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Corrupt Practices.

SPEECH

OF

HON. ROBERT L. OWEN,

OF OKLAHOMA,

IN THE SENATE OF THE UNITED STATES,

Thursday, August 24, 1916.

Mr. OWEN. Mr. President, I ask unanimous consent that, after the Senate shall have voted on the pending revenue bill, it proceed to the consideration of House bill 15842, and to the disposition of that measure.

Mr. SIMMONS. What is the measure?

Mr. OWEN. It is the corrupt-practices act.

Mr. SMOOT. Nobody in the Senate can tell when the revenue bill is going to pass; that has not been decided. It seems to me that it is unwise for the Senator now to ask unanimous consent to take up the bill to which he has referred after the revenue bill shall have passed. We do not know when a resolution will be agreed to providing for final adjournment. We are right in the last days of the session of Congress, and for that reason Mr. President, I shall object.

Mr. OWEN. Mr. President, on the first day of this session the chairman of the Democratic conference, Senator KERN, introduced a bill providing for the control of corrupt practices in this country. The bill is similar to one which was reported during the last Congress, but was not acted on by the Senate. The House passed a similar measure at this session and sent it to the Senate. It has been reported back to the Senate and is now on the calendar. The bill is not a long bill; it is not an involved bill. It ought to be capable of disposition in one or two days. The House of Representatives acted in a few hours in considering and acting on the measure.

After the revenue bill shall have been acted on by the Senate that bill must go to conference, and it certainly will take several days to reconcile the differences between the two Houses, and in that time this bill can be considered, amended if necessary, and disposed of.

There is no reason why Senators should not in the meantime read this bill; should not study this bill; should not be completely prepared to express themselves upon it, unless it is the desire of Senators to prevent action just before the pending election. The American people, I believe, will not approve of the old system of the use of money on a gigantic scale to influence and control the elections of this country. As one of their Representatives, keenly sensible of my duty toward them, under my oath as a public servant, I shall resolutely insist upon action now. I earnestly hope I may have the sympathy and cooperation of all Senators, whether Democratic or Republican, in getting immediate constructive action and that I may not be impeded by the old Senate game of a substantial filibuster under the pretense of debate, but that the debate shall be simple and straightforward, and amendments suggested sincere and of constructive and not of obstructive purpose.

This bill is easily understood. The first section simply defines what "political committees" are, what the word "candidates" and the word "elections" shall be construed to mean, what the words "political purposes," the words "disbursement," "person," and "Representative" shall be construed to mean, in order that the text of the bill shall not be susceptible of misconstruction.

Section 2 of the bill provides for the organization of political committees of citizens who desire to take part in influencing elections, and provides a method by which such committees can be organized.

Section 3 requires each of the committees to have a chairman and a treasurer.

Section 4 provides that every political committee must keep a bank account and keep a complete record of receipts and disbursements.

Section 5 requires receipts to be preserved.

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Section 6 provides for an account to the treasurer and a record of contributions.

Section 7 requires statements by the treasurer to be filed with the Clerk of the House of Representatives.

Section 8 requires the details of the contributions, where they are above \$100 and where they are below \$100, and the aggregate of contributions and disbursements in like fashion.

Section 9 requires statements by others than political committees of expenditures where they exceed \$50, and compels a private person who contributes more than \$50 to make a report as if he were a committee, and provides further that no individual citizen shall contribute to any election a sum exceeding \$5,000.

Section 10 puts a limitation on expenditures of \$400,000 on national committees in the election of presidential and vice presidential electors, and makes the chairman and treasurer of each national political committee responsible for preventing the aggregate of such disbursements exceeding this amount.

It provides further that the chairman and treasurer of the congressional campaign committees shall be charged with the responsibility of accounting to the treasurers of their respective national committees for disbursements made by them. It limits the aggregate of disbursements for a presidential candidate to \$50,000, for a vice presidential candidate to \$25,000, and provides that no political committee or any member or officer thereof and no personal campaign committee shall make any disbursements for the nomination of such candidates except under the direction and with the consent of such candidates. It makes the amount which a Senator may expend for a nomination or for an election \$5,000, but provides for certain exemptions in the way of postage, circulars, etc., on condition that those expenditures shall be reported, together with other expenditures. It provides that the aggregate of disbursements by a Member of Congress for his nomination or election shall not exceed the sum of \$2,500. It provides that candidates shall, within certain times, make these reports to the Secretary of the Senate, if a candidate for the Senate, or to the Clerk of the House of Representatives, if a candidate for the House. It provides that no candidate for Representative or Senator shall make a promise of patronage in order to secure his election or nomination. It requires the statements to contain a statement that no promise has been made. It requires the statements to be made under oath. It provides that the bill shall not be construed to annul or vitiate the laws of any State not directly in conflict with the bill, and provides that no disbursement may be lawfully made except for the following purposes—and this is a very important part of the bill, which ought to meet the approval of every Senator on both sides of this Chamber:

First. For the traveling expenses and expenses of subsistence of the candidate and of the members of political committees and their bona fide officers and assistants.

Second. The payment of fees or charges for placing the name of the candidate upon the primary ballot.

Third. The hire of clerks and stenographers and the cost of clerical and stenographic work and of addressing, preparing, and mailing campaign literature.

Fourth. Telegraph and telephone calls, postage, freight, and express charges.

Fifth. Printing and stationery.

Sixth. Procuring and formulating lists of voters.

Seventh. Headquarters or office rent.

Eighth. Newspaper and other advertising.

Ninth. Renting of halls or providing places for public meetings, and all expenses of advertising and other expenses usually incident to holding such meetings.

Mr. President, these affirmative declarations are intended to exclude the use of money in buying voters, in bribing men under the pretense of using their services for legitimate purposes when in point of fact the man is really hired to vote, and a multitude of crafty means of evasion.

The bill provides further that any person who, otherwise than in compliance with the provisions of the bill, shall hire or employ, or offer to hire or employ, or shall reward or give to any person anything of value for his services, or for loss of time, or for reimbursement of his expenses in consideration

of such person directly or indirectly working, electioneering, or making public addresses for or against any candidates or candidate, or who rewards or offers to reward any person for his vote or influence, or the promise of his vote or influence, for or against any candidate for the office of President, Vice President, or Senator of the United States, or Member of the House of Representatives, shall be deemed guilty of a felony—not a misdemeanor, Mr. President, because the basest crime of all crimes is to befoul the ballot box of this country and to steal the governing powers of the people of the United States by fraudulent practices in the ballot box—and upon conviction thereof shall be punished by imprisonment in the penitentiary for a term of not less than 1 year nor more than 10 years.

Section 11 of the bill provides that the statements required by the bill shall include the name and post-office address of the opponents of the candidate making a report, with instructions that the Clerk of the House of Representatives or the Secretary of the Senate, as the case may be, shall require such opponents, even if not successful, to make a proper report of their expenditures under penalties for failure to do so.

Section 12 requires that the Clerk of the House and the Secretary of the Senate shall, on or before the 15th day of January next after any general or special election for Representative in Congress or Senator of the United States, report to the House and Senate, respectively, the names of these candidates and their reports, and that these reports shall be printed as a public document, in order that the people of this country may see to what extent and how far money is being used in the control of the election of the President of the United States and of Members of this body and of the House of Representatives.

Section 13 provides that jurisdiction over all violations of the act is conferred upon the United States district court.

Section 14 provides that personal expenses for stationery, traveling expenses, circulars, advertising, postage, and telegraph and telephone service shall not be subject to the provisions of the bill, except that an account shall be kept of all moneys expended for circulars and postage and advertising authorized by the section, which shall be reported in the statements required by the bill as an addendum thereto, but not subject to the limitations in amount fixed by section 10 of the bill.

This provision is a matter of grave doubt as to the exception; but, nevertheless, it will permit the people of the United States to pass their judgment on whether or not the abuse will justify striking out this exception. We have proceeded very slowly in this matter. This question has been up for years.

We have taken one poor, little, weak, inadequate step from time after time, and we now have on the statute books a law that is fundamentally and essentially as contemptible as any law that was ever written upon the statute books of any intelligent people. I say so because the present so-called corrupt-practices act deals only with committees handling two or more States and exercises no control whatever over committees inside of a State and no control whatever over individuals inside of a State, and as far as the present law is concerned, an individual, as a private person, could go into the different States and spend a million dollars or ten million dollars corruptly without the laws of the United States holding him to an account for the stealing of the presidential office or the stealing of the senatorships upon this floor.

The idea of the Senate of the United States refusing now to act upon this matter, right in the face of a pending election and of this acknowledged state of the law, I do not believe will meet with the approval of the people of the United States, and I do not think it ought to meet with the approval of the people of the United States, whose sworn representatives we are.

It shall be no fault of mine if the Senate does not act at this session on this bill on the calendar. The newspapers have announced—and announced without any justification, in my opinion—that there was an implied agreement between the Senators on this side of the aisle and Senators on the other side of the aisle that they were not going to permit this matter to be heard. Mr. President, they are going to permit it to be heard. It is going to be heard. No such pretended agreement exists. I do not know who is responsible for the false report, but it assuredly is not a friend of the bill.

There was an impression that the parliamentary status of this bill was such that even if the Senate acted it could not be disposed of by the House. That is not true.

The House bill has passed and we have reported it, and the matter can be disposed of in conference within 24 hours. No parliamentary difficulty is in the way except a possible Republican filibuster, if they dare face the country with it.

Mr. PENROSE. Mr. President, will the Senator permit an inquiry?

Mr. OWEN. I yield to the Senator from Pennsylvania.

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Mr. PENROSE. Is the Senator's anxiety to pass this bill chiefly to remedy conditions in Oklahoma? I ask because I have heard that the greatest laxity prevails there, to put it mildly, in the methods of conducting elections and the expenditure of money.

Mr. OWEN. I will say to the Senator that I should be glad to have it apply to Oklahoma; but I will also say to the Senator that there is no State in the Union that will require it more than the State of Pennsylvania.

Mr. PENROSE. Of course, there is a difference of opinion on that.

Mr. OWEN. Hardly.

Mr. PENROSE. But I think investigation will disclose the fact that the most corrupt elections in the country are in the State of Oklahoma.

Mr. OWEN. If that were true as to Oklahoma—which it is not—as it assuredly is as to Pennsylvania, Mr. President, then this act will put an end to it. I will say to the Senator that there is some basis for his inaccurate observations, because when I was a candidate I was informed, and I verily believe, that the Lumber Trust sent \$40,000 into my State to defeat my nomination, being offended because of the demand which I made and voiced on this floor that Mr. Lorimer should not retain his seat in the Senate, because the Lumber Trust had bribed the Illinois legislators to elect Mr. Lorimer, at a cost estimated at between \$100,000 and \$200,000.

Mr. VARDAMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Mississippi?

Mr. OWEN. I yield to the Senator.

Mr. VARDAMAN. If the Senator will pardon an interruption, I should like to emphasize the fact that this bill is not intended for any particular State but for all the States.

Mr. OWEN. Absolutely.

Mr. VARDAMAN. And if there are irregularities in Oklahoma or Mississippi or Pennsylvania, they ought to be corrected in so far as legislation can correct them. I agree with the Senator that the bill ought to be considered at this time.

Mr. OWEN. I have no doubt that there is more or less irregularity in all of the States. I do not claim any extraordinary virtue for Oklahoma. Those people are only human beings, subject to the same temptations as people elsewhere, but public sentiment there is absolutely overwhelmingly in favor of honesty in our elections. I represent the people of my State truly when I demand this statute.

Mr. SAULSBURY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Delaware?

Mr. OWEN. I do.

Mr. SAULSBURY. I simply want to say that it seems surprising to one coming from this part of the country that in a large State like Oklahoma \$40,000 seems to shock the public conscience so greatly. There is one case which I know could be disclosed by the records of the Senate in which over \$50,000 was contributed for the purpose of influencing an election in my State on the Saturday before the election which was held on the following Tuesday. I thoroughly agree with what the Senator from Oklahoma says about the necessity of passing this bill.

Mr. O'GORMAN. Mr. President, to avoid any ambiguity as to the application of the last statement, I should be glad to know from the Senator from Delaware whether the \$50,000 to which he refers was used for the election of the candidate of the Republican Party.

Mr. SAULSBURY. Most assuredly it was, as many Senators now sitting in this body know.

Mr. PENROSE. Mr. President, there was a million dollars spent to elect President Wilson—over a million.

Mr. O'GORMAN. Is it not a fact that two and a half million dollars were used in 1896 to elect Mr. McKinley?

Mr. PENROSE. That might have been.

Mr. O'GORMAN. The rate has been going down since that time.

Mr. OWEN. If what the Senator [Mr. PENROSE] says is true—and I do not know whether it is true or not—I want to put a stop to the practice. I do know that no such sum was officially reported as spent in the election of Mr. Wilson, but it was currently reported in 1896 that Mark Hanna raised \$16,000,000 to elect McKinley and the "Big Boys" successfully threatened a panic beside and voted every poor employee the corporations could coerce to elect McKinley; and I do not want these great parties rivaling each other in raising gigantic funds in a contest of money for the purpose of dishonestly and corruptly influencing votes.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. OWEN. I yield.

Mr. GALLINGER. Has the Senator noticed that the treasurer of the Republican National Committee is asking \$10 contributions to enable him to get a fund for the coming campaign?

Mr. OWEN. I wish it might be confined to \$10 contributions. I would be much more content if both parties were confined to small contributions.

The suggestion of the Senator that innocently assumes the Republican will rely on small contributions will not be taken seriously by the people, much less by Republican leaders, who know better. They will raise millions in big contributions if not prevented, and every well informed man believes it.

Mr. O'GORMAN. The Democratic committee in 1912 solicited \$1 contributions, which was quite reasonable.

Mr. GALLINGER. I have not seen their certificate yet. I have seen the advertisement of the Republican treasurer.

Mr. OWEN. Mr. President, I have in my hand now a memorandum showing conditions in Ohio, and, according to the report filed with the secretary of state under the Ohio law, Mr. Herrick who was the successful candidate for the Republican nomination at the recent primaries held in that State spent the following amounts:

By Herrick personally, \$22,175.

By the Herrick Voters' League, \$29,000.

By the Stark County Herrick Voters' League, \$413—a total of \$49,588.

And the reports from nearly a hundred other counties have not apparently come in yet. I do not know how much it will be, but I say this is an abuse that ought to stop.

I do not think the Republican Senators on that side of the line should filibuster against this bill. I do not think they should refuse their consent that a vote may be taken upon it. I do not see how they reconcile themselves in refusing to permit a vote on this bill.

Mr. PENROSE. Mr. President—

Mr. OWEN. I yield to the Senator from Pennsylvania.

Mr. PENROSE. Does the Senator expect the Republicans in this Chamber or any individual Senator to take this bill exactly as he has framed it, without consideration?

Mr. OWEN. Not at all.

Mr. PENROSE. It will take some time to form a good corrupt-practices act.

Mr. OWEN. The threat of taking some time is an old, old story and an old, old joke. It means a filibuster threatened under words the people would not understand in reading the RECORD, but which every Senator knows means filibuster under pretense of debate.

Mr. PENROSE. It will be applicable to this bill also.

Mr. OWEN. But a filibuster will be well understood by the people when it presents itself, even if under the false color of debate.

Mr. PENROSE. No one is filibustering.

Mr. OWEN. And it will not be done without being exposed. I can tell the Senator.

Mr. STONE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Missouri?

Mr. OWEN. I yield.

Mr. STONE. My friend from Oklahoma said he could not understand why our friends on the Republican side of the Chamber could object to the passage of this bill. He certainly did not mean in that statement to have any doubt as to the reason. The reason is that they expect to try to buy this election.

Mr. GALLINGER. If the Senator will permit me, I have heard it stated from several sources that the Democratic Party is proposing to buy it—

Mr. STONE. We are ready to vote to-morrow to pass this bill.

Mr. GALLINGER. That they have already raised a very large sum for that purpose which they have distributed in part.

Mr. OWEN. The Democrats are ready to act now, and I challenge the Senators on the other side to action.

Mr. PENROSE. If the Senator will permit me, the supposition throughout the country is that an enormous corruption fund has been collected by the Democratic Party, and now they want to lock the door.

Mr. OWEN. I have heard that statement made with regard to the Republican Party. I do not know whether it is true or not, but I believe the Senator himself would certainly know if it were true that the Republicans had gathered and distributed a gigantic fund for such purpose.

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Mr. PENROSE. No; I have been down here attending to my official duties. I do not know what is going on.

Mr. OWEN. This bill will disclose the fact if such funds have been collected and will prevent the corrupt use of such funds in either party if they have been collected.

Mr. VARDAMAN. I wish to suggest that the statements which have been made by Senators on either side of the aisle have proven beyond any sort of question the necessity for this legislation. After the admissions made and the suspicions expressed I do not see how any Senator can afford to antagonize the passage of this bill at this session. To do so would be almost criminal inconsistency.

Mr. OWEN. Absolutely.

Mr. VARDAMAN. If that money has been collected, the enactment of this law will disclose the fact, and it may be the means by which a few distinguished gentlemen can be sent to the penitentiary for using it, a thing that might contribute materially toward the purification of the political atmosphere in this country about election time.

Mr. OWEN. They will not use it if this act is passed.

Mr. POMERENE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Ohio?

Mr. OWEN. I yield to the Senator.

Mr. POMERENE. I wish to suggest that even if such a fund has been collected, this legislation can be so framed that it can not be used.

Mr. OWEN. It would not be used in any event until just before the election; but if this bill is passed it can not be used in any improper way without great jeopardy to the political thieves guilty of corruption. I do not believe that the people of the United States are going to stand any more buying of elections in this country.

Mr. President, the parliamentary way is clear. This bill is on the calendar. The House of Representatives has acted. A conference can dispose of the matter within a day after the Senate shall consider it and, if it requires amendment, after it shall be properly amended. But to say that it will take a good deal of time, with the sinister suggestion that it will be debated to death, will not go in this Chamber any more without prompt exposure. If filibustering is really privately and secretly proposed by the Republicans against this bill, they are going to be compelled to publicly filibuster against it.

I notify the Senate that in due time I shall move the Senate to act upon it and it will be then for the Republicans to conduct an open filibuster if they see fit. They can not do it under cover. I know at least six good Republicans who will vote to take this bill up.

I say to the Senator that as far as I am concerned I am willing to stay here as long as is necessary to demonstrate either the passage of this bill or to determine to the satisfaction of the people of the United States the sinister opposition that will prevent it from being voted upon.

Mr. GALLINGER. Mr. President—

Mr. OWEN. I yield to the Senator.

Mr. GALLINGER. The Senator has not been very constant in attendance here and his colleague has disappeared from view.

Mr. OWEN. The Senator from Oklahoma, now addressing the Senate, has been here sufficiently to fully discharge every duty incumbent on him, and at this session has been as continuously present as the Senate except for a visit to Oklahoma of two days on an urgent business trip.

The Senator from Oklahoma has, through his committee, delivered the rural-credits bill, taken active part in having the child-labor bill be introduced passed, obtained a favorable report on cloture in the Senate, and is now presenting the corrupt-practices act, not to mention very many other acts he has personally prepared and had passed.

The presence of the Senator from Oklahoma and his urgent demand for a corrupt-practices act at all events will demonstrate that he is present now.

Now, Mr. President, I want to say to my colleagues that on the 15th day of July this corrupt-practices act was made a part of the legislative program of the Democrats for this session. I carefully examined the records of the Democratic conference in the hands of the secretary of that conference, Senator PITTMAN. I read with painstaking care every single resolution passed from that time to this. There has been no change either directly or indirectly of that action of the conference.

It is true that in an attempt to reconcile the Republicans to vote upon the legislative program which we had, they insisted upon naming certain particular bills and leaving off of the list the corrupt practices act. It is also true that on this side a poll was taken and a number were found who, because of the long time the session was taking and because of the anxiety to get

home and appear in their States, where they had campaigns pending, yielded to the suggestion; but the matter was not accepted then by the Republican side, and no obligation whatever rests on those who tentatively and conditionally consented to such proposed program, as the conditions utterly failed.

Mr. GALLINGER. Mr. President—

Mr. OWEN. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I thank the Senator for yielding, because I want to say to the Senator that he has made a misstatement.

Mr. OWEN. I shall be glad to correct any statement I have made, if it be inaccurate.

Mr. GALLINGER. The majority submitted a list of measures which they desired to have passed at this session, and the corrupt-practices act was not on that list; so that the Senator must not say that the minority is responsible for keeping it off the list submitted by the majority.

Mr. OWEN. I am very glad to hear that disclaimer. I was certainly under the impression that the minority were responsible for keeping it off, but since the minority disclaims the paternity of this illegitimate child I know that no Democrat will consent to be known as its father.

Mr. PENROSE. And, Mr. President, if the Senator will permit me one brief observation—

Mr. OWEN. Certainly.

Mr. PENROSE. So far as I am concerned personally, I will go as far as the Senator from Oklahoma or any other Senator to pass a corrupt-practices law. I would even go to the extent of arbitrarily prohibiting the use of money in any election, completely stopping it; and I am willing to stay here all the rest of the summer and until the day before election, if the Senator wants to stay here with me and a sufficient number of other Senators will remain to make a quorum, to consider this bill, the immigration bill, and everything else on the calendar; but, in view of the fact that Senators want to go home and that we have been here a long while, anyhow, it seems reasonable that a bill like this, that requires the most careful thought, should have full opportunity to be considered. I will help the Senator get it up next winter, and help him pass some kind of a bill.

Mr. OWEN. The willingness of the Senator to stay here until the day before the election, possibly until the day after the election, considering the corrupt-practices act is really pathetic.

Mr. PENROSE. I take it, from all I have heard, that the Senator did not have this interest in election reforms during his own candidacy for reelection to the Senate.

Mr. OWEN. Well, the Senator might hear more and know less. I should not like to say what I have heard about some of the States and some of the things that have gone on in some of the States, very near the Senator from Pennsylvania, for fear that it would not be parliamentary. What I want to do is to stop the suspicions that are going around, even if they are not well founded, and to stop the corrupt practice that has dishonored our country.

This bill provides that—

No corporation or officer thereof on behalf of such corporation or from corporate property shall make any contributions whatever for political purposes. No funds shall be transmitted from one State into another for political purposes in excess of \$1,000 for each congressional district.

That will keep some of the money out of Oklahoma that might otherwise go there, and it will keep money out of Wisconsin, where, I am informed, on one occasion \$250,000 was sent by the chairman of the Republican national committee to defeat LA FOLLETTE for the Senate.

For that reason, among others, Senator LA FOLLETTE and his Republican friends, like Senators KENYON, CLAPP, NORRIS, and others, are for an adequate corrupt-practices act, as is every true Progressive, I suppose. Since the Republicans have pledged their loyalty to Progressive principles (and Progressive votes), let them show the integrity of their high and virtuous purposes now by voting for this bill, by helping constructively (and not destructively) to perfect this bill.

Mr. GALLINGER. Did the Senator observe how much money had been contributed to elect him [Senator LA FOLLETTE] on a certain occasion?

Mr. OWEN. I do not know that I have, but it would take some money to meet that kind of a fund against him. I want to stop the war of these funds. I do not believe that these large funds ought to be used either for or against a Senator. I think he ought to be allowed to go to his constituency with a clean case and contend for his cause on its merits, and not have it unduly influenced by money one way or the other.

Mr. PENROSE. Mr. President—

Mr. OWEN. I yield to the Senator.

Mr. PENROSE. If the Senator has not read it, I will say that former Senator Stephenson, in his memoirs, states that

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he spent about half a million dollars in Wisconsin in connection with the then regular organization there.

Mr. OWEN. Well, I have seen that statement also very vigorously denied by the Senator from Wisconsin [Mr. LA FOLLETTE], and I believe Senator LA FOLLETTE against his corrupt enemies.

Section 15 of the bill provides:

That every candidate and political committee shall securely keep and preserve, for a period of two years from the date of any primary or election at which such candidate was voted for or in which such political committee participated, all records, accounts, ledgers, cash books, canceled checks, check stubs, and other written or documentary evidence and the records of all receipts and expenditures made by him or it or on his or its behalf, and these records shall be, and are hereby, declared to be public records.

Not private records, but public records. They belong to the public; they vitally concern the public. This is not a private matter. A railroad president a few days ago had the unparalleled impudence to tell an officer of the United States—Mr. Folk—that the contributions of the railroads for political purposes were private matters; and yet those roads come here and claim to represent twelve thousand millions of dollars of property, and if they can use money ad libitum as a private matter the liberties of common citizens working at from \$2 to \$20 a day are gone to destruction.

Mr. GALLINGER. Mr. President, I will ask the Senator in all seriousness if the law that is now on the statute books does not prohibit corporations from contributing to political campaigns, and does it not cover substantially the same ground as his bill in that respect?

Mr. OWEN. Mr. President, the narrow limitation of the question of the Senator would carry an implication that is thoroughly untrue. It is true that corporations as corporations are forbidden from making such contributions; but this bill goes much further. It prevents the funds belonging to corporations being used, directly or indirectly; it prevents the hiring of employees for corrupt purposes. It goes much further, and prevents private individuals from being guilty of corrupt practices. Under the present law, I will say to the Senator from New Hampshire, the so-called publicity of the present statute relates only to committees operating in two or more States. It allows any committee to go on the inside of a State and allows any individual to go on the inside of a State and resort to any corrupt practice he pleases, without the Federal law laying a hand upon him. The law on the statute books is a fraud; it is—I was about to use unparliamentary language—it is an unspeakable fraud on the American people. It seems to promise them protection against corrupt practices, when, in fact, it does not protect them in the slightest degree. The so-called reports of campaign expenditures which are now sent to the Secretary of the Senate and Clerk of the House of Representatives are ridiculous. They do not include all the money expended on Federal elections, and the law does not require it. I know this law is a dastardly fraud, and every Senator here must know the same thing. How long, O Lord; how long!

Mr. VARDAMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Mississippi?

Mr. OWEN. I yield to the Senator.

Mr. VARDAMAN. With the permission of the Senator, I will suggest that this bill is intended to strengthen the present law, to carry out the purpose of the American people in the enactment of that law. It does not impair the efficiency of the present law at all; but it is rather to strengthen it, to help to carry out, to execute, and make more effective the law already upon the statute books prohibiting corporations from contributing to campaign funds. If Senators desire purity in politics; if they really are in favor of preventing the corrupt use of money in elections, knowing, as they do, the utter inefficiency of the present law, it seems to me that they should embrace with enthusiasm the opportunity to perfect the bill proposed by the Senator from Oklahoma [Mr. OWEN] and pass it at once.

Mr. OWEN. I am praying you now, Senators, to make effective what the people of the United States thought they were getting when they got that old law. The old law they got was nothing but a cloak, behind which thieves could perpetrate the most dangerous, the most vicious of all crimes—stealing the governing powers of the people of the United States; stealing the presidential office; stealing the Senate; stealing the House of Representatives; stealing the power of taxation; and stealing the power to deny the right of life, liberty, and the pursuit of happiness to the citizens of this country.

Mr. President, I feel very strongly about this matter. I caused the corrupt-practices bill to be introduced on the first day of this session. It was duly reported. The House acted on a bill introduced in that body, and now the improved bill introduced in the Senate comes before the Senate in lieu of the House

bill, or as a substitute for the House bill. The parliamentary status is clear. There is nothing now to prevent action on the part of the Senate except a fundamental unwillingness on the part of some of our distinguished opponents on the other side of the aisle, who, under the color of debate, may, if they please, carry on a filibuster until the election.

Mr. SHEPPARD. Mr. President—

Mr. OWEN. I yield to the Senator.

Mr. SHEPPARD. Was objection made when the Senator asked unanimous consent?

Mr. OWEN. Every time when I have asked unanimous consent to vote on this bill at a fixed time Republican objection has been made. Last Saturday I asked unanimous consent, and to-day I asked unanimous consent.

Mr. SHEPPARD. Was objection made to-day?

Mr. OWEN. It was made to-day.

Mr. SHEPPARD. Who made the objection?

Mr. OWEN. It was made by the leader of the Republican side, the Senator from Utah [Mr. Smoot], who is the chosen leader of that side and who vigilantly acts for the Republicans on all occasions.

One of the most important sections of this bill is section 16, which provides that no person not a candidate, and no organization, association, partnership, or committee not a political candidate under the terms of the bill shall contribute, pay, or expend, directly or indirectly, any money or thing of value for the purpose of influencing the elections except as a contribution to a candidate or to a political committee authorized by law to act.

I do not care to dig up the past. I understand perfectly well that the American people move slowly, move gradually as experience justifies, and they improve their system of government step by step, as knowledge justifies. All that I want to do is put a stop to the buying of elections in this country by private citizens who are multimillionaires, and who can spend millions of dollars without feeling it and then recoup themselves through the taxing power of the people by practices generally known as those of the "invisible government."

Mr. STONE. And expect to get it back.

Mr. OWEN. They would have defeated me in my State if money could have done it, and but for the honesty of the people of Oklahoma I would not now be here or making this appeal.

The bill further provides that no person shall contribute or pay to any candidate or political committee any money, funds,

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credits, or anything of value that belongs to or is under the control of any other person.

That is another loophole that is stopped up by this bill, because in dealing with thieves you must have a bill that is closely knit together. This bill has been carefully gone over by the Department of Justice and by the friends of justice, and we believe that it will hold water.

It provides also that legal expenses in election contests shall not be limited or affected by the bill.

It provides for punishment by imprisonment of those who violate it; and section 20 gives an immunity bath to persons who are testifying on behalf of the Government.

If a man is used as an instrumentality for buying up votes, he can be summoned and compelled to testify under this bill, being given an immunity bath under the bill. He can not throw himself behind the shield of the constitutional provision that no citizen shall be required to testify where his testimony will incriminate himself, by means of which skillful lawyers now prevent corrupt and corrupting witnesses from giving testimony, because this bill proposes to give an immunity bath. The man does not put himself in jeopardy, and he can be compelled under this bill to tell the truth, and it is the truth that the American people want. It is honesty in elections. It is that the jury passing upon the great issues of statecraft between the two great parties shall not be, by sinister means, misled, suborned, bribed, or coerced, and that no member of our great electorate shall be subjected to such temptation because of poverty or a because of dependence for employment upon those who have the power of life and death over him and his wife and his child, because he must have employment in order to eat bread.

Mr. President, I do not wish to detain the Senate on this matter, but I give notice that immediately after the vote on the revenue bill I shall move that the Senate proceed to the consideration of the corrupt-practices act. If my distinguished friends on the opposite side of the aisle want to conduct a filibuster—or as they more politely and craftily put it, if they "want to take sufficient time to consider carefully and discuss this important measure"—we will give them an opportunity. We will ascertain whether it is for the purpose of perfecting the bill or whether it is for the purpose of killing time. It will not take 24 hours to develop that fact, and only a few days to satisfy the American people perfectly well what the purpose of certain Republican leaders is in their hostility and opposition to the passage of a corrupt-practices act.