family are employed;
- (b) classes of persons who by reason of their special responsibilities are not subjected to the normal rules governing the length of the working week.

ARTICLE 3

1. For the purpose of this Convention the term "hours of work" means the time during which the persons employed are at the disposal of the employer and does not include rest periods during which they are not at his disposal.

2. Where at the date of the adoption of this Convention it is the practice not to regard time spent in the cleaning or oiling of machines as part of ordinary working time, the competent authority may permit any time not exceeding one-and-a-half hours in any week which is so spent to be disregarded in reckoning for the purpose of this Convention the hours of work of the persons concerned.

ARTICLE 4

1. The hours of work of persons to whom this Convention applies shall not exceed an average of forty per week.

2. In the cases of persons who work in successive shifts on processes required by reason of the nature of the process to be carried on without a break at any time of the day, night or week, weekly hours of work may average forty-two.

3. The competent authority shall, after consultation with the organisations of employers and workers concerned where such exist, determine the processes to which paragraph 2 of this Article applies.

4. Where hours of work are calculated as an average, the competent authority shall, after consultation with the organisations of employers and workers concerned where such exist, determine the number of weeks over which the average may be calculated and the maximum number of hours that may be worked in any week.

ARTICLE 5

The competent authority may, by regulations made after consultation with the organisations of employers and workers concerned where such exist, provide that the limits of hours authorised by the preceding Article may be exceeded to an extent prescribed by such regulations in the case of—

- (a) persons employed on preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working of the undertaking, branch or shift;
- (b) persons employed in occupations which by their nature involve long periods of inaction during which the said persons have to display neither physical activity nor sustained attention or remain at their posts only to reply to possible calls;
- (c) persons employed in connection with the transport, delivery or loading or unloading of goods.

ARTICLE 6

1. The limits of hours authorised by the preceding Articles may be exceeded, but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking.

- (a) in case of accident, actual or threatened, or in case of urgent work to be done to machinery or plant, or in case of force majeure;
- (b) in order to make good the unforeseen absence of one or more members of a shift.

2. The employer shall notify the competent authority without delay of all time worked in virtue of this Article and of the reasons therefor.

ARTICLE 7

1. The limits of hours authorised by the preceding Articles may be exceeded in cases where the continued presence of particular persons is necessary for the completion of a bleaching, dyeing, finishing or other operation, or of a succession of such operations, which for technical reasons cannot be interrupted without damage to the material worked and which by reason of exceptional

circumstances it has not been possible to complete within the normal limit of hours.

2. The competent authority shall, after consultation with the organisations of employers and workers concerned where such exist, determine the operations to which and the conditions subject to which the preceding paragraph applies and the maximum number of hours which may be worked in virtue of that paragraph by the persons concerned.

ARTICLE 8

1. Upon application by an employer, the competent authority may, after consultation with the organisations of employers and workers concerned where such exist, grant an allowance of overtime for specified classes of persons in exceptional cases in which overtime on one or more operations is necessary in order to enable the workers engaged in subsequent operations in the same undertaking to be employed up to the authorised limits of hours.

2. The competent authority shall determine, after consultation with the organizations of employers and workers concerned where such exist, the maximum number of hours of overtime which may be worked in virtue of paragraph 1 of this Article, so however that no such allowance shall permit of any person being employed for more than sixty hours of such overtime in any year or for more than four hours of such overtime in any week.

3. Overtime worked in virtue of this Article shall be remunerated at not less than one-and-a-quarter times the normal rate.

4. The competent authority may attach to the grant of an allowance of overtime such conditions as it deems expedient with a view to securing a progressive reduction in the amount of overtime.

ARTICLE 9

1. The competent authority may permit the limits of hours authorised by the preceding Articles to be exceeded subject to the conditions that—

- (a) all time worked in virtue of this Article shall be regarded as overtime and shall be remunerated at not less than one-and-a-quarter times the normal rate; and
- (b) no person shall be employed in virtue of this Article for more than seventy-five hours of overtime in any year.

2. In cases in which national laws or regulations apply the weekly limit of hours as a strict limit applicable to each week, the competent authority may permit not more than one hundred additional hours of overtime in any year to be worked, subject to the condition that such additional hours of overtime shall be remunerated at not less than one-and-a-quarter times the normal rate.

3. When granting permission in virtue of the preceding paragraphs, the competent authority shall satisfy itself that there will be no consistent working of overtime.

4. The competent authority shall only grant permission to work overtime in virtue of this Article in accordance with regulations made after consultation with the organisations of employers and workers concerned where such exist.

5. The regulations referred to in the preceding paragraph shall prescribe—

- (a) the procedure by which permission may be granted to employers to work overtime in virtue of this Article; and
- (b) the maximum number of hours for which the competent authority may grant permission and the minimum overtime rate to be paid for such hours.

ARTICLE 10

In order to facilitate the effective enforcement of the provisions of this Convention every employer shall—

- (a) notify in a manner approved by the competent authority, by the posting of notices or otherwise,
 - (i) the hours at which work begins and ends;
 - (ii) where work is carried on by shifts, the hours at which each shift begins and ends;
 - (iii) where a rotation system is applied, a description of the system including a time-table for each person or group of persons;
 - (iv) the arrangements made in cases where the average duration of the working week is calculated over a number of weeks; and
 - (v) effective rest periods as defined in Article 3; and
- (b) keep a record in the form prescribed by the competent authority of all additional hours worked in virtue of Articles 7, 8 and 9 of this Convention and of the payments made in respect thereof.

ARTICLE 11

Any Member may suspend the operation of the provisions of this Convention during any emergency which endangers the national safety.

ARTICLE 12

During a period which shall not exceed two years from the coming into force of this Convention for the Member concerned, the competent authority may approve transitional arrangements in virtue of which—

- (a) the reduction of hours of work to the limits authorised by the preceding Articles may be accomplished by stages during the said period;
- (b) specified classes of workers or undertakings may be exempted from all or any of the provisions of the Convention during the said period.

ARTICLE 13

The annual reports upon the application of this Convention to be submitted by Members under Article 22 of the Constitution of the International Labour Organisation shall include more particularly full information concerning—

- (a) decisions taken in virtue of Article 1, paragraph 3 (g);
- (b) exemptions made in virtue of Article 2, and any conditions subject to which such exemptions are made;
- (c) any recourse to the provisions of Article 3, paragraph 2;
- (d) determinations made in pursuance of Article 4, paragraph 4;
- (e) regulations made in virtue of Article 5;
- (f) determinations made in pursuance of Article 7, paragraph 2;
- (g) allowances of overtime granted in virtue of Article 8; and
- (h) the extent to which recourse has been had to the provisions of Article 9.

ARTICLE 14

In accordance with Article 19, paragraph 11, of the Constitution of the International Labour Organisation, nothing in this Convention shall affect any law, award, custom or agreement between employers and workers which ensures more favourable conditions to the workers than those provided for by this Convention.

ARTICLE 15

In the event of the Conference adopting a further Convention determining such modifications of the provisions of this Convention as may be required to meet the case of countries to which Article 19, paragraph 3, of the Constitution of the International Labour Organisation applies, this Convention and the aforesaid further Convention shall be deemed to form one Convention.

ARTICLE 16

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

ARTICLE 17

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Secretary-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Secretary-General.

3. Thereafter, this Convention shall come into force for any Member 12 months after the date on which its ratification has been registered.

ARTICLE 18

As soon as the ratifications of two Members of the International Labour Organisation have been registered, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

ARTICLE 19

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

ARTICLE 20

At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the Agenda of the Conference the question of its revision in whole or in part.

ARTICLE 21

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides,

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 19 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

ARTICLE 22

The French and English texts of this Convention shall both be authentic.

The foregoing is the authentic text of the Draft Convention duly adopted by the General Conference of the International Labour Organisation during its Twenty-third Session which was held at Geneva and declared closed the 23rd day of June 1937.

In faith whereof we have appended our signatures this tenth day of August 1937.

SEÁN F. LEMASS,
The President of the Conference.
HAROLD BUTLER,
The Director of the International Labour Office.

Certified to be a true and correct copy of the certified texts of the draft convention furnished by the Secretary-General of the League of Nations.

CORDELL HULL,
Secretary of State of the United States of America.

[Executive A, 76th Cong., 1st Sess.]

The United States of America and His Majesty the King of Great Britain, Ireland, and the British dominions beyond the Seas, Emperor of India, in respect of Canada,

Desirous of providing for emergency regulation of the level of Rainy Lake and of the level of other boundary waters in the Rainy Lake watershed, in such a way as to protect the interests of the inhabitants of the United States of America and Canada, and,

Accepting as a basis of agreement the following recommendations made by the International Joint Commission in its final report dated May 1, 1934, on the Reference concerning Rainy Lake and the boundary waters flowing into and from that lake, and particularly in answer to question 2 of that Reference, namely,

"that it would be wise and in the public interest that the Commission be clothed with power to determine when unusual or extraordinary conditions exist throughout the watershed, whether by reason of high or low water, and that it be empowered to adopt such measures of control as to it may seem proper with respect to existing dams at Kettle Falls and International Falls, as well as any future dams or works, in the event of the Commission determining that such unusual or extraordinary conditions exist."

Have resolved to conclude a convention for that purpose and have accordingly named as their plenipotentiaries:—

The President of the United States of America:
John Farr Simmons, Charge d'Affaires ad interim of the United States of America at Ottawa;

His Majesty the King of Great Britain, Ireland, and the British dominions beyond the Seas, Emperor of India, for Canada:

The Right Honourable William Lyon Mackenzie King, Prime Minister, President of the Privy Council and Secretary of State for External Affairs;

Who, after having communicated to each other their full powers, found in good and due form, have agreed as follows:

ARTICLE I

The International Joint Commission, established pursuant to the provisions of the treaty signed at Washington on the 11th day of January 1909, relating to questions arising between the United States of America and Canada, is hereby clothed with power to determine when emergency conditions exist in the Rainy Lake watershed, whether by reason of high or low water, and the Commission is hereby empowered to adopt such measures of control as to it may seem proper with respect to existing dams at Kettle Falls and International Falls, as well as with respect to any existing or future dams or works in boundary waters of the Rainy Lake watershed, in the event the Commission shall determine that such emergency conditions exist.

ARTICLE II

This convention shall be ratified in accordance with the constitutional forms of the Contracting Parties and shall take effect immediately upon the exchange of ratifications which shall take place at Ottawa as soon as possible.

In witness whereof the undersigned plenipotentiaries have signed the present convention and have hereunto affixed their seals.

Done in duplicate at Ottawa this fifteenth day of September A. D. 1938.

JOHN FARR SIMMONS. [SEAL]
W. M. MACKENZIE KING. [SEAL]

[Executive K, 76th Cong., 1st sess.]

The President of the United States of America and His Majesty the King of Sweden, being desirous of avoiding double taxation and of establishing rules of reciprocal administrative assistance in the case of income and other taxes, have decided to conclude a Convention and for that purpose have appointed as their respective Plenipotentiaries:

The President of the United States of America:
Sumner Welles, Acting Secretary of State of the United States of America; and

His Majesty the King of Sweden:
W. Boström, Envoy Extraordinary and Minister Plenipotentiary at Washington;

who, having communicated to one another their full powers found in good and due form, have agreed upon the following Articles:

ARTICLE I

The taxes referred to in this Convention are:

- (a) In the case of the United States of America:
 - (1) The Federal income taxes, including surtaxes and excess-profits taxes.
 - (2) The Federal capital stock tax.
- (b) In the case of Sweden:
 - (1) The National income and property tax, including surtax.
 - (2) The National special property tax.
 - (3) The communal income tax.

It is mutually agreed that the present Convention shall also apply to any other or additional taxes imposed by either contracting State, subsequent to the date of signature of this Convention, upon substantially the same bases as the taxes enumerated herein.

The benefits of this Convention shall accrue only to citizens and residents of the United States of America, to citizens and residents of Sweden and to United States or Swedish corporations and other entities.

ARTICLE II

An enterprise of one of the contracting States is not subject to taxation by the other contracting State in respect of its industrial and commercial profits except in respect of such profits allocable to its permanent establishment in the latter State. The income thus taxed in the latter State shall be exempt from taxation in the former State.

No account shall be taken, in determining the tax in one of the contracting States, of the mere purchase of merchandise effected therein by an enterprise of the other State.

The competent authorities of the two contracting States may lay down rules by agreement for the apportionment of industrial and commercial profits.

ARTICLE III

When an enterprise of one of the contracting States, by reason of its participation in the management or capital of an enterprise of the other contracting State, makes or imposes on the latter in their commercial or financial relations conditions different from those which would be made with an independent enterprise, any profits which should normally have appeared in the balance sheet of the latter enterprise but which have been in this manner diverted to the former enterprise may, subject to applicable measures of appeal, be incorporated in the taxable profits of the latter enterprise. In such case consequent rectifications may be made in the accounts of the former enterprise.

ARTICLE IV

Income which an enterprise of one of the contracting States derives from the operation of ships or aircraft registered in that State is taxable only in the State in which registered. Income derived by such an enterprise from the operation of ships or aircraft not so registered shall be subject to the provisions of Article II.

ARTICLE V

Income of whatever nature derived from real property, including gains derived from the sale of such property, but not including interest from mortgages or bonds secured by real property, shall be taxable only in the contracting State in which the real property is situated.

ARTICLE VI

Royalties from real property or in respect of the operation of mines, quarries, or other natural resources shall be taxable only in the contracting State in which such property, mines, quarries, or other natural resources are situated.

Other royalties and amounts derived from within one of the contracting States by a resident or by a corporation or other entity of the other contracting State as consideration for the right to use copyrights, patents, secret processes and formulas, trade-marks and other analogous rights, shall be exempt from taxation in the former State.

ARTICLE VII

1. Dividends shall be taxable only in the contracting State in which the shareholder is resident or, if the shareholder is a corporation or other entity, in the contracting State in which such corporation or other entity is created or organized; provided, however, that each contracting State reserves the right to collect and retain (subject to applicable provisions of its revenue laws) the taxes which, under its revenue laws, are deductible at the source, but not in excess of 10 per centum of the amount of such dividends. For the purposes of this Article the National income and property tax imposed by Sweden shall be deemed to be a tax deducted at the source.

2. Notwithstanding the provisions of Article XXII of this Convention, the provisions of this Article may be terminated by either of the contracting States at the end of two years from the date upon which this Convention enters into force or at any time thereafter, provided at least six months' prior notice of termination is given, such termination to become effective on the first day of January following the expiration of such six-month period. In the event the provisions of this Article are terminated, the provisions of—

- (1) Article XIII (2), in so far as they relate to the special property tax imposed by Sweden upon shares in a corporation;
- (2) Article XIV (b) (2), relating to the allowance of an additional deduction from taxes on dividends; and
- (3) Article XVI, in so far as they relate to exchange of information with respect to dividends, will likewise terminate.

ARTICLE VIII

Interest on bonds, notes, or loans shall be taxable only in the contracting State in which the recipient of such interest is a resident or, in the case of a corporation or other entity, in the State in which the corporation or other entity is created or organized; provided, however, that each contracting State reserves the right to collect and retain (subject to applicable provisions of its revenue laws) the taxes which, under its revenue laws, are deductible at the source.

ARTICLE IX

Gains derived in one of the contracting States from the sale or exchange of capital assets by a resident or a corporation or other entity of the other contracting State shall be exempt from taxation in the former State, provided such resident or corporation or other entity has no permanent establishment in the former State.

ARTICLE X

Wages, salaries and similar compensation and pensions paid by one of the contracting States or by the political subdivisions or territories or possessions thereof to individuals residing in the other State shall be exempt from taxation in the latter State.

Private pensions and life annuities derived from within one of the contracting States and paid to individuals residing in the other contracting State shall be exempt from taxation in the former State.

ARTICLE XI

(a) Compensation for labor or personal services, including the practice of the liberal professions, shall be taxable only in the contracting State in which such services are rendered.

(b) The provisions of paragraph (a) are, however, subject to the following exceptions:

A resident of Sweden shall be exempt from United States tax upon compensation for labor or personal services performed within the United States of America if he falls within either of the following classifications:

1. He is temporarily present within the United States of America for a period or periods not exceeding a total of one hundred eighty days during the taxable year and his compensation is received for labor or personal services performed as an employee of, or under contract with, a resident or corporation or other entity of Sweden; or
2. He is temporarily present in the United States of America for a period or periods not exceeding a total of ninety days during the taxable year and the compensation received for such services does not exceed \$3,000.00 in the aggregate.

In such cases Sweden reserves the right to the taxation of such income.

(c) The provisions of paragraph (b) of this Article shall apply, mutatis mutandis, to a resident of the United States of America deriving compensation for personal services performed within Sweden.

(d) The provisions of paragraphs (b) and (c) of this Article shall have no application to the professional earnings of such individuals as actors, artists, musicians and professional athletes.

(e) The provisions of this Article shall have no application to the income to which Article X relates.

ARTICLE XII

Students or business apprentices from one contracting State residing in the other contracting State exclusively for purposes of study or for acquiring business experience shall not be taxable by the latter State in respect of remittances received by them from within the former State for the purposes of their maintenance or studies.

ARTICLE XIII

In the case of taxes on property or increment of property the following provisions shall be applicable:

(1) If the property consists of:

- (a) Immovable property and accessories appertaining thereto;
 - (b) Commercial or industrial enterprises, including maritime shipping and air transport undertakings;
- the tax may be levied only in that contracting State which is entitled under the preceding Articles to tax the income from such property.

(2) In the case of all other forms of property, the tax may be levied only in that contracting State where the taxpayer has his residence or, in the case of a corporation or other entity, in the contracting State where the corporation or other entity has been created or organized.

The same principles shall apply to the United States capital stock tax with respect to corporations of Sweden having capital or other property in the United States of America.

ARTICLE XIV

It is agreed that double taxation shall be avoided in the following manner:

(a) Notwithstanding any other provision of this Convention, the United States of America in determining the income and excess-profits taxes, including all surtaxes, of its citizens or residents or corporations, may include in the basis upon which such taxes are imposed all items of income taxable under the revenue laws of the United States of America as though this Convention had not come into effect. The United States of America shall, however, deduct the amount of the taxes specified in Article I (b)

(1) and (3) of this Convention or other like taxes from the income tax thus computed but not in excess of that portion of the income tax liability which the taxpayer's net income taxable in Sweden bears to his entire net income.

(b) (1) Notwithstanding any other provision of this Convention, Sweden, in determining the graduated tax on income and property of its residents or corporations or other entities, may include in the basis upon which such tax is imposed all items of income and property subject to such tax under the taxation laws of Sweden. Sweden shall, however, deduct from the tax so calculated that portion of such tax liability which the taxpayer's income and property exempt from taxation in Sweden under the provisions of this Convention bears to his entire income and property.

(2) There shall also be allowed by Sweden from its national income and property tax a deduction offsetting the tax deducted at the source in the United States of America, amounting to not less than 5 per centum of the dividends from within the United States of America and subject to such tax in Sweden. It is agreed that the United States of America shall allow a similar credit against the United States income tax liability of citizens of Sweden residing in the United States of America.

ARTICLE XV

With a view to the more effective imposition of the taxes to which the present Convention relates, each of the contracting States undertakes, subject to reciprocity, to furnish such information in the matter of taxation, which the authorities of the State concerned have at their disposal or are in a position to obtain under their own law, as may be of use to the authorities of the other State in the assessment of the taxes in question and to lend assistance in the service of documents in connection therewith. Such information and correspondence relating to the subject matter of this Article shall be exchanged between the competent authorities of the contracting States in the ordinary course or on demand.

ARTICLE XVI

1. In accordance with the preceding Article, the competent authorities of the United States of America shall forward to the competent authorities of Sweden as soon as practicable after the close of each calendar year the following information relating to such calendar year.

(a) The names and addresses of all addressees within Sweden deriving from sources within the United States of America dividends, interest, royalties, pensions, annuities, or other fixed or determinable annual or periodical income, showing the amount of such income with respect to each addressee;

(b) Any particulars which the competent United States authorities may obtain from banks, savings banks or other similar institutions concerning assets belonging to individuals resident in Sweden or to Swedish corporations or other entities;

(c) Any particulars which the competent United States authorities may obtain from inventories in the case of property passing on death concerning debts contracted with individuals resident in Sweden or to Swedish corporations or other entities.

2. The competent authorities of Sweden shall forward to the competent authorities of the United States of America as soon as practicable after the close of each calendar year the following information relating to such calendar year.

(a) The particulars contained in the forms delivered to the Swedish authorities in connection with the payment to individuals or corporations or other entities whose addresses are within the United States of America of dividends on shares in a corporation or participation certificates in cooperative societies, and interest on bonds or other similar securities;

(b) The particulars contained in permits accorded to individuals resident in the United States of America or to United States corporations or other entities to enable them to acquire for business purposes immovable property situated in Sweden;

(c) Any particulars which the central Swedish authorities may obtain from banks, savings banks, or other similar institutions concerning assets belonging to individuals resident in the United States of America or to United States corporations or other entities;

(d) Any particulars which the central Swedish authorities may obtain from inventories in the case of property passing on death, concerning debts contracted with individuals resident in the United States of America, or United States corporations or other entities;

(e) A list of the names and addresses of all United States citizens resident in the United States of America who have made declarations to the Central Committee in Stockholm in charge of the taxation of taxpayers not resident in Sweden for purposes of the Swedish tax on income and property;

(f) Particulars concerning annuities and pensions, public or private, paid to individuals resident in the United States of America.

ARTICLE XVII

Each contracting State undertakes, in the case of citizens or corporations or other entities of the other contracting State, to lend assistance and support in the collection of the taxes to which the present Convention relates, together with interest, costs, and additions to the taxes and fines not being of a penal character.

The contracting State making such collections shall be responsible to the other contracting State for the sums thus collected.

In the case of applications for enforcement of taxes, revenue claims of each of the contracting States which have been finally determined shall be accepted for enforcement by the other contracting State and collected in that State in accordance with the laws applicable to the enforcement and collection of its own taxes. The State to which application is made shall not be required to enforce executory measures for which there is no provision in the law of the State making the application.

The applications shall be accompanied by such documents as are required by the laws of the State making the application to establish that the taxes have been finally determined.

If the revenue claim has not been finally determined the State to which application is made may, at the request of the other contracting State, take such measures of conservancy as are authorized by the revenue laws of the former State.

ARTICLE XVIII

The competent authority of each of the contracting States shall be entitled to obtain, through diplomatic channels, from the competent authority of the other contracting State, particulars in concrete cases relative to the application to citizens or to corporations or other entities of the former State, of the taxes to which the present Convention relates. With respect to particulars in other cases, the competent authority of each of the contracting States will give consideration to requests from the competent authority of the other contracting State.

ARTICLE XIX

In no case shall the provisions of Article XVII, relating to mutual assistance in the collection of taxes, or of Article XVIII, relating to particulars in concrete cases, be construed so as to impose upon either of the contracting States the obligation

(1) to carry out administrative measures at variance with the regulations and practice of either contracting State, or

(2) to supply particulars which are not procurable under its own legislation or that of the State making application.

The State to which application is made for information or assistance shall comply as soon as possible with the request addressed to it. Nevertheless, such State may refuse to comply with the request for reasons of public policy or if compliance would involve violation of a business, industrial or trade secret or practice. In such case it shall inform, as soon as possible, the State making the application.

ARTICLE XX

Where a taxpayer shows proof that the action of the revenue authorities of the contracting States has resulted in double taxation in his case in respect of any of the taxes to which the present Convention relates, he shall be entitled to lodge a claim with the State of which he is a citizen or, if he is not a citizen of either of the contracting States, with the State of which he is a resident, or, if the taxpayer is a corporation or other entity, with the State in which it is created or organized. Should the claim be upheld, the competent authority of such State may come to an agreement with the competent authority of the other State with a view to equitable avoidance of the double taxation in question.

ARTICLE XXI

The competent authorities of the two contracting States may prescribe regulations necessary to interpret and carry out the provisions of this Convention. With respect to the provisions of this Convention relating to exchange of information, service of documents and mutual assistance in the collection of taxes, such authorities may, by common agreement, prescribe rules concerning matters of procedure, forms of application and replies thereto, conversion of currency, disposition of amounts collected, minimum amounts subject to collection and related matters.

ARTICLE XXII

The present Convention shall be ratified, in the case of the United States of America, by the President, by and with the advice and consent of the Senate, and in the case of Sweden, by His Majesty the King, with the consent of the Riksdag. The ratifications shall be exchanged at Stockholm.

This Convention shall become effective on the first day of January following the exchange of the instruments of ratification and shall apply to income realized and property held on or after that date. The Convention shall remain in force for a period of five years and indefinitely thereafter but may be terminated by either contracting State at the end of the five-year period or at any time thereafter, provided at least six months' prior notice of termination has been given, the termination to become effective on the first day of January following the expiration of the six-month period.

In witness whereof the respective Plenipotentiaries have signed this Convention and have affixed their seals hereto. Done in duplicate, in the English and Swedish languages, both authentic, at Washington, this twenty-third day of March, nineteen hundred and thirty-nine.

For the President of the United States of America:

SUMNER WELLES [SEAL]

For His Majesty the King of Sweden:

W. BOSTRÖM [SEAL]

PROTOCOL

At the moment of signing the Convention for the avoidance of double taxation, and the establishment of rules of reciprocal administrative assistance in the case of income and other taxes, this day concluded between the United States of America and Sweden,

the undersigned Plenipotentiaries have agreed that the following provisions shall form an integral part of the Convention:

1. As used in this Convention:
 - (a) The term "permanent establishment" includes branches, mines and oil wells, plantations, factories, workshops, warehouses, offices, agencies, installations, and other fixed places of business of an enterprise but does not include the casual or temporary use of merely storage facilities. A permanent establishment of a subsidiary corporation shall not be deemed to be a permanent establishment of the parent corporation. When an enterprise of one of the contracting States carries on business in the other State through an employee or agent, established there, who has general authority to contract for his employer or principal, it shall be deemed to have a permanent establishment in the latter State. But the fact that an enterprise of one of the contracting States has business dealings in the other State through a bona fide commission agent, broker or custodian shall not be held to mean that such enterprise has a permanent establishment in the latter State.
 - (b) The term "enterprise" includes every form of undertaking whether carried on by an individual, partnership, corporation, or any other entity.
 - (c) The term "enterprise of one of the contracting States" means, as the case may be, "United States enterprise" or "Swedish enterprise".
 - (d) The term "United States enterprise" means an enterprise carried on in the United States of America by a resident of the United States of America or by a United States corporation or other entity; the term "United States corporation or other entity" means a partnership, corporation or other entity created or organized in the United States of America or under the law of the United States of America or of any State or Territory of the United States of America.
 - (e) The term "Swedish enterprise" is defined in the same manner, mutatis mutandis, as the term "United States enterprise".
2. The term "corporation" includes associations, joint-stock companies, and insurance companies.
3. A citizen of one of the contracting States not residing in either shall be deemed, for the purpose of this Convention, to be a resident of the contracting State of which he is a citizen.

When doubt arises with respect to residence or with respect to the taxable status of corporations or other entities, the competent authorities of the two contracting States may settle the question by mutual agreement.
4. The provisions of Swedish law concerning the taxation of the undivided estates of deceased persons shall not apply where the beneficiaries are directly liable to taxation in the United States of America.
5. The term "life annuities" referred to in Article X of this Convention means a stated sum payable periodically at stated times during life, or during a specified number of years, under an obligation to make the payments in consideration of a gross sum paid for such obligation.
6. The Swedish so-called "fees tax" (bevillningsavgift för vissa offentliga föreställningar) based on gross income in so far as it affects such individuals as actors, artists, musicians and professional athletes shall be deemed to be an income tax for the purposes of Article XIV (a).

The credit for taxes provided in Article XIV shall have no application to taxes deducted at the source from dividends and interest except to the extent provided in paragraph (b) (2) of that Article.

In the application of the provisions of this Convention the benefits of section 131 of the United States Revenue Act of 1938, relating to credits for foreign taxes, shall be accorded, but the credit provided for in Article XIV (a) shall not extend to United States excess-profits taxes nor to the surtax imposed on personal holding companies.
7. Citizens of each of the contracting States residing within the other contracting State shall not be subjected in the latter State to other or higher taxes than are imposed upon the citizens of such latter State.
8. The provisions of this Convention shall not be construed to deny or affect in any manner the right of diplomatic and consular officers to other or additional exemptions now enjoyed or which may hereafter be granted to such officers, nor to deny to either of the contracting States the right to subject to taxation its own diplomatic and consular officers.
9. The provisions of the present Convention shall not be construed to restrict in any manner any exemption, deduction, credit or other allowance accorded by the laws of one of the contracting States in the determination of the tax imposed by such State.
10. In the administration of the provisions of this Convention relating to exchange of information, service of documents, and mutual assistance in collection of taxes, fees and costs incurred in the ordinary course shall be borne by the State to which application is made but extraordinary costs incident to special forms of procedure shall be borne by the applying State.
11. Documents and other communications or information contained therein, transmitted under the provisions of this Convention by one of the contracting States to the other contracting State shall not be published, revealed or disclosed to any person except to the extent permitted under the laws of the latter State with respect to similar documents, communications or information.

12. As used with respect to revenue claims in Article XVII of this Convention the term "finally determined" shall be deemed to mean:

- (a) In the case of Sweden, claims which have been finally established, even though still open to revision by exceptional procedure;
 - (b) In the case of the United States of America, claims which are no longer appealable, or which have been determined by decision of a competent tribunal, which decision has become final.
13. A used in this Convention the term "competent authority" or "competent authorities" means, in the case of the United States of America, the Secretary of the Treasury and in the case of Sweden, the Finance Ministry.
14. The term "United States of America" as used in this Convention in a geographical sense includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia.
15. Should any difficulty or doubt arise as to the interpretation or application of the present Convention, or its relationship to Conventions between one of the contracting States and any other State, the competent authorities of the contracting States may settle the question by mutual agreement.
16. The present Convention and Protocol shall not be deemed to affect the exchange of notes between the United States of America and Sweden providing relief from double income taxation on shipping profits, signed March 31, 1938.
- Done at Washington, this twenty-third day of March, nineteen hundred and thirty-nine.

SUMNER WELLES [SEAL]
W. BOSTRÖM [SEAL]

[Executive L, 76th Cong., 1st sess.]
INTERNATIONAL LABOUR CONFERENCE

DRAFT CONVENTION (No. 63) CONCERNING STATISTICS OF WAGES AND HOURS OF WORK IN THE PRINCIPAL MINING AND MANUFACTURING INDUSTRIES, INCLUDING BUILDING AND CONSTRUCTION, AND IN AGRICULTURE

The General Conference of the International Labour Organisation, Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-fourth Session on 2 June 1938, and

Having decided upon the adoption of certain proposals with regard to statistics of wages and hours of work in the principal mining and manufacturing industries, including building and construction, and in agriculture, which is the sixth item on the agenda of the Session, and

Having determined that these proposals shall take the form of a Draft International Convention, and

Having determined that, although it is desirable that all Members of the Organisation should compile statistics of average earnings and of hours actually worked which comply with the requirements of Part II of this Convention, it is nevertheless expedient that the Convention should be open to ratification by Members which are not in a position to comply with the requirements of that Part,

adopts, this twentieth day of June of the year one thousand nine hundred and thirty-eight the following Draft Convention which may be cited as the Convention concerning Statistics of Wages and Hours of Work, 1938:

PART I.—GENERAL PROVISIONS

Article 1.

Each Member of the International Labour Organisation which ratifies this Convention undertakes that:

- (a) it will compile as required by this Convention statistics relating to wages and hours of work;
- (b) it will publish the data compiled in pursuance of this Convention as promptly as possible and will endeavor to publish data collected at quarterly or more frequent intervals during the succeeding quarter and to publish data collected at intervals of six or twelve months during the succeeding six or twelve months respectively; and
- (c) it will communicate the data compiled in pursuance of this Convention to the International Labour Office at the earliest possible date.

Article 2.

1. Any Member which ratifies this Convention may, by a declaration appended to its ratification, exclude from its acceptance of the Convention:

- (a) any one of Parts II, III, or IV; or
- (b) Parts II and IV; or
- (c) Parts III and IV.

2. Any Member which has made such a declaration may at any time cancel that declaration by a subsequent declaration.

3. Every Member for which a declaration made under paragraph 1 of this Article is in force shall indicate each year in its annual report upon the application of this Convention the extent to which any progress has been made with a view to the application of the Part or Parts of the Convention excluded from its acceptance.

Article 3.

Nothing in this Convention imposes any obligation to publish or to reveal particulars which would result in the disclosure of information relating to any individual undertaking or establishment.

Article 4.

1. Each Member which ratifies this Convention undertakes that its competent statistical authority shall, unless it has already obtained the information in some other way, make enquiries relating either to all, or to a representative part, of the wage earners concerned, in order to obtain the information required for the purpose of the statistics which it has undertaken to compile in accordance with this Convention.

2. Nothing in this Convention shall be interpreted as requiring any Member to compile statistics in cases in which, after enquiries made in the manner required by paragraph 1 of this Article, it is found impracticable to obtain the necessary information without the exercise of compulsory powers.

PART II.—STATISTICS OF AVERAGE EARNINGS AND OF HOURS ACTUALLY WORKED IN MINING AND MANUFACTURING INDUSTRIES

Article 5.

1. Statistics of average earnings and of hours actually worked shall be compiled for wage earners employed in each of the principal mining and manufacturing industries, including building and construction.

2. The statistics of average earnings and of hours actually worked shall be compiled on the basis of data relating either to all establishments and wage earners or to a representative sample of establishments and wage earners.

3. The statistics of average earnings and of hours actually worked shall:

- (a) give separate figures for each of the principal industries; and
- (b) indicate briefly the scope of the industries or branches of industry for which figures are given.

Article 6.

The statistics of average earnings shall include:

- (a) all cash payments and bonuses received from the employer by the persons employed;
- (b) contributions such as social insurance contributions payable by the employed persons and deducted by the employer; and
- (c) taxes payable by the employed persons to a public authority and deducted by the employer.

Article 7.

In the case of countries and industries in which allowances in kind, for example in the form of free or cheap housing, food or fuel, form a substantial part of the total remuneration of the wage earners employed, the statistics of average earnings shall be supplemented by particulars of such allowances, together with estimates, so far as practicable, of their money value.

Article 8.

The statistics of average earnings shall be supplemented, so far as practicable, by indications as to the average amount of any family allowances per person employed in the period to which the statistics relate.

Article 9.

1. The statistics of average earnings shall relate to average earnings per hour, day, week or other customary period.

2. Where the statistics of average earnings relate to average earnings per day, week or other customary period, the statistics of actual hours shall relate to the same period.

Article 10.

1. The statistics of average earnings and of hours actually worked, referred to in Article 9, shall be compiled once every year and where possible at shorter intervals.

2. Once every three years and where possible at shorter intervals the statistics of average earnings and, so far as practicable, the statistics of hours actually worked shall be supplemented by separate figures for each sex and for adults and juveniles; provided that it shall not be necessary to compile these separate figures in the case of industries in which all but an insignificant number of the wage earners belong to the same sex or age group, or to compile the separate figures of hours actually worked for males and females, or for adults and juveniles, in the case of industries in which the normal hours of work do not vary by sex or age.

Article 11.

Where the statistics of average earnings and of hours actually worked relate not to the whole country but to certain districts, towns or industrial centres, these districts, towns or centres shall, so far as practicable, be indicated.

Article 12.

1. Index numbers showing the general movement of earnings per hour and where possible per day, week or other customary period shall be compiled at as frequent and as regular intervals as possible on the basis of the statistics compiled in pursuance of this part of this Convention.

2. In compiling such index numbers due account shall be taken, inter alia, of the relative importance of the different industries.

3. In publishing such index numbers indications shall be given as to the methods employed in their construction.

PART III.—STATISTICS OF TIME RATES OF WAGES AND OF NORMAL HOURS OF WORK IN MINING AND MANUFACTURING INDUSTRIES

Article 13.

Statistics of time rates of wages and of normal hours of work of wage earners shall be compiled for a representative selection of

the principal mining and manufacturing industries, including building and construction.

Article 14.

1. The statistics of time rates of wages and of normal hours of work shall show the rates and hours;

- (a) fixed by or in pursuance of laws or regulations, collective agreements or arbitral awards;
- (b) ascertained from organisations of employers and workers, from joint bodies, or from other appropriate sources of information, in cases where rates and hours are not fixed by or in pursuance of laws or regulations, collective agreements or arbitral awards.

2. The statistics of time rates of wages and of normal hours of work shall indicate the nature and source of the information from which they have been compiled and whether it relates to rates or hours fixed by or in pursuance of laws or regulations, collective agreements or arbitral awards, or to rates or hours fixed by arrangements between employers and wage earners individually.

3. When rates of wages are described as minimum (other than statutory minimum) rates, standard rates, typical rates, or prevailing rates, or by similar terms, the terms used shall be explained.

4. "Normal hours of work", where not fixed by or in pursuance of laws or regulations, collective agreements or arbitral awards, shall be taken as meaning the number of hours, per day, week or other period, in excess of which any time worked is remunerated at overtime rates or forms an exception to the rules or custom of the establishment relating to the classes of wage earners concerned.

Article 15.

1. The statistics of time rates of wages and of normal hours of work shall give:

- (a) at intervals of not more than three years, separate figures for the principal occupations in a wide and representative selection of the different industries; and
- (b) at least once a year, and if possible at shorter intervals, separate figures for the main occupations in the most important of these industries.

2. The data relating to time rates of wages and of normal hours of work shall be presented, so far as practicable, on the basis of the same occupational classification.

3. Where the sources of information from which the statistics are compiled do not indicate the separate occupations to which the rates or hours apply, but fix varying rates of wages or hours of work for other categories of workers (such as skilled workers, semi-skilled workers and unskilled workers) or fix normal hours of work by classes of undertakings or branches of undertakings, the separate figures shall be given according to these distinctions.

4. Where the categories of workers for which figures are given are not separate occupations, the scope of each category shall, in so far as the necessary particulars are given in the sources of information from which the statistics are compiled, be indicated.

Article 16.

Where the statistics of time rates do not give the rates per hour but give rates per day, week, or other customary period:

- (a) the statistics of normal hours of work shall relate to the same period; and
- (b) the Member shall communicate to the International Labour Office any information appropriate for the purpose of calculating the rates per hour.

Article 17.

Where the sources of information from which the statistics are compiled give separate particulars classified by sex and age, the statistics of time rates of wages and of normal hours of work shall give separate figures for each sex and for adults and juveniles.

Article 18.

Where the statistics of time rates of wages and of normal hours of work relate not to the whole country but to certain districts, towns or industrial centres, these districts, towns or centres shall, so far as practicable, be indicated.

Article 19.

Where the sources of information from which the statistics of time rates and of normal hours of work are compiled contain such particulars, the statistics shall at intervals not exceeding three years indicate:

- (a) the scale of any payment for holidays;
- (b) the scale of any family allowances;
- (c) the rates or percentage additions to normal rates paid for overtime; and
- (d) the amount of overtime permitted.

Article 20.

In the case of countries and industries in which allowances in kind, for example in the form of free and cheap housing, food or fuel, form a substantial part of the total remuneration of the wage earners employed, the statistics of time rates of wages shall be supplemented by particulars of such allowances, together with estimates, so far as practicable, of their money value.

Article 21.

1. Annual index numbers showing the general movement of rates of wages per hour or per week shall be compiled on the basis of the statistics compiled in pursuance of this Part of this Convention, supplemented, where necessary, by any other relevant information which may be available (for example, particulars as to changes in piece-work rates of wages).

2. Where only an index number of rates of wages per hour or only an index number of rates of wages per week is compiled, there shall be compiled an index number of changes in normal hours of work constructed on the same basis.

3. In compiling such index numbers due account shall be taken, *inter alia*, of the relative importance of the different industries.

4. In publishing such index numbers indications shall be given as to the methods employed in their construction.

PART IV.—STATISTICS OF WAGES AND HOURS OF WORK IN AGRICULTURE.

Article 22.

1. Statistics of wages shall be compiled in respect of wage earners engaged in agriculture.

2. The statistics of wages in agriculture shall:

- (a) be compiled at intervals not exceeding two years;
- (b) give separate figures for each of the principal districts; and
- (c) indicate the nature of the allowances in kind (including housing), if any, by which money wages are supplemented, and, if possible, an estimate of the money value of such allowances.

3. The statistics of wages in agriculture shall be supplemented by indications as to:

- (a) the categories of agricultural wage earners to which the statistics relate;
- (b) the nature and source of the information from which they have been compiled;
- (c) the methods employed in their compilation; and
- (d) so far as practicable, the normal hours of work of the wage earners concerned.

PART V.—MISCELLANEOUS PROVISIONS.

Article 23.

1. Any Member of the territory of which includes large areas in respect of which, by reason of the difficulty of creating the necessary administrative organization and the sparseness of the population or the stage of economic development of the area, it is impracticable to compile statistics complying with the requirements of this Convention may exclude such areas from the application of this Convention in whole or in part.

2. Each Member shall indicate in its first annual report upon the application of this Convention submitted under Article 22 of the Constitution of the International Labour Organisation any areas in respect of which it proposes to have recourse to the provisions of this Article and no Member shall, after the date of its first annual report, have recourse to the provisions of this Article except in respect of areas so indicated.

3. Each Member having recourse to the provisions of the present Article shall indicate in subsequent annual reports any areas in respect of which it renounces the right to have recourse to the provisions of this Article.

Article 24.

1. The Governing Body of the International Labour Office may, after taking such technical advice as it may deem appropriate, communicate to the Members of the Organization proposals for improving and amplifying the statistics compiled in pursuance of this Convention or for promoting their comparability.

2. Each Member ratifying this Convention undertakes that it will:

- (a) submit for the consideration of its competent statistical authority any such proposals communicated to it by the Governing Body;
- (b) indicate in its annual report upon the application of the Convention the extent to which it has given effect to such proposals.

PART VI.—FINAL PROVISIONS

Article 25.

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

Article 26.

1. This Convention shall be binding only upon Members of the International Labour Organisation whose ratifications have been registered with the Secretary-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Secretary-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 27.

As soon as the ratifications of two Members of the International Labour Organisation have been registered, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 28.

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right

of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 29.

At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 30.

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

- (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 28 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 31.

The French and English texts of this Convention shall both be authentic.

The foregoing is the authentic text of the Draft Convention adopted by the General Conference of the International Labour Organisation during its Twenty-fourth Session which was held at Geneva and declared closed the 22nd day of June 1938.

IN FAITH WHEREOF we have appended our signatures this second day of August 1938.

WALDEMAR FALCAO,

The President of the Conference.

HAROLD BUTLER,

The Director of the International Labour Office.

RECESS

Mr. BARKLEY. Mr. President, it is obvious we cannot conclude action upon the pending bill today, in view of the fact that there are some further amendments to be offered. I, therefore, move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 4 o'clock and 43 minutes p. m.) the Senate took a recess until tomorrow, Friday, May 12, 1939, at 11 o'clock a. m.

NOMINATIONS

Executive nomination received by the Senate May 11 (legislative day of May 8), 1939

MISSISSIPPI RIVER COMMISSION

Brig. Gen. Max C. Tyler, Corps of Engineers, United States Army, for appointment as a member and president of the Mississippi River Commission provided for by the act of Congress approved June 28, 1879, entitled "An act to provide for the appointment of a 'Mississippi River Commission' for the improvement of said river from the Head of the Passes near its mouth to its headwaters," vice Brig. Gen. Harley B. Ferguson, to be relieved.

CONFIRMATIONS

Executive nomination received by the Senate, May 11, (legislative day of May 8), 1939

PROMOTIONS IN THE NAVY

John H. Towers to be Chief of the Bureau of Aeronautics in the Department of the Navy.

Russell Willson to be a rear admiral.

Percy K. Robottom to be a captain.

Russell L. Hinchey to be a chief radio electrician.

Charles F. Foster to be a chief machinist.

To be commanders

Harold S. Klein
Edmund J. Kidder
Edward D. Walbridge
Merwin W. Arps
Marion C. Erwin
John P. Dix

James B. Sykes
Ernest H. von Heimburg
John O. Huse
Eliot H. Bryant
Charles J. Rend
Paul F. Lee

Joseph R. Lannom
 Carl K. Fink
 Stuart S. Murray
 John J. Patterson, 3d
 George K. Weber
 Harry W. von Hasseln
 Robert R. Ferguson
 Harold A. Turner
 Harry J. Hansen
 Rossmore D. Lyon
 Thomas A. Gray
 George L. Compo

Valentine H. Schaeffer
 Robert P. Briscoe
 Cuthbert A. Griffiths
 Morton T. Seligman
 William D. Sample
 Richard B. Tuggle
 Ralph W. Hungerford
 Charles B. Hunt
 Robert L. Boller
 James J. Hughes
 Henry T. Stanley

Charles H. Bennett
 James B. Glennon, Jr.
 Russell Duncan
 Edwin C. Aiken
 John S. Fantone
 Willard B. Holdredge
 George M. Lhamon
 William A. Cloman, Jr.

Alfred F. Robertshaw
 Richard M. Huizenga
 Alfred N. Gordon
 James I. Glendinning, Jr.
 William F. Hogaboom
 William H. Pace
 Carter B. Simpson

To be lieutenant commanders

Frederick R. Furth
 Harold B. Miller
 William B. Bailey
 Henry C. Daniel
 Sherman E. Burroughs, Jr.
 John D. Shaw
 Edward W. Rawlins
 Thomas A. Turner, Jr.
 George W. Stott
 Dwight H. Day
 Irving T. Duke
 Truman J. Hedding
 Edward L. Woodyard

Rufus E. Rose
 William P. Tammany
 Robert L. Swart
 Frank C. Layne
 Eugene C. Burchett
 George A. Sinclair
 Dale Harris
 Kenneth Earl
 Allen P. Calvert
 LeRoi B. Blaylock
 Samuel E. Latimer
 John K. B. Ginder
 Beverley R. Harrison, Jr.

To be lieutenants

Norman M. Miller
 Donald V. Daniels
 Robert A. Theobald, Jr.

To be lieutenants (junior grade)

Paul D. Ellis, Jr.
 Gould Hunter
 Parker L. Folsom

Charles M. Holcombe
 John H. Turner
 Jud F. Yoho, Jr.

To be surgeons

Charles F. Flower
 Harold V. Packard
 Leon D. Carson
 Gerald W. Smith
 Thomas M. Arrasmith, Jr.
 Walter F. James
 Arthur W. Loy
 Albert T. Walker

Glenn S. Campbell
 Herman M. Maveety
 Charles R. Wilcox
 French R. Moore
 Joseph W. Kimbrough
 Raymond W. Hege
 Theophilus F. Weinert

To be chief electricians

Maurice B. Ruegamer
 George B. Greer

To be paymasters

Joseph E. Wolowsky
 James B. Ricketts
 Alfred P. Randolph

To be assistant paymasters

John R. Lewis
 Christian L. Ewald
 Marcus R. Peppard, Jr.
 Henry L. Muller
 Charles L. Harris, Jr.
 Charles Fadern

Carl G. Drescher
 William J. Johnston
 Robert H. Northwood
 Ellsworth H. Van Patten, Jr.
 William M. Porter
 Harold L. Usher, Jr.

To be chief pay clerks

Othello C. Bruun
 Merwood R. Bishop
 Walter C. Chapman

THE MARINE CORPS

To be lieutenant colonels

Leonard E. Rea
 William K. MacNulty

To be second lieutenants from June 1, 1939

Hugh D. Clark
 Hugh A. Tistadt, Jr.
 Jonathan F. Rice
 William F. Harris
 Ralph C. Mann, Jr.

Gordon D. Gayle
 Samuel Agababian
 James D. McBrayer, Jr.
 William A. Stiles, Jr.
 Jack Hawkins

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 11, 1939

The House met at 12 o'clock noon.

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

Almighty God, unto whom all hearts are open, all desires known, and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy Holy Spirit that we may perfectly love Thee and worthily magnify Thy holy name.

Our Father, who art in heaven, hallowed be Thy name; Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us; and lead us not into temptation but deliver us from evil, for Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday 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.

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. 16. Concurrent resolution authorizing the printing of additional copies of House Report No. 2 on Investigation of Un-American Activities and Propaganda.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 964) entitled "An act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.; and for other purposes."

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 572) entitled "An act to provide for the common defense by acquiring stocks of strategic and critical materials essential to the needs of industry for the manufacture of supplies for the armed forces and the civilian population in time of a national emergency, and to encourage, as far as possible, the further development of strategic and critical materials within the United States for common defense," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. THOMAS of Utah, Mr. JOHNSON of Colorado, Mr. SCHWARTZ, Mr. AUSTIN, and Mr. GURNEY to be the conferees on the part of the Senate.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. BOEHNE. Mr. Speaker, by direction of the Committee on Ways and Means I present a privileged resolution for immediate consideration.

The Clerk read as follows:

House Resolution 190

Resolved, That JOHN F. HUNTER, of Ohio, be, and he is hereby, elected a member of the standing committee of the House of Representatives on the District of Columbia.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that at the conclusion of the last special order heretofore entered for today I may address the House for 20 minutes on Mothers Day.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

EXTENSION OF REMARKS

Mr. PARSONS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to insert therein a list of the counties of my district showing the cooperation of the farmers in soil conservation.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution of the board of directors of the Middle Tennessee Independent Merchants' Association with reference to a resolution I have today introduced.

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

There was no objection.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief excerpt from Who's Who in America concerning the late Thomas William Locke.

The SPEAKER. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. FULMER asked and was given permission to extend his own remarks in the RECORD.

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from an Arizona newspaper and also a letter from a small mine operator in that State.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

FOUR YEARS OF RURAL ELECTRIFICATION—THREE PICTURES OF A FARM HOME

Mr. RANKIN. 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 Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, today is the fourth anniversary of the birth of the Rural Electrification Administration.

I dare say that no other organization connected with this Government has ever rendered so great a service to the American farmers, in so short a period of time, as has the Rural Electrification Administration.

It has already constructed, or supplied the loans with which to construct, 99,000 miles of rural power lines. Its borrowers are serving 225,000 consumers—over 1,000,000 people—who have heretofore been without the use of any electricity at all.

When all the funds for the current fiscal year and for past years have been expended and the lines completed and energized, the rural power lines constructed through the R. E. A. will amount to 230,000 miles, bringing electricity to over 500,000 consumers, or more than two and one-half million people in the rural areas who heretofore have not enjoyed the use of electricity.

This program is rebuilding America, and making it a better place in which to live.

Let me draw for you if I may, or if I can, three pictures of a farm home:

THREE PICTURES OF A FARM HOME

1919

In 1919 a young man, a veteran of the World War, who had just been discharged from the service, left home to seek employment in an industrial city. As he walked out of the gate

he turned to take a last, long, lingering look at the old homestead—one of the many old, substantial farm homes along the highway on which he lived.

From these homes, which had been built by the pioneers, had come many of the great men and great women of the State and Nation.

From this one his grandfather and two brothers had gone to the Civil War. Two of them never returned. Here his mother had been born and reared, and from here he had gone to the World War.

The lands were comparatively rich and produced abundantly, and their occupants had enjoyed a reasonable measure of prosperity, as well as a degree of contentment unsurpassed for a rural section. Crops had been good for the last few years and farm prices reasonable.

He really hated to leave, but the prices of farm products had begun to decline rapidly and the large industries in the congested centers were calling for men. Besides he had reached the conclusion that if prices continued to decline there would be no inducement left for a young man to remain on the farm, especially in view of the fact that there were at that time few, if any, of the comforts and conveniences enjoyed by the people in the more congested centers.

He closed the gate and walked away.

1929

In the late twenties there was a boom on the stock market and industries were running overtime. "Prosperity" was in the air. He thought everybody was prosperous—including the farmers. He decided to return to the old home for a visit and see how his people were getting along.

As he came down the old highway he found many of those magnificent old homes vacant. Their occupants had given up the struggle and, like himself, had gone to the city to seek employment. They presented a picture of what Shakespeare called "unfenced desolation."

He finally reached the one in which he was reared and which he had left 10 years before. He hardly recognized it. The house was vacant, the fences were gone, the fields were uncultivated. The barn was falling to decay, the doorsteps of the house were gone, and the veranda was caving in. The well shelter had disappeared, and even the rope and bucket were gone.

The yard and garden had grown up in weeds and bramble. He walked in through what had been the open gate and peered through the paneless windows into a room that once contained a happy fireside, and saw the rats and mice chasing each other across the vacant floor; while from the dying top of a shade tree in the yard in which the birds once sang and beneath which the children had played, a lonely crow looked out over the desolate landscape and solemnly croaked his mournful message to his mate.

He thought of Goldsmith's immortal lines:

Ill fares the land, to hastening ills a prey
Where wealth accumulates, and men decay.
Princes and lords may flourish or may fade—
A breath can make them, as a breath has made;
But a bold peasantry, their country's pride,
When once destroy'd, can never be supplied.

He realized that the farmers of this country were being destroyed; that in pampering industry and commerce at the expense of agriculture this Nation was grinding the seed corn of the Republic.

1939

In the spring of 1939 he returned to the old home to see what changes, if any, had taken place.

As he traveled down the old highway he hardly recognized his surroundings. He first thought he was on the wrong road. The roads had been improved, houses had been remodeled and painted, the fences had been rebuilt, the land was in cultivation, and everything seemed to be in a state of unusual activity.

When he reached the old home in which he was reared, to his surprise it looked like a new place. The house had been remodeled and painted, the barn had been rebuilt, the fences restored, the yard was clean and planted in flowers,

and the garden reminded him of the old days, except that it seemed to be unusually well advanced for the time of year.

A sister and her husband occupied the house and when he entered he was utterly surprised at the cheerful appearance of things. He knew that farm prices were low, and he wondered why, or how, they could enjoy such an apparent happiness and prosperity under existing conditions. While he was pondering this proposition the lights came on. This was perhaps the greatest surprise of all; it had never occurred to him during all the years he had lived here that there would ever be an electric light in the house.

His sister was cheerful, neatly dressed, and looked 10 years younger than she did when he had seen her last, 10 years before.

He asked her how it all happened.

"Oh," she said, "we have rural electrification throughout this whole section now. It has added new life to our community. People have remodeled, repainted, and reconditioned their homes, and many people have built new ones. Many old families who had moved away have come back, and some people are moving out from towns and cities and building modern homes on their lands."

"Do you mean to tell me that all these changes have been brought about merely by electric lights?" he inquired.

"Well, of course, the lights have something to do with it," she replied, "but that is a very small part of the program. We now have electricity for all purposes, supplied to us at what they call the "yardstick" rates, set by the T. V. A.—you know that is what we call the Tennessee Valley Authority; it has not only provided rates to the people in the T. V. A. area but it has forced reduction of rates to people for hundreds of miles around and therefore helps us all.

"Through the Electric Home and Farm Authority we have been able to secure credit to purchase the appliances we need, and therefore have our home electrified throughout.

"Come with me, and I will show you what we have. I will turn this radio off first. There is no use to keep it going while there is no one in the room to hear it."

Even that was something new to him. He had never dreamed of seeing a radio on a farm during the old days. In response to his comment, she explained to him that the radio used very little electricity but added a great deal to the life of the home by bringing them the finest entertainment, the finest music, the news and market reports, and really kept them informed as to what was going on in the world.

As they advanced from room to room, and the lights were turned on, it occurred to him that the illumination was a great deal better than it had been in the flat where he had been living. She took him first into the kitchen and showed him her electric refrigerator, where the milk, butter, eggs, meats, vegetables and fruits, and so forth, were kept cool and fresh, and which supplied the ice for the entire family.

She showed him her electric range that had supplanted the old coal or wood stove. He asked what that large round thing over in the corner was. She explained to him that that was the hot-water tank.

"We now have hot and cold water for the kitchen and for the bathroom."

"Bathroom!" he inquired in surprise. "How did a bathroom ever get into this house, and how do you get water to it?"

"Oh," she said, "one of the small rooms upstairs had been made into a bathroom, which I will show you in a minute. As to getting water into it, we have an electric pump, with a small vacuum tank that maintains a regular pressure and furnishes running water for the house at all times. It also supplies water for the barn and to the stock in the pasture. This pump keeps the water at a certain pressure all the time and automatically cuts on and off as the pressure goes down or up. We also have a sprinkler system for the yard and garden that we use in case of a drought, and we sprout many of our vegetables with an electric hot bed. It does not take much electricity, but it pushes the vegetables forward and gives them about 2 or 3 months' start of the ones that are sprouted in the regular way. You know vegetables are usu-

ally slow in coming up because the ground is cold. When we get that ground properly heated they grow as rapidly almost as if it were midsummer.

"Here is my electric iron, and that thing over there is the electric dishwasher. I also have an electric churn, electric fans, an electric cream separator, as well as a vacuum cleaner that takes the place of the old-time mop with which we used to try to clean the floor.

"But I must take you out into what used to be the woodshed, where mother used to do the family washing, and show you my electric washing machine."

She explained the machine's operation in detail and showed how the clothes were placed in it, and the electricity turned on, and how that within a couple of hours they were as clean as if they had gone through a modern laundry, run through an electric wringer which was attached, and were hanging on the line.

"Isn't this a very costly method of washing clothes," he asked.

"No," she replied, "the electricity necessary to operate this machine and the wringer that goes with it for our family of five people costs only about \$1 per year."

Glancing down across the field to the pasture, he said, "You have a beautiful herd of cows, but I don't see what keeps them from going out into that cornfield and eating up the crop."

"Oh," she said, "the fence keeps them back."

"Fence? I don't see any fence," he said. "All I see is one smooth wire, without any barbs on it."

"Oh," she said, "that is an electric fence; it is charged with a few volts of electricity; just enough to shock the cattle sufficiently to keep them from going near it again. It is controlled by a thermostat that goes off and on about once every half minute, so that if one should get a sufficient charge to stick to the wire, it will turn him loose. We also have one around our hog pasture. Once a hog sticks his nose into it, he gets his lesson and never touches it again. He seems to pass the word around and the other hogs take notice.

"I would like to go out and show you the lights in our barn and my husband's feed grinder and the water system that keeps fresh water in the trough for the cattle all the time, but my dinner is about done and I must go and put it on the table."

"About done? You mean you have to cook dinner yet?"

"No; my dinner was in the stove cooking when we were in the kitchen. I should have showed you. You understand that with an electric range we do not get all the heat we used to have to endure when we burned wood or coal. House-keeping is no longer a drudgery; it is really a pleasure."

"What does all this cost you a month?" he asked.

"Oh, the cost is very small compared with the convenience we enjoy. I would say that it costs us less than we used to have to pay for wood or coal. When we do not use our electric heaters we have in the boys' rooms, the entire cost of electricity will only amount to about, we will say, a couple of dozen eggs a week. Besides, we stay at home more and probably save more money on gasoline and car repairs than our electric bill amounts to. In fact, our ice bill used to be about as much as our whole electric bill is now."

He stopped to ponder a moment. He thought of the old days and the drudgery his mother endured, burning up in a hot kitchen and bowing down over the washtub or boiling the clothes over a flaming fire in the summer heat. He could remember bringing in bark and wood to heat the old iron and seeing his mother lean over that hot iron hour after hour until it seemed she was tired enough to drop.

He remembered how he used to windlass water out of the old well in dry weather to water the thirsty cattle until it seemed as if they could drink the ocean dry. He remembered when he used to help his father with the stock in the old barn before day and after dark when there was no chance of a light. His father had tried using a lantern in the barn, but had abandoned it after a serious fire.

"You do not seem to be worried very much about the low price of farm products," he said.

"Oh, yes, we are. We know they are too low, but we are living in hope that they will be adjusted. We know they are far out of line with the prices of manufactured articles, but we meet that situation to some extent by producing more of the things we need at home, such as vegetables, chickens, meats, dairy products, and so forth. You understand we have a cooperative cold-storage plant in the community, and we can kill our meat at any time of the year without fear of losing any of it, and we can store our eggs in the summertime, when they are low in price, and keep them for better prices in the winter season.

"Then, too, I have an electric sewing machine on which I make a good many of the family clothes and save a little money in that way."

"You seem to be satisfied here," he said.

"Yes; we tried it in the city for several years, and, while my husband drew fairly good wages most of the time, we never had a home and were never able to save anything, nor were we at any time able to enjoy anything like the conveniences we now have. We are back here to stay. I would not leave it for the world.

"You remember when we were growing up, boys and girls always seemed to be in a hurry to get through school in order to get away from home. Children in this community now are just as anxious to get through school—and so are the ones who are away to college—not to get away from home, but to get back home."

He realized then that he was catching a glimpse of the future; getting his first vision of a new civilization, the electric age.

He had seen his first electrified farm.

Mr. Speaker, these pictures are not overdrawn; they do not reflect merely the iridescent dream of a power enthusiast; they are actual occurrences that have their counterpart in nearly every State in the Union.

MILES OF RURAL LINES BUILT BY R. E. A.

The following table shows the number of rural power lines completed and energized by the R. E. A., or with R. E. A. loans in each State, up to May 1, 1939:

Completed and energized miles of rural electric lines built with R. E. A. loans May 1, 1939

(Reported by R. E. A. borrowers)

Alabama	2,515
Arkansas	2,020
California	1,210
Colorado	783
Delaware	375
Florida	840
Georgia	5,873
Idaho	465
Illinois	2,701
Indiana	7,393
Iowa	6,569
Kansas	1,189
Kentucky	3,830
Louisiana	1,174
Maine	66
Maryland	220
Michigan	5,119
Minnesota	8,782
Mississippi	2,242
Missouri	2,546
Montana	1,151
Nebraska	4,511
New Jersey	223
New Mexico	195
New York	214
North Carolina	1,579
North Dakota	647
Ohio	7,815
Oklahoma	2,347
Oregon	247
Pennsylvania	3,028
South Carolina	1,836
South Dakota	311
Tennessee	2,691
Texas	5,872
Virginia	3,207
Washington	1,024
West Virginia	202
Wisconsin	5,999
Wyoming	646

Total 99,657

NUMBER OF CONSUMERS SERVED

The following table shows the number of consumers receiving electric service on these lines built by the R. E. A. up to May 1, 1939:

Number of consumers receiving electric service on lines built with R. E. A. loans

(Reports available May 1, 1939, from R. E. A. borrowers)

Alabama	5,437
Arizona	255
Arkansas	3,660
California	1,728
Colorado	1,537
Delaware	718
Florida	1,560
Georgia	16,393
Idaho	1,132
Illinois	5,562
Indiana	17,757
Iowa	11,608
Kansas	2,108
Kentucky	7,987
Louisiana	2,271
Maine	145
Maryland	541
Michigan	9,374
Minnesota	15,036
Mississippi	4,807
Missouri	8,324
Montana	2,203
Nebraska	6,875
New Jersey	617
New Mexico	224
New York	1,300
North Carolina	5,241
North Dakota	1,171
Ohio	18,680
Oklahoma	4,225
Oregon	715
Pennsylvania	6,306
South Carolina	5,364
South Dakota	608
Tennessee	11,954
Texas	12,873
Virginia	6,491
Washington	2,000
West Virginia	286
Wisconsin	11,970
Wyoming	1,373

Total 218,416

The above table does not include that portion of the Tennessee Valley area where the rural lines were built by funds borrowed from other sources. If they were added, the number of rural power consumers in Mississippi would be increased by at least 50 percent.

AMOUNT ALLOTTED TO EACH STATE

The following table shows the total allotments, both as to the number of borrowers and the amounts of the loans, as of May 5, 1939:

Status of National Rural Electrification program, as of May 5, 1939

	Total allotments		Scheduled allotments for remaining 1938-39		Estimated allotment through program 1938-39	
	Number of borrowers	Amount	Number of borrowers ¹	Amount	Number of borrowers	Amount
United States	593	\$210,370,830	31	\$9,494,000	624	\$219,864,830
Alabama	14	4,826,550			14	4,826,550
Arizona	1	145,000	1	639,000	2	684,000
Arkansas	12	4,290,500			12	4,290,500
California	3	1,535,500	1	60,000	4	1,595,500
Colorado	8	2,581,000	3	441,000	11	3,022,000
Delaware	1	895,037			1	895,037
Florida	5	1,098,000		194,000	5	1,292,000
Georgia	34	10,927,615		20,000	34	10,947,615
Idaho	6	1,881,750			6	1,881,750
Illinois	22	11,444,630	3	600,000	25	12,044,630
Indiana	34	12,776,195	5	1,740,000	39	14,516,195
Iowa	48	14,428,128	1	400,000	49	14,828,128
Kansas	13	3,840,651	6	1,266,000	19	5,106,651
Kentucky	23	6,882,720	1	344,000	24	7,226,720
Louisiana	9	2,170,100	2	291,000	11	2,461,100
Maine	1	91,000			1	91,000
Maryland	2	469,000			2	469,000
Michigan	14	10,726,000			14	10,726,000
Minnesota	34	14,531,736		100,000	34	14,631,736

¹ Where no new borrowers are listed, although allotments are scheduled for the State, the scheduling is for supplementary allotments.

Status of National Rural Electrification program, as of May 5, 1939—
Continued

	Total allotments		Scheduled allotments for remaining 1938-39		Estimated allotments through 1938-39 program	
	Number of borrowers	Amount	Number of borrowers	Amount	Number of borrowers	Amount
Mississippi.....	20	\$5,788,700	1	\$213,000	21	\$6,001,700
Missouri.....	26	9,342,200		135,000	26	9,477,200
Montana.....	10	1,913,600			10	1,913,600
Nebraska.....	27	10,092,200			27	10,092,200
Nevada.....	1	222,000			1	222,000
New Jersey.....	2	420,300			2	420,300
New Mexico.....	3	705,000			3	705,000
New York.....	1	1,050,000		325,000	1	1,375,000
North Carolina.....	21	5,106,350	1	171,000	22	5,277,350
North Dakota.....	5	1,303,972	1	312,000	6	1,615,972
Ohio.....	27	13,041,025		65,000	27	13,106,025
Oklahoma.....	18	5,834,000			18	5,834,000
Oregon.....	5	552,000	1	197,000	6	749,000
Pennsylvania.....	9	5,351,200			9	5,351,200
South Carolina.....	4	2,561,328	1	230,000	5	2,761,328
South Dakota.....	3	587,000		100,000	3	687,000
Tennessee.....	12	3,831,058			12	3,831,058
Texas.....	53	15,769,185		157,000	53	15,926,185
Utah.....	3	274,000		297,000	3	571,000
Vermont.....	1	142,000			1	142,000
Virginia.....	12	5,482,800		\$250,000	12	5,732,800
Washington.....	7	1,641,700	1	151,000	8	1,792,700
West Virginia.....	2	503,000			2	503,000
Wisconsin.....	28	11,259,300		701,000	28	11,960,300
Wyoming.....	8	1,555,800	1	100,000	9	1,655,800
Alaska.....			1	125,000	1	125,000
Puerto Rico.....	1	500,000			1	500,000

STATEMENT OF 1938-39 APPROPRIATIONS

Appropriation.....	\$140,000,000
Allotted.....	120,739,520
Balance.....	19,260,480
Scheduled.....	9,494,000
Total.....	19,766,480

\$2,871,855 of this amount is sterilized; i. e., required funds for which no allotments are scheduled. The balance constitutes a reserve.

LET US ELECTRIFY EVERY FARM HOME IN AMERICA

Last year I secured the adoption of an amendment to the relief bill providing for an additional \$100,000,000 for the Rural Electrification Administration, to be allotted among the various States for loans for the construction of rural power lines. You will note that that fund is almost exhausted, and it will be entirely exhausted before the end of the fiscal year.

I regard this as one of the best services I have ever been able to render to the farmers of this Nation, for I realize that as a result probably a million people in the farm homes of this Nation will receive electricity who had never had an electric light in their homes.

This is just the beginning; we must keep this great program going until we take to the farmers in every nook and corner of this land the benefits of the greatest natural resource on earth, outside of the soil from which we live, and that is the electric power of the Nation. [Applause.]

EXTENSION OF REMARKS

Mr. MERRITT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Binghamton (N. Y.) Press.

The SPEAKER. Is there objection?
There was no objection.

PER CAPITA INDEBTEDNESS OF UNITED STATES

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my remarks in the RECORD.

The SPEAKER. Is there objection?
There was no objection.

Mr. DONDERO. Mr. Speaker, on the 8th day of January 1835 Andrew Jackson, then President of the United States, paid the last dollar of the national debt. He was one President of the United States who did not believe that a national debt was a national blessing. Twenty-two years later, in 1857, the per capita national debt—the debt for each man, woman, and child in the United States—was \$1.01. Today that per capita debt is more than \$285. That is a yardstick that you cannot expand or contract to serve any man's pur-

pose, and it is a yardstick by which every Member of this House can measure the national debt for every township, village, city, and county in his congressional district and every congressional district in the United States.

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

Mr. DONDERO. In just a moment. I have prepared a statement showing the amount of the national debt proportionately for every township, city, village, and municipality in my congressional district, and I ask unanimous consent that it be inserted in the RECORD in connection with these remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. DONDERO. Mr. Speaker, in 1857 the national debt of the United States was \$28,701,375, less than one-half of Oakland County's proportionate share of the 1938 national debt, \$60,297,372, and represented a per capita debt of \$1.01, in contrast to a 1938 per capita debt of \$285.43.

A billion-dollar national debt was first reached in 1863, midway in the Civil War period, and continued upward to \$2,755,763,929 in 1866, with the per capita debt \$77.69.

From 1867 to 1893, a period of 27 years, our public debt was gradually reduced and dropped below the billion-dollar mark to \$968,218,841 in 1892 and \$961,431,766 in 1893. In 1894 a period of gradual increase set in, reaching \$1,436,700,704 in 1899. This was the peak following the Spanish-American War, and the per capita debt was \$19.93.

From 1900 to 1916 our national debt remained close to the billion-dollar mark, varying between \$1,263,416,913 and \$1,132,357,095, and the per capita debt between \$16.56 and \$11.83. It is interesting to note that in 1916, the year before our participation in the World War, our national debt was \$1,225,145,568, less than one-half what it was at the close of the Civil War.

At the close of the World War our national debt had been multiplied 20 times to \$25,482,034,419 and a per capita debt of \$240.09, the high point until \$27,053,085,988 was reached in 1934. The indebtedness incurred during the World War years was reduced by more than \$9,000,000,000 during the years 1920-30 to \$16,185,308,299.

In recent years our national debt has increased as much as \$4,844,217,530 in a single year and since 1932 the total increase has been nearly \$18,000,000,000. On June 30, 1938, it exceeded \$37,000,000,000 and by June 30, 1939, the Treasury Department estimates it will reach \$41,131,502,010 and this will make the increase since 1932 approximately \$22,000,000,000.

The following tables show the proportionate share of the 1938 national debt by townships, cities, and villages in my congressional district.

Proportionate share 1938 national debt by townships, cities, and villages, Oakland County

[Report of Secretary of the Treasury, 1939, gross debt on June 30, 1938, was \$37,167,587,451; gross debt per capita \$285.43. Population figures used in this table, official census, 1930]

	Population	Proportionate share of debt
Township:		
Addison.....	954	\$272,300.22
Avon.....	6,961	1,986,878.23
Bloomfield.....	10,088	2,965,046.84
Brandon.....	1,347	384,474.21
Commerce.....	1,789	501,634.27
Farmington.....	3,512	1,002,430.16
Groveland.....	674	192,379.82
Highland.....	1,206	344,223.58
Holly.....	3,170	904,813.10
Independence.....	1,803	514,630.29
Lyon.....	1,874	534,895.82
Milford.....	2,018	575,997.74
Novi.....	1,571	448,410.53
Oakland.....	792	226,050.56
Orion.....	2,742	782,649.06
Oxford.....	2,975	849,154.25
Pontiac.....	2,696	769,519.28
Rose.....	661	188,669.23
Royal Oak.....	26,277	7,500,244.11
Southfield.....	3,174	905,954.82
Springfield.....	923	263,451.89
Troy.....	7,374	2,104,760.82
Waterford.....	8,239	2,351,657.77
West Bloomfield.....	4,202	1,199,376.86
White Lake.....	1,114	317,969.02

Proportionate share 1938 national debt by townships, cities, and villages, Oakland County—Continued

	Population	Proportionate share of debt
City or village:		
Berkley.....	5,571	\$1,590,130.53
Birmingham.....	9,539	2,722,716.77
Bloomfield Hills.....	1,127	321,697.61
Clarkston.....	639	182,389.77
Clawson.....	3,377	963,897.11
Farmington.....	1,243	354,789.49
Ferndale.....	20,855	5,952,642.65
Holly.....	2,252	642,788.36
Huntington Woods.....	655	186,956.65
Lake Orion.....	1,369	390,753.67
Milford.....	1,364	389,326.52
Oak Park.....	1,079	307,978.97
Oxford.....	2,052	585,402.35
Pleasant Ridge.....	2,885	823,465.55
Pontiac.....	64,928	18,532,390.04
Rochester.....	3,554	1,014,418.22
Royal Oak.....	22,904	6,537,488.72
Oakland County.....	211,251	60,297,372.93

Proportionate share 1938 national debt by townships, cities, and villages, Wayne County

[Report of Secretary of the Treasury 1939, gross debt on June 30, 1938, was \$37,167,487.451; gross debt per capita \$285.43. Population figures used in this table, official census, 1930. Table includes townships, cities, and villages wholly in Seventeenth Michigan District; city of Detroit and Wayne County totals]

	Population	Proportionate share of debt
Township:		
Livonia.....	3,192	\$911,092.56
Northville.....	5,135	1,465,693.05
Plymouth.....	6,038	1,723,426.34
Redford.....	3,534	1,094,338.62
City or village:		
Detroit.....	1,568,662	447,743,194.66
Northville.....	2,566	732,410.38
Plymouth.....	4,484	1,279,868.12
Wayne County.....	1,888,946	539,161,856.78

Mr. Speaker, I now yield to the gentleman from Mississippi. Mr. RANKIN. Mr. Speaker, if the gentleman from Michigan will tune in his radio next Tuesday morning I will tell him how he can contract that debt in proportion to the American people's incomes, by a reasonable controlled expansion of the currency.

Mr. DONDERO. I shall be delighted to do so.

Mr. RANKIN. Because with the contraction of the currency driving down commodity prices there is a proportionate increase in the dollar to the American people and a proportionate reduction of farm prices, as well as of the national income.

Mr. DONDERO. The way to contract that yardstick would be to stop spending and wasting public money. [Applause.]

COMPETITIVE BIDDING FOR PURCHASES BY UNITED STATES

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. YOUNGDAHL. Mr. Speaker, as I understand the law all government purchases of any consequence must be made by competitive bidding and the contract given to the lowest bidder, all things being equal. I am in receipt of certain information this morning which I believe this honorable body should be apprised of. On March 1 bids were opened for the purchase of five tractors by the Terrebonne Farms, Inc., at Shriever, La., under the Farm Security Administration. A bid was placed by H. B. Naquin, a local dealer selling Minneapolis-Moline tractors in that territory. Mr. Naquin has been in that territory a great many years and is highly respected as a citizen and as a businessman. When the bids were opened he was the low bidder, but the party that was awarded the contract secured the business at a price of \$2,928.90 more than Mr. Naquin's bid for tractors of no better construction, no greater capacity, no better reputation. If this information is correct, and it comes from a reliable source, then there has been a positive violation of the law. We are entitled to know what Department or agency

of Government is responsible. To that end I am today directing a letter to the Chief of the Procurement Division, United States Treasury Department, requesting an immediate investigation of this purchase, and if this information is found to be correct, the present contract be declared illegal and a contract entered into with the lowest bidder.

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

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein at this point a letter which I received this morning from the Minneapolis-Moline Power Implement Co., also a copy of a letter directed to the Chief of the Procurement Division of the United States Treasury Department by Mr. H. B. Naquin, of Thibodaux, La.

The SPEAKER. Is there objection?

There was no objection.

The letters referred to are as follows:

MINNEAPOLIS, MINN., May 9, 1939.

HON. OSCAR YOUNGDAHL,

The House of Representatives, Washington, D. C.

DEAR CONGRESSMAN YOUNGDAHL: I want to call your attention to an irregularity in the purchase of farm tractors by one of the Government agencies.

In March 1 bids were opened for the purchase of five tractors by the Terrebonne Farms, Inc., at Shriever, La., under the Farm Security Administration. A bid was placed by H. B. Naquin, dealer selling Minneapolis-Moline tractors in that territory. Mr. Naquin has been in that territory a great many years, and is highly regarded as one of the most competent agriculturists in the Sugar Belt. He has furnished many of our tractors and many implements manufactured by this company, as well as many special implements of his own construction, to a great many of the best farmers in that territory; as a matter of fact, he has both tractors and implements on farms adjoining the Terrebonne that have given satisfaction for many years. When the bids were opened he was low bidder, but the party that was awarded the contract secured the business at a price of \$2,928.90 more than Mr. Naquin's bid for tractors of no better construction, no greater capacity, no better reputation.

Mr. Naquin wrote a letter to the Chief of the Procurement Division of the United States Treasury Department and sent copies of same to the President of the United States, Henry Wallace, Secretary of Agriculture, and the Department of Justice, and others. I am attaching a copy of Mr. Naquin's letter, which tells the story in detail. On receipt of this letter I corresponded further with Mr. Naquin, and in replying to my letter he did not say that he had any further advice or satisfaction.

When asked to bid to the Government on machinery of this kind it is our understanding that the award is to be made to the lowest responsible bidder. If that is not the intention, why does the Government ask for bids? Mr. Naquin, the dealer, is a respected citizen in his community. He pays his taxes and is entitled to fair treatment. We, as manufacturers, do likewise. We build honest machines and we do guarantee them to do the work for which they are sold. We do consider it an insult and an injustice when we are not treated fairly in connection with bids made to the Government.

By what right or authority does any agency, after taking bids on machines of this kind, have any discretion except to award to the low responsible bidder? We feel that this is a case that demands an investigation.

We feel that the machines that were delivered on this award should be returned and the award made to Mr. Naquin if investigation shows the facts to be as stated in his letter.

Respectfully,

MINNEAPOLIS-MOLINE POWER IMPLEMENT CO.,
GEORGE L. GILLETTE, Vice President.

THIBODAUX, LA., April 19, 1939.

CHIEF, PROCUREMENT DIVISION, UNITED STATES TREASURY DEPARTMENT,

Washington, D. C.

DEAR SIR: An investigation is requested and an explanation asked by the taxpayers whose moneys are disbursed by the Treasury Department as to the gross irregularities practiced on March 1, 1939, in the awarding of bids for the purchase of five tractors by the Terrebonne Farms, Inc., at Shriever, La., under the Farm Security Administration.

The Treasury Department, whose duty it is, and which is pledged to safeguard expenditures of public funds, is being severely criticized and publicly charged with evasion of duty, "willful winking at," or inexcusable ignorance of graft, favoritism, etc., in this particular instance, known and condemned by all self-respecting citizens of this section, and this is simply another glaring example pointed out of what these Government agencies now pull off.

1. I and other leading citizens charge incompetency and lack of practical experience in selecting the most adaptable tractors for the purpose.

2. That my tractors are standard, modern, and are the equal of any on the market as to efficiency and economy of operation and upkeep, and that the implements supplied with the tractors are the most practical, being especially designed for use on cane, corn,

potato, and truck farms, requiring such for our local types of land and specialized cultivation. The Terrebonne Farms, Inc., grow only cane, corn, potatoes, and truck.

3. My tractors are in use on adjoining plantations, where repeat orders have been placed, and are universally and successfully used throughout this section.

4. I am equipped to demonstrate, repair, and supply all parts here in Thibodaux—less than 3 miles from the Terrebonne Farms, Inc.

5. My bid met every specification in detail and was \$2,928.90 less in aggregate than accepted bid.

WHERE, WHY, AND WHO GOT THE DIFFERENCE?

For references, I respectfully submit any and all citizens of this section whom you may contact.

Yours very truly,

H. B. NAQUIN.

EXTENSION OF REMARKS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks in connection with H. R. 4833, and to include a brief summary showing the territory affected by this bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. HAWKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein a radio address delivered by my colleague [Mr. JOHNS] on H. R. 1735, known as the education bill.

The SPEAKER. Is there objection?

There was no objection.

INTERNATIONAL EXHIBITION OF POLAR EXPLORATION

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on Foreign Affairs:

To the Congress of the United States of America:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State to the end that legislation may be enacted authorizing and requesting the President to accept the invitation of the Government of Norway to the Government of the United States to participate in an International Exhibition of Polar Exploration, which will be held at Bergen, Norway, in 1940, and authorizing an appropriation of the sum of \$35,500, or so much thereof as may be necessary, for the expenses incident to such participation.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, May 11, 1939.

THOMAS E. DEWEY

Mr. GROSS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. GROSS. Mr. Speaker, I rise to read a portion of a letter I received from Roundup, Mont.:

Out here we see a lot in the papers about Attorney Dewey and his accomplishments and nothing against him. Personally I think any good Republican from Pennsylvania, New York, or Ohio will carry Montana in 1940. I have no facts to back up my statement; all I have to go by is conversations with the general run of our population in this town. I remember in 1931 I wondered what was wrong with my capacity to think straight, and in 1935 I honestly thought I was on the way to the bughouse. But the New Deal is on the way out, even with the common laborer.

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a speech by a businessman from my own city on the subject of industry.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. RAYBURN. Mr. Speaker, at the request of the gentleman from New York [Mr. GAVAGAN] I ask unanimous consent to extend my remarks in the RECORD by printing his statement on H. R. 5643.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include in that extension a radio address I delivered the other evening.

The SPEAKER. Is there objection?

There was no objection.

PERSONAL EXPLANATION

Mr. RANDOLPH. Mr. Speaker, I was absent from the Chamber yesterday on roll call No. 68. Had I been present, I would have voted "yea." Also, I was absent on roll call No. 69. Had I been present, I would have voted "yea."

DISPLACEMENT OF LABOR BY MACHINES

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Speaker, when the last revenue bill was pending I endeavored to have an amendment attached which provided that the Treasury Department and other Government agencies should make an investigation to determine to what extent machinery had displaced the worker.

I did not succeed in my effort at that time. When the revenue bill reached the Senate the senior Senator from Missouri [Mr. CLARK] offered my amendment, and it was added to the bill, but the conferees eliminated the Clark amendment in conference. As I understand it, the conferees thought that such an amendment might be disturbing to business.

On January 5 of this year I introduced a joint resolution, House Joint Resolution 65, reading as follows:

Resolved, etc., That the Secretary of the Treasury is authorized and directed to conduct an investigation of the desirability and practicability of the imposition of a tax on the use of labor-saving and labor-displacing machinery and to report the conclusion of his investigation, together with any relevant and useful data obtained in connection therewith, to the Congress at the beginning of the second session of the Seventy-sixth Congress.

In connection with such investigation the Secretary of the Treasury is authorized and directed to call on any other department, bureau, or agency of the Government for any information in their possession which may be pertinent to such investigation and the heads of such departments, bureaus, or agencies are hereby authorized and directed to furnish such information to the Secretary of the Treasury.

Why did I ask that this investigation be made by the Secretary of the Treasury? I am frank to say it was because the thought was in my mind that some day we are going to be required to seriously consider the advisability of taxing labor-saving and labor-displacing machinery, if no other way can be found to take care of the manpower that suffer the loss of their jobs as a result of invention.

It is true that such an investigation might worry business, but it is also true that millions of our citizens are already worried as a result of the installation of labor-saving and labor-displacing devices.

To my mind this is a most serious matter. I am going to call to your attention an editorial in the St. Louis Post-Dispatch of Sunday, May 7, which will certainly convince you that it is an important matter. The editorial follows:

EIGHTY-FIVE THOUSAND JOBS ELIMINATED

A machine installed in a steel plant at Pittsburgh, Pa., is something to talk about. With a crew of six men it turned out 446 tons of tin plate in an 8-hour day. Before this machine was invented, a crew of five men on the old-style hand mills turned out 10 tons of tin plate in 8 hours.

From 10 tons to 446 tons is surely stepping along, isn't it? Of course, the new machines are expensive. They cost \$10,000,000 apiece. Twenty-six of them are now operating. The research department reports: "They have eliminated 85,000 jobs."

The research department chooses its words: The elimination of 85,000 jobs reads rather better, say, than "85,000 men out of work." But that is what it means.

What of the 85,000 men whose jobs are gone—swallowed up in the maw of a machine? There is a smug school of philosophy that looks upon a development of this sort with reassuring complacency. Like Voltaire's exasperating idiot, "It is all for the best in this best of all possible worlds." Technology is no ruthless deity. It is a kind, charming god. For every job it eliminates, it creates another. So don't worry. There is no occasion for uneasiness at all. That is what they say. It is not true.

Technology is a pleasing word. It has a ripple of euphony. It is impersonal. It serves, perhaps, as the mask for the machine, the monstrous Iago of the economic tragedy.

What's to be done with the villain? Sorry, but we don't know.

Just think of it, 85,000 individuals separated from their jobs due to the installation of 26 machines. This statement in reference to the 85,000 men who were required to do the work of the machines is not mine, but, as you will see by the editorial, it comes from the research department of the steel plant in Pennsylvania.

It matters not to me how the information relative to the machines is secured, whether through the Treasury Department or any other Government agency, but I certainly feel that some Government Department should do the job. The W. P. A. has made some little investigation in regard to this matter, but it simply scratched the surface. Would it not be an excellent project for the W. P. A. workers to make an investigation of this character under the jurisdiction of competent Government officials?

We have many outstanding problems confronting us, but to my mind no greater problem than the one that is going to require someone to provide for those who lose their employment when the machine is installed.

I sincerely hope that the members of the Ways and Means Committee will give serious thought to my resolution, and that it will either be reported to the House or included in the revenue bill which it will be necessary for them to consider before the end of the present fiscal year.

[Here the gavel fell.]

WAR DEBTS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, today I am introducing a bill for the creation of a commission known as the War Debt Payment Commission, empowered with broad authority to reexamine the debt structure and explore suggested methods of payment.

I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection?

Mr. RANKIN. Mr. Speaker, reserving the right to object, has somebody offered to pay their debt?

Mr. DIRKSEN. Not that I know of.

The SPEAKER. Is there objection?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, it is a most singular thing that people are today so debt conscious and tax conscious but not war-debt conscious. Yet 12 European countries, some of whom are moving from crisis to crisis, owe us more than \$11,000,000,000, not including interest. This is nearly 30 percent of our present national debt. If paid and applied to our own debt, it would relieve the American taxpayer of about \$250,000,000 per year in interest. Oddly enough, this matter of war debts has received only the most casual attention.

This debt represents money which the citizens of the United States loaned to foreign countries to prosecute the World War, it represents advances made for relief after the war, and amounts for the sale of surplus war materials after the American Expeditionary Forces came home.

In 1922, the World War Debt Funding Commission, funded these debts, agreed to a low rate of interest, and amortized them over a period of 62 years. The Treasury Department now holds the securities of these foreign governments.

Until 1932, the debtor nations made payment. On the 20th of June 1931, President Hoover suggested a 1-year moratorium on debt payments subject to the approval of Congress. That moratorium became effective July 1, 1931, and continued until June 30, 1932. After the expiration of the moratorium, the debtor countries with the exception of Finland, advised us that there were reasons why they could not resume payment. In December each year since that time we received short, polite notes from each debtor stating that the reasons advanced for nonpayment in 1932 are still

compelling and express deepest regret that they cannot undertake to pay at payment date.

But the fact is that something must be done about these debts. They hang like a pall over the restoration of world prosperity. They constitute the reason for the Johnson Act of 1936 which prohibits the sale and purchase of the securities of the war-debt countries by citizens of the United States. But failure to adjust the war debts goes deeper than that. If we subscribe to the theory that these inter-governmental debts need not be paid unless the debtor nations feel disposed to pay them, we may as well abandon all hope that there will ever be a resumption of the free flow of capital and commodities between the United States and the debtor nations.

The war debts are growing cold and every creditor knows what a task it is to collect a cold and almost forgotten debt. We have made little effort to collect these debts. Our collection morale was low as a result of the depression. Perhaps the depression is also responsible for the low-payment morale of the debtors.

At best, we shout to the housetops that they ought to pay since these debtor nations are spending so much on armaments. It is no argument. Huge armament outlays are made by the debtor nations out of credits to their own people. But no international credits exist in sufficient quantities to meet their obligations on war debts.

There is a reason. They have no gold with which to pay. Secondly, the staggering unemployment in our own country prevents us from accepting manufactured goods, raw materials, and foreign-grown farm commodities whereby credits might be created to apply to the payment of the war debts. We are at an impasse.

In all the correspondence between our own country and the debtor nations, about the time a payment is due, there is not the slightest hint that these nations do not want to pay. They simply remind us over and over of the reasons advanced in 1932 why they cannot pay. If the war debts are to be adjusted, if this barrier to international trade is to be removed, if our own national debt is to be reduced by application of funds which others owe us, and if the annual interest burden of the taxpayers of our country is to be lightened, we must stop shouting in the dark and seek to devise a method whereby the debtor nations might pay. There is the crux of the war-debt situation.

Today I have introduced a bill for the creation of a commission to be known as the War Debt Payment Commission, empowered with broad authority to reexamine the debt structure and to explore suggested methods for payment.

The commission shall consist of five Members of the Senate, five Members of the House, and three persons from the executive branch of the Government. This commission shall deal with the war-debt problem without regard to such questions as reparations, and shall deal with each debtor nation individually. It shall have no authority to conclude any agreements with any debtor country, but must report its findings and recommendations to Congress for action.

In the bill there are some suggested methods for study and examination such as the possibility of conveying to the United States territory in this hemisphere now owned by the debtor nations. There is also suggested the idea of applying the expenditures made by tourists to debtor countries for steamship fares, meals, lodging, and incidental expenses upon the war debts by means of the issuance of certificates by the debtor countries which shall be turned over to the Treasury of the United States and then redeemed in the currency of the debtor nation. Also suggested is the possibility of applying immigrant remittances to the war debts and have the debtor nations assume these remittances to the persons for whom intended. These methods are meant to establish credits so that the means of payment is available to the debtor nations.

This war-debt problem is essentially one for the Congress to solve. Congress provides the revenues and appropriates them for governmental purposes. Congress appropriates for

the interest on the national debt. Congress is constitutionally the keeper of the Nation's purse. An adjustment of the war debts would mean an increase in our revenues and a diminution in the appropriations. Indirectly, it would mean more revenues in the form of a freer and more abundant flow of international trade. I hope that this resolution may receive consideration at this session of the Congress and that a war-debt payment commission, dealing principally with finding a method of payment, might become operative without delay.

The SPEAKER. Under special order of the House heretofore entered, the gentlewoman from New Jersey [Mrs. Norton] is recognized for 20 minutes. [Applause.]

AMENDMENT TO WAGE AND HOUR LAW

Mrs. NORTON. Mr. Speaker, I am grateful for this time this morning in order to explain a few of the misstatements that have been made about the bill H. R. 5435. I would like to ask the membership to bear with me until I have concluded my statement, and I shall then be very glad to answer any questions that may be in the mind of any Member present.

On next Monday, May 15, as directed by the Committee on Labor, I shall ask the Speaker to suspend the rules to consider H. R. 5435, and in so doing I ask the cooperation of the membership of the House in order that we may amend the Fair Labor Standards Act of 1938. Your committee decided to amend this act because of certain inequalities in it which had been brought to our attention by Members of Congress and other interested parties. On considering these amendments we called Mr. Andrews, Administrator of the Wage and Hour Division, to give us the benefit of his experience during the past 6 months in administering the law. We found him to be most helpful in supplying information and in accordance with the direction of Congress he suggested certain amendments which would solve a few of the difficult problems which have arisen during his administration of the act. One of these problems he considered of such importance that he addressed a communication to the Vice President and Speaker of the House, a copy of which I had included in the RECORD of April 20, 1939. This dealt with the necessity for clarification of, or redefinition of agricultural exemptions contained in the Fair Labor Standards Act.

In writing these amendments your committee has tried to give relief to what, in our opinion, constituted hardship cases without in any way weakening the act or denying its benefits to that great army of underfed and exploited workers engaged in the production of goods for interstate commerce. We had evidence brought to the committee which indicated that hardship had been caused by the application of some provisions of the law. We realized that it would not be an easy task to amend the law to protect these people who were entitled to protection and at the same time preserve the intent of the law.

Following many meetings with the Administrator and his efficient staff it is the well-considered judgment of your committee that we should, insofar as we are able, bring relief where evidence has demonstrated that it is absolutely necessary.

Of course, it has been impossible to meet the demands of many selfish interests throughout the country whose able lobbyists have given us many headaches.

Most of you gentlemen of the House are familiar with the difficulties experienced in writing into law the now famous Fair Labor Standards Act of 1938. A large part of the present membership of the House contributed to the enactment of this legislation and I know you who were here well remember the debate on the floor in December 1937 and again in May 1938, and the final adoption of the legislation in June 1938. During all of the debate on the floor, the House Labor Committee made every effort to meet the needs of all sections of the country and its territories and to furthermore enact into law a bill which would better the working conditions of hundreds of thousands of exploited persons. We, and I hope I speak for the majority of the Members of the House, felt that what we had accomplished was

sufficiently useful to give at least some measure of relief to the men and women of this country engaged in the production of goods for interstate commerce. I am sure that we all knew then that the act was not perfect, but it was surely a step in the right direction. In coming to you with these suggested amendments we feel we are keeping faith with you and the public in attempting to improve the act in the interest of all concerned.

Many people have asked why we decided to amend an act that had only been in effect 6 months. Our answer was that we wanted to make that act as just and fair as we possibly could make it. We wanted it to be respected and approved by the people throughout this country. In other words, we wanted to be perfectly fair, not only to employees but to employers as well. That is the reason we are bringing these amendments to you for consideration.

Six months of operation of the Fair Labor Standards Act under the very able direction of Elmer Andrews have demonstrated the necessity for the amendments. Again I feel that I am speaking not alone for myself when I say that his administration of the law has been all we had hoped it could be. He has been just, reasonable, and efficient, and has conscientiously tried to live up to the intent of Congress in directing this legislation.

Now, let me give you an explanation of the provisions of the amendments we are proposing in H. R. 5435:

First. In the administration of the law the Administrator has found that its rigid application to Puerto Rico and the Virgin Islands has created hardship. It is factually true that working conditions in those territories are vastly different—are governed by climatic conditions, living conditions, and general economic factors at distinct variance with those in continental United States. It is impossible to prescribe rigid standards for working conditions in the Territories such as are suitable for continental United States. This problem has been one of the most distressing to the Administrator. The Labor Committee has, therefore, brought before you an amendment to relieve this situation. We are advocating the appointment of industry committees for each industry in Puerto Rico and the Virgin Islands to determine the minimum wages to be paid. This minimum may be—and in practical effect no doubt will be in many instances—less than that prescribed in section 6 of the act. However, such wage rate cannot be prescribed without taking into consideration certain standards set forth in the amendment. We could not and do not suggest the offering to the Territories of any competitive advantage, but rather hope to equalize, by this amendment, any now existing inequalities.

Second. One of the hardest problems to beset the Administrator was that of defining "area of production." As you gentlemen all know, I am sure, we used that phrase as a basis for the exemption of workers engaged in the production of agricultural products. It defies fair definition and has created many unfair as well as ridiculous situations. The Labor Committee has decided, therefore, to eliminate entirely the use of the phrase "area of production" and, instead, list specifically the branches of agriculture and the work to be performed therein which will be subject to the exemptions from the hours provisions, the wage provision, or both. By so stating the exemptions we feel that no employer or employee can be uncertain of his participation or nonparticipation under the act. By referring to section 3 of H. R. 5435 you will find the operations which we have totally exempted from the hours provisions of the act for 14 weeks in a year and have exempted from the hours provisions up to 60 hours a week for all other weeks.

You will remember that in the original act we had limited that to 12 hours a day and 56 hours a week. We had many complaints from farmers around the country, who said that in some instances perhaps 3 days a week might be wet, or something else might happen where it would be impossible to work employees during the whole week. Therefore if we could make it a 60-hour week exemption they could use the time as they saw fit. The committee was very glad to accept that proposal.

Surely this exemption must eliminate any hardship created by the act in taking care of seasonal or perishable agricultural products. The committee feels it has granted exemptions where and when they are necessary and we are satisfied that justice is being done to both the employer and employee. To insure the practicality of our proposed legislation, we have extended to employees engaged in the handling, tying, drying, stripping, grading, redrying, fermenting, stemming, or packing of leaf tobacco and the storing of it from both the wage and hour provisions of the act. This we have done at the insistence of the industry and its employees. We, of course, do not wish to deny the benefits of the act to anyone, but in some cases it has seemed only practical and just to do so. We have also extended this exemption to employees employed in the preparing, packing, cleaning, or grading of fresh fruits and fresh vegetables in their raw or natural state when such operations are performed immediately off the farm.

The farmer, as you know, is exempt now under the provisions of the act. This extends the exemption to employees who are still purely agricultural but whose work is performed just off the farm. The committee in this provision intends to exempt from both wages and hours only such employees as were employed in the cleaning, packing, grading, or preparing of fresh fruits and vegetables in their raw or natural state when such operations are performed in the immediate locality of the farm where produced. It was only intended to take care of the small fresh fruit and vegetable packing operation often carried on by a few farmers for the purpose of packing their own products. We have also extended this exemption to all employees engaged in the ginning of cotton.

Third. Another factor which has caused considerable confusion among both employers and employees is the fact that the Administrator lacks the power to make valid rules and regulations. I believe it is a tribute to the conscientiousness and willingness to cooperate of the American employer to realize that almost 90 percent of the employers of this country are living up to the provisions of the law. There are, as you gentlemen know, many cases in which employees and employers are not sure of their coverage by the act. All the Administrator can do when questioned by interested parties is to issue an interpretative bulletin. This is not binding under the law nor does compliance with it protect an individual legally. In order to correct this situation we are proposing in section 4 of H. R. 5435 to authorize the Administrator to make rules and regulations to carry out any of the provisions of the act. This section will also give him the right to define terms used in the act and make special provisions with respect to industrial homework.

As the act is now written it is extremely doubtful whether the wage and hour standards which it establishes can be enforced as to industrial home workers. Under present practice in industrial home work industries, the Administrator is unable to secure proper records on wages and hours of home workers. Business concerns relying on home work for their labor do not ordinarily deal directly with the home workers, but turn over the goods or articles on which the work is to be done to contractors who employ the home workers. Section 4 of the amendments would give the Administrator the necessary authority to cope with this situation.

We believe that this section on the whole will quiet much of the unrest which has grown up as the result of the lack of definiteness of the act when applied to an individual business. This change has been approved by the Administrator as most necessary for effective administration of the law.

Fourth. In section 5 (a) of the proposed amendments your committee contemplates the exemption of employees employed at a guaranteed monthly salary of \$200 a month or more. The necessity for this exemption has arisen because under the present act only employees engaged in executive or administrative or professional capacities are exempt by virtue of their positions. It has been found that there are many persons whose work is not clearly administrative or executive but who are high-salaried workers with necessarily

flexible hours. Their inclusion has created some hard problems for the Administrator and caused real hardship in many cases. Of course you gentlemen realize there is nothing in this act which limits the application of this exemption to clerical or so-called "white collar" workers. If a ditch digger received \$200 a month he would be similarly exempt under this provision.

In section 5 (b) your committee has, we believe, taken care of the employees in small telephone exchanges.

May I say that at least 50 percent of the membership of this House has come to me asking for this exemption. Evidently it has been creating a great deal of trouble and, perhaps, hardship. So we are glad to bring this amendment to you.

The application of the law to them in many instances has really tended to increase unemployment and curtail chances for employment. Small telephone companies on the whole are financially unable to comply with the wage and hour provisions of the act. The committee believes that by exempting switchboard operators in exchanges having 500 or less stations it will help materially toward solving their present problem.

In the original bill I may say the exemption was set at 350, but later we changed that to 500. We think this has really taken care of all of the hardship cases.

In section 6 we have exempted employees employed under the jurisdiction of part 1 of the Railway Labor Act. This affords a similar exemption to employees of refrigerating cars, and so forth, as is now extended to all other branches of the railroad industry under the present act.

In section 7 the committee deals with two very difficult problems—messenger boys and home work in rural areas.

Your committee does not wish to deny the benefits of the act to messengers. However, anyone at all familiar with the telegraph companies knows that they will not be able to pay the highest minimum—40 cents—without great hardship and perhaps even financial ruin. We are, therefore, offering an amendment which would give the Administrator the power to prescribe wages lower than those set forth in section 6 of the act if certain standards can be met. However, in no case has the Administrator the power to lower the wage below 25 cents an hour.

The difficulty of compliance with the law by home workers in rural areas is, I believe, familiar to most of you.

A few Members of the House came before us and gave us much evidence in connection with this amendment. We feel that we are justified in giving relief to those people and that this relief is necessary. This type of work bears no resemblance to industrial home work in cities, and its elimination often means the difference between butter on his bread or plain bread to many a farmer. So we propose to give the Administrator power to prescribe wages lower than the minimum set forth in the act.

Section 8 is intended to protect the innocent purchaser of so-called "hot goods" if he can show that at the time he purchased the goods he had no knowledge or reason to believe that they had been produced in violation of wage and hour provisions. This amendment would avoid hardship to innocent purchasers and promote the free movement of goods.

The SPEAKER. The time of the gentlewoman from New Jersey has expired.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER. Is there objection?

Mr. AUGUST H. ANDRESEN. Mr. Speaker, reserving the right to object, and I do not intend to object, the gentlewoman from New Jersey said at the beginning of her remarks that she would give us an opportunity to ask certain questions relative to the bill. The gentlewoman is making a very fine statement, and I hope that arrangements can be made to give her at least 15 minutes. I ask unanimous consent that her time be extended 15 minutes.

The SPEAKER. Does the gentlewoman from New Jersey request such extension of time?

Mrs. NORTON. I would be very glad to have the extension of time, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN]?

There was no objection.

Mrs. NORTON. Section 9 of the committee amendments, which amends section 15 (a) (2) of the act, is a technical amendment which is necessary if section 4 is adopted, so that the violation of appropriate regulations will be prohibited. In addition there is a prohibition against violations of the provisions of any wage order issued by the Administrator pursuant to section 8. This latter prohibition clarifies the act as now written.

Section 10 proposed to give to learners, apprentices, handicapped workers, messengers, and home workers the same right to sue for unpaid minimum wages and unpaid overtime compensation which the act now accords all other employees covered by the act.

Section 11 of the committee amendment would amend section 17 of the act to provide that civil actions to restrain violations of the act may be brought in any district where the defendant is found, or is inhabited or transacts business. By thus allowing suits against corporations where they are doing business, the amendment will save both defendants and the Government the expense of bringing witnesses many miles from the place of business to the State of incorporation of the business.

Section 12 of the committee amendment prohibits the transportation of prison-made goods in interstate commerce except the transporting of goods from a Federal prison for the use of the Federal Government. This provision is in line with but goes beyond the Ashurst-Sumners Act. [Applause.]

Summing up, Mr. Speaker, I may say that your committee considered these amendments for at least 5 or 6 weeks. We received communications from all interested parties. They were brought to the attention of the committee, and we really tried to do a good job. We could not, of course, grant amendments to all of those who came seeking them, for we were confronted with exactly the same situation that confronted us when the original bill was before the House for action. Many selfish interests came to us, people who would like not only to have the bill amended but to have the bill killed; and your committee had a very difficult task in trying to decide what was fair and just; and may I say that we did everything in our power to bring before you only such amendments. We want this bill to have the endorsement of the American public. We want this bill to do the thing we intended it to do, protect the workers of this country. The primary reason for having this law is to protect the exploited workers in this country; and this, Mr. Speaker, your committee has tried to do.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mrs. NORTON. I shall be glad to yield to the gentleman.

Mr. AUGUST H. ANDRESEN. I commend the committee for removing the disturbing "area of production" provision. The committee, however, has substituted another phrase which I believe should have some clear elucidation so that the Members may form some idea as to what is intended, and that is the phrase "terminal establishment." It seems to me that unless the phrase "terminal establishment" is clearly defined, it might leave us in the same situation we find ourselves with existing law in reference to "area of production." For instance, in defining "terminal establishment" reference is made to urban areas. Just how does the committee define an urban area?

Mrs. NORTON. I believe the committee intended the phrase "terminal establishment," on page 13 of the bill, to mean an establishment which met each of the three requirements set forth in the sentence in which the phrase "terminal establishment" is defined. Further, the words "establishments at which such goods have been previously concentrated or prepared" does not include that concentrating or preparing of fresh fruits and vegetables which ordinarily takes place on the farm before they are delivered

to a packer or canner. That is what is meant by "terminal establishment."

Mr. AUGUST H. ANDRESEN. I recognize that, but that is not very clear to me. Maybe I am dense, but I would like to get it clear. Reference is made to "urban area." Webster's Dictionary defines "urban" as meaning something pertaining to a city. Did the committee consider what size community would take an industry into an urban area?

Mrs. NORTON. No; I do not think the committee did. We interpreted "urban area" in the broad sense as meaning the surrounding country whose population was around 2,500, or thereabouts, although we did not mention any figure.

Mr. AUGUST H. ANDRESEN. Part of an urban area?

Mrs. NORTON. Yes.

Mr. AUGUST H. ANDRESEN. That certainly is contrary to all definitions. In 1910 the Bureau of the Census defined as urban communities all communities having a population of 2,500 or over. Those having under 2,500 would be classed as rural areas.

Mrs. NORTON. I think I made a mistake. I should have said that an urban area was an area with a population of 2,500 or over. I am afraid my mind was still on a farm when I answered your question.

Mr. AUGUST H. ANDRESEN. Then, we would assume that the committee means that when the phrase "terminal establishment" is used it does not take in any communities having a population of less than 2,500 individuals.

Mrs. NORTON. My personal opinion is that is what the committee intended.

Mr. AUGUST H. ANDRESEN. If the gentlewoman can make that quite definite it would be very helpful.

Mrs. NORTON. I cannot make it more definite than the definition given in the bill.

Mr. AUGUST H. ANDRESEN. Would the gentlewoman also tell us in connection with the same definition what is meant by "transportation terminal" or "transportation center"?

Mrs. NORTON. As we understood "transportation terminal," it meant a terminal where goods were concentrated for the wholesale market.

Mr. WADSWORTH. The phrase "transportation terminal" is not used in the act. It is referred to in the act as "transportation center."

Mr. AUGUST H. ANDRESEN. The phrase used in the act is "transportation center."

One further question—and I hope that we can get this all cleared up on Monday; we should have everything clear about the bill—just what is meant by the phrase "off the farm"?

Mrs. NORTON. That was an amendment offered by Mr. THOMAS of Texas, and I think he would be glad to explain just what it means. I can tell the gentleman what I think it means.

Mr. AUGUST H. ANDRESEN. We would like to know from the chairman; she is the authority.

Mrs. NORTON. This provision, as I understand it, is to allow groups of farmers—John Jones, Bill Smith, Sam Brown, and maybe others—to get together to perform certain operations on the farm, operations which are enumerated in the bill, to prepare the produce for market. It might sometimes happen that John Jones would not have the facilities to do these things by himself, but with other farmers they could form a sort of cooperative organization, and we considered it important to permit them to get together to perform these various operations. May I say, however, that I have never lived on a farm, so all of these operations on a farm are very difficult for me to understand. All my life has been spent in the city. I am not familiar with farming operations. I shall be more familiar with them, I hope, before we get through with this bill.

Mr. AUGUST H. ANDRESEN. We shall be very glad to help the gentlewoman in that respect.

Mrs. NORTON. I shall need all the help I can get. It was our idea in presenting this amendment relating to "off the farm" to allow these farmers in small groups to cooperate in the matter of preparing fruits, vegetables, and so forth, for

market. It is the committee's understanding, however, that it does not extend beyond the first processing, let us say, for lack of a better word, of the produce for the market.

Mr. AUGUST H. ANDRESEN. If the farmers live within a radius of 60 miles of one another, that area might be considered off the farm?

Mrs. NORTON. I would not go as far as to say that. We did not attempt to put the suggestion of any mileage or any distance into the bill. After all, the Administrator will have to determine that.

Mr. AUGUST H. ANDRESEN. That is what I was getting at. That leaves it to his discretion to make the determination.

Mrs. NORTON. Yes. We feel it will be perfectly safe in his hands.

Mr. AUGUST H. ANDRESEN. I hope so.

Mr. ROBERTSON. Will the gentlewoman yield?

Mrs. NORTON. I yield to the gentleman from Virginia.

Mr. ROBERTSON. I listened with a great deal of interest to the gentlewoman's explanation of the liberalized provisions for the tobacco workers and I fully approve of what the committee proposes to do; but, frankly, what disturbs me is to learn by what physiological, social, economic, or political theory the committee arrived at the conclusion that the tobacco worker, considering that the tobacco industry has been nearer parity than any other major farm product, and the tobacco industry has not suffered during the depression like many other industries, should receive more liberalized treatment than those engaged in preparing for market fresh fruits or vegetables in their raw or natural state?

Mrs. NORTON. I do not believe we gave them that. We were told the tobacco people we exempted were people who worked by their hands in small communities; they did not have the machines that were necessary or that they have in larger places, and we gave this exemption because we felt we were helping that small group of people who do all those operations by hand.

Mr. ROBERTSON. That is the assurance I wanted, because to get that equal treatment that you say your committee intended, the definition "off the farm" and the definition of "terminal" will have to be most liberally construed or else the relief for this suffering fruit and vegetable industry will not be brought about under the provisions of the act.

Mrs. NORTON. It was the intention of the committee to do just that. Our thought was that if we extended the amendments too far they would take in what we might call the wholesale market, and that we certainly did not want to do. If the gentleman knew the number of lobbyists who have been around the Capitol trying to get that class of labor exempted from the bill, he would understand the difficult task we had.

Mr. WADSWORTH. Will the gentlewoman yield?

Mrs. NORTON. I yield to the gentleman from New York.

Mr. WADSWORTH. The gentleman from Minnesota has called attention to that phrase which is found in the first instance on page 12, reading "but not when those operations are performed at a terminal establishment," and has asked the lady from New Jersey to define, if possible, with the aid of a definition printed later on on page 13, what a terminal establishment is. We thereupon find that the definition needs defining again in several instances. I am not going to pursue that question, however. The lady has made it plain, and the bill makes it plain that at least some restriction is intended to be placed upon the processing of fresh fruits and vegetables.

Mrs. NORTON. After they leave the farm, but not while they are on the farm.

Mr. WADSWORTH. May I ask why a similar restriction is not placed upon the great packing industry?

Mrs. NORTON. It is.

Mr. WADSWORTH. It is not. I beg the lady's pardon. On page 12, line 11, among the exemptions without qualification we read, "the handling, grading, loading, slaughtering, or dressing livestock." If that does not exempt Armour and Swift, I cannot read the English language.

Mr. ROBERTSON. Will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman.

Mr. ROBERTSON. Under the act, as has been pointed out, that can be done, anyway.

Mr. WADSWORTH. Those great plants, which no farmer has ever considered to be farm operation plants, but, rather, great industrial establishments in the cities of Chicago and Kansas City, employing thousands and thousands of men, most of them with union affiliations, typical industrial plants, under this bill may run 60 hours a week the year round, and for 14 weeks there need be no limitation whatsoever as to hours. I am not pleading for or against that particular thing. But I want to know why the fresh fruits and vegetable industry, close to the farm itself, handled in little country villages, seasonal plants that run only on an average of 4 or 5 months out of 12 months in the year, are supposedly placed under a restriction, whereas the great packing industry is left free?

Mrs. NORTON. Is not the difference there that the fresh fruits and vegetable industry is proposed to be exempted from the wage and hour provisions, while the other people are not exempted from wages?

[Here the gavel fell.]

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent that the time of the gentlewoman from New Jersey may be extended for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. ROBERTSON]?

There was no objection.

Mr. ROBERTSON. Will the gentlewoman yield?

Mrs. NORTON. I yield to the gentleman from Virginia.

Mr. ROBERTSON. Following the suggestion made by the gentleman from New York, I wish to call attention to the fact that in section 8, to which he has just referred, it puts no terminal limitation upon the packing houses, your hogs, or your cattle. Section 9 puts poultry under the terminal facilities.

Mr. HAWKS. Will the gentlewoman yield?

Mrs. NORTON. I yield to the gentleman from Wisconsin.

Mr. HAWKS. The gentlewoman has been very patient in her explanation, but I would like to emphasize some of the points that the gentlemen from Minnesota and New York have brought out and direct attention to questions I asked yesterday relative to the terminal establishment in this urban area. The gentlewoman indicated she had lived in a city all of her life, consequently could not with any degree of confidence discuss the agricultural features of this bill. I would like to suggest to the gentlewoman as a result of hearings that were held before the Administrator, I think, on April 3 and 4, he came out with a ruling on April 19 indicating he also had no understanding of the very same agricultural problems that you are trying to solve in this bill.

He defined a city with a population of 2,500 as being the maximum. In Wisconsin we have a lot of factories engaged in the canning of peas, corn, tomatoes, and so forth, in towns with a population of 5,000, 6,000, 7,000, or 8,000. If a town with a population of 2,600 has a canning factory in it, under the ruling and under the urban area interpretation which I know Mr. Andrews will give, that town will be penalized as against the operation of a factory in a town of 2,450 or 2,499.

Mrs. NORTON. I do not believe so, if the work is done purely and simply as agricultural work.

Mr. HAWKS. These are all agricultural works.

Mrs. NORTON. May I say that the understanding of the committee is that we have taken care of all these people in and around the farm. Our only desire to enforce this law is after the product has left the first processing or preparing operation, or whatever the word is.

Mr. HAWKS. That is where they take it off the land.

Mrs. NORTON. Where they take it off the farm or when it gets to the large terminal establishment, which to my mind is sort of a wholesale establishment.

Mr. HAWKS. Could I describe to the gentlewoman the ordinary operation?

Mrs. NORTON. I would be pleased to hear it. I am really getting a liberal education in farming.

Mr. SHANNON. If the gentlewoman will yield, I should like to ask the Chair and the gentlewoman if this cannot be confined to mere questions instead of speeches. Several speeches have been interjected into the gentlewoman's remarks, whereas many, many Members would like to ask questions.

Mrs. NORTON. May I say further to the gentleman that on Monday this bill will come before the House. The minority leader has asked if there would be any objection to extending the debate 1 hour. There will not be any objection to that. We will then have all the members of the Committee on Labor present, and I believe they can satisfy the Members of the intent of the committee in writing these amendments, which will go a long way toward working out the proper administration of the act.

Mr. SHANNON. Then I would suggest that the gentlewoman confine the remarks of the Members to whom she yields to questions.

Mrs. NORTON. I would be very pleased to have the discussion so confined.

Mr. GREEN and Mr. SHEPPARD rose.

Mrs. NORTON. I yield to the gentleman from Florida.

Mr. GREEN. In our State we have fruit-packing houses. The fruit is hauled in by the farmer, and may be hauled 10 miles to the packing house. The fruit then passes to a machine, is graded as to size, and is then wrapped by hand and placed in a crate. I was wondering if these amendments would exempt the employees of such a packing house?

Mrs. NORTON. Does the gentleman mean if this operation is immediately on or off the farm?

Mr. GREEN. Yes.

Mrs. NORTON. Yes. My personal opinion is he would be exempt.

Mr. GREEN. The grower may haul the fruit 10 miles or 2 miles to the packing house, and there it is packed in the crate for him, and he pays for the packing.

Mrs. NORTON. Our understanding is that he would be exempt. I may say to the gentleman this amendment, "immediately off the farm," is the amendment of my friend the gentleman from Texas [Mr. THOMAS]. Perhaps the gentleman from Texas would like to explain to the House exactly what his definition is of his own amendment, which was placed in the bill, not at the suggestion of the Administrator, I can assure you, but at the suggestion of the gentleman from Texas. I shall be pleased to yield to the gentleman from Texas to make that explanation.

Mr. THOMAS of Texas. If the gentlewoman will yield, I will attempt to explain that language. The language "immediately off the farm," was used as a term descriptive of the work to be done and not of the area where the work is to be done. The fresh fruits and vegetables grown by the farmer must be washed and packed and prepared so they are ready for market. It does not make any difference where that work is one; it may be a thousand miles from the farm. The purpose of my amendment is to relieve the farmer of this added cost for the work done, regardless of where it is done, in getting the product ready for the market.

Mr. BARDEN. Mr. Speaker, if the gentlewoman will yield, may I ask the gentleman from Texas if he has been able to get an interpretation from the legal department of the Wage and Hour Division of the Labor Department that is in line with the gentleman's definition?

Mr. THOMAS of Texas. I may say to the gentleman from North Carolina that I have not asked the Administrator for an interpretation for the simple reason that I doubt if he would give me one. However, I do not believe that, in all fairness to him, I can presuppose that he is going to go contrary to the wish of a committee of the Congress.

Mr. BARDEN. The Administrator has given us definitions in connection with every amendment he proposed.

Mr. THOMAS of Texas. I presume so.

Mr. BARDEN. Did he not define and describe the amendments and tell us what the extent of the operation would be?

Mr. THOMAS of Texas. I believe that is so.

Mr. BARDEN. Then does the gentleman believe that it would be improper for him to ask the Administrator for a definition of this term and have it available on Monday?

Mr. THOMAS of Texas. No; I do not believe it would be improper for my friend to ask him. I will be pleased to do so, however, if the gentleman wishes me to.

Mr. GREEN. If the gentlewoman will yield, does the process the gentleman from Texas mentions of preparing the product for market include placing it in the can—for instance, placing grapefruit in the can?

Mr. THOMAS of Texas. No; it does not include the canning.

Mr. SHEPPARD. Mr. Speaker, if the gentlewoman from New Jersey will yield, I would like to ask the gentleman from Texas a question. The people of California have been vitally interested in what happens to this bill, as well as the interpretation that has been put in operation by the Department under the previous act. I have prepared 10 questions which I would like to ask the member of the committee, and if the gentleman would rather have me ask him the questions on Monday, I am perfectly willing to do that with the assurance of the gentlewoman in charge of the bill that I shall have that opportunity.

Mr. THOMAS of Texas. Submit the questions to us and I should be pleased to attempt to answer them, or I am sure the chairman will do so.

Mr. SHEPPARD. I would like to say to the gentleman from Texas that I know of the splendid cooperation that the members of the committee have given in this matter, and my deliberate intention here is to place in the RECORD a definite pronouncement by the committee as to what their intent is so that we cannot have a jumping over the hurdles like we had the last time.

Mr. THOMAS of Texas. Of course, the committee cannot bind the Administrator, but we will be glad to give the gentleman our opinion.

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

Mr. THOMAS of Texas. I yield.

Mr. SPARKMAN. Certainly it is not the intention of the person offering this amendment to include in the amendment containing the phrase "immediately off the farm" any interpretation such as the Administrator read into the act before.

Mr. THOMAS of Texas. I will say to the gentleman that the committee wrestled for about 6 weeks trying to get away from that old term "area of production," and I think the committee certainly did not intend to have any semblance of the idea of area of production again in connection with the phrase "immediately off the farm," and the distance would make no difference whatever.

Mr. SPARKMAN. I am not talking about distance; I am talking about the number of employees. That was not carried in the other bill; but because some Member in the argument on the floor made the statement, that was used in construing the intent of Congress.

Mr. THOMAS of Texas. One man could have one employee engaged in washing such products, while another might have 10,000, and therefore numbers will not have anything to do with it.

Mr. SPARKMAN. The number was not intended to apply to the gentleman's amendment.

Mr. BROWN of Georgia. Mr. Speaker, will the gentleman yield?

Mr. THOMAS of Texas. I yield.

Mr. BROWN of Georgia. I understand that the ginning and storing of cotton is exempted.

Mr. THOMAS of Texas. Yes; from wages and hours.

Mr. BROWN of Georgia. How about the little sawmill? I see you have here a provision about that, and I have one in my district—

Mr. THOMAS of Texas. I will say to the gentleman that I have one, too.

[Here the gavel fell.]

Mrs. NORTON. I thank you gentlemen, and I sincerely hope you will come here on Monday prepared to vote for a suspension of the rules so that we may give the relief provided in our amendments to those whom we believe are entitled to relief.

Mr. ROBERTSON. Mr. Speaker, my colleague the gentleman from New York [Mr. MARCANTONIO] is to be recognized next, and if the gentleman from New York will be kind enough to yield, I wish to submit a unanimous-consent request to proceed for just 1 minute.

Mr. MARCANTONIO. I have no objection, Mr. Speaker.

The SPEAKER pro tempore (Mr. DOXEY). Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ROBERTSON. Mr. Speaker, the pending Norton bill, H. R. 5435, Union Calendar No. 204, which I understand will be called up Monday to be passed under a suspension of the rules, gives me deep concern. The plight of the producers of fresh fruits and vegetables in this country is well known. The passage of this bill in its present form will intensify their present hardships, force some of them into bankruptcy, and result in unemployment in our rural sections on a wide scale.

Section 13 (a) (10) of the present act, so far as it relates to fresh fruits and vegetables in their raw or natural state, exempts any individual employed within the area of production—as defined by the Administrator—engaged in handling, packing, storing, and preparing them in their raw or natural state for market.

A hearing was held by the Wage and Hour Division on the definition of "area of production" January 9 to 12, and again by Administrator Andrews on April 3 and 4. As a result of the hearings, the Administrator came out with a very restricted definition so that the exemption applied only to towns of less than 2,500 population and the distance of haul to packing plant or storage did not exceed more than 10 miles. It will be noted, however, that even this applied to not only handling, packing, and preparing fresh fruits in their raw or natural state but also to storing.

First. The Norton bill, in section 5 (b) (12), proposes to amend section 13 (a) (10) to read as follows:

(12) Any employee employed in the cleaning, packing, grading, or preparing fresh fruits and fresh vegetables in their raw or natural state when such operations are performed immediately off the farm.

No one yet knows what "immediately off the farm" means or how it will be defined by the Administrator. Some statements have been made to the effect that the word "immediately" had reference to time or speed from the farm to the packing house. If that should prove to be the meaning, then the Administrator would have to define the number of hours that might elapse between the farm and the packing house, all of which would work great disruption and hardship. Other statements have been made that the word "immediately" means in the immediate locality and for the benefit of such growers as might occasionally desire to get together to grade, pack, and clean.

If the latter proves to be the case, then the Administrator's definition of "immediately" will undoubtedly be just as restrictive as his definition of "area of production" under the regulation of April 19, 1939, to wit, towns under 2,500 population and the distance of haul not to exceed 10 miles. If either of these alternatives prove true, then the industry is worse off under the Norton bill than it is under the present wording of section 13 (a) (10) and the Administrator's restricted definition of "area of production" of April 19. The industry is worse off because none of the country storages within the production districts where the goods are produced have any exemption whatsoever. In addition the definition of "immediately," based on time, would be impossible and completely disruptive. Still further, if the word "immediately" is construed to be "in the immediate locality," then we are not only confronted with the present restrictive regulation as to area of production, but the further language of section 4 (d) of the Norton bill giving the Administrator power to issue, amend, and rescind such regulations and orders as are neces-

sary and appropriate to carry out any of the provisions of this act and further regulations and orders defining terms used in the act. That means that he can at any time still further narrow and restrict the word "immediately." The industry would be confronted with constant uncertainty and possible and probable charges. Under existing section 13 (a) (10), all the Administrator had to do was to define "area of production," which he thought was an impossible task. He now has handed back to him the duty and power of defining "immediately off the farm," which, in my judgment, is infinitely more vague and uncertain than the words "area of production."

A proper definition of "area of production," as contained in section 13 (a) (10), offers no particular difficulties to anyone who will view the matter realistically. Production centers and districts in the United States have been developed over a long series of years and long before the wage-and-hour bill was ever thought of. "Area of production" is the general district or section where the goods are produced and where they are normally and necessarily prepared for market. The term "area of production" is perfectly well known to growers and the distributing trade. It is only by unduly magnifying the difficulty of defining "area of production" that any such difficulty exists.

If the Administrator defines "immediately off the farm" in as restricted a manner as he has already defined the term "area of production," and whether he follows the time theory or the immediate locality theory, then the original intent of section 13 (a) (10) of the existing act exempting from both wages and hours the handling, packing, storing, and preparation of fresh fruits and vegetables in their raw and natural state within the section or area where the goods are produced and are normally and necessarily prepared for market will be practically nullified.

Based on experience there is no reason to believe that the Administrator's definition of "immediately off the farm" would be any more liberal, if as liberal, as his definition of "area of production" issued April 19, 1939. Not only that but, as I have pointed out, the word "storing" has been completely omitted.

If the above is correct, the fresh fruit and vegetable industry will be just as limited, and probably more so, than under the present regulation of less than 2,500 population and a 10-mile haul and in addition would have lost the right to store even in that limited area free from the wage and hour provisions.

The effect, therefore, of section 5 (b) (12) of the Norton bill will be to exclude storing, at even the smallest country points, to disrupt long-established production areas and practices and severely cripple packing-house and storing facilities that have been developed over a long series of years at point of origin within the general area where the fresh fruits and vegetables are produced and are normally and necessarily prepared for market and stored and conserved in their raw or natural state. Present facilities within the legitimate area of production cannot be torn down and moved and the industry does not have sufficient capital to build new facilities at every country crossroads or to serve half a dozen farms, and, moreover, if it did have such capital, it would constitute an economic waste in that with the great variation in crops due to weather conditions, facilities cannot be built to take care of just a few farms or an exceedingly limited haul. Many present facilities would have to be either abandoned or operated at a loss.

Moreover, if he has power to define terms and amend and rescind such definitions as he deems appropriate, the industry would never know what "immediately off the farm" meant from week to week or month to month.

Second. Turning to section 3 of the Norton bill, which proposes to completely change existing section 7 (c) of the act, there is a provision which would extend the workweek to 60 hours without payment of overtime but under the language used the extension of the workweek to 60 hours without payment of overtime insofar as the fresh fruit and vegetable industry is concerned is nothing but a hollow shell.

This statement is perfectly clear if one will read section 3, paragraph 5, starting on line 24 of page 11 and ending with line 4 on page 12 of the bill and the language used in an attempt to define "terminal establishment" as it appears on page 13, lines 20 to 24, and page 14, lines 1 to 4.

Paragraph 5 of section 3, which applies in part to fresh fruits and vegetables in their raw and natural state, reads as follows:

(5) preparing, cleaning, grading, packing, drying, refrigerating, freezing, preserving, peeling, shelling, storing, or canning fresh or dried fruits and vegetables but not when those operations are performed at a terminal establishment.

I am devoting my remarks to fresh fruits and vegetables in their raw and natural state, although drying, refrigerating, freezing, preserving, peeling, shelling, or canning are likewise concerned. Now, what does "terminal establishment" mean? The Norton bill, on page 13, starting in line 20, attempts to define it as follows:

As used in this subsection, the term "terminal establishment" means an establishment which (1) is located either in the urban area where the products are to be consumed or at transportation centers for the purpose of servicing consumer markets; (2) receives the major portion of its goods from other establishments at which such goods have been previously concentrated or prepared; and (3) distributes its goods to wholesalers, retailers, consumers, or manufacturers.

Under the foregoing the Administrator would have to still further define "terminal establishment" and the meaning of such words as "urban area," "transportation centers for the purpose of servicing consumer markets," "receives the major portion of its goods from other establishments," and "distributes its goods to wholesalers, retailers, consumers, or manufacturers." It is therefore conclusive that the Administrator is confronted with far more complexities than in defining "area of production" as it appears in the existing act, section 7 (c) and section 13 (a) (10).

"Urban area" would undoubtedly be defined as a place with 2,500 or more population. The Administrator also could and undoubtedly would, based on previous experience, promulgate a regulation stating that any and all small towns at point of origin and all of them located within the legitimate area of production, were transportation centers for the purpose of servicing consuming markets. Naturally, fresh fruits and vegetables must ultimately be shipped to some consuming market. The Administrator could and undoubtedly would hold that a country storage in the same village or township which obtained packed fruit from a grower who had packed it on his own farm was receiving fruit from "other establishments at which such goods had been previously concentrated or prepared." He could and would also undoubtedly find that all of the fresh fruits and vegetables stored at country points were distributed "to wholesalers, retailers, consumers, or manufacturers," as per paragraph (3), line 3, page 14. That is where they have to go anyway. Fresh fruits and vegetables are produced, cleaned, graded, packed, and stored at point of origin to sell to consuming markets.

Therefore, as I see it, there is no relief for fresh fruits and vegetables in their raw and natural state under section 3, paragraph (5), pages 11 to 12, of the Norton bill, coupled with the use of the words "terminal establishment" and as such words are attempted to be defined on page 13 of the Norton bill, commencing in line 20 and running on down to the end of line 4, on page 14. It is exceedingly difficult to imagine or visualize any packing house or storage at country points which would be exempt under the language used and the clearly expressed intention of the Administrator to restrict to the utmost any and all exemptions and as evidenced by the regulation which he has already promulgated under section 13 (a) (10).

This would mean that practically all of these packing houses and storages would come under the existing wage schedule which would evidently be 40 cents per hour and time and one-half for overtime and the existing 44-hour workweek, which will change to 42 hours in October, and after October 1940 will be down to 40 hours.

It is so well known that the fresh fruit and vegetable industry is in no position to assume these additional charges

that to discuss it further would seem to be an utter waste of time. The Government, on the one hand, is appropriating huge sums to help the farmers and growers, and now, on the other hand, proposes to penalize them with added costs.

Furthermore, it is exceedingly doubtful what the application is of the words as used on page 13 of the Norton bill, commencing with line 15 and reading as follows:

In the case of an employer engaged in any of the operations specified in paragraphs (1) to (16), inclusive, of this subsection, the provisions of subsection (a), during a period or periods of not more than 14 workweeks in the aggregate in any calendar year, shall not apply to his employees in any place of employment where he is so engaged.

It will be noted that this language is followed by the attempted and vague definition of "terminal establishment" and further that in paragraph (5), commencing on page 11, no exemptions or increase in hours are permitted when the operations specified in paragraph (5) are "performed at a terminal establishment."

It may very well turn out in the end and under the Administrator's regulations and definitions and interpretations that none of the operations specified in paragraph (5) are entitled to an exemption of 14 workweeks.

The Norton bill was supposed to clarify the present act but instead of doing that, it is my judgment that it not only nullifies the present act to a large extent, but in addition is loaded with such vagueness that no one knows what it means.

The time to determine these issues is before the Norton bill is passed and not afterward. The entire bill should be rewritten and put in language that is understandable. If the Norton bill is passed in its present form, there will be a series of further regulations with no one knowing what those regulations will contain, but in all probability they will be not only greatly restricted but with power to still further restrict from time to time whenever the Administrator in his own mind deems it appropriate.

There will be very little opportunity of a court review under the present wording of the Norton bill. Furthermore, there have been no public hearings held on the Norton bill and no opportunity has been given to the industry to present to the committee its facts and arguments.

I further wish to point out that the limiting words:

But not when those operations are performed at a terminal establishment—

are not used in connection with paragraphs (1), (2), (3), (4), (7), (8), (11), (13), (14), or (15) of section 3.

To give a few illustrations:

First. The making, and so forth, of dairy products, but not storing, can take place anywhere without regard to "terminal establishments" (par. (1)).

Second. Cotton can be compressed and stored anywhere without regard to terminal establishments.

Third. The processing of sugar beets can take place anywhere without limitation.

Fourth. Extracting juices or sirups from domestic fruits or vegetables can take place anywhere without limitation, (par. (4)), while preparing the fresh fruits and vegetables themselves for market in their raw or natural state are decidedly limited (par. (5)).

Fifth. Handling, grading, loading, slaughtering, or dressing livestock can take place anywhere without regard to the "terminal establishment" limitation (par. (8)). The meat packers are in the clear.

Sixth. In the very next paragraph (par. (9)), poultry is subject to the "terminal establishment" limitation.

Seventh. Hops, fiber crops, or forage crops (par. (13)), honey (par. (14)), and nursery stock (par. (15)), carry no limitation.

Consider the complete absence of reality when fresh fruits and vegetables in their raw or natural state, and which are perishable, are tied down to the "terminal establishment" limitation—whatever that may mean—while dairy products which are perishable, cotton which is not perishable, extracting fruit and vegetable juices, slaughtering and dress-

ing livestock (the meat packers), hops, fiber, and forage crops, honey and nursery stock carry no such limitation.

PROPOSED CHANGES

Section 5 (b) (12) of the Norton bill, page 15, line 21, should be changed to read:

(12) any employee employed in the cleaning, packing, grading, storing, or preparing fresh fruits and vegetables in their raw or natural state when such operations are performed within the general and recognized production section or area where such commodities are produced and are normally or necessarily prepared for market: *Provided, however,* That this exemption shall not apply in consumer markets to which such fresh fruits and vegetables have been sent for distribution for consumption.

Such an amendment would meet the needs of the fresh fruit and vegetable industry and carry out the intent of the Congress when it enacted section 13 (a) (10).

Its provisions are not as broad as the amendment tentatively agreed upon by the Ways and Means Committee for the exemption of certain agricultural labor from the Social Security Act, which amendment reads as follows:

(4) In handling, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, any agricultural or horticultural commodity, but only if such service is performed as an incident to ordinary farming operations or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market. The provisions of this subparagraph shall not be deemed to be applicable with respect to services performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

Members of the committee have assured us that it was the intention of the committee to make the exemptions of the operations performed in getting fresh fruit and vegetables ready for market covered by the amendment on page 15, section 5 (b) (12) of the bill which I have just proposed. There is every reason why such operations should be exempted. No one with assurance can claim that the language used in this behalf in the Norton bill accomplishes the declared intentions of the committee. When the distinguished chairman of the Labor Committee on Monday moves to suspend the rules and call up for immediate consideration H. R. 5435, it would be so easy for her to include in her request permission to consider the amendment on page 15 of her bill that I have proposed. On behalf of every producer of fresh fruits and vegetables in the United States I earnestly appeal to her to do so.

(Mr. ROBERTSON asked and was given permission to revise and extend his own remarks in the RECORD.)

EXTENSION OF REMARKS

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a clipping from the New York Times.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point in regard to a question which I wish to propound to the chairman of the Committee on Labor.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MURDOCK of Arizona. Mr. Speaker, I attempted to get a little time to ask Mme. Chairman of the Labor Committee a question or two, but failed to get in on the questioning. I wish to take a brief moment now. Before asking the question uppermost in my mind I would like to make this statement:

I worked earnestly in the first, second, and third sessions of the Seventy-fifth Congress to get a proper wage and hour bill enacted. The RECORD will show this to be true. It is also true that I regarded such legislation as carrying out the 1936 party platform and promises made to the unorganized laboring masses of our country, affecting chiefly those in the South

and in that part of our country lying west of the Mississippi River. I sensed the great difficulty in passing any general law for the benefit of the urban East which did not work to the disadvantage of the rural West, and especially of the mining industry in the intermountain country. Congressman MURDOCK of Utah and I endeavored to get an amendment, and came very nearly doing so, which would have relieved the employers and the employees of a burden in the many small, isolated mining camps in our States and throughout the mining region. Even after the bill became law I still had the impression that there was enough leeway for the Administrator to relieve the intolerable situation which a too strict interpretation and enforcement of the law would bring about.

At that time we westerners pointed out that it was the hour provision of the bill and not the wage provision that concerned mining men. Employees in the mines of the West get good wages—far, far above the minimum wage placed in the law. We recognize that there is no surplus of labor in many of these isolated mining camps, and that it would be impossible for many of the small companies or mine owners to cut the workweek of his present force and employ additional men, and it would be equally impossible to permit his men to work as many hours per week as formerly, paying them time and a half for overtime. The miners themselves did not like to have their week shortened from fifty-some-odd hours down to 44 and be left in enforced idleness so large a part of the time and so far away from home or comfortable habitation.

I remarked to certain mining men last summer about the time the law was to go into effect, that I thought I understood the intent of Congress, and it was my opinion that an operator could continue to employ his laborers the same number of hours per week at the same total rate of pay under the law, if he found it impossible under the circumstances to pay time and a half for overtime. Anything that looks like wage cutting is abhorrent to me, and certainly the Fair Standards Act did not contemplate any wage cutting, nor did it contemplate reduction of employment. Quite the contrary. I am equally adverse to any clever evasion of the law, keeping the letter yet violating the spirit thereof, but it was my judgment at that time and is now that an employer could meet the requirements of this act without making any change in the pay roll in those cases where his wages previously had been far above the minimum written into the law. Mining operations were practically all of this kind because wages paid are unusually high. The employer could do this by merely making a bookkeeping adjustment of the hourly rate of pay in such a way that overtime could be paid at the rate of one and a half as the law requires. This presupposes that if a workman loses any time he shall not be penalized because of this adjustment in the hourly rate of pay.

I do not know how many employers of miners saw fit to tackle the problem in that manner. I was delighted with the fine spirit of many of the employers with whom I talked. If the companies were at all prosperous, most of them complied with the law as they understood it with little complaint. One company, not especially prosperous, increased its total pay roll by changing from three 8-hour shifts to four 6-hour shifts and continued to pay their laborers the same total wage as before. Another company that I know of continued to work their men the same number of hours as before but paid them time and a half for overtime. I think the framers of this measure hoped that something like that would happen throughout the country. I do not know of a single employer who took my view as I have just expressed it and adjusted his hourly rate of pay on the books last year and continued working his men the same hours and paying the same weekly wages as before. No doubt many companies felt that that was a dangerous legal question, that the Administrator himself might or might not view it in that light, and that after all the courts ordinarily decide what the law means.

With this statement I wish to ask the chairman of the Labor Committee or any member speaking for the committee, is it legally possible, in your judgment, to readjust the

hourly rate of pay on the books so as to permit the laborer to work the same number of hours as before and get the same pay without the employer being subject to penalty for violation of the law? Of course, you may say that I am not very sympathetic toward labor when I ask such a question. Oh, yes, I am; but I am also sympathetic toward employers, many of whom are hanging on by the skin of their teeth and who would be forced to shut down operation by a strict interpretation of this law, in these isolated communities especially. My sympathy for the laboring man is such that I do not want him thrown out of employment and on relief.

Naturally, I would like to see this law amended and made definite and clear so that no legal circumvention will be resorted to. However, I do not expect to see amendments put in the bill next Monday, for it will come up under suspension of rules, and no amendments will be permitted. I wish the committee itself had fixed this matter right, as I want to vote again for this bill. However, it appears that I am going to have to do so, so far as the amendments affecting the mining areas are concerned, with the idea of depending upon another body to make the thing definite and fair in its final form. In another respect I am now doing my utmost to bring new life and vitality to a stagnant industry by attempting to induce new capital to enter the field and more suitable regulations under S. E. C. and R. F. C. to that end. Naturally, these two efforts are related and any change in the law to the benefit of employers and employees in mining will help the whole industry as will the bringing in of new capital to stimulate this industry.

The SPEAKER pro tempore. Under a previous order of the House the gentleman from New York [Mr. MARCANTONIO] is recognized for 15 minutes.

Mr. MARCANTONIO. Mr. Speaker, I asked for this time in order to follow the distinguished gentlewoman from New Jersey with regard to one provision of the bill H. R. 5435, which will come up under the suspension of the rules procedure on Monday.

I am going to address myself particularly to the provision which deals with Puerto Rico. I fully realize, and I think it is most unfortunate indeed, that Congress does not give Puerto Rico the attention and consideration that it deserves. Congress should attach more importance to it. Our entire good-neighbor policy toward Latin America stands or falls on our treatment of Puerto Rico.

My interest in Puerto Rico is due not only to the fact that I represent the largest Puerto Rican constituency, of which I am proud, but also is due to my desire as a progressive to defend the most exploited victims of a most devastating imperialism. I have no personal or political axes to grind, nor have I any relatives to protect on the pay roll of the government of Puerto Rico. I have no right nor any interest in the politics of the island. That is the business of no one but of the people of Puerto Rico. I have a right, however, to defend the people of Puerto Rico against exploitation, tyranny, and betrayal. I have a right as a Member of Congress to fight for their economic and social welfare, and to fight for their liberties. Puerto Rico is part of the United States, and until its status is changed it is our duty to give as much attention, as much care, and as much sympathetic treatment to Puerto Rico and its problems as we do to the problems of any of the people in the United States. Therefore it is for these reasons that I call attention of the House to what this proposed bill will do to wages and hours in Puerto Rico. Section 1 of the bill provides that committees shall be formed, and that these committees shall make studies and report and make recommendations to the Administrator, who, in turn, will follow those recommendations with regard to minimum wages. The sole purpose of this amendment is to do away with the 25-cent-per-hour minimum wage in Puerto Rico. If it had been so written in the bill and the purpose so stated, in my opinion it would have been much more proper, because it would then have directly and frankly stated its purpose rather by accomplishing it in an indirect

manner. Just why are these committees proposed? The two main industries that are seeking relief from this 25-cent minimum are sugar and the needle-trade industry.

Mr. SECCOMBE. Mr. Speaker, will the gentleman yield? Mr. MARCANTONIO. Yes.

Mr. SECCOMBE. The gentleman will agree that there is no one in Puerto Rico being paid \$200 a month on an ordinary white-collar job.

Mr. MARCANTONIO. No. If there are, they are not involved here. Politicians and appointees of the Governor receive more than \$200 per month.

Mr. SECCOMBE. That is one of the provisions that is absolutely unjust.

Mr. MARCANTONIO. I do not know of any such wage being paid to workers in Puerto Rico. I shall give the wages being paid there. First of all, there is one thing that we should get here, and get it straight, and that is that there has been no enforcement whatsoever of the Fair Labor Standards Act in Puerto Rico. There may have been one or two isolated instances, but, generally speaking, there has been no enforcement at all, and why? First of all, under the leadership of the Governor of Puerto Rico the various sugar corporations and the chiseling industry—the needlework industry—that has run away from the States and has gone down to Puerto Rico because of the slave wages that are being paid down there, announced from the outset that they were not going to respect the law, that they were going to ignore it, and the Governor on many, many occasions, not only in speeches but in conferences, advised them not to worry about the law; that the day was not far off when this law would be changed. The Governor, these wage chiselers, and the sugar corporations joined forces in a successful campaign to nullify a law enacted by Congress. Now, we are asked to put the stamp of approval on this ruthless and arrogant nullification. Almost 70 percent of the sugar land in Puerto Rico is owned by four large American sugar corporations. It has been established by a memorandum which I have before me, prepared by Robert W. Claiborne, who was the Territorial representative of the Wage and Hour Division of the Department of Labor in Puerto Rico, that the sugar industry can pay 25 cents per hour minimum, and that the only reason why it does not pay 25 cents per hour minimum is because the sugar industry has been assured that there would be changes in this law. The sugar industry has been making huge profits in Puerto Rico and still is. Everybody knows that it can pay 25 cents per hour to its workers and should. Mr. Claiborne is in a better position than anyone else to know. He says they can and should. The workers in Puerto Rico know and demand it. Every scientific survey of the sugar industry in Puerto Rico establishes this. Only certain politicians and lobbyists for the sugar industry will not admit it. I have inquired why this particular provision setting up these committees, giving this flexibility, has been inserted, and I have been told that I should have no fear about the sugar industry; that the wages in sugar would absolutely be 25 cents minimum, and that no administrator would ever set up anything less than 25 cents an hour. But the fact is that they are paying less than 25 cents an hour.

If no committee will recommend and no Administrator will fix payment of less than 25 cents an hour, why create committees with this flexibility that may open the door to a recommendation of less than 25 cents an hour? If that is so, why any flexibility? If it is going to be settled once and for all that 25 cents is to be the minimum, why create the committee? What is the idea of having these committees? Why should this committee be brought into existence to supersede Congress in establishing a minimum? If it is intended by all parties that sugar must pay 25 cents an hour minimum, why have these committees? The answer to that is that they want to give flexibility to the needle trade. They say that the needle trade is very hard hit by this 25-cent minimum provision. First of all, the needle-trade industry in Puerto Rico is the most disgraceful situation ever per-

mitted under the American flag. You have down there 15,000 workers who work in factories, needle-trade factories, and the factory workers receive all the way from 12½ cents an hour down to as low as 2 cents an hour. In one case—and I quote from Claiborne's memorandum to me—a 13-year-old child was receiving 25 cents a week.

So much for the factory workers. Let me explain the system they have for home workers; that is, those who work at home. These chiselers from New York, my own home town, the worst type of labor exploiters, who ran away because in New York they had to pay decent wages, because we forced them to clean up their sweatshops and establish decent working conditions, brought their work to Puerto Rico. Then they gave the work to a contractor. Then the contractor gave it to a subcontractor, and the subcontractor gave it to another sub-subcontractor, and it goes all the way down the line through many subcontractors, each of them receiving a profit from the toil of poor women and children. The poor woman at home receives the following pay: She gets as low as 3 to 5 cents a dozen for hand-rolled handkerchiefs of the best type. They retail for \$3 a dozen in Macy's in New York. This means they are paid from 8 to 15 cents a day, and no more. It means a total income of about \$30 a year.

Now they say to you, "Well, if we enforce the minimum of 25 cents an hour, we are going to ruin this industry." The facts are, whether you enforce the wage and hour minimum or not, this industry is gradually disappearing from Puerto Rico, not because of wages and hours, because wages and hours have not been in force down there, but because these same chislers who found the New York labor market too high for them, who went to Puerto Rico, have now gone into Asia, because they find that the coolie wages in Asia are much more satisfactory to them than the very low wages in Puerto Rico. So that gradually the needlework from Puerto Rico is being transferred to Asia by the same type of chislers that came to Puerto Rico in order to escape the decent working conditions that were forced upon them in New York.

I think the Congress should know these facts, because wages and hours is being blamed for the destruction of this industry. I say to you that this industry is being destroyed by the same parasites who have established it in Puerto Rico, and I also say that any industry that cannot exist unless it pays as little as 3 to 5 cents a dozen for handkerchiefs, that pays as little as \$30 a year, should not be protected by Congress, and it should not be given any exemptions nor any flexibilities under the provisions of the Fair Labor Standards Act.

That industry has no right to live. It has no right to exist. If it cannot pay better than \$30 a year to women and children in Puerto Rico, then we should not permit that industry to live, and most certainly we should not permit that industry to be given any flexibilities under the Fair Labor Standards Act. This industry is dying, anyway. The people who are so horribly exploited by it can be given a new lease on life. First, by our help through the Puerto Rico Reconstruction Administration; second, by an enforcement of the 500-acre law which will make land available to them for farming; and, third, by enforcement of a decent living wage in those industries that can pay it, such as sugar, as well as in 30 percent of the needle trade; that is, work done in factories. I shall amplify on the question of economic reconstruction for Puerto Rico in another talk. Certainly you cannot be of help to Puerto Rico by perpetuating this abysmal wage slavery. Every enlightened Puerto Rican desires its destruction.

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

Mr. MARCANTONIO. I yield.

Mr. LEAVY. Is it the gentleman's view that this industry committee provided for in Puerto Rico and the Virgin Islands would fix a rate of wages so low as to defeat the purpose of this act?

Mr. MARCANTONIO. It has to, for this reason: This act establishes 25 cents per hour minimum. Then what is the purpose of this committee? It is admitted that sugar can

pay and should pay a minimum of 25 cents an hour. Therefore they say, "We want this committee to study the situation with regard to the needle industry." Why do you want this committee for the needle industry? To give the needle trade an exemption under this law? To give it any advantages under this law, when that needle trade should not be permitted to exist if it cannot pay better than 3 to 5 cents a dozen for handkerchiefs or \$30 a year? So the only thing this committee can do is recommend less than 25 cents an hour. If it is true, as they contend, that they cannot exist except by paying these awful wages, then all this committee will do is recommend a continuation of those wages. In other words, it is opening the door to perpetuating the worst system of exploitation that exists under the American flag.

Mr. LEAVY. I just wondered if this restriction that provided—

Mr. MARCANTONIO. I am just coming to that. That restriction which says that no wages will be fixed which will place Puerto Rican articles in a position which is unfair to the products produced here in the United States—why should we leave that question in the hands of any committee? Let the Congress of the United States settle that. We settled it when we set 25 cents an hour minimum. We established that, let us keep it for the sake of our States and for the sake of the people of Puerto Rico. Anybody can come here and say, "Conditions in my section are different than the conditions in other sections." True. That is why we fixed the minimum of 25 cents per hour. I say that that minimum can work in Puerto Rico. Do you know what the real question behind this whole business is? It is \$5,000,000 per year. Sugar forced to pay the 25-cent minimum will have to pay \$5,000,000 more in wages in Puerto Rico. That is what this whole fight is about. The needle-trade argument is just an alibi. They know that that industry will die out. They want flexibility here primarily for the sugar corporations. I say it is to the advantage of Puerto Rico and it is to the advantage of Congress which appropriates relief funds for Puerto Rico, to give the added income to Puerto Rican sugar workers, in the sum of \$5,000,000, and let this diabolical needle industry go by the wayside, at least 70 percent of it, which cannot pay more than \$30 a year. The sugar industry, I repeat, can pay 25 cents minimum per hour. Examine their huge profits. The argument for flexibility to save another industry in Puerto Rico is just a sham. Sugar, which can pay, is being dissolved in the coffee cup of flexibility. Since it is admitted by all that the sugar industry will never be allowed to pay less than 25 cents an hour, although it is paying much less now and has ignored the law up to the present, why do you not refuse any flexibility to the sugar industry. If it is true that the sugar industry must pay 25 cents an hour, why give it flexibility by this proposed amendment. Why do you not freeze the present minimum and enforce it?

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

Mr. MARCANTONIO. I yield.

Mr. RAMSPECK. Has the gentleman considered the fact that these industry committees will have citizens of the United States on them?

Mr. MARCANTONIO. I beg the gentleman's pardon; I am not stating that the members of these committees will not be people of integrity; no. I assume they will be people of integrity, whether its members be from the States or from Puerto Rico. But why give the sugar industry an open door to avoid paying what it should pay?

[Here the gavel fell.]

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore (Mr. DOXEY). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. We must, however, recognize the purpose for which these committees are formed. Taking into consideration the fact that this needle industry cannot,

pay 25 cents an hour, as they claim, and taking into consideration the further fact that the sugar industry can pay 25 cents an hour, why not save the situation by freezing it at 25 cents, making it so there will be an increase of \$5,000,000 to the sugar workers of Puerto Rico?

Mr. RAMSPECK. The gentleman says they can pay 25 cents. I do not know whether they can or not.

Mr. MARCANTONIO. Yes; it can. I suggest that the gentleman consult Mr. Claiborne, who is in the best position to know, because he was the representative of the wage and hour administration in Puerto Rico.

Mr. RAMSPECK. Does the gentleman contend—is it his statement—that Mr. Andrews, the Administrator, and the industry committees, composed partly of people from the United States, are going to fix a wage that will give an advantage to Puerto Rico over the United States?

Mr. MARCANTONIO. I contend that no flexibility should be allowed to an industry that can pay the present minimum.

Mr. RAMSPECK. It is not flexible.

Mr. MARCANTONIO. Oh, yes. The facts I am giving here are not taken from Mr. Andrews' report. Mr. Andrews has not been down in Puerto Rico. I am giving facts and figures from the report of Robert W. Claiborne, who was a conscientious administrator appointed from the civil-service lists, and on the ground in Puerto Rico. He represented the Wage and Hour Division in Puerto Rico. I am submitting facts and figures from his memorandum.

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

Mr. MARCANTONIO. I hope the gentleman will excuse me. I want now to tell the story to the House as to what happened to Mr. Claiborne, who valiantly sought to enforce this law. He was conscientious. He was taken from the civil-service lists, a former captain in the United States Marine Corps, as honest as the day is long. What happened to him? First of all he was called in by the Governor and told that if he went around stirring up trouble, as the Governor put it, or trying to enforce this law, that he was risking his life and limb. Then the Governor, the sugar corporations, and the needle-industry chiselers ganged up against him and our law. Let us see what help he received from Washington. I have sent for all the correspondence that took place between Mr. Claiborne and the Wage and Hour Division of the Department of Labor. This man was beset on all sides with all kinds of sabotage. He had but two assistants, yet the territory he had to cover is equivalent to an area two-thirds the size of the State of Connecticut, and the population is a good deal more than 1,700,000 people. He wrote asking help from Washington. Let us see what happened, for I think Congress should have this situation.

He wrote a letter on February 23, in which he set forth his troubles, stating, among other things, the following:

On the night of February 21, at about 9 p. m., when I was walking through my grapefruit orchard from one of our houses to the other one, I was shot at by an unknown party. I have not discussed this with anyone other than the chief of police, to whom I at once went to secure a license to carry a revolver and borrow one on his recommendation. I am inclined to think that the person who fired the shot was either a needle-work factory owner or put up to it by a needle-work factory owner, as there is no worker who would voluntarily attack us unless crazed by liquor; in other words, put up to it.

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

Mr. MARCANTONIO. I yield.

Mr. DUNN. I agree with the gentleman about these sweatshops. I maintain that a business establishment which cannot pay 25 cents an hour should go out of business. In fact, there are too many exemptions in this bill to satisfy me. I would ask the gentleman, however, if it is not the law at the present time that the Administrator of the act has the legal right to make an investigation, and if he finds that a corporation can pay 25 cents an hour he has the legal right to enforce compliance with the law?

Mr. MARCANTONIO. I am trying to show the Congress that the largest industry of Puerto Rico can pay 25 cents

an hour. Why disturb that situation for the so-called needle-trade industry?

Mr. DUNN. I agree with the gentleman.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to include in my remarks correspondence between Mr. Claiborne, Mr. Andrews, and other officials relating to this situation.

Mr. COX. Mr. Speaker, will the gentleman yield that I may propound a question?

Mr. MARCANTONIO. I yield.

Mr. COX. Is it the gentleman's purpose in inserting this correspondence in the RECORD to develop anything in the nature of a charge that he himself is making against the Governor of Puerto Rico?

Mr. MARCANTONIO. No. I have made my statement with regard to the Governor of Puerto Rico as to his activities in the wage and hour field.

[Here the gavel fell.]

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

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

There was no objection.

Mr. MARCANTONIO. With regard to the Governor of Puerto Rico, at the proper time and on the proper occasion I shall here develop all of my charges against him.

Mr. COX. And there will be an answer awaiting the gentleman when he does.

Mr. MARCANTONIO. Yes; but may I say to the gentleman from Georgia that I have presented my charges to the President of the United States, and those charges are in writing.

Mr. COX. They have been ignored, have they not?

Mr. MARCANTONIO. They have not been ignored. Not only is that statement incorrect, but it is grossly incorrect.

Mr. COX. What statement?

Mr. MARCANTONIO. The statement that they have been ignored. They have not been ignored.

Mr. COX. Has anything been done with the gentleman's charges?

Mr. MARCANTONIO. Certainly; they have turned them over to the Department of the Interior for a complete and thorough investigation, and a report is being awaited as a result of that investigation. That certainly is not ignoring the charges.

Mr. COX. At least the gentleman has not got any action on the charge he made.

Mr. MARCANTONIO. The gentleman does not expect action on charges that have been made 2 weeks ago last Thursday, does he?

Mr. COX. It is not what I may expect. What has the gentleman accomplished?

Mr. MARCANTONIO. I have accomplished plenty. The President of the United States has turned my charges over to the Secretary of the Interior for investigation. I think that is a sufficient accomplishment as a result of the charges I have made. I am ready to stand by those charges at the proper time. I did my duty in presenting them to the President of the United States, and he did his duty in turning them over to the proper administrative officer in charge of Puerto Rico. He turned them over to the Secretary of the Interior, who is conducting an investigation of the charges I have made.

With regard to these letters, answering the gentleman's reservation, they deal entirely with correspondence between Mr. Claiborne, Mr. Andrews, Mr. Sifton, and Mr. A. L. Fletcher, all members of the Wage and Hour Division. With regard to wages and hours, I have made a statement in my speech as to the conduct of Governor Winship, who has made many speeches against enforcement and who has encouraged exploiters of labor to ignore the law.

Mr. Speaker, in dealing with the relationship between the Wage and Hour Division and its representatives in Puerto Rico, I ask unanimous consent that this correspondence may

be inserted in the RECORD. This is the correspondence which I received from the Department of Labor, Wage and Hour Division, and contains the letters that passed between Mr. Robert W. Claiborne, the territorial representative of the Wage and Hour Division in Puerto Rico, and Mr. Andrews and other officials in the Wage and Hour Division.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. MARCANTONIO]? There was no objection.

The letters referred to are as follows:

UNITED STATES DEPARTMENT OF LABOR,
WAGE AND HOUR DIVISION,
Washington, March 21, 1939.

HON. VITO MARCANTONIO,
House of Representatives, Washington, D. C.

MY DEAR MR. MARCANTONIO: As per your request made today following a discussion of points raised in your letter of March 17, transmitted herewith are copies of the items listed below:

Memorandum of February 23 from Mr. Claiborne to Mr. Fletcher, re: request for revolvers.

Air-mail letter of February 28 from Mr. Fletcher to Mr. Claiborne.

Letter of February 23 from Mr. Claiborne to Mr. Snyder.

Memorandum of March 2 from Mr. Claiborne to Mr. Fletcher.

Bill rendered to Mr. Claiborne by Mr. Oscar Souffront for securing permit for Mr. Claiborne to carry a revolver.

Letter of March 2 from Mr. Claiborne to Mr. Sifton.

Air-mail letter of March 14 from Mr. Andrews to Mr. Backus.

Air-mail letter of March 14 from Mr. Andrews to Mr. Backus.

Registered letter of March 14 from Mr. Andrews to Mr. Backus.

Registered letter of March 14 from Mr. Andrews to Mr. Claiborne.

Translation of news article (March 20, 1939).

If this office can be of further service to you, kindly advise.

Respectfully yours,

ELMER F. ANDREWS, *Administrator.*

UNITED STATES DEPARTMENT OF LABOR,
WAGE AND HOUR DIVISION,
Mayaguez, P. R., February 23, 1939.

To: Mr. A. L. Fletcher, Assistant Administrator.

From: Robert W. Claiborne, Territorial Representative, etc.

Subject: Request for revolvers.

1. Further reference is made to my letter stating advisability of your inspectors and representatives in Puerto Rico having a revolver. I wish to bring to your attention two facts.

2. On the night of February 21, at about 9 p. m., when I was walking through my grapefruit orchard from one of our houses to the other one, I was shot at by an unknown party.

3. I have not discussed this with anyone other than the chief of police, to whom I at once went to secure a license to carry a revolver, and borrow one on his recommendation. A license will be issued me today by the district court, which unfortunately has some publicity attached to it, although we have asked the judge to hear it in chambers and thus reduce the publicity.

4. I am inclined to think that the person who fired the shot was either a needlework factory owner, or put up to it by a needlework factory owner, as there is no worker who would voluntarily attack us unless crazed by liquor—in other words, put up to do it.

5. Unfortunately, my farm is in an isolated part of the community, and being outside the city of Mayaguez the police cannot give me any protection. This is just as well as it will avoid publicity.

6. Yesterday morning I received a special-delivery letter from the head of the most powerful labor union in the island—not the Free Federation of Labor—which reads as follows:

"I hope you will not excite yourself with this letter, but I need to see you personally in San Juan, the sooner the better. I have some confidential news which I consider you ought to know for your own safety" (safety underlined several times). "Please let me know how soon you can be here, hour and place to meet you where I will be protected."

7. As I think you know, our office manager is a captain of the National Guard. I am an honorably discharged officer of the United States Marine Corps.

8. Therefore, please do not have any worry about this matter as it is not unusual for Puerto Rico, and was expected when I accepted the job. I did not, however, think the issue would come to a head quite so quickly.

9. Will you please send down from the States, as quickly as possible, not less than four revolvers and ammunition? They can be borrowed from some armed force of the United States Government on quick notice. It is difficult, if not impossible, to purchase one here. It would mean that I would have to buy one myself in the States, which I should not be asked to do by Washington under the circumstances.

10. I answered the letter above referred to by telegram, suggesting that if the matter was really serious, the labor leader had better come to Mayaguez at my expense. I have a telegram in answer that he will be here this afternoon at 3 p. m., and will go to my farm, as he wishes to avoid the publicity attached to coming to our office.

11. I will write you about this further, or if necessary, cable.

12. Since dictating this letter, a labor union has come in which in some way heard that sugar was trying to silence us. They offered to put a bodyguard around my farm and to attend us in the office, which I refused with thanks. I mention it to show the sincerity of labor, and also how one's thoughts get down even before they are uttered. I have done the best I could to avoid any publicity.

ROBERT W. CLAIBORNE.

FEBRUARY 28, 1939.

MR. ROBERT W. CLAIBORNE,
Official Representative, Wage and Hour Division,
Federal Building, Mayaguez, P. R.

DEAR MR. CLAIBORNE: Reference is made to your communication of February 23, in which you inquired as to whether you should make further speeches.

This question has been discussed with Mr. Andrews and Mr. Sifton, and they feel that, in view of the tense situation generally, and, also, in view of the case now pending in Puerto Rico, no further speeches should be made.

With reference to your request for a revolver, I fear that we are not empowered to provide arms to our field people. You might, however, write me in detail the circumstances surrounding the attack made upon you and the names of any witnesses who were present.

Mr. Babe will have arrived in Puerto Rico by the time this letter reaches you. I feel confident that he will be able to advise you on some of the more difficult legal questions with which you are faced.

Very truly yours,

A. L. FLETCHER,
Assistant Administrator.

UNITED STATES DEPARTMENT OF LABOR,
WAGE AND HOUR DIVISION,
Mayaguez, P. R., February 23, 1939.

DEAR SNYDER: Until I hear from Washington whether I should give publicity to threats by asking protection of the executive branch of Puerto Rican Government, it seems I had better not appear in public speeches, even though it appears forces are silencing the Federal Government. Being an old United States marine captain, I am not afraid, but it seems wisest not to have any commotion unless with Washington's direct approval.

I recite for you the facts of which I arrive at such a decision:

(1) I was shot at in the garden of my house, night of February 21, at 9 p. m.

(2) A friend, an official of a prominent union, which is not the politically ridden free Federation of Labor, but who does not dare give his name—I have always thought he was a Nationalist—comes this afternoon, in haste, to prevent my speaking at Cabo Roja tonight, stating there was a plot to kidnap me, horsewhip me as "an undesirable citizen" (he could get no facts why this was so), and hand me my ticket to the States, which threat I would be killed or jailed if I returned—they could get affidavits that would jail me in the Puerto Rican courts. (He could get no idea what.)

(3) He has this information from an American resident in the island who stated he, the American, would so testify in court if necessary.

(4) The American's name is supposed to be Mr. Frank Hoffman, who rooms at San Justo Street, No. 8, Casa de Hospedaje. Also writes for a paper published at No. 45 Ponce de Leon Avenue, No. 45, stop 5, name of paper El Progresista.

(5) He stated to my friend, whose name I cannot give, as in confidence that he, Hoffman, was in his rooms at San Justo Street, No. 8, when the dueno, also owner of a bootblacking parlor below, came and started talking about the law, and stated I would be soon whipped as an undesirable citizen, given my ticket to the States, etc. The man who told Hoffman is said to be one Clemente Farina.

Is there any way for you to have this investigated without giving publicity to it or going to the police?

Apparently the objection was that I spoke before gatherings of sugar workers, and the statement was made nothing would be done if I stopped talking.

This seems so strangely similar to what was said to you by a reputable citizen, despite his effrontery to hint freedom of speech should be curbed, that I am wondering whether there is any remote connection.

Anyhow, do what you think wise, if anything. And if you need to talk further, please phone me, or I'll go to San Juan. I think it might be a good idea anyhow to run down Hoffman.

I don't want to have a police guard as it wouldn't prevent my being framed on some dishonorable charge, which, whatever it was, would always be believed even if disproved. What's your idea?

Regards,

CLAIBORNE.

UNITED STATES DEPARTMENT OF LABOR,
WAGE AND HOUR DIVISION,
Mayaguez, P. R., March 2, 1939.

To: Mr. A. L. Fletcher.

Attention: Mr. M. K. Wood, fiscal section.

From: Robert W. Claiborne, Acting Territorial Representative.

Subject: Permit to carry a revolver and bill for same.

(1) I enclose bill rendered by Mr. Oscar Souffront, lawyer, for securing permit for me to carry a revolver, an elaborate procedure

necessitating an appearance in the district court to be questioned on one's motives, morale, and character at a public hearing announced in the newspapers.

(2) I was given a clean bill of health apparently for the 4 years I lived here, which can be noted on my dossier in Washington.

(3) I was also given a bill for \$12.85, which I am wondering where Washington can find some way, as I lived in this country for 4 years without even having to lock my doors at night until I took the position of territorial representative.

(4) I am also wondering if Washington has sent the revolvers I asked for and the ammunition. The police captain gave or loaned me a revolver which, of course, I have to return.

(5) I am of the opinion that if you are going to have inspections made in this country, not only will your inspectors have to be armed but you have to detail a Federal Government plain-clothed detective or G-man from Washington as we ought not to have to secure the insular government for such protection in particular as labor will distrust us the moment we have a policeman on the premises.

(6) Please note that Mr. Souffront charges nothing for his services, which is a distinct courtesy for which we are most appreciative.

ROBERT W. CLAIBORNE.

UNITED STATES DEPARTMENT OF LABOR,
WAGE AND HOUR DIVISION,
Mayaguez, P. R., March 2, 1939.

DEAR SIFTON: So long as the Fair Labor Standards Act is in Puerto Rico you cannot avert disturbance, which might well prejudice the whole show.

The ruling released on tobacco exempts practically everyone in that industry, putting all to work again on their previous status of exploited slaves.

A similar redefinition of area of production is due from Andrews for both fruit and sugar. With the tobacco precedent, it cannot be avoided. If a court would uphold Andrews' ruling on tobacco (which as a lawyer I doubt) they'd extend it to fruit and sugar, even though Andrews made a distinction in his ruling by words.

That would only leave needlework, which isn't subject to your control in any practical manner, and which isn't obeying nor has any intention of obeying. Certainly you don't think they'd even make an effort to carry out Andrews' rules on home work. Lubin's observation is the same as mine. He knows of no factory in the island closed by the Fair Labor Standards Act, or intending to close. They are confident they can get protection, as the ruling class has always been protected here in its exploitation of labor. Old timers give statistics to show that under the democracy of the United States there has been even more exploitation, even lower standards of living, than under Spain.

I do not think you can have read all I sent up since I left Washington, or else you'd understand and not have been surprised at the Eastern Sugar Co.'s move. A business that faces a \$500,000 payroll increase, as they do (in the 42 centrals it would approximate \$5,000,000 annually), cannot begin their factory operations on uncertainty. They have tried to get instructions from Washington. They got nothing and saw only shilly-shallying; necessary, perhaps, but confusing to businessmen and labor, both of which groups must be realistic to survive. I gave them what I got—quotations from letters or bulletins—but it was both incomplete and inadequate.

This policy in Washington cannot be altered. But it won't work in Puerto Rico. And you are drifting toward a violent explosion, which I cannot avert any more than I could have averted the injunction sugar sought. And so I told you when I was in Washington, and have written repeatedly: "It is only a question of days now."

There is but one hope to avert this volcano that might blow up the whole law. But please know it is but a hope. I counsel you to follow it, as I have counseled many things in vain.

Announce by cable that: "Until a policy is worked out for Puerto Rico we have closed the investigation and enforcement branch of the Wage and Hour Division in Puerto Rico. Our investigator, Mr. Backus, has been transferred to Washington."

You can then drop me out completely and leave me free to serve labor in the Federal court here. I am the only member of that bar who'd take their cause and who'd turn over the fees to their unions for a relief fund.

Or you can be the surer to keep me in a dormant position where I'd not be tempted to represent employees' suits and close the above quote with: "Mr. Claiborne and the present staff in Mayaguez will be retained for the purpose of statistical study, on the basis of which an enforcement policy will be determined at some later date." This would be a more dignified procedure for the Wage and Hour Division than for me to resign (which I wish to do), owing to the very loyal following I have among labor, especially the C. I. O. It would tend not to bring wages and hours into disrepute—at least, I would so hope—for they'd interpret my resignation as my protest against wages and hours and Washington's not carrying out the law, their law. This in turn might well have repercussions in the States, through certain labor channels.

With kindest regards,
Sincerely,

CLAIBORNE.

MARCH 14, 1939.

Mr. MURRAY BACKUS,
Acting Territorial Representative,
Wage and Hour Division, Mayaguez, P. R.

DEAR MR. BACKUS: Transmitted herewith is a letter naming you acting Territorial representative. Immediately upon receipt you will take active and complete charge of the Wage and Hour Division offices and work in Puerto Rico, including the personnel, premises, equipment, and files.

Will you also continue with the active and diligent enforcement of the Fair Labor Standards Act under the procedures laid down in the Manual for Inspectors issued by the cooperation and enforcement branch of the Division.

Specific complaints of violations of the act are to be investigated under the procedures as set forth in the Inspection Manual.

As rapidly as possible complaints are to be followed up and, in cases in which there appear to be violations of the act, evidence is to be obtained, by checking of pay rolls and other records, interviewing and obtaining statements from employees as to the hours worked and wages paid, and this evidence is to be organized for referral to the legal branch with a view to preparing said cases for litigation, if, in the judgment of the Administrator, litigation is in order.

Very truly yours,

ELMER F. ANDREWS,
Administrator.

MARCH 14, 1939.

Mr. MURRAY BACKUS,
Acting Territorial Representative,
Wage and Hour Division, Mayaguez, P. R.

DEAR MR. BACKUS: Immediately upon receipt of the enclosed letters of authorization and of instruction, will you release to the press in Puerto Rico a statement along these lines, and cable us as to the date and time of release so that the same statement may be released simultaneously in—

"WASHINGTON, March ——Elmer F. Andrews, Administrator of the Wage and Hour Division, United States Department of Labor, today announced that he has accepted the resignation offered by Robert W. Claiborne, acting territorial representative, in Puerto Rico for the Wage and Hour Division, and the appointment of Murray Backus, who has been employed in the office of the Wage and Hour Division in Mayaguez, P. R., to be acting territorial representative.

"In accepting Mr. Claiborne's resignation, Mr. Andrews stated that he sincerely appreciates the zeal with which Mr. Claiborne had sought to carry out his duties. The text of Mr. Andrews' letter to Mr. Claiborne and a letter of instructions to Mr. Backus follows. (Pick up text of Claiborne letter and letter of instruction to Backus.)"

Very truly yours,

ELMER F. ANDREWS,
Administrator.

MARCH 14, 1939.

Mr. MURRAY BACKUS,
Territorial Office, Wage and Hour Division, Mayaguez, P. R.

DEAR MR. BACKUS: Effective upon receipt of this letter, you are detailed, until further notice, acting territorial representative of the wage and hour division in Puerto Rico, and you are authorized and directed to perform, until further notice, the duties of that office under the general administrative direction of the Assistant Administrator in charge of the compliance branch.

Very truly yours,

A. L. FLETCHER,
Assistant Administrator in Charge of Compliance,
By HELEN WOOD,
Administrative Assistant.

Approved.

ELMER F. ANDREWS,
Administrator.

MARCH 14, 1939.

Mr. ROBERT W. CLAIBORNE,
Mayaguez, P. R.

DEAR MR. CLAIBORNE: The Deputy Administrator has brought your recent correspondence to my attention.

In view of your letter of March 2, 1939, we have no alternative but to accept the resignation tendered therein, to become effective upon the receipt of this letter.

I do this with sincere appreciation of the zeal with which you have sought to carry out your duties.

With best wishes,
Yours sincerely,

ELMER F. ANDREWS,
Administrator.

[Translation of news article, March 20, 1939]

CLAIBORNE SAYS THAT HE WILL NAME THE INDUSTRIAL COMMITTEES WHEN THE WORKERS RECEIVE THE MINIMUM OF 25 CENTS PER HOUR

The Territorial representative of the wage-hour law in Puerto Rico, Mr. Robert W. Claiborne, sends us the following statements about the naming of the industrial committees:

It is one of my most important duties as administrator of the fair standards of labor law to secure the compliance with the law in respect to article 6 (minimum wage) and article 7 (maximum hours).

I am greatly hindered by a scarcity of personnel and of funds with which to obtain the personnel in accordance with the requirements of the Federal civil service. These funds will be at my disposal when the present Federal Congress takes up the matter in the regular order of its legislative business.

I am hindered even more by the antisocial and intransigent attitude of many employers in not paying the minimum wages unless they can charge to the ultimate consumer the additional amount which they must pay in accordance with this law. Such a point of view would increase the cost of living to such a level as to completely break down the social aims of this administration. These aims are to obtain a standard of living for all workers under the American flag necessary for health, efficiency, and general well-being. There is only one sure way to reach this standard: That the industry share with the worker a reasonable part of the wealth that labor has created.

I am taking account of the interest which all organized labor is taking in the well-being of the workers, whether they are under its standards or not, and I appreciate their tenacious and loyal adherence to the fair labor standards law and their opposition to any amendment to the law at the expense of the well-being of the workers. Indeed, labor has recently expressed such a point of view clearly through the agency of the press.

Now that this standard has been set, we can unite our forces and cooperate to secure the ends that both seek for—complete obedience in good faith to all the terms of the law, ends that both hope to reach speedily, the payment of 25 cents an hour for a 44-hour workweek.

I am ready to cooperate actively with labor at any time and I believe that my services in recent months show that I have sacrificed health and means for the sake of the worker.

When the day comes that the workers in Puerto Rico covered by the law receive their just wages of 25 cents an hour, I think the day will have arrived for the organization of the industrial committees anticipated in article 8 of the fair labor standards law.

The sole purpose of these committees is to increase the minimum wage from 25 cents an hour to 40 cents an hour, but now the organization of such committees would be an excessive waste of energy until we are further advanced in obtaining the compliance with the program of a universal minimum of 25 cents an hour.

I think that this is the practical point of view, and I ask the active cooperation of all labor and of all the leaders representing labor in securing such an end speedily. As soon as we have reached the first step we can move toward the next, which will be possible by means of the industrial committees.

I repeat, the purpose of the industrial committees is to fix a minimum wage greater than 25 cents an hour, as high as possible up to 40 cents an hour, for all the workers in the industries covered by the law, so that it does not give an advantage of competency to any group within the industry and does not substantially reduce the opportunities for work.

I hope that the time for such committees is near, and it will come more rapidly the more promptly I receive the active and personal cooperation of all those persons in the community whose social consciences demand that they give their most definite, complete, and loyal aid to the law of fair labor standards and to its representative in Puerto Rico.

MR. MARCANTONIO. Mr. Speaker, Mr. Claiborne asked for protection. He also asked for protection with reference to another matter. He was threatened to be kidnaped, to be horsewhipped, and to be kicked out as an undesirable citizen. He communicated this to the Department and discussed the matter because he had not received any communication whatsoever.

He wrote a personal letter to Mr. Sifton, Assistant Administrator of wages and hours, and in this personal letter he makes the following statement:

There is but one hope to avert this volcano—

He is talking about the terrible situation of unrest that exists as a result of nonenforcement of this law. In other words, as the Government was not pushing enforcement.

Mr. Claiborne stated:

There is but one hope to avert this volcano that might blow up the whole law. But please know it is but a hope. I counsel you to follow it, as I have counseled many things in vain.

Announce by cable that: "Until a policy is worked out for Puerto Rico, we have closed the investigation and enforcement branch of the wage and hour division in Puerto Rico. Our investigator, Mr. Backus, has been transferred to Washington."

Then he goes on to say:

You can drop me out completely, and leave me free to serve labor in the Federal court here. I am the only member of that bar who'd take their cause—and who'd turn over the fees to their unions for a relief fund.

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This was a personal letter sent to his friend Paul Sifton. What happened? He received the following letter:

DEAR MR. CLAIBORNE: The Deputy Administrator has brought your recent correspondence to my attention.

In view of your letter of March 2, 1939, we have no alternative but to accept the resignation tendered therein, to become effective upon the receipt of this letter.

I do this with sincere appreciation of the zeal with which you have sought to carry out your duties.

Here is a man who never resigned. Here is a man who is trying to enforce the law. Here is a man who was seeking the cooperation of his own office back here in Washington, but received no cooperation. All he heard was that there was going to be a change in the law. He was shot at, kidnap threats were made against him, he was threatened to be horsewhipped, and he was threatened to be kicked out of Puerto Rico. These threats were all made by the needle-trade crowd and other exploiters of labor, for they will profit by this amendment.

When he writes a letter to the Assistant Administrator, what does he get? He gets a reply, "Your resignation is accepted."

I think the situation is most astounding and I hope the membership of the House will have this situation in mind when it votes on this particular section and this particular amendment with regard to Puerto Rico.

Mr. Speaker, let us give a square deal to the people of Puerto Rico when we consider this proposed amendment on Monday.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

MR. IGLESIAS. Mr. Speaker, at the conclusion of the special orders for today, I ask unanimous consent to address the House for 5 minutes.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Puerto Rico?

MR. LUDLOW. Mr. Speaker, reserving the right to object, I shall be glad to yield to the gentleman from Puerto Rico. It is all right with me if he wants to speak ahead of me for 5 minutes.

MR. COX. Mr. Speaker, further reserving the right to object, I wonder if it would not be agreeable to the gentleman from Pennsylvania [Mr. DARROW] under the circumstances that exist at the present time to permit the gentleman from Puerto Rico to draw an issue with the gentleman from New York who has just made certain charges?

MR. DARROW. We discussed that a moment ago.

MR. COX. All right.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Puerto Rico?

There was no objection.

The **SPEAKER** pro tempore. Under a special order heretofore entered, the gentleman from Pennsylvania [Mr. DARROW] is recognized for 10 minutes.

MR. HARNESS. Mr. Speaker, will the gentleman from Pennsylvania yield for a unanimous-consent request?

MR. DARROW. I yield to the gentleman from Indiana.

MR. HARNESS. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

MR. HARNESS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the Record, and include therein a statement of the Carr Canning Co., of Red Key, Ind., and a tabulation in connection therewith.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

MR. HARNESS. Mr. Speaker, in view of the fact that this body will next Monday be called upon to consider the majority's recommendations, incorporated in H. R. 5435, for

revision of the Fair Labor Standards Act, I want especially to urge every Member's attention to an extremely significant time study, submitted to me by the Caar Canning Co., of Red Key, Ind.

This study exhaustively covers the company's piece-work labor records for the 6 years of 1933 to 1938, inclusive. Since the entire study would unduly burden the RECORD, I submit only the complete transcript of a single year, together with the statistical record of a group of employees covering the entire 6-year period. The complete study is in my office, and available to any Member who wishes to investigate it.

In commending this very timely material to your attention, I want to observe that it might be matched in a thousand small industries not only in Indiana but anywhere else within the jurisdiction of the wage and hour law.

This study will forcibly remind you that it is extremely difficult, if not entirely impossible, to devise a labor-standards law of general jurisdiction which will not cause violent dislocations in American industries, and most especially among the smaller industries which are of such great importance in the American economy.

You must be particularly impressed, also, with the inescapable logic of the conclusions based upon this study, which are a part of the material submitted. Note especially the alternatives which confront this typical canning enterprise under the application of the law which will enforce a minimum wage of 25 cents per hour:

First. The company must absorb the differential between the minimum proposed and the actual earnings as recorded here; or

Second. The company must raise the price of its products to absorb the increase.

Third. If the potential market or the present profit market will neither safely absorb that differential, then the company must displace the substandard workers insofar as the labor market offers persons of greater proficiency. If proficient labor is not available, then production must be curtailed.

One other alternative remains. Under the incentive of labor shortage or high labor costs, the industry will redouble its efforts to develop new labor-saving machinery. When that happens, we switch from a legislative, and hence temporary, dislocation to an economic or permanent dislocation. The door to opportunity in either case is effectively closed to the workers threatened by the application of the proposed law.

I repeat that this or a similar set of circumstances will prevail in thousands of small industries and businesses under the proposed amendments. Even within my district there are several hundred canneries, dairy-products, and food-processing plants, and a wide range of smaller industries affected. As an example, consider the plight of the independent telephone companies, which serve the smaller communities of America—in fact, provide their only means of rapid communication. True, the proposed bill does make some concession to this important group of small companies, but it fails to go far enough.

All of you know something of the operation of a small, independent telephone company. Its financial position is precarious. If it is not actually in bankruptcy or on the verge of it, the profits are entirely too small to withstand any sharp increase of labor costs. The employees are almost invariably family and community people, who could find no other occupation if their telephone company failed; yet this proposed amendment will inevitably force a violent change in these companies.

Here, again, are the unpleasant alternatives. The company will be forced to increase its rates or to put in automatic equipment, which will permanently displace many employees—if it can exist under the new law long enough to attempt either. I am informed that 90 percent of the sub-

scribers on independent telephone lines in my district are farmers. These telephones are vital links to summon help in case of sickness, fire, or other emergency. The farmer must have that telephone. But, surely, agriculture is so sorely beset that he would not assume any additional cost of an increase in telephone rates.

The serious implications of this measure, which we will be asked to accept or reject next Monday, can scarcely be overstressed. Still, we are asked—yes; even ordered—to accept the arbitrary conclusions of the majority without discussion or amendment. We are placed in the unpleasant position of being forced to take half a loaf or none. We are ordered to take the little concession to vital American interests which the administration is willing to make or to forego any improvement in the existing law. And this is the administration in action, whose leaders talk of business appeasement and urge a spirit of cooperation in the interests of recovery.

This is typical New Deal practice. It is the arbitrary enforcement of New Deal dictum under gag rule. It is diabolical cleverness which forces the conscientious Members of this body to accept the relief which the measure promises, in the hope that even these few concessions will help the suffering economy.

And this procedure is invoked in blithe indifference to the fact that the questions involved are of the utmost seriousness to the country.

STATEMENT OF CONCLUSIONS ACCOMPANYING A TIME STUDY MADE BY THE CAAR CANNING CO., RED KEY, IND.

The information hereto attached refers to the employees only who peel tomatoes, or our piece-work employees. It is a true transcript of the records for this class of employees, and is furnished by the Caar Canning Co., Red Key, Ind.

The Caar Canning Co. is located at Red Key, Ind., and has been in continuous operation since 1917, the date of its organization. It is not the smallest nor the largest canning plant—an average-sized plant. It is situated in an agricultural community, the lineage of whose population is quite predominantly American. The agricultural operations are stock raising and diversified farming.

Red Key is a town of nearly 1,400 population and serves an agricultural community. Its most important industry is its canning plant. Like all canning plants of this character, it touches the economic life of a very large portion of the community. Its average contracts with farmers approximate 1,400 acres annually. Its payments for delivered tomatoes has approximated \$75,000 annually for the past 6 years. It employs at peak season 450 ladies, 300 of whom peel tomatoes. It has paid these peelers \$64,883.93 in the past 6 years, an annual average of \$10,813.99. The farmers with whom it contracts tomato acreage will approximate 300, living within a radius of 15 to 18 miles of the plant. The lady employees are from the town and the surrounding country. Almost all of them are housewives—a surprising number being the housewives of farmers. These are all casual laborers; very few either wish or would accept permanent employment.

This canning plant in its size, location, extent of operations, and character of employees presents a fair cross-section of the canning industry as we know it. Our problems and distresses are alike with other plants. The paralyzing restrictions and unwise laws affect the employee, the farmer-producer, and the plant alike.

The wage and hour law, to be just and equitable, must: (a) Not substantially reduce employment, nor (b) decrease production, nor (c) increase costs to the consuming public.

Examination of the accompanying study shows that 51 to 70 percent of the employees during this 6-year period fell below 25 cents per hour, and so would be affected by the proposed minimum. If the company's market could not carry a price increase, or if profits did not permit the company to absorb the difference, the earnings of this group would be denied them by law.

To understand this more fully, your attention is directed to the attached transcript of 1938. Note that ages range from 18 to 75; that 256 were housewives, of which 118 were farmers' wives; that only 44 were unmarried. Single women came largely from homes in the community and worked beside mothers and married sisters. This pay roll is typical throughout each of the six transcripts submitted. They are casual laborers only, in nowise competing with regular labor, organized or unorganized; and they do this seasonal work to earn what they can to assist in school and household expenses. The record obviously shows the variation in age, in aptitude, and efficiency. They have been paid for their work, all on the same basis. They seek work, because they are self-supporting and self-respecting. We hope to be able to continue to provide employment unless the law denies the opportunity.

Should a rigid base rate force the removal of these employees, the Caar Canning Co.—and we believe this to be true of the industry generally—will not be able to replace them because labor may not be available in the community. Production must then be reduced, acreage contracts curtailed, and this annual income taken from the community. Further, curtailed production leaves profitable plant operation questionable; and the plant itself may be lost to the community.

In addition to summary for 1938, there is submitted a consolidated Peeling Record—Statistics—condensed for the convenience of the record. Note the average wage per hour for the 6-year period; the variations between individuals, and the variations of the individual income from year to year. Similar variations by weekly income appear in the yearly transcripts. After an examination of the variable factors which appear, these questions suggest themselves:

(A) How may an equitable and just base wage be applied to casual labor of highly variable competence, working under conditions which vary sharply from year to year, from month to month, or even from week to week? Labor costs must be approximated closely ahead of the canning season if the company is to remain solvent. It is submitted that this is impossible with a fixed minimum per hour wage base.

(B) What shall be done with the less-than-average wage earner? Shall she be denied the opportunity to work and earn what is within her capacity, and to maintain her sense of self-help and self-support? To close this opportunity to persons who may be in the marginal group is further to make her a potential public charge, because there is neither moral justification or financial capacity for the employer to absorb the charge sufficient to make the base rate.

(C) When the less efficient are denied work, where is the employer to secure replacement labor? Casual or seasonal labor presents a problem at best in smaller communities. It is almost certain that a supply of efficient labor under the proposed requirements would be unavailable locally. The wage proposed is too low to attract desirable help from outside the community. With no labor available, reduced production is inevitable. Thus the result of denying labor in the first instance is a denial to the farmer-producers and to the entire community.

(D) How is the company to avoid loss under the conditions which the proposed amendments will impose? Acreage contracts are made with the farmers many months in advance, which the farmers are already performing. These contracts were predicated upon prevailing practice, and the reasonable belief that the administration of the wage and hour law would not disturb existing relationships during a canning year. Thus an inevitable loss is imposed upon the canner, who must fulfill his contracts, on the one hand, and make up wage differentials or destroy crops, on the other.

This company urges the Congress not to shut the door of opportunity for any American citizen to work; nor to bring about serious dislocations in this and thousands of other American industries and businesses.

1938 piece-time day workers—Tomato peelers

	Occupation ¹	Age	Total baskets	Total hours	Wages	Bonus	Total earned	Wage rate, hour	Total rate, hour
Anderson, Belle...	H	63	522 $\frac{1}{2}$	226 $\frac{1}{2}$	\$36.61	\$2.61	\$39.22	16.1	17.3
Bales, Alice.....	FH	44	330 $\frac{1}{2}$	149 $\frac{1}{2}$	23.17	1.65	24.82	15.5	16.6
Bajes, Barbara...	FH	52	599	223 $\frac{1}{2}$	41.94	3.00	44.94	18.3	19.6
Bartlett, Bertha...	FH	52	550 $\frac{1}{2}$	177 $\frac{1}{2}$	38.52	2.75	41.27	21.7	23.3
Baughman, Ola...	FH	40	666 $\frac{1}{2}$	223 $\frac{1}{2}$	46.09	3.33	50.02	20.3	21.8
Baunack, Bernice..	FH	21	352 $\frac{1}{2}$	165 $\frac{1}{2}$	24.69	1.76	26.45	14.9	16.0
Beck, Daisy.....	H	40	781 $\frac{1}{2}$	223 $\frac{1}{2}$	54.70	3.91	58.61	24.0	25.7
Billiter, Thelma...	H	23	585 $\frac{1}{2}$	177 $\frac{1}{2}$	40.98	2.93	43.91	23	24.8
Bogir, Catherine...	H	21	656	223 $\frac{1}{2}$	45.92	3.28	49.20	20.0	21.4
Bowler, Cora.....	S	20	568 $\frac{1}{2}$	207 $\frac{1}{2}$	39.82	2.84	42.66	19.2	20.6
Bowman, Blanche..	S	20	659 $\frac{1}{2}$	177 $\frac{1}{2}$	46.15	3.30	49.45	20.0	21.9
Bradley, Bertha...	FH	55	775	228 $\frac{1}{2}$	54.26	3.88	58.14	23.7	25.4
Bright, Doris.....	H	19	536	167 $\frac{1}{2}$	37.52	2.68	40.20	22.4	24.0
Butts, Jessie.....	FH	44	936 $\frac{1}{2}$	228 $\frac{1}{2}$	65.54	4.68	70.22	28.7	30.8
Carder, Anna.....	FH	48	530 $\frac{1}{2}$	177 $\frac{1}{2}$	37.14	2.65	39.79	20.9	22.4
Caylor, Lelah.....	FH	50	600 $\frac{1}{2}$	226 $\frac{1}{2}$	42.07	3.00	45.07	18.6	19.9
Chalk, Sadie.....	FH	47	493 $\frac{1}{2}$	177 $\frac{1}{2}$	34.56	2.47	37.03	19.4	20.8
Champ, Ilo.....	H	44	628 $\frac{1}{2}$	228 $\frac{1}{2}$	44.01	3.14	47.15	19.3	20.7
Cheesman, Pauline.....	FH	31	427	177 $\frac{1}{2}$	29.91	2.14	32.05	16.8	18.0
Chittum, Eva.....	H	50	759 $\frac{1}{2}$	228 $\frac{1}{2}$	53.20	3.80	57.00	23.3	25.0
Chittum, Ica.....	H	39	550	193 $\frac{1}{2}$	38.51	2.75	41.26	19.9	21.4
Chittum, Laura...	H	68	690 $\frac{1}{2}$	227 $\frac{1}{2}$	48.33	3.45	51.78	21.3	22.8
Clark, Alice.....	S	26	830 $\frac{1}{2}$	228 $\frac{1}{2}$	58.15	4.15	62.30	25.5	27.3
Clark, Ruby.....	H	25	780	223 $\frac{1}{2}$	54.62	3.90	58.52	24.4	26.2
Cline, Nilah.....	H	47	109 $\frac{1}{2}$	47	7.67	.55	8.22	16.3	17.5
Collins, Estella...	H	54	207 $\frac{1}{2}$	70 $\frac{1}{2}$	14.53	1.04	15.57	20.7	22.2
Compton, Mary...	H	20	430	177 $\frac{1}{2}$	30.11	2.15	32.26	17.0	18.2
Conger, Frances...	FH	30	660 $\frac{1}{2}$	227 $\frac{1}{2}$	46.23	3.30	49.53	20.3	21.8
Coon, Edith.....	FH	40	647 $\frac{1}{2}$	188 $\frac{1}{2}$	45.33	3.24	48.57	24.0	25.7
Cox, Lela.....	S	41	15	9 $\frac{1}{2}$	1.05	.08	1.13	11.1	11.9
Craig, Vada.....	H	34	273	121	19.12	-----	19.12	15.8	15.8
Craig, Vera.....	H	27	662 $\frac{1}{2}$	228 $\frac{1}{2}$	48.48	3.46	51.94	21.2	22.7
Curtis, Blanche...	FH	46	519 $\frac{1}{2}$	177 $\frac{1}{2}$	36.37	2.60	38.97	20.5	21.9
Curtis, Rosa.....	H	43	838 $\frac{1}{2}$	228 $\frac{1}{2}$	58.71	4.19	62.90	25.7	27.6
DeHaven, Grace...	H	27	426 $\frac{1}{2}$	142 $\frac{1}{2}$	29.86	2.13	31.99	21.0	22.5
DeHaven, Marie...	FH	28	338 $\frac{1}{2}$	117 $\frac{1}{2}$	23.68	1.69	25.37	20.2	21.6
Devos, Gladys...	H	45	761	230 $\frac{1}{2}$	53.27	3.81	57.08	23.1	24.8
Devoss, Goldie...	FH	44	628 $\frac{1}{2}$	178 $\frac{1}{2}$	43.98	3.14	47.12	24.6	26.4
Dragoo, Evelyn...	FH	31	673 $\frac{1}{2}$	206 $\frac{1}{2}$	47.17	3.37	50.54	22.8	24.4
Driscoll, Elvada...	H	64	355	130 $\frac{1}{2}$	24.85	-----	24.85	19.0	19.0
Emery, Lillie...	FH	27	498	177 $\frac{1}{2}$	28.57	2.04	30.61	16.1	17.2
Fisher, Naomi.....	S	19	406 $\frac{1}{2}$	117 $\frac{1}{2}$	28.45	-----	28.45	14.2	14.2
Keesner, Mary...	S	19	22 $\frac{1}{2}$	13	1.59	-----	1.59	12.2	12.2
Kelley, Lucille...	H	32	645 $\frac{1}{2}$	182 $\frac{1}{2}$	45.20	-----	45.20	24.7	24.7
Kirkendall, Ruby..	FH	22	811 $\frac{1}{2}$	228 $\frac{1}{2}$	56.81	4.06	60.87	24.9	26.7
Kistler, Mildred...	H	39	6	6	42	-----	42	8.4	8.4
Landis, Janie...	H	38	598 $\frac{1}{2}$	192 $\frac{1}{2}$	41.88	2.99	44.87	21.8	23.3
Lanning, Glenna...	S	18	568	228 $\frac{1}{2}$	41.87	2.99	44.86	18.3	19.6
Lare, Gladys...	FH	39	45 $\frac{1}{2}$	20 $\frac{1}{2}$	3.41	-----	3.41	13.1	13.1
Leach, Beatrice...	H	40	613	229 $\frac{1}{2}$	42.93	3.07	46.00	18.7	20
Life, Dollie.....	FH	36	583 $\frac{1}{2}$	178 $\frac{1}{2}$	40.86	2.92	43.78	22.9	24.5
Lindsay, Mildred..	FH	40	658 $\frac{1}{2}$	187 $\frac{1}{2}$	46.10	3.29	49.39	24.6	26.3
Lovelace, Gladys..	FH	36	401 $\frac{1}{2}$	142 $\frac{1}{2}$	28.13	2.01	30.14	19.7	21.1
Lupper, Clara...	H	25	505 $\frac{1}{2}$	178 $\frac{1}{2}$	35.38	2.53	37.91	19.8	21.2
Gegenheimer, Lucille.....	H	24	575 $\frac{1}{2}$	191 $\frac{1}{2}$	40.27	-----	40.27	21.0	21.0
Ginn, Iva.....	H	49	753 $\frac{1}{2}$	226 $\frac{1}{2}$	52.72	3.77	56.49	23.3	24.9
Hale, Cena (W)...	H	75	575 $\frac{1}{2}$	216 $\frac{1}{2}$	40.32	2.88	43.20	18.6	19.9
Hall, Anna.....	H	38	776	228 $\frac{1}{2}$	54.32	3.88	58.20	23.8	25.5
Hammers, Myrtle..	FH	23	772 $\frac{1}{2}$	228 $\frac{1}{2}$	54.09	3.86	57.95	23.7	25.4
Harr, Edith.....	S	52	524 $\frac{1}{2}$	177 $\frac{1}{2}$	36.73	2.62	39.35	20.7	22.2
Hastings, Mildred..	H	20	516 $\frac{1}{2}$	142 $\frac{1}{2}$	36.15	-----	36.15	25.3	25.3
Hatzell, Cleo.....	H	38	504 $\frac{1}{2}$	227 $\frac{1}{2}$	35.33	2.52	37.85	15.5	16.7
Heston, Martha...	S	18	115 $\frac{1}{2}$	47	8.07	-----	8.07	17.2	17.2
Heston, Mary.....	FH	42	342 $\frac{1}{2}$	178 $\frac{1}{2}$	23.99	1.71	25.70	13.4	14.4
Heston, Vivian...	S	24	126 $\frac{1}{2}$	58 $\frac{1}{2}$	8.86	-----	8.86	15.1	15.1
Hiatt, Hattie.....	FH	38	553 $\frac{1}{2}$	152 $\frac{1}{2}$	38.77	-----	38.77	25.4	25.4
Hickman, Helen...	FH	30	187 $\frac{1}{2}$	89	13.11	-----	13.11	14.7	14.7
Himes, Hassel...	H	19	46 $\frac{1}{2}$	20 $\frac{1}{2}$	3.27	.23	3.50	16.0	16.0
Hines, Dorothy...	FH	20	592	177 $\frac{1}{2}$	41.45	2.96	44.41	23.4	25.0
Hoagland, Elmyra..	S	18	491 $\frac{1}{2}$	177 $\frac{1}{2}$	34.44	2.46	36.90	19.4	20.8
Hoagland, Madona.....	FH	21	728 $\frac{1}{2}$	228 $\frac{1}{2}$	51.01	3.64	54.65	22.3	23.9
Hobbs, Jessie.....	H	50	482	227 $\frac{1}{2}$	33.75	2.41	36.16	14.9	15.9
Hodge, Ida (W)...	H	70	452	215 $\frac{1}{2}$	31.67	2.26	33.93	14.7	15.8
Hoover, Guilaf...	FH	30	184	51	12.89	.92	13.81	25.3	27.1
Huffman, Mary...	H	50	879 $\frac{1}{2}$	229 $\frac{1}{2}$	61.59	4.40	65.99	26.8	28.7
Hughes, Mary.....	FH	47	705 $\frac{1}{2}$	228 $\frac{1}{2}$	49.42	3.53	52.95	21.7	23.2
Hummel, Luetta...	FH	30	124	54 $\frac{1}{2}$	8.68	.62	9.30	15.9	17.1
Hummer, Gladys...	H	36	560 $\frac{1}{2}$	178 $\frac{1}{2}$	39.22	2.80	42.02	21.9	23.5
Jack, Susan.....	FH	56	524 $\frac{1}{2}$	198 $\frac{1}{2}$	36.71	2.62	39.33	18.5	19.8
Jackson, Margaret..	H	61	557 $\frac{1}{2}$	226 $\frac{1}{2}$	39.02	2.79	41.81	17.2	18.4
James, Ruth.....	FH	30	696 $\frac{1}{2}$	178 $\frac{1}{2}$	48.64	3.47	52.11	27.2	29.2
Johnson, Mildred..	H	26	63 $\frac{1}{2}$	26 $\frac{1}{2}$	4.43	-----	4.43	16.7	16.7
Johnson, Noba...	H	52	888 $\frac{1}{2}$	227 $\frac{1}{2}$	62.21	4.44	66.65	27.4	29.3
Jones, Dora.....	FH	36	666 $\frac{1}{2}$	229 $\frac{1}{2}$	46.65	3.31	49.96	20.3	21.7
Jones, Helen.....	H	25	105 $\frac{1}{2}$	53 $\frac{1}{2}$	7.38	-----	7.38	13.7	13.7
Jones, Margaret...	H	25	202 $\frac{1}{2}$	78 $\frac{1}{2}$	14.16	1.01	15.17	18.0	19.3
Flesher, Lois.....	FH	39	432 $\frac{1}{2}$	122	30.28	2.16	32.44	24.8	26.6
Flesher, Maude...	FH	57	15 $\frac{1}{2}$	9 $\frac{1}{2}$	1.10	.08	1.18	11.5	12.4
Floyd, Nancy.....	H	59	782 $\frac{1}{2}$	230 $\frac{1}{2}$	54.80	3.91	58.71	23.8	25.5
Ford, Sarah.....	FH	40	565 $\frac{1}{2}$	178 $\frac{1}{2}$	39.58	2.83	42.41	22.1	23.7
Foreman, Inez...	FH	43	401 $\frac{1}{2}$	177 $\frac{1}{2}$	28.11	2.01	30.12	15.8	17.0
French, Grace...	S	25	751 $\frac{1}{2}$	193 $\frac{1}{2}$	52.59	3.76	56.35	27.1	29.1
Friend, Eileen...	FH	20	171 $\frac{1}{2}$	52 $\frac{1}{2}$	12.02	.86	12.88	22.9	24.5
Fruit, Pearl.....	FH	46	107 $\frac{1}{2}$	47	7.54	-----	7.54	16.0	16.0
Garringer, Mima...	FH	46	100 $\frac{1}{2}$	47	7.04	.50	7.54	15.0	16.0
Geessman, Julidine.....	H	25	309 $\frac{1}{2}$	177 $\frac{1}{2}$	21.67	1.55	23.22	12.2	13.2

¹ H—housewife; FH—farmer's housewife; S—not married.

1938 piece-time day workers—Tomato peelers—Continued

	Occu- pation	Age	Total bas- kets	Total hours	Wages	Bonus	Total earned	Wage rate, hour	Total rate, hour
Geesaman, Lessie	FH	45	340 1/4	164 1/2	\$23.83	\$1.70	\$25.53	14.5	15.5
Lykins, Bertha	H	39	313	114 1/2	21.92	1.57	23.49	19.2	20.6
Mabrey, Edna	H	29	984 1/2	230 1/4	68.92	4.92	73.84	20.9	32.1
Main, Leota	FH	44	724 1/2	203 1/4	50.72	3.62	54.34	25.0	26.7
Maitlen, Devonna	S	19	22	15	1.54	.11	1.65	10.3	11.0
Manor, Lola	H	60	670 1/4	227 1/4	46.92	3.35	50.27	20.6	22.1
Marsh, Daisy	FH	52	598	178 1/4	41.87	2.99	44.86	23.4	25.1
May, Effie	H	51	738 1/4	228 1/4	51.69	3.69	55.38	22.6	24.2
May, Pearl	H	47	18	10	1.26	-----	1.26	12.6	12.6
McAbee, Juanita	H	34	641	227 1/4	44.88	3.21	48.09	19.7	21.2
McCammion, Gar- net	H	21	724 1/2	228 1/4	50.73	3.62	54.35	22.2	23.8
McClung, Frances	H	51	399 1/2	122 1/4	27.99	2.00	29.99	22.8	24.4
McDonald, Neoma									
Merrill, Madge	FH	46	541 1/2	228 1/4	37.92	2.71	40.63	16.6	17.8
Miller, Ada	H	25	621 1/2	215 1/4	43.52	3.11	46.63	20.2	21.6
Miller, Doris	FH	44	428 1/2	10	1.59	-----	1.59	15.9	15.9
Miller, Flor	FH	27	408	125 1/4	28.56	-----	28.56	22.8	22.8
Mills, Edna	S	27	503 1/2	178 1/4	35.26	2.52	37.78	19.7	21.1
Mills, Velma	FH	22	616 1/2	216 1/4	43.18	3.08	46.26	19.9	21.3
Morgan, May	FH	30	478 1/2	145	33.51	-----	33.51	23.1	23.1
Morrice, Bessie	H	41	747 1/2	218 1/4	52.33	3.74	56.07	23.9	25.6
Morris, Bessie	S	38	560	158	39.20	-----	39.20	24.8	24.8
Morris, Laura	H	21	498 1/2	213 1/4	34.90	2.49	37.39	16.4	17.5
Morris, Margaret	H	64	494	28 1/2	3.45	-----	3.45	12.1	12.5
Morris, Virginia	H	18	717 1/2	226 1/4	50.23	3.59	53.82	22.2	23.7
Nibarger, Dorothy	H	19	121 1/2	39 1/2	8.50	-----	8.50	21.5	21.5
Nibarger, Dorothy	H	27	136	34 1/2	9.52	.68	10.20	27.6	29.6
Odle, Hattie	FH	43	272	97 1/2	19.05	1.36	20.41	19.6	21.0
Overla, Mary	H	51	787	227 1/4	55.10	3.94	59.04	24.2	26
Phillips, Maude	H	35	115 1/4	40	8.10	-----	8.10	20.3	20.3
Phillips, Ruth	H	35	883 1/2	227 1/4	61.86	4.42	66.28	27.2	29.2
Phinney, Opal	H	46	157 1/2	59 1/2	11.04	1.79	11.83	18.6	19.9
Pratt, Bessie	H	47	831 1/2	228 1/4	58.22	4.16	62.38	25.5	27.3
Prevost, Kathryn	H	24	680	192 1/4	47.61	3.40	51.01	24.8	26.5
Pyle, Ruth	H	46	628 1/2	184 1/4	44.00	3.14	47.14	23.8	25.5
Ray, Vera	H	42	735 1/2	227 1/4	51.48	3.68	55.16	22.7	24.3
Read, Osa	FH	28	158 1/4	10	1.10	-----	1.10	11.0	11.0
Rees, Martha	H	38	480 1/2	226 1/4	33.65	2.40	36.05	14.8	15.9
Ritter, Mary	H	55	875 1/2	228 1/4	60.02	4.29	64.31	26.3	28.2
Roland, Pearl	FH	27	48 1/2	156 1/2	34.20	-----	34.20	21.8	21.8
Seidner, Emma	FH	52	752 1/2	228 1/4	52.69	3.76	56.45	23.0	24.7
Seidner, Ina	FH	43	617 1/2	177 1/4	43.22	3.09	46.31	24.3	26.1
Selvey, Dorothy	FH	31	812 1/2	229 1/4	56.87	4.06	60.93	24.8	26.5
Semans, Rose	H	51	841 1/2	229 1/4	58.92	4.21	63.13	25.6	27.5
Silvers, Flossie	FH	49	721 1/2	193 1/4	50.51	3.61	54.12	26.1	27.9
Shanks, Pearl	FH	40	581 1/2	177 1/4	40.73	2.91	43.64	23.0	24.6
Shellenbarger, Pearl	FH	20	134	70 1/4	9.38	.67	10.05	13.3	14.2
Smiley, Myrtle	H	46	695 1/2	228 1/4	48.68	3.48	52.16	21.3	22.9
Smith, Ada	FH	21	124 1/2	70 1/4	8.74	.62	9.36	12.4	13.3
Smith, Demeris	H	24	483 1/2	178 1/4	33.87	2.42	36.29	18.9	20.3
Smith, Effie	FH	28	598 1/2	177 1/4	41.90	2.99	44.89	23.6	25.3
Smith, Julia	H	55	937 1/2	234 1/4	65.63	4.69	70.32	28.0	30.0
Smith, Lorena	FH	54	483	167 1/4	33.81	2.42	36.23	20.2	21.7
Smith, Rosella	S	18	875	233 1/4	61.25	4.38	65.63	26.3	28.1
Squier, June	S	19	374 1/2	169 1/4	26.22	1.87	28.09	15.5	16.6
St. Clair, Blanche	H	56	428	177 1/4	29.96	2.14	32.10	16.9	18.1
Steed, Florence	H	58	503 1/2	178 1/4	35.27	2.52	37.79	19.7	21.1
Stephen, Mabel	H	38	404 1/2	167 1/4	28.34	2.02	30.36	16.9	18.1
Stephen, Nina	FH	56	1,038 1/2	228 1/4	72.69	5.19	77.88	31.8	34.0
Stevens, Anna May	S	21	482 1/2	226 1/4	33.79	2.41	36.20	14.9	16.0
Stouder, Pearl	H	37	774 1/2	226 1/4	54.21	3.87	58.08	23.9	25.6
Summerfield Ethel	S	44	445 1/2	170 1/4	31.17	2.23	33.40	18.3	19.6
Taylor, Carrie Jo	FH	22	851 1/2	226 1/4	59.63	4.26	63.89	26.3	28.2
Taylor, Letha	FH	31	864	229 1/4	60.47	4.32	64.79	26.3	28.2
Teegarden, Han- nah	FH	50	548 1/2	177 1/4	38.42	2.74	41.16	21.6	23.2
Tighe, Ruth	H	21	583	222 1/4	40.81	2.92	43.73	18.3	19.6
Timmons, Vir- ginia	H	18	116 1/2	47	8.15	.58	8.73	17.3	18.6
Trent, Naomi	FH	36	584 1/2	177 1/4	40.90	2.92	43.82	23.1	24.7
Tunls, Ida	H	45	472	226 1/4	33.05	2.36	35.41	14.6	15.6
Ullom, Ethel Mae	FH	24	57	10	3.99	-----	3.99	39.9	39.9
Ullom, Lottie	FH	49	373 1/2	131	26.16	-----	26.16	20.0	20.0
Vaught, Luna	FH	44	485	167 1/4	33.96	2.43	36.39	20.3	21.8
Vincent, Goldie	FH	42	714	178 1/4	49.99	3.57	53.56	28.0	30.0
Vinson, Mary	FH	36	870	229 1/4	60.91	4.35	65.26	26.5	28.4
Warren, Doris	H	27	887	230 1/4	62.09	4.44	66.53	27.0	28.9
Warnock, Inez	FH	32	777	216 1/4	54.40	3.89	58.29	25.1	26.9
Weaver, Clarice	FH	67	495	177 1/4	34.66	2.48	37.14	19.6	21.0
Westervelt, Hazel	S	24	430 1/2	178 1/4	30.13	2.15	32.28	16.9	18.1
Westervelt, Helen	S	19	427 1/2	177 1/4	29.93	2.14	32.07	16.8	18.0
Weyrick, Lulu (W)	H	57	615 1/2	228 1/4	43.09	3.08	46.17	18.9	20.2
Whitaker, Clara	H	44	769 1/2	229 1/4	53.88	3.85	57.73	23.5	25.1
White, Erma	FH	41	512	215 1/4	35.84	2.56	38.40	16.7	17.8
Williams, Hazel	H	50	35 1/2	15	2.50	-----	2.50	16.7	16.7
Wood, Lillie Mae	FH	37	640	223 1/4	44.81	3.20	48.01	20.0	21.5
Woodard, Hildred	FH	37	555 1/2	167 1/4	38.87	2.78	41.65	23.2	24.9
Wright, Gertrude	H	33	238 1/2	83 1/4	16.71	1.19	17.90	20.0	21.4
Bousman, Blanche	H	34	423 1/2	25	2.98	-----	2.98	11.9	11.9
Knowles, Nanna- belle	H	19	463 1/2	183 1/4	3.27	-----	3.27	17.4	17.4
Nance, Helen	H	18	143 1/2	16 1/4	1.03	-----	1.03	6.1	6.1

Consolidated record of piece-time tomato peelers for the years 1933 to 1938

Name	Peeling record statistics							Day record (p. 1)						
	Rates per hour without bonus							Rates per hour including bonus						
	1933	1934	1935	1936	1937	1938	Average	1933	1934	1935	1936	1937	1938	Average
Anderson, Belle	22.9	19.5	20.5	21.0	21.8	16.1	20.3	22.9	21.0	22.0	22.5	23.4	17.3	21.5
Bales, Barbara	22.4	20.8	18.6	20.1	22.5	18.3	20.5	24.3	22.5	20.0	21.5	24.1	19.6	22.0
Baughman, Ola	18.9	26.4	26.3	32.2	26.6	20.3	25.1	20.5	28.4	23.0	34.5	30.0	32.8	28.5
Beck, Daisy	31.2	32.1	28.5	30.7	31.7	24.0	29.7	33.8	34.5	30.0	32.8	33.9	25.5	31.9
Butts, Jessie	31.6	31.1	32.4	37.6	34.6	28.7	32.7	34.3	33.5	34.8	40.2	37.1	36.5	35.1
Chittum, Laura	24.5	24.2	23.8	25.8	21.5	21.3	23.5	25.6	26.0	25.4	27.6	23.6	22.8	25.3
Clark, Alice	27.8	31.4	31.8	34.6	28.6	25.5	30.0	30.1	33.8	34.0	37.1	30.6	27.3	32.4
Conger, Frances	25.3	24.7	27.6	31.4	24.9	20.3	25.7	21.9	26.7	29.6	33.6	26.7	31.8	27.6
Curtis, Rosa	27.1	31.7	26.5	31.2	29.0	25.7	28.5	29.4	34.1	28.5	33.5	31.0	27.6	30.7
Devoe, Gladys	22.7	23.5	24.1	27.7	24.6	23.8	24.3	26.1	26.9	26.5	27.6	24.8	26.1	
Floyd, Nancy	26.6	26.5	28.5	27.5	25.2	23.8	26.4	28.8	28.5	30.0	29.0	27.0	25.5	28.3
Ford, Sarah	-----	28.1	25.0	28.0	24.6	22.1	12.5	6.0	30.3	26.8	30.6	26.3	23.7	27.4
Hale, Cena	24.6	25.5	23.8	27.3	23.2	18.6	23.8	26.7	27.4	25.3	29.3	24.9	19.9	25.6
Hodge, Ida	20.2	19.1	18.3	21.6	17.4	17.8	16.1	21.8	21.9	20.6	19.4	17.9	15.8	20.0
Huffman, Mary	30.5	32.1	31.1	36.0	31.2	26.8	31.3	33.0	34.3	33.8	35.3	32.2	28.7	33.5
Jack, Susan	18.8	20.5	19.7	21.0	19.4	18.5	19.7	20.4	22.1	21.0	22.3	20.8	19.8	21.1
Johnson, Noba	32.7	34.2	32.9	37.1	34.6	27.4	33.2	35.5	36.8	35.0	39.8	37.1	29.3	35.6
Landis, Janie	23.2	23.1	23.6	26.6	15.4	21.8	23.7	25.1	24.9	26.7	28.5	15.4	23.3	25.4
Manor, Lola	28.8	26.0	23.4	26.9	22.8	20.6	24.8	31.2	28.0	25.0	28.8	24.4	22.1	26.6
March, Daisy	29.6	28.9	27.1	32.6	27.5	23.8	26.2	28.9	33.4	32.0	34.8	29.5	25.1	30.3
May, Effie	33.1	35.9	31.7	37.9	31.5	22.2	32.1	36.8	38.7	34.0	40.6	33.8	24.4	34.7
Phillips, Ruth	26.7	31.1	31.6	36.7	29.9	27.2	30.5	28.9	33.5	34.0	39.4	32.3	29.9	32.9
Pyle, Ruth	20.7	26.1	23.9	39.5	27.5	23.8	25.4	25.2	28.1	25.5	32.7	29.4	25.5	27.3
Ray, Vera	24.7	27.5	26.8	32.4	25.3	22.6	26.6	26.8	29.6	28.8				

Distribution has been defined as the retail and wholesale business of bringing the consumer into contact with the products of the farm and factory. The distributor and wholesaler are the direct mediums for the purchasing and storing of such products to meet the needs of the retailer and ultimately the consumer.

Wholesalers and distributors are distinctly service institutions. They necessarily must operate in a manner which will meet the requirements of their customers, which in many instances cannot be anticipated in advance, and need immediate attention. If they cannot do so, their business, as well as the business of all who depend upon them for service and supplies, will naturally be retarded, and the wants of the ultimate consumer cannot be met.

The wholesale food distributor may appropriately be used as an example. His is a service trade. He scours the four corners of the earth for food products of various sorts which he feels will be called for in his respective markets. These food products are then made available on call to all types of consumers, such as institutions, hotels, restaurants, steamships, summer camps, grocery stores, and so forth. Frequently, such trade requires, among other things, delivery on call, no matter what time of day or night, rain or shine, and, if you please, even flood or fire; for when there is demand for food, the service must be performed at once. Equally as important, and having as many or more emergency requirements, are the wholesale druggists. In fact, the demands for service of this character applies to the entire wholesale and distributing industry.

Employees of the wholesaler and distributor should not be subject to the same restrictions as those engaged in manufacturing, processing and mining, and so forth. Such labor can operate until a certain inventory has been created—that is, until certain standard stock has been created to meet or exceed demands—whereupon there frequently are reductions in force.

Practically all retailers are not subject to the provisions of the Fair Labor Standards Act of 1938, inasmuch as they are engaged in intrastate business. Most of them remain open over 50 hours a week, and of necessity the wholesaler and distributor should observe hours somewhat in the same line.

Closing on Saturdays would be a detriment to the wholesaler and distributor, as a considerable volume of business is transacted on week ends; moreover, industrial plants make repairs and replacements at that time to enable their employees to start work promptly on Monday morning with the machinery they operate in perfect condition.

To eliminate Saturday as a workday, or to reduce the standard week in the wholesale trade to less than 44 hours would be an undue hardship and would penalize wholesalers and distributors by requiring the payment of overtime rates for a 44-hour week.

Thousands of items are carried by the wholesaler and distributor, and it is necessary for warehouse employees to have a thorough knowledge of the use, location, and so forth, of the merchandise. Employment of people on a part-time basis would be impractical and a definite liability to the distribution system of the country. On the other hand, the overtime rates would inflate wholesale and distributing costs, which would eventually be reflected in a higher price to the ultimate consumer. This higher price would be difficult, if not impossible, to obtain, due to the fact that the manufacturer in many instances advertises the consumer price, and the wholesalers and distributors are not in a position to raise their prices. Other outlets, therefore, might secure the business and hurt the independent wholesalers, distributors, and independent merchants.

Payment of time and a half for hours over 40 to the employees of the wholesaler and distributor would make profitable operation a real problem, if not an impossibility. Large profits are not obtainable in these businesses, and such an increase of expense would be a very distinct disadvantage.

A large number of wholesalers and distributors operate with a limited personnel—one shipping clerk, one traffic man, and

so forth—and to replace these individuals for short periods, so that their workweek would not total over 40 hours, would be impossible, as their work is of a specialized nature, for which they have been definitely trained. Furthermore, they must be on hand during the open hours of the business, so that customers will receive prompt and efficient service.

It is my opinion that this law was not aimed at the wholesaling and distributing trades, in which labor conditions have been on a very high plane. The scale of pay in this field has always been high, long hours have not been observed, and there have been no child-labor or sweatshop conditions. The total remuneration of such employees throughout the year would be well over a similar figure for individuals working in manufacturing and producing establishments in all parts of the country.

Furthermore, there is but little fluctuation of employment, as all workers are regarded as permanent employees and are paid for the regular workweek throughout the year. They differ from workers engaged in manufacturing and producing, as they are not constantly and continually at work in the same manner, but must at all times be available to render service, fill orders, answer inquiries, and to perform similar duties. They are also afforded more opportunity for education, training, and advancement.

The economic condition of the retailer at the present time must also be taken into account. Only a limited capital is available to him, and he must depend upon the wholesaler for his needs. He is doing considerable hand-to-mouth buying, thereby necessitating constant service by the wholesaler and distributor. Sales would be lost if he were deprived of the ability to obtain merchandise when it is needed—as would undoubtedly result from a 40-hour week.

It is highly important to the manufacturer to have distribution facilities in all sections of the country, and these are efficiently maintained by the various wholesalers and distributors. To weaken and impair their service to the manufacturer, retailer, and industrial buyer by uneconomical overtime provisions would be a detriment to our industrial system.

The elimination of service and a reduction in the number of employees would undoubtedly be necessary if the 40-hour week becomes effective, in order to offset the high costs resulting from the overtime requirements of the law.

I also wish to press upon you the fact that wholesalers and distributors do not use labor-saving machinery in the distribution of their products—the primary costs involved in their overhead being wages and salaries. The machine, therefore, has not caused any reduction in the personnel, and, as a matter of fact, the number of employees engaged in the wholesaling and distributing trades at the present time is approximately the same as in the late twenties.

It is granted that all wholesalers and distributors must observe the law in the same manner, and what is a hardship to one will be a hardship to all. The hardship on many may be such that they will be forced to operate at a loss, or at such a meager profit that the matter of maintaining their usual service will be dangerously curtailed.

To increase prices to the consuming public would mean a reduction in volume and would not be helpful to our standard of living, as it would reduce the number of articles and items which the ultimate buyer could purchase.

In closing, I wish to state that the wholesalers and distributors have a very real problem, and to permit these trades to continue a 44-hour standard workweek does not in my estimation alter the purposes of the law. Working conditions in wholesaling and distributing establishments are, in practically all cases, most agreeable—the wages are fair—and a 44-hour week cannot be considered a detriment to the health of the employees.

The Norton bill to amend the wage and hour law was considered by the Labor Committee in closed executive sessions, and no opportunity was afforded those of us interested in this phase to present testimony or argue our case. And now, we are informed, the bill is to be brought before the

House for action under suspension of the rules, which precludes the offering of amendments, and we are only given the opportunity to vote for or against the bill reported by the Labor Committee. This course of procedure denies fair consideration to the dire circumstances which are faced by the wholesale and distributing agencies, who cannot operate under the severe restrictions of the present law. Certainly they should have had an opportunity to be heard, in which event there is no doubt in my mind they would have established a case which would have warranted action as proposed in my bill, H. R. 4631, and enabled them to continue to operate under the 44-hour-workweek provision. I hope that before the final enactment of the Norton bill this matter may be given the consideration it merits. [Applause.]

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

Mr. DARROW. I yield to the gentleman from Pennsylvania.

Mr. DUNN. I wish to say I am a member of the Labor Committee. Did the gentleman make a request of the chairman to be heard?

Mr. DARROW. I did; and my request was denied.

Mr. DUNN. I would not have objected to it.

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

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

Mr. RAMSPECK. The gentleman does not want to leave the impression with the House that the Committee on Labor refused to permit the gentleman to appear before the committee?

Mr. DARROW. I asked to appear, and I was denied that privilege.

Mr. RAMSPECK. Did not the gentleman ask to have other persons besides himself appear?

Mr. DARROW. I asked to have a hearing on the question.

Mr. RAMSPECK. I am sure the gentleman misunderstood the chairman of the committee, because some Members of Congress did appear in support of their amendments. The committee agreed to hear all of them.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief article by Dr. Clifford Halvorsen, a constituent of mine.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

The SPEAKER pro tempore. Under a previous special order, the gentleman from Puerto Rico [Mr. IGLESIAS] is recognized for 5 minutes.

Mr. IGLESIAS. Mr. Speaker, I have tremendous respect for freedom of speech. I have been fighting for the last 50 years for the right on the part of anyone to express his own views on anything. Today, however, I was very astonished to hear the gentleman from New York [Mr. MARCANTONIO] purport to defend the people and the workers of Puerto Rico with the use of radical expressions, but if Puerto Rico would follow the ideas and opinions of the gentleman from New York we would be in a condition so terrible that over 100,000 people would be starved. In the name of social reform and justice to humanity—

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

Mr. IGLESIAS. No; I do not have time to yield. I cannot yield, because I do not want to be interrupted at this time.

I have in my hand a copy of a handbill that has been distributed among the agricultural workers and the people of Puerto Rico containing statements with which some of the declarations that have been made here by the gentleman from New York coincide:

If the law is changed in Washington in accordance with the wishes of SANTIAGO IGLESIAS—

That is my name—
and the Centralistas—

That means the sugar men and the higher range of people—

the workers will not have gained much.

If you want to defend your rights, send your petitions to Mr. MARCANTONIO, the Congressman, who will defend the interests of the workers of Puerto Rico, or send them to the Democratic Popular Party, who will send them directly to Congressman MARCANTONIO.

I can regard this as a little thing, because there have been many other stories and much publicity, with the picture of our distinguished friend the gentleman from New York [Mr. MARCANTONIO], presenting him as the great "savior" of humanity in Puerto Rico.

Mr. Speaker, for the last 50 years, since the Spanish regime, we have been working for the welfare and the progress of Puerto Rico in general, and especially of the working classes.

[Here the gavel fell.]

Mr. COX. Mr. Speaker, the gentleman is making a good speech, and I ask unanimous consent that he may be permitted to proceed for 10 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. IGLESIAS. We have refrained from being unjust to those administrators who want to work for and are doing well for the people of Puerto Rico. I have been termed a "tremendous radical" in Puerto Rico, but I never have been unjust, nor disregarded the work of those who have been sent from here to do good for the island. I declare here that to attack Gov. Blanton Winship and to smear his personality is a tremendous injustice. He has been all right; that is the best way I can term it. I never have asked Governor Winship for the smallest favor, and never in my life have I done that with any Governor. The work done by Governor Winship in the island in the last 5 years is something that will be appreciated in the hearts of every citizen of Puerto Rico. Every party is in favor of all the work that has been done by the Governor, except a group that is distributing the letters of my distinguished friend from New York [Mr. MARCANTONIO].

With regard to the amendments to the labor law that have been reported by the committee, I may say, as a labor leader for so many years, that it is very deplorable that a distinction must be drawn between the mainland and the island, but in this case the amendments are necessary because of the extreme economic condition in the island in the same way that amendments have been asked in behalf of various States of the Union. I do not know why the gentleman from New York [Mr. MARCANTONIO] has fixed his eyes upon Puerto Rico and no other part of the country. Why not give just the same chance to Puerto Rico that has been given to Texas or to Chicago or to any other place in the land. Why does this "savior" of the workers of Puerto Rico not say anything about those places, when he is talking about the poor fellows mentioned in the letters he has referred to? Who is writing the letters? Look at the man, Mr. Claiborne, he has presented here as the "savior." He was appointed administrator of the law at the beginning and he became friendly with our fellow workers over there, and that was very good, but very soon he changed and did things and acted in such a way that he had to be dismissed and removed from the job.

He was removed, although in a very delicate manner, but nevertheless the gentleman from New York still says he is the administrator, after being dismissed. He places the blame for this action on Governor Winship, when, as a matter of fact, the Governor has always been doing his best to better the conditions of the working people, assisted by the Commissioner of Labor of Puerto Rico.

I have received a letter from the secretary of the Free Federation of Workingmen of Puerto Rico. This organization is affiliated with the American Federation of Labor, because our labor has been educated to lean on the organization of labor as represented in the Nation by the American Federation of Labor.

This Mr. Claiborne is the man who has distributed letters and circulars in certain parts of the island accusing the free federation and the leadership of the federation of not

putting the law into operation. Of course, he does not understand that for years the federation and its leaders have been working and fighting for better conditions. The workingman does not want to depend on Mr. Claiborne or anybody else to work for his salvation. With the proposed amendments, the wage and hour law will be all right. First, we have the committees to give flexibility to the law. It is true Puerto Rico wants that. Puerto Rico wants that because, as soon as this law was put into operation, over 40,000 of the needle workers and 30,000 in other industries were thrown out of employment. They are out of work and they cannot start work again without these amendments.

The interests of the workingman and of Puerto Rico are not in the hands of Congress alone. Under the proposed amendment to the Fair Labor Standards Act we will have committees representing the public, the employers, and the workingmen, and there will also be organized labor, which has always safeguarded the rights of the workers of Puerto Rico. Organized labor is the most intelligent weapon the workingman has to better his own condition. And then we have the legislature of the island. So, according to the law and the performance of the law, we have a chance to do well for the people of Puerto Rico, and especially the workers of Puerto Rico.

Mr. Speaker, Congress never had any idea of crushing the people of Puerto Rico, especially the workers. Puerto Rico is indebted to Congress for wonderful reforms and progressive measures that never could have been known except for the action of the majority of the Members of Congress. We are grateful for what has been done.

If there has been any injustice or if the workers of the island have been handicapped in any way, I am sure I can come before this House and come before the committee and just tell the truth, but the Labor Committee has been all right.

Mr. LEAVY. Mr. Speaker, will the gentleman yield for a question?

Mr. IGLESIAS. Yes.

Mr. LEAVY. I want to ask the gentleman a direct question. Does the gentleman feel that the people in Puerto Rico would have been better off if, when we adopted the Fair Labor Standards Act, we had exempted Puerto Rico from its provisions entirely?

Mr. IGLESIAS. I never would have requested such a thing myself, because I want the spirit of the law and the law itself to apply to Puerto Rico, and then give it flexibility in accordance with the conditions existing there.

Mr. LEAVY. The gentleman believes the provisions of the law should apply in Puerto Rico as well as in continental United States?

Mr. IGLESIAS. Yes. That was my idea and my principle, but in the operation of the law I have seen that we will have to look for some flexibility in order to accommodate the law to the conditions on the island.

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

Mr. IGLESIAS. Yes.

Mr. MARCANTONIO. Irrespective of whether the newspaper places my picture on the front page or the gentleman's picture there, I have only one question, and that is as to whether the gentleman is for or against the 25-cent-per-hour minimum for workers in the sugar industry in Puerto Rico; and if so, why change the law and why should there be any flexibility?

Mr. IGLESIAS. I am in favor of 25 cents, and I would be in favor of \$1 per hour if it were possible to pay it; but if it is not possible, then I do not want the people in Puerto Rico to starve. [Applause.]

The SPEAKER pro tempore. The time of the Commissioner from Puerto Rico has expired.

EXTENSION OF REMARKS

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein part of a statement which I made before the subcommittee of the

Committee on Appropriations on the nonmilitary appropriation bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TAYLOR of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an article by Gus W. Dyer, a well-known political economist, on the Unseen Effect of the Wage Law.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. KITCHENS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Star of Terre Haute, Ind.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the Chair recognizes the gentleman from Indiana [Mr. LUDLOW] for 20 minutes.

MOTHER'S DAY

Mr. LUDLOW. Mr. Speaker, by the time we meet again another Mother's Day will have passed into history. On every recurrence of Mother's Day, the golden strands of recollection lead me back to our old log-cabin home in Fayette County, Ind., where I was born and raised at a time when the wilderness was more a fact than a memory. My mind's eye recreates the stately forests of towering oaks and poplars and the beautiful wild flowers that everywhere blanketed the earth in spring and summer time. I behold again the large peach orchard at the rear of our cabin, with its wondrous wealth of blooms. The air is redolent of sweet-williams and honey-suckle.

All of this seems to me now like a glimpse of paradise which I was permitted to enjoy for a brief time at the beginning of life, before Fate directed my footsteps to things that are material and dross.

In all of this panorama of loveliness which I see shining far away through the mists of recollection, the very center of loveliness was my mother. I can see my mother, the personification of loving devotion, ministering to the needs of her large flock, trying to do many things at once and pausing now and then to kiss our tiny wounds to take away the hurt. I can see her in the silent vigils of the night as by light of candle or oil wick burning low she smooths a feverish brow with a hand that always seems to soothe and heal. Once more she tucks me in the trundle bed and sings her lullabies until the sandman shuts my eyes in slumber.

The younger generations are utterly incapable of realizing the hardships that were the daily portion of the pioneer mother. There was no change, no recreation to build up frayed-out nerves. Hers, as I look at it now, was a life of never-ending toil and grind, without conveniences of any kind—a human treadmill. Today was the same as yesterday; tomorrow would be the same as today. Yet throughout it all she maintained a spirit that was perfectly fine and splendid.

She was the angel of the household; nor heat of summer nor wintry blasts, nor all the worries and heartaches that fell to her self-denying lot ever found her absent from the post of duty. No language that I can command is adequate to describe the loving devotion of this sweet and patient soul. No words of mine, surging from the wellsprings of a grateful heart, can tell the story of the debt I owe my mother. Many a year has come and gone since we laid her in the ground—earth to earth, ashes to ashes, dust to dust—but my simple Christian faith teaches me that she is just away, and that we shall meet again. I hope and pray that when my days on earth are ended, and I cross the frontiers of the blessed summerland, the spirit of my mother will be waiting to lead me on.

There is no language known to men that can describe a mother's love. Of all the emotions that influence the human mind, it is the sweetest and the best. The bitterness and sorrow that would be the common lot in this vale of tears if it were not for mother love melt into happiness and joyous inspiration in the radiance of its tender flame.

Mother love has no yesterday and no tomorrow, but reigns eternal. There is no limit to its bounds. There is no plummet that can sound its depths. It reaches all the way from earth to heaven. With ineffable tenderness it leads the tottering infant past the dangers and pitfalls of life and guides him through the struggling years of childhood and maturity, so that when the miracle we call death ends his earthly journey he is fit to take his place among the stars by the side of his Creator.

No tongue can explain mother love or trace its origin. The least we can say of it is that it is one of the mysteries that spring from God. We know that it is something real because there is no sacrifice too great for it to make.

Think of the widow who bends her aching back over a tub day in and day out to earn a washwoman's pittance that she may keep her children together and feed them and send them to school like other children—oh, there are many such in this land of ours! Does anyone doubt the quality of her mother love? Does anyone know a mother of a deformed child who is not all the more attached to him on account of his deformity? He may be a hunchback, or infantile disease may have rendered him a hopeless and pitiable physical wreck, but to mother he is all there is in the world. Reason may have left him forever, and he may be doomed to wander in mental darkness all his life, but oh! how she loves him!

Mother heart forgives the error of a wayward child before it is committed. The last thought of a convict who faces the noose or electric chair is of his mother. In his anguish he cries for her; to her he piteously pleads every extenuating circumstance so that she will remember him at his best; his only relief in his desperation is when he is enfolded in her encircling arms. Any trinket he may possess, a ring or watch or lock of hair or other treasured keepsake he leaves to mother. In all such cases mother love is tempered with pity, and what a potent, merciful, wonderful combination it is. Imagine the depths and sanctity of a mother's thoughts when she rocks her baby in his cradle and lulls him gently into the realm of sleep with her lullabies and then lifts her eyes from his innocent little face toward heaven and prays to the Father of us all:

"Father, lead him not into temptation, but deliver him from evil!"

From the time of Eve, who laid her very own on the altar of grief, down through the ages to Mary, who witnessed the unspeakable tragedy of the cross, and on and on, century after century, the word "mother" has always been the symbol of devotion, every age presenting in myriad repetitions and varying forms the solicitudes and sacrifices of mother love. Millions have been touched by the tribute paid by Abraham Lincoln, when that great, tender-hearted man who groped his dark way to a martyr's grave, paid to his mother the deathless tribute of saying that all that he was or ever hoped to be he owed to her.

We are continually being astounded by the wonderful achievements of the scientists. They are the Nation's miracle men. They already have gone far toward piercing the veil that separates us from the infinite and every day adds to their amazing record of performance. Our President speaks and his voice is heard through a system of radio relays in Europe and South Africa. A man talks over the telephone and his physical image is carried with his voice and reproduced in a distant city. That is television. In the New York office of the Westinghouse Co. is an artificial electrical man which obeys the human voice. This new creation of science enables us to visualize a world of the future—a world of romance—in which men and women will do little more than think and will bid automatons to fetch and carry. The scientists have discovered that diabetic patients who are gripped with a form of fear may have their courage restored by sucking a lollipop, and that the variation of a few hundredths of 1 percent in the glucose of the blood may make the difference between cowardice and courage, may determine whether a man shall be shot as a slacker or medaled as a hero.

And, weirdest prophecy of all, Dr. Edwin S. Slosson, a Washington scientist, in addressing Wittenberg College, predicted that the scientist of the future will turn from his

humble task of providing the conveniences of life and will gain control of life itself, molding stature and character as the sculptor molds his clay.

One by one, the Government astronomers are unlocking the secrets of the universe. Their contributions to the sum of knowledge are of absorbing interest and reflect glory on the achievements of the human mind. By using photographic processes which record stars a million times fainter than the human eye can see, they have just estimated the total number of stars at 30,000,000,000.

Why, I am almost persuaded that the time is coming when the scientists will remold the forms of nature, take all of the sting out of the tongue of malice, paint rosy blushes on the cornstalks, and make diamonds out of a million glistening dewdrops.

But there are some things our scientists cannot fathom, and one of these is the mystery—the blessed mystery—of mother love. The enormous telescope at the Naval Observatory in Washington which nightly sweeps the heavens cannot reveal through the starry corridors the Supreme Architect whose will established order in the universe, who keeps the planets in their orbits, and who sees the sparrow when it falls. Him we must take on faith, and we must serve Him with all of our love and all of our strength and all of our understanding.

Nor will the utmost power of science reveal where among all the starry diadems is the eternal abiding place of those who gave us birth and those happy companions of the yesterday who left us to go to the home, not made by hands, eternal in the skies. We must trust to faith, which holds the promise that we shall know and love them once again. With all their genius and exactitude, the scientists have not been able to find where heaven and earth meet.

But I know. Like all of the sons of departed mothers, I know the exact spot where heaven and earth meet. It is located not by scientific instruments nor chart nor compass nor by divining rod, but by the oracles of the heart. In my case it is about 50 miles southeast of Indianapolis. The place where heaven and earth meet is the grave of my mother. [Applause.]

GENERAL PULASKI

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes and to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection? There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I take this opportunity of requesting my colleagues to support the resolutions which I introduced on February 20, 1939, to honor the memory of that outstanding hero of the American Revolution, Gen. Casimir Pulaski.

House Joint Resolution 174 provides for the establishment of a General Casimir Pulaski Memorial Commission which shall consider and formulate plans for designing and constructing a permanent memorial in the city of Savannah, or in the State of Georgia. This Commission in its discretion may accept from any source, public or private, money or property to be used for the purpose of making surveys and investigations, and formulating, preparing, and considering plans for the construction of the memorial. It was at the siege of Savannah, Ga., that General Pulaski gave his life to America on October 11, 1779.

House Joint Resolution 173 authorizes the President of the United States of America to proclaim October 11, 1939, General Pulaski Memorial Day for the observance and commemoration of his death.

House Joint Resolution 172 provides for the preparation, printing, and distribution of pamphlets containing his history.

H. R. 4321 authorizes the erection of a memorial to General Pulaski and carries an authorization for a \$5,000 appropriation for the erection of a suitable tablet or marker at Savannah, Ga.

Mr. Speaker, two sterling Polish patriots, Gen. Thaddeus Kosciuszko and Gen. Casimir Pulaski, outstanding heroes

who joined the army of the Father of his Country, Gen. George Washington, contributed much during America's struggle for independence. They gave unstintingly of their valiant service in the cause of liberty and the formation of our Republic. They were patriots of the most self-sacrificing type who dedicated themselves to the cause of freedom and the happiness of mankind.

From the time of General Pulaski and General Kosciusko, American citizens of Polish extraction have patriotically and unselfishly carved a record of honorable achievement in the history of the Republic. They are a bulwark of strength to our Nation, and among the leaders in political and economic progress. In the dark days of war, the citizens of Polish extraction emulated that high patriotism of General Pulaski and General Kosciusko, in order to protect and preserve our American constitutional system of government, with its sacred rights and liberties.

Mr. Speaker, Mr. Wallace E. Maciejewski, 1738 South Pearl Street, Milwaukee, Wis., a leader among our citizens of Polish extraction, a resident of the district which I have the honor to represent, and a staff writer for the Milwaukee Evening Post, has written a fine article on General Pulaski. I ask unanimous consent to include this article in my remarks at this point.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The article referred to is as follows:

Two of the four European officers who performed a distinguished part in the American Revolution, Pulaski and Kosciusko, were from Poland.

They came to America as volunteers to join the army of General Washington, and both distinguished themselves on various occasions during the Colonist's struggle for independence.

One of them, Casimir Pulaski, gave his personal fortune of \$50,000 and his life to American liberty.

He died fighting for American independence. He saved the Continental Army from possible annihilation. He sacrificed a title, a fortune, and a brilliant career to die at the age of 31 as he led American cavalymen in the last desperate charge of a successful campaign.

No wonder he is referred to as the hero of two continents.

Futile are the attempts of those who would delve into the annals of history in search of a more heroic and patriotic spirit. * * * vain are the efforts of those who would turn the pages of history seeking a more adventurous and liberty-loving figure than Pulaski.

No nobler Pole, no nobler American, ever rode gallantly to death on the battlefields of human liberty.

Casimir Pulaski was born in the village of Kostry-Pulazie on March 4, 1747. He was the eldest son of Count Joseph Pulaski, a venerable gentleman, who belonged to the Polish nobility. The elderly Pulaski was also the county administrator (Starosta), and a distinguished lawyer famed for his eloquence.

The section where the Pulaskis lived was exposed to continuous incursions of roving marauders, so a large band of armed retainers to protect the estate was maintained. Young Casimir early gained a knowledge of partisan warfare and laid the foundation for the superb horsemanship which later made him a cavalry leader of renown in Europe and America.

Casimir Pulaski's early education was had at home and in a Jesuit college. Before he was 21 young Pulaski had his taste of regular warfare, serving 6 months in the successful defense of Mitau. He continued to fight against Poland's oppressors, eventually becoming famous for his courage and valor.

The enviable reputation of his brilliance as a cavalryman, of patriotism, and heroism had preceded Pulaski long before he had volunteered his sword in behalf of America's independence.

With the downfall of the Confederation of Bar and the first partition of Poland, Pulaski was forced to leave his native country and escape to Paris where he made the acquaintance of Benjamin Franklin, who was seeking the aid of France in the struggle of the American colonists against England.

Obtaining a letter of recommendation from Franklin, Casimir Pulaski, inspired with a passion for the ideals for which the colonists fought, came to America in August 1777.

In making the recommendation, Franklin wrote:

"Count Pulaski, of Poland, an officer famous throughout Europe for his bravery and conduct in defense of the liberties of his country against the three great invading powers of Russia, Austria, and Prussia, will have the honor of delivering this into your Excellency's hands."

Like his famous compatriot, Kosciusko, who when he appeared before Washington and was asked what he could do, answered in a modest way, "Try me and see," Pulaski refused to wait for an appointment from Congress but hastened to join the ranks of Washington's army.

By strange coincidence, it so happened that Pulaski and his friend, the Marquis de Lafayette, another distinguished officer, struck their first blows for American independence at the Battle of Brandywine on September 11, 1777.

In describing the Battle of Brandywine, Capt. Mathew Rogowski, Pulaski's comrade at arms, wrote:

"We covered 4 miles in 40 minutes. Galloping in a cloud of dust, we met General Sullivan's army in a disorganized retreat. * * * Knyphausen's column was getting the upper hand over General Maxwell (American). And then came General Pulaski, in his Polish uniform of the Bar Confederation, shouting the command 'Forward' in a voice which penetrated our spines. 'Whither we are going?' I asked myself, and then the thunder of 1,600 hoofs crashed upon the British columns. Pulaski was mad with the lust of fight, slashing right and left, his sword dripping with blood. We were crowded, we were surrounded, and then the cry, 'Help is coming,' and the British began to retreat. Now Pulaski raised himself in his stirrups and shouted, 'Forward again.' And we went forward, trampling down platoon after platoon of the British columns until their retreat became a rout. * * * I have been in many battles, the memory of some raises my hair on end, but such a bloody fight I have never seen."

When Congress on September 15, 1777, only 4 days after the momentous Battle of Brandywine, commissioned Pulaski a brigadier general and assigned him to command the American Cavalry, he became the highest ranking officer of the Cavalry, and had under his command four regiments.

In his letter of recommendation to the Continental Congress, Washington said:

"This gentleman has been, like us, engaged in defending the liberty and independence of his country and has sacrificed his fortune to his zeal for these objects. He derives from hence a title to our respect that ought to operate in his favor as far as the good of the service will permit."

Subsequently General Pulaski saved the Continental Army from a surprise attack at Warren Tavern and took a prominent part in the battle of Germantown, and in the winter of 1777-78 participated in the operations of General Wayne and aided in the defeat of a division of British troops at Haddonfield, N. J.

Congress now authorized Pulaski to form a corps of lancers and light infantry which became famous as the Pulaski Legion, with its own standard. Approximately \$50,000 was spent by Pulaski in forming and equipping his legion.

The Pulaski Legion took a notable part in some of the most important battles of the American Revolution, and then on October 9, 1779, while riding at the head of his men through a deadly enflaming fire to the rescue of other American forces, Pulaski fell, pierced by a British shell at the siege of Savannah.

Captain Rogowski, one of Pulaski's officers who was in the heroic charge, states in his description of the battle:

"For half an hour the guns roared and blood flowed abundantly. * * * Imploping the help of the Almighty, Pulaski shouted to his men, 'Forward,' and we, 200 strong, rode at full speed after him—the earth resounding under the hoofs of our chargers. For the first two moments all went well. We sped like knights into the peril. Just, however, as we passed the gap between the two batteries, a cross fire, like a pouring shower, confused our ranks. I looked around. Oh! sad moment, ever to be remembered, Pulaski lies prostrate on the ground."

First aid was administered on the battlefield, and then Pulaski was carried by his men and placed aboard the Colonial gunboat *Wasp*, where he died on October 11, 1779, at the age of 31. He is believed to have been buried at sea.

General Pulaski, "Father of American Cavalry," a heroic and illustrious figure in the world's history, died as he had lived—fighting for the righteousness of mankind.

In the American Military Biography the author writes:

"Perhaps a braver man than Pulaski never drew a sword."

And in describing Pulaski's death at Savannah the American Military Biography states:

"Thus fell, in a most bold and daring achievement, the distinguished Polish patriot and hero in the cause of American liberty; his memory is entitled to our veneration, as his life forms an item in the price of our independence."

As a hero of two continents, as an outstanding example of loyalty and patriotism, Casimir Pulaski has left in this Nation an unmistakable imprint of love for liberty, virtue of magnanimity, and mutual good will toward the Polish people. His willingness to help the oppressed and his many sacrifices on the altar of American independence shall always remain a symbol of Polish-American friendship.

EXTENSION OF REMARKS

By unanimous consent, Mr. IGLESIAS and Mr. MARCANTONIO were granted leave to extend their remarks in the RECORD.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 2 o'clock and 28 minutes p. m.), in accordance with the order heretofore adopted, the House adjourned until Monday, May 15, 1939, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE POST OFFICE AND POST ROADS

The Committee on the Post Office and Post Roads will hold public hearings on Tuesday, May 16, 1939, at 10 a. m., for the consideration of H. R. 3835, a bill to authorize the Post Office Department to cooperate with the several States in the collection of State taxes.

COMMITTEE ON PATENTS

A subcommittee of the Committee on Patents will hold hearings in the committee room, 1015 House Office Building, on Tuesday, May 23, 1939, at 10:30 a. m., on H. R. 3605, a bill to provide a permanent force to classify patents, etc., in the Patent Office. Hon. JOHN M. COFFEE (Washington) is chairman of the subcommittee.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold public hearings in room 219, House Office Building, at 10 a. m., on the bills and dates listed below:

On Wednesday, May 31, 1939, at 10 a. m., on H. R. 4985, relating to fishery educational service in Bureau of Fisheries (CALDWELL); H. R. 5025, purchase and distribution of fish products (BLAND); and H. R. 5681, purchase and distribution of fish products (CALDWELL).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. MANSFIELD: Committee on Rivers and Harbors. H. R. 6264. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; without amendment (Rept. No. 614). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 5890) granting an increase of pension to Estella Walton, 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. ANDERSON of Missouri:

H. R. 6290. A bill authorizing the county of St. Louis, State of Missouri, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Jefferson Barracks, Mo.; to the Committee on Interstate and Foreign Commerce.

By Mr. HARE:

H. R. 6291. A bill amending the Fair Labor Standards Act; to the Committee on Labor.

By Mr. McGRANERY:

H. R. 6292. A bill to amend section 4 of the act approved May 20, 1936, providing for rural electrification, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McREYNOLDS:

H. J. Res. 291. Joint resolution authorizing and requesting the President to accept the invitation of the Government of Norway to the Government of the United States to participate in an International Exhibition of Polar Exploration, which will be held at Bergen, Norway, in 1940; and authorizing an appropriation to cover the expenses of such participation; to the Committee on Foreign Affairs.

By Mr. THOMAS of New Jersey:

H. J. Res. 292. Joint resolution requiring that a study and survey of all taxes, direct and indirect, which are required to be paid by any persons, groups of persons, partnerships, or corporations engaged in the manufacture and/or processing of foodstuffs, goods, wares, or merchandise be undertaken by the Department of the Treasury or such assistants in the

said Department as the Secretary may designate; to the Committee on Ways and Means.

By Mr. DIRKSEN:

H. J. Res. 293. Joint resolution creating a commission to examine various methods heretofore suggested for the payment of the war debts; to the Committee on Ways and Means.

By Mr. BYRNS of Tennessee:

H. Res. 191. Resolution to request certain information from the Secretary of the Treasury; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARDEN:

H. R. 6293. A bill for the relief of Mance Hardy; to the Committee on Military Affairs.

H. R. 6294. A bill for the relief of Amanda B. Carawan; to the Committee on Military Affairs.

H. R. 6295. A bill for the relief of Fred S. Hondros; to the Committee on Immigration and Naturalization.

By Mr. BEAM:

H. R. 6296. A bill for the relief of Henry Hillgameyer; to the Committee on Naval Affairs.

H. R. 6297. A bill for the relief of Harry A. Tedswell; to the Committee on Claims.

H. R. 6298. A bill for the relief of Staszyc Gaucus; to the Committee on Immigration and Naturalization.

H. R. 6299. A bill for the relief of Frank Zych; to the Committee on Military Affairs.

H. R. 6300. A bill for the relief of Alfred J. Mulvaney; to the Committee on Naval Affairs.

H. R. 6301. A bill for the relief of George Smalley; to the Committee on Naval Affairs.

H. R. 6302. A bill for the relief of Michal Kaliszkiwicz; to the Committee on Immigration and Naturalization.

H. R. 6303. A bill for the relief of Lawrence Michael Keating; to the Committee on Naval Affairs.

H. R. 6304. A bill for the relief of John G. Condon; to the Committee on Naval Affairs.

By Mr. ELSTON:

H. R. 6305. A bill granting a pension to Ruth Thompson; to the Committee on Invalid Pensions.

By Mr. GEHRMANN:

H. R. 6306. A bill for the relief of Oliver Peteffi; to the Committee on Claims.

By Mr. HANCOCK:

H. R. 6307. A bill granting an increase of pension to Alice Shaw; to the Committee on Invalid Pensions.

By Mr. KNUTSON:

H. R. 6308. A bill granting a pension to Mary E. Anderson; to the Committee on Invalid Pensions.

By Mr. McCORMACK:

H. R. 6309. A bill to authorize the appointment of Lawrence F. Connolly as a lieutenant in the United States Navy; to the Committee on Naval Affairs.

By Mr. ROBSION of Kentucky:

H. R. 6310. A bill for the relief of Howard Henderson Richardson; to the Committee on Military Affairs.

By Mr. SPARKMAN:

H. R. 6311. A bill granting a pension to Margaret McAlister Barron; 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:

3028. By Mr. BOLLES: Petition of sundry citizens of Racine, Wis., opposing war with any nation; to the Committee on Foreign Affairs.

3029. By Mr. ENGLEBRIGHT: Joint Resolution No. 18 of the California State Senate, relative to memorializing Congress to pass the Farmers' Refinance Act; to the Committee on Agriculture.

3030. Also, Assembly Joint Resolution No. 3 of the California Legislature, relative to the development of Playa del

Rey Harbor for coast defense purposes; to the Committee on Military Affairs.

3031. Also, Assembly Joint Resolution No. 6 of the California Legislature, relative to memorializing the President and Congress to increase the payments for old-age assistance made by the Federal Government to the several States under the provisions of the Social Security Act; to the Committee on Ways and Means.

3032. By Mr. THOMAS F. FORD: Resolution passed by the Assembly and the Senate of the State of California, memorializing the President and the Congress of the United States to enact such amendments to the old-age assistance provisions of the Social Security Act as will increase the contributions for old-age assistance made by the Government of the United States to the several States from the present maximum sum of \$15 per month with respect to each individual aided to the sum of \$30 per month with respect to each such individual; to the Committee on Ways and Means.

3033. By Mr. GERLACH: Petition of the Lehigh Valley Laundry Owners' Exchange, Allentown, Pa., urging amendment of the Social Security Act with regard to old-age benefit taxes and unemployment compensation taxes; to the Committee on Ways and Means.

3034. By Mr. HARNESS: Petition of business and professional people of Marion, Ind., criticizing the wasteful, extravagant expenditures of the past 6 years, which have increased indebtedness, taxes, unemployment, and poverty in general; and urging the passage of legislation as set out in House bill 2, and also a letter accompanying this petition from George H. Brooks, president, and Agnes Smith, secretary, of Townsend Club, No. 1, of Marion, Ind., representing 500 members, urging the Ways and Means Committee that they report House bill 2 to the House for consideration and debate; to the Committee on Ways and Means.

3035. By Mr. HART: Petition of the New Jersey Mosquito Extermination Association, adopted at its recent annual convention, favoring the referring of all Works Progress Administration mosquito-control projects to a committee including representatives from the Works Progress Administration, the United States Bureau of Entomology and Plant Quarantine, the United States Public Health Service, and the Bureau of Biological Survey; to the Committee on Appropriations.

3036. Also, petition of the Paterson (N. J.) Chamber of Commerce, through its board of directors, recommending immediate changes in the present Revenue Act in order to stimulate business to a real recovery; to the Committee on Ways and Means.

3037. By Mr. MERRITT: Resolution of the Long Island State Park Commission of New York State, opposing and resisting the Hobbs resolution (H. J. Res. 176) and the Nye resolution (S. J. Res. 24); to the Committee on Immigration and Naturalization.

3038. Also, resolution of the associated organizations of Glendale, L. I., opposing strenuously the refugee bill No. 64, and urging that it be defeated; to the Committee on Immigration and Naturalization.

3039. Also, resolution of the board of trustees of the village of Moravia, N. Y., and vicinity, requesting that they be included in flood-control plans for the Owasco Lake watershed now under consideration; to the Committee on Flood Control.

3040. By Mr. MONKIEWICZ: Petition of sundry citizens of New Haven and environs, requesting modification of the immigration law to remove numerical restrictions upon the admission of political refugees to the United States; to the Committee on Immigration and Naturalization.

3041. By Mr. SECCOMBE: Resolution by John H. Potter, president, and members of the Abraham Lincoln Slovak Political Club, of Canton, Ohio, urging the passage of Senate Joint Resolution 64, providing for the admission into the United States of 20,000 refugee children; to the Committee on Immigration and Naturalization.

3042. By Mr. THOMAS of New Jersey: Petition signed by 40 residents of Newton, N. J., opposing the enactment of the

Wagner-Rogers resolution and urging the passage of Senate bills 407, 408, 409, 410, and 411; to the Committee on Immigration and Naturalization.

3043. By Mr. VAN ZANDT: Petition of Charles S. Kniss, president, and Leona Smith, secretary, on behalf of 1,000 members of Altoona Townsend Club, No. 1, of Altoona, Pa., urging the Ways and Means Committee to immediately report the Townsend bill (H. R. 2) to the floor of the House; calling attention to the testimony obtained in hearings on the bill as definite proof that the Townsend plan will restore prosperity by aiding the young people through retirement of persons over the age of 60 years; to the Committee on Ways and Means.

3044. Also, petition of E. E. Borger and F. P. Cryster, as members of the resolutions committee of the Fifth Ward Townsend Club, of Du Bois, Pa., declaring that thousands of residents of Pennsylvania are looking to this Congress to pass House bill 2, known as the Townsend national recovery measure; and urging that such passage is the only means of restoring the purchasing power of the people through aiding those over 60 years of age, thereby providing opportunity which is now denied to the youth of America; and deploring and criticizing the action of the Seventy-fifth Congress in refusal to hold public hearings on a similar measure, House bill 4199, and allowing the same to be denied a vote on the floor of the House; to the Committee on Ways and Means.

3045. Also, petition of Roy F. Johns Company, No. 3, Veterans' Administration Facility, Dayton, Ohio, and 600 fellow patients of that facility, deploring the fact that, being unable to submit sufficient proof that part of their disability occurred in the service, and that now totally and permanently disabled, they receive \$30 monthly, which is insufficient to provide the bare necessities of life and compels them to stay in the facility separated from their loved ones; and asking that Members of Congress consider their plight and move to remedy this situation by approval of House bill 5332; to the Committee on World War Veterans' Legislation.

3046. By the SPEAKER: Petition of All-American Nationalist Party, Sparta, Wis., petitioning consideration of their resolution with reference to House bill 2, which is known as the Townsend plan; to the Committee on Ways and Means.

SENATE

FRIDAY, MAY 12, 1939

(Legislative day of Monday, May 8, 1939)

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

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

All glory be to Thee, almighty and most merciful Father, for that Thou, of Thy tender love towards mankind, hast set the lonely into families and families into nations for their mutual strength and common weal. Pour Thy grace into our hearts, that we may be unfeignedly thankful for the privilege to choose our Representatives and Senators in Congress assembled; and fill their minds with firm resolves to serve this people in Thy fear, that they may this day pursue their labors in all honesty and justice, mercy and love towards all whom they have been chosen to serve, and that, through all the sundry and manifold changes of this life, both they and we may keep the bond of peace that belongeth to the people of God. Through Jesus Christ our Lord, to whom, with Thee and the Holy Ghost, be all honour and glory world without end. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, May 11, 1939, was dispensed with, and the Journal was approved.