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Speech Drafts: Annual Message to Congress, January 6, 1937

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(SECOND DRAFT)

TO THE CONGRESS OF THE UNITED STATES:

For the first time in our national history a President delivers his Annual Message to a new Congress within a fortnight of the expiration of his term of office. While there is no change in the Presidency this year, change will occur in future years. It is my belief that in every fourth year the President should, in so far as seems reasonable, review the existing state of our national affairs and outline broad future problems, leaving specific recommendations for future legislative enactments to the President about to be inaugurated.

The problems which faced our nation in March, 1933, and which only our national government had the resources to meet, went far deeper than appeared on the surface.

Not only had the mechanism of economic life broken down but long years of neglect of the needs for social betterment of the underprivileged had brought about conditions which laid down a challenge to Democracy itself. Ours was the job to prove that Democracy could be made to work in the modern world as efficiently as in the simpler

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world of a hundred years ago. Ours was the job to give confident answer to those who held to the hope of Democracy in a world of Dictatorships.

That challenge we met. To meet it required unprecedented activities under Federal leadership during the past four years, to end abuses, to restore a great degree of material prosperity and to give new hope to millions of our citizens who had been led to expect that Democracy would provide in their lives wider opportunity and greater security.

In the scores of individual methods of attack which we used in meeting these problems, in moving on a broad front, we solved one of the major problems of a government protected by a democratic separation of powers -- understanding and working cooperation between the legislative and the Executive branches of our Government. That cooperation solved problems of extraordinary magnitude and ramifications, with few fundamental errors, and at a cost not excessive when measured by the immediate necessities or the eventual results.

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I look forward to continued cooperation in the next four years. I look forward to a continuance of the basis of that cooperation -- a mutual respect for each other's proper sphere of functioning in a democracy which works. And, therefore, of the many new activities which have been undertaken, it will be within the right of the Congress to determine which of them shall be continued or abandoned, increased or curtailed.

On the President alone, however, the Constitution has placed the responsibility for their administration. I find that this task of executive management has reached the point where our administrative machinery needs a comprehensive overhauling. ~~I shall shortly address the Congress more fully~~ in regard to the modernizing and improvement of the Executive side of the government. At this time, however, it should be pointed out that while better business management in the Executive branch of government will relieve duplication and lost motion, it cannot produce appreciable savings in comparison with total expenditures. That can come only by abolishing or diminishing actual functions of government. Congress alone can determine that by the control of authorizations and appropriations.

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For these last four years, the Congress and the President have been in full accord in a two-fold policy — economic recovery by relief for the needy unemployed, and assistance to agriculture, industry and banking, and definite improvement in the security and opportunity of the great mass of our people.

But mere temporary recovery was not our goal. We sought to make it permanent by protecting it from the causes of disaster in 1933. For that reason we cooperated in a series of enactments intended to avert a future crisis similar to that through which we were passing -- the guarantee of bank deposits, the beginnings of security to the aged and the worker, the removal of the threat of agricultural surpluses, protection for the investor in securities, sound banking and intelligent currency, the outlawing of sweat shops, child labor and unfair trade practices.

Government of a democratic nation does not exist for the sole, or even the primary, purpose of fostering prosperity at the top. Its deeper purpose is to assist as many of its citizens as possible to improve their conditions

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of life, to retain all personal liberty which does not adversely affect their neighbors, and to pursue the happiness which comes with security and an opportunity for recreation and culture. Even with our present recovery we are far from the goal of that greater purpose.

For example, there are still far too many unemployed citizens. The immediate problem of adequate relief for the needy unemployed, who are capable of performing useful work, I shall discuss with the Congress during the coming month. The broader problem of unemployment itself is a matter of long-range policy. We cannot assume that immediate business activity which mitigates present pressures will allow the national government to place the unemployment problem in a filing cabinet of finished matters.

For another example, many millions of Americans are living today in habitations which not only fail to provide the material and physical benefits of modern civilization but also breed disease and impair the health of future generations. The menace exists not only in the ~~much publicized~~ slum areas of the very large cities, but ~~sometimes to an even greater degree~~ to a great many in smaller cities as well. The menace exists on tens of thousands of farms in every part of the country, ~~and~~

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~~particularly in the southern states.~~

Another example is the prevalence of an unsatisfactory and un-American type of tenant farming. Many thousands of tenant farmers, with some financial assistance and with some advice and training, can be made self-supporting on land which will eventually belong to them. The nation would be wise to offer them that chance instead of permitting them to go along as they do now, year after year, as tenants with no hope of ownership of their homes and no expectation of being able to better the lot of their children.

Another example among our national needs is the continued search for practical improvements in our social security laws. We should remember that in many nations where such laws now work smoothly, the efficiency of operation has come through constant amendment and improvement of the original statute.

Another example relates to the field of buying and selling securities and commodities. The greater the speculation the greater become the upward and downward swings. These drastic swings, in the long run, create more losses than gains in the underlying wealth of the community.

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Modern government must also be prepared to meet the evils of the overproduction of certain basic agricultural and mineral resources with the resulting destructive surpluses and the equally harmful underproduction of certain indispensable manufactured commodities by monopolistic price and quota controls.

We know now that if, early in 1931, the government had fostered a great building program, and at the same time had ~~curtailed~~ encouraged the acreage of a few of our major crops, the depression would never have reached the depths of the spring of 1933.

The great questions which affect men and women who work for wages are involved in this same ~~problem~~ field of improving conditions. The length of working hours, minimum pay, child labor, collective bargaining, stabilizing employment all have much to do with ~~production and prices~~ it.

Sober second thought confirms most of us in the belief that the broad objectives of the National Recovery Act were sound. We know now that its difficulties arose from the fact that it tried to accomplish too much at the same time. If the Supreme Court, by its decision, had not outlawed the whole of the work of the National Recovery Administration, amendatory legislation based on experience would have been wholly capable, over a period of a few years, of attaining the

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underlying objectives.

That adequate conditions and pay for work and adequate returns for agriculture can be secured through parallel and simultaneous action by forty-eight states is a proven impossibility. It is equally impossible to obtain curbs on monopoly, unfair trade practices and speculation by state action. There are those who still cling to the theoretical hope, but experience with actualities makes it clear that Federal laws alone can solve these problems which result from modern invention applied in an industrialized nation which conducts its business with scant regard to state lines.

During the past year there has been a growing belief that there is little fault to be found with the Constitution of the United States as it stands today. The vital need is not an alteration of our fundamental law, but an increasingly enlightened view with reference to it. Difficulties have grown out of its interpretation; but rightly considered, it can be used as an instrument of progress, and not a device for prevention action. It is worth out while to read and re-read

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this Nation will go forward to a higher standard of living and a more American quality of life or revert to policies which sacrifice human values to special privilege and for speculative gain.

We, therefore, appeal to thinking men and women regardless of former party ties to join with us to carry forward and complete the rededication of this government to liberal American principles, determined to oppose equally the despotism of Communism and the menace of concealed Fascism, confident that only a government of the people themselves can fully guard the people's interests or solve their problems.

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(SECOND DRAFT)

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There are forward two measures which require immediate action by the Congress.

The first relates to the existence of certain authorities which, under the present law, expire within a few weeks.

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The problems which faced our nation in March, 1933, and which only our national government had the resources to meet, went far deeper than appeared on the surface.

Not only had the mechanism of economic life broken down but long years of neglect of the needs for social betterment of the underprivileged had brought about conditions which laid down a challenge to democracy itself. Ours was the job to prove that Democracy could be made to work in the modern world as efficiently as in the simpler

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That challenge we met. To meet it required unprecedented activities under Federal leadership during the past four years, to end abuses, to restore a great degree of material prosperity and to give new hope to millions of our citizens who had been led to expect that Democracy would provide in their lives wider opportunity and greater security.

In the scores of individual methods of attack which we used in meeting these problems, in moving on a broad front, we solved one of the major problems of a government protected by a democratic separation of powers -- an understanding and working cooperation between the legislative and the Executive branches of our Government. That cooperation solved problems of extraordinary magnitude and ramifications, with few fundamental errors, and at a cost not excessive when measured by the immediate necessities or the eventual results.

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On the President alone, however, the Constitution has placed the responsibility for their administration. I find that this task of executive management has reached the point where our administrative machinery needs a comprehensive overhauling. I shall shortly address the Congress more fully in regard to the modernizing and improvement of the Executive side of the government. At this time, however, it should be pointed out that while better business management in the Executive branch of government will relieve duplication and lost motion, it cannot produce appreciable savings in comparison with total expenditures. That can come only by abolishing or diminishing actual functions of government. Congress alone can determine that by the control of authorizations and appropriations.

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But mere temporary recovery was not our goal. We sought to make it permanent by protecting it from the causes ~~or~~ disaster ~~in 1933~~. For that reason we cooperated in a series of enactments intended to avert a future crisis similar to that through which we were passing — the guarantee of bank deposits, the beginnings of security to the aged and the worker, the removal of the threat of agricultural surpluses, protection for the investor in securities, sound banking and ~~intelligent~~ currency, the outlawing of sweat shops, child labor and unfair trade practices.

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of life, to retain all personal liberty which does not adversely affect their neighbors, and to pursue the happiness which comes with security and an opportunity for recreation and culture.

¶ Even with our present recovery we are far from the goal of that greater purpose.

For example, there are still far too many unemployed citizens. The immediate problem of adequate relief for the needy unemployed, who are capable of performing useful work, I shall discuss with the Congress during the coming month. The broader problem of unemployment itself is a matter of long-range evolutionary policy. We cannot assume that immediate business activity which mitigates present pressures will allow the national government at this time to place the unemployment problem in a filing cabinet of finished matters.

~~Constitutional~~ ~~control~~ mere funding of business will not solve problem of unemployed. Budget increase

For another example, many millions of Americans are living today in habitations which not only fail to provide the material and physical benefits of modern civilization but also breed disease and impair the health of future generations. The menace exists not only in the ~~much publicized~~ slum areas of the very large cities, but ~~sometimes to an even greater~~ degree ~~degree~~ in many smaller cities as well. The menace exists on tens of thousands of farms in every part of the country ~~and~~ version 2

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(SECOND DRAFT)

I do not mean to suggest that any farm family has the capacity to save a satisfactory living in its own farm

particularly in the southern states.

Another example is the prevalence of an unsatisfactory and un-American type of tenant farming. Many thousands of tenant farmers, with some financial assistance and with some advice and training, can be made self-supporting on land which will eventually belong to them. The nation would be wise to offer them that chance instead of permitting them to go along as they do now, year after year, as tenants with no hope of ownership of their homes and no expectation of being able to better the lot of their children.

Another example among our national needs is the continued search for practical improvements in our social security laws. We should remember that in many nations where such laws now work smoothly, the efficiency of operation has come through constant amendment and improvement of the original statute.

Another example relates to the field of buying and selling securities and commodities. The greater the speculation the greater become the upward and downward swings. These drastic swings, in the long run, create more losses than gains in the underlying wealth of the community.

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(F) We know now that if, early in 1931, the government had fostered a great building program, and at the same time had encouraged the curtailment the acreage of a few of our major crops, the depression would never have reached the depths of the Spring of 1933.

The great questions which affect men and women who work for wages are involved in this same field of improving conditions of life problem. The length of working hours, minimum pay, child labor, collective bargaining, all have much to do with it ~~production and prices~~.

Sober second thought confirms most of us in the belief that the broad objectives of the National Recovery Act were sound. We know now that its difficulties arose from the fact that it tried to accomplish too much at the same time. If the Supreme Court, by its decision, had not outlawed the whole of the work of the National Recovery Administration, amendatory legislation would have permitted based on experience would have been wholly capable, over a period of a few years, in finding better methods of working of attaining these.

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During the past year there has been a growing belief that there is little fault to be found with the Constitution of the United States as it stands today. The vital need is not an alteration of our fundamental law, but an increasingly enlightened view with reference to it. Difficulties have grown out of its interpretation; but rightly considered, it can be used as an instrument of progress, and not a device for preventing action. It is worth out while to read and re-read

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The first relates to the existence of certain authorities which, under the present law, expire within a few weeks.

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At this time, however, I am compelled by the circumstances of the moment to ask your immediate consideration, first, of measures extending the life of certain authorities, which, under the present law, expire within a few weeks; second, of an amendment of the existing Neutrality Act to cover specific problems occasioned by the unfortunate civil strife in Spain, and, third, a Deficiency Appropriation Bill for which I shall submit estimates this week.

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The problems which faced our nation in March, 1933, and which only our national government had the resources to meet, went far deeper than appeared on the surface.

Not only ~~had~~ the mechanism of economic life broken down, but long years of neglect of the needs for social betterment of the underprivileged had brought about conditions which laid down a challenge to our democratic form of government itself. Ours was the task to prove that democracy could be made to work in the modern world as efficiently as in the simpler world of a hundred years ago. Ours was the task to give confident answer to those who held to the hope that democracy in the long run would prove superior as a process of getting action where action was needed just as well and better than other forms of government which run to extremes not based on popular rule

That challenge we met. To meet it required unprecedented activities under Federal leadership during the past four years, in order to end abuses, to restore a large degree of material prosperity and to give new hope to millions of our citizens who had been led to expect that democracy would provide in their lives wider opportunity and greater security.

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In the scores of individual methods of attack which we used in meeting these problems on a broad front, we avoided difficulties which in the past have attained the separation of powers rightly intended to protect democratic forms by securing understanding and working cooperation. That cooperation solved problems of extraordinary magnitude and ramifications with few fundamental errors, and at a cost not excessive when measured by the immediate necessities or the eventual results.

I look forward to continued cooperation in the next four years. I anticipate a continuance of the basis of that cooperation -- a mutual respect for each other's proper sphere of functioning in a democracy which is working well. And, therefore, of the many new activities which have been undertaken, it will be within the right of the Congress to determine which shall be continued or abandoned, increased or curtailed.

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in regard to the modernizing and improvement of the Executive side of the government.

For these last four years, the Congress and the President have been in full accord in a two-fold policy -- first, economic recovery by many kinds of assistance to agriculture, industry and banking; and, secondly, deliberate improvement in the personal security and opportunity of the great mass of our people.

But mere temporary recovery was not our goal. We sought to protect it from the causes of previous disasters. For that reason you and I cooperated in a series of enactments intended to avert a future crisis similar to that through which we are passing -- the guarantee of bank deposits, the beginnings of security to the aged and the worker, the removal of the threat of agricultural surpluses, protection for the investor in securities, safe banking and sound currency, the outlawing of sweat shops, child labor and unfair trade practices.

I do not want the kind of prosperity which means that every man, woman and child in this country can find work; that every factory is running and that business as a whole is making money - earning profits. I do not want even a prosperity when the national income, as we figure it, goes

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from $60,000,000,000, as it is now, to $80,000,000,000, which was the peak. The thing I want to know is that the large majority of our citizens are earning a decent living and pursuing their happiness. It does not happen with a mere dollars and cents measure of it.

(A) ~~For example~~, there are still far too many unemployed citizens. The immediate problem of adequate relief for the needy unemployed, who are capable of performing useful work, I shall discuss with the Congress during the coming months. The Broader problem of unemployment itself is a matter of long-range evolutionary policy. We cannot assume that immediate business activity which mitigates present pressures will allow the national government at this time to place the unemployment problem in a filing cabinet of finished matters.

For another example, many millions of Americans are living today in habitations which not only fail to provide the material and physical benefits of modern civilization but also breed disease and impair the health of future generations. The menace exists not only in the slum areas of the very large cities, but in many smaller cities as well. The menace exists on tens of thousands of farms, some of them in every part of the country. (INSERT D)

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Another example is the prevalence of an unsatisfactory and un-American type of tenant farming. (I do not mean to suggest, etc.) Many thousands of tenant farmers, with some financial assistance and with some advice and training, can be made self-supporting on land which will eventually belong to them. The nation would be wise to offer them that chance instead of permitting them to go along as they do now, year after year, as tenants with no hope of ownership of their homes and no expectation of being able to better the lot of their children.

Another example among our national needs is the continued search for practical improvements in our social security laws. We should remember that in many nations where such laws now work smoothly, the efficiency of operation has come through constant amendment and improvement of the original statute.

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And the same evil results come, as is now well known to all of us, either from unconsidered overproduction or monopolistic underproduction of basic, natural and manufactured commodities.

Speculation, overproduction and underproduction are three evil sisters who encourage unsound inflation and disastrous deflation. It must be to the interest of the nation to have government work, first, toward a sound price level and then seek to maintain that level without perilous fluctuations. For instance, we know now that if early in 1931 the government had taken the steps which were taken two and three years later, the depression would never have reached the depths of the spring of 1933.

The great questions which affect men and women who work for wages are involved in the same field of improving conditions of life. The length of working hours, minimum pay, child labor, collective bargaining, all have much to do with it.

Sober second thought confirms most of us in the belief that the broad objectives of the National Recovery Act were sound. We know now that its difficulties arose from the fact that it tried to accomplish too much at the same time.

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If the Supreme Court, by its decision, had not outlawed the whole of the work of the National Recovery Administration, amendatory legislation based on experience would have resulted, over a period of years, in finding better methods of reaching the underlying objectives.

That adequate conditions and pay for work and adequate returns for agriculture can be secured through parallel and simultaneous action by forty-eight states is a proven impossibility. It is equally impossible to obtain curbs on monopoly, unfair trade practices and speculation by state action alone. There are those who still cling to this theoretical hope: but experience with actualities makes it clear that Federal laws are needed to help solve the problems which result from modern invention applied in an industrialized nation which conducts its business with scant regard to state lines.

During the past year there has been a growing belief that there is little fault to be found with the Constitution of the United States as it stands today. The vital need is not an alteration of our fundamental law, but an increasingly enlightened view with reference to it. Difficulties have grown out of its interpretation; but rightly considered, it can be

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used as an instrument of progress, and not a device for prevention of action. It is worth our while to read and re-read the preamble of the Constitution, and Article I thereof, which confers the legislative powers upon the Congress of the United States. It is also worth our while to read again the debates in the Constitutional Convention of one hundred and fifty years ago. From such reading, I obtain the very definite thought that the members of that Convention were fully aware that civilization would raise problems for the proposed Federal Government which they themselves could not even surmise; and that it was their definite intent that a liberal interpretation in the years to come would give to the Congress the same relative powers over new national problems which they themselves gave to the Congress with respect to the national problems of their day.

With a better understanding of our purposes, and a wider recognition of our needs as a nation, it is not to be assumed that there will be prolonged failure to bring legislative and judicial action into closer harmony. Means must be found to adapt our legal forms and our judicial interpretation to the actual present national needs of the largest progressive democracy in the modern world.

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That thought leads me logically to a consideration of world problems. To go no further back than the beginning of this century, men and women everywhere were seeking conditions of life very different from those which were customary before modern invention and modern industry and modern communications had come into being. The World War, for all of its tragedy, encouraged these demands and stimulated action to get them.

Many national governments seemed unable to adequately to respond, and, often with the assent of the masses of the people themselves, new forms of government wherein oligarchy took the place of democracy were set up. With them militarism has leapt forward, whereas among those nations which have retained democracy militarism has wanted.

I have recently visited three of our sister-Republics in South America. The most cordial reception with which I was greeted was a tribute to democracy. I do not hesitate to say that to me the outstanding lesson of that visit was the strengthening of my conviction that the masses of the peoples of all the Americas believe that the democratic form of government can be made to succeed and that they do not wish to substitute for it any other form of government. They believe

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THIRD DRAFT AMENDED

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The problems which faced our nation in March, 1933, and which only our national government had the resources to meet were more fundamental than appeared on the surface.

It was not only that the visible mechanism of economic life had broken down. More disturbing was the fact that long years of neglect of the need for continued betterment of the underprivileged had brought too many of our people to the verge of doubt as to the ~~value~~ successful application of our historic traditions ~~in~~ to a complex modern world. In that, lay a challenge to our democratic form of government itself.

Ours was the task to prove that democracy could be made to function in the world of today as efficiently as in the simpler world of a hundred years ago. Ours was the task to do more than to argue a theory. The times required us to give confident answer by actual performance to those whose instinctive faith in humanity made them want to believe that in the long run democracy would prove superior to more extreme forms of government as a process of getting action when action was wise.

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That challenge we met. To meet it required unprecedented activities under Federal leadership -- to end abuses, to restore a large degree of material prosperity, to give new faith to millions of our citizens who had been traditionally taught to expect that democracy would provide continuously wider opportunity and continuously greater security in a world where science was continuously making more material riches available to man.

In the scores of individual methods of attack which we used in meeting these problems on a broad front, you and I, by mutual understanding and by working cooperation, helped make democracy succeed by avoiding difficulties which in the past have come from the separation of governmental powers designed to protect the democratic process. Our spirit of cooperation proved able to solve problems of extraordinary magnitude and ramification with but few fundamental errors, and at a cost cheap when measured by the immediate necessities and the eventual results.

I look forward to a continuance of cooperation in the next four years. I look forward also to a continuance of the basis of that cooperation -- mutual respect for each

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other's proper sphere of functioning in a democracy which is working well. On that basis, it ~~will~~ is be within the right of the Congress to determine which of the many new activities shall be continued or abandoned, increased or curtailed.

On the same basis, on the President alone ~~will~~ ~~be~~ is placed the responsibility for their administration. I find that this task of executive management has reached the point where our administrative machinery needs a comprehensive overhauling. I shall, therefore, shortly address the Congress more fully in regard to the modernizing and improvement of the Executive side of the government.

That cooperation for these last four years between the Congress and the President has been aimed at the fulfillment of a two-fold policy -- first, economic recovery through many kinds of assistance to agriculture, industry and banking; and, second, deliberate improvement in the personal security and opportunity of the great mass of our people.

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The recovery we sought was not to be merely temporary. It was to be a recovery protected from the causes of previous disasters. With that aim in view you and I cooperated in a series of enactments intended to avert a future similar crisis -- the guarantee of bank deposits, the beginnings of security to the aged and the worker, the removal of the threat of agricultural surpluses, protection for the investor in securities, safe banking and sound currency, insistence on collective bargaining, the outlawing of sweat shops, child labor and unfair trade practices.

Nor was the recovery we sought merely a purposeless whirring of machinery. It is important that every man and woman in the country can find work, that every factory is running, and that business as a whole is earning profits. But Government in a democratic nation does not exist solely or even primarily for that purpose. Its deeper purpose is to assist as many of its citizens as possible -- especially those who need it most -- to improve their conditions of life, to retain all personal liberty which does not adversely affect their neighbors, and to pursue the happiness which comes with security and an opportunity for recreation and culture.

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Even with our present recovery we are far from the goal of that greater purpose.

There are great problems still with us for which democracy must find solution if it is to consider itself successful. For example, many millions of Americans are living today in habitations which not only fail to provide the material and physical benefits of modern civilization but even breed disease and impair the health of future generations. The menace exists not only in the slum areas of the very large cities, but in many smaller cities as well. The menace exists on tens of thousands of farms, in varying degrees, in every part of the country.

Another example is the prevalence of an unsatisfactory and un-American type of tenant farming. I do not mean to suggest that every farm family has the capacity to earn a satisfactory living on its own farm. But many thousands of tenant farmers, with some financial assistance and with some advice and training, can be made self-supporting on land which ~~will~~ eventually belong to them. The nation would be wise to offer them that chance instead of permitting them to go along as they do now, year after year, as tenants with no hope of ownership of their homes and no expectation

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of being able to better the lot of their children.

Among our national needs also is the continued search for practical improvements in our social security laws. We should remember that in many nations where such laws are in effect, complete success in meeting the expectations of the community has come through constant amendment and improvement of the original statute.

And, of course, the most far-reaching problem of all is that there are still far too many unemployed citizens. The immediate ~~problem~~ question of adequate relief for the needy unemployed, who are capable of performing useful work, I shall discuss with the Congress during the coming months. The broader problem of unemployment itself is a matter of long-range evolutionary policy. We cannot assume that immediate business activity which might mitigate present pressures, will justify the national government at this time in placing the unemployment problem in a filing cabinet of finished matters.

The problem of employment fluctuations is tied up with wasteful excesses in our methods of production and distribution. In the field of buying and selling securities and commodities, the greater the speculation the greater become the upward and downward swings. These drastic swings, in the

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long run, create more losses than gains in the underlying wealth of the community.

And the same evil results come, as is now well known to all of us, from unconsidered overproduction and monopolistic underproduction of natural and manufactured commodities.

Speculation, overproduction and underproduction are three evil sisters who ~~bail the troubles~~ distil of unsound inflation and disastrous deflation. It is to the interest of the nation to have government help business private enterprise employers ~~establish~~ to employers, gain ~~first,~~ a sound general price level ~~and maintain that level without~~ ~~process~~ protect the from wide perilous fluctuations. We know now that if early in 1931 the government had taken the steps which were taken two and three years later, the depression would never have reached the depths of the spring of 1933.

Sober second thought confirms most of us in the belief that the broad objectives of the National Recovery Act were sound. We know now that its difficulties arose from the fact that it tried to accomplish too much at the same time. For example, the tying-up of the length of

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working hours, minimum wages, child labor, collective bargaining with complicated questions of unfair trade practices and other ~~price controls~~ was a confusing obstacle to workable administration. If the Supreme Court had not outlawed the whole of the work of the National Recovery Administration, amendatory legislation based on experience would have resulted, over a period of years, in finding better methods of reaching the underlying objectives.

That decent conditions and adequate pay for labor, and just return for agriculture, can be secured through parallel and simultaneous action by forty-eight states is a proven impossibility. It is equally impossible to obtain curbs on monopoly, unfair trade practices and speculation by state action alone. There are those who still cling to state action as a theoretical hope. But experience with actualities makes it clear that Federal laws are needed to help solve the problems which result from modern invention applied in an industrialized nation which conducts its business with scant regard to state lines.

During the past year there has been a growing belief that there is little fault to be found with the Constitution of the United States as it stands today. The

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vital need is not an alteration of our fundamental law, but an increasingly enlightened view with reference to it.

Difficulties have grown out of its interpretation; but rightly considered, it can be used as an instrument of progress, and not a device for prevention of action.

It is worth our while to read ~~the~~ and re-read the preamble of the Constitution, and Article I thereof, which confers the legislative powers upon the Congress of the United States. It is also worth our while to read again the debates in the Constitutional Convention of one hundred and fifty years ago. From such reading, I obtain the very definite thought that the members of that Convention were fully aware that civilization would raise problems for the proposed new Federal Government, which they themselves could not even surmise; and that it was their definite intent that a liberal interpretation in the years to come would give to the Congress the same relative powers over new national problems which they themselves gave to the Congress over the national problems of their day.

(RANDOLPH) (HUGHES) ???

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With a better understanding of our purposes, and a more intelligent recognition of our needs as a nation, it is not to be assumed that there will be prolonged failure to bring legislative and judicial action into closer harmony. Means must be found to adapt our legal forms and our judicial interpretation to the actual present national needs of the largest progressive democracy in the modern world.

That thought leads me logically to a consideration of world problems. To go no further back than the beginning of this century, men and women everywhere were seeking conditions of life very different from those which were customary before modern invention and modern industry and modern communications had come into being. The World War, for all of its tragedy, encouraged these demands and stimulated action to fulfill these new desires.

Many national governments seemed unable adequately to respond; and, often with the assent of the masses of the people themselves, new forms of government were set up with oligarchy taking the place of democracy. In self-preservation these loigarchies have encouraged militarism to leap forward, while democracies, in equal self-preservation, have tried to keep militarism down.

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I have recently visited three of our sister-Republics in South America. The most cordial reception with which I was greeted was in tribute to democracy. To me the outstanding observation of that visit was that the masses of the peoples of all the Americas are convinced that the democratic form of government can be made to succeed and do not wish to substitute for it any other form of government. They believe that democracies are best able to cope with the changing problems of modern civilization within themselves, and that democracies are best able to maintain peace among themselves.

The Inter-American Conference operating on these fundamental principles of democracy did much to assure peace in this Hemisphere. Existing peace machinery was improved. New instruments to maintain peace and eliminate causes of war were adopted. Wider protection of the interests of the American Republics in the event of war outside the Western Hemisphere was provided. Respect for, and observance of, international treaties and international law were strengthened. Principles of liberal trade policies, as effective aids to the maintenance of peace were reaffirmed. The intellectual and

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cultural relationships among American Republics were broadened as a part of the general peace program.

In a world unhappily thinking in terms of war, the representatives of twenty-one nations have sat around a table, in an atmosphere of complete confidence and understanding, sincerely discussing measures for maintaining peace. Here was a great and a permanent achievement directly affecting the peace and security of the two hundred and fifty million human beings who dwell in this Western Hemisphere. Here was an example which must have a wholesome effect upon the rest of the world.

Because all of us believe that our democratic form of government can cope adequately with modern problems as they arise, it is patriotic as well as logical for us to prove that we can meet new national needs with new laws consistent with an historic constitutional framework clearly intended to receive liberal and not narrow interpretation.

The United States of America, within itself, must make democracy succeed. That is the destiny of this generation of Americans. That is our opportunity to find a great place in the history of mankind. In that task, the legislative branch of our government will I trust continue

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to meet the demands of democracy whether they relate to the curbing of abuses, the extension of help to those who need help, or the better balancing of our interdependent economies.

I pledge you that the Executive branch of the Government will move forward in that task.

The Judicial branch also is asked by the people to do its part in making democracy successful. We do not ask the Courts to call non-existent powers into being, but we have a right to expect that conceded powers or those legitimately implied -- powers recognized by a minority of the Court -- shall be made effective instruments for the common good.

Your task and mine is not ending with the end of the depression. The people of the United States have made it clear that they expect us to continue our active efforts in behalf of their peaceful advancement.

In that spirit of endeavor and service I greet the Seventy-Fifth Congress at the beginning of this auspicious New York.

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