HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 19, 1948

The House met at 10 o'clock a. m.
The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O blessed spirit of God, whose presence gives joy and contentment to our daily lives, help us to face this day fearlessly and plan wisely. We pray Thee to remove from us all languor and irritability and fill us with fervor and renewed energy.

In the actualities of life, grant us a faith born of vision, for, whether we walk the lonely ways of trial or tread the summit of joy, in Thee we have a leadership that never faltlieh. Lead us from dream to duty that we may know that Thou hast a purpose for us. O let us feel the uplifting, transfiguring strength of a purpose of greater glory and blessing us with His fatherhood. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE MARSHALL PLAN

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

THE SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, it is with great pleasure that I call the attention of the House to a beautiful brochure which I recently received in the mail. It is entitled "The Marshall Plan in Action Course."

As a Member of this body, I have been trying for some time to get a comprehen­sive picture of the Marshall plan. We have had the Bevin report, the Krug report, the Nourse report, the Harriman report, and many other reports on this plan, most of them highly technical, some of them in feebie powers of compre­hension. None of them have I had time to wade completely through. Few, if any, are clear, simple language. They all fail to state why we should tax our constituents more than $17,000,000,-000 in order to give the money to Socialist governments so these governments can bid up the prices of our own products.

As I say, I have looked far and wide for a clear, comprehensive report on why we should do this. The only information furnished have been wild guesses at best. We have been given no information as to why we should do this. The only information furnished have been wild guesses at best.

Mr. McDOWELL asked and was given permission to extend his remarks in the Recordin and include an address he delivered last Sunday.

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

THE SPEAKER. Is there objection to the request of the gentleman from Penn­sylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

THE SPEAKER. Is there objection to the request of the gentleman from Ariz­ona?

There was no objection.

Mr. HARLESS of Arizona. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

THE SPEAKER. Is there objection to the request of the gentleman from Ariz­ona?

There was no objection.

Mr. HARLESS of Arizona. Mr. Speaker, my people in Arizona are very much interested in the Marshall plan interim-aid arrangements. They all fail to state why we should tax our constituents more than $17,000,000,000 in order to give the money to Socialist governments so these governments can bid up the prices of our own products.

As I say, I have looked far and wide for a clear, comprehensive report on why we should do this. The only information furnished have been wild guesses at best. We have been given no information as to why we should do this. The only information furnished have been wild guesses at best.

Mr. Stassen. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

THE SPEAKER. Is there objection to the request of the gentleman from Ariz­ona?

There was no objection.

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THE SPEAKER. Is there objection to the request of the gentleman from Ariz­ona?
the last Congress we passed a bill to deal with this problem. It was vetoed by the President. Can the gentleman give us any assurance that the President's action will be if such a bill is again passed?

Mr. HARLESS of Arizona. I am glad the majority leader thought that I might have reason to believe the Russell bill is of such a nature that if it is passed it would be signed by the President. I sincerely hope the majority leader will learn more about this bill than that it is brought to the floor.

Mr. HALLECK. Does the gentleman know whether any such representations have been made by anyone in the executive department in a position to know and to give us some assurance about it?

Mr. HARLESS of Arizona. I am not in a position to tell the gentleman exactly what the President would do, but I understand there has been some indication that a bill such as the Russell bill would be signed.

EXTENSION OF REMARKS

Mr. LYNCH asked and was given permission to extend his remarks in the Record in connection with the unanimous approval of the decisions of the Supreme Court in a Federal Trade Commission case.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a speech made by me in connection with my bill to place a disassociation of our economy that then it seems to me we will suffer such a disorganization of our economy that must bear in mind that this is not a question of politics as applied to the steel and cement code.

Later, in March and April of 1935, I served under Senator Wheeler, Chairman of the Senate Committee on Interstate Commerce. We assembled in closed session in May before this Committee of the United States Senate on S. 4559, "A bill to provide for further action, to protect the public against combinations in restraint of trade, to prevent unnecessary and wasteful expenditures, to restore and preserve purchasing power, and to aid in the prevention of the recurrence of economic stringency, and for other purposes."

It might be said that the Darrow Board reports and this investigation were the foster parents of what later developed into 13 years of litigation. The Cement case, as the Supreme Court pointed out in its opinion, has taken "three yeas for a trial examiner to hear the evidence which consists of about 49,000 pages of oral testimony and 50,000 pages from the findings and conclusions of the Commission cover 178 pages. The briefs with accompanying appendices from the parties contain more than 4,000 pages."

In short, the Federal Trade Commission v. The Cement Growers, No. 3167, as reported in One Hundred and Fifty-seven Federal (2d), page 533, and recently terminated on appeal before the Supreme Court of the United States, embodies one of the most thoroughly tried issues ever presented in the history of American jurisprudence.

Businessmen and many of their lawyers tell me that if anyone tells me what are the legal effects of the decision. It is this, then my house of cards is tumbled about upon my head. While I have often criticized the haphazard methods of prosecution of the Federal Trade Commission as being a too lengthy and cumbersome method of enunciating the law, I have never believed that once the courts have spoken, businessmen, or at least their lawyers, would be unable to describe the legal effects of the decision.

As for myself, I have no personal doubts as to the meaning of the words of the land speaks, for me that is the law.

I shall try to put in simple, candid, and frank language some of my views today in relation to many of the pricing customs in vogue. These comments avoid any reference to the Morton Salt decision, the latest of the Supreme Court decisions, for that matter will probably be sent back to the Federal Trade Commission for further action, and I therefore will not comment on it.

It must be borne in mind that this is a seller's market, the Cement case, the person, talking, and not the utterance of any official view of the Federal Trade Commission. I call the turn as I see it, and my expressions are not of what I like or dislike. I give you what I consider the meaning of the cement and glucose decisions, and then allow myself the privilege of prognosticating the future, both from a legislative and economic viewpoint.

Lawyers are concerned with the dry bones of past practices of markets, prices, and must bear in mind that their analysis of future trends is one of the great contributions they can make toward the welfare of our country.

1. I believe that the multiple basing point pricing system is one of the cornerstones of law. Also, I believe that it is one as a matter of plain economics. I think there are more businessmen in this country who would welcome a mile of cement or steel than there are businessmen who wish to maintain either the Pittsburgh plus or the multiple basing point systems.

2. I believe that freight absorption is out. By that I mean that it will be a violation of the merchant law for anyone to use a systematic pricing system which allows him to make use of the freight-cut bid in order to sell in a competitor's territory. By this I do not mean that a salesman can't make an across-the-board bid that will be higher than a competitor's price, but a large producer selling thousands of items and employing thousands of salesmen is in no position to sell his individual salesman free lance on his own pricing structure. Therefore, I say freight absorption must be out.

3. I believe zone prices will be in. Zone prices are necessarily part of a systematic pricing system and by their very nature must be individual applications of the system which, when inaugurated through systematic pricing, create a discrimination which is prohibited by the present act.

4. If I believe that an individual universal delivered price system is out. This statement is to be taken as I see it, let's consider seven things which may happen to either our policy or our economic system. I am, of course, assuming that the law as pronounced will be universally enforced.

I would not have my forecast challenged on the basis that prices will be unstable. Prices will not force everyone to obey the bans against freight absorption, zone pricing and用量 delivered pricing. But the average businessman need not worry too much. I doubt if Congress will give us enough funds so that we can use the Nation. The law() averages will keep most manufacturers of zone-priced commodities away from the business end of a Food Code. The law of averages will keep most manufacturers of zone-priced commodities away from the business end of a Food Code. The law of averages will keep most manufacturers of zone-priced commodities away from the business end of a Food Code. The law of averages will keep most manufacturers of zone-priced commodities away from the business end of a Food Code. The law of averages will keep most manufacturers of zone-priced commodities away from the business end of a Food Code.

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2. Hereafter, anyone who wants will be able to take factory delivery on anything he wants to buy. This will, of course, be modified by the Clayton Act which says that the producer from whom the consumer chooses to buy can never be forced to discriminate in favor of another consumer. The words, there will never be another quid pro quo between industry and labor such as the NRA leaving the consumer in the middle. The present anti-inflation law which gives Industries the right to establish quotas, inventories, etc., under a system of personal waivers will never be effectively operated during peacetime.

3. Mills will refuse to quote in many areas where they have herefore been marketing. The other way round, the salesman will give a legitimate excuse for dropping small customers who have herefore been service on a historical or market basis, but who are now operating on a profit basis. By this I mean that a customer who has herefore been able to buy from a mill on a contract basis, when the freight costs will now find the producer saying, "You pay the freight." This will be a decentralization of users of basic products. Fabricators will gravitate to the points of production of their basic
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Civil Service on April 21, nearly a month ago, reported these bills favorably. This session is rapidly coming to a close, and it is time for us to take action on these measures.

The Distinguished Chairman of the House Banking and Currency Committee was not agreeable to a 60-day extension but was agreeable to going along with a 30-day extension. So the other body acceded to his wishes. Mr. Taft on March 25 passed an extension of title VI to April 30 with an additional authorization of $400,000,000, which was accepted by the House on March 29. It was voted by the Members of the House that if the chairman of their Banking and Currency Committee had gone along with the original proposal of the Senate for a 60-day extension there would be no lapse in title VI today.

During April, the Flanders amendments to the Taft-Ellender-Wagner bill were debated in the other body, and an amended bill was passed without dissent on April 22 which incorporated all the legislative proposals of the Joint Committee on Housing, including a 1-year extension of title VI. It should be noted that the bill passed by the House on March 23.

Since the legislative recommendations of the Joint Committee on Housing had not yet been considered by the House Banking and Currency Committee, the Republican leadership in the other body determined on another stop-gap extension of title VI in order to give ample opportunity for full consideration of the comprehensive legislation by the House without any interruption of title VI operations. It is true that there was an effort made in the other body to push the 1-year's extension of title VI independently — in the absence of the Senator from Ohio, who was campaigning for the Republican Presidential nomination. In fact, the distinguished majority leader of the House and the distinguished chairman of our Banking and Currency Committee were present on the floor of the Senate when this maneuver was attempted. But this attempt was resisted strenuously by the Republican leadership in the other body.

The distinguished majority leader of the House and the distinguished chairman of our Banking and Currency Committee were present on the floor of the Senate when this maneuver was attempted. But this attempt was resisted strenuously by the Republican leadership in the other body. Both the Republican leader, Mr. Taft, and the Senator from New York, Mr. Van Zandt, who is believed to speak for another candidate for the Republican Presidential nomination, contended that an attempt being made to sabotage the Taft-Ellender-Wagner bill. So the Senate rejected this maneuver and instead adopted on May 5 a bill for a further 60-day extension of title VI with an additional authorization of $600,000,000.

There is the situation we have been in since May 5. The FHA's authority to insure mortgages under title VI lapsed on May 1. The chairman of our Banking and Currency Committee has had available two alternative ways for remedying this lapse. On the one hand, he could quickly report out to the floor of the House the Senate bill for a 60-day extension of title VI. But he has stated he will not take up this bill. On the other hand, he can expedite action on the Taft-Ellender-Wagner bill, including its provisions for a 1-year extension of title VI, and let the House debate this measure on the merits. But he has scheduled protracted hearings on this bill to add to the congestion taken by the Joint Committee on
Housing which has already recommend-
all the provisions of the bill.
In the meantime, the organized real
interests, speaking through the
National Association of Real Estate
Home Builders, are complaining that
title VI has been allowed to lapse. But
these interests are very anxious about
what they want. They want title VI
but only title VI. They have stated pub-
licly that they are willing to see title VI
lapse forever rather than to accept this
aid through legislation which would also
give them substantial relief to the low-in-
come veterans and other families, who cannot possibly be served
by the private housing industry.
I say that it is about time to stop this
kind of politicking about the housing
shortage. I say it is about time for the
Republican leadership of this Congress
to break its own stalemate on housing.

The prices of new houses in most areas
continue enough higher than costs of con-
bstruction that builders are expected to
broaden this program this
spring. The UIA housing price index is
299 as compared with the FHILBA housing cost in-
dex in 1939. A drop in construction volume will not occur until the
margin between costs and prices of houses is
narrowed by a drop in prices or further
increase in cost. The present level of the
price index is also well above rents, build-
ing materials, and the consumer price index.

EXTENSION OF REMARKS

Mr. CELLER asked and was given per-
mission to extend his remarks in the
Record for three instances.

GEORGE POLK

Mr. FOLGER. Mr. Speaker, I ask
unanimous consent to address the House
for 1 minute and revise and extend my
remarks and include a portion of an ar-
ticle by Marquis Childs.
The SPEAKER. Is there objection to
the request of the gentleman from North Carolina?
There was no objection.

Mr. POLK. Mr. Speaker, as every
other American has undoubtedly felt, I have been greatly disturbed by the
untimely death of Mr. George Polk, of the
Columbia Broadcasting System. Mr. Polk was killed in Greece. An immediate ef-
fort seems to have been made to charge it
to Communist influences. I saw that
that could not be true because he had told his friends that he had been accused
of being a Communist and had been
called a pink. But Mr. Childs, in writing
about the matter, said that he was not
current to write about lives, but wanted
to get the truth, and that George Polk
was one of the great reporters that he
had met and known. I fear if the
investigation as to the true circumstances
surrounding his death is to be left to the
present regime in governmental affairs in
Greece, the surviving kin of this fine
young man will never know the truth.
Mr. Childs called upon the United
States, as he planned to
participate in the Government at this time
we can well understand the importance of
these days and the gratitude and loyalty of
every American Jew should be revealed
in their enthusiastic encouragement of
President Truman. The Americans who
by their aid and assistance have contrib-
tuted to the establishment of the long-
sought homeland can also look upon this
historic hour with satisfaction and hope.

EXTENSION OF REMARKS

Mr. KEOGH asked and was given per-
mission to extend his remarks in the
Record and include an editorial from the
Brooklyn Eagle.

MULDER asked and was given per-
mission to extend his remarks in the
Record in three instances and include
extraordinary matter.

THE MUNDT BILL

Mr. EBENHARTER. Mr. Speaker, I ask
unanimous consent to address the House
for 1 minute.
The SPEAKER. Is there objection to
the request of the gentleman from Penn-
sylvania?
There was no objection.

Mr. EBENHARTER. Mr. Speaker, this is the third legislative day which
the House is going to spend in the consid-
eration of a measure which the other
bodies indicated this consider-
ation to before adjournment. It is
a waste of time, time which will come
and more precious as we near
time for adjournment. I will in
the next few days, Mr. Speaker, there
will come before the House a measure of
the utmost importance from a domestic
as well as international standpoint, and
that is whether this country is going to

HOUSING SALES PRICES, OLD

Housing sales prices, including both old
and new properties in all price ranges, dis-
played some midwinter hesitancy but have
now resumed their postwar climb. This fact
was graphically proved in an elaborate sur-
vay, recently completed by United Industrial
Associates, Inc., and we are indebted to them
for permit to quote the table of com-
vey, recently completed by

San Francisco, Washington, D.

San Francisco, Washington, D.
Mr. ROONEY asked and was given permission to extend his remarks in the Record in two instances, in one to include an editorial from the Brooklyn Eagle.

Mr. HUBER asked and was given permission to extend his remarks in the Record.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the Record in two instances and insert editorials.

Mr. MASON asked and was given permission to extend his remarks in the Record on the subject of Co-ops Are Big Business, and to include therein an article on the same subject.

Mr. ROONEY asked and was given permission to extend his remarks in the Record in two instances and include editorials in each instance.

Mr. NIXON, Mr. Speaker. I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6582) to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes.

Mr. MARKANTONIO. Mr. Speaker, a quorum is not present.

Mr. ARENS. Mr. Speaker, I move a call of the House.

Mr. Speaker called the roll, and the following Members failed to answer to their names:

[Roll No. 67]

Mr. ROONEY asked and was given permission to extend his remarks in the Record in three instances and include editorials in each instance.

Under the agreement these 3 importing nations will deliver to the 33 importing nations during the next five crop years, 500,000,000 bushels of wheat each year at prices ranging from $2 to $1.10 per bushel at ocean ports and Port William, Canada.

Mr. Speaker, it behooves all of us, both for the protection of the wheat producers and the taxpayers of America, to scrutinize this far-reaching program very carefully. I hope the Members of the Senate will carefully weigh the consequences of this agreement before granting approval to it or to any other similar agreements.

Under this agreement an International Wheat Council will be formed in which the United States will have 379 votes compared with the 630 votes of the other two exporting nations, Canada and Australia. Of the 1,000 votes allotted to the 33 importing nations, the United Kingdom will have 360. Nations within Great Britain's orbit of influence, including Canada and Australia, will control at least 1,100 votes of the 2,000 votes in the International Wheat Council. This Council will ultimately decide the price at which the wheat under this agreement will be sold, within the minimum and maximum levels.

Suppose today, with May wheat at $7 a bushel in Chicago, the Council could ask us to ship them a portion of their allotment. The $2 price at the seaboard, or Port Arthur, Canada, would obtain. As I interpret the agreement, Uncle Sam would first have to buy wheat at Chicago at $2.47 and pay expenses on this wheat to the ocean port. Let us assume the very reasonable amount of 13 cents for this, and we have a cost of $2.60 to the United States for each bushel delivered. Then we get back $2 at the most, and perhaps much less if the Council should so decide.

Suppose we average this selling price at $1.75, and as a result Uncle Sam would pay a subsidy of 85 cents per bushel on whatever he shipped up to a possible 185,000,000 bushels for the year 1948. This would mean a total subsidy of $257,000,000 for the privilege of exporting 185,000,000 bushels of wheat. Is this good business? Why should we pay a thin dime today under present market demands to export wheat?

Now let us glance at the 1952 crop year. Under this agreement the Council could decline to deliver. If the United States had wheat to offer, that $1.10 would be the price, or approximately 97 cents in Chicago or 85 cents in the Dakotas. How will this agreement affect our future wheat price? Will the taxpayers of America pay the difference to the producer between parity and the 97 cents in Chicago, to the tune of possibly $150,000,000? No; I fear instead the price to the producer will be smashed down so as to permit this subsidy to foreign consumers.

Mr. Speaker, I repeat, we must view this proposed agreement very carefully. The Senate will act shortly. Let us advise our colleagues in that body of our opinions of this far-reaching proposal.

Mr. ARENS asked and was given permission to extend his remarks in the Record in two instances and to include editorials in each instance.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the Record in three instances and include excerpts in Congress.
Mr. KEESTEN of Wisconsin asked and was given permission to extend his remarks in the Rasson and include an article.

SUBVERSIVE ACTIVITIES CONTROL BILL, 1948

Mr. NIXON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 5852) to combat un-American activities by requiring the registration of Communist-front organization for purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of H. R. 5852, with Mr. Wassworth in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose yesterday, section 3 had been read. Are there any amendments to section 3?

Mr. RANKIN. Mr. Chairman, a parliamentary inquiry. Had section 3 been read?

The CHAIRMAN. It has been read.

Mr. MCDONOUGH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have asked for this time in order to ask the chairman of the subcommittee some pertinent questions so that I may have an answer to the more than 100,000 people in postcards, and telegrams from people in my district in opposition to this bill. I believe those people are entitled to an answer, and I certainly believe that they have been misled and misinformed. Their fears have been aroused to the possible loss of their civil rights under the Constitution of the United States, and as I read and understand the bill, all of the questions that I have to ask can be answered by a simple "Yes" or "No." If the chairman of the subcommittee will give me his attention, I will ask the questions.

Question No. 1: Will this bill deny or abridge the rights of freedom of speech, freedom of the press, freedom of religion, or freedom of assembly, as guaranteed by the First Amendment to the Constitution of the United States, to any individual, organization, or association not dominated by a foreign power?

Mr. NIXON. The answer to that is "No."

Mr. MCDONOUGH. Question No. 2: Will this bill deny any of these rights or privileges guaranteed by the First Amendment to the Constitution, to which I have just referred, to any individual, association, or organization which is dominated by a foreign power, if such individual, organization, or association is registered with the Department of Justice?

Mr. NIXON. The answer to that is "No."

Mr. MCDONOUGH. Question No. 3: Will this bill deny any individual, organization, or association not dominated by a foreign power the right to criticize Congress, the executive, the judicial departments of the United States Government?

Mr. NIXON. This bill does not deny to any individual any right. Mr. MCDONOUGH. Question No. 4: Will this bill deny any individual, organization, or association the right of trial by jury as guaranteed by the Fifth Amendment to the Constitution of the United States?

Mr. NIXON. It will not.

Mr. MCDONOUGH. Question No. 5: Will this bill deny any individual, organization, or association the right to advocate, propose, or support public housing, public power, socialized medicine, minimum wages, antipoll tax, antilynch laws, or nondiscrimination or segregation because of race, creed, or color?

Mr. NIXON. It will not.

Mr. MCDONOUGH. Question No. 6: Will this bill penalize any two individuals, an organization, or an association which is under foreign domination and which conspires to set up a totalitarian dictatorship under foreign control, either by the tactics or procedure of fascism, nationalism, or demagoguery?

Mr. NIXON. In answer to that question, I will point out to the gentleman that section 4 of the bill would have had the same application to the German-American Bund during World War II as it would have had to the activities of Communists or Fascists or Nazis today, in the event they attempt to set up in any manner a totalitarian dictatorship under foreign control in the United States.

Mr. MCDONOUGH. In other words, the answer to that is that it will penalize such an individual, organization, or association?

Mr. NIXON. It will.

Mr. MCDONOUGH. Question No. 7: Will this bill expose and reveal to the public the enemies of democracy as we know it who are in the United States, its possessions and Territories, and the Panama Canal Zone, who are under the domination of a foreign Communist power?

Mr. NIXON. It will.

Mr. MCDONOUGH. Question No. 8: Should any American who is either liberal, conservative, or a middle-of-the-road individual, whether he is Democrat, a Republican, an Independent, a Jew, or Protestant, agnostic, or atheist, that is not under the domination of a foreign power, have any fear that this bill will make a police state or a witch hunt if it is passed and becomes the law?

Mr. NIXON. The answer is "No."

And I should like to elaborate on the answer to this extent: The claim has been made that this bill is a police-state bill. That is the usual tactic resorted to by Fascists, whether they be brown, or black, or red, for the purpose of discrediting a particular piece of legislation to which they are opposed—this is the tactic of the hit lie.

This bill, far from being a police-state bill, is a bill which will prevent the creation of a police state in the United States. It is of course a dangerous step, but answers that no American liberal, conservative or otherwise, need have any fear of the denial or restriction of his civil, political, or religious rights as guaranteed to him by the United States Constitution who is not dominated or under the control of a foreign power, and not registered with the Department of Justice.

It is also obvious that all enemies of the United States who are under control and domination of a foreign power, and who attempt to set up a totalitarian dictatorship in the United States, whether Fascist, Nazi, or Communist will be penalized, and should be.

What loyal, liberty-loving American would not be in favor of that? That stretch of the imagination can any loyal, liberty-loving American be favorable to any political ideology that would undermine, demoralize, and take away from him his constitutional liberties. Let me here quote from John Stuart Mill:

A people may prefer a free government, but if, from indifference, or carelessness, or cowardice, or want of public spirit, they are unequal to the exertions necessary for preserving it; if they will not fight for it when it is directly attacked; if they will not be avenged by the artifices used to cheat them out of it; if by momentary discouragement, or temporary panic, or a fit of indolence, or a fit of individual, they can be induced to lay their liberties at the feet even of a great man, or trust him with powers which enable him to subvert their institutions because they are more or less unfit for liberty; and though it may be for their good to have had it for a short time, they are unlikely long to enjoy it.

Mr. Chairman, the time has come for definite action by the Congress to legally define communism in clear, concise terms. Newspapers editorialize about communism, men in public life are attacked as adherents to communist philosophies, but in spite of all these discussions few people can define communism or give any coherent explanation of their understanding of the term.

Informed Americans know that a Communist menace does exist in the United States, a dangerous force which threatens our future. The President proving that an organized attempt is being made to establish communist methods, policies, and political ideologies within the United States. The picture in this movement which understands its true purpose may be few. But, unfortunately, they are highly trained men and women like Gerhart Eisler, so subtle in their methods that they enlist the active aid of thousands of loyal Americans who are sympathetic and are misled by deliberate confusing of issues, subversion of facts, and deceit.

We must take steps to protect the innocent and expose the guilty. We do not want to brand loyal Americans, misguided though they may be, with the label of communism, nor do we have any intention of furthering the Communist cause. We do want to seek out the Communists who burrow from within to undermine the strength of our American institutions and to confuse the true enemies of democracy as we know it who are in the United States, its possessions and Territories, and the Panama Canal Zone. We want to expose them, reveal them as the enemies of the United States, and deal with them accordingly.

In every argument in the House concerning communism or Communists we see further evidence of the need for clarification of the use of these terms. Champions of persons accused of communist activity argue that no man can be guilty of communist activity unless he has en-
gaged in actively supporting action for the violent overthrow of the Government of the United States.

Before the development of the fifth column technique in Europe this may have constituted a liberal definition of communism. But today, with the record of the infiltration of nazism in the country, particularly post war and rise of quislings within European governments, we know that organized communism can use these methods, which often have nothing to do with the newspapers and freedom of religion.

Their activity causes the average citizen to take more than a passing interest in the measure.

The Communist defense of the Hollywood screen writers for denying Congress in re-

fusing to answer whether or not they had ever been members of the Communist Party has been of high intensity but even that has to take second place to the activity and the showings in the House of Representatives

So we should take a look at the proposal.

The bill would refuse passports to Com-

munists, seeming thus to stop the steady influx of spies.

It would require the Communist Party and all members thereof to register with the De-

partment of Justice.

It would make it a criminal offense for a Communist to work for the United States Government and for anyone to knowingly hire a Communist for a Federal job.

Specifically, the bill declares that "It shall be unlawful for any person to attempt in any manner to establish in the United States a totalitarian dictatorship, the direction and control of which is to be vested in, or exerted by, or under the control or direction of any foreign government, foreign organi-

zation, or foreign individual."

The tendency of Communists to the proposal indicates that they are con-

vinced that the law would tend to prevent activities to bring about internationalism and activities to build up a totalitarian dic-

tatorship.

If the bill will do what the proposed Com-

munists believe it will do, then it is a good bill for believers in democracy to support.

Persons who are working for a totalitarian dictatorship should not be known to the general public. Members of the Communist Party should be known to the general public.

Present activities of Communists on behalf of the Russian foreign office, between writers who were identified in testimony before the Congres-

sional Committee on Un-American Activities as having been members of the Communist Party are a simple matter for them.

The Communists can pour money into a defense fund for screen writers and others and not give it a second thought, for today there is no law against advocacy of a Stalin dictatorship.

But there should be a law against efforts to establish a Stalin dictatorship then Communists would give second thought to their activities.

The proposition of the American Communist Party not dominated and directed from a for-

eign power.

Freedom of the press and of speech is not denied under this bill, providing the mem-

bers of a foreign directed and domi-

nated Communist Party are registered with the Department of Justice.

This bill seeks only to make public those who would use freedom of speech and of the press to advocate the policies of a foreign directed and dominated Communist Party, which, if it ever obtained majority power in the United States, would deny freedom of speech and of the press and freedom of religion.

Why should we spend billions in Europe to resist communism and do nothing to resist it here at home?

Following is an editorial from the Hollywood Citizen-News of Friday, May 7, 1948, which has wide circulation in my district.

WANTED COMMUNISTS

American Communists are exceeding active in opposition to the bill proposed by Congressmen Murov and Nixon for the control of communism in the United States.

The CHAIRMAN The time of the gentleman from California has expired.

Mr. MITCHELL. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, those of you who heard me yesterday and those of you who read the Thrusday evening papers for the column of the writer for obvious reasons. This communication was dated May 17 and is addressed to me:

DEAR SIR: I am a member of local 813, USW and MWS, at the Seeger Refrigerator Co. in Emeryville, California.

Local 813 has a general membership meeting yesterday afternoon. There were about 200-300 members present.

At this meeting a communication was read condemning the Mundt bill which requires individuals to register and which is now in the House of Representatives, I believe. It was voted on but first it was discussed. This communication was defeated about 3 to 1 but the presiding officer declared it carried; it just shows you how crooked they are.

Now if this communication should show up in our office for pressure on you to vote against it from Local 813 I would like to know it, since the opposition to communism is growing rapidly here and it would give us one more club to use on the communists.

In closing, Mr. MITCHELL, I urge you to support the Mundt bill because the Mundt bill in my opinion will bring them out where everybody can see who they are which will be a great help in keeping them out of responsible positions.

I have also a clipping from the Evansville Press, a three-column story of how this meeting was conducted. The heading is "United electrical meeting closed before the anti-Communist act." The article points out how they steam-rollered that meeting, how they gavelled down patriotic boys who attended that meeting for the purpose of preserving their antimasonic attitude. The leaders gavelled them right down. I sincerely hope that the Committee on Labor and Education will go into these matters very, very carefully at the next session of Congress, and will conduct inquiries as to why the presiding officers in these unions can ram this stuff down the throats of the members who pay the dues.

Mr. KERSTEN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MITCHELL. I yield.

Mr. KERSTEN of Wisconsin. Does the gentleman yield the floor to me, recognize, and agree that some of the top members of that very union, the United Electrical local, is made up of avowed Communists and fellow travelers.

Mr. MITCHELL. I mentioned that in my remarks yesterday. Those particular individuals certainly are Communists, but I maintain that 90 percent of the local in my home town, Evansville, IND., are good, loyal, patriotic American citi-

zens, but they just do not have control over their local yet. I had hoped that the Taft-Hartley Act would give the membership control of their unions. In this case it has not done so as yet, due to the fact that the leaders have refused to sign the anti-Communist affidavits, and, believe me, the membership is plenty sore down there. I think at the next meeting they will be successful in kicking these pinkos out.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. MITCHELL. I yield.

Mr. McDOWELL. This is the great International union which is ruled and directed by Julius Ampeck.

Mr. MITCHELL. Ampeck, and at his right hand is the fellow from St. Louis, who has admitted,
according to this article, that he is a Communist.

Under permission granted by the House, I insert the following to which I refer
that the Members may see what is going on in some unions in this country.

(The article referred to follows:)

**THE MEETING CLOSED BEFORE ANTI-COMMUNISTS PREPARE ACT**

(By Ed Klingler)

A planned assault against alleged left-wing leadership of local 813, CIO United Electrical, Packhouse Workers, was nipped in the bud Sunday afternoon.

Local 813 anti-Communists said they were "allied" by a local Communist trick.

The meeting was adjourned before they could get rolling.

The meeting in US hall, First and Main Streets, was open to local 813 members from Servel, Seeger, Faultless, Bucyrus-Erie, and George Koch Sons.

The call for a democratic action, the active anti-Communist group within local 813, had worked at getting out a big anti-Communist attendance.

They had planned to bring up the question of alleged Communist leadership and to name those they believed to be Communists or followers of the party line.

**CLAIM MAJORITY**

"We have them outnumbered at least 4 to 1, and probably 5 to 1," said one anti-Communist leader. "We could have outnumbered them (the leftists) on anything."

He said routine business was disposed of and the Communists were preparing to spring their proposals when the Chair called for a motion to adjourn.

The motion was seconded and seconded. The gavel cracked and a few members got up and walked out.

Before formal adjournment, however, there were reported to have been two actions—both referred to the Union.

One commented the local 813 "victory" resulting from settlement of the Seeger strike. The other referred to the CIO United Packhouse Workers strike, now entering its third month.

The resolution said the Seeger strike taught "a lesson we should never forget * * * that victories over the bosses can be won by a united rank and file in support of elected leaders."

It charged the employers seek to destroy the union by dominating it.

"This is the resolution, "is the real meaning of the attacks upon our leadership during the Seeger strike and now by the Bucyrus-Erie management."

**SEVERE RESOLUTION**

The resolution was in three points:

1. A vote of thanks and confidence for local and district union officers for the outcome of the recent meetings in Haymaker's Hall, 2208½ West Franklin Street, where the anti-Communists can talk over their problems and ways to solve them.

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**PROOF CHARGES, SENTNER DEMANDS—BUCYRUS HEAD'S CLAIMS ARE LIES**

Public proof of Communist charges is demanded of N. B. Knox, South Milwaukee, Wis., Bucyrus-Erie president.

The demand is made by William Sentner, District 8 president and general vice-president of CIO United Electrical, Radio and Machine Workers.

Copies of Mr. Sentner's letter to Mr. Knox were distributed Sunday at a meeting of local 813, UE. The letter reads in full:

It referred to a letter to Mr. Sentner, distributed May 3 by Mr. Knox to the 1,200 Bucyrus employees.

"We would like to point out that the company would no longer recognize or deal with local 813 because it is a Communist-dominated union."

**ACTION ENDORSED**

"A subsequent membership meeting has endorsed this statement. It resolved to continue its efforts to negotiate a satisfactory labor contract and remain firm in its determination to resist any encroachment that management may attempt on their wages, rights, and privileges established by the union in the past year."

"The real purpose of your May 3 letter is to force upon your employees the company's contract. This is proven by the fact that you give a wage increase next year and then receive on submitting your countercontract proposals as you promised."

"At the April 5 meeting between your representatives and the company, the company suggested another meeting 3 weeks later at which time it promised to submit to the union its counterproposals. Such a meeting was held. Instead, your letter of May 3 was the first indication that you had no intention whatsoever to keep your word."

**BENEFITS LISTED**

"You state that we aren't interested in the welfare of our membership. We asked for a substantial wage increase, a substantial wage increase, a substantial wage increase; an improved vacation plan; automatic rate increases to the top of the rate range; an improved Incentive premium plan; an additional 5 cents per hour for second-shift employees; and an adequate health, welfare, and insurance plan. Which of these union proposals is not in the interests of our membership?"

"You also claim that the actions of our officers are not in the interests of our membership. This is a lie. The organization of your employees as part of Local 813 was in their self-interest. The wage increase secured this year, in contrast, to a wage increase of $7,000,000 by you against our membership. They have planned to bring up the question of alleged Communist leadership and to name those they believed to be Communists or followers of the party line."

"We aren't dissatisfied with our union. We have resisted proposals that we abandon the UE and go into some other union.

"We are not giving up our union—we are determined to reform it so it will function in the fashion in which it was designed."

"Although we oppose our leadership, we do not believe Bucyrus is on honest ground. We think the company is trying to use the Communist issue to avoid bargaining. We don't intend to abandon support of our Bucyrus members because the union leadership isn't to our liking."

"Copies of Mr. Sentner's reply to Mr. Knox were circulated at the meeting."

**THE MEETING CLOSED BEFORE ANTI-COMMUNISTS PREPARE ACT**

The second resolution gives local 813 endorsement to the strike that has closed the Evansville Swift plant, Well Packing Co. and the Fort Branch Emge plant.

It proposes:

1. A labor demonstration in support of the Swift strike.

2. To establish a "United Labor Defense Committee" of the CIO, AFL and railroad Brotherhoods to support all strikers in Evansville.

3. To ask national CIO to call a national emergency labor conference to "unite all organized labor in this fight."

The resolution charges the whole weight of city, State, and Federal Governments is being thrown to support of the packing house bosses. It says in Evansville a Democratic mayor and Republican State police are supporting Swift.

**THE CHRYSLER STRIKE WILL BE LONG AND TOUGH**

The Chrysler strike will be long and tough in the opinion of Jack Jarvis, Detroit, representative of Mr. Knox to the CIO United Packinghouse Workers strike, now entering its third month.

He reported on the situation at a meeting of Chrysler local 705 Sunday in the union's hall, Eighth and Main Streets.

He said strike funds of local unions would be augmented by a $7,000,000 national fund. Meanwhile, national officers of the Chrysler Department aren't accepting any pay for the rest of the strike.

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"The real purpose of your May 3 letter is to force upon your employees the company's contract. This is proven by the fact that you gave a wage increase next year and then re-
your employees to substantiate these charges with facts or to make public retraction and apology for these horrid attacks upon my loyalty to my country and my union."

Mr. Sentiner frequently is referred to as an adventurer.

A group of Bucyrus workers have reported that at a meeting 2 weeks ago Mr. Sentiner, when asked twice, replied twice that he was a Communist.

Mr. KLEIN. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, the mask is off.

Great Britain has exposed herself as the true villain in Palestine, the real aggressor, the brain which pulls the strings of its puppet states in the Arab League.

Boldly, boldly, and without shame the British Foreign Office has defied the United Nations, international comity, and rudimentary decency by the shameful declaration that Great Britain will continue to furnish arms and the $10,000-a-year salute to Transjordan for its puppet state of British-aided, British-trained, British-paid and clothed troops of that Charlie McCarthy nation.

Briandt John Glubb Pasha, a subject of Egypt, is continuing to lead the barbaric Arab legion of King Abdullah. Transjordan and Saudi Arabia were created by edict of the British Foreign Office and the compliant War Office. The forces of Egypt are scarcely yet out of control of British commanders.

Great Britain is exposed as the object of scorn, sabotaging the infant state of Israel, contributing to a slaughter which differs from the Nazi crematoria only in degree.

Our country, through the prompt and statesmanlike action of President Tru­man, recognized the government of Israel within minutes of the proclamation of independence.

We cannot now sit idly by while Great Britain, using funds supplied by Ameri­can taxpayers, supplies the weapons of annihilation to the Arabs.

Great Britain could stop this shameful war.

I call upon the Security Council of the United Nations to invoke at once against Great Britain and all the states of the Arab League every sanction provided in chapter VII of the charter in order that they may instruct the Communists. The Communists have resorted to the most extravagant deceit, lying, and trickery in opposition to the measure. Members of Communist-controlled unions have been presented with petitions to sign against the bill. Americans in favor of the Mundt bill speak out militantly and on every occasion, thousands of their fellow Americans are the unwitting promoters of communism in America.

The primary aim of the Communists is to create active and strong opposition to the measure: where this cannot be achieved, they will try to belittle and smear it in order to discourage its support. The Daily Worker has accused the Mundt bill of being designed for almost every purpose but that expressly stated in the measure itself. The Commu­nists have labeled it a police-state bill, whereas it is actually an antipolice-state bill. They charge it with being antithesis, whereas it is free American unions from alien political domination. They assert it is a step to totalitarian dictator­ship in the United States, whereas it is the most practical and courageous step yet to be taken to keep totalitarian dictator­ship out of the United States. They say it would mean revolution, whereas it is the correct purpose; whereas it is to eliminate from American politics the secret, conspiratorial, Soviet methods that threaten to destroy our political system. They accuse the sponsors of H. R. 5652 of seeking to spread up the preparations for world war, whereas the real object of the measure is to strengthen our national morale by ex­posing our enemies in order that we may not be the victims of expansionism.

Americans of Brooklyn have been given an added incentive to take the leadership in the fight to assure the enactment by both Houses of Congress of H. R. 5652, for the leadership of the masses in opposition is in this borough. The Kings Highway Section of the Communist party has advertised in the Daily Worker to raise $10,000 in 10 days to defeat the Mundt bill. The na­tional committee—never alleged to American dollars—raised the ante to $500,000 for the Nation.

The Rochester Courier Journal, another Catholic paper, in an editorial by Rev. P. J. Flynn, writes as follows:

The Rochester Courier Journal, another Catholic paper, in an editorial by Rev. P. J. Flynn, writes as follows:

The American Communists are all upset. They will try to get to their right names if the proposed Mundt bill—"To protect the United States against un-American and sub­versive activities"—becomes law. And it looks as if it will.

The editorial goes on to speak praisingly of the Mundt bill.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, yesterday afternoon the gentleman from New Jersey read into the Record a telegram from Bishop Hes, for whom I have great respect, indi­cating his opposition to the pending bill, which telegram, however, in no way reflected personal bias. In order to demonstrate that the proposition of Catholic faith think quite differently

with regard to this bill, may I refer to some news articles in recent Catholic papers in reference thereto so that it may be indicated and demonstrated that there is considerable thinking on this bill among the Catholic people as well as in other groups.

I quote from the Brooklyn Tablet, a Catholic paper, of May 15, the following:

"H. R. 5652.

A perusal of the outline of the Mundt bill on another page of this issue will indicate why the Communist Party, its propaganda organs, and the mass of the population, are exerting every pressure to prevent the enactment by Congress of H. R. 5652, a measure sponsored by the House Committee on Un-American Activities to protect the United States against un-American and subversive forces. Congress has been blanketed with protests, mostly on post cards against H. R. 5652. Most Representatives and Senators, if not all, are aware of the common source of the protests, but, for the record at least, the mail in support of the measure should and must be heavy, formidable.

We urge our readers not only to write to the Congressmen in support of H. R. 5652 but to make themselves familiar with the outline of the bill in order that they may instruct others. The Communists have resorted to the most extravagant deceit, lying, and tricks in opposition to the measure. Members of Communist-controlled unions have been presented with petitions to sign against the bill. Unless Americans in favor of the Mundt bill speak out militantly and on every occasion, thousands of their fellow Americans are the unwitting promoters of communism in America.

The primary aim of the Communists is to create active and strong opposition to the measure: where this cannot be achieved, they will try to belittle and smear it in order to discourage its support. The Daily Worker has accused the Mundt bill of being designed for almost every purpose but that expressly stated in the measure itself. The Communists have labeled it a police-state bill, whereas it is actually an antipolice-state bill. They charge it with being antithesis, whereas it is free American unions from alien political domination. They assert it is a step to totalitarian dictator­ship in the United States, whereas it is the most practical and courageous step yet to be taken to keep totalitarian dictator­ship out of the United States. They say it would mean revolution, whereas it is the correct purpose; whereas it is to eliminate from American politics the secret, conspiratorial, Soviet methods that threaten to destroy our political system. They accuse the sponsors of H. R. 5652 of seeking to spread up the preparations for world war, whereas the real object of the measure is to strengthen our national morale by ex­posing our enemies in order that we may not be the victims of expansionism.

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The American Communist Party has an­nounced a major campaign against the enactment of the proposed Subversive Activi­ties Control Act of 1940.

Concluding, the article says:

Impartial observers view the proposed legis­lation as the most practical measure against communism ever contemplated here. If properly enforced, the law would effectively static Communist activities in America. In view of public sentiment today, exposure of secret Red activities would be fatal to the party. Hence the present strug­gle is really one of life or death for American communism.

Another broadcast hearing upon this bill came from Moscow on May 13. They lauded the Mundt bill, too, and their argument from Moscow sounds very much like some of the arguments that some of the gentlemen are presenting here. Opposition to this bill. Moscow says that the Mundt bill is like the Nazi
The criteria and policies are in general adopted and pursued by the gentleman from California with whom I would like to carry on an unrehearsed dialogue, the gentleman from California (Mr. HOLIFIELD). I would like to ask him the following questions:

Does this bill set up a new loyalty test for citizens of the United States?

Mr. HOLIFIELD. Yes. The criteria for treason are new criteria. The criteria for conspiracy set up in the bill are new criteria not contained in the Constitution.

Mr. Celler. The authors of the bill would prescribe a new kind of loyalty, I say. It is above all, conformity—conformity of the status quo, conformity to their ideas. They would abandon evolution and progress and regard America as a finished product.

Would you say that the final word has been uttered by the gentleman from California (Mr. NIXON), or would the final word be the Supreme Court of the United States?

Mr. HOLIFIELD. In my opinion, neither the gentleman from California nor the gentleman who is the head of the subcommittee, can give a final determination on the constitutionality of this measure.

Mr. Celler. Of course I could add that "Not everyone who saith, 'Lo, the kingdom of Heaven.' His saying something is so, does not make it so.

Does this bill provide that those with unorthodoxo principles shall be barred and proscribed?

Mr. HOLIFIELD. It certainly does, in my opinion, and the phraseology is so indefinite and vague that it can bring in under the judgment of the Attorney General practically any organization in the United States for proscription.

Mr. Celler. Would you say that the passage of this bill would be a precedent for ostracism by Congress by fiat?

Mr. HOLIFIELD. Why, it is certainly a legislative fiat. The bill makes a finding of fact that there is a clear and present danger in the United States for proscription.

Mr. Celler. Does this bill's so-called loyalty test provide for the usual safeguards that we throw around an accused, for example, a trial by jury?

Mr. HOLIFIELD. Of course it does not. It provides that the Attorney General shall without notice, make a reasonable conclusion based on evidence
from California? is absolutely impossible of very decided information to Members of

hearsed? we get through. bill is administratively unworkable. It

puts the burden of proof upon the Attorney General, and his Department, which

for separate crime and each separate crime imposition in that it makes the maximum

him to pay any amount of money because for this year's violation, there is a

crime and each separate crime can involve a penalty of $5,000, and 5 years in jail.

Mr. McDowell. Mr. Chairman, will the gentleman yield? Mr. Cellar. I yield.

Mr. McDowell. I do not know who rehearsed most or longest but surely

someone is going to win an Oscar before we get through.

Mr. Cellar. Will the bill accomplish its purposes, I ask the gentleman from California?

Mr. Cellar. In my opinion, this bill is administratively unworkable. It

puts the burden of proof upon the Attorney General and his Department, which is

absolutely impossible of accomplishment.

Mr. Fellows. Mr. Chairman, will the gentleman yield? Mr. Cellar. I yield.

Mr. Fellows. This drama that is being put on—it is not like Information Please, is it?

I think we are giving very decided information to Members of the House, and the dialog which was previously put on gave considerable mis-

information.

Mr. Fellows. This is not rehearsed.

Mr. Cellar. This dialog I have conducted with the gentleman from California (Mr. Cellar) has not been rehearsed. It is purely spontaneous.

Mr. Holifield. We are indebted to the other two gentlemen for giving us the idea.

The Chairman. The time of the gentleman from New York (Mr. Cellar) has expired.

Mr. Rankin. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the greatest recommendation this bill has had is the opposition of the two gentlemen who just put on the Alphonse and Gaston stunt. If you will turn to page A3111 of the Appendix of the Record, you will find a letter from the American Legion, in whose judgment I have infinitely more confidence than I have in the two gentle-

men who just put on their show before the House.

Now, we are overlooking the amendment that is pending. The amendment is to try to take out of this bill the Communist-front organizations. Remember that communism is the best organized, the best financed subversive movement the world has ever seen. It works through Communist-front organizations. This part of the bill which the amend-

ment would strike out will do more to explode and dissipate these subversive fronts and protect the American people than anything else in the entire bill, in my opinion.

I just want to call the attention of the House to that fact in order that no Mem-

ber may be deceived by this spurious argu-

ment that has been offered here today.

I also want to answer the statement made by the gentleman from New York (Mr. Kinn). He was more abusive of the British Empire today than he was of the white people of the District of Col-

umbia in his attempt to wipe out the best financed subversive movement in the world.

I am not an internationalist, but I say that I resent any man taking this floor and deliberately insulting a great people; such as the Scotch, the Welsh, the Nydishes, the English, the Irish, the Dutch, the British. If you please, who are struggling now to main-

tain a front of civilization against this onward rush of atheism communism that destroys all liberty, all free religions, and all such governments as that which we now enjoy.

Oh, they talk about these crackpot professors. Yes, we got those letters. Practically every college in America has one of these Communist fronts, and one of these fronts are being financed by these foundations.

I wonder how many of these professors who wrote that letter are on the pay roll of some of these communist-front foundations. I found one of them was financing Hans Ehrler, one of the most vicious Communist front organizations that has ever been exposed in the United States. It is about time they swapped a few professors and put some of them out practicing law, if they claim to be lawyers, or some of the agricultural professors out farming, and get some new professors in these colleges.

Mr. Eberharter. Mr. Chairman, will the gentleman yield? Mr. RANKIN. No, not just now. The worst blunder I heard made this morn-

ing was the statement of the gentleman from Pennsylvania (Mr. Eramzarr.) No, what the Senate undertook to do. He said that the Senate is going to bury this bill. Where does he get that information? He has no such information, and it is a reflection on the other body for a man to take this floor and say that the Sen­

ate of the United States will bury a bill that is destined to protect American in­

stitutions that are being undermined and destroyed by the most vicious movement the world has ever seen.

Mr. Eberharter. Mr. Chairman, will the gentleman yield? He mentioned my name.

Mr. Rankin. I will yield for a question.

Mr. Eberharter. Has not the gentleman read the newspapers?

Mr. RANKIN. Yes.

Mr. Eberharter. Has he not read what the leader of the Republican Party said?

Mr. RANKIN. Oh, the gentleman does not know who the leader or the Republican leaders are. Each candidate runs as he thinks he is going to be the leader.

Mr. Eberharter. At least he said it could not be reached before the end of the session.

Mr. Mult. Mr. Chairman, will the gentleman yield for a question?

Mr. RANKIN. Yes, I yield for a question.

Mr. MULTER. Do you include as a Communist-front organization the Eco-

nomic Justice Commission of the Prot­

estant Council, representing the major Protestant denominations of Brooklyn? Mr. RANKIN. Of all people who ought to keep their mouths shut about the Protestants it is the gentleman from New York (Mr. Multer) who admits he represents more Jewish Com-

munists than any other man in Congress. I mean Russian Communists.

Mr. MULTER. No Jew is a Com-

munist.

Mr. RANKIN. Oh, yes; there are; of course, not all Jews are Communists; but my information is that 75 percent of the members of the Communist Party in this country are Yiddish and that 60 per-

cent of them were born in foreign coun-

tries. They have for their purpose the under-

mining and destroying this country. If you do not believe it go down and search

the files of the FBI.

No. The gentleman from New York (Mr. Multer) is about the last man on earth who should mention Protestantism or even Christianity in this House.

The Chairman. The time of the gentleman from Mississippi has expired.

Mr. Nixon. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 25 minutes, the last 5 minutes to be reserved to the committee.

The Chairman. Is there objection to the request of the gentleman from California?

There was no objection.

The Chairman. The Chair recognizes the gentleman from Pennsylvania (Mr. Buchanan) for 3/4 minute.
Mr. BUCHANAN. Mr. Chairman, Allan Nevins, in a recent article in the New York Times magazine section, said:

The Committee on Un-American Activities can be useful if they help guard certain areas of our society which can be undermined by red-hunt tradition.

In my remarks made previously, I pointed out the salient differences between national unity after World War I and today:

If we are to have a careful policing of governmental agencies—and it is certain that those agencies which are charged with the protection of our national security must be policed—we should at least have the work done with a careful regard to all parts of our Bill of Rights. It is the fundamental charge against the Committee on Un-American Activities, not that it has acted unilaterally, but that it has shown inadequate respect for the basic liberties written into our Constitution. Today even Great Britain, normally so slow to act in such matters, has set up governmental agencies to deal with Communists and their tools among the fellow travelers. But it is noteworthy that Britain's governmental body similar to our Committee on Un-American Activities.

If we grasp these facts, it is easier to approach the problem of how we can deal with the dangerous Communists without hurting useful radicals and liberals. It is easier to analyze because we can approach it without any sense of panic. One reason why our internal situation is so healthy is that radicals and liberals have been allowed free scope for expressing their opinions; another reason is that from 1929 onward many of their more valuable ideas were adopted and applied. The Communists always have retained their own end. They arouse widespread antagonism, fuel the extremist doctrines at which they aim, and create martyrs and a martyrology—the most powerful agencies of propaganda known to history. We need not worry about the Socialists; they are the fiercest opponents of Soviet ideas. We need not worry about the utopian Communists; they can't but detest the Russian perversion of their ideals. We need not worry about the liberals, who are the bulwark of our own system.

The more freedom of opinion and discussion we have the better, for it will drive homosexuals and all who lead twenty-five years which need enforcement. Fifteen years ago Harold J. Laski, declaring that capitalism and communism were running a race for the allegiance of the masses, stated that there was nothing certain but that there would be certain tests to meet. Capitalism had to remove the fear of insecurity which haunted the worker's life. It had to abolish competing imperialisms. Above all, it had to cut away the jungle growth of vested interests which impaired its efficiency and its social equity. As for communism, wrote Laski, it had to put an end to the perpetual postponement of consumption for the sake of a future which never arrived. It had to terminate the dominating grip of one party and its leaders, introduce truly representative institutions, and permit political freedom. While Mr. Laski thought that communism had the better prospects, we can now see that in this competitive rivalry the capitalist states have made by far the better showing. In the year after another, and particularly in Britain and the United States, effective measures have been taken to remove the danger. The power of vested interests has been healthfully diminished. Imperialism has been almost completely removed. Everywhere it has been a greatly improved character. Meanwhile, in Russia the era of consumption has come, while the physical grip of a small oligarchy of rulers has been tightened, not relaxed. In nearly every respect in which it is possible to compare the recent development of capitalistic democracy with that of certain communism the advantage lies manifestly with the former. These are facts which free discussion, and only free discussion, can explain.

Repression is an indispensable part of the Soviet regime; it is not needed in the United States and is hence contrary to American tradition. Precipitations against treason we may well take, and we can always punish individual violations of our statutes, but beyond that no arm of the Government in the United States can afford to go. We may well recall the words of Charles E. Hughes at a time when a sweep-through of the courts, which has its roots in their rights. I take as a principle simply because they were radicals had carried away the New York Assembly:

"I count it a most serious mistake to proceed, not against individuals charged with violation of the law but against masses of our citizens combined for political action, by denying them the only resource of peaceful government; that is, action by the ballot box and through duly elected representatives in legislative bodies."

If we restrict the security check to its proper and very narrow areas and elsewhere guarantee for speech, and a free vote, we are safe.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts (Mr. HESELTON).

Mr. HESELTON. Mr. Chairman, obviously in the time allotted me it is not possible to deal intelligently and fully with this particular amendment in terms of the constitutionality of this provision in the pending bill. In all sincerity I attempted to discuss that point briefly and I included in my remarks a comment on this particular portion of the bill by one of the outstanding constitutional authorities in this country. I do not think that there is much I can add to what I said on it.

I prepared an amendment which goes further than this does, if adopted, because we would have to carry straight through the bill. I know that unfavorable action on this amendment would preclude the submission of my suggested amendment to the desk. If the pending amendment prevails, I shall present the balance of the amendment I have prepared. If not, I shall introduce in subcommittee my revision of those remarks not only because you, my colleagues, have every right to know what my full position was but because the people of my district, to whom I am responsible, have that right also. I recognize that this bill undoubtedly is going to pass by an overwhelming majority in some form. I do not intend to rest my decision in its final form on my vote alone.

I wish there were a constructive alternative that I could present because I realize that a great deal of ability and honest effort has gone into the drafting of this bill and the revision on the floor. However, I cannot remain silent when I find in this section, in my opinion, the probability that you will pull into the dragNET organizations of decent Americans who could be and, I think, would be found to be violating the provisions of this law under any reasonable interpretation of the section.

Mr. Chairman, I have examined the bill as carefully, as honestly, and as conscientiously as I know how. I hope there may be other amendments offered by my colleagues, who have other ideas as to how to write in adequate safeguards that should be written in this bill. I venture the prediction that if this language remains in the bill, and if it becomes law, there is every possibility that an organiza­tion of people solely dedicated to the rejection of this bill itself could, under the criteria established here, be held to be a Communist-front organization, and under the later provisos, could not send anything through the mails, could not make any approach over the radio unless they put the tag on it that they were a Communist organization, who could and would be condemned before their fellow citizens solely because they were deeply convinced that this bill should be repealed.

For my part I cannot support such a provision, and unless it is amended so that I can discharge my constituency responsibilities in terms of my judgment and my convictions as to the constitutionality of this provision, I will have to vote against the bill.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. HESELTON. I yield to the gentleman from Arizona (Mr. MURDOCK).

Mr. MURDOCK. The gentleman has expressed the very fear I have that such indefinite language written into a criminal law is capable of terrible abuse. This is a dangerous provision in the bill, and I would favor the amendment to strike it or greatly to modify it.

Mr. HESELTON. I thank the gentleman. You and I willingly assumed an individual responsibility when we took our oath of office that we did solemnly swear that we will support and defend the Constitution of the United States. Others of our colleagues, for whom we have the greatest respect, differ with our opinion in this matter. But we can only discharge our obligation by expressing our individual convictions and by acting accordingly.

The amendment I have at the desk is as follows:

Pages 21 and 22, strike out all of section 3 (4) beginning at page 21, line 21 with "organization", ending on page 22, line 23.

Page 27, strike out all of section 8 (b) beginning at line 21 with "(4)" through and including the word "movement", page 22, line 20.

Page 22, strike out all of section 3 (5) beginning at line 21 with "(4)" through and including the word "organization", page 22, line 23.

Page 27, strike out all of section 8 (b) beginning at line 21 with "(b)" through and including the word "organization", page 27, line 18, after "(b)".

Page 27, line 21, after word "organization" strike out "or Communist-front organization."

Pages 27 and 28, in line 25, page 27, after word "organization" strike out words "or Communist-front organization.

Page 28, line 1, after word "organization" strike out "or Communist-front organization."

Page 28, line 8, after word "organization" strike out "or Communist-front organization, as the case may be."

Page 28, line 8, after "(a)" strike out the word "organization."

Page 29, line 4, strike out the words "In the case of a Communist political organization," ending in line 3.

Page 31, line 9, strike out the words "Communist political organizations and Commu-
nist-front organizations shall be listed separately in such register." Page 34, line 8, after word "organization" strike out words "or a Communist-front organization.

Page 34, line 13, after word "organization" strike out words "or a Communist-front organization may be.

Page 34, line 17, after word "organization" strike out the words "or a Communist-front organization may be.

Page 34, line 24, after word "organization" strike out the words "or a Communist-front organization may be.

Page 35, line 3, after word "organization" strike out the words "or a Communist-front organization may be.

Page 36, line 18, after word "organization" strike out the words "or a Communist-front organization, as the case may be.

Page 37, line 1, after word "organization" strike out the words "or a Communist-front organization, as the case may be."

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island (Mr. F. C. Page).

Mr. FOGARTY. Mr. Chairman, I had not intended to speak on this bill at all, but during the past 3 or 4 days I have read the bill carefully. I have read it on three separate occasions, and I am still not convinced that it is a good bill. I agree with the gentleman from Massachusetts who has just spoken that the bill does need amending. I believe he has a good amendment, and there are others I understand are going to be offered during the course of the reading of the bill today. I hope they will be given the serious consideration they merit. I hope that during the remainder of the reading of the bill this afternoon all of those who have the opportunity to offer amendments will be given every possible consideration, because even the sponsors of this bill will agree that it is far from perfect. Debate should not be shut off with a 1-minute amendment.

Now, it amused me to hear some of the proponents of this bill quote this or that authority. It amused me to hear the gentleman from New England (Mr. F. C. Page) quote the National Catholic Welfare Council. Why, he knows as well as I do that there is a difference of opinion there. He knows as well as I do that the National Catholic Welfare Council is governed by the bishops of this country, and they have no definite position on this bill that we are considering today. These discussions that are going on, rehearsed or unhearsed, are not doing any good as far as those of us who are interested in seeing a bill that might work, or having one passed so that it can work. There is serious doubt in some of our minds about it. Some of us who come from New England believe this is the same type of legislation that drove the Republic, of Massachusetts, into Rhode Island over 300 years ago. From the time of the founding fathers of this country, down to this day, we can give examples at ease of cases very at legislation of this type. Historians accuse the France of 200 years ago of adopting the same type of control that is proposed here. I have no sympathy for communism than does the gentleman from Wisconsin or the gentleman from California or any Member of this House, but I do believe that this bill is not a step in the right direction as it is presented at the present time. We are going to do a lot of good. We are going to make martyrs out of a noisy minority in this country if we pass this legislation as proposed by this committee.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. JAVITS).

Mr. JAVITS. Mr. Chairman, the House should listen to the gentleman from New England. I had no intention of speaking on this amendment, but I could not help it after hearing the gentleman from Massachusetts. The very timber of his voice was the voice of conscience. Now, ordinarily it is said that debate does not change many votes, but when a man speaks from the heart, and with profound conviction, and considering the background, and considering the position he has taken on other measures before this House, I feel that I ought to have listened to. It certainly moved me very much.

My own fundamental opposition to this bill stands General Bullis on Friday. That this bill does outlaw the Communist Party seems clear. The unsuitability of this course in our own efforts to fight communism has now been confirmed by very distinguished authority. Senator Taft and Governor Dewey apparently have the same view. However, the debate whether this bill does or does not outlaw the Communist Party is an open one as between distinguished men like Governor Dewey and former Governor Stassen, with different views on it. I am entitled to my own opinion, and will act accordingly.

But this particular provision affects millions of innocent people who may be enmeshed in an activity like advocating a law for a Communist or any other particular social or public activity. As has been truly said, the ordinary citizen could be dragged into embarrassment under this provision and under the very effective control of this bill made to stay out of those organizations. I do not think the sponsors of this bill want anybody to be intimidated as I made to retrain from an activity which he considers to be socially desirable and which he desires to undertake, because of this bill.

Let me ask the gentleman from California, what is striking the bill on the floor, this question:

What is the rationale of striking out, as was done yesterday by the committee amendment, those provisions of paragraph (3) which refer to a Communist political organization, so that if it is used as a tool by a foreign government or by our foreign political organization, it will not be penalized as an organizational organization under this bill—but if it is actually under such control it will be—when I have not heard the committee come forward and say that for this particular paragraph which we are debating now to do the same thing as to other organizations? Is it not a fact that an associate society, if it is interested in the general welfare, may offer for the relief of starving children or the victims of some catastrophe, would come specifically within the definition of a Communist-front organization under this paragraph?

Mr. NIXON. The gentleman's question should be answered in this way: The term "Communist political organization," as amended, would definitely apply to the Communist Party of the United States. An organization which was not the Communist Party should change its tactics substantially and cut its foreign ties. The purpose of the amendment was to remove the possibility that a political organization in the United States, for example, an organization like the third party, could be classified as a Communist political organization where it was being used by a foreign totalitarian power, but where it could not be said to be under the control of such foreign totalitarian power.

Mr. MARCANTONIO. If the gentleman will yield, and is the little such case that we have had that this bill outlaws the Communist Party.

Mr. MURDOCK. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the record?

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MURDOCK. Mr. Chairman, without being quite sure whether the gentleman's amendment to strike out parts of section 3 will alter quite what I want. I must say that I am either in favor of striking out all of section 3 or so amending it as to afford more protection to innocent persons than its loose language will afford. As I said to the gentleman from Massachusetts (Mr. Hesselton), when he offered his amendment, I think section 3 is a dangerous provision capable of terrible abuse.

I have long been distressed by the loose use of terms and of all the smear labels that are so frequently bandied about in recent months. I have frequently heard some of the finest men and women I have ever known, prominent citizens of unquestioned patriotism and of whose loyalty there could be no doubt, branded as Communists or, what is about as bad, as fellow travelers. Sometimes the branding was not an expressed and open charge, but, rather, implied through snide remarks or innuendo. Often I have heard this thing done concerning individuals or groups of individuals where there was no chance of refutation and no opportunity for an individual, or even an unfounded accusations or innuendo.

I am not referring now to idle gossip, but I am referring to covert expressions, not a matter of public record on the part of responsible officials. Such lurid indications of the thinking of certain persons in influential position. I have actually seen lists of so-called pink or red-baiters. Often I have heard this thing done concerning individuals or groups of individuals where there was no chance of refutation and no opportunity for an individual, or even an unfounded accusations or innuendo.
church of my mother's faith and in which I was brought up might be included. No; I have not found others, and I wonder by what authority any nitwit, overbaked superpatriot got his authority for inserting them.

Unless we are far more careful in fixing our definitions in law than I can see in this bill we are going to undermine the academic freedom, the freedom of thought, the basic freedom sought to be preserved in the Bill of Rights as an extension of the Constitution of the United States, and we can easily destroy or lose the priceless heritage of Anglo-Saxon liberty fought for and gained since A.D. 1215 and accumulated in every great charter, including our own basic law.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, this morning in a 1-minute speech I made the observation that the House is wasting valuable time, and that as the deadline for adjournment approaches, these three legislative days would be more and more precious in consideration thereof. I want to continue the thought of the world; or whether we want to decide whether it wants to go back to a period of economic warfare among the nations of the world; or whether we want to proceed in order.

Mr. EBERHARTER. Mr. Chairman, if it is my understanding, and I think it has been said on many occasions, that it is perfectly within the rules of the House to refer to the other branch of the Congress as "the other body," I did not mention the word "Senate," Mr. Chairman, nor did I mention the name of any Senator. I submit that the point of order is not well taken, and I hope the Chairman will so rule.

The CHAIRMAN. The Chair calls attention to Jefferson's Manual, paragraph 371, which reads as follows:

'It is a breach of order in debate to notice what has been said on the same subject in the other House by the order of the day, or to call attention to the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses.'

The gentleman from Pennsylvania may proceed in order.

Mr. EBERHARTER. Mr. Chairman, may I proceed a little further?

The CHAIRMAN. The Chair has ruled on the point of order, and the gentleman may proceed in order.

Mr. EBERHARTER. Mr. Chairman, I made mention in my remarks that a public release was made, and I could refer also to the Official Reporter's notes to show that I never said anything that was said in the other body and never mentioned any Senator's name. I did not mention the Senate of the United States. On that, Mr. Chairman, I rest my case.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. FOGARTY. As I understand it, you were talking about a debate that took place on the radio last night, and the report in a newspaper this morning.

Mr. EBERHARTER. I was referring to public statements not made on the floor of the Congress of the United States, and in confirmation of that, I will refer to the official stenographic reports.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. MacKINNON].

COMMUNIST-FRONT ORGANIZATIONS

Mr. MacKINNON. Mr. Chairman, the proposed amendment so compounded a definition of Communist-front organization. To a certain extent, that is the most vital part of the bill because the Committee is confronted at this time with the fact that for every one actual member of the party, there are 10 persons who are what have come to be known as fellow travelers and who are ready and willing to further Communist aims. This group works through Communist-front organizations. Regardless of what action the House might take, it is perfectly foolhardy to strike out this definition. There have been a number of claims made with respect to this bill, as to what it does and what it does not do. The House need not be concerned about the definition, because it is accurate. But turn to section 10 to see what the penalties are. There it is stated that it shall be unlawful for any individual to become or remain a member of a Communist political organization, knowing or believing or having reasonable grounds for knowing or believing that it is a Communist political organization. That is the essence of the offense. They have to know it, and they have to have reasonable grounds to know it. That is the gist of the offense. Then there is this talk about guilt by association. That runs far wide of the mark. It runs far wide of what is actually in the bill. Those charged must actually know or have reasonable grounds of knowing that the organization is subject to the control of a foreign power.

I believe it is essential in this debate that we look to see what the bill is, because some remarks have been made by people in the House and outside the House who have apparently not examined this bill.

LOUIS WALDMAN, GENERAL COUNSEL, VFW, AMERICAN FEDERATION OF LABOR

Today there appeared in the New York Times a statement by Louis Waldman, general counsel of the United Hatters, Cap, and Millinery Workers' International Union, A. F. of L. I think that is of importance, because it might possibly indicate the position of the American Federation of Labor, or of this A. F. of L. union, with respect to this particular legislation. This man is general counsel, schooled in the law, a labor lawyer, with many years of experience.

He says:

I have read the Mundt bill carefully.

Now, that puts him in a different category than some people who are commenting on this bill.

I read further:

And in my opinion, one thing is certain about it. There is nothing in the Mundt bill that will affect the labor movement adversely or prejudice its rights in any way. All talk about this bill being anti-labor is just so much nonsense, unless you believe that to be anti-Communist is to be anti-labor.

Now, what an individual states a bill does is not necessarily conclusive, but this man said that he had read the bill, and that puts him in a different category than other people who have commented about what this bill does or does not do. On that ground alone, his statement is significant.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. MacKinnon] has expired.

The gentleman from California [Mr. Nixon] is recognized for 5 minutes.

Mr. NIXON. Mr. Chairman, the committee is confronted at this time with an amendment which would strike out the definition of "Communist-front organizations."
The amendment has been offered on the ground that by having such a definition in the bill we are going to run the risk of having a mass witch hunt in the United States, with innocent people being accused, and, in so doing, they happen to be members of a Communist-front organization.

In considering this problem I want to analyze it very carefully, having in mind the situation as it is today and as it would be under the bill.

What is the situation today in regard to Communist-front organizations? As a result of the hearings held by the Attorney General from time to time issues a list of organizations which he designates as subversive. There are no particular standards for determining whether or not these organizations are subversive, no standards which have been laid down by the Congress. No hearings are held by the Attorney General, at which that organization is permitted to come in and present its side of the case. Hearings are held ex parte, so that without any opportunity for the accused organization to be heard.

As a result of these lists which are published from time to time, the organizations which are listed as subversive are listed without any standard. These organizations are stigmatized without having any opportunity to present their side of the case.

The point I want to bring home, insofar as this bill is concerned, is that the definition of "Communist-front organizations," which we have written into the bill, is a definition which, if we read it carefully, we must find either one of three things. One, that the organization is under the control of the Communist Party assuming that the Communist Party were found to be a Communist political organization under the bill.

Or, two, that it is primarily operated for the purpose of giving aid and support to the Communist Party.

Or, three, that its views and policies are, in general—not now and then, but in general—controlled and directed by foreign sources because such views or policies are those of the Communist Party.

Let me point particularly to the last clause, because that is the one about which several Members have expressed concern. It is necessary to show, not simply that the views and policies of the organization happen to be the same in all cases as those of the Communist Party, but there is an element of intent required here. The views must have been advanced because such views were the views of the Communist Party or, in other words, in order to support the Communist Party.

I submit that enactment of this measure will clear the air in the United States as it must be cleared in determining what organizations are or are not subversive. I, for one, do not like the present confusion in which the Attorney General, the Committee on Un-American Activities of this House and the Committees on Un-American Activities of the various State Legislatures, and even private organizations, decide: "This organization is a Communist-front organization; that organization is a Communist-front organization" and no definite standard is laid down for determining what constitutes a Communist-front organization.

This bill represents a great improvement over the present confused situation; it is a landmark in this field. For the first time we have, in effect, established a state that an organization should not be classed as a Communist front and subversive unless it is controlled by the Communist Party, which means in effect that it must be controlled indirectly by a foreign Communist government or foreign Communist political organization. It is the element of foreign control which, in the final analysis, is essential in this definition.

So I say that those of you who are honestly interested in this problem, who honestly do not want to see organizations smeared, want to see that this situation clarified, cannot in good conscience support this amendment and cannot, in good conscience, vote against this bill because adopting this bill are we going to clear the air and get away from indiscriminate name calling in this field. This bill, in effect, will for the first time establish real legislative standards for determining the character of subversive organizations and will provide greatly needed safeguards in the way of open hearings, cross-examination, and a fair review for accused organizations.

The CHAIRMAN. The time of the gentleman from California has expired; all time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. MULVANEY].

The amendment was rejected.

Mr. HOLIFIELD. Mr. CHAIRMAN, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD:

Paragraph (A) of section 2, page 9, strike out in its entirety and insert in lieu thereof the following:

"(A) The act of June 18, 1938, entitled 'An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes';

(B) The Alien Registration Act, 1940; and

(C) The act of October 17, 1940, entitled 'An act to require the registration of certain organizations within the United States, and for other purposes';

(D) Any and any other laws having the same purport and effect;

"(2) specific and detailed recommendations as to what additional legislation is needed to bring about the complete exposure of all activities leading toward the creation in the United States of a totalitarian system; and

"(3) specific and detailed recommendations as to what additional legislation is needed to bring about the complete exposure of all activities leading toward the establishment of a totalitarian system of government in the United States.

As used in this section, the term 'totalitarian system' shall include any Communist or Fascist system whether it be under foreign or domestic sponsorship, management, direction, or supervision."

Mr. HOLIFIELD. Mr. Chairman, this is the crux of the situation as far as I can see. The President wants to proceed in a constitutional method, and wish in an orderly method to obtain a disclosure of subversive organizations, and the Attorney General, as it must be cleared in determining what constitutes a Communist-front organization.

Mr. Chairman, I have offered this amendment in a constructive effort to assist the Attorney General in the identification and prosecution of the enemies of our country, whether they be controlled and directed by foreign sources, or the sponsorship of native totalitarian groups.

The amendment is in the form of a congressional directive to the Attorney General to do certain things:

First. Study and submit to Congress a report on his experience with present laws in the field of subversive activities.

Second. To recommend to Congress amendments which, as a result of his experience and responsibility, would be of value to him in protecting our country against its enemies.

Mr. Chairman, if additional legislation is needed, the Attorney General is directed to submit a draft of such legislation to Congress for legislative action.

And let us explore the logic of this approach. The Attorney General has the responsibility of identifying clandestine operations of a subversive nature through the work of the Federal Bureau of Investigation. He has the responsibility of prosecuting in the Federal courts all indicted cases. He has, with the expert lawyers in his Department, accumulated through years of experience in the prosecution of innumerable cases the knowledge of the coverage of the existing laws. If directed by Congress he would be forced to recommend an amendment is adopted, I am sure that his Department could furnish us a draft of amendments needed to the 27 existing laws, and if additional legislation is needed.

This is an orderly way to proceed on this important legislative subject. It has ample precedent, as the members of every committee know. A functioning department of Government frequently proceeds such drafts on the invitation of a committee chairman for the committee's consideration of problems under legislation consideration. Important facts to remember are these: While the general subject of subversive legislation has been given long and, in my opinion, earnest consideration by my colleague, the gentleman from California [Mr. NIXON] and his subcommittee members:

First. No draft of legislation has been given to his committee by the Attorney General.

Second. As far as I know, no opinion has been received by the committee on the workability of H. R. 6522.
No report has been received from the Solicitor General or from the Bureau of the Budget on H. R. 5852.

Mr. Chairman, the Attorney General in the prepared statement of the subcommittee made some specific recommendations in which he asked for specific strengthening by amendment of the McCormack Act, the Voorshis Act, and other legislation now on the statute books.

On page 24, paragraph No. 5, Mr. Clark stated that the Justice Department and other departments of Government are now engaged in preparing recommendations to Congress for the passage of legislation strengthening the Espionage Act.

With the amendments suggested and the draft of legislation mentioned, the Attorney General said, and I quote:

I can assure you that the intelligence agencies of your Government are very much on the job. They have been charged with the internal security, takes the most active interest in this field. It is conducting continuous investigations on subversive activities.

And I might point out that in view of the above statement by Attorney General Clark, who is charged with the internal security of our country, that he would be derelict in his duty and subject to impeachment, if in his opinion a "clear and present danger" to the security of the United States existed and he failed to certify that to Congress the peril which would exist under such condition.

Mr. Chairman, I ask serious consideration of my amendment.

Mr. LEMKE. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, our Nation is in a dilemma. It is all tangled up in the poisonous tentacles of two octopuses. One is the Wall Street internationalists whose poisonous tentacles are entwined in some Cabinet positions. These are giving away, for a profit, America's resources that belong to unborn generations.

They are for conception and universal military training. This so that American youth can the more quickly develop into men that will lick the world. Some of this loot has the peculiar smell of petroleum.

On the other hand, we have the Communists whose poisonous tentacles extend into our schools, our churches, and governmental departments. These work underground, and like a mole only their heads occasionally stick their heads out occasionally. They poison the minds of our youth, through some unwitting victims in our churches, schools, and colleges.

How to get rid of these two evils—internationalism and communism—is a serious problem. They are both equally dangerous to our form of government. They are both equally dangerous to the common welfare of our people. Both will destroy our Nation if we permit them to.

The Kundt-Nixon bill is not the answer. It is not a remedy. This is a case where the proposed cure is worse than the disease. This bill is not a remedy. Mr. Chairman, I ask serious consideration of my amendment.

Mr. Chairman, our Nation is in a dilemma. It is all tangled up in the poisonous tentacles of two octopuses. One is the Wall Street internationalists whose poisonous tentacles are entwined in some Cabinet positions. These are giving away, for a profit, America's resources that belong to unborn generations.

They are for conception and universal military training. This so that American youth can the more quickly develop into men that will lick the world. Some of this loot has the peculiar smell of petroleum.

On the other hand, we have the Communists whose poisonous tentacles extend into our schools, our churches, and governmental departments. These work underground, and like a mole only their heads occasionally stick their heads out occasionally. They poison the minds of our youth, through some unwitting victims in our churches, schools, and colleges.

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Give to the farmer cost of production for that part of his products domestically consumed, give to common labor a living annual wage and abolish slums, then we will get rid of Communists. Let us gird up our economic belt below this nation. Let no human being is permitted to fail. Let us provide employment assurance rather than unemployment insurance. Then communism and internationalism will have lost their charm.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the amendment.

This measure was gone over time and time again by some of the best constitutional lawyers in America. There is no question as to its constitutionality. I call attention to the fact that not a single Member who is here opposing this bill or supporting this amendment has ever come before the Committee on Un-American Activities and urged us to work out a bill that would protect this country against these subversive activities.

They take up a great deal of time talking of the hundreds of people this measure would punish. The trouble is that a lot of innocent people have been taken in by these Communist-front organizations that have not had any thing to do with them if they had known what was behind them. This affords publicity, and enables these people to learn just what kind of an organization they are dealing with.

The Communist Party did not move into Poland en masse; it moved through the Communist fronts. The first thing the people of Poland knew, they went over and they were reduced to slavery.

The Communists moved into Czechoslovakia in the same way, through the same Communist-front organizations that they are attempting to use in this country. They moved into Yugoslavia in the same way.

Today there are using the same fronts in order to try to take over Greece.

If this amendment is voted down, which I am sure it will be, and if this bill passes, this part of the bill which are attempting to emasculate will do more to stop the spread of communism under a disguise, under a false title, than unemployment insurance. Then the bill is passed, this part of the bill will do more to stop the spread of communism than by enacting the Mundt bill.

I notice the tidings of the gentleman from California prevails, but if enough is not brought about a decent economy for the people of this country, we will do more to stamp out communism than by enacting the Mundt bill.

I think we should probably give a little more thought to matters of this kind, and I believe that if you try to bring about a decent economy for the people of this country, we will do more to stamp out communism than by enacting the Mundt bill.

I sometimes wonder how we were ever able to dedicate the Tomb of the Unknown Soldier without an investigation to determine the race of the gallant lad whose identity is known but to God, and who is interred there forever within sight of the monuments of Washington, Jefferson, and Lincoln.

I think we should probably give a little more thought to matters of this kind. We should have a bill that would be making more progress than by indulging in this continual hysteria by trying to outlaw all those with whom we do not agree.

Mr. OWENS. Mr. Chairman, I move to strike out the last word.

Mr. HUBER. Mr. Chairman, I move to strike out the last word.

Mr. HUBER. Mr. Chairman, I move to strike out the last word.

Mr. HOLIFIELD. Of course, my amendment asks the Attorney General to prepare a draft. He is directed by the Congress to prepare a draft of suitable legislation, which Congress would then act on in its wisdom and either accept it or turn it down. But using the gentleman's own argument, if we cannot depend upon the Attorney General to prosecute the laws, how can you depend upon future Attorneys General to execute even more vague and indefinite phrases and penalties?

Mr. OWENS. I admit that the prior laws could be amended if they were carefully amended. I agree with the gentleman from California that some of the words should not be there. If he finds for the first time that he is a member of a Communist-front organization, he can say, "I do not want to belong to it," and resign. The first time that any penalty applies to him is when he might refuse to reply, or if he files an affidavit and tells a lie. Therefore, I do not have to worry about that section. On the other hand, we have to be a bit more careful about this section so far as the Communist politicians are concerned, because there are certain penalties against any person who asks for employment and who knows he is a member, or who has a relative or employee of the Government who knowing that the applicant is a member of the organization—of course, "knowing and believing" is there, but I am going to move to strike out the words "believing or knowing or having reasonable cause to believe," and so forth, because I believe they are surplusage—but knowing that that man is a Communist, or where a man applies for a passport knowing that he is a member of a Communist political organization, or an employee or officer or employee of the Government knowing that the applicant is a member, then you have a slightly different proposition. For that reason, I am going to move to strike out two certain subparagraphs with reference to the definition of a Communist political organization which I think will help perfect the bill. Insofar as the amendment offered by the gentleman from California [Mr. HOLIFIELD] is concerned, he is merely asking us to trust a man who for the last 8 years has done nothing to stop the spread of communism. I think the gentleman is not doing what we want to get on. There is a danger that we will have some strong laws on the books, but nothing has been done with them, and I do not believe any suggestions from him as to what could be added to it would be of any aid. As I said to the gentleman from Illinois [Mr. VAIL] the other day when he was criticizing the Attorney General for charging the Committee on Un-American Activities with having stolen certain documents, I said, "How can you trust this gentleman to whom you offer these charges? How can you trust him? How are you going to believe him when he has been faithless to his trust up to date?" For that reason, I believe that in the House here should pass our legislation and not depend upon getting it from the Attorney General.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. OWENS. I yield.

Mr. HOLIFIELD. Of course, my amendment asks the Attorney General to prepare a draft. He is directed by the Congress to prepare a draft of suitable legislation, which Congress would then act on in its wisdom and either accept it or turn it down. But using the gentleman's own argument, if we cannot depend upon the Attorney General to prosecute the laws, how can you depend upon future Attorneys General to execute even more vague and indefinite phrases and penalties?

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who said it would have to be amended before I could vote for it. I must say that the Committee on Un-American Activities has been certainly cooperative. There were four amendments offered yesterday; three of them passed. There were amendments which I offered on the floor and one which I offered in the committee. I have about five or six others which I think the committee will accept; in fact, the committee has indicated that the amendments which I tendered them, to which I have just referred and in the committee. If all of the references to believing, or having reasonable cause for knowing or believing, which are included in several sections of the bill, are deleted, it will go far toward making the measure one which can be readily acceptable to the vast majority of the Members of the House.

Therefore, the committee has been very cooperative. It appears to me that those who have been opposing the measure, when they are asked the question, "Are you?" have said: "well, we want public housing; we want social medicine; we want price control," and so forth. If they get all those things we can bring a communism right here in America and our present efforts will be useless. For that reason, I am going to suggest some amendments which I think will make the present amendment to be rejected.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. Owens], has expired.

Mr. NIXON. Mr. Chairman, I wonder if we can get some agreement as to time for debate on this amendment.

The CHAIRMAN. I ask unanimous consent that all debate on this amendment and amendments thereto close in 20 minutes, with the last 5 minutes for the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. Nixon]?

There was no objection.

Mr. CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KELLEY. Mr. Chairman, it is striking evidence of the inconsistency of this Congress that, with only a short time left to us before adjournment, we should spend three legislative days on a bill to search out a few Communists and subversives, a host of legislation which can insure us against the spread of communism and other alien ideologies lies unattended.

If we want to act against communism, we should do so positively by enacting legislation which can make this country impregnable to communist or other inroads. Such doctrines are nourished on fear, hate, and insecurity, and we can fight them by guaranteeing our people a decent standard of living, equality of opportunity and education, and security to our citizens in both the Houses to do all of those things, but they are being put aside. With the crying housing shortage throughout the country, the Tuft-Ellender-Wagner bill has been inexpensively delayed in the House. The Federal aid to education bill passed the Senate almost 2 months ago, and yet there is no prospect of House action. The President has stated his plan for constructive anti-inflation controls had been blandly ignored, although there is not one of us who has not been affected by high living costs. The Fair Labor Standards Act is out of date and inadequate and the minimum wage rate far too low, but no move has been made toward its improvement. Most shameful of all is the neglect of the revision of the Social Security Act, despite the virtually unanimous recommendations for expansion of the system and increase in benefits by the Advisory Council on Social Security set up by the Senate Finance Committee. The pressing need for this revision, now, cannot be overemphasized.

I have heard only some of the proposals which should be enacted, but they are major ones and their passage would go farther in the fight against communism than all the restrictive measures in the world.

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. Fogarty].

Mr. FOGLY. Mr. Chairman, I rise in favor of the amendment offered by my colleague from California [Mr. Hollifield].

In my opinion, this amendment makes sense. If it is adopted by the Committee, I will vote for the bill.

By directing the Attorney General to bring to the committee of this House the amendments that he believes are necessary to enforce existing laws on the statute books at this time to bring about the same thing we all want brought about, I think we have a sensible approach to this entire problem.

When the gentleman from Mississippi [Mr. Rankin] was before the House a few minutes ago he said that those who are opposing this type of legislation have never appeared before the Committee on the Un-American Activities to offer any amendments or any type of legislation to deal with this problem.

Mr. Chairman, there are many, including myself, who are opposed to communism in every form, but who thought it useless to appear before such a committee. I, for one, have voted against every appropriation that has been made for this committee. I believe, and I sincerely believe, that they have done more harm than they have done good. Thousands and thousands of people have been accused of being Communists as a result of some of the activities of this committee. They were accused of being members of these so-called Communist-front organizations. We have had that same problem in the House when some of our employees in government, because they happened to join some organization they believed were Communists or fellow travelers, even though they have dropped their membership as soon as they learned they were branded as Communists or fellow travelers, even though they have dropped their membership as soon as they learned they were branded as Communists or fellow travelers.

In my opinion, no effort on our part has been effective and where they have failed; and they can thereby give us specific recommendations for our consideration of what additional legislation is necessary.

I wish to make it clear, and I am sure the proponents of this measure will admit,
mit it, that the Department of Justice and the Attorney General did not approve the Mundt bill. The Attorney General did admit that there were weaknesses in the bill which ought to be strengthened, and the Justice Department is now engaged in a thorough research and can be ready to submit recommendations in a short while.

I urge the committee to adopt the Hollifield amendment.

Mr. HOLLIFIELD. Mr. Chairman, I will not oppose it.

Mr. BLATNIK. I yield.

Mr. HOLLIFIELD. I wish to point out also that my amendment will take into consideration the subject of native fascism which is not taken care of in the committee bill, or native totalitarian organizations which are not taken care of in the bill as such.

I wish to point out that in Italy, in Germany, and in Russia internal totalitarian governments took over those different nations, not external foreign governments of different ideological persuasions, but internal ideological totalitarian governments took over Russia, Italy, and Germany. I therefore say that such dangers should also be taken care of, and an amendment to take care of them.

Mr. BLATNIK. I absolutely agree with the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MURRAYS].

Mr. MULTER. Mr. Chairman, when the gentleman from Mississippi [Mr. RANKIN] addressed the House a few moments ago he raised the question as to who represented who and the nature and complexion of the representation. I was elected to this House at a special election, which brings out fewer voters than ordinarily, by more votes cast for me than were cast for all the seven gentlemen elected in the entire State of Mississippi in 1946. The complexion of my district varies every type of person, of political, social, and religious. While I do not embrace Protestantism, I do embrace that concept found in the Protestant Council, which cannot by any stretch of the imagination be labeled as a Communist-front organization nor is it in any way affiliated with communism, but in the finish I had the following to say about this very bill, and this resolution was not adopted at any meeting where those who were in favor of the bill were prevented from speaking.

His enactment would hamper the freedom and rights of loyal citizens and interfere with the basic right of free discussion.

The gentleman who are urging support of this bill are not serious about looking for amendments that may improve it when they oppose this amendment offered by the gentleman from California [Mr. HOLLIFIELD].

Mr. EBERTHARTE. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTE. May I say that if I did want to stay on this amendment because I think it is a constructive approach to the problem, that it will accomplish the purpose which the committee originally had in mind. If the amendment is agreed to I will vote for the bill on final passage. I believe the committee would do a service to the country if it would accept the amendment offered by the gentleman from California [Mr. HOLLIFIELD].

Mr. MULTER. Mr. Chairman, when so much debate is given to name-calling, indicating that some of my colleagues intend to vote by labels, let me ask you to ponder this question. When the gentleman from New York [Mr. MARGARUMO], the gentleman from Mississippi [Mr. RANKIN], and I find ourselves voting together in favor of rural electrification or some other measure of that type, are we, if you please, fascist—Communists, or comrades?

The gentleman from Mississippi [Mr. RANKIN] took exception to my comment about his reference to Communists. His precise language was:

Or all—people ought to keep their mouths shut about the Protestants. It is the gentleman from New York [Mr. MULTER], who admits that he represents more Jewish Communists than any other man in Congress. I mean Russian Communists.

I never made any such admission. I have consistently urged, and the record bears me out, that no one who believes in God, Jesus Christ, can be a Communist. He who espouses communism can do so only if he leaves his God and denounces his religion.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Chairman, if the gentleman from Mississippi [Mr. RANKIN] made the statement that mentioned by my distinguished friend and colleague of the New York delegation [Mr. RANKIN] contending that all Jews are Communists or any such intimation I want this House to know that I resent it with all the vehemence at my command. The colloquy must have occurred a while ago. I was not present and I rise to the Democratic cloakroom to answer a telephone call. I want the gentleman from Mississippi and the Members of this body to know I am acquainted with a large number of Members of Congress from my state's district and you certainly will not find any better Americans in Mississippi or any part of the United States, as Congressmen as the gentleman.

Mr. MULTER. Mr. Chairman, I rise in opposition to the Hollifield amendment and shall not take the full time allotted me because I think the membership of the House is desirous of getting on with the voting stages of this bill. We have been talking, talking, and talking for a long time. The time has come to enact this legislation into law.

I do want to straighten out the record on two points, however. In the first place, the Attorney General, to whom this killer amendment proposes now to refer the whole matter of investigating and delegating the authority of Congress to the executive department which I am convinced this Congress is never going to do, has had his day and his say on this legislation at great length. In these hearings which were held he specifically spelled out the kind of amendments that he thought should be made by the Committee on Un-American Activities in order to make this legislation effective, and we have meticulously and carefully followed his recommendation. We have plugged up the loopholes that he suggested and we have written legislation which in addition to that writes into the bill the experience of the FBI as well as the experience of the best authorities in America who have been wrestling and tussling with this difficult problem for more than 10 years. Obviously the Hollifield amendment is just another one of those efforts to kill the legislation, not an indirect attempt to do what opponents of anticomunism legislation know they cannot do directly.

Mr. Chairman, I ask that the amendment be defeated and that we go on with the bill.

Mr. PETERSON. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Florida.

Mr. PETERSON. The Attorney General recommended certain specific things with reference to registration. He also recommended, among other things, the complete elimination of subservient persons in Government positions. We had the rather complete testimony which he gave when we drafted this bill; did we not?

Mr. MUNDT. The gentleman is absolutely correct. Not only did he appear as the second witness in these hearings and provide testimony on the problem which confronted the committee, but in the various stages through which this bill passed I sent copies of the legislation to the Attorney General, and he wrote back and even invited me to come in consultation with me. We said to him that if there is anything to which he specifically objected, to tell us what he had to recommend, and it is very eloquent testimony...
that the Attorney General has not made any objection to this legislation. It does follow the general line and pattern that he laid down, and it is an effort on the part of Congress to respect the will of the people of this country. Such an amendment as offered by the gentleman from California simply vitiates the authority of Congress by saying we are unable to act; let the Attorney General tell us what to do. That is not the theory of American Government, and we do not propose to follow that formula here.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from California.

Mr. HOLIFIELD. The gentleman has indicated by his remarks that my offer of this amendment might be construed in the form of a subterfuge.

Mr. MUNDT. Not a substitute; a killer amendment.

Mr. HOLIFIELD. I want to assure the gentleman that I offered the amendment in all sincerity.

Mr. MUNDT. I think that is right. It is a sincere effort to kill the bill.

Mr. HOLIFIELD. No. May I say that it is a sincere effort to obtain some exception and limitation of the amendments to a bill which needs amending, and I admit it needs to be drafted by a man who has the responsibility of enforcing the act against all forms of totalitarianism in the United States. That is my opinion of this amendment, and it is not for the purpose of killing, except in killing what I consider vague and indefinite language. I say, Mr. Chairman, that the time has come to control it, or else it will control us. We have waited too long to force these advocates of anarchy out into the open. We have allowed them too much liberty. We have actually encouraged them to organize, to propagandize, and thereby to weaken and confuse our people by our failure to act this time. We cannot afford to delay longer.

There are those among us who are being deluded regarding this bill, people who sincerely believe that its passage will violate their liberties. I say to them: Read the bill again. It simply outlawu$s treason and the subversive methods that have been employed in other countries to overthrow free governments. What lover of our land will oppose that?

Let us look at the bill. This is what it does. It makes it unlawful to attempt to establish in the United States a totalitarian dictatorship or to assist in the performance of any actual toward that end or to participate in a movement organized for such a purpose. It deprives of United States citizenship whoever is found guilty under this act. It forbids members of such subversive organizations from working for the Government. Nor may they secure passports for the purpose of leaving or entering this country. This latter, of course, is to prevent the disloyal from going abroad to foment and work for our destruction.

These are very important sections in the bill, but I think the most necessary provision is the requirement that all subversive organizations register and make annual reports to the Attorney General. This is the way we will force them out into the open. No longer can they escape the bright light of publicity upon their iniquitous activities. No longer will loyal American citizens be misled by organizations parading under patriotic titles without opportunity of knowing who directs their activities. No longer will loyal American citizens be deceived into joining un-American organizations, nor will loyal American laboring people be led by those who work within the country. It is high time those who would overthrow this Government be brought out into the open. This bill provides for exactly that. But these provisions do not deprive anyone of a constitutional right any more than a law against shouting "Fire!" in a crowded theater is a deprivation of the right of free speech of our Nation. We cannot protect itself against traitors within our boundaries it can hardly be expected to successfully defend itself against outside enemies.

Mr. Chairman, we are privileged to live in a great and wonderful land, so wonderful, indeed, that all the world envies us. But we do not have all these advantages simply because we live on this continent or because our forefathers chose to throw off the yoke of a republic form of government. We have purchased and purchased again our freedoms with the bloodshed of all those who have made the supreme sacrifice for our country. Our failure to take every step toward preserving this democracy may result in our loss of it and the sacrifices which have been made will have been in vain. The duties resting upon us lie too heavily for us to avoid courageous action in defense of our liberties. We must pass this bill.

Mr. MUNDT. Mr. Chairman, I rise for the purpose of making a unanimous-consent request to limit the time for debate on this section. I understand there are four amendments on the Clerk’s desk pertaining to this section. I ask unanimous consent that debate on section 2, and all amendments thereto close in 40 minutes, thus providing 5 minutes for and 5 minutes against each amendment.

Mr. HOLIFIELD. Mr. Chairman, reserving the right to object, we got along very well yesterday. Nobody attempted to filibuster. Every Member expressed his views sincerely on this bill. Now the gentleman seeks to restrict and limit debate. There are various amendments to be offered. Members are offering these amendments in all sincerity. Therefore, I do not think it is fair for the gentleman from South Dakota to try to limit debate on this bill and the amendments. Therefore, Mr. Chairman, I am constrained to object at this time.

Mr. MUNDT. Mr. Chairman, would an hour be satisfactory?

Mr. MARCANTONIO. Yes.

Mr. MUNDT. Mr. Chairman, I ask unanimous consent that debate on section 3, and all amendments thereto close at a quarter to two.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. OWENS).

Mr. OWENS. Mr. Chairman, I offer an amendment, which is at the Clerk’s desk.

The Clerk read as follows:

Amendment offered by Mr. OWENS:
On page 19, lines 22 and 23, strike out all of subparagraph (A) of paragraph (3) of section 1.
And on page 20, lines 10, 11, and 12, strike out all of subparagraph (D) of paragraph (3) of section 3.

Mr. OWENS. Mr. Chairman, I ask unanimous consent that each part of my amendment may be voted on separately.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OWENS. Mr. Chairman, a few moments ago when I was discussing section 2, I defined the terms of a political organization and Communist-front organization, I pointed out that we...
need only worry about the definition of Communist-political organization because of the fact that, as was mentioned by Mr. Chairman, we have complaints from Reporters of the United States on the radio the other evening, it might cause some restriction upon individuals. While he did not go out to deny definite sections of the bill, he may have had this particular portion in mind, although I feel that he was referring more particularly to sections which will be amended during the course of the day.

There were some contentions raised which seemed to me to have some merit. For instance, in section 3, paragraph 3, among other things it mentions "the term Communist-political organization means any organization in the United States having some, but not necessarily all, of the ordinary and usual characteristics of a political party, with respect to which, having regard to some or all of the following considerations."

It then sets forth considerations running to paragraphs (A), (B), (C), (D), (E), (F), (G), (H), and (J). With respect to foreign government, there might be difficulty, because you would have membership lists in foreign government, there might be membership lists in foreign government, there might be membership lists in foreign government, there might be membership lists in foreign government.

Paragraph (B) says: "The extent to which its policies are formulated and carried out and its activities performed in which or under whose domination or control of which is exercised, the direction and control of the world Communist movement referred to in section 2 of this act."

In subparagraphs (C), (E), (F), (G), (H), and (J), it directly refers to such foreign government. So I do not see how anyone can have any objection whatever to these paragraphs.

Paragraph (I) refers to the "extent to which it falls to disclose, or resists efforts to disclose membership lists, or under whose domination or control of which is exercised, the direction and control of world Communist movement referred to in section 2 of this act."

Now, if that section on membership where it was to be combined with paragraphs (A) and (D), in order to give the Attorney General reasonable cause to conclude that it is under control of such foreign government, there might be difficulty, because you would have membership included with the following paragraph (A) "the extent and nature of its activities, including the expression of views as to policies, without connecting it with a Communist organization or a totalitarian state or anything else."

The same would apply to (D), which relates to the extent to which it imports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin."

All over the country, in the universities, Hopkins, St. John's College, the University of Chicago, they encourage "great books" courses. Among those courses are books on Marx and Lenin. A group of that type might possibly, in combination with the membership, be brought into the Communist organization, be brought into the Communist organization, be brought into the Communist organization, be brought into the Communist organization.

For that reason I am suggesting that we take out first (A), where it says "the extent and nature of its activities, including expression of views as to policies, without connecting it with a foreign organization."

Then, secondly, take out that reference to communism "the extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin," because when we do, we will have a powerful section that no one can complain about, because it definitely ties everything up with a foreign government or a totalitarian dictator under some foreign power. For that reason, I suggest, in all seriousness, the adoption of this particular amendment. As I said before, I ask that each be considered separately.

The CHAIRMAN. The time of the gentlemen from Illinois (Mr. Owens) has expired.

Mr. KERSTEN of Wisconsin. Mr. Chairman, I rise in opposition to the amendment. I respectfully oppose the amendment proposed by the gentleman from Illinois (Mr. Owens). As I understand it, he seeks to strike out subsections (A) and (D) in section 3. I think if either of those were stricken it would definitely weaken the ability of the bill to properly consider whether or not an organization is a Communist organization, particularly with section (D), "the extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin."

A number of gentlemen who have read an extensive amount of literature put out by the Communist Party, particularly put out by the Communist Party in Russia, will note that in practically every article there is constantly referred to the hyphenated word "Marx-Lenin" line. As a matter of fact, last year the president of the State University wrote a very long article in the Ministry of Education Journal in which he takes to task the colleges of the Moscow State University for not reading the lectures to the Marxist-Leninist line. In other words, that is the definite line that the Communists insist must be followed. Mr. Zhdanov, one of the high members of the Politburo is constantly weeding everything out of the Communist activities that does not adhere to the Marxist-Leninist line. We have had such examples in the world of art and music, where things that do not adhere to the line are stricken out, they are liquidated. The Marxist-Leninist line must be maintained and its bureau for world Communists was headed by Mr. Zhdanov.

So the extent to which an organization bases its policies on the doctrines of Marx and Lenin, is the most notable characteristic of Communist activity. It would therefore definitely weaken the bill if there were not as one of the elements to be considered, the extent to which an organization adhered to the Marxist-Leninist line. That is the very essence of Communist activity.
The second quotation I want to make from this letter—and remember, the letter is addressed by a constituent to me—is this:

I know your sharp hostility to the Communists.

So, Mr. Chairman, I do not have to stand up here, tell this House that I am opposed to communism, and ask the Membersly my own constituents for it. I have here the written proof of a man who admits he is a Communist and who knows that I am hostile to the Communists, which is gratifying and satisfying to me.

The third quotation I want to read from this letter follows:

Shall the bill pass?

That is, the Mundt bill, because he is writing me about this bill which is now under consideration, the Communist Party will not debase itself by compliance with its provisions.

Now, to the gentleman on the other side of the aisle who said a few moments ago, if I recall his words correctly, that no law is constitutional, I should like to ask if he would see me later and I might be able to give him some information concerning the race and the religion of the writer of this letter. What I want to say most emphatically is that I protest against the fact that the actions of any individual should ever reflect in general upon any race of which he is a member, of any religion to which he belongs, or of any group with which he may be affiliated.

I want to compliment the committee on having brought out a most excellent bill covering a most difficult subject. There are many features about the bill which I do not like. But that is not an analogous situation. It happens in almost all bills—nay, almost all of us. Offhand I can think of only one bill with none of the provisions of which I disagreed, and that was a bill to repeal over 100 existing laws. However, I do wish that it had been possible to find some similar word in place of Communist because I am equally opposed to an organization, no matter what name it goes under, but the principles which are to be forbidden by this act.

Mr. Chairman, I am a little tired of having American patriotism tested by the sole criterion of which foreign country he loves and which foreign country he hates. The time has come when American patriotism again should be tested by only one rule and that is how much does he love the United States and the principles for which it stands.

A great deal has been said on both sides concerning whether or not this bill outlaw the Communist Party. Night before last I listened to a debate between two eminent gentlemen of this country, one of whom said that the bill does outlaw the Communist Party, the other stating that it did not. That left me in a state of delightful confusion, until I came on the floor of the House yesterday and heard the gentleman from Minnesota, Dr. Judd, standing there and declaring that it both be and does not outlaw the Communist Party. So the whole thing was cleared up.

With all due respect to the gentleman from Minnesota, who is a medical doctor for whom I have the highest respect, when one considers the constitutional validity, it seems to me that a medical doctor is about as much use as a constitutional lawyer messing in at the birth of his first child. Furthermore, of the bill I cannot see how it does outlaw the Communist Party and if for one moment I was convinced it does I would vote against the bill because I have continually opposed outlawing the Communist Party.

There have come to me the usual number of hysterical telegrams and letters protesting against the bill now before us and saying in effect, that if I voted for the bill I would pull down the Statue of Liberty, burn up the Bill of Rights, trample upon the American flag, and deal a death blow to dear democracy.

Naturally, I disagree with this point of view. I do not believe that the bill is anywhere nearly so bad as these people try to point out. I believe it will accomplish all the great objectives claimed for it by its proponents.

With all the other duties revolving upon me I have no opportunity to do the thorough research work necessary to determine to my own satisfaction whether or not every provision of this bill is constitutional. From my study of it I am not convinced that any particular provision is unconstitutional. As I said before I do not like all the provisions and particularly I do not like any legislation which puts the prosecution and decision in the hands of one person. I know that it has been done in the past 16 years but that neither makes it right nor more palatable to me. It is against fundamental American principles to constitute a public official both the prosecutor and the judge in any case. I realize that the effect of this will be modified, if not entirely, by the granting of the right of appeal, as does this bill. With no such right of appeal granted, I could not vote for the bill.

There are amendments adopted and I understand more will be offered. I hope some of these will be adopted so that I can vote for the bill.

There is one observation I would like to make from what I understand is the purpose of this bill. It has never been questioned that this Congress has the right to pass legislation preventing foreign goods being imported into this country, or being imported only under restrictions, limitations and conditions, such as the payment of duties. These laws have been in force and effect for many years and people have been prosecuted and punished for their violation. Consequently I see no reason why, within constitutional limitations, this Congress does not have the right to enact legislation to prevent the importation of a foreign government to take over the government of the United States and to accomplish its objects.

No one truly American wants to vote for legislation which infringes upon the right of free speech or free action to change our form of government in the name of the people. On the other hand, if this Congress does not have power to take reasonable steps to protect the very government only through the power of which free speech and proper free action is guaranteed and protected to the individual citizen, then we have reduced the matter to utter nonsense. Realizing that the right protected is always greater than the mechanism which protects it, nevertheless, the right protected is not absolutely no use if the individual citizen does not have adequate protection in its enjoyment.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. FERNANDEZ. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this bill does not outlaw the Communist Party, but it does apply very effectively DDT to the Communists, and I am in favor of applying DDT to that kind of vermin, not only for the protection of our Government but for the protection of innocent people who are taken in, drawn in, and fooled by the activities, the do-good propaganda and ballyhoo of the Communist Party.

In this book, A Nation of Nations, by Louis Adamic, published in 1945, Mr. Adamic refers to an incident that occurred in my State and with which I am quite familiar, so I am going to quote what he says, then I will tell you a little about it.

He said:

Early in 1939 I received a large four-page bilingual leaflet entitled "Call to the First Congress of the Mexican and Spanish-American Peoples of the United States on March 24, 25, and 26, 1939, at Albuquerque." It was addressed to "all labor organizations, fraternal and cultural and religious groups, civic and social and political clubs, and Mexican honorary commissions. It reads in part:

"Today more than 2,000,000 Mexican and Spanish-American people in the United States are facing the consequences of In- dustry and cultural poverty. Their conditions of work, housing, health, education, and opportunity menace their very existence. " 

Societies throughout the Southwest various groups have focused their attention on the issues that have brought or are bringing an increasing number of Mexican-Americans to this country. The experiences of these groups has demonstrated that only concerted discussion and action can achieve progress toward a significant improvement of these conditions.

That is very fine, Mr. Chairman, it sounds good. Then he said, and I quote again:

The call was signed by scores of Hispano, Mexican, and Anglo leaders in New Mexico, Texas, California, Colorado, Arizona, and elsewhere.

But the congress was not held. For one thing, its organization was not well established. And perhaps the attempt was a little ahead of its time. Essentially it was a capital idea and something like it is bound to be tried again.

Now, Mr. Adamic may not know why they did not hold the congress, but I do.

The League of United Latin American Citizens, a patriotic organization to which I belonged, investigated this movement through the help of some people who were in a position to help, and they found out that it was led, organized, dominated and financed by well-known Communist leaders. All they had to do then was expose them, and the people used their own judgment and took care of the
rest. These Communists moved on and never held their congress.

This is what this bill is intended to do. If we let Mr. MARCANTONIO, Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. That is right.

Mr. MARCANTONIO. I stated that this bill was substituting legislative determination of guilt in place of judicial determination of guilt.

Mr. POWELL. He admitted it.

Mr. MARCANTONIO. He not only admitted it but sought to justify such substitution by what he claims has happened in other countries.

Mr. POWELL. That is right and he is exactly correct, too. What happened in Germany under the Nazis from 1933 to 1941? Law by law it was exactly this bill. In 1933 till 1941 this bill, step by step, item by item, was adopted. By the Reichstag of Hitler; this very bill as it is now before us today. I think that is a grave thing. It is not a question of outlawing communism, it is a question of outlawing Americanism. By the open profession of one of the Members of the House, we are taking the first step in scrapping the Constitution, which is just what happened under Adolf Hitler. This bill as it is now would have been acceptable without changing one jot or tittle, to the Reichstag of Nazi Germany. It destroys our courts, our Constitution, our Bill of Rights. It makes Hitler the winner of World War II.

I want to know who is in favor of the bill. Our President is against it, every political party is against it, every Church is against it, the FBI is against it, and religious organizations are against it. You heard the magnificent telegram to the gentlewoman from New Jersey [Mrs. Norcross] from the Council of Grand Rapids, Bishop Haas. I belong to the Protestant Council of New York City, which is composed of many big-money men of the Protestant church in New York, and they are against it. The Methodist church is against it. Who is in favor of the bill, Mr. Chairman, because I have not met any of those who are in favor of the bill. Mr. Van Zandt, Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from North Carolina.

Mr. REDDEN. The gentleman can name many outstanding Americans who are opposed to the bill, but can he name one Communist in America who is for it?

Mr. POWELL. No, because I am discussing the bill from the standpoint that it is outlawing Americanism, not communism.

Mr. VAN ZANDT. The gentleman from Pennsylvania.

Mr. POWELL. I yield to the gentleman from Pennsylvania.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Pennsylvania.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. POWELL. Are they the only Americans?
should be put upon that group or individual so that we know where they stand.

Certainly a representative of the people cannot stand idly by after all the repercussions have had on our domestic front in the past 2 or 3 years and turn his back to the danger. Who will say there are not subversive groups or individuals in the country going out and attempting to stir up trouble and to overthrow our American form of government?

I do not know whether during the debate we have had on our domestic front in the past 2 or 3 years and turn his back to the danger. Who will say there are not subversive groups or individuals in the country going out and attempting to stir up trouble and to overthrow our American form of government?

MUNDT], the author of this bill. For my part, I think the gentleman has manifested during the 10 years he has been in Congress, and while I have served with him, every sincere and honest effort he could put forth to see that Americanism is preserved. I for one believe that he is sincere in offering the following findings for the benefit of the House of Representatives and the people who elected him. I believe that when a man parades his ideas under those principles, he cannot possibly be far from right.

It is my fervent hope this bill we pass today will accomplish what we intend it shall, the exposure of all individuals, groups and organizations whose purpose is to overthrow our beloved country.

Mr. SMITH of Ohio. Mr. Chairman, it is impossible for me to vote for the Mundt bill and I want my constituents to know why.

This measure, if enacted into law, will give our people a false sense of security against communism, which is dangerous.

They have already been greatly fooled by the many laws enacted to suppress communism and subversive activities. If those laws were enforced they would accomplish all the proponents of the pending bill allege it will do. But they have not been enforced. What faith the public has misplaced.

About a year ago Congress appropriated between ten and eleven million dollars to screen out the Communist elements from the Federal pay roll. Starting from that appropriation it must have been thought the departments of Government were pretty much infested with persons believing in the Marxist ideology.

The number of persons discharged from Government service or who have left it because of that law is too piddling to mention. Everyone knows the measure has been a fiasco. Again we see the public deceived. The security against communism which was promised by the proponents of that plan failed to materialize.

The refusal by Congress to put the State Department in direct charge of the Marshall plan furnishes an excellent illustration to the truth that must be expected from the Mundt bill to suppress communism in the United States. Congress refused to put the State Department in control of the Marshall plan because that Department was honeycombed with Communist-minded persons and could not be trusted to carry out the task of administering the Marshall plan.

Yet, nothing of any consequence has been done to clear those persons out of the State Department, nor will anything be done.

Of course, the foreign-aid program is, nevertheless, dominated by the State Department and in the nature of things it could hardly be otherwise.

But there is another respect in which the public will be misled by the Mundt bill which is even more alarming. The Mundt bill does not touch the real cause of communism any more than the other laws that have been passed to combat it.

Communism has its roots in a diseased economy, excessive taxation, political corruption of money and class legislation, and so forth.

There is no room for communism in a healthy economy. Therefore, to check this ideology in the United States, it is necessary to take politics and politicians out of business, drastically reduce the number of persons on the Federal pay roll, sharply curtail all expenditures not absolutely essential to our national security and the functioning of true government, and returning to the producers of the Nation their gold.

When the workers are again in position to demand gold in payment for their labor, communism will not be a threat to the Nation. The reason is simple. They will then possess the greatest possible protection to keep what they produce which, of course, is also a guaranty of the most equitable distribution of wealth.

Let anyone, if they can, point to a single instance where communism flourished under a system that protected every worker in the right to be paid for his labor in gold or paper that could be converted into gold at its face value. No one can, of course.

It is a diseased economy that gives communism a foothold. The real remedy for communism is to restore the Nation's economic health.

Vital also to the national security and general welfare of our people is the adoption of a system of party control and consideration to the interests of the United States of America instead of the rest of the world.

It seems to me the Mundt bill is primarily designed to garner votes rather than to get at the real cause of communism. I cannot be a party to deceiving the public and am, therefore, constrained to vote against the Mundt bill.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, I have asked for this time to make one point with respect to this debate which I do not think has been adequately made. It bears upon the basic question of whether or not this bill outlaws any group.

In view of the fact that section (3) of the bill is the heart of the trilogy of the bill that makes the outlawing, I would like to explain to the House why I believe this bill outlaws the Communist Party and will drive it underground; a course to which such distinguished citizens as Governor Dewey and Senator Taft are opposed; and I add Mayor O'Dwyer's opposition to this very bill in connection with this discussion.

As you read the sweeping findings of fact which are in this bill, I think you will find that the intent of the Congress could write a bill tomorrow making findings of fact with the broadest implications, about any other group which is a minority group and a majority of the Members of the House may not like at some future time.

On the basis of those broad findings of fact, the House could write a bill that might be sought to be applied to people of the Catholic or Jewish faith or any other minority group. I feel, therefore, that in opposing this bill and pointing out this particular matter in connection with it, I am serving the interests of all my constituents.

If the Members will refer to page 16, they will find among the findings of fact, the following:

(6) The political organizations so established and utilized in various countries, acting under such control, direction and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments and setting up control over the activities of the world Communist movement by bringing about the overthrow of existing governments and setting up control over the activities of those governments which will be subversive to the most powerful existing Communist totalitarian dictatorship.

If the Members will then turn to section (3), which contains in subparagraph (a) a definition of "Communist political organization," it now reads, as amended, and I read from page 21, lines 16 to 18:

It is reasonable to conclude that it is impossible for me to vote for the Mundt bill and I want my constituents to know why.

It has already been stated that only the Communist Party of the United States is meant. Hence, the bill is defining what it has already found in its findings of fact. Then, if we turn to sections 4 and 5, we find first that it is made unlawful to constitute any other organization in that sense.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, I have asked for this time in order to make one point with respect to this debate which I do not think has been adequately made. It bears upon the basic question of whether or not this bill outlaws any group.

In view of the fact that section (3) of the bill is the heart of the trilogy of the bill that makes the outlawing, I would like to explain to the House why I believe this bill outlaws the Communist Party and will drive it underground; a course to which such distinguished citizens as Governor Dewey and Senator Taft are opposed; and I add Mayor O'Dwyer's
Mr. COUDERT. Mr. Chairman, I offer an amendment.

The Clerk reads as follows:

Amendment offered by Mr. COX:

Page 24, line 22, after the word "manner," insert "not otherwise permitted by law.

Page 24, line 9, after the word "act," insert "not otherwise permitted by law.

And on page 24, line 7, after the word "participate," insert "in any manner made unlawful by this section or any other law of the United States.

Mr. COUDERT. Mr. Chairman, by way of preamble let me say that I am not exactly a newcomer in this matter of dealing with communism. In the years 1941, 1942 and 1943, as chairman of the Joint Legislative Committee of the New York State Legislature I had the difficult and unpleasant task of investigating among other things subversive activities in the great school and college systems of the city of New York. So I have no illusions as to the difficulties that have confronted this Committee on Un-American Activities. I have great admiration for the way in which it has carried on all through the years, by and large. I also have no illusions as to the difficulties that confronted this committee or any other investigating committee charged with dealing with this matter.

In our own New York committee report of 1942 we strongly advocated registration, compulsory registration of Communist organizations and their membership. The bill before us provides for such registration, I am heartily in favor of it. It is the heart of the bill, and I think it will go very far toward the accomplishment of our purpose which is to bring these subversive elements out in the open.

Section 4, however, presents an entirely different situation. It is wholly unnecessary to the bill and it is a very violent and radical departure from all American, American precedent, American tradition. It will make it unlawful and subject to 10 years imprisonment for any person to attempt in any manner to bring about the prohibited results.

Yesterday the gentleman from New York (Mr. Kuchar) speaking in support of the bill made the following statement—let there be any doubt that my conclusion and construction be not correct. Said he:

First, it is contended that freedom of speech and of the press guaranteed by the first amendment is restricted by this measure. No, it will be to curtail both as by words or writings attempt is made to establish in this country a totalitarian dictatorship.

Section 4 prohibits advocacy, mere advocacy by an individual citizen of the United States. When that individual citizen going beyond individual advocacy by word or writing, joins up with other individuals for the purpose of advocacy by joint action of bringing about the results he seeks, then he falls under the provisions of this bill relating to registration of Communist political organizations as he well should. Upon default of registration he will be subject to the penalties provided for failing to register.

But section 4 dealing alone with an individual is not sufficient. It says that it shall be unlawful in any manner to establish a totalitarian dictatorship.

I have moved to amend it in such a way as to continue to permit the legitimate, peaceful, legal advocacy of any cause by any citizen of the United States. I hope the committee will accept my amendment. It is an amendment that will not in anywise impair the effectiveness of this bill.

Mr. COX. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, I dislike finding myself in opposition to my distinguished friend who has just sat down. He is not only a great lawyer of fine understanding but he is a man of the highest patriotic impulses, one whose leadership I am usually pleased to follow. I believe, however, that he is in error in the position he takes as expressed in the amendment which he offers. You might as well strike this section from the bill if you accept his amendment because his amendment takes the heart out of the section.

The gentleman is in error also when he says that the section as written makes it a crime to act in the interest of any one except he does so as a member of a totalitarian group under foreign control. The section as it is written simply penalizes a foreign agent or the agent of foreign government here in America who advocates the overthrow of the Government by force and arms or by any other means.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. COX. I yield to the gentleman from New York.

Mr. COUDERT. What is there in the subsection of the gentleman that has just read that refers to a foreign agent? That applies to any individual American citizen who advocates totalitarianisms as defined.

Mr. COX. Of course, the crime is personal but directed only against one who attempts to establish a totalitarian section under foreign control of a foreign agent. In other words, as a participant in the activities of such an agent or of such an organization he carries on and performs an act on behalf of a foreign government.

Mr. Chairman, I can think of no more serious blunder that this committee might commit than to accept the pending amendment. Certainly I would yield to a very large extent desiring the bill which the committee has so laboriously prepared and brought to the floor for the consideration of this committee.

Mr. COUDERT. Mr. Chairman, if the gentleman will yield further, the gentleman makes something of the point that this advocacy must include domination by a foreign power.

Mr. COX. That is right.

Mr. COUDERT. If this bill becomes law, then is there any reason that the gentleman knows why this should not be precedent for punishing the same fashion, or prohibiting in the same fashion, advocacy of joining a world government?

Mr. COX. No. There is no similarity between the point the gentleman makes and the amendment he offers.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. COX. I yield to the gentleman from New York.

Mr. MARCANTONIO. The gentleman, in discussing this amendment, has omitted words in subsection (a) (1) of section 4.

Mr. COX. Yes.

Mr. MARCANTONIO. "In any manner."

Mr. COX. I left those words out for the purpose of making the point clear.

Mr. MARCANTONIO. But that is the point that the gentleman from New York raised.

Mr. COX. I know exactly what the language is. I was reading it to make clear just what the section says. The section says that it shall be unlawful to attempt in any manner to establish a totalitarian dictatorship under foreign control. The point that I make is that the section penalizes the conduct of one performing as an agent of a foreign government, or as a member of an organization under foreign control.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from New York has discussed the implications of the language of section 4. I would like to demonstrate to this Committee just how section 4 operates in connection with the various other sections of the bill.

Mr. Chairman, I move to strike out the last word.
States. It is "setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship."

Follow me. An organization under section 6 registers. Subsection 6 of section 5 imposes registration, which is registered is trying to set up a Communist totalitarian dictatorship. Then you go back to section 4 which makes it a crime punishable by 10 years in jail to do what? To attempt in any manner to establish in the United States a totalitarian dictatorship. So, what happens? A member of such an organization, who is registered, or an organization which is registered, finds himself in what position? He finds himself in the position of having actually, for all purposes and effect, pleaded guilty to a violation of section 4. If he is indicted under section 4, as he must be, what defense does he have? He is a member of an organization which has already been found by the Attorney General to be an organization which seeks to set up a totalitarian dictatorship. We come about that by the legislative finding in subsection 6 of section 5 finding with which he is presented the moment he goes into court, that he is a member not only of an organization, but of an organization which attempts to set up a totalitarian dictatorship. Therefore, before trial he is automatically guilty of having violated section 4.

If you can justify that in the light of the prohibition against guilt by association, if you can justify that in the light of the prohibition against bills of attainder and guilt by legislative determination, then you have a right to vote for this bill if you want to. But this is the first time that this Congress is actually passing a law which says to a person, "You are guilty of committing another crime simply by belonging to an organization." You do it by reading together section 8, which provides for registration with the legislative finding of purposes, and section 6 of section 2, and with section 4, which says, to attempt in any manner, to do what? To establish in the United States a totalitarian dictatorship. Read on page 10, section 6, the legislative finding, "by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships." So that subsection 6 of section 2 in connection with section 8, which requires registration, compels an American citizen to be declared and adjudged guilty before which he is registered. Further, an American citizen violates the law if, first, his organization registers, second, if it does not register, and third, in either case register or not register it is legislated guilty of a misdemeanor for 10 years in prison and no statute of limitation. That is what you have in this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

Hear Mr. JAVITS.

Section 8. (a) Section 401 of the Nationality Act of 1940, as amended, is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the word "or," and by adding at the end of such section a new subsection to read as follows:

(k) Committing any violation of section 4 of the Subversive Activities Control Act, 1946, provided he is convicted thereof by a court of competent jurisdiction.

(b) Section 4 of the Nationality Act of 1940, as amended, is hereby amended to read as follows:

(a) Except as provided in subsection (g), (h), (i), or (k) of section 401, no national can expatriate himself, or be expatriated, under such section while within the United States or any of its outlying possessions, but expatriation shall result from the performance within the United States or any of its outlying possessions, that he is a member not only of any of the acts or the fulfillment of any of the conditions specified in such section if and when the national thereafter takes up a residence abroad.

Mr. JAVITS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

On page 24, line 24, strike out all of section 4.

Mr. JAVITS. Mr. Chairman, I have offered this amendment at what is perhaps the final opportunity under this bill only for the purpose of rounding out and concluding the argument that I have made on the question of outlawry of an organization.

I want, however, to pursue just for one minute another question. The question that I put to the House and to the Committee is, Would it not be possible, once Congress adopts the precedent of this bill, that some time in the future by writing sweeping findings of fact, with reference to Catholics, or Jews, or some other group found all over the world—and coupling them with the definition of a felony, Congress could make the findings, determinations, and conclusions in a bill that a crime has been committed merely by being an active member or officer of a Catholic, Jewish, or similar organization?

To make it more clear that outlawry is intended by the bill, section 5 imposes the punishment of loss of nationality—not just loss of citizenship, because as lawyers in the House know, conviction of a felony generally deprives a person of the right of a citizen to vote for a time. But under this particular section 5, a native-born American who is convicted of this crime under section 4 is expatriated.

I am not solicitous of Communists and most of the Members of the House are not solicitous about Communists; we are solicitous about human beings, and we are solicitous of preserving constitutional rights. We are solicitous about not having sweeping findings of guilt by the definitions of a statute alone. That is the ground on which I felt justified in completing my argument while the section of the bill which with section 4 relates to conviction of a felony was still before us.

Mr. MACKINNON. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. MACKINNON. I want to suggest a slight correction to the gentleman in a minor detail. The conviction of a felony does not in all States always entail the loss of a person's voting rights.

Mr. JAVITS. It does in most States though, does it not?

Mr. MACKINNON. It is up to the particular State.

Mr. JAVITS. But it does in most States, does it not?

Mr. MACKINNON. Look at what they did in Massachusetts. We did the same thing in that State.

Mr. JAVITS. But it does generally in most States, will not the gentleman agree with that?

Mr. MACKINNON. No, not as I read the bill. There are great many States where the State law ignores Federal convictions for felony.

Mr. JAVITS. This bill may deprive a natural-born American of his nationality and I was making that point in connection with outlawry.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. MARCANTONIO. I hold in my hand the edicts of Adolf Hitler. I would like to read, with the gentleman's permission, one of the sections with reference to the law regarding the revocation of naturalization and the deprivation of German citizenship. It is as follows:

LAW REGARDEL THE REVOCATION OF NATURALIZATION AND DEPRIVATION OF GERMAN CITIZENSHIP (REICHSGESETZBLATT, I, 490, JULY 14, 1933)

An ordinance to effectuate this measure was passed 2 weeks later (Reichsgesetzblatt, I, 538, July 26, 1933.). It provided:

"Conduct violating the duty to loyalty against the Reich, and as will be found particularly if a German assists in the hostile propaganda against Germany or if he is tried to insult the prestige or the measures of the National Government."

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. NIXON. I should like to point out that under the bill as written the provisions of section 4 and the penalty which the gentleman is discussing would apply to those advocates of fascism as well as to advocates of communism. The brown variety, the black variety, and the red variety, such as we have in the Soviet Union. It is to avoid the establishment in the United States of a Nazi dictatorship, a Communist dictatorship, or a Fascist dictatorship, that we have this provision in the bill, and this penalty which we think fits the crime.

Mr. JAVITS. But that is not your bill, because as I read it when coupled with the findings of fact, it calls for indictment of the officers and active members of the Communist Party as soon as it registers, and hence it is outlawed in effect. This section 4 to which you refer cannot be taken out of the whole bill, as desirable as that might be.

Mr. ISAACSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, subdivision (k) of section 4 provides that it shall be unlawful for any person to attempt in any manner to establish in the United States a totalitarian dictatorship. I have previously indicated that the words "any manner" must necessarily mean some manner other than the use of force.
or violence. This must necessarily be true for we have already have statutes on the books which prohibit the use of force and violence.

The question would constitute "any other manner"? Well, the language of the bill itself gives us an indication of what these other methods may be.

As I said before, section 4 undertakes to set out the conduct which shall be considered as criminal. I just happen to believe that anyone who undertakes to attempt to establish in this country a totalitarian government subject to control and domination by a foreign power is guilty of the greatest crime I can think of. I see no reason why that man should not be indicted. I see no reason why Congress should not enact a law to reach him and let the jury determine what the facts are.

Mr. MARCANTONIO. That is not the question I asked the gentleman. I asked the gentleman, and I repeat it, is the gentleman in favor of what this bill does, namely, under section 8 an organization must register as a Communist political organization, if it is one. Correct? If the Attorney General finds it to be one, Correct?

Mr. HALLECK. That is, the Attorney General could enter an order declaring it so.

Mr. MARCANTONIO. That is it.

Then, under section 4 a person is charged with attempting in any manner to establish in the United States a totalitarian dictatorship, and so forth. Correct?

Mr. HALLECK. Let me say just this.

Mr. MARCANTONIO. Let us go step by step, so we do not confuse the issue.

Mr. HALLECK. I want to go step by step with the gentleman, but I think he is correct.

Mr. MARCANTONIO. But the gentleman admits that section 8 requires registration of a Communist political organization. Section 4 requires indictment of a person who attempts to establish a totalitarian dictatorship; and subsection 6 of section 2 establishes as a legislative finding that a Communist organization is an organization that would set up a totalitarian dictatorship. I ask the gentleman then, what good is a jury trial to a person indicated under section 4 in view of subsection 6 of section 2 of the bill and in view of section 8 of the bill?

Mr. HALLECK. Will the gentleman now yield to let me reply?

Mr. MARCANTONIO. I now yield to the gentleman.

Mr. HALLECK. As I said before, section 4 undertakes to set out certain criminal penalties for certain prohibited acts. That would be tried, of course, as the gentleman knows, upon an indictment, a trial by jury.

Mr. MARCANTONIO. But what issue would be left to the jury?

Mr. HALLECK. Beyond that, the bill in respect to registration has two different methods of procedure. One would have the Attorney General find facts into the courts to establish the charges made. The other would provide for hearing before the Attorney General as an administrative officer of the Government and the executive branch of the Government. After hearing, after opportunity
Mr. MARCANTONIO. But that is not a trial by jury as set forth in the sixth amendment of the Constitution of the United States. You cannot substitute a legislative finding and an executive finding in place of a trial by jury required under amendment 6 of the Constitution.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MUNDT. Mr. Chairman, I rise in opposition to the point of order.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Mississippi.

Mr. RANKIN. I want to remind the gentleman from New York (Mr. Marcantoni) that a man in a Communist country would not know what a grand jury is; that the commissars decide whether or not they want him shot or not and proceed as usual.

Mr. MARCANTONIO. That statement is just as relevant to the issues as everything else the gentleman from Mississippi has been sputtering on this particular bill.

Mr. RANKIN. But my arguments have been unanswerable.

Mr. MUNDT. Mr. Chairman, I rise in opposition to the amendment and call the attention of the committee to just what the amendment is. The amendment would strike out all of section 5, and I refer to the amendment introduced by the gentleman from New York (Mr. Javits) and supported by the gentleman from New York (Mr. Isackson). The rest of the colloquy dealt with other aspects and phases of the bill.

Mr. Chairman, I ask that the Committee reject this amendment because to strike out this penalty in section 5 would mean that the Committee by such action would disapprove its approval of those conspiracies engaged in to overthrow this Government and deliver it to a foreign power.

May I say one other thing and that is the penalties under section 5 apply only to the crimes committed under section 4, only to those crimes which tend toward treason, because they really amount to a conspiracy to deliver this Government lock, stock, and barrel to a foreign power.

Mr. Mackinnon. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Minnesota.

Mr. Mackinnon. Mr. Chairman, the only question that has been raised which might require some clarification in the minds of the Members is the extent to which this might apply to some world organization such as the Catholic Church, the Zionist organization, certain Protestant churches, the World Federallists, and similar organizations. This particular section that we are referring to deals with offenses under the States, without revealing that he is a member of such organization; or

(b) after 90 days after the date of the enactment of this act, to hold any nonselective office or employment under the United States.

(3) (a) It shall be unlawful for any member of a Communist political organization, knowing or believing, or having reasonable grounds for knowing or believing, that the organization has or is comprised of political organization—

(1) to seek or accept any office or employment under the United States, without revealing that he is a member of such organization;

(2) after 20 days after the date of the enactment of this act, to hold any nonselective office or employment under the United States.

(b) It shall be unlawful for any officer or employee of the United States to appoint or employ any individual as an officer or employee of the United States, knowing or believing that such individual is a member of a Communist political organization.

Mr. VAIL. Mr. Chairman, I offer a committee amendment.

The Clerk reads as follows:

Committee amendment offered by Mr. Vail.

Page 25, lines 22 and 23, strike out the following: "or believing, or having reasonable grounds for knowing or believing."

Page 26, lines 9 and 20, strike out the following: "or believing."

Mr. VAIL. Mr. Chairman, I would like to inform the House that this amendment has the unanimous support of the entire committee.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Illinois (Mr. Vail).

The committee amendment was agreed to.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I simply rise to read another one of Hitler's edicts so that the members of this House can compare it with section 6.

On April 7, 1933, the following law was passed:

Section 1. Civil servants who have been members of the Communist Party, or Communist auxiliary and substitute organizations, or who have otherwise been active along Communist lines, are to be discharged from the civil list.

Section 2. Civil servants who will hereafter be active along Marxist, Communist or Social Democratic lines, are likewise to be discharged.

Section 4. Civil servants who by their previous political conduct do not afford assurance that they will at all times identify themselves without reserve with the national state may be discharged from the service.

Section 16. The provisions regarding civil servants are equally applicable to employees and workers.

Mr. Chairman, compare section 6 with the Hitler edicts, and think it over.

Mr. HALLECK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, back in February I remember my service on the special committee that investigated the National Labor Relations Board. In the course of that investigation it was insisted that there were Communists in the employ of that agency. The question arose as to whether or not Communists should serve in the executive branch of the Government. Those who believed that they should be permitted to serve took the position that it did not make any difference what their political belief was, they ought to be entitled to employment by the Government.

Possibly I am a little naive, but it has always been my belief that a man employed in the Government of the United States should be deeply interested in making that government work. That is his first responsibility. It has always seemed to me that you cannot do good service for good government from a person in the employ of the Government who did not believe in this Government of ours but who, on the contrary, believed in some form or form of government or some form of government that is diametrically opposed to
of the enactment of this act, within 30 days after such organization becomes a Communist political organization or a Communist-front organization, as the case may be; and

(3) In the case of an organization which is a member of the Attorney General shall be unlawful for any officer or employee of the United States to issue a passport to, or renew the passport of, any individual performing the ordinary and usual duties of an executive officer and of the secretary (or individual performing the ordinary and usual duties of a secretary) of such organization, at the request of any person, if he has reason to believe that such individual is a member of a Communist political organization or a Communist-front organization.

Mr. VAIL. Mr. Chairman, I offer a perfecting amendment, which has the unanimous support of the committee.

The amendment was agreed to.

Regulation and annual reports of Communist political and Communist-front organizations.

Sec. 8. (a) Each Communist political organization (including any organization required, by a final order of the Attorney General, to register as a Communist political organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him for that purpose, containing the following information:

(1) The name of the organization.

(2) The name and last-known address of each individual who is at the time of the filing of such statement, an officer of the organization, with the designation or title of the office so held, and with a brief statement of the duties and functions of such individual as such officer.

(3) An accounting, in such form and detail as the Attorney General shall by regulations prescribe, of all moneys received and expended (including the sources from which they are received) by the organization during the period of 12 calendar months preceding the filing of such statement.

(4) In the case of a Communist political organization, the names and last-known addresses of each individual who was a member of the organization, at the end of each succeeding year, an annual report, prepared and filed by the person or persons of the organization as the Attorney General shall by regulation prescribe, containing the same information which, by subsection (d) is required to be included in a registration statement, except that the information required with respect to the 12-month period referred to in paragraph (b), (3), of (4) of such subsection shall, in such annual report, be given with respect to the calendar year preceding the February 1 on or before which such annual report must be filed.

(f) It shall be the duty of each organization registered under this section to keep, in such manner and form as the Attorney General shall by regulations prescribe,

(1) The names and addresses of the members of such organization and of the officers of such organization,

(2) The names and addresses of the officers of such organization, the names and addresses of the members of such organization, the names and addresses of the officers of such organization, and of the members of any other Communist political organization or a Communist-front organization which is a member of the Attorney General shall be unlawful for any individual performing the ordinary and usual duties of an executive officer and of the secretary (or individual performing the ordinary and usual duties of a secretary) of such organization, the names and addresses of the members of such organization, and of any other Communist political organization or a Communist-front organization which is a member of the Attorney General shall be unlawful for any officer or employee of the United States to issue a passport to, or renew the passport of, any individual performing the ordinary and usual duties of an executive officer or of the secretary (or individual performing the ordinary and usual duties of a secretary) of such organization, if he has reason to believe that such individual is a member of a Communist political organization or a Communist-front organization.

Mr. VAIL. Mr. Chairman, I offer a perfecting amendment, which has the unanimous support of the committee.

The amendment was agreed to.

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(1) The name of the organization.

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(3) An accounting, in such form and detail as the Attorney General shall by regulations prescribe, of all moneys received and expended (including the sources from which they are received) by the organization during the period of 12 calendar months preceding the filing of such statement.

(4) In the case of a Communist political organization, the names and last-known addresses of each individual who was a member of the organization, at the end of each succeeding year, an annual report, prepared and filed by the person or persons of the organization as the Attorney General shall by regulation prescribe, containing the same information which, by subsection (d) is required to be included in a registration statement, except that the information required with respect to the 12-month period referred to in paragraph (b), (3), of (4) of such subsection shall, in such annual report, be given with respect to the calendar year preceding the February 1 on or before which such annual report must be filed.

(f) It shall be the duty of each organization registered under this section to keep, in such manner and form as the Attorney General shall by regulations prescribe,

(1) The names and addresses of the members of such organization and of the officers of such organization,

(2) The names and addresses of the officers of such organization, the names and addresses of the members of such organization, the names and addresses of the officers of such organization, and of the members of any other Communist political organization or a Communist-front organization which is a member of the Attorney General shall be unlawful for any officer or employee of the United States to issue a passport to, or renew the passport of, any individual performing the ordinary and usual duties of an executive officer and of the secretary (or individual performing the ordinary and usual duties of a secretary) of such organization, if he has reason to believe that such individual is a member of a Communist political organization or a Communist-front organization.
Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. HESELTON. I yield.

Mr. MUNDT. The gentleman is correct, the way the bill is now written. There is no provision at all which requires the publication of any of the names or addresses of front organizations. That is the way the law now stands.

Mr. HESELTON. And that is what the committee wants to have as a result, I am sure.

Mr. MUNDT. But to write in what you do creates a new storm cellar into which these front organizations will run their members and hide them from public view and refuse to respond to subpoenas, and you take the administration’s side of a controversy such as we now have in the Condon case, by saying that no executive agency may disclose, even to Congress itself, the list.

Mr. HESELTON. I vigorously disagree with the gentleman’s interpretation of the statement. Of course, the committee itself has definitely and explicitly stated that they did not want the names and addresses of these people in this questionable section disclosed. I say the language of the bill before us now indicates that. I would like to ask the gentleman from California (Mr. Nixon) if he has presented a fair statement in terms of the intent of the committee.

Mr. NIXON. I think the gentleman’s statement as to the intent of the committee is correct. Proof of the fact that the gentleman’s statement is correct is that the bill as presently written expressly distinguishes between the publication of names and addresses of members of Communist political organizations and the names and addresses of members of Communist-front organizations, and expressly requires the furnishing of names of members of Communist political organizations only.

Mr. HESELTON. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Massachusetts (Mr. Heasley) has expired.

Mr. JENNINGS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have been amazed at the solicitude that has been evidenced in this debate for those who are seeking the overthrow of this Government and the setting up in lieu and instead thereof the overthrow of this Government and this debate for those who are seeking to destroy liberty and undermine the Constitution. To tolerate them is an outrage and those who ask us to make it easy for them in the name of human liberty and in the name of the Constitution are seeking to destroy liberty and undermine the Constitution. To tolerate them is an outrage and those who ask us to make it easy for them in the name of human liberty and in the name of the Constitution are seeking to destroy liberty and undermine the Constitution. To tolerate them is an outrage and those who ask us to make it easy for them in the name of human liberty and in the name of the Constitution are seeking to destroy liberty and undermine the Constitution.

Let us have an end to this window dressing and take the false whiskers off all these fellows who in the name of human liberty and in the name of the Constitution are seeking to destroy liberty and undermine the Constitution. To tolerate them is an outrage and those who ask us to make it easy for them in the name of human liberty and in the name of the Constitution are seeking to destroy liberty and undermine the Constitution.

I am also told, and I want to get right down now to brazen tactics, that this House is to be asked to march up the hill in support of Stalin, and I want to make it clear that when we get on top of the hill we are going to take the teeth out of it and in an apologetic and an abject surrender to the Communists and their toothpicks in this country we are going to provide a means of escape for the Communists by whom we have been found to be Communists by the Attorney General, and the Communist organizations and the Communist-front organizations that have been found by the Attorney General to be Communist in their nature and purposes; that if they are so found upon a full hearing by the Attorney General, that his finding shall not have the effect of the findings of administrative agencies that have heretofore dealt with the rights of decent citizens in this country, and that findings of the Attorney General in a full, fair public hearing will be open to review in the courts of the country and tried de novo. In other words, the findings of the Attorney General shall not be conclusive. The courts will have to examine and weigh the evidence.

Every lawyer in this House knows that when a citizen’s suit is heard before a trial judge of competent jurisdiction without the intervention of a jury, if there is substantial evidence or any evidence to sustain the court’s finding the appellate court will not weigh the evidence upon appeal. We are going to give these Communists a latitude, a protection, a leeway, the findings of the Attorney General that they are Communists or are members of Communist organizations that are required to register under this measure. Out of abundant precaution it is provided in this proposed law that if the Attorney General finds any new evidence or any new evidence is called to his attention that the Communists might be Communists, the government, and the Attorney General will have the right to make a different finding and file such new evidence and different finding in the appellate court.

I do not want the members of this committee to try to make a monkey out of us. I do not think they will do it. I do not want anybody to try to undertake to make a monkey out of this House by making an abject surrender to communism.

The issue is clearly drawn. You are either for our Government and its flag or you are for Russia and the hammer and the sickle. Let the line of demarcation be drawn so there can be no doubt about where an American citizen stands who believes in this country and its flag, its Constitution and its liberties; whether he is drawn between Americans and those who believe in Communist Russia and the tyranny and outrageous violation of civilization and the Christian religion that has made that government, that system, a plague throughout all the world.

Mr. SMITH of Ohio. Mr. Chairman, I have to strike out the last word.

Mr. MUNDT. Mr. Chairman, will the gentleman yield for a consent request?

Mr. SMITH of Ohio. I yield.

Mr. MUNDT. Mr. Chairman, I ask unanimous consent that I strike out the last word of this section and all amendments thereto and conclude in 14 minutes, the last 2 to be re­ served to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. SMITH of Ohio. Mr. Chairman, I am against a world government. I am opposed to the bipartisan foreign policy which is secretly planning a foreign government. Should a world government eventuate, in all likelihood some particular nation will dominate. That nation might be the United States, and I have a strong suspicion that the citizens of the United States who are back of the movement to set up a world government take it for granted that the United States would be in the saddle. But that might not be the case. It could happen that some country other than our own would be in control.

I have heard that a world government might be a dictatorship; and in my judgment that is what is in process of formation. So we might have some foreign country exercise dictatorial power over the United States. Would not this bill, if enacted into law, throw strong suspicion upon all those who are striving to establish what can conceivably be a foreign dictatorship over the United States?

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota (Mr. MUNDT).

Mr. MUNDT. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Massachusetts and call the attention of the committee clearly to what this amendment would do. Of course, I know it is in the best of faith but actually it would take the teeth right out of this bill.

Every Member of the House knows that when we pass an act requiring Communists to register, most of the elements of that party will move into front organizations. Unless we provide some way to find out who they are and they get them in jail. They may be putting the door in the face of those of us who are trying to stop Communist activi-
cases. If we were to adopt the gentleman's amendment, we would set up a barrier against Congress or the Attorney General bringing those names out of hiding if it should become necessary. We must keep the authority in our own hands so if there are subversive groups and front organizations whose names are kept there under mandate of Congress, and if it becomes necessary then to find out who they are, to disclose their identity, to find out their addresses, certainly we do not want to be hampering our selves so that we have no power at all to find out who is trying to overthrow this Government by force and violence.

Mr. MILLER of Connecticut. No; he could operate as one of many kindred spirits.

Mr. MUNDT. Then he becomes a member of an organization that is subversive if his activities are of such a nature.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. Hassett).

The amendment was rejected.

Mr. RANKIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RANKIN: Page 29, line 5, after the word "organization", insert the words "or Communist-front organization."

Mr. RANKIN. Mr. Chairman, this amendment provides for the registering with the Attorney General of the names and addresses of every member of a Communist-front organization in America, just as we do the Communist organizations.

I have said time and time again that these Communist-front organizations are doing infinitely more harm in this country today than the Communist Party itself. There is no reason on earth why every man who belongs to one of these subversive-front organizations should not have his name registered, or his membership registered, with the Department of Justice. I took that position in the committee, and I take that position now.

Whenever that is done you are going to find people becoming careful about joining these subversive fronts. You will not find so many of these fellow-travelers strutting around in our educational institutions, poisoning the minds of our students, because they happen to be members of a Communist-front organization that is used as a cat's-paw for the Communist Internationale. This is one of the greatest dangers in America, and I want those names registered with the Department of Justice so that the Department of Justice may know who they are.

You know the reason there is so much fight on this bill? The passage of this bill in the form it was reported, and especially with this amendment, will do more to turn back this tide of fanaticism and to save America for Americans, preserve American institutions and put a stop to these subversive-front organizations, than anything else that has ever been done.

I say, the passage of this bill, especially with this amendment, will do more to turn back that tide of fanaticism than anything else that could be done at this time.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from California.

Mr. NIXON. I am asking the gentleman to yield only for this purpose, so as to say that this particular proposal, which I know the gentleman has offered in the best of faith, was considered by the full committee and by the subcommittee.

Mr. RANKIN. I understand.

Mr. NIXON. And it was rejected. It was rejected on the ground that the committee did not desire to have the names of Communist-front members made public for the very good reason that membership in a Communist-front organization as distinguished from a Communist political organization can involve innocent people.

Mr. RANKIN. This does not publicize the names. It makes them file the names of the members of the Communist-front organizations with the Attorney General of the United States, and if this amendment goes in it will do more to put a stop to these subversive elements working throughout the United States than any other one thing that can be done. When patriotic American citizens realize that an organization is a Communist front, that the name of every member is registered with the Department of Justice, they are going to be very reluctant to lend their names or their money to the carrying out of these subversive propaganda campaigns.

I know there was opposition to this amendment in the committee. I took the same position then that I am taking now.

I have stood by this committee since it was organized 10 years ago. I was responsible for its creation as a permanent committee in 1945. I have supported it throughout all these years. But I tell you now that one of the best things we can do is to adopt this amendment to make every Communist-front organization file with the Department of Justice a list of its members, together with their post-office addresses. That will not be putting them on the front page, but it will be putting them where the Attorney General or the Department of Justice can lay its hands on them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

The amendment was rejected.

The roll was called. The following was read as follows:

KEEPING OF REGISTER; PUBLIC INSPECTION; REPORTS TO PRESIDENT AND CONGRESS

Sec. 9. (a) The Attorney General shall keep and maintain in the Department of Justice a register of all organizations which are registered under section 8, and such register shall be known as the "Register of Communist organizations." Communist political organizations and Communist-front organizations shall be listed separately in such register.

(b) Such register, together with the registration statements and annual reports filed under section 8, shall be maintained in such manner as to be open for public inspection.
which required the Ku Klux Klan to register in the State of New York and in which case it was held to be not a violation of the Constitution to require the Ku Klux Klan to register, just as the Communists are required to do by this bill.

Both are enemies of our free institutions. The wording of the registration statute under review in the Bryant case is very similar to that which we are before us.

Mr. MARCANTONIO. The gentleman overlooks the distinction I have made. Registration or any other action can be required where the activity constitutes a clear-cut present danger. A clear-cut present danger must be established by judicial process. Remember, in this bill you do not seek to establish clear and present danger by judicial process. You attempt to evade the Constitution, that is, you try to evade the Constitution by attempting to establish it by legislative determination. That is precisely what you are doing in the very words upon which this whole legislation is based.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. KEATING. Do I understand the gentleman's contention to be that the Ku Klux Klan does constitute a clear and present danger, but the Communists do not?

Mr. MARCANTONIO. I say to the gentleman that the Ku Klux Klan does constitute a clear present danger.

Mr. KEATING. What about the Communists?

Mr. MARCANTONIO. So far as the Communist Party is concerned, I refer to the gentleman to United States against Schneiderman. In that decision it is indicated strongly that the Communist Party does not constitute a clear present danger.

Mr. KEATING. What was the date of United States against Schneiderman?

Mr. MARCANTONIO. That decision of the Court is not one reason why you are seeking the first amendment prohibition against this legislation.

Mr. Chairman, pursuant to permission granted by the House, I annex a brief on this subject.

MEMORANDUM ON THE CONSTITUTIONALITY OF
SECTION 8 OF THE MUNDT BILL, H. R. 522

The Mundt bill is unconstitutional in numerous respects. This memorandum, however, is limited to only one of its constitutional defects: namely, that the registration requirements of section 8 violate the first amendment.

1. Under the terms of the bill, organizations may be required to register solely, or at the very least in part, because of the doctrines they advocate and the views they express, no matter how peacefully. Thus the very root of the bill is a Communist political organization in the expression of its views and policies, the extent to which these views are the same as those of the foreign controlling country (presumably Russia), and the extent to which it supports or advocates Marxism and Leninism.

An organization is a Communist if it can be reasonably concluded that its views and policies are in general adopted and advanced by the Communist party of a Communist foreign government, or the world Communist movement, or the identity of some of its members and its policy positions.

Under existing conditions, registration obviously subjects the organization, its members and supporters to serious economic, social and political disabilities. Communist has been the hated name in this country; it has even been held to be libellous. People get fired from their jobs, in or out of the Government, for being connected with organizations which could not survive if they had to adopt a Communist label. Even a frankly Communist organization would not want to be associated with it; it must, by listing its members and financial contributors, subject them to these disabilities.

Since these consequences are incurred because of the advocacy of views, the registration requirement effectively restrains such advocacy and the assembly of persons into organizations which advocate such views. Indeed, restraint by exposure is the acknowledged purpose of the bill.

But a restraint of speech and assembly by registration, "exposure" or other means is as unconstitutional under the first amendment as the direct prohibition. The Supreme Court has repeatedly held that the restraint of speech by the first amendment cannot be infringed indirectly any more than they can be directly prohibited. This it held in Lovell v. Los Angeles (303 U. S. 518) and Gouge v. American Press Co. (297 U. S. 333), that free speech cannot be indirectly restrained by imposition of licenses, as in Lovell v. Griffin (303 U. S. 444), by a system of issuing permits at official discretion; in Schneider v. Irvin (308 U. S. 144), an ordinance authorizing a forfeiture of the license which prevented distribution of handbills.

The proponents of the bill, therefore, are on untenable ground in asserting that the bill is constitutional because it only "exposes" and does not "outlaw." "Outlawry" is as invalid as direct "outlawry." The great debate between Mr. Stassen (who supports the bill because by the first amendment it does not in any way infringe the rights of free speech and free assembly) and Mr. Dewey (who supports it because it does not outlaw) is therefore beside the point.

2. It is more, even without the restraint arising from the consequences of registration, the mere requirement of registration is itself invalid when based, wholly or in part, as here, on the expression of views.

In Thomas v. Collins (252 U. S. 516), the Supreme Court held a statute unconstitutional abolishing free speech and assembly because it required registration, even for identification purposes only, of any person who associated with union members. The Court said: "As a matter of principle a requirement of registration in order to make a public speech would seem generally invalid when associated with an exercise of the rights of free speech and free assembly." This decision applies where the speech and assembly concerns political, as well as labor, subjects. Thus the Court also said:

"If one who solicits support for the cause of labor may be required to register as a condition to the exercise of his right to make public speech, so may he who seeks to rally support for any social, business, religious or political cause. We think a requirement that an organization..."
Mr. KEATING. Mr. Chairman, I yield.

Mr. MARCANTONIO. A clear and present danger cannot be established in court that the Communist menace presents a clear and present danger in this country today?

Mr. MARCANTONIO. Here is your answer. You have the McCormack Act. You have the Voorsith Act. Why has not the Attorney General, the Government of the United States established it in the courts?

Mr. KEATING. Does the gentleman ask me why the Attorney General has not done so?

Mr. MARCANTONIO. I will tell you. Mr. KEATING. Mr. Chairman, I refuse to yield further until I answer the gentleman's question.

Mr. MARCANTONIO. Because there is no evidence.

Mr. KEATING. Mr. Chairman, I refuse to yield further.

Mr. Chairman, the Attorney General may have acted properly or may not, but at least he said that some such legislation as this bill providing for registration would assist him in the performance of his duties. That is part of the record. If he has not previously done all that he might have done, I hope the gentleman will not charge that to the present speaker.

If the gentleman is so certain that it will be impossible to establish in court that the Communist menace presents a clear and present danger in this country, if he is so confident that the language in the Schneiderman case, decided in 1943 on the state of facts there proved, would be repeated today in the decision of an issue raised by this measure, it is extremely difficult to understand what he fears.

In the light of the march of world events since 1943, particularly the last 3 years, in the face of the tactics adopted by the Communists and their spokesmen and apologists in this country, never more eloquently demonstrated than in their frantic efforts to defeat the measure before us, it impresses me that the scales weigh heavily on the side of those who contend that the clarity and immediacy of the danger is patent. I would much prefer to conclude otherwise. That, however, is realised and my President, and my Congress.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. MUNDT. Mr. Chairman, I will yield to the gentleman.

Mr. RANKIN. I yield.

Mr. MUNDT. I ask unanimous consent that all debate on this section, and all amendments thereto, close in 7 minutes.

The CHAIRMAN. Is there objection? There was no objection.

This is a duty we owe to our country.

Mr. RANKIN. Mr. Chairman, the statement of the gentleman from New York (Mr. MARCANTONIO) certainly drew the line when he said that the Ku Klux Klan was an immediate danger to the country but that the Communist Party was not. Where we have no right to legislate until it becomes an immediate danger.

That sounds like some of the pro-Japanese statements heard just before the attack on Pearl Harbor.

More than a hundred years ago, Sergeant S. Frentias, the most eloquent man who ever occupied a seat in this House, speaking on the subject of self-defense, used this statement:

"The principles of self-defense, which pervade all animted nature, and act toward life the same part that is performed by the exterior mechanism of the eye toward the delicate sense of vision—attaching it, on the approach of danger, at the same time, warning the organism of protection—that action shall be withheld till it can be of no avail."

When the rattlesnake gives warning of his fatal purpose, the wary traveler waits not for the poisonous blow, but sentis at once through the brain of his crouching enemy the swift and leaden death.

If war was declared against your country by an insulting foe, would you wait till your sleeping cities were wakened by the terrible music of the bursting bomb: till your green fields were laid waste and trampled under the hooves of the Invader and made red with the blood of your brethren?

No. You would send forth fleets and armies, you would unloose upon the broad ocean your keen falcons; and the thunder of your guns would resound stern echoes along the whole coast.

Yet, this would be but national defense, and authorized by the same great law of self-preservation, which applies no less to individuals than to nations.

Here we are, let me say now, representing 140,000,000 American people, with our country threatened with grave danger. Oh, they say it is not imminent or danger; but we know it is a lurking danger, and working all the time. It is our duty to legislate against it. It would be silly, it would be stupid, it would be foolish, it would be unworthy of us, as Frentias said, to wait until our sleeping cities are awakened by the terrible music of the bursting bomb.

That is what some of these Commu nist organizations, the National Committees, have been working for, in trying to steal the secrets of the atomic bomb and pass them on to an enemy, an avowed enemy, that is plotting the destruction of this Government.

There is no doubt about that. Go down and see the Iron Curtain tonight, and you will be convinced.

Let us make this bill as strong as possible. Let the American people know that we do not propose to temporize with a foreign power, with an alien enemy, that is using every possible effort to undermine and destroy America and American institutions, and to reduce our people to a system of slavery that now prevails in great many of the countries of the world.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. MARCANTONIO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARCANTONIO. What amendment is the gentleman referring to? As I understand it, the only amendment before the committee at the present time is a pro forma amendment.

The CHAIRMAN. That is the amendment to which the gentleman is referring.
Mr. PETTerson. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am taking these 2 minutes to call attention to certain decisions of the court. We have been discussing from time to time the question of "clear and present danger," and "clear and present need," and so forth. The court in the Pennsylvania case which went to the circuit court of appeals held this:

What the policy of the Communist Party is does not appear from the evidence but courts have long recognized and have taken judicial notice of the fact that the Communist, as an political movement, is dedicated to the overthrow of the Government of the United States (and with it the governments of the States as necessary incidents in our system of divided sovereignty) by force and violence (U. S. v. Wallis, 208 Fed. 415; Eagginton v. Katzoff, 27 Fed. 126; Anfchel v. Fell, 283 Fed. 957).

Then the court continues to say:

For ourselves, we are not willing to say that courts are such impotent instruments of government that they may not take judicial notice of facts so well known to the man on the street. Destruction of other existing government by violence is not the suggestion made by the Attorney General among Communists it is the vaunted objective of the party openly declared by its recognized spokesman. In the meantime, although Communists concede that these ends cannot be attained except by violent and revolutionary processes, their determination to maintain their status as a legitimate political party entitled to a place on the ballot.

The Arkansas court has held similarly as has other courts.

You cannot expect the Congress to have less knowledge than the man on the street has and if the court takes judicial notice of those particular things, so also can the Legislature. Here we are in the Legislature merely placing in this bill the statement that Congress takes cognizance of the same type of knowledge as does the courts.

I merely wanted to call that to the attention of the Members in order to clarify the amendment.

By unanimous consent, the pro forma amendments were withdrawn.

The Clerk read as follows:

MEMBERSHIP IN CERTAIN COMMUNIST POLITICAL ORGANIZATIONS

Sec. 10. It shall be unlawful for any individual to become or remain a member of a Communist political organization, knowing or believing, or having reasonable grounds for knowing or believing, that it is a Communist political organization, if (1) such organization is not registered pursuant to section 8, and (2) the period of time designated in section 8 for registration by such organization is not expired.

Mr. NIXON. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. NIXON: Page 52, strike out lines 3 to 9, inclusive, and insert in lieu thereof the following:

"Sec. 10. It shall be unlawful for any individual to become or remain a member of any organization (1) there is in effect in a final order of the Attorney General requiring such organization to register under section 8 of this act as a Communist political organization, (2) more than 120 days have elapsed since such order became final, and (3) such organization is not registered under section 8 of this act as a Communist political organization."

Mr. NIXON. Mr. Chairman, this is a perfecting amendment to section 10 which makes it absolutely clear that members of a Communist political organization will know that the organization has been found to be such an organization before criminal penalties will apply to persons remaining in such organization to register under section 8 of this act as a Communist political organization.

Mr. MARCANTONIO. Mr. Chairman, I rise for the purpose of asking the gentleman from California certain questions in connection with his amendment.

The gentleman's amendment applies to section 10, and provides that before a person may be indicted for remaining in an organization a final order must have been issued requiring that organization to register. Is not that the tentic of the amendment?

Mr. NIXON. That is correct.

Mr. MARCANTONIO. In other words, unless such an order is issued, continuance of one's membership in an organization no longer constitutes a violation of section 10, as it does in the bill before us. Is that correct?

Mr. NIXON. That is right.

Mr. MARCANTONIO. So much for that point. As the bill was written originally it did, and this gives us an idea how dangerous this bill was, is, has been, and will be. You will find that it was possible under section 10 for a person to have been indicted for remaining a member of an organization even though no order had been issued requiring that organization to register. This again illustrates the dangerous, loose, and careless language of the bill.

Now the committee offers what it calls a perfecting amendment in order to make certain that before a person may be indicted an order must first be issued requiring the registration of that organization. The bill as it stands again makes it possible for not only the committee itself but the Members of this House, as the case may be, and the Members of the House of Representatives, to investigate whether such organization is a Communist political organization or a Communist-front organization or (the Attorney General) is required, by resolution of Congress, to investigate whether such organization is a Communist political organization or a Communist-front organization, or (2) to broadcast or cause to be broadcast any matter over any radio station in the United States, unless such matter is preceded by the following statement, with the name of the organization before stated in place of the blank: "The following program is sponsored by ---, a Communist organization."
or a Communist-front organization as the case may be, shall be his duty forthwith to institute and conduct a full and complete investigation of the facts and shall issue and cause to be served on such organization an order requiring the registration of such organization, and the production of documentary evidence relating to the matter under inquiry. Such organization may examine witnesses, and receive evidence at any place in the United States, and may require by subpoena the attendance and testimony of witnesses, and the production of documentary evidence which may be required for any purpose of such investigation. Witnesses summoned shall be paid the same fees and mileage that are paid to witnesses in the district courts of the United States. The district courts of the United States, at any designated place of hearing, shall have jurisdiction to compel the attendance of witnesses, and the production of books, papers, correspondence, memoranda, and other records deemed relevant to the matter under inquiry. Subpoenas may be signed and issued by the Attorney General or any such authorized officer. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States by any designated place of hearing. Witnesses summoned shall be paid the same fees and mileage that are paid to witnesses in the district courts of the United States. In case of disobedience to a subpoena the Attorney General may invoke the aid of any district court of the United States by requiring the attendance and testimony of witnesses and the production of documentary evidence which may be required for any purpose of such investigation. The United States within the jurisdiction of which such inquiry is carried on, may, in case of failure on the part of any person, issue an order requiring such person to appear (and to produce documentary evidence if so ordered) and produce documentary evidence relating to the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All processes and any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found.

(c) The testimony in any hearing conducted under this section shall be reduced to writing and filed in the office of the Attorney General.

(d) If upon an investigation pursuant to clause (a) of subsection (a) of this section the Attorney General determines that the organization is a Communist political organization or a Communist-front organization, as the case may be, he shall make a report in writing in which he shall state his findings as to the facts and shall by order cancel the registration of such organization and dismiss it from the requirement of further annual reports. A copy of such order shall be sent to such organization. If upon an investigation pursuant to clause (2) of subsection (a) of this section the Attorney General determines that the organization is a Communist political organization or a Communist-front organization, as the case may be, he shall make a report in writing in which he shall state his findings as to the facts and shall issue and cause to be served on such organization an order referring to cancel the registration of such organization and dismiss it from the requirement of further annual reports.

Mr. NIXON. Mr. Chairman, I offer a committee amendment.

The Clerk reads as follows:

Committee amendment offered by Mr. Nixon:

Page 35, line 17, after the period, insert the following new sentence: "Subpoenas shall be issued on behalf of the organization being investigated upon a statement or showing of general relevance and reasonable scope of the evidence sought." And on page 35, line 28, after "Attorney General," insert "or such organization." And on page 36, line 12, after "(c)" and before the period, insert the following new sentence: "All hearings conducted under this section shall be public. The organization shall have the right to present its case by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts."

Mr. NIXON. Mr. Chairman, I think the purpose of this amendment is quite clear. It is the intention of the committee, through this amendment, to spell out in detail the administrative procedure before the Attorney General with clarity so that there can be no question but that these proceedings are to be held in such a way as to provide a fair consideration of all the facts. I ask for the adoption of the amendment.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from California [Mr. NIXON].

The committee amendment was agreed to.

Mr. KERSTEN of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. KERSTEN of Wisconsin. Mr. Chairman, in support of the Mundt bill, and particularly section 8 thereof, requiring the registration of Communist political organizations with the Attorney General, I desire to offer in support of this amendment a fact or two concerning the effectiveness of section 9(h) of the Taft-Hartley Act, requiring the officers of labor organizations to sign affidavits stating that they are not members of the Communist Party. Recently, in a very able article by James Y. Newton, in the Washington Star of May 9, 1948, he quotes Mr. Donham, the general counsel of the National Labor Relations Board, as follows: 'No one feature of the act has received quite so much attention in the public eye as the one which deals with non-Communist affidavits. And no other section -- no, in fact, any other law that I know of -- has proved to be a more effective weapon against our No. 1 menace, "the infiltration of communism into our basic economic structure."'

This statement by the general counsel of the National Labor Relations Board is most significant, and should be persuasive with the Congress of the United States in considering the measure now before us.

Furthermore, I would like to direct your attention to the very able statement of my distinguished colleague, Representative Wint Smith, of Kansas, on page A3746 of the Appendix of the Congressional Record and the title of "The Handwriting on the Wall," General

Mr. Chairman, I call attention to the first decertification election held by the National Labor Relations Board at Cordele, Ga. In the plant of the Harris Foundry and Machine Co., the employees voted 188 against the union and 123 for the non-Communist front union. As a result of that election, the Board decertified a local of the steelworkers union. The steelworkers, as you know, have not compiled with the act by filing non-Communist affidavits.

Another incident, involving a steelworkers local, is even more dramatic. Quoting again from Mr. Newton's article:

The second happening involves the 1,400 workers of the Nashville Corp., Nashville, Tenn. August 22, 2 days before the Taft-Hartley Act took effect the steelworkers won easily a collective bargaining representation election among the employees. But before NLRB could certify the union as bargaining agent, the new law became effective.

CRACK-DOWN RULINGS

Then, the Board ruled it would dismiss all pending cases unless the unions involved filed the non-Communist affidavits and other cases required the steelworkers decided not to file and the Nashville case, among others, was tossed out, leaving no one to do the filing.

Within a short time, the International Association of Machinists, a complying union, won an election in the Nashville plant. A few weeks ago they asked for a bargaining election. NLRB held the workers had the choice only of voting for the IAM or "no union," that the steelworkers could not appear on the ballot.

A few days ago, the Nashville workers voted 969 for the IAM to 94 for no union. A number of other ballots were challenged. But, the steelworkers lost, at least for a year, the 1,500 members.

On May 17, 1948, the National Labor Relations Board issued a release giving a summary of the first 36 decertification elections held in 17 States and Hawaii. This release was for the period between January 1, 1948, and March 31, 1948. In 25 of the first 36 decertification elections a majority of the employees voted against further representation by the unions previously certified as their bargaining representatives. Of the 3,083 eligible voters in these 36 plants, 2,730 valid votes were cast, the A. F. of L. receiving 347 votes, the CIO 964, unaffiliated unions 196, and against any union 1,591. This release did not show how many of the 25 unions decertified by the Board had failed to sign non-Communist affidavits.

I thought the Congress would be interested in the realization of American Workmen toward their union representatives who have failed or refused to sign non-Communist affidavits. I have secured from the Board a compilation of decertification elections as of May 15, 1948.

In 61 decertification elections from January 1 to May 15, 1948, the Board shows that 39 unions were decertified by a vote of a majority of the employees. Of 39 unions so decertified, the Board's record shows that 36 failed to comply with section 9(h) of the act and had signed non-Communist affidavits. Of the 22 unions which have won elections the Board shows 4 noncomplying unions.
Those figures clearly indicate, in my opinion, that a majority of the employees throughout our country are resolved to rid themselves of leaders who refuse to go on record as loyal citizens of the United States.

The Clerk read as follows:

JUDICIAL REVIEW

Sec. 14. (a) Such organization may obtain a review of an order issued under subsection (d) or (f) of section 13 in the United States Court of Appeals for the District of Columbia by filing in the court, within 60 days from the date of the order, a written petition praying that the order of the Attorney General be set aside. A copy of such petition shall be forthwith served upon the Attorney General, and thereafter the Attorney General shall certify and file in the court a transcript of the entire record in the proceeding, including all evidence taken and the report and order of the Attorney General. Thereupon the court shall have jurisdiction of the proceeding and shall have power to affirm or set aside the order of the Attorney General, either in toto or in part, and to change the substantial evidence, as to the facts, if supported by substantial evidence, shall be conclusive. If either party shall apply to the court for leave to adduce such evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were substantial grounds for failure to adduce such evidence in the proceeding before the Attorney General, the court may order such additional evidence to be taken before the Attorney General and to be added upon the proceeding in such manner and upon such terms and conditions as to the court may seem proper. The Attorney General may modify his findings as to the facts, by reason of the evidence so taken, and shall file such modified or new findings, which, if supported by substantial evidence, shall be conclusive, and his recommendations, if any, with respect to action in the matter under consideration. If the court shall find the order of the Attorney General be set aside or in part, the case shall be remanded to the Attorney General for a further annual report. The judgment and order of the court shall be final, except that the Attorney General may appeal to the Supreme Court of the United States. Thereupon the court shall have jurisdiction of the proceeding, including all evidence taken and the report and order of the Attorney General. The Attorney General may request a transcript of the record and order of the Attorney General.

The CHAIRMAN. The gentleman will state it.

Mr. HOBBS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state.

Mr. HOBBS. I wish to inquire if my understanding is correct, now that section 14 has been read, that it is open to the Government for such an order to be offered, whether they come in the order in which they are offered or not.

The CHAIRMAN. The section is open to any amendment that is germane to the section.

Mr. HOBBS. In other words, I have no objection to this amendment, Mr. Chairman, but I have an amendment in line 17, so I do not wish to harbor it by not offering it before this committee amendment is considered.

The CHAIRMAN. The gentleman will have that opportunity.

Mr. MARCHANTONIO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state.

Mr. JENNINGS. I wish to inquire of the chairman of the subcommittee whether he intends to address the committee in favor of this amendment. It is a vital amendment, and I want to be heard in connection with this amendment.

Mr. NIXON. Mr. Chairman, I shall only take the time to say this: This amendment has received the consideration of the committee and has the approval of the committee. This is a decision that was made after full consideration of the issues involved. I believe it should be approved by the Committee of the Whole. I recognize that the gentleman from Tennessee [Mr. JENNINGS] is concerned about this amendment, and I respect his opinion on it, but I feel that the amendment is an additional safeguard in that particularly sensitive branch of the law which should be written into the bill at this point.

Mr. MARCHANTONIO. Mr. Chairman, will the gentleman yield?

Mr. NIXON. I yield to the gentleman from New York.

Mr. MARCHANTONIO. Originally the language in the bill provided that if the court found that there was substantial evidence sustaining the findings of fact of the Attorney General it would not disturb those findings.

Mr. NIXON. I yield to Mr. Chairman from New York.

Mr. MARCHANTONIO. Originally the language in the bill provided that if the court found that there was substantial evidence sustaining the findings of fact of the Attorney General it would not disturb those findings.

Mr. NIXON. I yield to Mr. Chairman from New York.

Mr. MARCHANTONIO. Originally the language in the bill provided that if the court found that there was substantial evidence sustaining the findings of fact of the Attorney General it would not disturb those findings.

Mr. NIXON. I yield to Mr. Chairman from New York.

Mr. MARCHANTONIO. Now you substitute "preponderance of the evidence." Is that correct?

Mr. NIXON. That is correct.

Mr. MARCHANTONIO. There is a vast difference between the two, yet this committee brought out this bill with "substantial evidence."

Mr. NIXON. I do not oppose the amendment, I oppose the bill, and I will discuss the "preponderance of the evidence" in my own time later.

Mr. HALEY. Mr. Chairman, will the gentleman yield in order that I may ask a question of the gentleman from New York [Mr. MARCHANTONIO]?

Mr. NIXON. I yield to the gentleman from Indiana.

Mr. HALEY. Is it not true that the gentleman has consistently opposed the various methods that have been suggested to change the substantial evidence rule in connection with the findings of the National Labor Relations Board, the Federal Trade Commission, the Securities and Exchange Commission, and various other administrative agencies of the Government?

Mr. MARCHANTONIO. Mr. Chairman, will the gentleman yield to permit me to answer the distinguished majority leader?

Mr. NIXON. I yield to the gentleman from New York.

Mr. MARCHANTONIO. There is a vast difference. Here you are legislating a criminal statute. Here you are again substituting legislation for judicial determination by giving to the Attorney General the power to make findings upon which a criminal case can be based in an entirely different story.

Mr. HALEY. It just so happens that there is a criminal penalty in the Federal Trade Commission Act.

Mr. MARCHANTONIO. Yes, but they are not tried up in the Federal Court.

Mr. HALEY. There the substantial evidence rule applies. It also happens that the procedure involved in all these administrative agency operations may start with a cease and desist order, to be followed by an injunction in court, and, if there is failure to comply, a man can be put in jail for refusal to comply. I submit that the order entered by the Attorney General as contemplated in this proposal is an administrative ruling to be rendered by him after hearing, and is exactly the same plane as the order entered by other administrative agencies. The fact that it is the same is evidenced by the fact that the United States Court of Appeals in the District of Columbia, even as decisions and rulings from other administrative branches of the Government, as either the District Court of Appeals or to the circuit courts of appeals all over the country.

Mr. MARCHANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do this for the purpose of answering the majority leader.

First of all, you are substituting here a rule of evidence as applied to a civil administrative proceeding. Under subsection 12 it is substituting that for a rule of evidence which has always been applied in a criminal proceeding; namely, quite beyond the reason of the doubt. Let us look at this thing a moment, and you will see the difference between the SEC regulations, the National Labor Relations Board regulations and sections 13 and 14 of this bill. Here we must examine section 13, the registration section, and then section 14, the judicial review section. You must read them in series and in connection with section 4, because an administrative finding is made pursuant to section 13, and then a review pursuant to section 14.
that finding becomes a predetermined issue of fact in a criminal case. That finding pursuant to section 13 and then determined after review under section 14 is not a finding of fact in a criminal trial not subject to consideration by a jury. Under section 4 a person is indicted for being a member of a political organization. Again I take the gentleman back to the original proposition: Membership in a Communist political organization has been determined to be membership in an organization whose activity is a violation of section 4. This follows as a result of the finding by the Attorney General and the legislative finding in subsection 5 of section 2 of the bill. In other words, a court or a Judge cannot submit that question to the jury. It is a question of fact which has been determined before trial. It should be a question of fact. It should be determined, but by whom? By the jury. But as a result of these administrative proceeding sections and hearings, you have the very fundamental question of fact away from the jury and have given the power to make that finding to the Attorney General to be reviewed subsequently by an appellate court. You have by-passed the jury trial entirely—what? On the issue that constitutes the very foundation upon which the criminal proceeding is based.

Mr. CASE of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. CASE of New Jersey. I am very glad that the gentleman brought that question up. It was mentioned several times before. I will stake any legal reputation that I may ever have on the proposition that the purpose of section 4 the question of guilt is an issue of fact to be determined entirely by the jury. It may be evidence in camera under section 4 that in an administrative proceeding under another section of the act the Attorney General, perhaps with the courts upholding him on appealing on the same issue of fact. But for the purpose of the criminal trial, the jury must decide the issue for itself, and the Attorney General's finding in the other proceeding will be only evidence and in no way conclusive in the criminal case.

Mr. MARCANTONIO. The gentleman must remember that time and time again in a criminal proceeding there is a certain question of fact that the court will not leave to the jury. This is a question of fact which we have taken away from the jury by sections 2, 13, and 14 of this bill. It is my considered judgment that on an instruction to charge made by defendant's attorney in which he asks the judge to charge whether or not defendant's organization is a Communist political organization is a question of fact to be determined by the jury in finding whether or not the defendant is guilty. I say to this the most regrettable point of this legislation, the court will be constrained to refuse to so charge and must instead charge that membership in an organization by the Attorney General is decreed to be a Communist political organization constitutes an attempt to set up or an attempt in any manner to set up a totalitarian dictatorship in violation of section 4. That is why I say to the gentleman from Indiana there is a treacherous court for review between this statute and the SEC statute.

Mr. JENNINGS. Mr. Chairman, the amendment proposed by the committee fundamentally and in a general manner, I think, weakens this bill and extends a privilege to Communists which no good citizen has ever been accorded under the law, when his rights come before an administrative or agency set up by the Federal Government. In other words, when an administrative agency, such as has just been mentioned by the gentleman, makes a finding of fact upon substantial evidence, that finding of fact was binding upon any tribunal to which that case might have been carried. Pursuant to this policy now proposed toward these admitted enemies of this country, in their efforts to overthrow and destroy it and in their efforts to avoid the provisions of this law as a method to register, if they are found by the Attorney General to be a Communist organization or a Communist-front organization, upon a full and fair hearing, in which they have the right to subpoena and the right to introduce evidence, either oral or documentary—if upon such a hearing he makes his finding, that finding is conclusive in event the case goes to an appellate court for review. This proposed amendment puts the burden upon the appellate court of weighing the testimony and determining whether or not the finding of the Attorney General is supported by a preponderance of the evidence. That is a protection that is not now accorded any other citizen in the land, either under the law with respect to findings of an administrative agency or in the case of any citizen whose case is tried by a judge without the intervention of a jury. In other words, there is a presumption of the correctness of the findings of the Attorney General if there is a substantial evidence to support his findings.

There is another provision if the Attorney General learns of additional evidence, or if additional evidence is called to his attention that may change the ends of justice will be met by his coming to a conclusion, he may therefore make a different finding of fact, and that can go before the appellate court and be considered by it.

The whole concept came in here with a bill that has received the commendation of the press of the country, and which I want to support, but I do not like this shilly-shally process. This idea of marching up the hill and marching back down again, so to speak to these subversive elements that are undertaking to destroy this country. Just when will we get hard in this country? Just when will we line up with the decent citizens of this country and then will we stand by its institutions? Just when will we reach the end of that tolerance with which we have heretofore indulged these Communists? Are you afraid of them? Who are you following in this matter?

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. Yield.

Mr. WALTER. The gentleman does not contend that the preponderance-of-evidence rule goes as far as the rule applicable in criminal cases, in which it is beyond a reasonable doubt?

Mr. JENNINGS. Oh, no; of course not. Any Communists, Communist organizations, or Communist-fronts who are indicted under this proposed act can only be convicted upon evidence that establishes beyond a reasonable doubt. Any trial upon an indictment under section 4 of this bill has no relation whatever to the question of whether or not the Attorney General has found up on substantial evidence that an organization is communist or a Communist-front as defined by the proposed act.

Mr. CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. HALLECK. Mr. Chairman, I move to strike out the last three words.

Mr. WALTER. The gentleman does not understand that this proposal was submitted to members of the subcommittee by the various interested parties, and in substance has been agreed upon. I am not going to quarrel with that. I certainly do not have a hearing, I do not know anything of it. However, I do think that at this time I ought to make a statement as to what I see the issue to be and what effect of the legislation.

The growth of administrative law, of course, is one of the greatest developments of the American scene. As the growth of administrative law has developed and as we have seen this great extension of administrative agencies we have constantly been confronted with the question as to what sort of judicial review should be given a person feeling himself aggrieved by the decision of the administrative agency.

Through all of the administrative law we have treated the decisions of the agency as final on the facts subject to a review in the courts under the substantial evidence rule. Unquestionably, courts have found that if there is any evidence to support a decision of the administrative agency it will not disturb the findings. In other words, we have in effect given the decision and determination of the administrative agency the same position in the courts of the land as we give to the district courts of the country when trying cases de novo. As we have gone along we have been constantly asked for a more effective judicial review. Many have believed that to have a complete review of all of the facts would so burden the courts that they could work out their work done. Many have expressed disappointment over the operations of the substantial evidence rule. For several years, in the writing of legislation dealing with certain administrative agencies we have been struggling for some halfway point between a complete review and the substantial evidence rule.

In the Taft-Hartley Act, for instance, I believe the substantial evidence rule was applied to the labor relations decision shall be affirmed if it is supported by substantial evidence taken on the record as a
whole. In other cases we have used the words “unless it is shown to be clearly erroneous or manifestly against the weight of the evidence.”

This provision that we are now considering applies to the administrative decisions of the Attorney General acting under the provisions of this act. In my opinion, gentlemen, these decisions rendered after hearing are exactly like those rendered after hearing are exactly like those rendered under the provisions of the Judge Dow, for which he has been indicted. In order to indict him in any common-law court in America the requirement is that the “proof must be evident or the presumption great.”

That is what substantial evidence means. When the Attorney General has the substantial evidence he has the right to issue this order.

I am opposed to watering this bill down. Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from South Dakota. Mr. MUNDT. I may explain to the Committee, because the gentleman from Tennessee indicated this is a committee amendment, that it is an amendment offered by the subcommittee. It has never been acted on either way by the full committee. We agreed that it should be left to the votes of the House to decide. I expect to support the legislation as it is written. I agree with the gentleman from Tennessee and my colleague who is speaking that we should not give communism any greater advantage than we give others in this country. The difference between the two versions is not great, and H. R. 5852 will remain an effective curb to communism regardless of the vote on this.

Mr. RANKIN. I agree with the distinguished gentleman from South Dakota. This amendment has been adopted.

Let us not temporize with the enemy that you know is plotting the overthrow of our Government and the destruction of our civilization.

It is time for the Members of the Congress of the United States to stand up and pass laws that will protect this country now and for all time to come.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HOBBs. Mr. Chairman, I rise in support of the present amendment.

Mr. Chairman, never did I think that the distinguished gentleman, Judge JENNINGS, or the distinguished majority leader would ever rise on this floor and support the New Deal version of what it was pleased to call law. I glory in the spunk of the subcommittee, and whether the full committee agrees or not, I submit that the amendment of the subcommittee, as offered here by its chairman, is absolutely right.

The section sought to be improved by this amendment applies only to judicial review, which is essentially civil, and it is seeking to give to the defendant the same protection as he has against a criminal prosecution. You might say, 120 days of grace. Think what could be done with 120 days of grace with Communists boring from within, with our enemies plotting war from without.

I agree with the gentleman from Tennessee. Mr. WALTER a while ago raised the question that you should have to prove guilt beyond a reasonable doubt. That is the rule when you are trying a criminal, trying a man for a criminal offense, for which he has been indicted. In order to convict him in any common-law court in America the requirement is that the “proof must be evident or the presumption great.”

This thing is right, men. Just because during the days that you call “the era of the New Deal” such mistakes were made, and this “substantial” evidence rule adopted, it is ardent critics of the “New Deal” in copying the same mistake. Neither you nor I ever have believed it was right to deprive an American citizen, whether he be a Communist or not, of the right that every American citizen has to have the charge against him weighed fairly on appeal and to require that it be established by the weight of the evidence; or, in other words, the preponderance. And no one ever fairly challenge the right to that kind of review.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. HOBBs. I am glad to yield to the gentleman from New Jersey.

Mr. HAND. Moreover, does not the gentleman from Alabama see a very great difference between the Securities and Exchange Act, for example, which has been referred to, which involves the registration of some stock certificates, and a proceeding in which ultimately one is branded as a Communist?

Mr. HOBBs. Of course, there is that difference. There is not a single illustration on the books where this “substantial” evidence rule is applied. I agree with the gentleman from Tennessee that I have not weighed against. No one knew what it meant until it was defined by the Supreme Court, and now, by several decisions, it has been held to mean practically the same as the “preponderance” or the “weight” of the evidence.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. HOBBs. I will be so happy to yield.

Mr. NIXON. Is not the gentleman’s point this, that the Congress may have during the thirties adopted various pieces of legislation setting up administrative procedures in which punishment resulted on the basis of the substantial evidence rule, and the fact that that was done is certainly no argument that it was right at that time, and we cannot rectify the mistake now by requiring the same amount of evidence that should be given to the defendant?

I submit that these gentlemen, just because they go New Deal, that for old age, have no right to “doctor” the scales of justice by again adopting a discreditable criterion.

Mr. KERSHTEIN of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from Pennsylvania, I believe, put his finger on the proposition involved. You are not dealing with the same situation here as you are with the SEC. The first part of this bill spells out the nature of the Civil Rights Committee. The terms in the preamble of the bill are not of one, quite opprobrious because of the oppo-
brious nature of the conspiracy itself, so that designation as a Communist organization or Communist front organization has a bad connotation. Therefore, we are dealing here with the reputations of individuals as well as of certain organizations. The penalties provided in the bill as originally was, an Attorney General could, after an insufficient investigation and without a decision that certain organization was a Communist front. Now, he could do that using even the weaker evidence. He could make a mistake, make a mistake, and it could go up to the court on appeal, the Appellate Court, and if there was substantial evidence there, even though it would be weaker evidence, then this organization is branded as a Communist organization or Communist front, and every individual aligned therewith would be also so branded. As one of Shakespeare's great characters said, "Who steals my purse steals trash." His reputation is as valuable to him as is life itself. Under this amendment the court on appeal must determine the greater weight of the evidence; the evidence must preponderate. I believe that is the only fair rule when you are dealing with the reputations of American citizens. We should preponderate that the organization is a Communist front or a Communist political organization. So I support the amendment requiring "the preponderance" as a safeguard against the administrative procedure that could otherwise affect the reputation of citizens upon insufficient evidence.

This measure is an intelligent approach to handling the Communist conspiracy. It cuts the foreign ties of American Communists and forces them into the open where the American people can see them. If the American Communist Party withers and dies as thus cut off it will be because tyranny does not grow on free American soil unless it has been brought from abroad.

Mr. MUNDT. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

Mr. Chairman. Is there an objection to the request of the gentleman from South Dakota? There was no objection. The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. COMBS].

Mr. COMBS. Mr. Chairman, the amendment we are considering would substitute the words "preponderance of the evidence" in lieu of the words "substantial evidence" as applied to administrative findings; when such determinations are on appeal and before the Court, I disagree with the contentions of the distinguished gentleman from Tennessee [Mr. Jennings] that this change is not needed and that it would place an undue burden on the prosecution and give an undue advantage to those who might be accused of violations of the penal provisions of this bill. Let us see if we can get that decided by us. The question of the preponderance of the evidence would mean to a defendant prosecuted under the section of the bill to which amendment is added. The penalties prescribed against an individual would be predicated upon his joining or remain-

ing in an organization proscribed by the Attorney General by a final order as an organization that was required to register but had not done so. Suppose an individual is indicted under that provision and brought into court. His defense might well be, "In the first place, I am not a Communist, and in the second place, the organization I joined or re­mained with does not come within the prohibitions of the law."

If we do not put this "preponderance" provision in the bill and there is any evidence that this was the kind of an organization that would subject the defendant to the penalty by his remaining in it, he has part of his defense shut off by the administrative finding previously made simply under a rule of substantial evidence. I think that is vital and goes to the question of a man's right to defend himself in court.

Something has been said about extending privileges to Communists by the committee amendment. Let us take a look at that moment. The original Mundt bill required the registration of Communist or­ganizations or Communist-front organizations, and confined itself to that, so that the American people might know at all times the outfits that are flying under false colors and inducing people innocently to join up with them and lend their support to them.

If I think we would have had a better bill if we had limited this bill to that. But the present bill substituted for the Mundt bill goes further and prescribes penalties for private individuals for their activities. So we enter there into the field of criminal law and apply it to the individual. I think we must surround that with every possible safeguard. I doubt seriously that those provisions can be held valid because of their very uncertainty, and I do not agree with them. They are not sound and will not work. But I can find it possible to support the bill because the need of the times and the need to expose those organizations which go under false colors as patriotic organizations, as well as other forms of fronts. However, I surround this bill with the safeguards that private individuals who may be accused of crime are given. It is not a question of protecting Communists, but only the question of protecting the right of an American citizen hailed into court and charged with violation of some law, to be charged and tried in accordance with the criminal laws of this country. I may have the safeguards that have always been provided for him. I think this amendment is badly needed if this bill is going to be enacted, and I certainly think we should adopt it promptly.

The CHAIRMAN. All time has expired on this amendment.

The question is on the amendment offered by the gentleman from California [Mr. Hobbs].

The amendment was agreed to. Mr. HOBBS. Mr. Chairman, I offer an amendment.

The Clerk reads as follows:

Amendment offered by Mr. Hobbs: On page 37, line 17, after the words "such organization," insert "or any person affected."

Mr. HOBBS. Mr. Chairman, this is a very simple amendment and only gives the same right of judicial review to every individual affected by this law that is granted to organizations affected. I do not believe that this ought to be any argument about it, and I do not believe the amendment will be opposed. I ask you to give that right to every American citizen, so that if they carelessly have gotten in bad company. You give that right to the accused organization, but you give no right of appeal to any individual unless this amendment corrects that inequity.

Mr. MUNDT. Mr. Chairman, I rise in opposition to the amendment. If the gentleman would read carefully the sections to which it refers, namely sections (D) and (P), those sections of the bill do not require registration of individuals at all. Those sections of the bill require registration of the group or organization. There is no group. I can see to give individuals an opportunity to obtain a review of an order issued under subsections (D) and (P) which does not apply to individuals at all.

Mr. HOBBS. Mr. Chairman, will the gentleman yield? Mr. MUNDT. I yield.

Mr. HOBBS. I have read the sections carefully. My thought is that where I join an organization in perfect innocence, and that organization is declared to be one of these Communist organizations, then I would lose my job if I were ever prevented from working in any of the other places. If the amendment is not so, I think this amendment would confuse the situation and make it unworkable.

Mr. HOBBS. Mr. Chairman, with that statement by the distinguished gentleman from California, I would be delighted to withdraw my amendment and ask unanimous consent that I may withdraw my amendment.

Mr. Chairman. Is there objection to the request of the gentleman from Alabama?

There was no objection. Mr. HOBBS. Mr. Chairman, I offer another amendment, which I send to the Clerk's desk.

The Clerk reads as follows:

Amendment offered by Mr. Hobbs: On page 38, after the period in line 3, strike out everything through the period in line 7 and insert "Thereupon the court shall have jurisdiction of the proceedings and shall re­quire in each case both the law and of fact, and shall affirm the findings of the Attorney General as to the facts, if sup­ported by the preponderance of the evidence, but if in the opinion of the court such find­ings are erroneous as to the law, or not sup­ported by the preponderance of the evidence, they may be set aside."

Mr. HOBBS. Mr. Chairman, I understand the committee gave consideration
to this amendment and is in accord with it and will accept it. Is that true?

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. HOBBES. Yes, sir; of course.

Mr. NIXON. The gentleman presented the amendment to me and I discussed it with members of the committee. The difficulty that we see with the amendment is that it also with the legislative counsel, is that it attempts to set forth language which is novel in this particular field, and which would result, I believe, in getting the judicial review of these proceedings tied up in courts for a considerable length of time. For that reason, the committee came to the conclusion that it would prefer to support the amendment as the committee presented it, the preponderance of evidence, supported by substantial evidence.

Mr. HOBBES. That means that we have to submit it to the House, which I always welcome.

The only point in this amendment is simply this: There is no use whatever in this group or any person on these issues a review of the law. What is the law? That they must register. So it is always and only a question of fact as to whether or not they are violating this act has need of review. Therefore, this amendment simply says that this same court, three circuit court judges, shall consider the case. We vest the authority in them to consider it, and consider it both as to matters of fact and of the law. If the court decides that the Attorney General's decree is supported by a preponderance of the evidence, they must affirm. If not, they reject it. So, it simply gives anyone accused of violating this act the right of real review, both as to the law and as to the facts.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. HOBBES. I am always delighted to yield to the gentleman.

Mr. FERNANDEZ. I thank the gentleman. The gentleman from South Dakota [Mr. MUNDT] stated to the gentleman from Alabama [Mr. MANSER] that under this bill the members may have an opportunity of being convicted of a criminal offense.

Mr. NIXON. Yes, sir. The members are then notified and the organization listed the members, and presently to the gentleman from Alabama [Mr. MANSER] stated to the committee that the members are then notified and the organization listed the members, and the Attorney General requiring it to register under such section of the act. For such failure the fine shall be a fine of not less than $2,000 and not more than $5,000, imprisonment for not less than 2 years and not more than 5 years, or both such fine and imprisonment.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman from South Dakota yield?

Mr. HOBBES. I agree with the gentleman from South Dakota that under this bill the organization listed the members, and that the members are then notified and given an opportunity to clear themselves. I cannot find a provision whereby the members may have an opportunity of clearing themselves. I called attention to that earlier today and I am still looking for it. Nobody has ever told me yet where it is. I think it is very important.

Mr. HOBBES. I agree with the gentleman. I yield to the distinguished gentleman from South Dakota [Mr. MUNDT] to inform the gentleman where it is. I do not know. It has nothing to do with this amendment, however.

Mr. FERNANDEZ. But it had something to do with the amendment which was withdrawn, because none of these provisions are in this bill.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. HOBBES. I am so happy to yield to the distinguished gentleman from Mississippi.

Mr. FERNANDEZ. If a man is a member of an organization that is making war on the United States he ought not have to go into court to prove that this man who is a member of that organization is guilty of a criminal offense. Substantial evidence ought to be sufficient to put him on notice that he cannot run around here as a traitor to this country and then plead that he is entitled to a fair trial. That is what Eisler did. He said, "I am the subject of persecution. I am entitled to a fair trial." Come to find out, he was teaching that Communist school in Moscow.

Mr. HOBBES. I agree with the gentleman from South Dakota [Mr. MUNDT] that under this bill the members may have an opportunity of being convicted of a criminal offense.

Mr. NIXON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be closed in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NIXON. Mr. Chairman, I realize that the distinguished gentleman from Alabama [Mr. MANSER] has offered this amendment to impress the executive officer or individual performing the ordinary and usual duties of an executive officer) or secretaries (or individual performing the ordinary and usual duties of a secretary) or any other officer, of an organization required to register under such section of the act. For such failure shall be a fine of not less than $2,000 and not more than $5,000, or imprisonment for not less than 2 years and not more than 5 years, or both such fine and imprisonment.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman from Alabama yield?

Mr. HOBBES. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALTER]. The amendment was agreed to.

The Clerk read as follows:

PENALTIES

Sec. 15. (a) Any person failing to register or to file any registration statement or annual report as required by section 6 of this act shall, upon conviction thereof, be punished by a fine of not less than $2,000 and not more than $5,000, or imprisonment for not less than 2 years and not more than 5 years, or both such fine and imprisonment.

(b) Whoever, in a registration statement or annual report filed under section 6 of this act, willfully makes any false statement or willfully omits to state any fact which is required to be stated, or which is necessary to make the statements made or information contained therein sufficient to present a true and complete picture of the organization, shall, upon conviction thereof, be punished by a fine of not less than $2,000 and not more than $5,000, or by imprisonment for not less than 2 years and not more than 5 years, or by both such fine and imprisonment.

Mr. WALTER. Mr. Chairman, I yield to the gentleman from South Dakota [Mr. MUNDT] to inform the committee on Un-American Activities and to assure the feelings and the thoughts of the Members, particularly those Members from non-Communist areas, that I will mind you that when the debate opened on Friday it was discovered that thousands and thousands of forged telegrams, forged letters, and forged petitions had come into Washington originated by members of Congress. It is a known fact, it is an announced fact, that the Communist Party of the United States is now in the act of raising a half-million dollars to defeat this bill. How they expect to use this money I do not know.

Into Washington in the last 24 hours have come many, many telegrams, principally from the great cities of the Na-
tion, from Los Angeles and the area thereabouts, from Boston, from Chicago, from New York, from Pittsburgh, and from many other places. In checking last night we discovered, particularly from the city of New York, that the same thing is going on now and probably will go on when this bill moves to the other body that has been going on for the last week.

Let me read you the statement of the emperor of one of the Western Union telegraph offices in the city of New York:

As one who is employed in the Western Union, I would suggest that you or the FBI survey all of the original telegrams filed in New York City for transmission to Washington which protest the passing of the Mundt bill. You will find long petitions all in the same handwriting, and many individual telegrams all signed by different names in the same handwriting, and we who here recognize many as coming from the same groups who protested the holding of the Communist deportees at Ellis Island.

There are other words here too and a signature, which I will not reveal for reasons which I do not feel that I need go into here.

By the time this reaches the other end of the Capitol we hope to have the evidence completely in our hands that the same thing is going on in the reliability of the same organizations, the same American Communist Party directed by the gentleman from Pennsylvania has existed in Moscow has been doing this. You will find long petitions all in the same handwriting, and many individual telegrams all signed by different names in the same handwriting, and we who here recognize many as coming from the same groups who protested the holding of the Communist deportees at Ellis Island.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HOBBs. Mr. Chairman, I offer an amendment.

The Clerk reads as follows:

Amendment offered by Mr. Hoaxis: Page 41, between lines 8 and 9, insert the following additional section to be numbered 16 and constituting the number of section 16 in line 10 to section 17:

"That the existing text of section 20 of the act, as amended (39 Stat. 990, 57 Stat. 535, 8 U.S. C. 156), is hereby designated as subsection (a) of section 20 of that act.

"Sec. 2. That the first sentence of said section 20 (a) of that act, as established by section 1 of this act, is hereby amended to read as follows:

"That the deportation of aliens provided for in this act and all other immigration laws of the United States shall be directed by the Attorney General, within his discretion and without priority of preference, to deport to the foreign port at which such alien entered the United States; or to the country in which is located the foreign port at which such alien entered for the United States or for foreign countries, to which such alien was admitted in the foreign country in which he resided prior to entering the country from which such alien last entered the United States; or to the country in which is located the foreign port at which such alien entered for the United States or for foreign countries, to which such alien was admitted in any country in which he was born; or to the country in which the place of his birth is situated, in either case; or, if deportation to any of the said foregoing places or countries is impracticable or impossible, then to any country which will agree to accept such alien into its territory."
Mr. MUNDT. Mr. Chairman, I make the point of order against the amendment that it is not germane to the pending bill, H.R. 5852. It seems to me the gentleman's amendment, which I believe is in actuality a bill which is before the House and before another committee, deals with the arrangements and techniques of deportation proceedings, which do not properly fall within the provisions of the House Committee on Un-American Activities, so in my opinion the amendment should not be attached with germaneness to legislation of this type.

Regardless of the merits of the House amendment, I submit it should come before us as a separate measure and not be added as an over-burden to H.R. 5852.

Mr. CROW. Mr. Chairman, I have listened with interest to the debate on the Mundt bill, H.R. 5852, and it is rather difficult for me to understand the position of the opposition, of the gentleman from Alabama, in declaring it to be unconstitutional.

We of this House should be interested in preserving our Constitution and not in preserving the rights of people who owe their allegiance to Russia or any other foreign country and whose sole purpose is the overthrow of the Constitution, under which they are attempting to hide for protection.

It is my position that our Constitution is for the protection of our good American citizens who believe in the American way of life and who are only interested in one, Americanism.

Let us look at some of the organizations who complain about the Mundt bill. First we have the CIO groups who have refused to register and name all of their officers and members. I have received many telegrams requesting that I oppose the bill for the protection of our country, and I have answered with the same answer; "I am going to vote for the bill for the protection of our country."

Mr. Chairman, some people consider the Communist Party as a political party in the United States. Let us look at some of the statements made by Louis Budenz, former managing editor of the Daily Worker, when he appeared at hearings on communism held by the State Legislature of the State of Washington. He identified his Red pals as Stalinists, 1,000 Stalinists in the Red Army of America, one of the three top Communists in the United States with direct access to Joe Stalin at any time. He gave the inside picture of the structure, personalities, operations, proceedings, and machinations of the American section of the Comintern. Does this give the impression that the Communist Party is a political party in the United States?

Mrs. Kathryn Fogg, another witness at the above-described hearing, stated as follows:

"I broke with the Communists because they do not believe in democracy; they do not practice democracy and they never intend to practice it. You take orders; you do not use your own judgment. The orders came from the Kremlin, Moscow, but I did not realize that until I had spent considerable time in the party, believing it to be a liberal organization in the sense we understand that term in the United States.

Manning Johnson, former high ranking colored Communist, a Navy veteran of the last war advising that the Communists to "get out of the party while the getting is good." He had joined the Communist Party in 1930 and re-
ceved special training in the notorious Lenin School in Moscow in all forms of sabotage, physical as well as psychological. He quit in 1940 when he became convinced that the Communists were using his race for ulterior sinister purposes of their own that had no connection whatever with Negro problems. He was of receive that.

The Communist Party is not a political party in any sense of the word. It is a fifth column to carry out Soviet Russian policies and subvert the United States for an easy pushover in case of war or class revolution. You cannot be a Communist in good standing and remain to be loyal to the United States. A Communist's main job is always to weaken the United States against the day when the Soviet totalitarian dictatorship takes over.

Mrs. Isabel Costigan, wife of a widely known Seattle political figure, unburdened herself of years of heartache resulting from her considerably mixed experience with Communists. She stated as follows:

There is no morality in the Communist Party. It will stoop to anything, I was sick from eating. We were told in the little people formulated the program. I found that they were simply told what to do. No one states more democracy and practices more dictatorship than the Communist Party.

Our Federal Constitution affords a reasonable freedom of speech and of the press. This freedom does not comprehend the license to slander, to libel, or to disseminate propaganda to subvert our form of Government. Constitutional liberty must not be construed as license. The Federal Constitution affords a constitutional protection which cannot be claimed by the offender.

Mr. Chairman, in view of the statements of the above-named Communists I hope that all members of this House will assure us in the protection of our Constitution and the American way of life will support and vote for H. R. 5852. I do not consider the controlling of organizations who are Russian dominated a violation of our Constitution. If we are going to fall for that line of argument it will not be long until we will be writing a Constitution for our protection.

I am sure that the people of the satellite countries of Europe do not find many rights and privileges under the constitution forced upon them by their Communist rulers and by a under whose yoke they are now living.

Mr. Chairman, I want it plainly understood that I am opposed to any form of control over our government and I support all measures that will tend to lessen the danger of our Constitution being rewritten by direction of Joe Stalin.

Mr. NIXON. Mr. Chairman, I offer a constitutional amendment, which is at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. Nixon: On page 41, after line 8, insert the following section:

"Applicability of Administrative Procedure Act."
If the proposed legislation was not constitutional they would have nothing to fear.

To say that this legislation is constitutional is to constitute it as a law that would outlaw any attempt to establish a totalitarian dictatorship in the United States under foreign control. The claim that this legislation is constitutional would mean it was illegal to oppose by peaceful means what we would resist by force of arms. No such construction is reasonable.

A REPORT ON THE BILL

Probably a word is in order at this point on the references in the report which some Members have quoted seeming to the effect that the bill did not support the “outlawing approach.” A casual observation of this report will note that such comments relate only to the rejected proposals of outlawing the Communist Party by, first, barring it from the ballot; and, second, making the Communist Party illegal per se. In fact the very section of the report in which these outlawing approaches, and the language of which is contained in the entitled “Rejected Proposals.” Clearly these comments on the “outlawing approach” relate only to the rejected proposals and such comment cannot be taken as applying to the bill which outlaws the subversive activities of all individuals and organizations, including those of the Communist Party, through general declaration. A perfectly customary and legal approach.

NEW YORK PRESIDENT

It would also be noted in connection with the registration provisions of this act, that the State of New York since 1923 has had a law aimed at certain subversive organizations that bind their members by oaths, disciplined them and sought to attain political power. This law is known as the Walker law. It was enacted in 1923 at the time of the Ku Klux Klan. It required them to file their membership lists. The full provisions can be examined by referring to sections 52-57 of the civil rights law. In addition to the other requirements of registration, it made each such organization publicly file copies of every resolution, and I quote, “providing for concerted action of its members or a part thereof to promote or defeat legislation, Federal, State, or municipal, or to support or defeat any candidate for political office.” Section 55 prohibited such organizations from mailing, sending, or delivering certain documents through the mail without full disclosure as to the source.

Section 56 provides penalties. Under section 57, which was adopted in 1947, the attorney general is empowered to bring prosecutions. This had previously been limited to the local prosecutors.

UNITED STATES SUPREME COURT DECISION

This statute went to the United States Supreme Court in the year 1928, and in the case of Bryant v. Zimmerman (278 U.S. 63), the Supreme Court held the law to be a constitutional exercise of legislative power. At that time the Court included William Howard Taft, Oliver Wendell Holmes, Louis D. Brandeis and Harlan Fiske Stone. The decision was 8 to 1 for the constitutionality of the legislation and the only dissent was by Justice McReynolds who did not think the case properly before the Court on technical grounds.

The New York law there held constitutional, in some respects, is broader than this legislation. Nothing here requires the filling of reports relating to political activities, but the substance of this decision held that it was proper for the legislative body to classify with respect to the evil to be prevented, to define those from whom the evil mainly is to be feared and to direct its law against those without covering the whole field of possible abuses. But on this point it is most remarkable that there has been practically no discussion on the floor by the opponents of this bill to the effect that any other organization that should be included that involved. Their principal argument has been, not that other groups should be included, but that one single group, to wit, the Communist Party and their fronts should not or could not be reached.

Mr. SMITH of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Recess.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SMITH of Kansas. Mr. Chairman, back home, among the people who live on the land first settled just a lifetime ago, a land of rolling hills and fertile valleys, where excess rainfall is carried away by the Smoky Hill, the Saline, Solomon, and Republican Rivers, where less than 40 years ago moccasined feet were the only travelers: this is still a land free from early morning factory whistle. Punching time clocks is almost unknown. The head of the family eats his meals at home. This is rural America free from exacting tribulations of an industrial way of life.

But, living as we do on a land given to us by our pioneer fathers and mothers, we must stop, pause, and listen to a new way of life that is trying to be forced on us by a scheming, deadly band of a foreign-sponsored group, who hope to change our very way of life. I refer to Russian-dominated Communists.

We in Kansas do not pay too much attention to the big, white, fleecy clouds that float lazily overhead in the summer. But when sometimes in the late afternoon a big, black bank of clouds appears on the northeastern, we who live in northwest Kansas know what it means. There is a storm coming up. As night approaches we see to it that barn doors are fastened and long cause doors are shut. We take these precautions because of our past experience. As night comes on we see the lightning flash and hear the thunder roll. Then the wind dies down. There is an ominous calm just before the first big raindrops come splattering on the roof. Then comes the wind and rain and sometimes hail.

Why do I say all this? Because America might well be in that period of a quiet calm just before the storm of communism breaks.

Is there anyone who does not know about the big, black cloud that settled over Czechoslovakia, Hungary, Yugoslavia, and Rumania? There people there are told to shut the barn and hen house doors.

Everyone knows, or should know, that communism originated in Russia. It is this Soviet political idea that brought complete灭 of life. Put in simple terms a Russian cannot, first, own land; second, may not have a jury trial; third, cannot quit work; fourth, cannot choose his own job; fifth, may not employ labor; sixth, may not strike; seventh, may not travel without permission; eighth, may not own jewelry; ninth, cannot ring a church bell; tenth, cannot talk to a foreigner without permission; and is forbidden free speech, freedom of assembly, freedom of religion, and freedom of his soul.

Thus, we see communism is not a political matter—but a way of life. Because in Russia the Communists through leaders own all the people, body and soul.

It is only too true, that many people here in America still think and say Russia cannot attack us and conquer this country because she cannot land on our shore or come over here. We stand in our position by the Atlantic Ocean and the Pacific Ocean and perhaps the Gulf of Mexico. Those who think like that are still thinking in terms of past history. They cannot enjoy the luxury of thinking of the past to prove their point because communism has a new technique. Communists have something new in the way to conquer a country. Throughout history conquerors have always smashed through the countryside—spreading out horizontally, putting their soldiers throughout the country. That is the way nations are conquered by Alexander the Great, Genghis Khan, Caesar, Napoleon and the Germans in the late World War used this method. But the Russian or Communist uses a much more effective modern approach. His forces sprang up vertically like a toadstool. They use the citizens of the country by this toadstool method to seize control. These toadstools are built up among the police, transportation systems, the communications systems, and other vital industries. On a given signal they take over. The country is theirs.

Just imagine if all these services in this country were in control of the Communists, how difficult would be our problem. You say that cannot happen in this country? That is what the people of Bulgaria, Hungary, Rumania, and Czechoslovakia thought also—but it was too late. They did not pay any attention to the black cloud and did not get the barn and hen-house doors shut in time.

Communism grows like the dry rot in a tree. The tree appears to be a big fine tree. You admire its shape, size and enjoy its nice cool shade. Then, one day, a severe windstorm suddenly comes up and your tree is blown down. You discover that the twentieth, covered over by the bark, is rotten and does not have the strength to stand a hard wind. Communism can do the same to us. Do not believe the Communists can get in open—they are covered up by the pinkish veil of fringe organizations. They go about the country boo-hoo-ing a lot of
weak sentimental socialistic ideas, preying upon the sentiments of those that have not. They cry to high heaven things are not right. They shout and cry for liberty. They call themselves liberals, but if you look carefully into the background of these so-called liberals you will find they generally are those that want to take away some of your property and give it to someone else. Much of the propaganda that is flooding America today is to destroy the churches, schools, labor unions, and the so-called "do good" front organizations, all use this liberal doctrine. And always they conclude their statements about the blessings of a controlled economy.

Our war has been fought to destroy an all-powerful state and now these so-called liberals would now turn to an all-powerful state to save us. What a fantastic idea. They want to change our free social order for one of controlled economy. Of course in the final analysis this doctrine is disguised. But it is just plain socialism. And also remember that a Communist is nothing more nor less than a Socialist trying to get to his objective in a hurry.

Remember always our constitutional guarantees are no stronger than the people who protect them. Recently I received a letter. The writer went at great length to discuss the attitude of the Russians toward America. He pointed out if Our Lord had had to deal with them in John 2 he would have held up His hand and blessed them. May I be so bold as to say what I think He would have done if He had been confronted by Communists? He would have driven them out of the temple as He did the money changers.

There is another thing we have got to redefine and that is what we mean by social justice. At present that a fan-gams mean social hate programs instead of social justice.

We in this country have been taught to fear the danger to this country would always come from abroad. That we had to fear external enemies. We must all realize that the basic idea of communism is this: to rule by general rule. They preach to be ready always, to seize power by force. Communists seek to protect themselves from those who would destroy us from within.

Everyone knows that the Communist cause is dominated and controlled by Russian dictatorship. That the sole purpose of the organization in the United States is to not only destroy our form of government but our way of life.

The President of the United States in March 1948 asked Congress to appropriate billions of dollars to build our defenses against world-wide communism. It would be most foolish to spend billions of dollars and not try to do anything in the United States against communism.

The Communist Party of the U. S. A. since its inception has constantly advocated and now teaches the overthrow by force and violence the Government of the United States.

Must our Constitution protect those that would destroy it?

Must the Communist Party in the United States continue to enjoy the same rights, privileges, and immunities as any other political party? Can we know if it is dominated by a foreign power?

Are the people to be denied through their representatives in Congress the right to pay the-communist leaders can carry on their nation-destroying activities under the cloak of political immunity.

The objectives of the Communists be they in Russia or the United States are the same. The same general Muddle in 1942 made this finding.

There cannot be any further mystery about the Communists' foreign policy. Their sole aim is to establish a dictatorship throughout the earth. That is why you cannot appease Russia.

Those of us that support this bill believe we have found the way to help protect ourselves from the deadly doctrine of communism. This bill will help to remove the political immunity which the Communists now enjoy.

This communist doctrine has spread over a large part of Europe, and is spreading over Asia.

One of the most common repeated statements is, "Without the revolutionary overthrow of capitalism, no international arbitration, no talk of disarmament, no democratic reorganization of UN will be capable of saving mankind.

That statement should explain Russia and her policies. It plainly shows that Russia will not be a working partner in the United Nations.

In order to get a little better understanding of communism let us see what Mr. Foster, head of the Communist Party in the United States, has to say about it.

Under oath before a committee of Congress, as reported in the Congressional Record, he revealed the world-wide objectives of communism.

The test of a free society, The CHAIRMAN. Mr. Foster, does your party advocate the destruction of religious belief?

Mr. Foster. Our party considers religion to be the opiate of the people, as Karl Marx has stated, and we carry on propaganda for the liquidation of these prejudices among the workers.

The CHAIRMAN. To be a member of the Communist Party do you have to be an atheist?

Mr. Foster. Many workers join the Communist Party who still have some religious beliefs, and when he joins the party he will soon get rid of them.

The CHAIRMAN. Well, can members of the Communist Party in Russia be married in the church and maintain religious belief?

Mr. Foster. My opinion is that a member of the party of the Soviet Union who would be married in the church wouldn't be of any value to the Communist Party.

The CHAIRMAN. And now for loyalty to our country. If I understand you, Mr. Foster, the workers of America look on the Soviet flag as the flag.

Mr. Foster. The workers of this country and the workers of every country have only one flag. The flag.

The CHAIRMAN. Mr. Foster, do you owe allegiance to the American flag? Does the Communist Party owe allegiance to the American flag?

Mr. Foster. I stated very clearly that the Red flag is the flag of the revolutionary class and we are part of the revolutionary class, and all capitalist flags are the flags of the capitalist class and we owe no allegiance to them.

So this bill makes it unlawful, punishable by fine or imprisonment, to establish or look toward the establishment of a totalitarian dictatorship in the United States which is subservient to foreign control.

It provides for loss of citizenship to anyone so convicted.

It denies Federal employment and passports to members of Communist political organizations.

It requires registration with the Attorney General of Communist political organizations and Communist-front organizations.

It denies the use of the mails to any organization unless such organization is registered with the Attorney General, and all organizational publications must be marked that it is a Communist organization.

This bill also denies the privilege of broadcasting any matter over the radio which is subversive of the Constitution giving the name of the organization and the fact it is a Communist organization.

I fully believe that the passage of this bill into law will aid materially in helping to stamp out communism in this country.

To every American who has served his country; to everyone who watched their son or loved one leave for the training camp, this bill helps to protect us from another war. What a tragedy it would be to win two world-shaking wars and then to succumb to an enemy within our country.

George Washington said to his officers as he was preparing to cross the Delaware, "Put only Americans on guard tonight."

And, so I believe that the people in my part of America, who were born as Americans, who live as Americans, and who want to die as Americans, and who love their land and can call it their own—believe that we have a right to protect ourselves from those who would destroy us from within.

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Chairman, you can no more check or destroy the menace of communism by this legislation than you can sweep back the tide with a broomstick. Communism is an idea, and as has been well said here, an idea cannot be killed by fiat. Prison walls cannot kill an idea. An idea can be checked and destroyed only by combating it with an idea which is better, more constructive, more responsive to the public conscience, and the public welfare.

The concept of outlawing a political philosophy is not only without precedent in the history of this Government but it is antagonistic to long-established principles of representative democratic government as exemplified by the Constitution. I am as much opposed to communism as any man in this body. I have
spoken, fought, and voted against communist doctrines, communist practices, and communist activities in this Government. I became a Member of this House, and Communists have bitterly assailed and fought against me.

But I cannot subscribe in conscience to the violation of the letter and spirit of constitutional democracy. American citizens have the right to embrace any political philosophy they desire, the right to express their opinions and views and to advocate their enactment into law. They have the right to form and join political parties for any legitimate purpose. If in this process they engage in international conspiracies endangering the national security, if they advocate overthrow of the Government by force, they have laws on the statute books to visit them with appropriate punishment. If persons violate the law in their political activities, let them be punished in the ways and means provided by existing laws against such violation of the Constitution, and federal, which enable this Government to protect itself against organized violence, espionage, treason, sedition, and the like.

For the first time in history this bill seeks by law to outlaw political thought and to proscribe political activity and to check the freedom—the cherished freedom—of the individual American citizen to think, believe, and advocate his thought and belief without restriction by the oppressive hand of government. Thus we would assume their jurisdiction to justice, and many other statutes, State and Federal, which enable this Government to protect itself against organized violence, espionage, treason, sedition, and the like.

There is no question here of perpetuating and protecting our Government against communistic practices by Communists. Communism is organized on a world-wide basis and is strongly supported even in our own country. The seeds of communism have been sown deep in American soil. Communist ideas have taken hold of many in the rank and file of the people who may or may not know or understand that these ideas are communist. That is understandable in the light of the subtle propaganda, the aggressive techniques, the growing political strength, the definite political organization into the Government which have characterized recent years. Ruthless suppression, repression, police-state registrations, espionage, Nazi or Cossack terrorism, will not reverse this trend, will not cure these conditions. This trend can be reversed, these conditions can be corrected effectively and permanently only by constitutional measures, only by weeding Communists out of the Government service, only by exposing the propaganda methods, techniques, and nefarious activities of Communist groups, only by ferreting out and punishing criminal subversive violators of the law, only by enforcing the law impartially and fearlessly against those who are carrying on illegal conspiracies against the Government.

Communism cannot be combated by fiat. It must be combated by American methods, by argument, by debate, and the alleviation of the social, economic, and political conditions which are feeding the fires of communism in the atmosphere of the Nation. Expose the Communists to the light of day, to the force of American public opinion. Expose their activities in the educational, recreational, industrial, civic, and social life of the country. uncover their web of conspiracy and punish their perpetrators with adequate penalties and vital safeguards against oppression of minorities, oppression of the individual, oppression against free thought, free speech, free press, free public welfare, free economic and political activity consonant with our form of government and our economic organization.

Let no hysteria shake us from the moorings of the Constitution. Communism cannot flourish in the atmosphere of American freedom. So long as that freedom means what it was intended to mean—a chance for every American to live without fear or terror; to live under a rule of law and equal rights and opportunities to live in a free democracy, under a form of government and our economic organization.

Mr. FERNANDEZ. Mr. Chairman, I move to strike out the last word.
and I think the gentleman will under-
stand what we have in mind.
Mr. FERNANDEZ. Where is the lan-
guage on page 40?
Mr. MUNDT. I will read both of them.
Page 40, subsection (a), (g) It shall be the duty of the Attorney General to send to each individual listed in any registration statement or annual report filed under this section, as a member of the organization in respect of which such registration statement or annual report was filed, a notice that such individual is so listed; and such notification shall be sent at the earliest practicable time after the filing of such registration statement or annual report.
Now, on page 40, subsection (b), we provide:
(b) Whoever, in a registration statement or annual report filed under section 6 of this act, wilfully omits to state any fact which is required to be stated, or which is necessary to a full and complete statement of facts, or if stated, is given not misleading, shall, upon conviction thereof, be punished by a fine of not less than $500 or imprisonment not more than 2 years and not more than 5 years, or by both such fine and imprisonment.
So it follows if by chance any Commu-
nist organization were to list Antonio Fernandez or Karl Muntz as a Commu-
nist, we would then have recourse to the courts to point out that under the law they are subject to a penalty of 5 years' imprisonment and a $5,000 fine for having listed us willfully erroneously. May I say that the penalties of this act are unusually heavy, in fact, to be a Communist.
Mr. FERNANDEZ. But you have not given a definition in this bill of what constitutes a member. How are you going to convict that organization which says that in their opinion a person is a member of the organization? And how is he prosecuted? Does he have to wait for a prosecution to extricate himself?
Mr. MUNDT. As to whether he is a member will be determined by the rules and regulations which are provided in this legislation and put down by the Attorney General in processing registration, plus the charter of the organization, plus the constitution, but, above all, by the regulations that the Attorney General applies in the process of registration. We specifically set up on page 40 against falsification of any of these registra-
tions. We do not say that a man cannot get a Government job because he is reg-
istered as a Communist. It is because he is a Communist in fact that he cannot get a job. It is by virtue of the fact that he belongs to the Communist organiza-
tion that he is denied certain privileges under my bill.
Mr. FERNANDEZ. I thank the gentle-
man who speaks from Dakota. I may say to the gentleman that if this provision does apply and there is a penalty for list-
ing a person who is not a member, that answers part of my question.
Mr. MUNDT. I may say to the gentle-
man from New Mexico that that was put in the bill specifically for that purpose, and the report helps to make that clear.
Mr. FERNANDEZ. I hope so, though I do not think the penalty alone is suffi-
cient even if applicable.
Mr. FELLOWS. Mr. Chairman, I rise in opposition to the pro forma amend-
ments.
Mr. Chairman, I might be excused if I were in a state of disorganized mental confusion, but if this question can be answered, it will be clear. May I ask the gentleman from New York this question: Is it not true that this law would not apply to any organization in this country, no matter by what name it might be called, if it is not connected in any way with any political power in a foreign country?
Mr. MARCANTONIO. That question can be answered only as follows.
Mr. FELLOWS. Cannot the gentle-
man answer it "yes" or "no"?
Mr. MARCANTONIO. A "yes" or "no" answer cannot be given for this reason. While it is seemingly true that a Communist political organization must be found in fact to be a proscribed or forbidden by law organization, the facts of the operation of this proposed statute would be set forth in the annual report filed under section 8 of this bill. And if there is found in fact to be a Communist political organization, then it does not apply.
Mr. FELLOWS. I thank the gentle-
man.
Sec. 16. Separability of provisions.
Mr. KERSTEN of Wisconsin. Mr. Chair-
man, I might be excused if I answer to the gentleman from New York as to the phrase "it is reasonable," he has interpreted that as he has through-
out this debate to mean that the Attorney General is the one to find it is reasonable. That is not the proposition. It must be reasonable, and if it is not reasonable finding then it does not apply.
Mr. FELLOWS. I thank the gentle-
man.
The Clerk read as follows:
Mr. EBERHART. Mr. Chairman, I move to strike out the last word. Mr. Chairman, the remarks made by my good friend the Member from Pennsylvania (Mr. McDowell) in respect to the many telegrams, letters, and representations made to the Mem-
bers of Congress with respect to this bill might leave an inference in the minds of some people that those who are opposed to this measure are opposed to the Constitution and the Bill of Rights because of the things that these organiza-
tions are said to have done or because they brought pressure on us or because we were deceived by them.
Mr. Chairman, having been on the floor during all of the debate on this bill with the exception of an hour or so, it is my observation that in the considera-
tion of this measure, which is of much importance to this country, and is of a nature as to naturally arouse some hysteria, the debate has been main-
tained on a very high plane, unusually high. I do not think those in opposi-
tion to this bill displayed any particular partisanship. The debate was entirely on matters of prin-
ciple, and on the question of whether the provisions of this bill were constitu-
tional or would deny the people the real freedom which they gained through the Constitution and the Bill of Rights.
Mr. Chairman, the bill has been carefully analyzed, it has been amended, and in any respects it has been improved. Many Members on both sides of the aisle have asked very important questions, as a result of which the floor debate was entirely on matters of prin-
ciple. The debate was conducted in a constitutional and should deny the people the real freedoms which they gained through the Constitution and the Bill of Rights.
judgment and conscience will be for the best interest of this country today and in the future.

Mr. NIXON. Mr. Chairman, I move to strike the last two words.

May I say first of all that the Committee on Un-American Activities in bringing this legislation to the floor of the House was completely aware of the great responsibility that it had. All of the Members of the House will realize that there was considerable pressure upon the committee to bring to the floor of the House an unreasonable measure, a measure which would go so far as to without doubt infringe upon the rights of others than those against whom it should be directed, and that such a measure could have passed this House without any question due to the fact this happens to be an election year and that communism happens to be an issue.

We were aware of that and, in fact, some people urged that the committee approach the problem in that manner. But I want to assure the Members of this House that the Subcommittee on Legislation and the full committee in the consideration of this legislation has devoted a great number of hours and a great many men and women toward equitable, and effective solution to this problem. I think that in the consideration of this measure the Members of the House will agree that the committee has attempted to give every consideration to amendments we felt were necessary and which Members of the House felt were necessary to clear up any possible inconsistencies, or to avoid infringing upon the rights of others than those against whom the legislation should be directed.

I believe, after studying the bill as amended, that no Member of this House, who honestly wants to do something about the Communist menace in the United States, can with good conscience vote against the Committee's report.

I am fairly convinced, and I believe the great majority of the House are convinced, that this bill, if it is enacted, will bring to the forefront the evil against which it is directed. The fantastic opposition to it from those who would be affected by it and against whom it is directed is the best indication that it will be effective.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. NIXON. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Chairman, I cannot refrain from taking this opportunity to commend the gentleman from California [Mr. Nixon] and his coauthor of this measure, the gentleman from South Dakota [Mr. Minor] and all the members of the committee who have labored so diligently in trying to meet this very grave problem that confronts us. You have done a splendid job. You have been outspoken in the consideration of the measure. The amendments that have been suggested have been carefully considered. Many of them have been adopted with the consent of the committee. I think it is a good job well done. I thank the gentleman for his work and the chairman who have labored with him for their work. I am quite sure that the overwhelming vote that this measure will receive will be clear evidence of the approbation of the Members of this body.

Mr. NIXON. I thank the gentleman.

Mr. FOGARTY. Does the gentleman honestly think that further legislative action will take place on this bill after it passes the House today?

Mr. NIXON. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. I have seen from the Hearings on Legislation, and the full committee in the consideration of this measure. As a new Member handling a measure on the floor for the first time, I think it is gratifying to find the Members of the House so considerate and thoughtful.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, in the closing moments of this debate I would like to point out the fundamental issue which has been overlooked this afternoon, and I want to direct my remarks to the Members of this House who would not vote for a bill outlawing the Communist Party. It is, indeed, significant that the committee itself in its report has specifically stated that the purpose of the bill was to outlaw the Communist Party, and it has also stated that it could not do so even if it wanted to. So on the proposition of out-lowering the Communist Party, this bill does outlaw it or does not outlaw it where the division must take place. I contend that this bill does outlaw the Communist Party, and I base my contention on the following proposition: First of all, let us look at the background of this legislation. We have in existence two well-known laws, the Voorhis Act, which provides for the registration of foreign agents, and the McCarrick Act, which makes it a criminal offense for anyone to willfully advocate the overthrow of the Government by force and violence. Not only the present Attorney General but his predecessor had this legislation on the books. Of course, for political reasons persons may want to charge dereliction against them, but I think we can dismiss that. No one here can in good conscience charge that the Attorney General would not avail himself of those two statutes if he had evidence that the Communist Party or its members were foreign agents under the Voorhis Act, or if he had evidence that the members of the Communist Party or its leadership advocated the overthrow of the Government by force and violence. The reason why there has been no prosecution under those statutes is specifically because there is no such evidence. Further, the Attorney General has been confronted with decisions of the highest court of this land. He has had before him the Schneiderman decision and the following language from the Communist Party to the Court said:

There is a material difference between agitation and exhortation calling for present violent action which contains no prospect of present danger of public disorder or substantive evil, and mere doctrinal justification or prediction of the use of force under hypothetical conditions at some indefinite future time.

Confronted with the subsequent decision in the Bridges case, and confronted with three specific prohibitions, first, section 9 of article I of the Constitution, which constitutes the prohibition against the establishment of religion, and the second, amendment No. 5 with respect to due process; and third, amendment No. 6
with respect to trial by jury, the Attorney General, lacking evidence, having no evidence, could not proceed under the existing statutes. In attempting to outlaw the Communist Party, this committee found itself against the same constitutional prohibitions and against the fundamental proposition that there is no evidence that can stand the test of judicial process.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MARCANTONIO. Mr. Chairman, if I am permitted to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. MUNDT. Mr. Chairman, I think at this late hour we should limit this closing debate to the time the gentleman has had and 5 minutes on the side of the committee.

Mr. MARCANTONIO. Then, Mr. Chairman, to take care of that argument, I will get the 5 minutes by offering a preferential motion.

Mr. MUNDT. That will take care of that.

The Clerk reads as follows:

Mr. MARCANTONIO moves that the Committee do now rise and report the bill H. R. 6882 back to the House with the recommendation that the enacting clause be stricken from the bill.

Mr. MACKINNON. Mr. Chairman, a point of order. Has not that preferential motion already been made?

Mr. MARCANTONIO. Yes; but the bill has been amended, Mr. Chairman, since the first preferential motion was made, and therefore this preferential motion is in order.

Mr. MACKINNON. Mr. Chairman, I withdraw my point of order.

Mr. MARCANTONIO. Why must I work so hard to get additional 5 minutes' time? Mr. Chairman, this committee was confronted with lack of evidence, and constitutional prohibitions, and the decisions of the Supreme Court. So the committee devised this bill for the purpose of outlawing the Communist Party and I do by indirect what the Constitution and the interpretations of the Constitution as handed down by the Supreme Court prohibited this committee and the Congress from doing directly. So what does the committee do? It substitutes for the doctrine of judicial determination of guilt the doctrine of legislative determination of guilt. That is the formula upon which this bill is based. It provides definitions and provides legislative findings of fact. Then after it makes these definitions and legislative findings of fact, it confers upon the Attorney General an administrative function, the function of determining guilt. In this case, the committee goes beyond the administrative determination of guilt; it sets up also the doctrine of executive determination of guilt. Hence the Communist Party is dealt with first in section 2 with reference to the legislative findings, then in section 3 under definitions, and then in section 8 under registration and following that, the administrative section, section 13. So what do we have? The Attorney General is finally given the power to say that the Communist Party is a Communist political organization. That power would have to be exercised. The reason you do not permit the court to exercise that power is that you know there can be no evidence to sustain in the courts the legislative finding of facts that you set forth in section 2. So you have the Attorney General himself exercising the power to decide the guilt of the Communist Party. Then when the Communist Party is found under section 4, it is deprived of the right of setting up any valid defense because of a legislative finding of fact, and the executive decree of guilt on the part of the Attorney General.

You have taken away from the jury the right to pass on the substantive question of whether or not the Communist Party constitutes a Communist political organization as you have defined it in section 3 of the bill. You have taken away from the court and jury the question whether or not the Communist Party constitutes a clear and present danger; whether or not it is a foreign agent; whether or not it advocates force and violence; whether or not the Communist Party seeks to establish a totalitarian dictatorship under control of a foreign power. Thus we have an innovation here. We have a very serious innovation here. It is an innovation that changes our very form of government. Judicial processes, trial by jury, due process, prohibition against bills of attainder, prohibition against legislative determination of guilt, all of that is placed on the scrap heap, and under the pressure of hysteria, accompanied with beating the war drums of hatred against the Soviet Union and against the Communists, you ask the Members of this House to do this work. It is an innovation that changes our very form of government. Judicial processes, trial by jury, due process, prohibition against bills of attainder, prohibition against legislative determination of guilt, all of that is placed on the scrap heap, and under the pressure of hysteria, accompanied with beating the war drums of hatred against the Soviet Union and against the Communists, you ask the Members of this House to do this work. It is an innovation that changes our very form of government. Judicial processes, trial by jury, due process, prohibition against bills of attainder, prohibition against legislative determination of guilt, all of that is placed on the scrap heap, and under the pressure of hysteria, accompanied with beating the war drums of hatred against the Soviet Union and against the Communists, you ask the Members of this House to do this work. It is an innovation that changes our very form of government. Judicial processes, trial by jury, due process, prohibition against bills of attainder, prohibition against legislative determination of guilt, all of that is placed on the scrap heap, and under the pressure of hysteria, accompanied with beating the war drums of hatred against the Soviet Union and against the Communists, you ask the Members of this House to do this work. It is an innovation that changes our very form of government.

Mr. MUNDT. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The time of the gentleman from New York [Mr. RANKIN] has expired.

Mr. MUNDT. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. All debate has been closed on the pending motion.

Mr. MUNDT. Mr. Chairman, we now under the same privilege as that given the gentleman from New York [Mr. MARCANTONIO].

The CHAIRMAN. The gentleman will have his opportunity to make his motion after the disposition of the pending motion.

The question is on the motion offered by the gentleman from New York [Mr. MARCANTONIO].

The motion was rejected.

Mr. MUNDT. Mr. Chairman, I move to strike out the last three words and ask unanimous consent that all debate on this bill and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. MUNDT. Mr. Chairman, we now come face to face with the roll call for which a great many Members have been waiting for 10 years, because we have come face to face with the roll call to determine whether freemen operating within the framework of their charter of freedom, the Constitution of the patriotic organization in America is throwing its strength behind this bill, and when it gets to the other end of the Capitol you will see it taken up and, in my opinion, improved, strengthened, and passed.

Oh, I know it is the hope of you people who have fought the Committee on Un-American Activities all these years that this bill will die a Senate committee. I predict that when this measure goes to the other end of the Capitol, those patriotic Members, who are just as much interested in our country as we are, will take it up and pass it, and probably make it stronger. I hope they make it stronger than it is in the form in which it passes here today.

I also want to pay my respects to the subcommittee, to Chairman Thomas, and to all the other members of the committee who have served with me since 1945, when this committee was created as a standing committee and given power to legislate.

No committee of Congress has ever been abused by the enemies of our country as this one has. The members of this committee have been abused at the hands of the subversive elements, members of the Communist Party, the Communist International, and members of all Communist-front organizations throughout the Nation, than the members of any other committee that has ever existed in this House, at least since I have been a Member.

I congratulate the committee. I congratulate the House, on the passage of this measure; and I predict that the other body will follow suit and not only pass this bill, but probably make it stronger than it is now and help to save America for Americans.

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. RAMSAY] has expired.

Mr. MUNDT. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. All debate has been closed on the pending motion.

Mr. MUNDT. Mr. Chairman, we now under the same privilege as that given the gentleman from New York [Mr. MARCANTONIO].

The CHAIRMAN. The gentleman will have his opportunity to make his motion after the disposition of the pending motion.

The question is on the motion offered by the gentleman from New York [Mr. MARCANTONIO].
United States, have the power to protect themselves and their Government and their way of life against subversive secret activities, and to overthrow this Government and deliver its control to foreign countries.

The gentleman from New York (Mr. MacA ntonio) said that the Attorney General has indicated power now would he but decide to act. The Attorney General, however, said in appearing before the House Committee on Un-American Activities that specific authority was lacking. I lack the precise mandates which Congress should provide to give me the authority to move in against the subversive forces. I think the other body, however, said in appearing before the Committee that the other body perhaps will lay it aside and do nothing between now and the time Congress adjourns. I think the other body will rise to its responsibilities. I think that the other body will act or do nothing. Responsibility is ours in the House where we have wrestled with this problem in our Special Committee on un-American Activities for 10 long years to bring to bear the evidence and the information we have acquired in enacting this positive and constructive act from the standpoint of protecting America against subversive political activities such as the Communists in America.

This decision is now ours to make. Once it is made, the other body of this Congress must face up to its responsibilities or face the consequences of its own indigence and inaction. The time has come for America to act in the interests of the defense of its own freedom and its own institutions. We of the House propose to act today and I trust the other body will have within it a group of individuals who will move in behind the sponsorship of this legislation. I believe that such leadership exists in the other body and that it will put its shoulder to the wheel without delay. I believe the enlightened and awakened public opinion of this Republic expects such action and that it will insist upon it. We Republicans have promised the country to move effectively against communism in this country—many Democrats have promised their constituents the same thing. I believe this is a pledge which Republicans and Democrats will join in redeeming in the present situation.

Mr. Chairman, the long debate is over. The product of 10 long years of study and effort is now before us. Let us adopt it by an overwhelming vote and thereby give new hope to the forces of freedom around the world who are looking eagerly to America to point the way by which free men can protect their way of life against those who would enslave us all.

THE CHAIRMAN. All time has expired. The question is on the committee substitute, as amended, for the bill.

The committee substitute, as amended, was agreed to.

THE CHAIRMAN. Under the rule, the Committee rises. Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Wardworth, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee of the Whole House had had consideration of the bill, and for other purposes, pursuant to House Resolution 582, he reported the bill back to the House with sundry amendments adopted, as amended, and the Committee substitute, as amended, agreed to.

THE SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

Three amendments were agreed to.

THE SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. Holifield. Mr. Speaker, I am opposed to the bill in its present form and I offer a motion to recommit.

THE SPEAKER. The motion to recommit, the Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Holifield moves to recommit the bill H.R. 5852 to the Committee on Un-American Activities with instructions to report the bill as amended by a motion of the whole, as follows:

"Short title
"SECTION 1. This act may be cited as the 'Subversive Totalitarian Activities Control Act, 1947'.

"NECESSITY FOR LEGISLATION
"SEC. 2. As a result of evidence adduced before various committees of the Senate and House of Representatives, Congress hereby finds that—

1. The system of government known as totalitarian dictatorship is characterized by the existence of a single political party, organized on a dictatorial rather than a democratic basis, and by an identity between such party and its policies and the government and governmental policies of the country in which it exists, such identity being so close that the party and the government itself are for all practical purposes indistinguishable.

2. The establishment of a totalitarian dictatorship in any country results in the destruction of free democratic institutions, the ruthless suppression of all opposition to the party in power, the complete subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic of a democratic or representative form of government, such as freedom of speech and expression, of assembly and association, and of religious worship, and results in the maintenance of control over the people through fear, terrorism, and death of all who oppose the movement,

3. There exists a worldwide revolutionary political movement which, in its origins, its development and its present form, represents a worldwide revolutionary political movement whose purpose it is, by treachery, deceit, intimidation into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in all the countries of the world through the medium of a single worldwide Communist political organization.

4. The direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country.

5. The Communist dictatorship of such foreign country, in exercising such direction and control and in furthering the purposes of the world Communist movement, establishes or causes the establishment of, and utilities, in various countries, political organizations which are acknowledged by such Communist dictatorship as being constituent elements of the world Communist movement; and such political organizations are independent and free, but are mere sections of a single worldwide Communist organization and are controlled, dominated, and subject to the discipline of the Communist dictatorship of such foreign country.
(C) The political organizations so established in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship, and among the methods commonly used to accomplish this end in their continuous activities is (A) the disruption of trade and commerce, (B) the inciting of economic, social, and racial strife within the countries, (C) the dissemination of propaganda calculated to undermine established government and institutions, and (D) the act of officials of the Government and securing the appointment of their agents and sympathizers to offices and positions in the Government.

"(7) In carrying on the activities referred to in paragraph (6), such political organizations in various countries are organized on a secret, conspiratorial basis and operate to a substantial extent through organizations, commonly known as Communist fronts, which in most instances are created and maintained, or used, in such manner as to conceal from the public their true character and purposes and their membership. One result of this method of operation is that such political organizations are able to obtain financial and other support from persons who would not extend such support if they knew the true purposes of, and the actual nature of the control and influence exerted upon, such Communist fronts.

"(8) The world Communist movement, with the existence of affiliated constituent elements working toward common objectives in various countries, is in actuality that movement toward the carrying on of such activities for further the purposes of the movement. (9) In the United States those individuals who knowingly and willfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States and will be subject to the foreign agent statute if they transfer their allegiance to the foreign country in which is vested the direction and control of such foreign Communist movement and, in countries other than the United States, those individuals who knowingly and willfully participate in said foreign Communist movement similarly repudiate their allegiance to the countries of which they are nationals in favor of the objectives of the Communist movement.

"(10) In pursuance of communism's stated objectives, the most powerful existing Communist dictatorship has, by the traditional Communist methods referred to above, and in accordance with carefully conceived plans, already caused the establishment in numerous foreign countries, against the will of the people of those countries, of ruthless Communist totalitarian dictatorships, and threatens to establish similar dictatorships in still other countries.

"(11) The recent successes of Communist methods in various countries and the nature and control of the world Communist movement itself present a potential danger to the security of the United States and to the existence of free American institutions and make it necessary that Congress enact appropriate legislation prohibiting the existence of such worldwide conspiracy and designed to prevent it from accomplishing its purposes.

"Sec. 3. The Attorney General is hereby authorized and directed to prepare and submit to Congress a report:

"(1) A detailed report of efforts by the Department of Justice to enforce the several anti-Communist laws, including the anti-communist acts of Congress and the operation of the Communist Registration Act of 1948, as amended;

"(2) The act of June 8, 1938, entitled 'An act to revise and consolidate the registration of alien enemies.'

"Mr. MUNDT. Mr. Speaker, I move the previous question on the motion to recommit.

"The question was taken; and the Speaker announced that the "nays" appeared to have it.

"Mr. HOLIFIELD. Mr. Speaker, on that I ask for the yeas and nays.

"The yeas and nays were refused.

"So the motion to recommence was rejected.

"The Speaker. The question is on the passage of the bill.

"Mr. MUNDT. Mr. Speaker, on that I demand the yeas and nays.

"The yeas and nays were ordered.
Withstanding of the Whole today.

So the bill passed.

The Clerk announced the following pairs:

On this vote:
Mr. Doughton for, with Mr. Folger against.
Mr. Deane for, with Mr. Jackson of Washington against.
Mr. Hoffman for, with Mr. Kirwan against.

General pairs until further notice:
Mrs. Smith of Maine with Mr. Johnson of Oklahoma.
Mr. Thomas of New Jersey with Mr. Hébert.
Mr. Jenkins of Ohio with Mr. Bell.
Mr. Gross with Mr. Redden.
Mr. Morton with Mr. Fassman.
Mr. Mickey with Mr. Fisher.
Mr. Bramblet with Mr. Durham.  
Mr. Allen of California with Mr. Whitaker.
Mr. Anderson of California with Mr. Angle of California.
Mr. D'Ewart with Mr. Sigler.
Mr. Gallagher with Mr. Bonner.
Mr. Towe with Mr. Cooley.
Mr. Short with Mr. Kennedy.
Mr. Jenkins of Pennsylvania with Mr. Jones of North Carolina.
Mr. Kearney with Mr. Kefauev.
Mr. O'Connor with Mr. Lane.
Mr. Scoblick with Mr. Miller of California.
Mr. Knutson with Mr. Sheppard.

The result of the vote was announced as above recorded.

The amendments so as to read:
"A bill to protect the United States against un-American and subversive activities."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. NIXON. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days within which to extend their own remarks on this bill in the Record.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mrs. NORTON asked and was given permission to extend her remarks in the Appendix of the Record and include two articles.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the Appendix of the Record in two separate instances and in each to include extraneous matter.

Mr. MITCHELL asked and was given permission to include extraneous matter in the remarks he made in the Committee of the Whole today.

Mr. O'KONSKI asked and was given permission to extend his remarks in the Appendix of the Record in two separate instances and in each to include a newspaper article.

Mr. HESELTON asked and was given permission to revise and extend the remarks he made in the Committee of the Whole today and include extraneous matter.

Mr. PLUMLEY. Mr. Speaker, notwithstanding the request heretofore made, I now ask unanimous consent again to extend my own remarks in the Appendix of the Record to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. KEATING asked and was given permission to extend his remarks in the Appendix of the Record and include an editorial from the New York Herald Tribune and the Rochester Courier-Journal.

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the Appendix of the Record and include a radio address.

Mr. SEELY-BROWN asked and was given permission to extend his remarks in the Appendix of the Record and include a radio address.

Mr. KLEIN asked and was given permission to extend his remarks in the Appendix of the Record and include a radio address.

Mr. KERSTEN of Wisconsin asked and was given permission to extend his remarks in the Appendix of the Record in two separate instances and in each to include extraneous matter.

Mr. JUDD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the Record and to include therein an editorial from the Washington Post showing the necessity for an amendment of the United Nations Charter, in order to make it work more effectively.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARCANTONIO asked and was given permission to revise and extend the remarks he made in the Committee of the Whole today and include extraneous matter.

SURPLUS PROPERTY ACT—SUBSTITUTION OF CONFERENCE

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Harvey] be excused from serving as a conferee on the part of the House on the bill (H. R. 2329) to amend section 13 (a) of the Surplus Property Act of 1944, as amended, due to absence from the city.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none and appoints the gentleman from New York, Mr. Snyder, to serve as a conferee in place of the gentleman from Indiana. The Clerk will notify the Senate thereof.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLIECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

LEGISLATIVE PROGRAM

Mr. HALLIECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLIECK. Mr. Speaker, I am informed that a rule has been granted on the bill (S. 2356) having to do with meat inspection. This request was supported unanimously by the Committee on Agriculture, as I understand it. If we have time during the balance of the week, that bill may be called up.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Holifield, for 2 weeks, on account of official business.

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to addres the House for 10 minutes on tomorrow after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered. The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. Under previous special order of the House, the gentleman from Massachusetts [Mr. Roques] is recognized for 10 minutes.

VETERANS' HOMESTEAD HOUSING BILL

Mrs. ROGERS of Massachusetts. Mr. Speaker, lately there have appeared several incorrect statements regarding the cost of the veterans' homestead housing...
Mr. MATHEWS. I am so familiar with the interest of the gracious gentlewoman from Massachusetts in veterans' affairs generally and so familiar with the fine work she has done that I cannot refrain from mentioning to her every chance I get. I do so now.

In this connection it would be interesting to listen to a few figures which I compiled rather out of curiosity. Just take the three quarters of a million dollars, H. R. 3748, to which the gentlewoman from Massachusetts has just referred, and which increases the compensation a little less than $65,000,000 for 4 years. It is believed that the veterans Administration estimates the increased cost under that bill for the first year at $99,000,000 or thereabouts. Incidentally, information has just come to me that certain foreign countries, some of which are getting the money of our own taxpayers as gifts, have recently increased the benefits to their own war widows and orphans.

If we take the substitute Senate bill for H. R. 4007 the estimated cost will be about $7,000,000 over all. H. R. 5588, which is the dependency allowance bill, slightly increases the compensation to disabled veterans who are receiving compensation and who have dependent children, is estimated by the Veterans' Administration to cost an additional amount for the first year of around $61,000,000, or a little over. Now, taking a very generous look at this and calculating for 4 years at $250,000,000 instead of $99,000,000, that would cost $400,000,000 for 4 years, and calculating H. R. 5588 at even a greater amount than the Veterans' Administration estimates, that would cost $244,000,000 for 4 years, and then H. R. 4007, taking the substitute Senate 1391, would cost a total of $7,000,000. That is a grand total for 4 years of $651,000,000.

I find in the Congressional Record under date of March 25, in the remarks of the gentleman from Michigan (Mr. Woodrow), that under a cost of $2,000,000,000 for 4 years, and for 4 years at 4 years at $200,000,000, the Administration estimated that the total cost would be $1,000,000,000, or thereabouts. Incidentally, my interest stimulated by the almost unanimous vote of the House, and the President, and the Vice President, and the Senators of the United States, and on the floor of the House, Mr. Speaker, and the President, and the Vice President, and the Senators of the United States, and on the floor of the House, Mr. Speaker, I thought the gentlewoman from Massachusetts was very much interested in that observation.

Mr. MATHEWS. That is probably so, but I have given them the benefit of every doubt.

Mr. ROGERS of Massachusetts. I yield to the gentleman from Ohio.

Mr. MATHEWS. I cannot speak of the benefits to the veterans from New Jersey, Judge Matthews, and appreciate the devotion of the gentlewoman from Massachusetts for the welfare of the veterans. But, I want to further say that I realize that the chairman and all members of the careful work of the gentleman from New Jersey, Judge Matthews. There has not been a bill that what he has sought to get all the facts and give us the benefit of his investigation. We might further say that there is nothing even political about the gentleman from New Jersey, Judge Matthews. He is not a candidate; he is going to do much better at home in free activities, and I believe the gentlewoman will agree with me that no man will have more missed in this House, and he who has our best wishes, than the gentlewoman from New Jersey, Mr. Matthews.

Mr. ROGERS of Massachusetts. It will be a tremendous loss to everybody in the United States, and, most of all, to the veterans.

Mr. MATHEWS. Mr. Speaker, if the gentlewoman will yield, I thank the gentlewoman from Ohio, but the gentlewoman from Massachusetts very much for those kind remarks.

Mr. ROGERS of Massachusetts. I do not know what we will do without him.

The SPEAKER. Under previous order of the House, the gentleman from New York (Mr. Ross) is recognized for 15 minutes.

YOUTH FLIGHT TRAINING

Mr. ROSS. Mr. Speaker, never was there a time in the history of America when the minds of our young people—boys and girls—were more intensely focused on aviation. It is an awakening awareness of the vast potentialities of this field of endeavor for individual achievement, rather than a mere enthusiasm stimulator. It is an awakening awareness of the vast potentialities of this field of endeavor for individual achievement, rather than a mere enthusiasm stimulator.
This Congress has passed legislation authorizing a 70-group air force. This expansion of our military air power to the largest in peacetime history will accentuate youth's interest in aviation. Aviation is a young industry. It is likewise an industry for the young. There are millions of young people today who find in aviation the kind of work and life that appeals to their imagination and they are ready now. Not even the sky is the limit of their hopes.

Young America, having caught the germ of aviation, cannot be cured by any road block that may develop. The youth of the country should be encouraged to participate. If America is to retain its supremacy in the field of aviation, if we are to develop to the fullest the potentialities of this great industry, if we are to have a trained reservoir of young manpower, schooled in the fundamentals of aviation, to meet the requirements of a sudden war, then the Federal Government must inaugurate a broad national science of aviation. This is a young industry. It is like­wise an industry for the young. There are millions of young people today who are interested in aviation the kind of work and life that appeals to their imagination and are ready to do their bit.

The growth of flight training and the quantity and quality of aviation education are matters of national concern. Early flying training costs more than the large majority of our young people can afford, so it becomes evident that Federal assistance to a new civilian flight-training program for our youth is desirable and essential if our Nation is to continue to lead the world in all fields of aviation development.

**VITAL IMPACT OF CPT-WTS PROGRAMS ON AVIATION EDUCATION**

Despite criticism from certain quarters leveled toward the civilian pilot training program of the Civil Aeronautics Administration during 1930 to 1944, this program undeniably proved the most farsighted and progressive step ever taken in American aviation. Also, the GI flight-training program carried on under the Servicemen's Readjustment Act—withstanding the obvious abuses about which most of you have heard—has been of inestimable value to the progress of aviation.

Let us take a look at the record of the former CPT-WTS programs, since they present a more comprehen­sive picture of civil aviation training objectives. The original GI flight-training program is restricted only to veterans of World War II and is of temporary nature, is my reason for advocating a national program of youth flight training. The GI flight-training program had the twofold justification of creating a large reservoir of young pilots for national defense and of stimulating the advancement of aviation, which surprisingly had lagged behind others although it afforded the greatest potential for new employment and investment opportunities.

After the preceding CPT program shifted to a wartime basis and training was given only to those men in the Reserve and finally on active duty, the pace was greatly increased. By the end of the period a staggering total of 326,816 men received CPT-WTS courses. It cannot be claimed that these trains were finished military pilots, but they cannot be questioned for the paralyzing blows struck by our Air Force against Nazi production and communications would have been dangerously delayed without the patriotic service of the civilian flight schools that participated in the program.

Militarily speaking, CPT yielded re­turns which have not been fully appreciated by the general public. Out of the 91,139 trainees completing one or more courses on the original civilian basis, more than 62,000 entered military aviation or a closely related wartime activity.

As a result of the CPT programs, there was a striking increase in the total number of pilots and the total number of civil aircraft purchased—about 435,000 trains received close to 12,000,000 hours of flying in schools that participated in the program. Also, the number of privately owned registered aircraft increased from 13,507 in 1939 to 24,470 in 1941, or 45.4 percent.

The direct and far-reaching benefits to both civil and military aviation resulting from the CPT-WTS programs can never be valued in mere dollars and cents. Certainly, some mistakes were made. Any program of such magnitude cannot be perfect. Any program cannot escape errors, and the many other complications involved in a tremendous undertaking. But out of the melting pot of complexities emerged such vital national aviation development and advancement that the programs will forever reflect creditably for its founders.

At this point, I might add that the far­sighted men who conceived and piloted the CPT-WTS program were well aware that they were putting the cart before the horse. They also well knew that any long-range program in aviation should begin with aviation education at the grade-school level—the grass roots, if I may repeat a well-worn expression. They further knew that time was a premium for already war clouds were darkening the European horizon when authorization was granted by Congress for the first experimental program. It was then a matter of grave concern to train young men of college age who would be ready to defend our skies if war came soon—as it did. Such outstanding young men as Majors Joe Ross, Walter Mahnken, Lieutenants Theodore F. W. Vos, and America's leading air aces in World War II, began their flying careers in the CPT program.

**CPT ACHIEVEMENTS**

The over-all achievements of the CPT program are too manifold to mention, but I would like to call to your attention a few of the major ones. Many thousands of persons, stimulated by the example of CPT trainees in their community, learned to fly on their own and to buy new aircraft. Moreover, CPT contracts helped to establish new centers of personal flying activity which continued to expand after the program was terminated. Many horizon­defeated aviators were given an opportunity to enlarge the scope of their activities and to improve their facilities. Also, many new fixed-base operators came into being with new airports and landing fields. It is interesting to note that before the inaugu­ration of CPT in 1939 there were only 37 CAA approved flight schools, by the end of the period, the CPT-WTS program ended with 470 approved flight schools, or about a 1,300-percent in­crease. This increase proved not only quantitative but qualitative since an ap­proved flight school must provide instruction of uniformly high standard. Today, there are 3,000 approved flight schools.

The record of the CPT schools from the safety standpoint was recognized by Congress in 1944 for the CAA, revealed that during the period of CPT operations, they lowered their rates seven times based on accumulated actuarial experience. At the beginning of the program, rates were as high as $35 for a $3,000 policy but were eventually reduced to $4.90 for the same policy, including hospitalization.

The CPT program also was instrumen­tal in establishing aviation as a per­manent course in the college and university curriculum. The American Council on Education, in its survey conducted in 1946 for the CAA, revealed that at least 399 institutions of higher learning offered academic work in aviation with the majority of courses giving academic credit. Today, an increased number of colleges and universities are providing such courses.

**AVIATION COURSES INTRODUCED IN ELEMENTARY AND SECONDARY SCHOOLS**

Elementary and secondary schools throughout the Nation are increasingly interested in establishing aviation courses, as part of their curriculum, as a result of the activities of aviation education in their community. The avid enthusiasm of boys and girls in anything aviation caused educators to recognize that aviation had become as essential an element in our cultural pat­tern as grammar and arithmetic. To­day, more than half of the Nation's high schools are including some form of avi­ation education in their curriculum. Many of the secondary schools have added to their classroom work actual flight experience—generally about a hour of dual instruction with the object of giving the student a clearer understand­ing of the principles of flight. In addi­tion, millions of students in our public schools already have taken aviation courses or other courses in which aviation subjects have been introduced.

**WHAT IS AVIATION EDUCATION?**

I have purposely discussed at length the CPT-WTS programs so that their far-reaching and vital impact on American aviation and education could better be understood. It should be clearly recognized that aviation education goes far beyond purely flight training. It in-
volves new ideas regarding international, social, and political relationships. It em­braces a new world aero-economy. It provides changed geographical thinking and, even more significant than these, it offers an understanding of air power and its potentialities for the future course of world developments.

Aviation education is the study of all aspects and effects of the airplane, most important of which is the airplane's effect on individual living and on world de­velopment.

World-famous sociologists, political scientists, and economists have said that the airplane is now in the process of bringing about more change in the way people live than did the industrial revolu­tion of the seventeen hundreds. This means revolutionary changes for the youth of this generation.

It is, therefore, the job of aviation edu­cation to bring to both youth and adults of this age, first, understanding of the new world concepts which the airplane is making; second, understanding of those institutions that are being established now and will be established in the future for the training of pilots in aviation in the learning interests of mankind. These understandings may be taught in special classes.

More often, however, in their general­education aspects they are fused into the regularly taught subjects of the curric­ulum.

Senator Knowland, of California, in his recent article on Aviation Education, said:

"In this atomic age in which we live, the United States must keep ahead of the field in both civilian and military aviation. Out of our schools and colleges will come those who will make sure that we maintain our place of leadership.

Therefore, because of the dynamic effect of the airplane on the world and because the understanding of air-world ideas is a primary necessity for efficient and peaceful living in an atomic age, we must have aviation education in the modern school curriculum."

AVIATION INDUSTRY OWES ACHIEVEMENTS TO EDUCATION

Our great aviation industry of today, with all of its magnificent achievements owes its very existence and its future to educational institutions of the Nation. With many a scientist, no engineer, no manager there would be no airplane and no aviation industry.

Education produced the scientists who penetrated the innermost secrets of atomic energy; education produced the engineers who perfected the atomic bomb; education must produce the scien­tists who will make sure that we maintain our place of leadership.

The CAA is charged by Congress with fostering and developing of civil aviation. This Government organization recognizes that if aviation is to reach its maximum development it must foster greater public understanding of all its aspects.

AVIATION TRAINING MUST BE EXTENDED TO ALL EDUCATIONAL LEVELS

The pioneering work of the Federal Government in stimulating the interest of our youth in aviation cannot now be in critical times, but must be con­tinuously encouraged and strengthened. Aviation training must be extended to all levels of our educational system in order that knowledge and skill in its varied phases may be widespread throughout the Nation, and a funda­mental understanding of the fundamentals for the uninterrupted development and advance­ment of civil aviation.

Since one of the major functions of education is by increasing young people to live effectively, it becomes our duty to consider the effects of aviation which tend to change the life and thinking of our Nation and of the world. By the same token, educators will wish to make themselves more effective by adapting the schools to the social, economic, polit­ical, and moral changes which have been, and will be, brought about by the growth of aviation.

It is in our schools that the intelligent appreciation and understanding of aviation may commence, and be fostered and encouraged. The problem is not one of choosing between new interests which aircraft are bringing into the daily ex­perience of boys and girls and the traditional interests of school learning. It does not imply displacing or slighting the basic academic studies.

At this very moment, there is an ideal combination of circumstances—national and international—conducive to aviation growth. If we are lagging in our re­sponsibilities many of these favorable factors will be lost. With congressional sight and cooperation, a $20,000,000,000 war-developed industry, instead of re­tarding in development, can pioneer to a new and almost limitless economic fron­tier tomorrow, through the aviation training of our youth today.

AVIATION NOW BIG BUSINESS

We all appreciate that aviation—in its many facets—has developed into big business, although in the matter of de­velopment it is still a young business. It is not only big business, it is a potent factor in our domestic and international affairs and world commerce.

But to be­come big business it was necessary to begin as small business, suffering the hardships, the physical and financial re­verses, and to pioneer revolutionary ideas. The success in the achievement of mature status over the past few decades.

It is inevitable that the American peo­ple think in terms of big accomplish­ments—the world's largest aircraft, the greatest number of air routes, the const­ant establishment of world air records, and the like. But let us not lose sight of the fact that outstanding aviation achievements may be traced back to the earlier pioneering of the small operators, who in the infancy of aviation provided the impetus which fired the imagination of our scientist, techni­cians, and business tycoons and made aviation what it is today.

AVIATION FUTURE STAGGERS IMAGINATION

The future of aviation is so tremen­dous that staggeres the imagination. None of us knows exactly its limitations or its potentialities. We can only watch the inevitable progress of this youngest of industries, its phenomenal growth in every possible way.

It is only fitting that I conclude my remarks with another quotation from the same-mentioned congressional report on the same page:

An aeronautical educational program should be established throughout the public-school system in order that the developments of the age—global geography, meteorol­ogy, navigation, mechanics, communications, and the rudiments of flight—are well un­derstood by future generations.

I am preparing a bill which I will in­troduce next week authorizing the CAA to sponsor and promote a Nation-wide program of education and training in aviation for elementary and secondary schools. Let us make America a Nation with mightier wings by teaching all of our youth basic aviation principles now.

EXTENSION OF REMARKS

Mr. MUNDT asked and was given per­mission to extend his remarks in the following:

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3219. An act to authorize the Federal Works Administrator or officials of the Fed­eral Works Agency duly authorized by him to appoint special policemen for duty upon Federal property under the jurisdiction of the Federal Works Agency, and for other purposes;

H. R. 3210. An act to authorize the con­struction, protection, operation, and main­tenance of public airports in the Territory of Alaska; and

H. R. 5189. An act to amend the National­ity Act of 1940.

The Speaker announced his signature to enrolled bills of the Senate of the fol­lowing titles:

S. 188. An act for the relief of Dionisio R. Trevino; and

S. 511. An act for the relief of Reginald Mitchell; and

S. 1650. An act to amend the immigra­tion laws to deny admission to the United States of aliens who may be coming here for the purposes of engaging in activities which will endanger the public safety of the United States.

S. 1927. An act to authorize exploration for and disposition of the rentals and royalties from leases issued under the act entitled "An act to authorize the con­struction of canals on the upper Colorado River basin on the same page:

"An act to promote the mining of potash on the public domain," approved February 4, 1927, so as to provide for the disposition of the rentals and royalties from leases issued or renewed under the act entitled "An act to authorize the exploration for and disposition of potassium," approved October 2, 1917;

S. 1905. An act to amend section 26 of the Federal Power Act so as to provide that the States may apply for reservations of portions of power sites released for entry, location, or selection to the States for highway purposes;

S. 1963. An act for the relief of Lowe Yuen, and Dang Chee;

S. 1451. An act for the relief of Perfecto M. Bisco and Joan Bisco; and

S. 1483. An act for the relief of Guy Cheng; and

S. 1571. An act to promote the national defense by increasing the membership of the National Advisory Committee for Aeronautics, and for other purposes; and

S. 1597. An act for the relief of Leo Hamer·
H. R. 3350. An act relating to the rules for the prevention of collisions on certain inland waterways of the United States and on the eastern rivers, and for other purposes; and
H. R. 5958. An act to permit the temporary sale and racing of Government-owned lands, increasing the amount of exemptions allowed for personal purchases abroad.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.), under its previous order, the House adjourned until tomorrow, Thursday, May 20, 1948, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1968. A communication from the President of the United States, transmitting a revision of the appropriation language for fiscal year 1949, involving an increase in the amount of $150,000,000 for civil functions, Department of the Army (H. Doc. No. 608); to the Committee on Appropriations and ordered to be printed.

1969. A letter from the Comptroller General of the United States, transmitting a report on the audits of Federal Savings and Loan Corporations for the fiscal years ended June 30, 1945 and 1946 (H. Doc. No. 669); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

1970. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated March 3, 1946, submitting a report, together with accompanying papers and an illustration, on a review of reports on the Mississippi River between the Missouri River and Minneapolis for the construction of a harbor at Fort Madison, Iowa, requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on July 9, 1945 (H. Doc. No. 661); to the Committee on Public Works and ordered to be printed, with one illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DONDEO: Committee on Public Works. H. R. 5710. A bill to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, by an amendment (Rept. No. 1981). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 6448. A bill to direct the Administrator of Veterans' Affairs to convey certain land in Tennessee to the city of Johnson City; with amendments (Rept. No. 1986). Referred to the Committee of the Whole House on the State of the Union.

Mr. JENNINGS: Committee on the Judiciary. H. R. 6130. A bill for the relief of certain postal employees; without amendment (Rept. No. 1992). Referred to the Committee of the Whole House.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JENNINGS: Committee on the Judiciary. S. 282. An act for the relief of the estate of Lee Jones Cardy; without amendment (Rept. No. 1977). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 314. An act for the relief of Robert A. Davis; without amendment (Rept. No. 1977). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 425. An act for the relief of Alex Wren; without amendment (Rept. No. 1977). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 1065. An act of relief of Mrs. Irma M. Pierce and Charles Z. Pierce; without amendment (Rept. No. 1979). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 1206. An act for the relief of Jack O'Donnell Graves; without amendment (Rept. No. 1989). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 1688. An act for the relief of E. W. Strong; without amendment (Rept. No. 1981). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 1869. An act for the relief of Charles O. Glenn; with an amendment (Rept. No. 1986). Referred to the Committee of the Whole House.


Mr. BYRNE of New York: Committee on the Judiciary. H. R. 7076. A bill for the relief of Lester C. Glenn; without amendment (Rept. No. 1986). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 1236. A bill for the relief of Jennifer O'Byrne and Arthur Andrew Andersen, infant son of Carl Edward Andersen; with amendments (Rept. No. 1987). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 2045. A bill for the relief of Mabel Brown; without amendment (Rept. No. 1981). Referred to the Committee of the Whole House.

Mr. CASAGRANDE: Committee on the Judiciary. H. R. 2506. A bill for the relief of James I. Mathews; with an amendment (Rept. No. 1989). Referred to the Committee of the Whole House.

Mr. REEVES: Committee on the Judiciary. H. R. 5062. A bill for the relief of Walter Vanderlaan, Esther S. Vanderlaan, Alabarra Ardena, L. Rice, and James E. Wobb; with amendments (Rept. No. 1990). Referred to the Committee of the Whole House.

Mr. REEVES: Committee on the Judiciary. H. R. 5710. A bill for the relief of Mr. and Mrs. Judge E. Estes; with an amendment (Rept. No. 1992). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 6088. A bill for the relief of Elizabeth Rowland; without amendment (Rept. No. 1993). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KILDAY: H. R. 6616. A bill to create additional Secretaries of the Armed Services for Reserve components in the Committee on Armed Services.

By Mr. LANHAM: H. R. 6617. A bill to provide military leave with pay for members of the Reserve Corps of the Army and Air Force who are officers or crewmen in the District of Columbia; to the Committee on Armed Services.

By Mr. JIEHLMAN: H. R. 6618. A bill to provide for certain administrative expenses in the Post Office Department, including retaliation of pneumatic-tube systems, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WEBST: H. R. 6619. A bill authorizing the transfer to the United States Section, International Boundary and Water Commission, by the War Assets Administration of a portion of Fort Brown at Brownsville, Tex., and adjacent borrow area, without exchange of funds or reimbursement; to the Committee on Expenditures in the Executive Departments.

By Mr. CURTIS (by request): H. R. 6620. A bill to provide for cooperation with the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing paleontological investigations in areas which will be flooded by the construction of Government dams; to the Committee on House Administration.

By Mr. EVINS: H. R. 6621. A bill to provide for the construction of a new office at Watertown, Tenn., to the Committee on Public Works.

By Mr. REGAN: H. R. 6622. A bill to provide for the conversion of a certain building, in the city of Dallas, Tex., to the Kennitl Chamber of Commerce; to the Committee on Public Works.
By Mr. RUSSELL:  
H. R. 6622. A bill to stimulate the produc­tion of strategic and critical ores, metals, and minerals for the estab­lishment within the Department of the Interior of a Mine Incentive Pay­ments Division, and for other purposes; to the Committee on Banking and Currency.

By Mr. HARDIE SCOTT:  
H. R. 6623. A bill to authorize the Housing and Home Finance Administrator to transfer certain war housing projects to the Phila­delphia Housing Authority; to the Committee on Banking and Currency.

By Mr. COX:  
H. R. 6624. A bill to provide for the confer­ring of the degree of bachelor of science upon poses; to the Committee on Merchant Marine and Fisheries.

By Mr. KEOCH:  
H. R. 6625. A bill to provide for the con­struction, extension, and improvement of school buildings in Hoopa, Calif.; to the Committee on Public Works.

By Mr. LEA:  
H. R. 6626. A bill providing for the sus­pension of annual assessment work on mining claims held by location in the United States; to the Committee on Public Lands.

By Mr. CLASON:  
H. R. 6627. A bill to provide for a program in relation to offshore or undersea activities under the direction of the United States Maritime Commission, and for other pur­poses; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL:  
H. J. Res. 407. Joint resolution to clarify the application of the existing excise tax im­posed on certain fans under section 3406 (a) (3) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. COFF:  
H. J. Res. 408. Joint resolution to autho­rize the cancellation and release of an agree­ment dated December 31, 1923, entered into between the port of Seattle and the United States of America, represented by the United States Shipping Board acting through the United States Shipping Board Emergency Fleet Corporation; to the Committee on the Judiciary.

By Mr. JUDD:  
H. J. Res. 409. Joint resolution providing for membership and participation by the United States in the World Health Organiza­tion and authorizing an appropriation there­for; to the Committee on Foreign Affairs.

By Mr. MACK:  
H. J. Res. 410. Concurrent resolution estab­lishing a Joint Committee on the Olympic National Park; to the Committee on Rules.

By Mr. LUCE:  
H. Con. Res. 204. Concurrent resolution au­thorizing the disposal of certain obsolete Govern­ment publications now stored in the fol­lowing rooms of the Congress; to the Com­mittee on House Administration.

By Mr. HERTER:  
H. Con. Res. 205. Concurrent resolution to provide for the transfer of the records of the Select Committee on Foreign Aid to the Joint Committee on Foreign Economic Cooperation; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:  

By Mr. AUDUBON H. ANDERSEN:  
H. R. 6630. A bill for the relief of William B. Buck; to the Committee on the Judiciary.

By Mr. MONSEY:  
H. Res. 728. A bill to reimburse the James & Phelps Construction Co.; to the Committee on the Judiciary.

By Mr. SPENCE:  
H. R. 6631. A bill for the relief of William Luttrell; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk’s desk and referred as follows:  

1962. By Mr. HART: Petition of the mem­bership of the Medical Society of New Jersey to the Rules Committee of the House of Rep­resentatives, to reconsider the report on the World Health Organization of the United Na­tions; to the Committee on Rules.

1968. By Mr. LEWIS: Petitions of 127 citi­zens, urging prohibition of the use of grain by the brewers and distillers of the United States; to the Committee on Banking and Currency.

1964. By Mrs. ROGBRTH of Massachusetts: Petition of the town of Lexington, Mass., stating that our United Nations delegates present or support an amendment of the Charter for the purpose of constituting the United Nations a world government; to the Committee on Foreign Affairs.

1965. By the SPEAKER: Petition of Leo Seren and other members of their commu­nity objecting to the application of the existing excise tax with reference to defeat of legisla­tion titled “The Subversive Activi­ties Control Act”; to the Committee on Un-American Activities.

Also, petition of J. Seabrooks and others, petitioning consideration of their resolution with reference to defeat of legisla­tion titled “The Subversive Activities Control Act”; to the Committee on Un-American Activities.

1966. Also, petition of Mrs. Lutt’sau and others, petitioning consideration of their resolution with reference to defeat of legisla­tion titled “The Subversive Activities Control Act”; to the Committee on Un-American Activities.

Also, petition of Mrs. Sara Martin and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Foreign Affairs.

1967. Also, petition of Mrs. Rosa Martin and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1968. Also, petition of Mrs. William Collins and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1969. Also, petition of H. A. Harber, Miami, Fla., and others, petitioning consider­ation of their resolution with reference to endorse­ment of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1970. Also, petition of Miss Pauline Arnold and others, petitioning consideration of their resolution with reference to endorse­ment of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1971. Also, petition of Mrs. H. Treckman and others, petitioning consideration of their resolution with reference to defeat of legis­lation titled “The Subversive Activities Con­trol Act”; to the Committee on Un-American Activities.

1972. Also, petition of Sylma L. Gallant and others, petitioning consideration of their resolution with reference to defeat of legis­lation titled “The Subversive Activities Con­trol Act”; to the Committee on Un-American Activities.

SENATE

THURSDAY, MAY 20, 1948

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

O Lord our God, while dealing honestly with things as they are, keep alive our hope that things may yet be better than they are. "Earth shall be fair and all her people will know that hour shall God's whole be done."

Give us faith to believe in the possibility of change, that, each in his own place, we may do all we can to change from bad to good, and from good to better, until Thou art satisfied with our labors. In the name of Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 19, 1948, was dispensed with, and the Journal was laid upon the table.

MESSAGES FROM THE PRESIDENT

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

MESSAGE FROM THE HOUSE

A message from the House of Repre­sentatives, by Mr. Swanson, one of its reading clerks, informed the Senate that Mr. Snyder had been appointed a man­ager on the part of the House at the con­ference on the disagree­ments in the two Houses on the amendments of the Senate to the bill (H. R. 2339) to amend section 13 (a) of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political sub­divisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes, vice Mr. Harvey, excused.

The message also informed the Sen­ate that Mr. Manasco had been ap­pointed a manager on the part of the House at the conference on the disagree­ments in the two Houses on the amendments of the Senate to the bill (S. 2277) to amend section 13 of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political sub­divisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes, vice Mr. Holifield, excused.

The message announced that the House had passed a bill (H. R. 5852) to protect the United States against un­American and subversive activities, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1525, an act to provide for furnishing transportation for certain Government and other personnel, and for other purposes;  
S. 1723, an act to amend the acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Rep­ublics so as to permit such courses of in­struction to be given to Canadians; and  
S. 1729, an act authorizing and direct­ing the Fish and Wildlife Service of the De­partment of the Interior to undertake cer­tain studies of the soft-shell and hard­shell clams.

ORDER FOR CONSIDERATION OF CALENDAR ON MONDAY

Mr. WHERRY. Mr. President, several Senators have inquired when another call of the calendar will be had for the consideration of unfinished bills. I ask unanimous consent at this time that when the Senate convenes on Monday next, May 24, it proceed to the call of