

**Nominations of Robert L. O'Brien and
Ira M. Ornburn as Tariff Commissioners**

HEARINGS

BEFORE THE

COMMITTEE ON FINANCE

UNITED STATES SENATE

SEVENTY-SECOND CONGRESS

FIRST SESSION

ON

**THE NOMINATIONS OF ROBERT L. O'BRIEN AND
IRA M. ORNBURN AS TARIFF COMMISSIONERS**

JANUARY 26, 1932

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NOMINATIONS OF ROBERT L. O'BRIEN AND IRA M. ORNBURN AS TARIFF COMMISSIONERS

TUESDAY, JANUARY 26, 1932

UNITED STATES SENATE,
COMMITTEE ON FINANCE,
Washington, D. C.

The committee met, pursuant to call, at 10 o'clock a. m., in the room of the Committee on Finance, Senate Office Building, Tuesday, January 26, 1932, Senator Reed Smoot presiding.

Present: Senators Smoot (chairman), Watson, Reed, Couzens, Keyes, Bingham, La Follette, Thomas of Idaho, Harrison, King, George, Walsh of Massachusetts, Barkley, Connally, Gore, Costigan, and Hull.

The CHAIRMAN. The committee will come to order.

Mr. Ornburn and Mr. O'Brien are the nominees by the President for positions as members of the Tariff Commission, and hearings have been requested by certain members of the committee. Both gentlemen are here. Mr. Ornburn, will you sit in one of those chairs?

Senator BINGHAM. Mr. Chairman, may I make a statement at this time as I have to go to the deficiency appropriation bill conference this morning?

The CHAIRMAN. Yes.

STATEMENT OF HON. HIRAM BINGHAM, SENATOR FROM CONNECTICUT

Senator BINGHAM. I regret that I can not be here all the time while Mr. Ornburn is being questioned.

I would like to say in the first place that I have received two telegrams from New Haven, one from the president of the Hoisting and Portable Engineers, Local No. 478, having jurisdiction over the State of Connecticut, indorsing the appointment of Mr. Ornburn, and another from the International Union of Building Laborers, Local No. 455, New Haven, with 600 members, indorsing the appointment of Mr. Ornburn, which I should like to have put in the record.

The CHAIRMAN. They may be put in the record at this point.

(The two telegrams presented by Senator Bingham for the record are as follows:)

NEW HAVEN, CONN., January 23, 1932.

United States Senator HIRAM BINGHAM:

Hoisting and Portable Engineers Local 478, having jurisdiction over the State of Connecticut, indorses the appointment of Ira Ornburn for United States Tariff Commission.

CHARLIE FRAZER, President.

NEW HAVEN, CONN., *January 23, 1932.*

United States Senator HIRAM BINGHAM:

The International Union of Building Laborers, Local 455, New Haven, with 600 members, indorses the appointment of Ira Ornburn for United States Tariff Commission.

GEORGE LIMOSAMI, *Representative.*

(The following communications were subsequently presented by Senator Bingham for insertion in the record:)

HARTFORD, CONN., *January 25, 1932.*

Hon. HIRAM BINGHAM, *United States Senate:*

We are heartily in favor of the confirmation of I. M. Ornburn to the Tariff Commission and we would respectfully ask you to give the confirmation your kind consideration and support.

HARTMAN TOBACCO Co.,
JEROME KOHN, *President.*

HARTFORD, CONN., *January 25, 1932.*

Hon. H. BINGHAM, *United States Senate, Washington, D. C.:*

We would greatly appreciate your cooperation in confirming I. M. Ornburn to the Tariff Commission, whose appointment we are heartily in favor of.

AMERICAN SUMATRA TOBACCO CORPORATION,
P. POLUMBAUM, *Executive Vice President.*

BAKERY AND CONFECTIONERY WORKERS.

New Haven, January 24, 1932.

Mr. HIRAM BINGHAM.

DEAR SENATOR: Be advised that the bakery workers of New Haven, Bakers' Union No. 11, had absolutely no connection with the indorsement of the resolution against I. M. Ornburn, placed before and acted upon by the New Haven Trades Council January 21, 1932, presented by Machinist Lodge No. 420. The bakery workers feel and believe that Ira M. Ornburn is intellectually capable to act on the Tariff Commission.

Very sincerely yours,

[SEAL.]

AUGUST F. STRIBY, *Secretary.*

Senator BINGHAM. Mr. Chairman, I should also like to state that I have heard various rumors about my position with regard to Mr. Ornburn's appointment, and in order to quiet these rumors I would like to make a brief statement.

I have known Mr. Ornburn by reputation for many years as an ardent Democrat in the city of New Haven, which is my home. I never have met him personally until a day or two ago. The first I knew of this appointment was when I was called up to the White House and asked whether as one of the Senators from Connecticut I would have any objection to his appointment. I stated that I had always known Mr. Ornburn by reputation as a very good Democrat, and if the President wanted to appoint a Democrat from Connecticut, that I had no objection whatever, and he was known as a very active Democrat. And also if the American Federation of Labor, which was interested in having a representative on the Tariff Commission, and had suggested his name, as I understood to be the case, wanted him, that I had no objection. That he was well known in Connecticut as a labor leader, having been the head of the Connecticut Federation of Labor for several years. And that I had no objection whatever.

That is about all the statement I have to make, Mr. Chairman.

The CHAIRMAN. So you desire to be recorded as voting for him?

Senator BINGHAM. I desire to be recorded as voting for him.

Senator KING. I would like to ask the Senator, if you will permit me, a question?

Senator BINGHAM. Certainly.

Senator KING. Do you know whether the Federation of Labor of Connecticut has followed Matthew Woll and his school of thought, which, as I understand that school of thought, asks for an embargo upon all imports—practically an embargo?

Senator BINGHAM. I will say to the Senator that I am not familiar with the policies of the Connecticut Federation of Labor, and I am sorry that I could not answer that question.

The CHAIRMAN. Why do you ask that question? I have never heard Mr. Woll ever make such a statement.

Senator KING. Mr. Woll has been here before our committee, and he was for a higher tariff upon commodities so far as I remember than any man that appeared before the committee.

The CHAIRMAN. On certain items that the labor organizations were deeply interested in he spoke for, but other than those, why, I do not think he testified.

Senator KING. Well, there is a difference of recollection.

The CHAIRMAN. Yes.

Senator KING. I regarded Mr. Matthew Woll's testimony as the most extreme—and I do not use it in any sense of criticism—of any person who appeared before the committee in favor of high tariff.

Senator BINGHAM. May I also say, Mr. Chairman—just a little bit of local politics in Connecticut—that I have been told by people from Connecticut that a small group meeting in New Haven the other day—the Trades Council, with not many unions represented, voted to oppose Mr. Ornburn's nomination. I have been given to understand that they represented a minority faction of the Connecticut Federation of Labor who did not like Mr. Ornburn when he was the head of the Connecticut Federation of Labor.

I have also been told that certain Democrats in Connecticut belong to a faction that has been opposing him and has not liked the support that he has had from another Democratic faction, which might explain some of the newspaper stories that one has heard. Personally I am sure this is a good appointment.

STATEMENT OF IRA M. ORNBURN, OF CONNECTICUT, NOMINEE OF THE PRESIDENT FOR THE POSITION OF TARIFF COMMISSIONER

The CHAIRMAN. If there are any members of the committee who desire to ask Mr. Ornburn any questions, they may do so now.

Senator HARRISON. I think Mr. Ornburn ought to state something about his experience and so forth. Let him make his own statement. I imagine he has got one. And when he has completed his statement we can question him.

The CHAIRMAN. All right.

Mr. ORNBURN. Mr. Chairman and members of the Finance Committee.

It is my understanding that to qualify as a member of the Tariff Commission there are certain conditions which one must measure up to.

1. One must be a citizen. I was born in Moberly, Mo., November 28, 1889, and I have voted since I was 21 years of age.

2. One must be a member of the political party he is appointed to represent. I have been a member of, supporter of, and a worker for the nominees of the Democratic Party since I was eligible to vote.

I have here some letters from persons of prominence and spokesmen for the Democratic Party which I would like to place in the record.

The CHAIRMAN. They may be put in the record at this point.

Mr. ORNBURN. On December 29, 1931, a letter received from the Hon. William B. Wilson, Secretary of Labor in President Woodrow Wilson's Cabinet.

I have just learned through our friends, the Forresters, of your appointment to a position on the United States Tariff Board, and I hasten to extend my heartiest congratulations. Your appointment is not only a recognition of your own outstanding ability but is also an acknowledgment of the interest that labor has in the tariff schedules.

With highest regards and wishing you a happy and prosperous New Year,
I am

Sincerely yours,

W. B. WILSON.

And since the question has been raised as to my party affiliations, I desire to have this communication also placed in the record. This is under date of November 12, 1924:

IRA M. ORNBURN, Esq.,
Care of Ornburn Press,
New Haven, Conn.

DEAR MR. ORNBURN: I have heard from all sides of your efficient and untiring work in organizing the labor bureau in eastern headquarters. As I look back over the campaign there are many mistakes which doubtless could have been corrected and if the result was something less than satisfactory, no blame can be attached to you or your bureau, for I believe no one could have accomplished the work in connection with your position more completely and satisfactorily than yourself. Those of us who are devoted to our party must simply be ready for the next engagement.

With renewed assurances of my gratitude to you, I am,

Yours sincerely,

JOHN W. DAVIS.

And on October 11, 1926, from Hon. Alfred E. Smith. This is in reference to my election as the president of the Cigar Makers International Union:

I can not let the opportunity go by without extending sincere congratulations and good wishes.

Sincerely yours,

ALFRED E. SMITH.

On December 21, 1931, the following letter was received at my office:

I notice that you have been named by President Hoover as a member of the Tariff Commission. This is very gratifying news. I extend to you my heartiest and sincerest congratulations and wish you all sorts of success in the discharge of the very important duties of your office.

With kind regards,

Faithfully yours,

HOMER CUMMINGS.

As is known to the Democrats, Mr. Cummings was chairman of the National Democratic Committee, and for a number of years State central committeeman from Connecticut.

Also the following letter:

UNITED STATES SENATE,
Washington, December 8, 1931.

MY DEAR MR. PRESIDENT: I have the honor to recommend for your consideration the appointment of Mr. Iru M. Ornburn as a member of the United States Tariff Commission.

I have been authorized by Senators Harrison, George, Walsh, Barkley, Thomas, and Connally, of the Senate Finance Committee, to state that they know of no objections to the appointment of Mr. Ornburn as a member of the commission, and have no intention to oppose his confirmation in the event that he is nominated by you.

With expressions of respect, I beg to remain
Sincerely,

KEY PITMANN.

The PRESIDENT,
The White House.

The following is a note of congratulation which I received from the majority leader of the Democrats in the House, Congressman Rainey:

Accept my congratulations on your appointment to the Tariff Commission. You have served your organizations faithfully and well and I have no doubt of your ability to succeed in your work as a member of the Tariff Commission.

Also a note of congratulation from the chairman of the Labor Committee in the House, Congressman Connery:

I was pleased beyond expression to learn of your appointment to the Tariff Commission. It is pleasing to know that there will be at least one member of that commission who has a practical knowledge of the needs of the American workers. Your experience in administering the affairs of the Cigar Makers International Union, being the executive head of that old and well-established national labor organization, fits you beyond any doubt for membership on the Tariff Commission.

A note of congratulations from Congressman McDuffie:

Let me congratulate you upon your selection as a member of the Tariff Commission and to express my pleasure in the wise selection the President has made.

Senator WATSON. These letters are all voluntary, Mr. Ornburn?

Mr. ORNBURN. All voluntary.

Senator WATSON. Well, beside being a Democrat what other qualifications do you possess, or lack?

Senator GORE. I think he has made out his case all right.

Senator BARKLEY. What qualifications ought a man to have?

Senator COUZENS. May I suggest that in view of the fact that these letters are going into the record anyway that they not be read, but placed in the record without reading?

The CHAIRMAN. Yes; they may be placed in the record.

(The following telegrams and letters were placed in the record by Mr. Ornburn:)

GREENWICH, CONN., December 21, 1931.

IRA ORNBURN,
Washington, D. C.:

Congratulations on your well-earned appointment to the Tariff Board. I am glad to note one instance in which Mr. Hoover has rendered a real benefit to the people. Christmas greetings and best wishes.

WILLIAM L. TIERNEY.

HARTFORD, CONN., *December 19, 1931.*

IRA M. ORNBURN,
International Cigar Makers Union,
Washington, D. C.:

Congratulations and very best wishes upon your appointment.

THOMAS J. SPELLACY.

NEW HAVEN, CONN., *December 10, 1931.*

IRA M. ORNBURN, Esq.,
Care United States Tariff Commission, Washington, D. C.

MY DEAR DIK: Miss Brennan, of our office, and your humble servant read in the press to-day of your elevation to the United States Tariff Commission, and we were so elated over the news that we could not resist the temptation to drop you a line congratulating you.

More power to you!

When next in Washington I shall put on a long cutaway coat, gray trousers, cravat, and a silk hat, and enter your office with the hope that you will be willing to shake my hand and say, "Hello, Ben!"

With kind personal regards, I am,

Yours very sincerely,

BENJAMIN SLADE.

Mr. ORNBURN. From John M. Hefferman, deputy labor commissioner of Connecticut and prominent in Democratic politics of that State the following was received:

Congratulate you on your appointment to the Tariff Commission. I just read of it in the papers and I was indeed very glad to know that you have been so signally honored.

Senator WATSON. Has anybody questioned your Democratic qualifications?

Mr. ORNBURN. Not that I know, Senator. But I wanted to make sure that there was no doubt.

Senator GORE. I think you have made out your case, sir.

Senator WALSH of Massachusetts. Where do you live in Connecticut?

Mr. ORNBURN. In New Haven.

Senator WALSH of Massachusetts. What is your occupation?

Mr. ORNBURN. President of the Cigar Makers' International Union.

Senator WALSH of Massachusetts. And how long have you held that position?

Mr. ORNBURN. I have it noted down here, Senator, if you will permit me to state.

Senator WALSH of Massachusetts. Yes.

Mr. ORNBURN. 3. One must be qualified, according to the law, in the opinion of the President of the United States, to develop expert knowledge of tariff matters and to administer the law creating the Tariff Commission.

I have had the honor of being elected and serving as president of the New Haven Trades Council, in New Haven, where I live.

In 1912 I was elected and commenced to serve as executive officer-secretary-treasurer of the Connecticut State Federation of Labor. I was annually re-elected to that office until 1924, when, because of my duties as a member of the national executive board of the Cigar Makers International Union, I declined re-election.

In 1921 I was elected second vice president and member of the national executive board of the Cigar Makers International Union. At the death of the late Samuel Gompers, who held the office of

first vice president of the Cigar Makers International Union, I was elected to that office.

When President George W. Perkins, president of the Cigar Makers International Union, declined re-election, I was elected to that office by a referendum vote of the membership of our organization.

I have been re-elected since that time; the last election took place November, 1931, when I received almost three times as many votes as my opponent.

In 1920 I was engaged in the printing and publishing business in my home city and continued in that business for six years, when, because of the fact that my time was almost continuously taken up with the work of the Cigar Makers International Union, I was forced to discontinue the printing and publishing business. At the time I left the business I had paid all my obligations and did not owe anyone.

Senator WALSH of Massachusetts. That was a job printing business?

Mr. ORNBURN. That was a job printing business.

During all the years that I have held official positions in the labor movement I have had to conduct negotiations with employers of labor.

We seek to better the working conditions and to obtain increased wages for our members.

In order to conduct such negotiations successfully it is necessary to know costs of production; costs of the raw materials which enter into the making of the finished articles; costs of converting the raw material into finished products and costs of distributing these articles into the markets of the United States.

To be successful in such negotiations, it is not only necessary to know how to obtain increases and benefits for our members or to hold existing conditions and wages, but, it is also necessary that the industry be left in such shape that the products may compete successfully with nonunion products in the same communities.

My friends in the labor movement must believe that I have successfully administered the offices I have been intrusted with or I would not have been continued in office, nor advanced in official position.

In addition to the positions referred to, I may add that for the past five years I have been appointed to and have served as chairman of the legislative committee of the annual conventions of the American Federation of Labor.

I have here some letters and telegrams from those in office in the labor movement which I should like to call to your attention. Now, since Senator Bingham raised the question that he did, there are too many of these letters to bore your committee with, but I do want to read the first one and to say to you that while these gentlemen who have sent in their congratulations are outstanding men in their organizations, they have been a bulwark in opposition to communism in our organization. The letters also show what interest organized labor is taking in tariff legislation.

The first letter is dated December 23, 1931:

DEAR BROTHER ORNBURN: I was very much pleased when I observed by press reports that you have been appointed as a member of the United States Tariff Commission.

I hasten to congratulate you upon this great honor which has been conferred upon you.

Please be assured that I share with your many friends their feeling of satisfaction over your appointment and over your success. I express the hope that you may succeed in full measure in your new position, and I extend to you my best wishes for a merry Christmas and a happy New Year.

Fraternally yours,

WM. GREEN,

President American Federation of Labor.

Mr. ORNBURN. I am not going to read these but simply explain who these gentlemen are. Here is a note of congratulations from Daniel J. Tobin, former treasurer of the American Federation of Labor, and for the past 20 or more years general president of the International Brotherhood of Teamsters, Chauffeurs, Stablemen, and Helpers of America.

Telegram from Joseph N. Weber, president of the American Federation of Musicians.

Telegram from A. A. Myrup, international secretary, Bakery and Confectionery Workers International Union.

M. W. Mitchell, president Journeymen Stonecutters Association of North America.

James Wilson, general president Pattern Makers League of North America.

Thomas A. Rickert, president of the United Garment Workers.

Fred J. Dempsey, general secretary-treasurer International Alliance of Theatrical Stage Employees.

M. J. Colleran, general president Operative Plasterers and Cement Finishers International Association.

P. J. Morrin, general president International Association of Bridge, Structural, and Ornamental Ironworkers.

William P. Clarke, president American Flint Glass Workers Union of North America.

Excerpts from letters received from Thomas Kennedy, secretary-treasurer United Mine Workers of North America, and John M. Gillespie, general organizer International Brotherhood of Teamsters.

Telegram from James Maloney, president Glass Bottle Blowers Association.

Telegram from William B. Fitzgerald, vice president Amalgamated Association of Street and Electric Railway Employees of America.

M. J. Keough, president Molders International Union.

Telegram from Winfield T. Keegan, president International Stereotypers and Electrotypers Union.

Telegram from Joseph P. Ryan, international president the International Longshoremen's Association.

Telegram for William C. Elliott, president International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada.

Telegram from Benjamin Schlesinger, president International Ladies' Garment Workers' Union.

John B. Haggerty, president board of governors International Allied Printing Trades Association.

James P. Sheehan, secretary Federated Trades Council of Milwaukee.

R. E. Haskin, first vice president International Brotherhood of Bookbinders.

E. W. A. O'Dell, general secretary Boot and Shoe Workers' Union.

Frank B. Powers, international president the Commercial Telegraphers' Union.

Edward J. Volz, president International Photoengravers' Union of North America.

George M. Harrison, grand president Brotherhood of Railway and Steamship Clerks.

Thomas F. Flaherty, secretary treasurer National Federation of Post Office Clerks.

Telegram from M. F. Greene and Martin Lawlor, president and secretary of the United Hatters of North America.

Rudolph Heintz, treasurer United Wallpaper Crafts of North America.

James M. Duffy, president National Brotherhood of Operative Potters.

Elmer E. Milliman, secretary-treasurer Brotherhood of Maintenance of Way Employees.

Harry Jenkins, secretary Glass Bottle Blowers' Association.

John J. Mara, general president Boot and Shoe Workers' Union.

George R. Patterson, secretary-treasurer Missouri State Federation of Labor.

G. W. Perkins, president Union Label Trades Department.

Harry F. Hilfers, general organizer and representative for New Jersey, American Federation of Labor.

John A. Phillips, president Pennsylvania Federation of Labor.

John C. Johnston, secretary Central Labor Council of Buffalo.

F. X. Colgan, secretary-treasurer the Cigar Makers International Union of America, McSherrystown, Pa.

James B. Felty, secretary-treasurer Cigar Makers Union No. 14, Chicago, Ill.

James C. Quinn, secretary Central Trades and Labor Council of Greater New York and vicinity.

Rose E. Elfman, secretary of one of our local unions in Boston.

Allan M. Hanson, secretary of one of our local unions in Bangor, Me.

Theodore Mitchell, representing the Theatrical Press Agents.

(The letters and telegrams presented by Mr. Ornburn are here printed in the record, as follows:)

There is no one more happy—and that includes all of the cigar makers put together—than I am to hear of your appointment. I think I can truthfully say that I know of no one who has the best wishes of everyone like you have. As far as I know, and I have some knowledge of the labor movement, I do not believe there is anyone in the movement who is not happy about your appointment.

DANIEL J. TOBIN,
Former Treasurer of the American Federation of Labor.

NEW YORK, N. Y., January 23, 1932.

I. M. ORNBURN,
Carpenters' Building:

On behalf of our entire organization, permit me to felicitate you on your appointment as a member of the Tariff Commission. We surely expect the confirmation of your appointment.

JOE N. WEBER,
President American Federation of Musicians.

CHICAGO, ILL., January 25, 1932.

I. M. ORNBURN,
Carpenters Building:

The Bakery and Confectionery Workers International Union was indeed pleased to learn of labor's recognition in your appointment by President Hoover as a member of the Tariff Commission. We are especially pleased that the responsibility of the appointment goes to a man whom we consider eminently qualified due to your long experience in tariff matters. We herewith give to you our unqualified indorsement and support for senatorial confirmation.

A. A. MYBUR,
International Secretary-Treasurer.

INDIANAPOLIS, IND., January 25, 1932.

I. M. ORNBURN,
Washington, D. C.:

I. M. Ornburn has the unqualified indorsement of the Journeymen Stone Cutters Association for membership on the United States Tariff Commission. We believe he is qualified to serve on the Tariff Commission, without question.

W. W. MITCHELL, *President,*
JOSEPH BLASEY, *Secretary-Treasurer,*
Journeymen Stone Cutters Association of North America.

CINCINNATI, OHIO, January 25, 1932.

I. M. ORNBURN,
Washington, D. C.:

The members of our organization were gratified when the President appointed you a member of the Tariff Commission. As you are in every particular to assume this important work we trust that nothing will interfere with the prompt confirmation of your appointment by the Senate.

JAMES WILSON,
General President Pattern Makers League of North America.

CHICAGO, ILL., January 25, 1931.

I. M. ORNBURN,
Washington, D. C.:

Membership of my organization indorse your selection as a member United States Tariff Commission and hope Senate will confirm your appointment without delay.

T. A. RICKERT,
President United Garment Workers.

NEW YORK, N. Y., January 25, 1932.

I. M. ORNBURN,
Washington, D. C.:

Congratulations. I sincerely hope that the Senate will confirm your appointment to the Tariff Commission. Be assured that our entire organization is back of your appointment and trust you will be successful in your endeavors.

FRED J. DEMPSEY,
*General Secretary-Treasurer International Alliance
of Theatrical Stage Employees.*

NEW YORK, N. Y., January 25, 1932.

I. M. ORNBURN,
Hamilton Hotel:

Accept my congratulations for the appointment you received as a member of the United States Tariff Commission. President Hoover is to be commended for his selection. You may depend on the unqualified support of the entire membership of the Operative Plasterers and Cement Finishers International Association.

M. J. COLLERAN,
General President.

ST. LOUIS, Mo., January 26, 1932.

I. M. ORNBURN,
Washington, D. C.:

Myself and all of the officials of the International Association of Bridge Structural and Ornamental Ironworkers heartily commend your appointment as a member of the United States Tariff Commission and I am wiring to assure you of our full support and cooperation; also our appreciation of the President's selection of you for this important position, which we all know you have all the qualifications to efficiently fulfill in the best interests of all the citizens of our country.

P. J. MORRIN, *General President.*

AMERICAN FLINT GLASS WORKERS' UNION OF NORTH AMERICA,
Toledo, Ohio, December 22, 1931.

Mr. I. M. ORNBURN,
International President Cigar Makers' International Union,
Washington, D. C.

DEAR SIR AND BROTHER: Your letter of the 18th relating the trouble that your organization is encountering at Wheeling, W. Va., received and considered at an executive session of our national officers held this date. You can rest assured that our officers and members want to do what is correct and proper, to aid the bona fide trade-union movement in every instance.

It was suggested, however, that our members at Wheeling and the central body should be consulted before any definite action is taken by our officers. In harmony therewith, copy of your letter is being sent to the secretary of our local union in Wheeling, as well as to the central labor union of that city, so that we may get their version of the controversy.

May I avail myself of this opportunity to express my congratulations upon you having been nominated by President Hoover on the United States Tariff Commission. I trust that confirmation will be forthcoming and that you will fully enjoy your new office.

Fraternally yours,

WILLIAM P. CLARKE, *President.*

We express the hope that labor will be given representation on the Tariff Commission through the confirmation by the United States Senate of I. M. Ornburn, who is fully qualified, in our judgment, to serve as a member of the Tariff Commission. We express the hope that the organized labor movement of this country will receive favorable consideration by the confirmation of Ornburn by the United States Senate.

THOMAS KENNEDY,
Secretary-Treasurer United Mine Workers.

I had the pleasure the other night of reading of your appointment to the Tariff Commission. I can assure you that I have read no news in the papers for a number of years that has brought more enjoyment to me than to see that you have been given that place. I feel absolutely sure that there will be no dispute about your confirmation by the United States Senate, because those who have met you can not help but feel, as we do, that you have the ability, personality, and, one of the greatest things any man can have, the understanding that there are two sides to every question and the right will ultimately prevail.

JOHN M. GILLESPIE,
General Organizer, International Brotherhood of Teamsters.

PHILADELPHIA, PA., December 21, 1931.

I. M. ORNBURN,
Carpenters Building:

Read in paper yesterday good news of your appointment to Tariff Commission and hasten to congratulate you and express my own great satisfaction in the President's good judgment in selecting you. I am sure you will fill this position in a manner that will reflect credit on yourself and the labor movement.

JAMES MALONEY.

DETROIT, MICH., *January 25, 1932.*

I. M. ORNBURN,
President Cigarmakers International Union:

Surprised to hear of opposition to your confirmation as one of the members of the Tariff Commission. We desire to express to you through this telegram the unqualified indorsement of our international association and our entire membership in the United States for the confirmation as one of the Tariff Commissioners.

WILLIAM B. FITZGERALD,
*First Vice President Amalgamated Association of Street
and Electric Railway Employees of America.*

CINCINNATI, OHIO, *January 25, 1932.*

I. M. ORNBURN,
Carpenters Building:

I am led to believe that there is some opposition in the Senate and by others against your confirmation as a member of the United States Tariff Commission. I express the hope that the United States Senate will confirm your appointment.

M. J. KEOUGH.

JERSEY CITY, N. J., *January 25, 1932.*

I. M. ORNBURN,
Carpenter Building:

Greatly pleased to learn of your appointment to membership on United States Tariff Commission, and I trust there will be no successful opposition to Senatorial confirmation of it. You have my unqualified indorsement and very best wishes for securing this confirmation.

WINFIELD T. KEOGAN,
President International Stereotypers and Electrotypers Union.

NEW YORK, N. Y., *January 25, 1932.*

I. M. ORNBURN,
Washington, D. C.:

The International Longshoremen's Association heartily endorses your appointment to membership on United States Tariff Commission and sincerely trusts same will be confirmed by the United States Senate to-morrow, Tuesday:

JOSEPH P. RYAN,
International President.

NEW YORK, N. Y., *January 25, 1932.*

I. M. ORNBURN,
A. F. of L. Building:

Sincerely trust Senate will confirm your appointment to the United States Tariff Commission. You have my utmost support. Best wishes.

WILLIAM C. ELLIOTT,
President International Alliance of Theatrical Stage Employees.

NEW YORK, N. Y., *January 25, 1932.*

I. M. ORNBURN,
Washington, D. C.:

Please accept felicitations on your selection by President Hoover as member of Tariff Commission. Trust it will meet with confirmation by Senate.

BENJ. SCHLESINGER,
President International Ladies Garment Workers Union.

INTERNATIONAL ALLIED PRINTING TRADES ASSOCIATION,
Washington, D. C., December 24, 1931.

Mr. I. M. ORNBURN,
Carpenters' Building, Washington, D. C.

MY DEAR MR. ORNBURN: Upon receipt of the information that President Hoover had appointed you to be a member of the Tariff Commission of the United States, it gave me great pleasure to write to Mr. Hoover, congratulating him upon his selection.

I feel keenly that it is due to labor, representing as it does, such a large cross section of our population, to have some one on this commission who has had actual, broad, practical experience, and, consequently, a thorough understanding of conditions in industry. I know of no one better qualified from this standpoint than yourself, and you most certainly possess rare tact and sound judgment, so essential in the one called to fill such an important post.

I am sure that my associates on the board of governors of the International Allied Printing Trades Association will wish me to extend their congratulations, with mine, to you upon your appointment.

Cordially yours,

JOHN B. HAGGERTY,
President Board of Governors.

FEDERATED TRADES COUNCIL OF MILWAUKEE,
Milwaukee, Wis., December 22, 1931.

Mr. I. M. ORNBURN,
President Olgarmakers' International Union,
Washington, D. C.

DEAR SIR AND BROTHER: When I picked up the paper this morning the first thing that struck my eye was your picture and announcement that you had been appointed by President Hoover as a member of the Tariff Commission. If this announcement is true I want to extend to you my most hearty congratulations, and it is my personal judgment that the President has made a good selection in your appointment.

I would appreciate very much if you would give me a brief statement as to what your work will be on this commission as I am entirely in the dark as to the functions of the Tariff Commission.

Wishing you a merry Christmas and a happy New Year, I remain

Fraternally yours,

JAMES P. SHEEHAN.

INTERNATIONAL BROTHERHOOD OF BOOKBINDERS,
Chicago, Ill., January 7, 1932.

Mr. IRA M. ORNBURN,
Washington, D. C.

DEAR FRIEND DICK: Have just heard of your appointment on the Tariff Board. Permit me to extend my sincere congratulations and to wish you the greatest measure of success in all your undertakings.

Fraternally yours,

R. E. HASKIN.

SUBORDINATE TO THE BOOT AND SHOE WORKERS UNION,
Boston (9), Mass., January 8, 1932.

Mr. I. M. ORNBURN,
604 Carpenters' Building, Washington, D. C.

DEAR DICK: Have just read in the Federation News of January 2 of your appointment to the Tariff Board by President Hoover and want to add my congratulations to the many I know you must have received. That the choice is a happy one goes without saying and I know that labor generally will be benefited.

Wishing you a prosperous New Year, I remain, with kindest personal regards,

Sincerely yours,

E. W. A. O'DELL.

THE COMMERCIAL TELEGRAPHERS' UNION OF NORTH AMERICA,
December 29, 1931.

BROTHER ORNBURN: Hearty congratulations, old-timer. You had it coming, and labor has a real representative where one is needed.
73 (best wishes).

FRANK B. POWERS.

NEW YORK, N. Y., December 23, 1931.

Mr. I. M. ORNBURN,
President *Cigar Makers' International Union of America*,
Washington, D. C.

DEAR DICK: I have just been advised of your appointment by President Hoover to the Tariff Commission and wish to extend my congratulations and hearty good wishes. I am sure your appointment will react beneficially to the Government and prove a protection to the wage workers of the country.

With best wishes and warm holiday greetings, I remain
Fraternally yours,

EDWARD J. VOLZ,
President *International Photo-Engravers' Union of North America*.

GRAND LODGE,
BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES,
Cincinnati, Ohio, December 23, 1931.

Mr. IRA ORNBURN, *Washington, D. C.*

DEAR BROTHER ORNBURN: Have just learned from a press dispatch that you have been appointed by the President of the United States as a member of the Tariff Commission.

I hasten to extend my congratulations and best wishes for your success in this new field.

Sincerely and fraternally yours,

GEO. M. HARRISON,
Grand President.

NATIONAL FEDERATION OF POST OFFICE CLERKS,
Washington, D. C., December 23, 1931.

IRA M. ORNBURN,
Washington, D. C.

DEAR COMMISSIONER: Sincere congratulations upon your appointment to the Tariff Commission. I am pleased beyond expression that your ability and worth has thus been recognized. I know you will make good in a large way.

With kindest personal and fraternal esteem, I am
Sincerely yours,

THOS. F. FLAHERTY,
Secretary-Treasurer.

NEW YORK, N. Y., December 23, 1931.

I. M. ORNBURN,
Washington, D. C.:

Hearty congratulations on your selection as a member of Tariff Commission.

UNITED HATTERS OF NORTH AMERICA.
M. F. GREENE.
MARTIN LAWLOB.

UNITED WALL PAPER CRAFTS OF NORTH AMERICA,
Chicago, December 25, 1931.

Mr. I. M. ORNBURN,
Washington, D. C.

DEAR SIR AND BROTHER: In behalf of the membership of the United Wall Paper Crafts of North America, I desire to congratulate you upon your appointment

to the United States Tariff Commission and wish you success in your new post.

At last labor has been recognized on this important commission, and I know you are well qualified to look after its interests.

With kind personal regards, I remain,
Sincerely and fraternally yours,

RUDOLPH HEINL, *Treasurer.*

NATIONAL BROTHERHOOD OF OPERATIVE POTTERS,
East Liverpool, Ohio, December 30, 1931.

Mr. I. M. ORNBURN, *Washington, D. C.*

FRIEND DICK: Ever since I read in the press of your nomination to the Tariff Commission by President Hoover, I have wanted to write you and offer my congratulations and best wishes for success in this most important office. Pressure of matters before me prevented my performing this most pleasant duty until now. However, I trust that there will be no question as to my sincerity in the above expression of good will.

I am sincerely of the belief that you are well qualified to fulfill the duties of this position, in a most creditable and effective manner, in the interests of labor. I have no hesitancy in saying that labor's success in this regard is now assured and just know that you will discharge the duties, devolving upon you as a member of the Tariff Commission, to the entire satisfaction of labor.

Wishing you every success in your new work, and with the season's greetings, I remain

Very sincerely yours,

JAMES M. DUFFY, *President.*

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES,
DETROIT, MICH., December 23, 1931.

Hon. I. M. ORNBURN, *Washington, D. C.*

DEAR DICK: It was most pleasant to see your smiling countenance in the morning issue of the Detroit Free Press and to read of your recent appointment as a member of the Tariff Commission. Please accept my heartiest congratulations and best wishes. It was about time that you received something for yourself after your many kindnesses that you have extended to others, including myself. It is a source of much gratification to me as I know it will be to all of your friends to learn of this high honor being conferred upon you. You have my best wishes for every success in this position.

A merry Christmas and happy and prosperous New Year to you and yours.

Sincerely yours,

ELMER E. MILLIMAN,
Secretary-Treasurer.

GLASS BOTTLE BLOWERS ASSOCIATION,
OF THE UNITED STATES AND CANADA,
Philadelphia, Pa., December 22, 1931.

Mr. I. M. ORNBURN,
Washington, D. C.

FRIEND DICK: I was overjoyed to read in last Sunday's newspaper that the President has used such excellent judgment in his selection of a member of his tariff commission, and I heartily congratulate you as the object of his choice. No one who knows you wishes you more luck than I. Having been associated with you for some time, I recognize your ability and thoroughness and I am more than sure that you will make good in your new job.

While wishing you all good luck and success, I am somewhat bothered about how it will affect your position as secretary of labor's committee for modification of the Volstead Act, also whether you will have to resign as president of the cigar makers' organization. I recognize the fact that the new position will require steady work in Washington and perhaps take you away from the interests I have mentioned. I truly hope it will not do so altogether.

Wishing you unbounded success and all the compliments of the holiday season, I am, fraternally yours,

HARRY JENKINS, *Secretary.*

BOOT AND SHOE WORKERS UNION,
Boston, Mass., December 22, 1931.

Mr. I. M. ORNBURN,
Washington, D. C.

DEAR SIR AND BROTHER: It is with pleasure that I learned of your nomination by President Hoover to membership on the Tariff Commission. It is my honest belief that President Hoover has made no mistake in this selection, and you may rest assured that you have the full confidence of our organization.

I desire to extend to you my sincere congratulations.

Wishing you a merry Christmas and a happy and prosperous New Year. I am, fraternally yours,

JOHN J. MARA, *General President.*

FORT EDWARD, N. Y., January 26, 1932.

I. M. ORNBURN,
American Federation of Labor Building, Washington, D. C.:

You have my wholehearted support and that of the organization I represent in your appointment as a member of the United States Tariff Commission. I trust that your appointment will be confirmed by the Senate.

JOHN P. BURKE,
*President-Secretary International Brotherhood of
Pulp, Sulphite, and Paper Mills Workers.*

CHICAGO, ILL., January 26, 1932.

I. M. ORNBURN,
American Federation of Labor Building:

Desire to assure you my support for Tariff Commission appointment.

FLORENCE CURTIS HANSON.

INTERNATIONAL PRINTING PRESSMEN AND
ASSISTANT'S UNION OF NORTH AMERICA,
Pressmen's Home, Tenn., January 25, 1932.

Mr. I. M. ORNBURN,
*President Cigarmakers' International Union,
Washington, D. C.*

MY DEAR SIR AND BROTHER: It goes without saying that I was greatly pleased to learn of the action in your appointment to the United States Tariff Commission. I did not know you were an applicant for the position until the papers announced your appointment. I am assuming, however, you desired the position, and if this is the case, permit me to extend to you my very sincere congratulations and to express the hope that your administration will be a most successful one.

Your record as a representative of the great organization over which you have presided as the president is such as to justify the claim on the part of your friends that you are not only available for any responsibility that may be imposed upon you, but that your record of the past is sufficient to justify any confidence which may come to you as result of your appointment or selection to public office.

With kind regards, I am, sincerely and fraternally,

GEO. L. BERRY, *President.*

UNITED ASSOCIATION OF JOURNEYMEN PLUMBERS AND STEAM FITTERS OF THE
UNITED STATES AND CANADA

WASHINGTON, D. C., January 26, 1932.

Mr. I. M. ORNBURN,
*President Cigarmakers' International Union of America,
Washington, D. C.*

DEAR SIR AND BROTHER: You will pardon this late date of sending to you our most cordial congratulations in your appointment by President Hoover in the United States Tariff Commission.

The fact of the matter is that I believed we had already written you until I looked up our files here and found that the first time in our history we had overlooked such an important event.

We desire also to take this opportunity to congratulate President Hoover, and your good friends on their splendid executive ability and statesmanship in choosing you for this most important office, and in which labor is so greatly interested. Knowing you, as we do, with your great experience in the movement of labor, and in the affairs of men in general, coupled with your splendid executive ability and profound business sagacity and conciliatory statesmanship proclivities, that has marked your accomplishments, and your achievements in the great movement of labor, you are bringing to that great office a splendid equipment in performing successfully the great stewardship intrusted to your care, which we know will be accomplished with honor to yourself, with honor to the labor movement, and to the people of the United States.

We truly appreciate and indorse the action of President Hoover on your appointment, and so does the whole labor movement of America, not only because of your splendid achievements in behalf of your fellow men, but also the great respect and esteem that you are held in by all your colleagues in the labor movement of your high character, integrity, and attainments.

Wishing you the greatest success in the onerous duties that you are now called to perform for the protection and advancement of our great country, we remain

Sincerely and fraternally,

THOS. E. BURKE,
Secretary-Treasurer.
JOHN COEFIELD,
General President.

Attest:

NATIONAL ASSOCIATION OF LETTER CARRIERS,
Washington, D. C., January 7, 1932.

MR. IRA M. ORNBURN,
Cigarmakers' International Union,
Washington, D. C.

DEAR SIR AND BROTHER: I was very much pleased when I read the Congressional Record of December 10, 1931, to note that President Hoover had submitted your name to the Senate of the United States for appointment as a member of the important United States Tariff Commission, and I was of the opinion at that time that President Hoover, by his action, was showing his realization of the necessity of having a representative of labor on the commission which has such a great bearing on the welfare of the American wage earner.

Allow me to congratulate you on your nomination to this position and to express the hope that in the very near future you will be confirmed by the Senate.

I feel that your appointment to this position will be a splendid tribute to organized labor and it is a foregone conclusion that your work on this commission will meet with the approval of the average citizen.

Wishing you continued success, I am, fraternally yours,

M. T. FINNAN, *Secretary.*

MISSOURI STATE FEDERATION OF LABOR,
St. Louis, Mo., December 23, 1931.

MR. I. M. ORNBURN,
President International Cigar Makers Union,
Washington, D. C.

DEAR FRIEND DICK: It is with extreme pleasure and gratification that I read of your appointment by President Hoover to the Federal Tariff Commission. I know that you are well fitted for that position and will be in a position to be of great service to organized workers and the common people in general as a member of this commission.

Kindly accept my congratulations and well wishes of the labor movement of your old home State, Missouri.

Wishing you and yours a merry Christmas and a prosperous New Year, I am

Fraternally yours,

GEO. R. PATTERSON,
Secretary-Treasurer.

AMERICAN FEDERATION OF LABOR,
UNION LABEL TRADES DEPARTMENT,
Oak Park, Ill., December 19, 1931.

FRIEND DICK: Congratulations on your appointment on the Tariff Commission. Hope you won't have to resign as president of the C. M. I. U.

Regards,

Cordially,

G. W. PERKINS.

AMERICAN FEDERATION OF LABOR,
Newark, N. J., December 22, 1931.

MY DEAR ORNBURN: Heartiest congratulations on your appointment as a member of the United States Tariff Commission. It was indeed a pleasure to read of your being selected by President Hoover. Your appointment I am sure will be a great aid to labor.

With best wishes for Christmas and the New Year, I remain as ever sincerely and fraternally yours,

HENRY F. HILFERS.

PENNSYLVANIA FEDERATION OF LABOR,
Harrisburg, Pa.

DEAR ORNBURN: Permit me heartily to congratulate you upon your appointment as a member of the Tariff Commission and to extend to you the greetings of the holiday season.

Sincerely,

JOHN A. PHILLIPS, *President.*

CENTRAL LABOR COUNCIL OF BUFFALO,
Buffalo, N. Y., December 23, 1931.

Mr. I. M. ORNBURN,
Washington, D. C.

MY DEAR DICK: Let me congratulate you on your appointment by President Hoover to the high position of member of the Tariff Commission. I know that you will fill the position with credit to yourself and honor to the group from which you came.

Wishing you a very merry Christmas and a successful and most happy new year, I am

Sincerely and fraternally yours,

JOHN C. JOHNSTON, *Secretary.*

CIGARMAKERS' INTERNATIONAL UNION OF AMERICA,
CIGARMAKERS' LOCAL UNION No. 310,
McSherrystown, Pa., December 22, 1931.

Mr. I. M. ORNBURN,
Washington, D. C.

MY DEAR MR. ORNBURN: Accept my congratulations on your appointment as a member of the Tariff Commission as reported in the daily press.

I trust you will be most successful in whatever course these new duties may afford opportunity for you.

With kindest wishes, and with the season's blessings, I am

Sincerely yours,

F. X. COLGAN, *Secretary-Treasurer.*

HOBOKEN, N. J., December 20, 1931.

IRA M. ORNBURN,
Washington, D. C.:

Hearty and sincere congratulations. Appointment well deserved. Best wishes for success.

C. A. ALEXANDER.

CIGAR MAKERS' UNION No. 14,
Chicago, December 21, 1931.

I. M. ORNBURN,
President Cigar Makers International Union, Washington, D. C.

DEAR SIR: Received Christmas greet and letter of December 18. Glad I was on time.

I read report that you have received appointment on Tariff Commission. I want to extend my best wishes to you on this appointment. Many members to the Chicago Federation of Labor ask me to say good luck for them. Joe Morton and Harry Schick wish to be remembered as wishing you well.

With best wishes I remain,
Fraternally yours,

JAMES B. FELTY, *Secretary-Treasurer.*

CENTRAL TRADE AND LABOR COUNCIL OF GREATER NEW YORK,
New York City, December 22, 1931.

I. M. ORNBURN,
Secretary Labor's National Committee for Modification
of Volstead Act, Washington, D. C.

DEAR MR. ORNBURN: On behalf of the Central Trades and Labor Council of Greater New York and vicinity, permit me to extend our sincere congratulations upon your appointment by President Hoover as a member of the Tariff Commission.

Wishing you every success in your new field of endeavor, and extending you the compliments of the season, I am
Fraternally yours,

JAMES C. QUINN, *Secretary.*

ROXBURY, MASS., December 20, 1931.

IRA M. ORNBURN, *Washington, D. C.:*

Heartiest congratulations on your new appointment.

ROSE E. ELFMAN.

BANGOR, ME., December 20, 1931.

I. M. ORNBURN.

DEAR BROTHER: I have just read of your appointment to fill the Democratic vacancy on the Tariff Commission. Congratulations and best wishes.

Yours truly,

ALLAN M. HANSON.

THE LAMBS,
New York, December 21, 1931.

IRA M. ORNBURN, *Washington, D. C.*

DEAR ORNBURN: Note in the papers yesterday your nomination to the Tariff Commission.

Sincere congratulations and best wishes for every measure of success in the new work.

Yours fraternally,

THEODORE MITCHELL,
Theatrical Press Agent.

The CHAIRMAN. Did all of these come unsolicited?

Mr. ORNBURN. Yes, sir.

Senator COSTIGAN. What do you mean by "unsolicited," Mr. Ornburn? Were there no inquiries sent to these different organizations for communications which would come before the committee?

Mr. ORNBURN. Most of those are dated some time back, Senator.

Senator COSTIGAN. You mean that they were voluntarily written in without any solicitation of any sort?

Mr. ORNBURN. Without any solicitation of any sort on my part.

In addition to the letters and telegrams from my associates in the labor movement, I have here a few letter from employers, some of the largest in the country, all of whom have had continued contractual relations with our organization for the last 20 years or more.

These letters indicate that my attitude personally and officially has been fair. There are only few of these, but I shall not take your time in reading all of them. Just one that I am very proud of. I have been doing business with this gentleman for a number of years. Senator Walsh will recognize his name. This is dated December 24, 1931. [Reading:]

BOSTON, MASS.

DEAR MR. ORNBURN: I recently read in the newspapers of your appointment to the Tariff Commission and I take this opportunity to send you my congratulations and best wishes.

My dealings with you over a number of years compel me to say that knowing the broad viewpoint which you always took on matters of importance when there were absolutely two sides to a question, the careful consideration and fearless decisions which you made, that our President could not have chosen anybody better suited for the position which you will occupy.

I am satisfied that every question will be decided upon absolutely without bias.

With best wishes for your success, I remain,
Yours very truly,

RICHARD E. TRAIER.

Senator KING. What is his business?

Mr. ORNBURN. He is one of the largest cigar manufacturers in New England.

The CHAIRMAN. Could you put the balance of the letters in the record without reading them?

Mr. ORNBURN. Yes.

(Following are the letters and telegrams presented by Mr. Ornburn:)

ASSOCIATED CIGAR MANUFACTURERS AND LEAF TOBACCO DEALERS,
New York, December 28, 1931.

Mr. IRA ORNBURN,
President International Cigarmakers Union,
Washington, D. C.

DEAR SIR: We are very pleased to note your recent appointment as member of the Tariff Commission.

We feel that this appointment is a happy one and that the right man is in the right place, as with your experience you should be of great assistance to the Tariff Board.

With kind regards and extending to you our best wishes for a happy and prosperous new year, we beg to remain,

Very truly yours,

JOHN H. DUYS.

WHEELING, W. VA., December 21, 1931.

I. M. ORNBURN:

While we regretfully anticipate that your new appointment will terminate our association, we sincerely congratulate you on this deserved step up the ladder to bigger things.

W. L. KATSENSTEIN.
H. I. TABACKIN.
M. MARSH & SON (INC.).

BOSTON, MASS., December 21, 1931.

IRA M. ORNBURN:

Maurice Hanauer and my brother join me in congratulating and wishing you success on your fine appointment.

MORTIMER GRYZMISH.

MANCHESTER, N. H., December 22, 1931.

Mr. IRA M. ORNBURN,
President International Cigarmakers Union,
Washington, D. C.

DEAR MR. ORNBURN: Through articles in the Boston papers, we note your appointment by President Hoover to the Tariff Commission, and want to extend our congratulations on this very great honor and also to express our best wishes for your success on this important commission.

From our contact with you, we feel the President has made a wise selection, and we know that any matter coming before you will be handled fairly and with clear reasoning.

You may be interested in reading the inclosed clippings. Just as soon as a man becomes famous and is the object of any newspaper article, many interesting points are brought out, but we feel that somebody must have gotten the wrong information when they put you down as 05. Personally, we don't think you look that age; neither do you act it. Please feel that we wish you the best of luck in this important appointment.

With kindest personal regards, and hoping you enjoy a happy Christmas Day, we are,

Sincerely,

JOSEPH W. EPPLY.
JAMES S. DRISCOLL.

Senator CONNALLY. What brand of cigars does Mr. Traiser make? My attitude toward him would depend on the quality of his cigars.

Mr. ORNBURN. Well, he is making a cigar called the Pippin. It sells for 5 cents. He makes a better-grade cigar that sells for 10 cents, the Harvard.

Senator BARKLEY. Is the Pippin the one that Vice President Marshall hoped for at one time?

Mr. ORNBURN. Well, I think it was a Pippin. These other letters and telegrams which I placed in the record are indorsements from other large manufacturers with whom I have had contractual relations. One from John H. Duys, representing the Associated Cigar Manufacturers and Leaf Tobacco Dealers, with over 50 manufacturers, dealers, and allied industries which go to make up their organization. If I may be permitted to call your attention to the fact that this letter is also dated December 28, 1931.

Senator KING. Mr. Ornburn, what experience have you had in connection with tariff matters, the study of tariff questions?

Mr. ORNBURN. I have never been a member of the commission. I have been interested in tariff because of the fact that my organization is interested in tariff matters. Such as a tariff upon Havana tobacco from Cuba and Sumatra tobacco from Holland.

Senator KING. Well, your activities, whatever they have been, much or little, in connection with tariffs, have led you to support very high tariffs, have they not?

Mr. ORNBURN. No, sir, Senator. I have supported the platforms of the Democratic Party. I have never supported any other platform so far as tariff matters are concerned.

Senator BARKLEY. Your organization opposed the increase in tariff on tobacco, did it not?

Mr. ORNBURN. I was authorized by the organization to appear in opposition to an increase of the tariff.

Senator KING. Well, have your experiences and your studies and your thought led you to favor a policy which would practically be an embargo upon imports?

Mr. ORNBURN. No, sir.

Senator KING. You believe in trade with foreign nations?

Mr. ORNBURN. Yes, sir.

Senator KING. Imports and exports?

Mr. ORNBURN. Yes, sir.

Senator KING. Finding markets for our surplus products?

Mr. ORNBURN. Yes.

Senator KING. There are those in your organization, are there not, who favor almost prohibitive tariffs?

Mr. ORNBURN. Senator, I will answer that in this respect: The Cigar Makers International Union is affiliated with what is known as America's Wage Earners Protective Conference.

Senator COUZENS. That is the Woll organization, is it not?

Mr. ORNBURN. Mr. Woll is president of the organization.

Senator COUZENS. Yes.

Mr. ORNBURN. But that organization, Senator, does not deal with the rates affecting the general group. Each individual national and international union, after it works out its own problems, brings them to the conference, and the result is accepted by the conference as the wish of that particular organization. Now as far as that organization is concerned, it never indorsed the Smoot-Hawley bill as a whole. It indorsed the individual sections in which each national and international union was affected by the rates of the bill.

Senator KING. Well, did you indorse that bill?

Mr. ORNBURN. No, sir.

Senator KING. Are you affiliated with that branch that Mr. Woll controls or is the president of or the controlling factor in?

Mr. ORNBURN. Senator, we are affiliated, and if you will permit I shall try to state as briefly as possible why we joined in with that organization. President Harding recommended in one of his addresses that the parcel-post arrangements with Cuba be abrogated. That recommendation was followed by President Coolidge, so that we were successful in preventing any change in the regulation on imported cigars from Cuba. But there seemed to be many people throughout the country pressing for the change, and if it had come about a consumer in Salt Lake City could have bought cigars in Havana in 5, 10, 15, or 20 lots and had them shipped by parcel post to Salt Lake City. The rules and regulations until that time had provided that cigars be shipped to this country in lots of not less than 3,000.

Senator KING. Well, I am not interested in any particular commodity, but it is on the general proposition that I am trying to inquire about. You have in mind, of course, the fact that the Tariff Commission is bipartisan?

Mr. ORNBURN. Yes, sir.

Senator KING. That the Democrats are represented, or presumed to be represented, and their views on the tariff are presumed to find expression there through those who are nominated as Democrats. And of course the Republicans are represented there. Speaking for myself, I do not want to vote for any man as a Democrat to go on that Tariff Commission who has got the Republican point of view on the tariff question. I do not care who he is, or how able a man he is, or how much backing he has; I will not vote for a man to go on the commission, in view of its bipartisan character, who goes there as an exponent of high protection.

Mr. ORNBURN. Will you permit me, Senator, to read a paragraph of a brief that was filed before the subcommittee of the Committee on Finance in the United States Senate?

Senator KING. Yes.

Mr. ORNBURN. This was filed June 14, 1929, signed by myself. It is addressed to Senator Samuel M. Shortridge, chairman, Subcommittee of Finance Committee, United States Senate, Washington, D. C. This is over my signature. [Reading:]

We are opposed to the increase in the tariff bill as adopted by the House of Representatives, because we sincerely believe that the enactment of such legislation would mean ruin to both the American cigar maker and to the growers of American tobacco.

The CHAIRMAN. Well, those changes were made in the Senate that you had in mind.

Mr. ORNBURN. Those changes were made in the Senate.

Senator KING. Well, generally speaking, then, your views would be in harmony with the Democratic view and the platform declarations of the Democratic Party?

Mr. ORNBURN. Yes, sir.

Senator KING. And in contradistinction to the views expressed by the high protectionists in the Republican Party, or the Republican Party in its declaration?

The CHAIRMAN. Before you answer that question it seems to me that it ought to be answered in a national way and not a local way.

Senator KING. Oh, absolutely.

The CHAIRMAN. Because some of the Democrats have voted for the highest rates possible because of the fact that certain commodities fall within their districts. And this is a general statement, as I understand it.

Senator KING. Absolutely, of course, the general policy.

Mr. ORNBURN. Senator, I subscribe to the plank in the Democratic platform of 1928.

Senator BARKLEY. As a member of the commission, Mr. Ornburn, you realize that one of the questions to be dealt with rather fundamentally is the matter of cost of production here and abroad. It developed in some of the testimony that was brought here in connection with the present tariff act that many out-of-date, antiquated concerns, who had not kept up with modern progress in machinery and in methods, were seeking tariff protection because of their lack of prosperity, and they were putting forth their cost of production under antiquated methods as a fair comparison with the cost of production abroad. And in other branches of the same industry.

As a member of the commission would you feel that you would be bound by your duty to weigh those questions as to whether any concern or any industry was producing its products by modern methods or by efficient methods or by antiquated or expensive methods as compared to foreign production, and that that ought to be considered in fixing any rate attempting to protect that commodity in this country?

Mr. ORNBURN. Senator, I think that I can best answer your question by making this statement, that I was the first president of the Cigar Makers International Union to insist upon the cigar makers recognizing modern machinery.

The CHAIRMAN. Well, anyone that does not recognize modern machinery is out of business already, is he not?

Senator BARKLEY. We had a lot of witnesses down here that not only did not recognize them, but did not use them.

The CHAIRMAN. Well, but they are all out of business.

Senator BARKLEY. Well, nearly everybody else is, so far as that is concerned.

Senator WATSON. Let him answer this question.

Senator WALSH of Massachusetts. He has answered that.

Senator BARKLEY. Yes; he has answered it.

The CHAIRMAN. Does anybody else have any questions?

Senator COSTIGAN. Mr. Ornburn, we have not dealt with two questions that appear to me to be most important with respect to the qualifications of a tariff commissioner, namely, his qualifications by way of preparation to become an efficient member of the commission, and his disinterestedness. In order to arrive at the answer to the question of disinterestedness it is more or less necessary to discover your background and experience, and also your slant on tariff questions. Therefore any questions which may be put to you will not be intended as a reflection upon you, but merely to advise members of the Finance Committee and of the Senate.

May I ask you first through what influences and under what recommendations you were named for a position on the Tariff Commission?

Mr. ORNBURN. Organized labor.

Senator COSTIGAN. Outside of the organized labor movement who, if anybody, indorsed you in Connecticut?

Mr. ORNBURN. A personal friend of mine, Thomas J. Spellacy.

Senator COSTIGAN. Any others?

Mr. ORNBURN. I did not ask any others, Senator.

Senator COSTIGAN. Do you know what indorsements went to the White House?

Mr. ORNBURN. No, sir; I do not.

Senator COSTIGAN. Mr. Chairman, would it be possible for the committee to request the indorsements of those who have been named for membership in the Tariff Commission?

The CHAIRMAN. That has never been done, so I can not say, Senator.

Senator GORE. I thought the President made a rule in that regard. He used to publish the indorsers.

Senator LA FOLLETTE. Many of them are sent up with the indorsements of the nominees.

The CHAIRMAN. He has sent whatever indorsements he has desired, that is all.

Senator COSTIGAN. I think it would be of interest to the members of the committee to examine the indorsements. And if a motion is required for that purpose I shall make it, Mr. Chairman.

Senator KING. My recollection is, Senator, that the President made an announcement some time ago—perhaps soon after his election—that the indorsements for various positions, and I am quite sure that I am right when I include in the word "positions" judicial appointments, should be given to the public, should be made public.

Senator CONNALLY. Was it not limited, though, to judges?

Senator KING. I thought it was broader, and yet I am not certain.

Senator COSTIGAN. I move, Mr. Chairman, that the indorsements of those nominated for the respective Tariff Commission positions be requested by the committee through its chairman.

The CHAIRMAN. Any remarks? All in favor of the motion will say aye. Contrary, no. The motion is adopted.

Senator COSTIGAN. Who is Mr. Spellacy?

Mr. ORNBURN. He is an attorney at law, Hartford, Conn. For a number of years national committeeman from Connecticut. During the Woodrow Wilson administration he was assistant to A. Mitchell Palmer, and in addition thereto he went abroad at the request of President Wilson with Gov. Franklin B. Roosevelt to settle the affairs of the United States Navy; differences between the Navy Department and other allied countries.

Senator COSTIGAN. Have you been politically associated with Mr. Spellacy, and a personal friend of his, for a considerable time?

Mr. ORNBURN. Ever since I went to Connecticut. And let me add to the Senator that Mr. Thomas J. Spellacy represented all of those years the Connecticut State Federation of Labor without any retainer or pay.

Senator COSTIGAN. Who is Mr. E. Kent Hubbard?

Mr. ORNBURN. Mr. E. Kent Hubbard I do not know personally. He is a manufacturer in Middletown.

Senator COSTIGAN. Is he the head of the Manufacturers' Association?

Mr. ORNBURN. He was when I represented the Connecticut Federation of Labor. I do not know to-day.

Senator COSTIGAN. The press has carried some suggestions that Mr. Hubbard, as president of the Manufacturers' Association, might be among your indorsers. Do you know that to be a fact or not?

Mr. ORNBURN. That is absolutely false.

Senator COSTIGAN. Have you had any relations with the Manufacturers' Association of Connecticut?

Mr. ORNBURN. None whatever. Not in connection with the appointment, Senator. Or none of my friends.

Senator COSTIGAN. On what grounds did you favor a reduced duty, if I correctly understood you, on tobacco?

Mr. ORNBURN. By instructions of the organization that I represent.

Senator COSTIGAN. What was the public reason for your position, outside of any organization reason?

Mr. ORNBURN. Well, I do not recall any public statement on it aside from my appearance before the committee, Senator.

Senator BARKLEY. Well, wasn't it the position of your organization that an increased tariff on these tobaccos necessary to be used in the manufacture of cigars in the United States might harmfully affect the welfare of the workers who were engaged in making cigars?

Mr. ORNBURN. That is what I read into the record, yes. That was officially before the Senate Finance Committee.

Senator COSTIGAN. It is further reported, Mr. Ornburn, that certain local labor organizations within the last few days have adopted resolutions adverse to your nomination to be a member of the Tariff Commission. Do you care to comment on any reasons for local criticism?

Mr. ORNBURN. Well, if you desire, Senator, I—

Senator COSTIGAN. I think we are entitled to know exactly the background out of which this nomination comes, and I think for your own purposes you ought to have in the record a clear statement of the reasons for any public opposition to your appointment.

Mr. ORNBURN. On Saturday evening, January 23, 1932, this newspaper clipping was forwarded to my office. (Reading:)

NEW HAVEN, CONN.—Members of the New Haven Trades Council regard the council's former president, Ira M. Ornburn, as unfit to be a member of the Tariff Commission, to which he has been nominated by President Hoover.

The resolution, made public to-day by Prof. Jerome Davis, of Yale, member of the council, asserts "everything he attempted from a trade-union standpoint was of a surreptitious, adroit nature."

I do not know what Professor Davis is doing in the New Haven Trades Council. He is not eligible to a seat in the council, and my friends advise me that he is closely bordering on advocacy of communism. There were 16 members of the council present. And the very same afternoon, unsolicited on my part, the New Haven Register, which has the biggest circulation in New Haven, unsolicited, I repeat—

The CHAIRMAN. Democratic or Republican Party?

Mr. ORNBURN. Independent. "Slap at Ornburn angers labor men." And it carries indorsements of the building-tradesmen of New Haven and the secretary of the State Federation of Labor.

Senator GORE. What branch does Professor Davis teach in?

Mr. ORNBURN. Senator, I am unable to say to you, because I do not know the gentleman personally. And further, Senator Costigan, I think that in fairness this should be stated. At the same meeting it is reported to me that it was said that I was not qualified to serve as a member of the commission because I did not have a college education. That was a report sent to me. I can not say that is authentic.

Now at the same time they make this charge. [Reading:]

Jockeyed into job.

The manner of Ornburn's election as head of the National Cigar Makers' Union throws much light on the political ramifications that resulted in President Hoover nominating him to the tariff board.

Senator LA FOLLETTE. Is that quoted from some one, Mr. Ornburn?

Mr. ORNBURN. Yes.

Senator LA FOLLETTE. Who is that quoted from?

Mr. ORNBURN. It is quoted from the Bridgeport Herald of Bridgeport, Conn.

Senator LA FOLLETTE. But I mean is it quoting some individual, or is it simply a statement of the paper itself?

Mr. ORNBURN. Well, it is apparently, Senator, a statement of the paper itself. The statement in the paper says:

Because of the support of Spellacy, James J. Davis, then Secretary of Labor, became interested in Ornburn's ambition to lead the cigarmakers. Davis made a trip to see the Governor of Florida in behalf of Ornburn.

The influence of the Governor of Florida lined up for Ornburn the support of the cigarmakers' locals in that State, and when the election of a national president was held Ornburn won the post.

In the next line is the statement that I never could be elected from my local union to anything. I say for the record that Local Union No. 39 of the Cigar Makers' International Union has been extremely radical in its tendencies. In spite of that, when I was elected presi-

dent of the Cigar Makers' International Union by a referendum vote I received 160 votes, and my opponent received 146.

Senator GORE. He had how many?

Mr. ORNBURN. One hundred and forty-six.

Now, in connection with the misstatement of facts regarding Secretary of Labor Davis going to Florida, let me point out to you that in Tampa, Fla., I received only 250 votes. My opponent received 1,088 votes. So that Mr. Davis's trip to Florida was not profitable to me.

Senator WATSON. Did you ask him to go to Florida for you, Mr. Ornburn?

Mr. ORNBURN. Never in my life.

Senator WATSON. Did you ask anybody to ask him to go to Florida for you?

Mr. ORNBURN. No.

Senator WATSON. Do you know whether or not he did go to Florida?

Mr. ORNBURN. I haven't the slightest idea whether he went there or not. And let me add that since I was elected those members in Tampa, Fla., have seceded from the Tampa, Fla., organization and joined in the Communist movement, and have been now for some weeks in trouble in Florida.

Senator COSTIGAN. Your suggestion to the committee is that the opposition to you is based on radical sentiment in Connecticut and elsewhere? On your opposition to Communist activities?

Mr. ORNBURN. That has something to do with it, Senator. And the labor unions have the same experience as you gentlemen in politics, in that you can not please everyone. There are some dissatisfied people in New Haven, and they have reason to be dissatisfied.

Senator COSTIGAN. It ought to be clear on the record that inquiries along these lines are not intended as evidencing any faith in any charges which are placed in the record on the part of those making the inquiries, but solely in order to develop the facts.

What, if any, further opposition has developed in Connecticut to your candidacy or your nomination?

Mr. ORNBURN. I have no knowledge of any other opposition.

Senator COSTIGAN. Now, with reference to the question of your interest or lack of interest in tariff matters, may I inquire whether you are a stockholder in business enterprises in Connecticut?

Mr. ORNBURN. No, sir.

Senator COSTIGAN. Other than those connected with the tobacco industry?

Mr. ORNBURN. I am not even a stockholder in the tobacco industry.

Senator COSTIGAN. You are not? You have no interest in any business in Connecticut?

Mr. ORNBURN. No, sir.

Senator COSTIGAN. Which would embarrass you or influence your judgment as a member of the Tariff Commission?

Mr. ORNBURN. No, sir; none whatsoever.

Senator COSTIGAN. What is your view of the relation of the Tariff Commission to the administration? Let me illustrate: If you were requested by the President to develop certain views on tariffs, what would be your attitude toward such a request?

Mr. ORNBURN. I should be governed by the facts in the case as presented by the experts and the examiners of the commission.

Senator COSTIGAN. Is it your feeling that a tariff commissioner should be responsive to any outside influences except those growing out of the statute under which you operate?

Mr. ORNBURN. No one.

Senator WATSON. Mr. Ornburn, did you ask anybody to indorse you to the President of the United States to this place?

Mr. ORNBURN. No, sir.

Senator WATSON. Nobody?

Mr. ORNBURN. No one at all.

Senator WATSON. At no time?

Mr. ORNBURN. At no time, Senator.

The CHAIRMAN. Who initiated it?

Mr. ORNBURN. It was initiated by a nominating committee of the members of the American Federation of Labor, and there were six names presented to the President by Mr. Matthew Woll, who is chairman of that group.

The CHAIRMAN. And you were selected out of the six?

Mr. ORNBURN. I was selected out of three Democrats and three Republicans. When the matter came before the nominating committee I asked that my name be not submitted, but those associated with me thought otherwise and submitted my name.

Senator COSTIGAN. Did Mr. Woll go to the President on your behalf?

Mr. ORNBURN. Yes; he did.

Senator COSTIGAN. Did Mr. Spellacy?

Mr. ORNBURN. No, sir.

Senator COSTIGAN. Did anyone go with Mr. Woll?

Mr. ORNBURN. I can not answer that question, Senator.

Senator KING. Why did Mr. Woll take an interest in this matter?

Mr. ORNBURN. Mr. Woll is chairman of a group of organizations in the American Federation of Labor that is interested in tariff legislation either directly or indirectly.

Senator KING. Are his views the views of the organization that he is the spokesman for?

Mr. ORNBURN. No, Senator. Each organization develops its own views, and then he carries out the view of that organization.

Senator KING. Did he go as a representative of the American Federation of Labor or that other organization to which Senator Costigan called your attention a moment ago?

Mr. ORNBURN. He went as a representative of the group known as the American Wage Earners' Protective Conference.

Senator WALSH of Massachusetts. Is Mr. Woll a Democrat or Republican?

Mr. ORNBURN. Mr. Woll? I do not know.

Senator HULL. Who were the other two that were placed in nomination by the Republicans?

Mr. ORNBURN. Mr. William Clark was one, of Toledo, Ohio. He is the president of the Flint Glass Workers. And Mr. Eams, of New Jersey. He is a member of the Glass Bottle Blowers' Association.

Senator HULL. Those were the two Democrats besides yourself?

Mr. ORNBURN. No. Clark is a Democrat and Eams is a Republican, and the other Democrat was a gentleman by the name of Gallagher, of San Francisco.

Senator HULL. What is the name of these different organizations interested in tariff legislation, of which Mr. Woll was the chairman, which selected these names or laid them before the President?

Mr. ORNBURN. They consist of the Boot and Shoe Workers organization, the Bookbinders International Union, the Glass Bottle Blowers Association, the Flint Glass Workers, and the Cigar Makers and Potters. There are some 18 or 20 of them, Senator.

Senator HULL. There are two points that interest me in an appointment like this: One is what moved the chief influences that got behind an appointment and sent them to the White House with the name, and the other is the experience and the knowledge and information; in other words, the qualifications of the appointee to assume and perform efficiently the functions and the duties of the position.

If the principal beneficiaries of the tariff select a person for appointment and secure his appointment, I have noticed quite often that he is assumed by many as allying himself with what is called the ultrahigh-tariff group as against what is called the lower tariff group, comprised mainly of Democrats.

I am just wondering whether you would feel called upon, in view of the fact that your nomination was initiated by a special organized group of persons for the special purpose of securing tariff legislation, whether you would feel obliged to ally yourself with the chief beneficiaries in order to secure what they might want.

Mr. ORNBURN. I would not, Senator. As a member of the commission I should consider myself a public servant and be governed entirely by the facts in the case, who initiated or regardless of who was responsible for it.

Senator HULL. As a rule it works out the other way, because a sense of gratitude and close relationships bring about an unconscious bias which it is difficult to throw off.

Now, about your experience in gathering tariff information and in considering tariff problems, you say you have not made any study of any particular phase except the tobacco industry.

Mr. ORNBURN. In my association with the American Federation of Labor as representative of the Connecticut Federation of Labor, it became my duty to negotiate wage agreements with different industries, and I became very familiar with the cost-finding systems of converting raw material into finished products, and I had quite a little experience in that line, Senator.

Senator HULL. But that experience did not relate to tariff computations; that was in connection with other phases relating more to the wage situation. I have seen many persons who have been students of the tariff for 10, 15, and 25 years, and very capable persons, too, and then they only have a smattering idea of the way of all the roots and ramifications of the problem; and I am just wondering how long it would take one not grounded at all to really get at all the phases that are necessary to serve the general public down there on that commission.

Mr. ORNBURN. I feel, Senator, of course with all of the experts and the examiners gathering this information for the commission, that I would be qualified to assimilate the information and to arrive at satisfactory conclusions.

Senator HULL. The great trouble is that if a novice in this thing gets into the hands of the so-called experts, there is not much telling where he will finally land in some of his findings.

Mr. ORNBURN. I feel that I could prevent any expert from going such lengths as that.

Senator HULL. You think that you would be able to anticipate any kind of frameups that they might attempt?

Mr. ORNBURN. Without any doubt, Senator.

Senator HULL. You would be very lucky, much more so than some who have studied the subject.

Senator BARKLEY. My recollection is that the organizations engaged in the manufacture of pottery, glassware, were quite active in advocating high rates on pottery and glassware in the recent tariff fight. As a member of the commission, by reason of their activity in your behalf, would you be embarrassed in any way in taking an independent view of an investigation involving pottery and glassware and other things in which the laboring organizations are interested in by reason of their initiating your probable appointment?

Mr. ORNBURN. No, sir.

Senator BARKLEY. In other words, would you feel as a member of the commission that you represent these particular organizations on the commission, or would you feel that you represent the general Democratic viewpoint on the question of tariffs?

Mr. ORNBURN. I feel that I represent the general Democratic viewpoint on tariffs.

Senator BARKLEY. If that viewpoint coincided with the organization, well and good; otherwise you would not be embarrassed by reason of the fact that they might advocate a higher rate of tariff on some particular thing than your political beliefs would justify?

Mr. ORNBURN. I have so advised them of that.

Senator COSTIGAN. What is your general view of international trade, Mr. Ornburn? Do you favor the importation of foreign goods?

Mr. ORNBURN. Yes, sir; I favor—

Senator COSTIGAN. To what extent?

Senator WATSON. What was that last question, Senator Costigan? I did not hear you.

Senator COSTIGAN. I asked whether he favored the importation of foreign goods.

Mr. ORNBURN. To what extent, Senator?

Senator COSTIGAN. What curb would you put on foreign importation?

Mr. ORNBURN. I would put no curb on importation so long as the costs were equalized.

Senator COSTIGAN. Would you apply that rule universally?

Mr. ORNBURN. Yes.

Senator COSTIGAN. That is, would you favor producing articles at high cost in New England as against the importation of articles from abroad at low cost through tariff regulation?

Mr. ORNBURN. So long as the cost of merchandise or commodities abroad was placed on an equal basis with that which is provided by the law, I would have no objection.

Senator COSTIGAN. To use an old expression, would you favor tariffs which would make it possible to grow pineapples in Maine?

Senator BARKLEY. It would take something besides the tariff to bring that about.

Senator WATSON. I was going to say, you would have to have a dispensation from Heaven.

Senator COSTIGAN. Mr. Chairman, the question has a serious purpose. I am endeavoring to develop from the witness to what extent he feels that the tariff should promote the development of domestic industries and to what extent he would permit foreign imports to operate as a check on certain industrial developments in the United States.

Mr. ORNBURN. So long as the costs have been equalized, after a scientific investigation, I would not be in favor of placing any embargo, so to speak, upon any imports.

Senator COSTIGAN. Do you favor the admission of foreign goods into the principal markets of the United States in competition with American goods on exactly equal terms so far as costs go?

Mr. ORNBURN. So far as costs go.

Senator COSTIGAN. For example, if we were to find that the region of principal competition between imported and foreign goods was in Chicago, would you favor a tariff so adjusted that foreign goods manufactured abroad, transported to the United States, transported to Chicago, and laid down there in competition with American goods, would be on an exactly equal cost basis with the cost of manufacturing and bringing American goods to Chicago?

Mr. ORNBURN. If I understand your question correctly, Senator, that would be a duty of Congress. The commission, as I understand it, is an agency of Congress to carry into effect the law as passed by Congress. It is a fact-finding body, so to speak.

Senator COSTIGAN. I am trying now to get away from the statute, although what I have suggested I think has been in accordance with past statutes of Congress, to determine what your own views are with respect to the competition of foreign goods with American goods in the same principal markets.

Mr. ORNBURN. I should rather not answer that statement until I had all the facts before me, Senator.

Senator COSTIGAN. You have no general philosophy about the competition of foreign goods with American goods?

Mr. ORNBURN. No, sir.

Senator HARRISON. You think it is very wise, though, for Congress to give its definition of transportation, so the commission will not divide with reference to how they interpret that question?

Mr. ORNBURN. Yes, sir.

Senator BARKLEY. Would you be in favor of the initiation of duties on articles not manufactured in this country, with the speculative hope that if the duty was high enough they could start in to manufacture them so that foreign competition could be kept on, or would you feel that tariff rates ought to be based on existing conditions and

not on future prospects, especially where the initiation of the manufacture of a product has not begun yet?

Mr. ORNBURN. On existing conditions, Senator.

Senator BARKLEY. You would not be in favor, then, of putting the tariff so high that the foreign product would be kept out, in the hope that at some future date we might begin to make it ourselves?

Senator CONNALLY. Mr. Ornburn, you answered Senator Costigan by saying that under the state of facts that was placed before you that would be a matter for Congress to decide, and you, as a member of the commission, would simply carry out the views expressed by Congress in the law; is that correct?

Mr. ORNBURN. That is right.

Senator CONNALLY. Suppose you were not on the Tariff Commission, what would your views as a citizen be as to whether or not, stating the case as he stated it, as to articles produced in or near Chicago, which would make the principal market in this country of the product, foreign goods ought to be admitted upon a basis that would permit them to compete in Chicago, the principal market, on absolute terms of equality so far as costs are concerned?

Mr. ORNBURN. I feel that the answer to Senator Harrison's question covers that point, Senator.

Senator CONNALLY. If I felt that I would not have asked the question, because I heard Senator Harrison's question. What is your belief as a citizen as to whether that is right or whether it is wrong, or whether you favor some other method, divesting yourself for the moment of the command that you think Congress would give you? What would you believe was the right policy as a matter of policy?

Mr. ORNBURN. I should want to give that some serious thought before arriving at definite conclusions.

Senator CONNALLY. You have no views on it, then?

Mr. ORNBURN. My mind is more or less open on that question.

Senator CONNALLY. You have no preconceived beliefs then one way or the other about it; just simply open to both sides of the matter?

After you are confirmed, do you think you would have any difficulty in arriving at a conclusion?

Mr. ORNBURN. I think I should then have an opportunity to familiarize myself more thoroughly with the advantages and disadvantages.

Senator CONNALLY. Well, don't you understand that to be the policy as laid down by Congress under the theory of equalizing costs of production; that articles ought to be admitted from abroad so that they could compete on absolute terms of equality so far as production costs of domestic articles?

Mr. ORNBURN. I understand, and I further understand, Senator—I take it that the Democratic platform of 1928 called for the equalization of costs after a scientific investigation.

Senator CONNALLY. All right. You said awhile ago you agreed to that?

Mr. ORNBURN. I do.

Senator CONNALLY. Do you agree with it now?

Mr. ORNBURN. Yes, sir.

Senator CONNALLY. A while ago I understood you to say your mind was open on that.

Mr. ORNBURN. Well, I misunderstood your question. I believe in the Democratic principle as set forth in the Democratic platform regarding equalization of costs.

Senator HARRISON. As I understood, Mr. Ornburn, you have not made up your mind definitely as to applying the rule; as a citizen, I mean, or an individual, without any definite rule being laid down by Congress as to where you would impose this transportation cost, whether you would impose it on the foreign articles, say to New York City as it lands in this country, or if the principal marketing place is at Chicago, whether you would apply it to Chicago. That is a question you would want to study out?

Mr. ORNBURN. Yes. That is the question I should want to study. The general broad principle is not what I want to study out.

Senator HARRISON. It is a question about which the commission has divided a great deal, and that was one thing we hoped to avoid by laying down a fixed rule.

The CHAIRMAN. Any other questions?

Senator COSTIGAN. Is it your view, Mr. Ornburn, that in the case of monopolies in the United States charging prices which represent more than a reasonable profit above the cost of production, imports of foreign similar articles should be permitted? I speak now to you as a citizen, not a tariff commissioner—whether imports of articles should be permitted to bring down excessively high prices, so as to prevent monopoly control of domestic prices?

Mr. ORNBURN. I am not in favor of any monopoly control of domestic prices.

Senator COSTIGAN. Would you regard it as proper to use imports of foreign goods in such cases to reduce such excessive prices?

Mr. ORNBURN. After a thorough investigation has been made and if the facts warrant, Senator.

Senator COSTIGAN. May I ask you whether you have ever made any statement or are willing to make one at this time, on the general subject of whether you look upon the rates in the Smoot-Hawley Act, the tariff act of 1932, as too high?

Senator WATSON. Which rates?

Senator COSTIGAN. I speak of the general level of rates. Have you declared yourself in favor of or opposed to the general level of rates in the Smoot-Hawley Tariff Act?

Mr. ORNBURN. I have never declared myself either way in that, Senator.

Senator COSTIGAN. Have you any convictions on that subject?

Mr. ORNBURN. No; not without the facts before me.

Senator COSTIGAN. Did you ever make a declaration of the same sort on the Fordney-McCumber Act, known as the tariff act of 1922?

Mr. ORNBURN. No, sir.

Senator COSTIGAN. Have you ever taken any position with regard to the flexible tariff provisions of either law? If so, what?

Mr. ORNBURN. I am in favor of the flexible provision of the tariff bill.

Senator BARKLEY. You mean the principle or the provision?

Mr. ORNBURN. I am in favor of the principle of the flexible provision.

Senator GORE. Mr. Ornburn, do you think that the fact that wages are higher in the United States than they are in any other country in

the world is due to the higher efficiency of American labor, or due to the fact that we have got a high protective tariff?

Mr. ORNBURN. Higher efficiency of American labor.

Senator GORE. Don't you think that American labor turns out a larger product than any other labor on earth?

Mr. ORNBURN. I do, sir.

Senator GORE. And I will add this myself there, that I think, measured by that standard, it is the poorest paid labor on earth.

But here is the point: Does efficient labor of that sort need protection against imports of foreign products?

Mr. ORNBURN. Well, that brings up another question. Of course, modern machinery is being installed abroad, American-made machinery is being installed abroad. It is just a question of how long it will take to develop to that same point of efficiency abroad.

Senator GORE. Yes; but it never has. You say it is a matter for the future to determine. It has not been brought up to our standard of efficiency in the past, has it?

Mr. ORNBURN. No, sir.

Senator GORE. Yet we have here the highest tariff in the world?

Mr. ORNBURN. Yes, sir.

The CHAIRMAN. It has not generally been brought up, but in some cases it has.

Senator GORE. In some cases, yes, the machinery; the labor has not, and they do not turn out as much there as they do here.

The CHAIRMAN. They do with the same machinery.

Senator THOMAS of Idaho. Senator Gore, you do not mean to make the statement that we now have the highest tariff in the world?

Senator GORE. No; I would not make that universal. But as a rule, the range is higher. If there are any others I would be glad to know. On some things it is higher, yes; but there it is largely a matter of retaliation. I think our tariffs have provoked it.

Senator WATSON. We do not think so, and that is a matter of argument, and that has not anything in the world to do with the qualifications of this man.

Senator GORE. No; it has not.

Now, Mr. Ornburn, I understood you to say you accept the Democratic platform adopted at Houston—which I do not—but it provides against the measuring of the distribution of production here and abroad.

Senator WATSON. You are not in agreement with him?

Senator GORE. No; I am not. I see the witness is, and, of course, he is justified in that, I suppose.

Senator WATSON. Are you now asking him to accept something that you refuse to accept?

Senator GORE. He has accepted something that I refuse to accept, in the Houston tariff platform.

The CHAIRMAN. Senator Gore, are you going to ask him about the duty on oil?

Senator GORE. Not yet. That has already been recommended by the Tariff Commission. But I will say this: When I was in the Senate before, it was brought up and I voted against the tariff on oil.

Senator LA FOLLETTE. Mr. Chairman, unfortunately I have to leave the committee, but I would like to reserve the right to read the record of these proceedings before we take final action.

The CHAIRMAN. Very well, Senator; I presume that will be satisfactory.

Senator GORE. Mr. Chairman, I want to ask one more question.

Senator COSTIGAN. Mr. Chairman, I would like to have the endorsements from the White House before you take a vote.

The CHAIRMAN. Perhaps we can determine that a little later, Senator. Proceed with your questions if you have anything more, Senator Gore.

Senator GORE. If we impose a tariff here that covers the difference between the cost of production here and abroad, doesn't that change the attitude or sentiment to trade?

Mr. ORNBURN. Senator, I did not get that question.

Senator GORE. I say, if we impose a tariff here that covers the difference between the cost of production here and abroad, doesn't that virtually remove the incentive to trade?

Mr. ORNBURN. In other words, if we equalize the cost?

Senator GORE. Yes.

Mr. ORNBURN. I do not understand it that way, Senator.

Senator GORE. You do not think—and a good many Democrats have adopted the same policy—that we ought to be allowed to buy things as nearly as we can in those countries that are best adapted to produce them and exchange for them the things we are best adapted to produce? You do not think that?

Mr. ORNBURN. Not necessarily on an equal basis.

Senator WATSON. Is that a question, Senator Gore, my good friend, that the Tariff Commission will ever be called upon to pass upon?

Senator GORE. What is that.

Senator WATSON. That is the tariff we wrote in here. We were placing the tariff on equal trade.

Senator GORE. The difference in cost of production?

Senator WATSON. Yes. Is that the rule that he would abide by?

Senator GORE. Yes; I believe he said that is the rule he would abide by, which I think petrifies international trade very largely. It takes all the advantages out of it. Of course, that is merely my view and I want to get his on that point.

Senator HARRISON. Let me ask, Mr. Ornburn: If you had the power to fix rates after you had ascertained the difference of cost production, here and abroad, would you not take into consideration the amount of importations, the small importations, or the efficiency and those factors of economically located plants, and so forth? Don't you think those are matters that ought to enter into the fixation of rates?

The CHAIRMAN. Or large importations.

Senator HARRISON. Yes; or large importations, certainly.

Mr. ORNBURN. I should take all those facts into consideration, Senator, before reaching a conclusion.

Senator COSTIGAN. Are you known in Connecticut as a high-tariff advocate, or low-tariff advocate, or reasonable-tariff advocate?

Mr. ORNBURN. I am known, Senator, in Connecticut as advocating expressly the views of the Democratic Party in 1928.

Senator COSTIGAN. And in no other year?

Mr. ORNBURN. In no other year have I been a high-tariff advocate.

Senator WALSH of Massachusetts. You stated that you were engaged in the job-printing business from 1920 to 1926?

Mr. ORNBURN. Yes, sir.

Senator WALSH of Massachusetts. How many employees did you have?

Mr. ORNBURN. Nine.

Senator WALSH of Massachusetts. And prior to that time, prior to 1920, did you engage in any private business outside of your activities in connection with labor movements?

Mr. ORNBURN. When I served by apprenticeship in my trade I ran a cigar factory employing five men for three years.

Senator WALSH of Massachusetts. So most of your time has been as an officer of these labor unions?

Mr. ORNBURN. As an officer of the labor unions.

Senator CONNALLY. Mr. Ornburn, you say that this organization of which Mr. Woll is the head had indorsed you, I believe, as an organization, and Mr. Woll has gone to the White House in your behalf. Do you remember a meeting that was held by this organization, I think it was while we had the tariff bill up here, in Detroit—was it held in Detroit?

Mr. ORNBURN. No.

Senator CONNALLY. At the same time that the American Federation of Labor was held there?

Mr. ORNBURN. In Detroit?

Senator CONNALLY. Or Toronto probably. Where was it held?

Senator WATSON. Vancouver, this last one.

Senator CONNALLY. No; about a year ago.

Mr. ORNBURN. That would be in 1929, I think.

Senator CONNALLY. In 1929, I think.

Mr. ORNBURN. In 1929 we met in Toronto.

Senator CONNALLY. Yes. Is it not a fact that Mr. Woll had a meeting of his organization, this tariff organization, at that time?

Mr. ORNBURN. Senator, let me try and explain what the so-called Mr. Woll organization is. It consists of national and international unions in the American Federation.

Senator CONNALLY. Yes; that is all.

Mr. ORNBURN. And we are all at every annual convention.

Senator CONNALLY. Yes, sir; but now, did he have a meeting of this particular organization held there at the same time that the Federation of Labor was held?

Mr. ORNBURN. If it was held I did not attend it. I do not recall.

Senator CONNALLY. You do not remember anything about that?

Mr. ORNBURN. No, sir.

Senator CONNALLY. Didn't they have a resolution there introduced approving the Smoot-Hawley tariff, and didn't the American Federation of Labor refuse as an organization to recognize Mr. Woll's attitude on that subject?

Mr. ORNBURN. No; that is not correct, Senator. In the American Federation of Labor Mr. Gompers at the outset ruled that the question of tariff was a political matter so that it does not now come on the floor of the conventions of the American Federation of Labor. There never was any resolution passed endorsing the Smoot-Hawley tariff.

Senator CONNALLY. I know there was not. I was thinking the Federation of Labor had refused to endorse Mr. Woll's organization.

Mr. ORNBURN. No, sir.

Senator BARKLEY. I was just wondering whether the creation of this subsidiary organization was brought about in order to circumvent the attitude of the American Federation of Labor that it would not consider tariffs but that this suborganization was created in order that it could, within the American Federation.

Mr. ORNBURN. Every national and international union has pure autonomy in matters of that kind. And, of course, we can not, we will not, and we do not, belong to any branch or subsidiary organizations that directly conflict with the American Federation of Labor. The American Federation of Labor holds that each national and international union may determine what their policy will be on tariffs or what their policies will be on all other matters, and after they have determined that policy, then the American Federation of Labor most generally supports that policy.

Senator CONNALLY. Now, Mr. Ornburn, the Federation of Labor itself is an organization to promote working conditions and higher wages and look after the general interests of the labor unions that are constituent members of the Federation; that is true, is it not?

Mr. ORNBURN. That is true.

Senator CONNALLY. Now, what was the purpose and object of this other organization that Mr. Woll brought into being, the membership of which is largely members of the American Federation, unless it was to promote tariff advocacy among those particular unions? Was that the purpose of it?

Mr. ORNBURN. This was the real purpose, Senator: Each one of those organizations had to use one man to look after such affairs.

Senator CONNALLY. What affairs, tariff matters?

Mr. ORNBURN. Tariff matters.

Senator CONNALLY. Certainly.

Mr. ORNBURN. For instance—well now, I don't mean high tariff matters.

Senator CONNALLY. Well, tariff matters.

Mr. ORNBURN. Tariff matters in general.

Senator CONNALLY. Then this organization—what do you call it, the Workers' Protective League?

Mr. ORNBURN. America's Wage Earners' Protective Conference.

Senator CONNALLY. So that essentially is a tariff organization, is it not?

Mr. ORNBURN. It deals with tariff and other legislative matters in which the American Federation of Labor is interested.

Senator CONNALLY. But particularly with reference to tariffs?

Mr. ORNBURN. Essentially tariffs.

Senator CONNALLY. And Mr. Woll was the man that organized it, was he not, and he was the gentleman that appeared here before this committee and has already suggested and urged higher tariffs than almost old man Grundy?

Mr. ORNBURN. I shall have to say this in defense of Mr. Woll, Senator, that whatever he came here to advocate, whether it be a tariff on pottery or glassware, he expressed the desire of that national

or international union. Mr. Woll does not make the policy of the Wage Earners' Protective Conference.

Senator GORE. But he represents the wage earners themselves?

Mr. ORNBURN. That is right.

Senator GORE. And their purpose is to protect their own wages through a high tariff?

Mr. ORNBURN. Not necessarily high tariffs, Senator.

Senator GORE. But measured on the difference between production costs?

Mr. ORNBURN. That is right.

Senator GORE. Their interest is primarily not the consumer, but the wage earner?

Mr. ORNBURN. Our members are consumers, too, Senator. You have to take that into consideration.

Senator GORE. Mr. Woll's organization or similar organizations, none of them are free traders, are they? None of those demand free trade?

Mr. ORNBURN. No, sir. Others do, substantially, but none of them are free traders, Senator.

Senator BARKLEY. Mr. Ornburn, do you know how many schedules they advocated should be reduced? In other words, has their attitude always been in favor of increases or has it been divided out among some reductions?

Mr. ORNBURN. No; there have been some reductions. In particular, the cigar makers. There have been some reductions elsewhere, too.

Senator CONNALLY. Mr. Ornburn, you are a member of this Woll organization, are you?

Mr. ORNBURN. Those organizations which I have represented for years are affiliated with that organization.

Senator CONNALLY. You spoke about the tariff duties on tobacco and cigars. You advocated low tariff duties on tobacco, as I understand it?

Mr. ORNBURN. Yes.

Senator CONNALLY. And higher tariff duties on cigars?

Mr. ORNBURN. No; I did not advocate any change in the duty on cigars.

Senator CONNALLY. But the reduction in the tariff on tobacco; according to your views, would be of benefit to the growers?

Mr. ORNBURN. The workers themselves determined that it would be.

Senator CONNALLY. Well, you represented them?

Mr. ORNBURN. I represented them.

Senator CONNALLY. You agreed with that view, didn't you?

Mr. ORNBURN. I agreed to that view.

Senator CONNALLY. You were faithful to your kind?

Mr. ORNBURN. That is right.

Senator CONNALLY. Did you ever appear in behalf of lower duties, representing that organization, on any other articles?

Mr. ORNBURN. No, sir. Neither did I ever appear in favor of an increase for any other articles.

The CHAIRMAN. If that is all, we will excuse you, Mr. Ornburn.

Mr. ORNBURN. Thank you, gentlemen.

The CHAIRMAN. Mr. O'Brien.

**STATEMENT OF ROBERT L. O'BRIEN, OF MASSACHUSETTS,
NOMINEE OF THE PRESIDENT FOR THE POSITION OF TARIFF
COMMISSIONER**

Mr. O'BRIEN. I have no prepared speech. If there is any question that anybody would like to ask me I will answer with frankness.

Senator BARKLEY. You were appointed as a Republican member?

Mr. O'BRIEN. Yes, sir.

Senator BARKELEY. You believe in the traditional attitude, subject to such exceptions as circumstances might permit?

Mr. O'BRIEN. Yes. I am a Republican protectionist. I have voted for every Republican presidential candidate beginning with McKinley. I voted for the preceding Democratic candidate.

Senator HARRISON. Let Mr. O'Brien give some background of what he had done, and so forth.

Senator WATSON. What has been your business, Mr. O'Brien.

Mr. O'BRIEN. I have been in the newspaper business the greater part of my life. I was here 11 years as a correspondent of the Boston Transcript, and eventually the New York Evening Post under the old régime, and then I went to Boston as editor of the Transcript, where I was for four and a half years, and then I went over to the Herald on its reorganization following a receivership, and I was 18 years with the Herald. I was most of the time the publisher, for all the time the editor of the Herald.

I retired about four years ago. I have been traveling and amusing myself in various ways without working very hard, and when the President invited me to take this position it looked like an interesting field of work and of opportunity, so I accepted it. There was no campaign made in my behalf, least of all by myself. It was a very great surprise to me when I heard of it, as apparently, it was to everybody else.

Senator GORE. The announcement was made in the public press. Was that the first notice you had of it?

Mr. O'BRIEN. No; the President had sent for me. I would give a little bit more of my history, perhaps.

Senator BARKLEY. Yes.

Mr. O'BRIEN. I am a graduate of Harvard College. I took the courses in political economy, particularly the tariff, and on coming out of college I identified myself with the tariff reform movement of that era. I was Mr. Cleveland's personal secretary and stenographer and came to town here with him. I had been in his service for the year before.

Senator GORE. Which time, Mr. O'Brien?

Mr. O'BRIEN. 1892. I was here in the second administration, 1893, and stayed until November, 1895, and I had been with him from his nomination, but largely as a stenographer and personal secretary. I did the typewriting for the famous Catchings letter in which the famous "communism of pelf" phrase was used, and I, of course, wrote out—

Senator GORE. Some of those things are being looked back to now.

Mr. O'BRIEN. Yes. I was reading it the other day. And I wrote it out, of course as a stenographer, I claim no authorship in any of these things, but I wrote out his Madison Square Garden speech of

acceptance of 1892, and I was in sympathy with his point of view on the tariff question.

I have since come to see and believe, by a course of gradual evolution, just as I think the Democratic Party has, that it is a condition that confronts us and not a theory, that our economic system is geared up to protective tariffs, to this contrast of labor costs here and abroad. I hope I am a reasonable man in it all.

Senator BARKLEY. You left the Democratic Party largely on the silver question?

Mr. O'BRIEN. Bryan and the silver question; I did.

Senator BARKLEY. Without regard to any change in your view on tariff at that time?

Mr. O'BRIEN. That is true.

Senator BARKLEY. So you have accommodated your views on the tariff to your political alignment since?

Mr. O'BRIEN. I think that is a fair statement of the case.

Senator CONNALLY. And when the Democrats changed their views as you say, you did not come back; you stayed out?

Mr. O'BRIEN. Yes. I have been out ever since. I voted for McKinley and for Roosevelt and I voted for Taft as against Roosevelt in 1912. A man is not unrelated to the organization of which he is a part. I was the editor and publisher for 18 years of the leading conservative newspaper in New England, and my policies and its policies were quite identical. In fact, I guess I made them mostly, and on that line I supported Taft as against Roosevelt in the Bull Moose movement of 1912.

Senator GORE. Do you think the tariff situation, Mr. O'Brien, throughout the world generally is satisfactory?

Mr. O'BRIEN. It is in a perfectly terrible condition, the tariff condition throughout the world. The condition of all of those 26 or 28 countries in Europe pulling and hauling at each other, every one putting up higher tariffs on the other fellow, is very distressing. I have been to Europe three summers in the last four, and that is the subject that I have been more than anything else interested in; the terrible situation, economic distress, that has come about from the cutting up of Europe into all these small countries and each having a craze of nationalism, to be sufficient unto themselves, in languages, and starting a lot of new and useless languages in the world, and they have done a very great deal of antagonistic tariff making. The breaking up of Europe—

Senator GORE. Maybe you better stop, Mr. O'Brien. We might claim you are a Democrat. You are talking sense now.

Senator BARKLEY. Does that general observation apply to our own relationship with other countries, this effort to continue to pyramid tariff walls around the countries? Does that operate in any way on your intellectual processes on our own relations with other countries?

Mr. O'BRIEN. I think it increases the necessity of our maintaining our tariffs. I think the conditions abroad, conditions everywhere, including Great Britain, in going onto a tariff, the Canadian conditions—I think there was never a time when we needed to stand so firmly for the maintenance of our general tariff system as we do to-day.

Senator BARKLEY. What effect does the Kilkenny cat fight that is going on in Europe among the nations over there have on us

unless it also branches out in a retaliatory spirit of maintaining tariff regulation?

Mr. O'BRIEN. It is a retaliatory spirit. There are all kinds of retaliatory tariffs in Europe.

Senator BARKLEY. They are aimed against us?

Mr. O'BRIEN. Well, they are aimed against everybody. I do not know the various forms of European retaliation. Take this quota system. So many countries are going onto a quota of imports regardless of tariffs. I was in Riga, in Latvia, last summer, and I see that they have since then balanced their budget by adopting quotas in addition to very excessive duties. They have a hundred per cent duty on American automobiles. Their gasoline cost 60 cents a gallon there. And in addition to those duties they have a quota of what they will admit from the United States and every other country.

Senator BARKLEY. When was that quota established and those rates increased?

Mr. O'BRIEN. The quota was established since I came away. I was there two weeks in August, and then this fall along about the time England went off the gold standard, I should say a little later than that. Riga, Latvia, the little country of Latvia, went onto its quota system. Spain is on the same quota system now and is cutting out everything. There is a perfect rage of tariff antagonisms and discriminations.

Senator GORE. Don't you think, Mr. O'Brien, that a tariff is just as good a thing for those countries as it is for us?

Mr. O'BRIEN. Oh, no, no, no. Because we can supply such a large part of our needs within our own area. Now, little Latvia, a tariff is a terrible thing for her, the tariff to the extent they have. Oranges \$1.20 a dozen, the worst oranges you ever saw, because they want the people to eat apples. Automobiles as much as 100 per cent.

Senator GORE. Don't you think that is a good idea? They raise apples?

Mr. O'BRIEN. They raise apples.

Senator GORE. Don't you think that is a good idea?

Mr. O'BRIEN. No, I think that is antagonistic to the interests of civilization, the way they keep out the automobiles, the way they keep out coal—they raise wood, and so they have heavy duties on coal, and the normal market of north Germany and England for coal there has been wiped away.

Senator BARKLEY. You were not in sympathy then with the effort that was made here to secure a tariff on bananas in order to compel our people to eat peaches?

Mr. O'BRIEN. I should not, sir, be in favor of having a duty on bananas to compel people to eat peaches. I am glad, however, that we raise oranges in the United States, and I would be in favor of a duty on oranges to keep up the industry in southern California rather than transfer it to Mexico.

Senator BARKLEY. Do you know what proportion of these retaliatory tariffs have been enacted since June, 1930, or since January, 1930?

Mr. O'BRIEN. No; but the cause of the enactment of them is the severe economic distress over there.

The CHAIRMAN. For instance, coal is on the free list. They could not say it was the Smoot-Hawley bill imposing a duty upon coal that forced them in Latvia to raise the duty on coal.

Mr. O'BRIEN. You are absolutely right. Though our coal is on the free list, they put a duty on coal for their own reasons, and I think the economic distress in the world, accompanied by the cut-up of Europe into so many little countries—the chief use of the dual monarchy of Austria-Hungary was to give an assured market of 55,000,000 consumers. Now that that is cut up into a half a dozen little countries, each one trying to be sufficient unto itself, and all terribly poor and growing poorer all the time, they can not sell anything much to anybody else, and so they put up duties to keep anybody else from selling anything to them.

Senator GORE. Communities between which free trade prevailed prior to this provision?

Mr. O'BRIEN. Yes.

Senator GORE. Now are levying high tariffs against each other?

Mr. O'BRIEN. That is right.

The CHAIRMAN. Do you remember what the tariff is that Czechoslovakia put on shoes?

Mr. O'BRIEN. Czechoslovakia on shoes?

The CHAIRMAN. Yes.

Mr. O'BRIEN. I don't know about that. They are great shoe manufacturers there.

The CHAIRMAN. They have now American machinery.

Mr. O'BRIEN. Yes.

The CHAIRMAN. They have American foremen; they have American capital, and they are now trying to get the American market, and making great headway, too.

Mr. O'BRIEN. They are one of the largest shoe manufacturers in the world. They do not use quite all the American machinery. Mr. Winslow, president of the American United Shoe Machinery Co., told me that Bata, one of the largest shoe manufacturers in the world, located in Czechoslovakia, had about 50 per cent of American equipment, and a good deal of German and other equipment. But he has a very large number of stores all over the world; shoe stores with the family living upstairs. Of course, his shoes are not as a rule the shoes that the gentlemen in this room are wearing. They are more of the rubber footwear, carpet-slipper type.

The CHAIRMAN. You can go into the city of New York, Philadelphia, Chicago, or Boston, or any large city, and you go up main street and you find in the stores Czechoslovakian shoes sold, nothing else but Czechoslovakian shoes in those stores.

Senator WALSH of Massachusetts. Largely one grade of shoes.

The CHAIRMAN. Mostly ladies' shoes. The tariff had nothing whatever to do with that.

Senator WALSH of Massachusetts. Perhaps I can shorten the meeting here by giving the personal testimony of my knowledge of Mr. O'Brien, having read for a long period of time his comments upon the tariff question. I can most emphatically declare that he measures up to everything a Republican ought to have on the tariff question. I think the Republican Party is fortunate in getting such a thorough Republican on that board.

Senator CONNALLY. May I ask you one question, Mr. O'Brien?

Mr. O'BRIEN. Yes.

Senator CONNALLY. I believe you stated in your statement that this condition in Europe is intolerable, due to putting up retaliatory and higher and higher tariffs against each other; is that correct?

Mr. O'BRIEN. I think it is very bad indeed.

Senator CONNALLY. And you also stated that on account of that you felt that it was all the more imperative that we maintain our high standards here of tariff rates. Is that correct?

Mr. O'BRIEN. Yes. This is a time now where we have got to hold our ground. The competition is so severe that if our gates were let down we would be a dumping ground for everybody that has got to get some money.

Senator CONNALLY. Is that the same state of mind that is actuating these European countries and which is producing the condition which you say is intolerable and unbearable?

Mr. O'BRIEN. Not exactly.

Senator CONNALLY. One is in Europe and one is here; is that the difference?

Mr. O'BRIEN. No; I do not think so. I think, as I said a moment ago, the cause of the tariffs in Europe is they have been cut up into a lot of unnatural nations. Their railroads do not come—

Senator CONNALLY (interposing). Then your complaint is the politics of Europe rather than anything else?

Mr. O'BRIEN. Yes. The tariff has grown out of the politics, the political map. I think the map of Europe made at Versailles and subsequent treaties is a very bad one.

Senator CONNALLY. You do not favor us undertaking to amend the treaties of Versailles; you would not undertake that?

Mr. O'BRIEN. I imagine that is not only beyond my domain but perhaps anybody else's. But I think there were so many serious mistakes made in lining up the map of Europe.

Senator CONNALLY. You do not think the way of rectifying these terrible conditions in Europe, as a member of the Tariff Commission, would be to build our walls up even higher than they are now and thereby induce and influence the Europeans to lower theirs?

Mr. O'BRIEN. I never said anything about building tariffs higher than they are now.

Senator CONNALLY. You said maintain them, and they are high now.

Mr. O'BRIEN. No; I said our protective system is just as important to us now as it ever was or ever will be.

The CHAIRMAN. Mr. O'Brien, when the tariff bill was passed we had the tariff walls of the different countries of the world, and it was not the highest wall by any manner, even at that time. And now the tariffs in foreign countries have been raised, I suppose, until the American tariff wall is the lowest wall that there is in all the world that I know anything about.

Senator HARRISON. I am glad the chairman says he "supposes" that.

Mr. O'BRIEN. A great many of these food articles that come in from the United States are taxed in other countries.

Senator REED. Mr. O'Brien, it is a fact, is it not, that these tariffs that you speak of have been put on without any regard whatever to comparative production costs?

Mr. O'BRIEN. That is true.

Senator REED. Whereas ours are at least attempted to be equalized according to production costs?

Mr. O'BRIEN. That is true, absolutely.

Senator HARRISON. You would not say they have been put on without regard to what this country has done with reference to its tariffs, would you, Mr. O'Brien?

Mr. O'BRIEN. I think the latest craze in tariffs over there, since the depression, has had little or nothing to do with us. I think undoubtedly the American example under protection has been a good deal of an influence through the years in Europe. Particularly in England—anybody that has talked about tariff in England has always cited the American example of our self-contained prosperity.

Senator HARRISON. Well, you would not say, though, that Canada's action in lifting their tariff walls, and Spain, and some other countries, was done without any regard to what the United States has done in the Smoot-Hawley tariff increase?

Mr. O'BRIEN. Of course, Canada is sitting right next to us, and is very much interested in what we do, and when the reciprocity plan failed that gave them an impetus to go forward on high tariffs, and the Dominion Government has been very alert in looking after Canada's interests.

Senator HARRISON. As I understand it, the United States has influenced those countries to some extent, some of those countries.

Mr. O'BRIEN. I think the economic success of the United States under protection, the success such as we have had, has been a great influence throughout the world. We have been the great exemplar of what protection could and might do. I think that is so.

Senator HARRISON. But I asked you the question, Mr. O'Brien: Do you or do you not think that the increases in the Smoot-Hawley tariff had the effect in every country in lifting its tariff walls, notably Canada and notably Spain, sir.

Mr. O'BRIEN. I know of no specific incident of that kind. I should attempt to put it in the general atmosphere, so to speak.

Senator GORE. Well, you would not say that Canada has not raised her tariff because of the Smoot-Hawley bill?

Mr. O'BRIEN. Yes.

The CHAIRMAN. She raised items from the United States on which there is no tariff at all.

Mr. O'BRIEN. Yes; that is true.

The CHAIRMAN. So that is in the interest of raising money to maintain her government.

Senator GORE. It is the spirit of retaliation, to raise their tariff too.

Senator REED. Mr. Chairman, can't we vote on this question now?

Senator CONNALLY. Mr. Chairman, I would like to ask just a few more questions.

Mr. O'Brien, one question: You voted for Mr. Taft for President and supported him against Mr. Roosevelt?

Mr. O'BRIEN. I did, sir.

Senator CONNALLY. You favored the tariff reciprocity with Canada, did you?

Mr. O'BRIEN. Yes, I think we did. I am a little hazy on it. That has been some years ago. I know I never opposed it. I was especially surprised when Canada rejected it.

Senator CONNALLY. Now, this terrible tariff situation over the world which you admit exists—would you not favor an economic conference by the United States and other powers with reference to arranging reciprocity tariffs with the rest of the world?

Mr. O'BRIEN. The trouble is it would be so futile. I do not believe in kidding other countries or kidding ourselves.

Senator CONNALLY. You are not in favor of it then?

Senator WATSON. Is that a question, Senator Connally, for the Tariff Commission to determine?

Senator CONNALLY. I am just getting his general views. You interrogated him about his views on everything else. I do not see why you should object to this ticklish point just at this time.

Mr. O'BRIEN. I was here when the Kasson reciprocity treaties were made all over the world, and they were all rejected by the Senate. If the men that we sent to such an international conference as you describe should take any authority with them that would be one thing, but they can not take their authority with them. If they went to Italy and Italy said, "Yes, we will admit Detroit automobiles cheaper if you will admit olive oil cheaper," and the man came home with that trade, the olive oil section of the country would not consent to it.

The CHAIRMAN. And the olive oil duty was increased in opposition to some of us not only in the committee but on the floor of the Senate.

Senator GORE. What was that, Mr. Chairman—olive oil?

The CHAIRMAN. I say the olive oil rate was increased in the Smoot-Hawley bill, notwithstanding the opposition of a good many Republicans on this committee and on the floor.

Senator GORE. Yes; that is the most flagrant instance in the whole bill of unwarranted protection.

The CHAIRMAN. And you can not charge that to the Republican Party.

Senator GORE. Mr. O'Brien, you may not answer this question, but do you think it is wise to go into the same policy that England has adopted?

Mr. O'BRIEN. I haven't any decided views on that. I was very sorry to see it done, but if I had been in England I would not have done it. It is unwise because it puts out of commission or terminates a very interesting free-trade experiment in the world, but I think England had to do it.

Senator GORE. It will be interesting to see how it works out now.

Mr. O'BRIEN. Yes.

Senator GORE. Don't you think our own prosperity is due quite as much to free trade amongst the States as it is to this high protective wall?

Mr. O'BRIEN. I think free trade amongst the States is an enormously desirable and important thing. It is one of the most beneficial things in the whole Federal Constitution. I would not like to make comparisons, because I am in no position to do so. I think free trade among the States is basically the reason for what we have amounted to as a Nation.

Senator GORE. If the Confederacy had succeeded they would have probably said that they could not exist without a tariff against the United States?

Mr. O'BRIEN. Yes, sir.

Senator GORE. Have you made any record in the past with reference to a tariff on print paper and wood pulp and so on?

Mr. O'BRIEN. Why, I should state at this hearing that I just feel that delicacy and propriety require—

Senator GORE (interposing). I say, have you made a record? That is the reason I put it that way. Have you made a record in the past—

Mr. O'BRIEN (interposing). Why, wait a minute. I do not think we ever said anything about it in the paper. I own a material interest in the Boston Herald, which is a purchaser of print paper, and I should imagine that it would be proper for me to refrain from passing on that.

Senator GORE. Unless you have made a record—I put the question that way so as not to embarrass you.

Mr. O'BRIEN. I do not remember making any. Of course, as a publisher I was in alliance with people who were working to keep that print paper on the free list as it is now.

Senator WALSH of Massachusetts. Do you still have an interest in the Herald, Mr. O'Brien?

Mr. O'BRIEN. Yes, sir. I own one-fifteenth of it.

Senator COSTIGAN. Mr. Chairman, before the Senators go, may I renew my request that we receive from the White House the indorsements, prior to a vote on confirmation?

The CHAIRMAN. Of every one?

Senator COSTIGAN. That would be my judgment.

Senator WALSH of Massachusetts. There were not any in his case, he says.

Senator COSTIGAN. Do you know that?

Mr. O'BRIEN. I think the President asked certain people orally about me. I know that he told me that he did.

Senator COSTIGAN. You know of no written indorsements?

Mr. O'BRIEN. I know of no written indorsements.

Senator COSTIGAN. I should like to ask postponement, if it is agreeable to the members of this committee. This is not to indicate opposition on my part, but I should suppose we can pass on the matters to-morrow morning.

The CHAIRMAN. We can not meet to-morrow morning because we have a special meeting to-morrow morning.

Senator COSTIGAN. I make a special motion that we defer action until we receive the answer from the White House. Is that agreeable to the chairman and the committee?

The CHAIRMAN. That request, of course, has been made and voted on. As long as we have got to make the request on Mr. Ornburn, why, we might as well make it on Mr. O'Brien. Then we can not meet before Friday. That is the first day that we have open.

Senator REED. Why not Thursday?

The CHAIRMAN. I have a meeting Thursday morning here; special meeting.

Senator GEORGE. Thursday is a meeting on the tariff; Senator Johnson to-morrow.

Senator COSTIGAN. I would like to ask a question or two, Mr. Chairman, before we adjourn. I speak of that because I see Senators leaving.

The CHAIRMAN. Yes; that is all right. Go on and ask him whatever question you want.

Senator COSTIGAN. Mr. O'Brien, did you know of the long controversy in the Tariff Commission with respect to the participation of its members in decisions affecting themselves or the members of the commission or their families personally?

Mr. O'BRIEN. Yes, sir.

Senator COSTIGAN. Do you agree with the action of Congress in barring commissioners from participation in such cases?

Mr. O'BRIEN. Why, yes.

Senator REED. May I leave my vote, Mr. Chairman?

The CHAIRMAN. Yes.

Senator COSTIGAN. May I ask you whether you have any interest in private industries in this country, and if so, what the industries are?

Mr. O'BRIEN. If I did, I would keep out of hearings involving them. I read the President, Mr. Hoover, a list of the investments, not only my own, but those that are in the name of my wife and other members of my family, as he raised just the same question that you did, and there is nothing that in our judgment does not pretty well take care of itself. I should stay out of the print-paper investigation, under section 332. I have lost quite a little money on oil stocks, but I am not aware that that would give me any point of view as to the duty one way or the other. It is all *res adjudicata*.

Senator COSTIGAN. You are not interested so as to be influenced in the oil business?

Mr. O'BRIEN. Not in the slightest, and there is nothing of any consequence that is liable to come before me in which I have any investment interest.

Senator COSTIGAN. You would voluntarily disqualify yourself in any such case?

Mr. O'BRIEN. Oh, surely.

Senator COSTIGAN. Are you still an owner of the Boston Herald?

Mr. O'BRIEN. I own about one-fifteenth of the Boston Herald.

Senator COSTIGAN. To what interest did you sell the paper?

Mr. O'BRIEN. After I had retired, one-half of the stock was sold to the International Paper Co. That included my half. I then owned one-twelfth, and therefore one twenty-fourth of the stock went to the International Paper Co.

Senator COSTIGAN. The International Paper Co. has close relations with the New England Power Co., has it not?

Mr. O'BRIEN. Yes, but they are all out of the Herald now. They have sold it back. The dominant financial interests in the Herald were dissatisfied with the apparent reaction to the International Power ownership, and they bought the paper back, bought the half that the International Power owned.

Senator COSTIGAN. Who are the present owners?

Mr. O'BRIEN. Sidney W. Winslow, jr., the president of the United Shoe Machinery Co., is the largest owner of the Boston Herald. He and his family and sister-in-law and other (relatives) have a majority of the stock in the paper.

Senator HULL. I would like to ask a question, Mr. Chairman, unless you are in too big a hurry.

The CHAIRMAN. Go right along. Ask it and let us get through.

Senator HULL. Referring to this reciprocity, as suggested, Mr. O'Brien, it is true, is it not, that the Kasson treaties that were negotiated back there were never voted on but were defeated by filibuster tactics, were delayed and abandoned?

Mr. O'BRIEN. Delayed and abandoned. Senator Aldrich was very much opposed to them, and convinced me at the time; and he was wise, that we should not have a lot of little bargaining tariffs.

Senator HULL. So far as their defeat is concerned, the merits of it were not passed on by a vote of the Senate?

Mr. O'BRIEN. I fear that that is probably so, if you remember it so. I do not remember if they came to a vote or not, but I should say not.

Senator HULL. We now have a rule against filibustering in the Senate under which I think 16 can form a quorum and vote; that would obviate that particular phase of it.

Now, on another phase you have pictured very graphically what seems to me to be a hopeless situation in the world on the part of this wild and mad scramble for sky-high tariffs, and all of this other about a financial barrier between nations that goes with it; and you have nothing in the way of relief either now or at any time in the future, no policy, although our Nation is the one particularly outstanding factor in the world situation so far as its power and its financial and economic power is concerned.

Haven't you some idea or some policy that as a country in position of leadership we ought to take to minimize or liberalize these conditions? Isn't there something ahead?

Mr. O'BRIEN. There ought to be. Our first duty is to keep our own house in order and keep our own people prosperous if possible. Our first immediate duty is restoration here of good economic conditions, in which I think the continuance of the tariff is extremely essential.

Senator GORE. Our tariff is safeguarding our prosperity so religiously now, certainly it ought to—

Mr. O'BRIEN (interposing). Well, our prosperity is certainly not less than the rest of the world.

Senator GORE. And they have high tariffs too.

Mr. O'BRIEN. Well, they haven't always. England has not had it until very recently, two or three months ago, and they went into a terrible slump the last two or three years there.

Senator GORE. And when they get the high tariff they will be prosperous.

Senator HULL. As your reply to my question was a little bit unresponsive, if you will pardon me for saying so, I would like to ask you again whether, visualizing this world situation as you have described it, it is an unbearable situation, it is reflecting on our prosperity and welfare as well as that of other countries, have you nothing to offer in the way of an economic policy that would look to some kind of concerted action at least between the important commercial nations of the world to ameliorate this situation?

Mr. O'BRIEN. That is a very large order. I mean that is a subject upon which one could talk a good while, but as far as I can see it

would be unrelated to my qualifications for the Tariff Commission or duties. I do not think the Foreign Relations Committee of the Senate would expect any advice from me on the world order. I do have very positive views on what ought to be done as to the world order, but they have not very much to do with the tariff or with my particular job.

Senator HULL. In other words, from your viewpoint you would not have this Nation suggest to the countries of the world that from the standpoint of the own enlightened self-interest of each it would be wise to check this wild and steady increase of tariffs and revert back toward a level or policy of moderation? You would not even do that?

Mr. O'BRIEN. Why, I am glad; I was glad when our Mr. Kellogg at The Hague court voted—he was one of the 7 on the 8-to-7 vote—to permit Austria and Germany to have a tariff alliance. I was extremely sorry that that was defeated by the 8-to-7 vote. I believe that the treaty was on the side of the eight rather than the seven, and, if so, I think it shows how objectionable from my point of view the treaty is.

If I were the United States of America, I would use my influence for such a rectification of European conditions that a reasonable trade alliance like that between Austria and Germany could be made possible and effective, and a lot of others if there could be a cartel, European consortium or something of that sort to restore what was broken up by the Versailles and similar treaties.

It is an extraordinarily important matter that I feel is not within my domain on the Tariff Commission. I do not think this international conference on tariffs is practicable. I do not see what authority any American representative could take there that he would be able to carry out when he came back. He could make 40 trades, just as Mr. John A. Kasson did. Then when he came back how is he to get them through the United States Senate and the House of Representatives and the President's signature? I mean who will tell him what the Senators from the olive-oil States will say they will be pleased to give up to make the industry at Detroit a little more prosperous. They simply will not do that, and you might as well know that before the men start than after they get home.

Senator HULL. One other question: I notice statisticians say that our international trade, that is the international trade we should have, is about 240 to 50 billions of dollars below what it would have been under the normal annual rate of increase since 1914. Our trade now, as well as that of other nations, in 1914 dollars is as low or lower than it was before the war.

Mr. O'BRIEN. Yes.

Senator HULL. All these tariff obstructions and others to international trade which have operated only second to an actual embargo on exports and are still being pushed upward by all the countries. The President dismissed this entire situation, I think, in his recent message with the remark that the Tariff Commission would be able to deal adequately with the tariff situation, and I assume by that that it meant to the extent that it relates to his entire international trade and economic problem, and that is your position, I gather, in substance.

Mr. O'BRIEN. I think he was a little too hopeful on it. I think there are more problems. You take the various countries going off the gold standard. That involves a lot of complications. The thing is in course of rectifying itself over there, but it will be a very slow course.

The index number of prices has gone up since September 20 in every country that went off the gold standard and has gone down in all the gold-standard countries. There is now a slight increase in wage cost in England and other countries that have gone off, but it will be a very long while in getting back the 30 per cent. we will say, that England went off on its gold pound. It is a very complicated situation. Of course, the Tariff Commission has no authority to recommend a blanket increase in everything, such as France did, to hit the inflation. You know they put on a flat 15 per cent on everything. The Tariff Commission has no authority except to weigh individual items, individual things, under the 336 provision.

Senator HULL. I would like to ask this one final question: Beginning with 1920, virtually every country in Europe followed our leadership which we inaugurated in the fall of 1920 to raise tariffs. Every European country from 1920 to 1924 and 1925 and along there boosted their tariffs high enough not only to meet all of the ordinary requirements of tariffs from their viewpoint but to meet the sporadic imports that would come in from other countries on account of depreciated currency, the very conditions that you are describing now, except they were much worse. All these tariffs, including our own, were raised primarily to offset that precise condition. Most of the countries got back on the gold standard for a short time, and now most of them are back off of it again; but beginning in 1929 and 1930 when we put another tremendous layer of tariffs on top of our wall that we already had—

The CHAIRMAN. What percentage, Senator? How much was it increased?

Senator HULL. Well, I exhibited here yesterday, Senator, sixty-odd items and classifications involving several hundred millions of imports where the rates ran from 100 to 700 per cent.

The CHAIRMAN. Yes. We can take cotton, for instance, that was there, long staple cotton, and a great part of it went up from 7 cents to nothing. That is charged up to the tariff. Take sand here: You know it has been on the free list; and take pitch, that has been on the free list for ever and ever—they were all put on the free list not at my request, not with my vote.

Senator HULL. I want to finish that sentence which the chairman very kindly interrupted. I have said joined with us in another tremendous upward tariff movement in 1929 and 1930—

The CHAIRMAN. Six per cent.

Senator HULL. Here is a tremendous layer put on by all the countries of the world. I think, beyond question, three-fourths of the revenues that come into the Treasury under the present law would bear an average of 80 per cent, our own rates now.

Aren't these tariff conditions almost intolerable, Mr. O'Brien, taking all the nations over the world?

Mr. O'BRIEN. I think they are very bad with the other nations. I have no blanket fault to find with the American tariff system. I

mean to say there may be tariffs that are too high and tariffs that are too low. There may be articles on the free list that ought to be dutiable and vice versa, but I have no general remarks to make regarding them. I think it would be very unfitted to my duty, which is to await the results of investigations, to have any such opinion; and, secondly, I haven't it even but for that counsel of propriety.

Senator HULL. I have no disposition to debate anything with you. I just want to get your view about this present situation.

That is all, Mr. Chairman.

Senator GORE. Mr. O'Brien, do you think this tariff between Canada and this side ought to be based on the difference between the cost of production of the two sides?

Mr. O'BRIEN. Why, that is the only thing we have to go by under our statutes. I do not think that is broad enough. I think there are other factors that should be taken into account.

Senator GORE. You stated a while ago that you thought free trade was a blessing within the United States.

Mr. O'BRIEN. Yes.

Senator GORE. If Canada had been included in the Union to begin with do you think that would have been a mistake?

Mr. O'BRIEN. No. I think the economic results would have been very good.

Senator GORE. Don't you think you would have had to meet this terrible competition up there?

Mr. O'BRIEN. No. I think it is just the same as it is now with the competition of Vermont and Florida and Michigan.

Senator GORE. Then, if we established similar relations with other countries would you think that?

Mr. O'BRIEN. No. Conditions of living and of wages in Canada and in the United States are very much closer than conditions between Brockton and Czechoslovakia. Our conditions are pretty near the Canadian conditions, or vice versa.

The CHAIRMAN. The committee will stand adjourned until to-morrow morning.

(Whereupon, at 12.20 o'clock p. m., the committee adjourned.)