PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CROSSER:

H. R. 9733. A bill to amend the Civil Aeronautics Act of 1938, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PRIEST:

H. R. 9734. A bill to amend the National Service Life Insurance Act of 1940 to provide insurance for members of the Tennessee Air National Guard who were killed in a plane crash near Myrtle Beach, S. C., on July 23, 1950; to the Committee on Veterans' Affairs.

By Mr. WITHROW:

H. R. 9735. A bill to assist the national defense by authorizing the provision of housing at reactivated military installations, and for other purposes; to the Committee on Banking and Currency.

By Mr. CELLER:

H. R. 9736. A bill to provide for the pooling of unused immigration quotas; to the Committee on the Judiciary.

By Mrs. DOUGLAS:

H. R. 9737. A bill to protect the internal security of the United States, to provide for the detention in time of emergency of persons who may commit acts of espionage or sabotage, and for other purposes; to the Committee on the Judiciary.

By Mr. GAMBLE:

H. R. 9738. A bill to create the War Damage Corporation; to the Committee on Banking and Currency.

H. R. 9739. A bill to grant succession to the War Damage Corporation; to the Committee on Banking and Currency.

H. R. 9740. A bill to amend section 23 of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. DONOHUE:

H. R. 9741. A bill to authorize the naturalization of parents of veterans without regard to certain requirements of the naturalization laws; to the Committee on the Judiciary.

H. R. 9742. A bill to establish a Federal Commission for the Physically Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

H. R. 9743. A bill to provide for the payment of retroactive death pension to widows and children of veterans after 7 years' continued and unexplained absence; to the Committee on Veterans' Affairs.

H. R. 9744. A bill to permit holders of bonds issued under the Armed Forces Leave Act of 1946 to assign such bonds for the purpose of making payment on certain loans guaranteed under the Servicemen's Readjustment Act of 1944; to the Committee on Armed Services.

H. R. 9745. A bill to provide for the recall of officers to active duty for purposes of rehospitalization and evaluation; to the Committee on Armed Services.

By Mr. FORD:

H. R. 9746. A bill to amend the Army and Air Force Vitalization and Retirement Equalization Act of 1948, so as to remove certain limitations upon the retirement of members of the Reserve components of the Armed Forces; to the Committee on Armed Services.

By Mr. SIKES:

H. R. 9747. A bill relating to amounts made available for grants for hospital construction for the fiscal year ending June 30, 1951, and for other purposes; to the Committee on Appropriations.

By Mr. GORSKI:

H. R. 9748. A bill to provide for the issuance of a special postage stamp in commemoration of the centennial of the founding of the first settlement of Polish immigrants in the United States at Panna Maria, Tex.; to the Committee on Post Office and Civil Service.

By Mr. MORRIS:

H. J. Res. 545. Joint resolution for the establishment of a commission to study the need for simplification, modernization, and consolidation of the public-land laws, to make appropriate recommendations for an effective public land law system, and for other purposes; to the Committee on Public Lands.

By Mr. BURKE:

H. Con. Res. 289. Concurrent resolution for the establishment of a United Nations Police Authority; to the Committee on Foreign Affairs.

By Mr. DONOHUE:

H. Res. 865. Resolution calling upon Congress to take effective action against the spread of inflation and the high cost of living; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKLEY of New York:

H. R. 9749. A bill for the relief of Avram, Malvina and Arthur Schonbrun; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. R. 9750. A bill for the relief of Adrian Van Leeuwen; to the Committee on the Judiciary.

H. R. 9751. A bill for the relief of Adrian Van Leeuwen; to the Committee on Armed Services.

By Mr. KING:

H. R. 9752. A bill for the relief of David Mark Sterling; to the Committee on the Judiciary.

By Mr. MADDEN:

H. R. 9753. A bill for the relief of Panagiota Kolintza Karkalatos; to the Committee on the Judiciary.

By Mr. MORRISON:

H. R. 9754. A bill for the relief of Aba Szejnbejm, Mrs. Dvora Szejnbejm, and Shlomo Szejnbejm; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 9755. A bill for the relief of James Veidelis; 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:

2380. By Mr. HOPE of Kansas: Petition of parents and citizens of Meade, Kans., demanding that in the present drafting of our youth for military training there be written into bills a provision that no alcoholic beverages may be served or sold in camps where these youth are, or nearer than 10 miles from such camps; to the Committee on Armed Services.

2381. By the SPEAKER: Petition of Omar Brown, chairman, Legislative Assembly of the Virgin Islands, St. Thomas, V. I., relative to taking favorable action on the establishment of National Guard units in the Virgin Islands; to the Committee on Armed Services.

2382. Also, petition of Emil Loriks, secretary-treasurer, South Dakota Farmers Union, Mitchell, S. Dak., relative to enactment of an excess profits tax; to the Committee on Ways and Means.

2383. Also, petition of M. C. Cunningham, secretary, Gulf Ports Association, Mobile, Ala., relative to the lack of utilizing cargo space at Gulf ports on ships withdrawn from the maritime reserve fleet in the Gulf area and urging that such ships be loaded at Gulf ports; to the Committee on Merchant Marine and Fisheries.

SENATE

SATURDAY, SEPTEMBER 23, 1950

(Legislative day of Friday, September 22, 1950)

(Continuation of proceedings of the Senate of Friday, September 22, 1950, from 11:45 o'clock p. m. of that date:)

PROTECTION AGAINST CERTAIN UNAMERICAN AND SUBVERSIVE ACTIVITIES—VETO MESSAGE

The Senate resumed the reconsideration of the bill (H. R. 9490) to protect the United States against certain un-American and subversive activities by requiring registration of Communist organizations, and for other purposes, the objections of the President of the United States to the contrary notwithstanding.

Mr. LANGER, Mr. JENNER, and Mr. JOHNSTON of South Carolina addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. LANGER. Mr. President, inscribed on the Statue of Liberty are these words, which describe what America has come to mean to us and to the whole world:

Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore,
Send these, the homeless, tempest-tossed, to me.
I lift my lamp beside the golden shore!

We know this description of America is true. We know that America was carved out of the remnants of five ancient empires—the British, the French, the Spanish, the Dutch, and the Russian. And we know that throughout the past years millions of the hungry, of the exploited, of the persecuted and the oppressed, have found their ways to these shores to find a new life in freedom under law.

We have learned from this experience how deeply the love of liberty is ingrained in the hearts of our fellow men. This love of liberty cannot be restricted or extinguished by the accidents of party, race, creed, or caste.

From all over the world liberty-loving men and women, of every walk of life, have come to these shores, and in their new-found freedom and dignity have made lasting contributions to our way of life. At the same time their faith has grown with the years and has helped to strengthen the roots of human dignity and decency, upon which our way of life depends.

Tonight we find this heritage under direct attack by forces which seek to undermine the very foundation of human freedom. Both from without and from within these forces are eating away at the very foundation upon which the future of our freedom depends.

I am sure there is no need for me to go into details to describe the forces of tyranny that are operating outside our borders. Suffice it to say that, in one form, these forces are seeking to undermine existing democratic institutions, for the purpose of reimposing an ancient

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tyranny, masquerading in a modern dress.

In another form these forces are seeking to perpetuate a status quo in the colonial areas of the world, which would keep in subjugation the hundreds of millions of helpless peoples, who for hundreds of years have been cruelly exploited and inhumanly degraded by the brute power of western imperialism.

I mention these two totalitarian trends only to show that, at least up until now, America has fought on the side of the under dog, always championing the exploited, the persecuted, and the oppressed.

That is why tonight I consider it such a privilege to be able to share my thoughts with you and to ask that you give serious consideration to what I consider to be the gravest threat to the fuller realization of our own civil rights, which we are so earnestly seeking.

This threat lies in the trend toward centralization of power, and of control of our economic, social, political, and personal lives, right here in our own midst.

I believe history fully demonstrates that the reason why the American people have remained a champion of the persecuted and oppressed abroad, and the reason why we have been able to provide sanctuary for those who sought to escape the defilement of human personality, by foreign tyrannies, is that those who framed our Constitution and our magnificent Bill of Rights did everything in their power to prevent the emergence of a centralized, authoritarian government in our own midst.

That is why I believe that the present trends that have developed in our midst constitute the gravest threat to the fuller realization and extension of our own civil rights guaranties to our own people, which is what we all so earnestly desire.

What is to be done about this threat? I ask this question because until we answer it intelligently and courageously I see no way in which we can avoid further confusing the issues in our civil-rights program, nor do I see any way in which we can avoid playing directly into the hands of the totalitarian forces already operating in our midst.

As I see it, there are three ways in which we can answer this question. First, we can ignore the obvious truth that true progress is a wisely balanced mean between the lessons of experience and new vision, and, by letting our emotions run away with us, join with those forces which seek to force changes in our form of government, in our economic, social, and personal life, by destroying the safeguards of human freedom which have been built up through the years.

So far as this course of action is concerned I believe it can only lead to grief.

The second course we may follow would be to ignore the historical truth that societies either advance or recede, that they never stand still, and to line up with the forces of reaction in this country which seek to perpetuate, either through greed or fear or ignorance, a status quo with all its economic, social, and personal injustices and discriminations.

For myself, I know of no surer way of clamping the lid down on this melting pot that is America and building up the explosive forces, which in any society precipitates a catastrophe.

The third course that is left open to us is the course of genuine progress suggested by what, in my humble opinion, is the counsel of true liberalism. I believe that true liberalism is the faith that the truth will triumph in free conflict, and that the pursuit of truth alone will make men free.

Throughout my life I have followed the dictates of the truth as God has given me the light to see it. And I have found that in the pursuit of this truth, and in my determination to see justice done, I have been brought into a constant association with the underdog, with the folks who travel the cross roads and the cross walks of the Nation. This is how, from my own experience, I have learned where the gravest threat to the civil rights of our people really lies. I have learned that this threat lies in the hands of powerful individuals and groups, in the hands of monopolies and vested interests, in the hands of bureaucrats, and all the others who have succeeded in grasping the power with which to suppress the truth and to deny to those in the grass roots the rights which are theirs under the Constitution.

From this experience I have learned that the denial of civil rights, which is basically a denial of justice, thrives only where there is sufficient concentration of economic, social, or political power to impose and protect such a perversion of justice.

I come right back to what I said a moment ago about this country getting into the hands of monopolies and vested interests.

Mr. President, for 10 years I have been a member of the Committee on the Judiciary of the Senate. During eight of those years the committee was dominated by the Democratic Party. During two of those years it was dominated by the Republican Party. In 1891 Congress passed the Sherman antitrust law. From 1891 to the present time for approximately one-half the time we have had a Democratic Congress and a Democratic Attorney General. During the other half of the time we had a Republican Congress and a Republican Attorney General. In my judgment, Mr. President, it did not make the slightest bit of difference whether we had a Democratic administration and a Democratic Attorney General, or whether we had a Republican administration and a Republican Attorney General, so far as the common people of the United States were concerned, for they got by far the worst end of the stick. We passed the Sherman Antitrust Act in 1891.

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

Mr. LANGER. I am sorry, but I must decline to yield. My time is limited. I should like to yield to my distinguished friend from Missouri, but I am unable to yield at the present time.

Mr. DONNELL. Mr. President, will the Senator permit me to correct a date? I think the Senator inadvertently said that the Sherman Antitrust Act was passed in 1891.

Mr. LANGER. I yield for a question.

Mr. DONNELL. Was not the Sherman Antitrust Act passed in 1890?

Mr. LANGER. According to my recollection, it was passed in 1891. It may be 1 or 2 months one way or another. I am sure it was in 1891. It does not matter whether it was December 1890 or January 1891. The fact remains that the law contained provisions for the arrest of any person who violated the law and provided a chance to put that person in jail.

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

Mr. LANGER. I decline to yield. I am sorry.

Mr. President, up to the present time, in the month of September 1950, not one person has ever been jailed under the Antitrust Act; not one. The former distinguished Senator from Washington, who is now a Federal judge, Homer Bone rose in the Senate Chamber to defend a Federal judge. I introduced a resolution to investigate the Federal judiciary. Good heavens, Mr. President, the idea of investigating a Federal judge. There is nothing in our Constitution which says a Federal judge must be appointed for life. I have seen too many men, both on the Republican and the Democratic side, men who were prominent politicians, some of them mixed up in something or other, elevated to the judgeship. A man puts on a robe, and from that moment apparently he is presumed to have changed his entire character. Congress must not examine into the fitness of that judge for office. That judge does not have to retire when he gets to be 70, when he gets to be 75, when he gets to be 80, when he gets to be 85, or when he gets to be 90—I met one a short time ago—or when he gets to be 95, or 100, if he lives that long. He can be in his first childhood, he can be in his second childhood, or he can be in his third childhood, and he may not even understand what the lawyers who appear before him are talking about, but that judge must not be investigated. That judge can make a farce of a court proceeding, but he must not be investigated. During the entire life of this Republic there have been only five successful impeachments of judges. Only five in 184 years. There was a time when I wanted to impeach a judge. He was a man who ought to have been impeached. So I went to the attorneys in the State of Connecticut who had successfully handled the last impeachment in Congress. I went to this firm of lawyers, and I said, "What will it cost to hire you to conduct impeachment proceedings against this crooked judge, this notorious crook, who is still sitting on the bench?"

The lawyers said, "When we conducted the last impeachment trial in the Senate we got a retainer of $30,000."

Well, I was not in any position to raise $30,000 to impeach the judge. When we talk about impeachment, when we talk about getting evidence to impeach a crooked judge, who should do it if not the Judiciary Committee of the Senate?

The committee investigates the judge, or at least it is supposed to investigate him. Of course, Mr. President, only the subcommittee can see the FBI report. If the subcommittee consists of one Senator, only he can see the FBI report. If it consists of two Senators, only those two can see it. If it consists of three Senators, as it usually does, only those three Senators can see the FBI report. So at the present time out of 13 members of the committee 10 men, who never saw the FBI report, vote to report the nomination of the judge for confirmation by the United States Senate. Out of 96 Senators, if three men constituted the subcommittee, 93 Senators vote to confirm the judge, although they have never seen the FBI report on that judge. If the judge is dishonest, if he is not a proper and fit man to be a judge of the Federal court, who should investigate him if not the 13 men who originally reported his nomination to the Senate? What is there so sacred about a judge? I will tell my distinguished friend from Missouri, some day when he has nothing else to do, after he is reelected in the State of Missouri, as I hope and trust and in my heart feel he will be——

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

Mr. LANGER. I am sorry. I cannot yield.

Mr. DONNELL. I thank the Senator.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. LANGER. My distinguished friend from Missouri can look at the case of the State of North Dakota versus the Northern Pacific and the Great Northern Railway Cos. I ask him to read that decision from beginning to end. The average American citizens believes that a court, especially the Supreme Court of the United States, follows the law. Of course, sometimes the justices divide 5 to 4, and disagree among themselves, but on the whole they are supposed to follow the law. I think with that statement my distinguished friend will agree. Yet, Mr. President, in 1931, 1932, 1933, and 1934, during the drought period the railroads in my State refused to pay their taxes.

They said the taxes were too high. If they were too high, it was because of the drought. So that we got to the Supreme of the United States, and the Supreme Court did not look up the law. My distinguished friend here will find that the Supreme Court of the United States, with the late Pierce Butler of St. Paul, Minn., writing the opinion, set themselves up as a court of review. They did not even appoint a master of any kind, they did not appoint any commissioners. They arbitrarily, without any evidence, but because there had been a drought, overruled the Board of Equalization in North Dakota, a board that had examined all the facts, and they said, "Because of the drought, we are going to take off so many million dollars."

The experience I had in that case, Mr. President, convinced me that judges are not always right. I would not investigate a judge merely because he was not always right, because every judge is human. A judge can make mistakes, just as any other person can, and the senior Senator from North Dakota is well aware of that. But when a judge is childish, when he does not know what he is doing, when a shrewd, manipulating lawyer can get him to sign something which that judge never would have signed a few years ago, do not Senators think that somewhere in this great Government of ours there should be some authority which could make an investigation, and at least recommend appropriate legislation so that that childish judge no longer would be sitting upon the bench bringing the judiciary of the United States, of which we are all so proud, this great Anglo-Saxon system of jurisprudence, into disrepute?

When a judge becomes childish, he may do many things. He may even violate the law. He may even join subversive organizations. Under those circumstances, should not the Senate Judiciary Committee, or, if it should not be left to that committee, some board or some commission somewhere set up by the Congress be able to make an investigation, an investigation which had some authority behind it? Such an investigation might discover facts which would not warrant an impeachment or a disgrace of the judge, because everyone of us, unless we die sooner, is going to be 75 or 80, or 85 or 90, or 95 or 100 years old, some day.

I come back now to the matter of monopolies, back to the Sherman Antitrust Act, which my distinguished friend, the Senator from Missouri, said was passed in 1890. I know very well that if I asked, he could tell me the day and the month when it was passed, but I am not going to ask. There is no man on this floor who is more thorough than the Senator from Missouri. I have seen him in the Committee on the Judiciary when he cited some case, not only give the name and number of the book, but he would give the page, even though he had not seen the case for a long time. His mind is so acute that he even remembers the page. In my opinion, he is by all odds, if not the best, certainly one of the very best lawyers on the floor of the Senate.

Coming back to the question of monopolies, and the question of judges, I remember I referred to a late Member of this body, Homer Bone, who for 10 years was a distinguished Member of this body, and now is a Federal judge. He took part in the discussion of a case which I should like to mention.

A corporation in World War II cheated in the manufacture of wire. Instead of that wire, which was manufactured in Indiana, being up to specifications, the company making it deliberately cheated the Government, and in addition to cheating the Government to the extent of thousands of dollars the quality of the wire was such that lives were lost. Finally the Attorney General had them indicted, and the case came before a judge, who let them off with a fine.

When I looked into the matter I found that that judge was one of those who should have been investigated as to his mental fitness a long time before. It is significant that only a few days after he gave that decision he resigned as a Federal judge.

In my opinion when investigation warrants—and this is simply repetition—that a Federal judge be not left upon the bench for a variety of reasons—and he may not be disgraced—there should be some authority under Congress to investigate.

Coming back now to the question of monopolies, Theodore Roosevelt appointed Frank B. Kellogg, the great trust buster. Frank B. Kellogg, according to the newspapers, was one of the great men of the Northwest of this Nation, a trust buster.

When I came to the Senate and became a member of the Committee on the Judiciary I investigated, because I wanted to ascertain how many crooks, how many thieves, how many violators of the Federal law, Frank B. Kellogg, of St. Paul, Minn., had put in jail, and I found he had not put a single one in jail.

I went over to the then Attorney General and I said, "I want to know how many fellows have been put in jail under the Antitrust Act since the Democrats got in power in 1933," and his answer to me was, "Just as many as the Republicans did before we got in—not one."

A little later, before the Senate Committee on Civil Service, we brought in one of the trust busters in the Attorney General's Department, Mr. Wendell Berge. If any Senator is interested he ought to read the testimony given by that gentleman before our committee. He was a member of the Department, as I recall now, for 11 or 13 years, but he said, "It was not the policy of the Department of Justice to make any arrests, because, if you just bring a lawsuit, a civil lawsuit, against a man or a corporation, for violating the Antitrust Act, there is a social disgrace.

Some of the GI's, veterans of World War I, when they were hungry, and happened to steal a few loaves of bread in order to feed their hungry wives and children, were not prosecuted in a civil suit brought against them to recover the value of the bread they stole. They were arrested. Yet people wonder why there are Communists in the country. The conditions I have stated are the reasons why we get the kind of legislation that is proposed in this conference report tonight.

The distinguished junior Senator from Minnesota [Mr. HUMPHREY] described it pretty well when he gave his idea as to this kind of legislation. Very fortunately, I am nonpartisan, more of a Republican, perhaps, than a Democrat, for since I am elected on the Republican ticket I claim to be a Republican.

The present occupant of the chair [Mr. FREAR] although he was a very young man at that time, will remember that in 1932 the Democratic candidate for President said that he was going to take care of the underprivileged, that one-third of all the population in the United States was underprivileged. They did not have enough to wear. They did not have enough to eat. He was going to take care of them. Of course, it could not have been expected that he could take care of them all during the first

4 years he was President, so in 1936 he again announced that if he was elected President of the United States he would take care of the underprivileged and the poor. So they went to the polls and reelected him.

In 1940 he found there were still many people who were underprivileged, so at the Democratic National Convention the Democrats broke all traditions. They said, "This indispensable man started out to clothe the naked and to feed the hungry, but he has had only 8 years in which to do it." Oh, it is true that he had with him the lower House by a large majority and the Senate by a considerable majority. But his party had decided to renominate him and did so, and elected him.

Then 4 years later, in 1944, the Democrats looked over the country and they still saw people who were naked and hungry, so they renominated him again.

Lo and behold, 2 or 3 weeks ago we saw that the distinguished junior Senator from Minnesota [Mr. HUMPHREY], a son of the late President, Jimmy Roosevelt, a man who is now Governor of Connecticut, Chester Bowles, Leon Henderson—altogether 60 Democrats—had organized the Institute of Public Affairs. Of course, after they organized the Institute of Public Affairs they had to have an executive secretary, so they got one of the best experts in the United States, Mr. Dewey Anderson, to be executive secretary.

Mind you, Mr. President, these men were all Democrats, and they hired a Democrat to be executive secretary. He made an investigation and reported in writing, and I placed what he reported in the CONGRESSIONAL RECORD. Believe it or not, Mr. President, after all those years of Democratic rule there were more people hungry——

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. LANGER. I decline to yield for a question.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield.

Mr. LANGER. My time is limited; otherwise I would be delighted to yield. But after all these years, the record shows that there were 10,000,000 families in the United States who, with all the high prices prevailing, are trying to exist on less than $2,000 a year. That is the record of the Democratic Party, Mr. President.

Mr. DOUGLAS. Mr. President——

Mr. LANGER. I decline to yield.

Mr. JOHNSTON of South Carolina addressed the Chair.

Mr. LANGER. Mr. President, Senators who wish me to yield can speak in their own time. If they know anything good about the Democratic Party they can tell it.

Mr. DOUGLAS. Mr. President——

Mr. LANGER. I decline to yield.

Mr. President, I am quoting only Democrats themselves. I am not quoting any Republicans. I am simply quoting the Democrats.

Mr. DOUGLAS. Mr. President, is it not a fact——

Mr. LANGER. I decline to yield.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield.

Mr. LANGER. Mr. President, I recommend to any Republicans who are running for office that they dig back into the CONGRESSIONAL RECORD and find there the article I placed in it, written by Dewey Anderson, who had been hired by the 60 leading Democrats of the United States; I recommend that Republicans read it. They will obtain all the material they need for very, very fine speeches in their various States. Republicans who wish to get such material can obtain copies of the report prepared by Mr. Dewey Anderson. I think they cost 25 cents apiece. If any Senators are short of money, let them come around and see me, because I have a few extra copies that I shall be very glad to loan them provided they promise to return them to me after the campaign is over, because I might want to use some of them myself upon some other occasion.

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

Mr. LANGER. Mr. President, I decline to yield.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. LANGER. It is a significant thing that whether under Republican rule or Democratic rule, not one single man has ever been sent to jail for violating the Antitrust Act. Certain big fellows got together and cornered milk and dairy products. When the nomination of one of those men to be Ambassador was under consideration by the Senate. I showed that in 1 day up in the Northwest part of the United States, in 3 States, the men who had cornered the milk market brought into their dairy trust every prominent dairy company in those 3 States. That did not do any good. I stood on the floor and told the Senate about it, however. I told how they controlled 300 big dairy companies in this country in nearly every State in the Union. That did not make any difference. The Senate promptly confirmed the man to be Ambassador.

I now come back to the question, What makes Communists? Certain persons get together and raise the price of milk in the cities and instead of being prosecuted they are named ambassadors to other countries. Do not Senators think the common people resent that? It does not make any difference whether we have a Republican President or a Democratic President. When we have a Democratic President, for example, there is Mr. Harriman with his $100,000,000, having an important post in government. There is my good friend Pearl Mesta, a lady who was appointed Minister to Luxemburg. A list of the heads of the big departments would make one believe he was reading a list of the bankers in New York. The predecessor of the present President, Mr. Roosevelt, had in his Cabinet six men and women from New York State at one time. Yet, we do not find anyone appointed to such an office from the great State of North Dakota. Almost any time when citizens of North Dakota come in competition with citizens of New York, whether it be in the arts or sciences, or in medicine or in other lines, they hold their own, as the record will show. Yet not a single Ambassador has been appointed from North Dakota since it became a State in 1890. My good friend who sits over yonder made a mistake with respect to the year when North Dakota became a State in 1890. The Sherman Antitrust Act was passed in 1891.

Further, in considering the subject of monopoly, we find what? After a man has been appointed Attorney General it takes him a year to become educated to the business of his office, to know what it is all about. Then after about 2 years the Attorney General is placed on the Supreme Court or simply fired, and we get a new Attorney General. After he has become educated to the duties of his office and begins to be a little dangerous to the trusts he is promoted to the Supreme Court. Sometimes when there is not a place on the Supreme Court he is put on some other Federal bench. I believe Thurman Arnold was placed on the Federal bench in the District of Columbia.

Mr. President, I repeat, How much confidence can the rank and file of the people have when they see these shenanigans going on? They will go out and vote one party out and put another party in. Yet when the other party comes in we find one millionaire after another appointed to office. At the present time, among others occupying high office in the Government, there are Mr. Harriman, Mr. Rockefeller, Mr. Whitney, and Mr. Brown. The latter was the richest baby ever born in the State of Connecticut. It may be that he is on leave right now. I am not so sure about that. And so on and so on. If anyone wants to get the entire list I suggest that he look up the speeches made in the last campaign—not the speeches of Mr. Dewey and not the speeches of Mr. Truman, but the speeches delivered by some of the minor individuals.

Then we come to the matter of denial of civil rights. I have here the Republican platform. When the Republicans met in 1944 and wanted to get the votes of the Negroes, what did they promise them? I have stated time and time again on the floor of the Senate what that promise consisted of. They said, "We pledge ourselves to enact an antilynching law." The only Republican I know of who has tried to carry out that pledge is my distinguished friend from Michigan [Mr. FERGUSON]. He actually thought the Republican Party meant what it said, so he drew up an antilynching law and offered it on the floor of the Senate.

They pledged themselves to enact an anti-poll-tax law. They did not simply say, "We believe in an anti-poll-tax law," or "We believe in an antilynching law"; but the Republican Party pledged itself to enact such laws. When the Republicans were looking for the votes of the people who might be affected by an antilynching law or an anti-poll-tax law, the Republicans made that pledge. But after the Republicans got into office, they did not carry out that pledge.

Mr. President, the Republicans made some other mistakes. I remember very well when my distinguished colleague from North Dakota, who is a member of the Committee on Agriculture and Forestry, pleaded, with tears in his eyes, for an extension of the Rural Electrification program. I joined him in that plea. We said, "When we go out compaigning in the Northwest and get out into the sticks and among the grass roots, the men and women there do not ask, 'When are you going to balance the budget?', but they ask, 'When are you going to get electricity on our farm, so we can have a deep freeze and electric lights.'"

Finally, at the great insistence of my colleague from North Dakota, although the President recommended only $300,000,000 for that purpose, the Eightieth Congress provided $400,000,000—$100,000,000 more than ever before had been provided for that purpose in the history of the United States.

But what happened? The power interests got busy.

Mr. KEFAUVER. Mr. President——

Mr. LANGER. I decline to yield, Mr. President.

Mr. KEFAUVER. I simply wish to make the point of order that the Senate is not in order.

The PRESIDING OFFICER (Mr. GRAHAM in the chair). The Senate will be in order.

Mr. LANGER. So the Senate Appropriations Committee, at the request of one of the most distinguished Members of this body, took away $178,000 of that fund, which was to have been used for the administration of that program. The result was, as I recall, that 172 engineers resigned from the agency administering that program; insufficient money was available to pay them.

Mr. President, if you were a farmer in the Northwest, and if you wanted electricity on your farm, and if you investigated to find out why you did not get electricity on your farm, what did you discover, in those days? You discovered that before an REA loan could be made, a Government engineer would have to pass on the plan, and he would have to be thoroughly acquainted with every mile of the proposed REA line.

However, at that time there was only one engineer for all loan applications coming from North Dakota, South Dakota, and Minnesota.

We were able to have some of that fund restored; but by that time it was late in the spring or into the summer, which was late to start work on the lines, for of course in that part of the country it is not possible to dig holes for power-line poles in the wintertime, when the thermometer often is down around zero.

So there was delay.

Of course, Mr. President, the Democrats took care of the matter when they got into power and enacted legislation on that subject; at least, they took care of part of the problem, because if we investigate the situation as it developed at that time, we find that in the Southern States, because of the great interest of the Senators from those States, the REA program developed much more rapidly, and I compliment the Senators for it, in the way of having REA facilities provided for the farmers in the Southern States. At that time the development in that respect was much more rapid than it was or had been in the Northwest States.

Mr. President, I do not wish to be understood as saying that the Democrats are the only ones who do not keep their promises, because once in a while the Republicans do not keep their promises either. However, on the whole I think the Republicans do a better job of keeping their promises than the Democrats do, because I have just read the platform adopted by the Demorcats in 1932; in fact, I have a copy of that platform before me now. The Democrats said they were going to abolish a great many of the Government commissions; but, instead of that, they increased them. The Democrats said they were going to get rid of a great many of the Government bureaus; but, instead of that, they increased the number of Government bureaus.

As we read paragraph after paragraph of the platform which the Democratic Party adopted in 1932, we find that the Democrats have kept just one pledge.

So I say that is why, in my opinion, genuine liberalism is in such danger today. Where is the average man to turn? Here we have a good, fine, honest citizen who believes in law and order, a man who believes that the laws should be enforced. However, when he looks at the Sherman Antitrust Act, he finds that both the great political parties have never enforced its criminal provisions. They see big monopolies gathering up the bread factories, for instance, and raising the price of bread; and they see large monopolies obtaining control of the dairies or ice-cream plants and raising the price which little children have to pay for ice cream. After a time, when the monopolies finally are brought into court, by means of a civil suit—after the monopolies have robbed the common people of millions and millions of dollars—all that happens to the monopolies is that they are fined $5,000.

Mr. President, it has always been a great source of pride and satisfaction to me that on the floor of the Senate the junior Senator from Michigan [Mr. FERGUSON] has protested vehemently against that kind of law enforcement. Also, I remember that the late George Norris, during the short period of time that I was here in the Senate with him, also rose, one day, and protested vehemently and violently because of the fact that the antitrust laws were not being enforced.

The course of action I have advocated in my fight to strengthen and extend the civil rights of all Americans is continually obstructed by the vested interests. That is why some Senators who are backing up the effort to get something done along that line, Senators who have followed the course of true liberalism, have found the going so difficult.

Some of those Republican Senators have been joined by a few Democratic Senators. I simply say to those Senators, tonight, that that fight never can be won except on the basis of principle; and I say that until they do win it, they will be faced with exactly what we are faced with on the floor of the Senate tonight.

Mr. President, during the time that the Democrats have been in power, they have said, "The cost of living has gone up and up and up; and we are going to do something about it." They assured the country that they would do something about it.

Well, Mr. President, the Democrats were in power in World War I, were they not? As a matter of fact, they have been in power in every war, other than the Civil War, this country has ever been engaged in; I do not think we have ever had a war, except for the Civil War, when we had a Republican President.

So it was that during World War II, the Democrats—when all prices went sky high—were in a position to do something about that situation, for by that time they had been in control of the Government long enough to have acquired a great deal of experience, and they had in office an Attorney General who was a member of their party, and he had many assistants to aid him, and millions of dollars was available for their work. Certainly during World War II the Democratic administration had millions and millions of dollars at its disposal; in fact the Democrats then had the biggest appropriation for the Department of Justice that any Department of Justice in the history of the United States has ever had, and that Department had hundreds of lawyers in its employ. Believe it or not, Mr. President, in those days in the Department of Agriculture alone there were between 200 and 300 lawyers, Democrats who were going to save the hungry and the naked. However, the Democrats did not pass a single permanent law to keep down the cost of living.

I do not know what the Democratic candidates are going to tell the 10,000,000 people who earn less than $2,000 a year, when the Democrats go out campaigning. They were in power from 1932 until the Eightieth Congress, and during that time they could have passed any kind of law they wanted to pass. However, they did not even pass an anti-war-profiteering law.

Mr. KILGORE. Mr. President, will the Senator yield for a question?

Mr. LANGER. I decline to yield. I am very sorry not to yield, but my time is so limited that I cannot yield. I decline to yield, Mr. President.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield. He has the floor.

Mr. LANGER. Mr. President, during that long period the Democrats did not even pass a law to wipe out profiteering. Of course, they said they would pass a law which would tax the war profits; but, Mr. President, did you notice that although the Democrats controlled the Finance Committee, they did not pass an excess-profits tax?

Mr. McCLELLAN. Mr. President——

Mr. LANGER. Mr. President, I decline to yield. I am sorry, but I cannot yield to my distinguished friend.

Mr. McCLELLAN. I wish to make a unanimous-consent request.

Mr. LANGER. Mr. President, I am sorry to decline to yield, but I simply cannot yield to my distinguished friend for any purpose. I simply cannot do so. I cannot spare the time.

The PRESIDING OFFICER. The Chair understands that the Senator from Arkansas wishes to propound a unanimous-consent request.

Mr. LANGER. Mr. President, I am sorry, but I cannot yield. I decline to yield.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield, and he has the floor.

Mr. LANGER. Mr. President, the Democrats did not even pass a law against war profiteering.

Mr. President, we know what happened the day after this squabble broke out in Korea. At first it was called a squabble, but it has now turned out to be a very serious war with Korea. What was done? I have the evidence in my office. Some of the big chain store outfits marked up everything they had 10 percent, 15 percent, and 20 percent overnight. There was not a single law upon the statute books to prevent it, although the Democrats had been in control during all these years. Of course, the poor farmer knows that the price of his products is fixed, so he finds now that he is getting the same price that he got before, and at the same time he is trying to buy this high-priced farm machinery.

Mr. President, do Senators know what a self-propelled combine costs now? In the good Republican days, of course, the farmers did not have combines; they had reapers. I suppose my distinguished friend knows what a reaper is. It is a binder. It is equipped with aprons, and as the reaper moves through the field the wheat runs up on the aprons, and is turned out in bundles. I am sure my distinguished friend has seen such bundles put into shocks.

Then we come to the price of combines in 1933 and 1934, when the Democrats took office. In 1933, when they took office, a self-propelled combine could be purchased for less than $3,000. Today a man is lucky if he can get one of them for $5,000. Here is a farmer who is trying to make a living. He has a half-section or a three-quarter section farm. He cannot hire labor, because the Democrats have all the labor in the Army. There are more Federal employees than ever before. I think there are 2,500,000 on the Federal payroll. So of course the farmer wants power machinery and other labor-saving devices.

Mr. KILGORE. Mr. President, will the Senator yield for a unanimous-consent request?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from West Virginia.

Mr. LANGER. I do not yield for any purpose. I am sorry.

Mr. KILGORE. Mr. President, will the Senator yield to permit me to suggest the absence of a quorum?

Mr. LANGER.. I decline to yield for any purpose. I am sorry, but it would take too much time to have a quorum call. I would lose 3 or 4 minutes. Time is precious.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield.

Mr. LANGER. As I say, today a combine would cost about $5,000, and the price of other farm machinery has gone up in proportion. It has almost doubled in the past 4 or 5 years. Mr. President, what happened in World War I? During that war, under a Democratic administration, the price of farm machinery rose higher than it had ever been before in the history of America. Wheat, it will be remembered, went up to $3 and $3.50 a bushel.

What happened when the war ended? The price of farm machinery declined only to the extent of one single index point. But the price of wheat dropped to 24, 23, and 22 cents a bushel. So the farmer who was raising wheat to sell anywhere from 19 to 23 cents a bushel and who wanted farm machinery still had to pay high prices.

The Democrats said, "You can borrow the money from the Federal Land Bank." True. Some of the farmers went to the Federal Land Bank to borrow money. What happened? When the drought came, instead of the Federal Land Bank at St. Paul, Minn., which is the nearest one to North Dakota, and the one in whose territory we are, carrying those farmers and giving them credit, they foreclosed on hundreds of farms. Of course, the Republicans said that the Democrats were to be blame. They said that the entire period of depression was simply an aftermath of World War I. Many people believe that statement. In the great State of Missouri, as in all the other States, various proposals were made. On one occasion I happened to visit some of my farmer friends in Missouri who lived near St. Joseph, only a short distance from where Jesse James is buried.

Mr. President, some of those farmers were on trial in the Federal courts because they had resisted a United States marshal who was levying an execution on farms in Missouri. In the State of Nebraska, when conditions became so terrible, one night I was visiting Charles W. Bryan, then Governor of Nebraska. In the middle of the night the telephone rang, and it was announced to the Governor that a farmer had been killed, because the highways had been picketed, and when his milk truck came along it was tipped over. A few of us Governors came down to see the President of the United States. We got an appointment with him. When we came into the President's office, in October 1943, we were met by Leo Crowley. To Floyd Olsen, of Minnesota, Tom Berry, of South Dakota, Clyde Herring, of Iowa, and myself he said, "Do you know that last night six creameries were wrecked in the State of Wisconsin, that coal oil was poured on them and they were destroyed?"

I went back to Iowa. A man by the name of Milo Reno had organized a holiday association. Mr. President, we are talking now about making Communists. He had about 200 men there in the room. A man by the name of Jed Johnson rose and said, "I am a teacher in a Methodist Sunday School at Morehead, Iowa. My grandfather filed on the farm on which I am living. It has been in the family for 75 years."

There he was, with torn breeches, his toes sticking out of his worn shoes. He said his family was starving. He was present that night when 200 of us met with Milo Reno. Mr. Reno said, "We are going to dynamite and blow up or burn the bridges leading into Sioux City, Iowa." That is how close they were to revolution in 1933. That night they actually did destroy a bridge leading into Sioux City, Iowa.

But in 1933, 1934, 1935, 1936, and other years the Democrats said they were going to cure the situation. Mr. President, you can imagine my surprise, therefore, when I read the report by Dewey Anderson, the man hired by 60 leading Democrats, including Jimmy Roosevelt, including the junior Senator from Minnesota [Mr. HUMPHREY], including Chester Bowles, the Governor of Connecticut, and including Leon Henderson. If anyone wants to get the rest of the names, let him go back to the record. I put them all in the record one day, Mr. President. Imagine my surprise to find that Dewey Anderson, in his report, said that there were 10,000,000 families existing on $2,000 a year or less.

Mr. President, it does no good to do a great deal of talking and make noble professions of good intentions and good faith, to make many solemn utterances and promises and to write political platforms, and to hear the speeches of the leaders of the political parties, if the men and women who are elected do not carry out the promises that are made. In 1944 the Republicans promised civil rights, but did not keep their promises. In 1932 the Democrats made many promises in their platform, but kept only one of them.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. LANGER. I am sorry. I cannot spare the time. If I could spare the time, I should be glad to yield, but it is impossible.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. LANGER. Mr. President, I invite the attention of Senators to the vast discrepancy between political promises and political practices. What is wrong? Why is it that we have more Communists today than we ever had before in the history of America?

A short time ago the Senator from Minnesota carefully explained how Communists are created. What can be the explanation of the fact that in spite of all these speeches neither political party is willing to make a real issue out of the terrible discrimination and injustice that is imposed upon millions of our fellow Americans? Let us look at the Japanese-Americans. Two years ago I went out to Los Angeles. I drove over to a little place called Hollywood. I did not stop there. My colleague had told me all about the place. He had visited it. He told me to keep away from it. I did. In any event, I was taken to a certain quarter of Los Angeles and shown the section from which the Japanese had been evacuated. They were American

citizens, Mr. President. They had been evacuated during the war. I could not believe everything that was told me. So I talked to some of the people myself. Do Senators know what I was told? Do Senators know what was done to those people? Some of those American-Japanese owned land worth $300 an acre. Do Senators know how much time they were given to sell that land? Twelve hours. Some of the land, which was worth $300 an acre, was sold for as little as $8 an acre. I suggest that Senators read the book written by Mr. McWilliams on that subject. Read every paragraph. It gives chapter and verse. It gives the names of those Japanese-American citizens.

Then we have the poor Mexicans. They are brought up from Mexico to do the hard work. They are put in the beet fields. They earn their money. Even in Mexico it is almost impossible for them to buy a small piece of land. Mr. President, I went down to Mexico and I found one man who owned 4,000,000 acres in the State of Chihuahua. The poor peons working for him could not buy an acre.

Whether Senators like or dislike Drew Pearson, I suggest that it would be good reading to read his column in the Washington Post day before yesterday, in which he took up country after country and showed how the people are tending toward communism because a few people own the land. Land is so high priced no one can buy it.

Let me say something else. We do not need to consider Puerto Rico, where we have only two kinds of people, the very, very poor and the very, very rich. We do not have to go to China. We can stay right here in the United States and talk to some of the veterans of World War II, who came home and wanted to buy a piece of land. I have spoken to some of the boys who came from farms.

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

Mr. LANGER. I am sorry. I cannot yield to my distinguished friend from Louisiana. My time is very limited.

These veterans of World War II were absolutely unable to buy even a small 40-acre farm. After all, what good would a 40-acre farm be? They could not afford to buy farm machinery to farm a 40-acre farm, when a self-propelled combine costs $5,000. As soon as a few of them joined together, what did we hear? "They are Communists." It is charged that the Farmers Union is a Communist outfit. That is the kind of things we hear. I remember that in some of our big cities some of the veterans of World War II wanted to buy taxicabs and operate a taxicab service. They could not do that. They could not get a license.

Mr. CHAVEZ. Mr. President——

Mr. LANGER. I am sorry, but I cannot yield.

The PRESIDING OFFICER (Mr. LONG in the chair). The Senator declines to yield.

Mr. LANGER. My time is too scarce.

The PRESIDING OFFICER. The Senator is eager to conclude his address.

Mr. LANGER. I thank the distinguished occupant of the chair. He is always right.

The PRESIDING OFFICER. The Chair is very pleased, and the Senator is very generous.

Mr. LANGER. The veterans who had been in fox holes could not even operate a taxicab business. When some of them got together and obtained some taxicabs, the Yellow Cab Corp. got an injunction against them. The veterans were operating the cabs for nothing and living on the tips. The Yellow Cab Corp. got an injunction and took them off the streets. Many Senators may remember the caravan which came to Washington, consisting of hundreds of veterans who were begging for a chance to make a living.

Mr. President, I was on the Judiciary Committee. Ninety-eight of those veterans came before our Judiciary Committee. They had with them a little redheaded fellow who said he had never made a speech in his life. He paid his respects to the public service commission of a certain State—under the rules of the Senate I cannot mention the name of the State. If anyone wants to read a good speech, he should read it, because he said, "They call us Communists. By the eternal gods, if you must become a Communist in order to offer your life for your country, and then cannot even drive a taxicab, you can call me a Communist."

He was a veteran of World War II who had been wounded. He had a purple heart. Now we get this kind of bill.

Mr. President, I have before me the United Nations Charter. I read section 3 of article I, to show what Warren Austin is up against in New York. This is one of the purposes for organizing the United Nations.

It says:

> 3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.

Mr. President, in the State of California, the State of Arizona, and in some other States, including New Jersey and New York, there lived 3,500 people from the West Indies. In Sacramento, Calif., there were 1,450. In Phoenix, Ariz., there were 250. They could not own land, Mr. President. They could not get drivers' licenses to drive their automobiles. One of them bought an automobile and he had to put it in someone else's name, because he could not get a driver's license. He could not testify in court. Mr. President, I say it is to the everlasting credit of Claire Boothe Luce, that she, together with EMANUEL CELLER drew up the great law emancipating those people. Two hundred and fifty of them had served in the Army, Navy, and Air Force. They had automatically become citizens.

But the Supreme Court of the United States in 1924, with Justice Sutherland writing the opinion, had held that they were neither Caucasian nor negroid, and therefore they could not own any property. Claire Boothe Luce and Mr. CELLER got the bill passed in the House, and in due course of time we passed it in the Senate, and we finally saw to it that those people had a chance to become naturalized.

Then what happened? People wonder what creates Communists. Those people wanting to own property had turned their property over to so-called white people, to lawyers and others, but when this law was passed and they could become citizens, those fellows would not turn their property back. They said, "This property is in my name." When some of them wanted to become naturalized they proceeded to charge them all the way from $2,000 to $2,500.

Luckily for those people we had a great Attorney General at that time, Thomas C. Clark, in my opinion by far one of the best Attorneys General we ever had in America. Mr. Clark said, "I am not going to sit idly by and see those people who have worked so hard and so long and so faithfully, robbed." So, Mr. Clark got one of his great immigration experts from Texas, a man by the name of Carpenter. They called all these people together. I accompanied them on the trip. The immigration authorities made it plain that all those men had to pay was $18. Mr. Clark said he would make it tough for anyone who continued to hold up these people for $2,000 or $2,500 in order to get citizenship in the United States.

Mr. President, I am not going to discuss the other minority groups in this country. We know that many of them continue to be subjected to outrageous denial of their constitutional rights, and to the injustices imposed by reactionary vested interests and bloated bureaucracies?

But we cannot blame some of them. We cannot blame the veteran with one arm who went down Pennsylvania Avenue just after the war was over and went into a restaurant and laid down his money, but they would not serve him a cup of coffee because he was half white and half black. He came to see me in my office. We cannot blame some of the little girls who graduated from Howard University cum laude, who wanted a job but they were told the best job they could get was that of a scrub woman. They came into my office and protested. Put yourself in their place, Mr. President.

To me the answer is obvious. The vested interests, the gluttons of privileges and those who wish to capitalize for their own selfish purposes on the resentment of those who are suffering from these injustices have moved into the political arena to make political capital out of human misery.

I never got well acquainted with Mrs. Franklin Delano Roosevelt. I wish I had. But I remember reading one of her articles, and in her article, in the column, My Day, she told what she found within two blocks of this Capitol when she went on a tour of investigation. I might say that if the Czar of Russia had had a wife like Mrs. Roosevelt perhaps there would not be any Communists in Russia. Mrs. Roosevelt, within two blocks of the Capitol, found drinking water alongside of a lavatory, and sick

people, diseased people, wanting electric lights, within two blocks of the Capitol of the United States.

The Democrats say, "Let us send your money to Ethiopia, billions to Ethiopia, billions to all the other countries." What difference does it make even though we have 2,000,000 families that have only $2,000 a year in this country?

Sometimes I wonder if the Democratic Party would not have been smart if they had followed the advice of Mrs. Franklin Delano Roosevelt, who told them about all this suffering and want within two blocks of the Capitol of the United States of America.

Again let me say that the whole question of civil rights belongs to the American people as a whole. I remember the distinguished junior Senator from Maine [Mrs. SMITH] rising in the Senate Chamber one day and saying, "We are neither Democrats nor Republicans. We are Americans."

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

Mr. LANGER. I decline to yield. I have not time. I am extremely sorry.

I agree with the junior Senator from Maine, and let me say that this whole question of civil rights belongs neither to the Democrats nor the Republicans, but to the American people as a whole, and the American people have to work out a solution.

If we, who are most vitally interested in this cause, do not recognize the evils and the dangers of permitting the civil-rights issue to become a political football, to be kicked around by the politicians of any or all political parties, and if we do not fight to prevent this from happening, we shall lose our struggle to settle this issue on the basis of principle.

What, then, shall we do—how shall we plan to carry on this fight?

I believe that we must renew our efforts to force both political parties to abandon their political approach to this issue and to return instead to a civil-rights program based on a strengthening and an extension of our constitutional guaranties that underlie the Bill of Rights.

What does the bill before us do? It throws our Bill of Rights out the window. For the first time in the history of America we hear about concentration camps in America. If the press does not write the kind of an article the President of the United States wants them to write, put them in a concentration camp.

Mr. DOUGLAS. Will the Senator yield?

The PRESIDING OFFICER. Does the Senator yield for a question?

Mr. LANGER. I decline to yield for any purpose. I am very sorry, but I have not the time.

The PRESIDING OFFICER. The Senator is very sorry.

Mr. LANGER. Of course they have a lot of words they use, hedging around. Some might say it is not quite as bad as that. But let me tell my distinguished friend from Illinois that if we give a man power, when he is given authority he wants more power and more authority all the time. He does not like criticism, either. He does not like a free press, either.

I may not agree with the Chicago Tribune, but one of the most disgraceful things that was done during the World War was when the present President of the United States tried to get the Chicago Tribune indicted, took them before a grand jury.

I do not believe there is a single daily newspaper in North Dakota that ever supported me for an office. If so, I did not see it. Yet those newspapers had the right, the God-given right, to criticize me, just as they had the right to criticize any Member of this body.

The idea of giving anybody authority, I do not care whether it is a political board appointed by the President of the United States, or by the Attorney General, or by the head of the Defense Department, that scares men writing for the press in this great Nation of America. I say that is wrong, and as long as I have breath in my body I intend to oppose it.

Now we come to the Bill of Rights, and the Bill of Rights is not the essential monopoly of any political party. The Democrats do not own it and the Republicans do not own it, any more than any majority or any minority group.

This is a fundamental question of human rights, which is too sacred to be settled by appealing to selfish, personal or group interests, and any attempt by a political party to bribe minority groups into support of its own particular program will only postpone a constructive and permanent solution to the problems that are plaguing us.

The solution calls for two things, two things in our public life and in our private life, integrity and courage. It calls for men who will not promise what they cannot deliver. The Republican Party in 1944 made promises, it pledged itself; three times it used words dealing with civil rights.

Then when the Republicans got in control in the Eightieth Congress they paid no attention to the minority groups, and they got exactly what was coming to them from those minority groups 2 years later. But what is puzzling is why the Democrats did not carry out the civil-rights programs. They had overwhelming control in both the House and Senate in 1933. Why did they not pass civil-rights legislation? We hear so much about the Republicans not carrying out their promises. Why did not the Democrats carry out their promises when they had great majorities in both the House and the Senate?

Mr. DOUGLAS. Mr. President——

The PRESIDING OFFICER. Does the Senator wish to ask the Senator to yield to ask a question?

Mr. LANGER. I decline to yield.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield.

Mr. O'CONOR. Mr. President, is it not proper for a Senator to rise and address the Chair first before he addresses the Senator who is speaking?

Mr. LANGER. Mr. President, I decline to yield.

Mr. O'CONOR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. O'CONOR. Is not that the correct procedure?

The PRESIDING OFFICER. It is the proper procedure.

Mr. O'CONOR. I thank the Chair.

Mr. LANGER. Mr. President, I do not yield for any purpose.

So I say, we come right back to the proposition of why the Democrats did not pass civil-rights legislation. The Democrats were in control for a long time in both House and Senate with an overwhelming majority, and did not pass such legislation. Yet they criticized the Eightieth Congress as the worst Congress in the history of the United States. They said in their platform the Eightieth Congress was the worst in the history of the United States. But what did the Democrats do in 1946, in 1944, in 1942, in 1940, in 1938, in 1936, in 1934? Why did they not pass civil-rights legislation? They have been in control in the Eighty-first Congress. Yet when attempt was made to bring up civil-rights bills, how some of the so-called liberals ran, how they scattered.

So I say I believe the solution calls for two things in our public life and in our private actions—integrity and courage. It calls for men who will not promise what they cannot deliver. It calls for men who will stand up and be counted, for or against the truth. It does not call for political partisanship, and it need not call for special legislation, if only we dare to trust ourselves to the spirit of our traditional liberties and the wisdom of our political institutions.

Mourn not for the dead, who in the soft earth lie;
Ashes to ashes, and dust to dust, even as you and I;
Mourn rather for the cowardly meek,
Who know the world's wrongs but dare not speak.

Mr. President, in these days when the very life of our Republic is at stake, and that fact is yet unknown to many millions of people in America; in these days when greed and avarice and money-hungry persons are getting rich from the suffering and sacrifices of our boys in the Korean battlefields; in these days when profits are sacred and lives are cheap and wasted, I know that I rise in this Chamber and that mine is almost a lone voice amidst the bickerings of Democrats and Republicans battling for advantage upon this floor. Believe me, citizens of the United States, it is here upon this floor and not in national conventions where the real platforms of the two major parties are written.

They would not be the platform of the Farmer-Labor Party because in the entire Senate we do not have a single laboring man. Oh, we have a few who 20 or 30 years ago were telegraphers or worked in a coal mine. We have some who boast about the fact that they are still carrying union cards. I am talking, however, about the man who got up at 3 or 4 o'clock in the morning to milk cows, or who went down 2 miles in the bowels of the earth to dig coal. How many such have we in the Senate?

And yet, Mr. President, even I elected as a Republican with the endorsement

of the Nonpartisan League of my State of North Dakota, even I, who have been in almost numberless political battles, hesitate to enter into this fray. It is only because of my deep sense of duty to the American people, because of the call for justice and right that is gnawing upon my conscience, that causes me to expose to pitiless, searching light those betrayers of our country, those who have scuttled the hopes of our forefathers who founded this country, those who callously entered into a conspiracy to wreck that for which hundreds of thousands of our youth have given their lives.

Perhaps the greatest single cause of my speaking was the words of the senior Senator from Connecticut [Mr. McMAHON] when on August 14, 1950, he stated, as appears on page 12417 of the CONGRESSIONAL RECORD, as follows:

> Mr. President, at a time when our forces are hard-pressed in Korea, and when Malik is trying to put over a wholesale fraud on the minds of mankind, I regret to say that some of our Republican colleagues have chosen to issue a crafty political statement on foreign policy, designed to cozen a few votes in November.

Senators will remember how the junior Senator from Massachusetts [Mr. LODGE] answered that. The distinguished Senator from Connecticut continued:

> These masters of hindsight seek to cut themselves in on the victories of our foreign policy and to divorce themselves from our defeats.
>
> When a policy has worked well, they call it "bipartisan achievement," but if things go badly, they insist the administration must take the blame.
>
> They cannot absolve themselves by clinging to coattails of the Senator from Michigan [Mr. VANDENBERG]. The record shows that one-half of the Republican Party has vigorously opposed his patriotic efforts to secure legislative enactments necessary to the success of the Greek-Turkish, ECA, and Atlantic Pact policies.

Now, Mr. President, let the American people examine the facts. Now, let the American people know why we have forces that are hard-pressed in Korea. Now, let the American people know how Malik got into this United States and why he is on the radio and on television. Now, let the American people know how it is possible that Malik and his Communists now are "trying to put over a wholesale fraud on the minds of mankind." Now, I say now, is the time for the American people to get the everlasting truth as to whether some of us are "masters of hindsight" who "seek to cut themselves in on the victories of our foreign policy." Now is the time carefully to dissect this so-called "bipartisan achievement" of which the Senator from Connecticut boasts. Now, right now, is the time for the American people to decide which half of the Republican Party has been right and which half has been wrong. Now, right now, is the time—now, before the elections in November—now is the time for each American who loves this country to fix the blame for the shame, the betrayal of all that Americans have held dear for centuries.

What are the facts, Mr. President? Only a few years ago, within the memory of every single Senator upon this floor, our country was riding the crest of the wave.

We were a happy, contented, and prosperous Nation. We were not worried about the Communists. If anyone had, in those days, prophesied that at this time there would be before the Senate a bill providing for concentration camps and registration for Communists, he would have been laughed at.

At that time, only a few years ago, we were riding the crest of the wave—a happy, contented, prosperous Nation. We were a Nation beloved by the peoples in every corner of the world. We were a great, progressive country. If there was an earthquake anywhere, we were sent for. Money from the United States was contributed for the relief of every major disaster. Our acts of charity at the time of any earthquake or flood or other great disaster were one of the wonders of the world. Those acts remain in the memory of every Member of this body. We were then known as the most progressive country on the face of the earth, a country where the average man who worked could almost invariably count upon success.

What has happened to America? I have heard the distinguished senior Senator from Indiana [Mr. CAPEHART] tell about it time and time again, on this floor—tell about how we changed from a happy, progressive, beloved country, beloved in every corner of the earth, into what we are today.

What has happened to us? Even during those prosperous days we had some panics. Under the Democratic President Grover Cleveland we had hunger and want and suffering, and we also had fear. Later, under the Republican President Herbert Hoover, we had the same hunger and the same want and the same suffering, and we also had fear. The soup kitchens in the days of Grover Cleveland were just as numerous as the soup kitchens in the days of Herbert Hoover. Jobs were scarce and hard to obtain under either of those Presidents. There was fear of starvation, lack of adequate clothing, and bitter disappointment in the lives of hundreds of thousands of human beings, under both those Presidents.

However, the great American people overcame adversity under both the Democratic President Grover Cleveland and the Republican President Hoover. Our great Republic was so strong in those days it did not owe $250,000,000,000 or $260,000,000,000, Mr. President—and the panics or depressions could not, in the long run, hurt us any. Our forefathers had planned too well; they had sacrificed too much; and their children and their grandchildren could scoff at minor misfortunes.

Until 1940, every President who was elected in the United States had followed the example of George Washington, who had spurned a third term. Until 1940, the men who composed the various political party conventions were willing to be bound by the traditional two terms for President, although ambitious men had tried, and tried hard, to break that tradition. One Republican tried to get a third consecutive term, and he missed it by only one vote, in a Republican national convention. Until 1940, the Democratic and Republican delegates to the political party conventions had repudiated any attempt to give any man a longer term as the Chief Executive of the United States.

But in 1940 the Democratic National Convention met; and those representatives of greed and avarice, of power, of money, and of determination, cast aside all the limits of American tradition, so that they might capture new jobs. They wanted to hold on to the jobs they already had. The good Democrats, the true, loyal Americans, fought a losing fight—but a brave one—to protect the men and women of the United States from the hands of those who, either thinkingly or unthinkingly, were bent upon that robbery. Franklin D. Roosevelt had been President of the United States for 8 years—just as great a President for those 8 years, as he was later to prove to be one of the very poorest Presidents during the succeeding 8 years when he served. It is almost as if Almighty God was wreaking his wrath upon a country which had turned its back upon a century and a half of unparalleled freedom, unparalleled liberty, and unparalleled prosperity. Those delegates at the 1940 Democratic National Convention were not thinking of Almighty God or of the great Nation we had here at that time. Those payrollers and relatives of payrollers wanted jobs. "We can win with Roosevelt," they said, "no matter if he is old, no matter if he is sick, no matter if he is now incompetent and worn out by the burdens he has shouldered for 8 years."

So there, Mr. President, the road to ruin commenced.

I am proud of the fact that one of the great leaders against that third term was the father of the distinguished Senator from Louisiana [Mr. LONG] who now occupies the chair in this deliberative body. He led a brave fight, a fearless fight, a fight of which every true, honest-to-God American could be proud. He was not afraid. Do you think he would have hesitated to speak on this floor on any bill? He was a man who was willing to sink into oblivion if need be, so long as he maintained a firm stand for the principles in which he believed. He was a man who, knowing that his days were numbered, stood on the floor of the Senate and bared his breast to the enemy, and said to those who had almost unparalleled power in this country, "Come on and do your worst."

Mr. President, there is no need for me to say today on this floor what has been said hundreds of times by Senators who voted for American participation in World War I, and thereafter spent days, weeks, and months regretting that vote. The CONGRESSIONAL RECORD speaks for itself in that respect. Anyone who is interested in that matter only has to read in the CONGRESSIONAL RECORD the statements of Senator after Senator who, after having voted for American entrance into World War I, later rose on the floor of the Senate and said, "We never should have gone into that war, and I have regretted again and again

the vote I cast in favor of having the United States enter it."

Mr. KILGORE. Mr. President, will the Senator yield for a request——

Mr. LANGER. Mr. President, I decline to yield. I have not the time to spare. I am terribly sorry.

The PRESIDING OFFICER (Mr. LONG in the chair). The Senator from North Dakota declines to yield.

Mr. LANGER. Mr. President, there is no need today to repeat the words of those Senators, some of whom are still Members of this body, who in later years admitted that the United States had no business in World War I. I pause only to pay tribute to William Jennings Bryan, Democratic Secretary of State under Woodrow Wilson, who resigned his job as Secretary of State, rather than be a party to the entrance of the United States into that war. That great, fearless patriot, William Jennings Bryan, who never sold the truth to serve the hour, walked out as Secretary of State, rather than continue in a Cabinet which was bringing the United States into World War I.

Mr. President, I can only pause to pay tribute to James A. Farley, of New York—Jim Farley, who bravely and fearlessly and gallantly broke with Franklin Delano Roosevelt rather than assist him in securing a third consecutive nomination for President. Yes, Mr. President, whenever we have a crisis in America there are always a few men who are unafraid. We had them in the Democratic National Convention in 1940.

But I can say this, and it is said with the knowledge that it can never be contradicted successfully: History has proved that it can never be successfully contradicted that it was a Democratic National Convention in 1940 which took advantage of the calamitous panic, brought on by themselves, through engaging in World War I. That was the entering wedge, the very keystone to the demoralization of the Government which we face today.

We had no right to turn our backs upon Providence, when that Democratic National Convention met and violated the two-term tradition. We had no more right to do that then we had to tempt Providence. And it is not sacrilegious to say that in my opinion an all-wise Providence is today punishing the proud people who foresook the glorious history of a century and a half, a history rich in achievement, in advancement, in standard of living—a United States that was the envy of the world.

Today it is not for me to pose as an expert and to tell about the great mistakes of World War II, how one mistake followed rapidly upon the heels of another, until at last it seemed as though it was almost too late to make any more mistakes. The military expert for the New York Times, Hanson W. Baldwin, in his book of 114 pages, carefully authenticated, enumerates these mistakes one after another, so plainly, so concisely, so clearly, and not a single sentence, not a single paragraph, not a single page of that book has ever been successfully repudiated.

And today, after 18 years of Democratic rule, 18 years for which they must assume responsibility, 18 years of appeasing Communists, of alinements with foreign nations who today are in possession of all our secrets, after years of partnership with countries that have laughed at and mocked us for decades, we stand at the lowest ebb in decades, sacrificing our youth in battle, sacrificing needlessly the heritage our forefathers fought for, scores of years ago. What suckers the leading Democrats and many of our leading Republicans have been. What a terrible price the youth of America is paying for such miserable leadership.

And it is this which causes me to hear with amazement the words of the senior Senator from Connecticut, to which I alluded in the beginning of my remarks. The Senator says that some of us Republicans are "masters of hindsight," and that one-half of the Republican Party, of which I am one, "has vigorously opposed his [Mr. VANDENBERG'S] patriotic efforts to secure legislative enactments necessary to the success of the Greek-Turkish, ECA, and Atlantic Pact policies."

Mr. President, I wonder why the distinguished senior Senator from Connecticut [Mr. MCMAHON] does not mention the Atlantic Charter. Why did he not talk about the Atlantic Charter, recently, when he was speaking? He could not very well talk about a charter that never existed, that was merely a scrap of paper, which was lied about to us by those in control of the Democratic Party. Does the distinguished Senator from Connecticut want to forget about that, as he may want people to forget about the invasion of Normandy, and the statement of Winston Churchill, "All I want are guns and tools—we've got the men." All of us who listened on the radio heard it. Yet, when the casualties were counted which resulted from the invasion of Normandy, it was found that of 116,000 casualties, 86,000 were American boys. I wonder what the parents who lost some of those boys thought as they remembered Winston Churchill's speech: "Give us the guns, give us the tools—we've got the men."

Mr. President, a moment ago I referred to the book entitled "The Great Mistakes of the War," by the military expert of the New York Times, Mr. Hanson W. Baldwin. I stated at that time what he said about the book is being fully authenticated. Mr. Baldwin is a great military expert. Where is there a greater? The New York Times would not have him upon its payroll if he were not a great expert.

Some of us who do not agree with this bill were called upon to follow "again and again and again" the bipartisan agreement between the Republicans and Democrats, which was referred to by the senior Senator from Connecticut on August 14. He said half the Republican Party was opposed to it, and he had a right to. The pity of it is that the entire Republican Party was not opposed to it. What thanks did they get at the Philadelphia convention? I ask my distinguished friends sitting before me tonight, who were delegates to that convention? What thanks did they get from the President of the United States, when he delivered that speech that night at Philadelphia, at 2 o'clock in the morning, ridiculing the Republican Party?

What does the military expert say, the author to whom I referred a little while ago, Mr. Hanson W. Baldwin? Speaking of the Great Mistakes of the War, the same men made them who are today trying to lead us—the same outfit, Republicans and Democrats alike. That has been demonstrated by the votes which have been cast. This man they cannot laugh down. They could get up and say, "Senator So-and-So, from the little State of So-and-So, is not a military expert, what does he know about it?" Here we have the greatest expert of them all.

And who is Mr. Hanson W. Baldwin? Let me tell Senators who this man is. He is the military expert for the New York Times. He received the Pulitzer Prize for reporting World War II. He is considered a leading authority on the politics and technology of modern warfare. He attended the second atom bomb blast at Bikini, and has recently inspected guided missile and rocket launching installations throughout the Nation. His last book, The Price of Peace, an analysis of American international obligations, won high praise from both political and military sources. The New York Herald-Tribune said: "It well exemplifies Mr. Baldwin's outstanding virtues of courage, intellectual toughness, and honesty."

The Chattanooga Times called it "required reading for anyone interested in our Nation's future."

That is the man I am quoting. He received a Pulitzer prize, and he was appointed by our Government to inspect rocket launchings, and he was present at the second atom-bomb blast. He is a great expert. He tells us about the men we are asked to follow. He tells us about the mistakes they have made. Mr. President, perhaps I would follow a man who made one mistake. If he took me out on a road and suddenly I found myself in a swamp, perhaps I would follow him again. However, when he tried to lead me a second time I would be a little more careful. Certainly after he led me into a swamp three or four different times, I would be very careful. Over a period of 6, 8, or 10 years, I do not think I would follow that man very far. So it is of the greatest importance that Senators voting on this bill should know the kind of leadership we have today, in the opinion of this great military expert, who won the Pulitzer prize, and is the military expert of the New York Times.

As the Indian says, "Fool me once, shame on you. Fool me twice, shame on me." An Indian does not expect to be fooled more than twice. This expert makes it plain that our leaders made every mistake they could make. They are making another one now on this bill. Here is what Mr. Hanson W. Baldwin said:

> In February 1945 at Yalta and on June 6, 1944, the date of the Allied invasion of Normandy, might be said that we lost the peace.

I have read the first 2½ lines of his book. Imagine that. I must repeat it.

It must sink into the brain of every American.

In February 1945 at Yalta and on June 6, 1944, the date of the Allied invasion of Normandy, might be said that we lost the peace. American political and strategic mistakes during the war possibly lengthened it; certainly made it more difficult. Our allies are responsible for the difficulties and crises through which we have been passing since the war.

I hope every Republican who voted for the bipartisan policy is listening to me, because if the American people ever know the truth, one thing is as certain as two and two make four. If the American people ever know the truth, there will be some vacant chairs in the Senate. The Republican Party was elected as a party of opposition. What choice was there between Dewey and Roosevelt? What choice was there under the system of electing a President that we have in this country? Burton K. Wheeler, speaking to 108,000 people in one night in Los Angeles, was unable to give the American public a chance to vote whether or not they wanted to follow his philosophy.

When we tried to amend the Constitution, to give the common people the right to vote directly for President at a primary, even the watered down constitutional amendment known as the Lodge amendment could not pass the House. The vested interests were too strong. They would not even let that little watered down measure be submitted to the legislatures of the States. That happens in America, the land of the free.

It is to the everlasting credit of the Senate, Mr. President, that when I offered an amendment providing for the direct election of the President by the people in the primary, where anyone could run for President if he wanted to run simply filing a duly signed petition, 32 Senators voted for it. The distinguished occupant of the chair, away from the Senate at that time, was paired for it, making 33 Senators. More than one-third of the Senate was willing to let the people of the United States vote directly for President and let the people decide, instead of having one group of politicians picking one fellow, and a few weeks later, another group, in some smoke-filled room, putting up another candidate, and saying to the people, "We do not care which one you elect, either one is our man." That is why I say when we look over the cabinets it is like looking at a directory of Wall Street.

When Tom Lamont died, the New York Times paid him the tribute that he, of the House of Morgan, visited every week at the White House to advise the President of the United States, Mr. Roosevelt. The same House of Morgan which under Republican Presidents was shown up in the munitions investigations to have made $30,000,000 representing England. What chance was there whether we had a Republican President or a Democratic President? The vested interests became careless when they wrote his obituary. They told the truth. How many citizens of America know that? How many Americans know that Franklin D. Roosevelt had a representative of the House of Morgan in the White House every week?

I read from Mr. Baldwin's book. Senators will find some great articles in this book. Some of the things in this book will surprise every Senator within the sound of my voice. It says that the United States has fought wars differently from other people. He says:

We have fought for the immediate victory, not for the ultimate peace. Unlike the British or the Russians, we have had no grand design, no over-all concept. This lack of a well-defined political objective to chart our military action has distinguished to greater or less degree much of our past history.

During World War II our political mistakes cost us the peace. The British and the Russians thought and fought in terms of the big picture, the world after the war; we thought and fought in terms of what we could do to lick Germany and Japan now.

This book is an attempt to illuminate some of these mistakes.

I repeat, mistakes made by the same outfit, some of the same leaders who have been in charge of our Government for the past 15 or 18 years. They are asking us to follow them again tonight.

It is, of course, easy to be wise in retrospect and to look back with the benefit of hindsight at the greatest war in history and to point to errors and confusion. They were inevitable, for war is conducted by men and men are fallible. A historian's judgments, moreover, are something like those of a Monday morning global quarterback. Yet if we are ever to learn from our mistakes we must identify them.

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

Mr. LANGER. I decline to yield. I simply have not the time. I deeply regret it.

The PRESIDING OFFICER. The Senator declines to yield for any purpose.

Mr. LANGER. This excerpt continues about people making mistakes. People are making another mistake tonight, Mr. President, in the judgment of the senior Senator from North Dakota, a very serious mistake.

Mr. KILGORE. Mr. President, will the Senator yield for a quorum call?

Mr. LANGER. I decline to yield. I cannot spare the time.

The PRESIDING OFFICER. The Senator will not yield for any purpose whatsoever.

Mr. LANGER. Time is so short.

Mr. Baldwin said:

The major American wartime errors were all part and parcel of our political immaturity. We fought to win—period. We did not remember that wars are merely an extension of politics by other means; that wars have objectives; that wars without objectives represent particularly senseless slaughters; that unless a nation is to engage in an unlimited holocaust those objectives must be attainable by the available strength, limited by the victor's capacity to enforce them and the willingness of the vanquished state to accept them; and that the general objective of war is a more stable peace.

All through the war we heard that we were fighting a war for peace, that we were giving other countries destroyers for peace, have a Selective Service Act because we were going to enforce the peace. Everything was for peace. This expert says we lost it.

We forgot that the "unity of outlook between allies in war never extends to the subsequent discussion of peace terms."

Mr. President, if only those who are opposed to the conference report could get people to go to the Congressional Library there they could read what Franklin Delano Roosevelt said about the Russians and about Joe Stalin when they were fighting with Germany against us, and all the names he called them. Yet as quickly as he had an opportunity he joined them. President Roosevelt entirely forgot, as Mr. Hanson says:

We forgot that "while the attainment of military objectives brings victory in war, it is the attainment of political objectives which wins the subsequent peace." The United States, in other words, had no peace aims—

Where were the Democrats? With all the experience they had in World War I, where was this war party, this Democratic Party which looks around for war every time they get into office, apparently? Yet this military expert said the United States had no war aims at all—

we had only the vaguest kind of idea, expressed in the vaguest kind of general principles (the Atlantic Charter, the United Nations) of the kind of postwar world we wanted.

He said we had only the vaguest kind of an idea, and Senators have only the vaguest kind of an idea of the bill they are voting for tonight.

Those listening to the debate on the bill today must have wondered as they listened whether some of the Senators had read the bill more than once. We found disagreement on the part of the Democrats themselves. One Democratic Senator was talking and another rose and said, "These sentences do not mean at all what they say." He said that when the conference report said it would be necessary to list all the defense projects it did not mean that at all.

What can we think of a party, Mr. President, that is not even smart enough to write a bill which the Democrats themselves can understand? These men are not illiterate, they have college education, yet they read a bill and cannot agree on what it means.

There are between 40,000 and 45,000 defense plants. One Democrat gets up and says that under this bill it will be necessary to publish them all. He is promptly challenged by another Democrat on the floor who says that is not true at all. He says it will not be necessary even to publish anything about atomic energy plants.

Which one of these two are we to believe? What is the average man on the street going to say about it? If we pass this bill, two men will meet and one will say, "I know Senator So-and-So and I read the CONGRESSIONAL RECORD and he said you have to publish every one of these defense plants." The other man says, "Oh, no. I read what the other Senator said. You don't have to publish any of them." The Secretary of Defense says they must be listed. On

this floor a few days ago when we were talking about wool, one of the Senators said that one of the greatest articles of defense is wool, that if we are going up north to the Arctic Circle to do any fighting wool will become very important, and we should grab it all.

Mr. President, if that is true, is the farmer who produces wool a part of the defense mechanism? Is his name going to be published? If the hired man who works for him is a Communist, is the farmer compelled to investigate every man who wants a job to herd sheep or shear wool? It is said that under this bill if a book is printed and a man who works in a print shop is a Communist, the publisher himself is guilty.

I decline to yield. I cannot spare the time.

Mr. KILGORE. Will the Senator yield for a quorum call?

Mr. LANGER. Not for any purpose.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield.

Mr. LANGER. So, Mr. President, when it comes to the question of having forty to forty-five thousand individual defense plants, it is a matter of great importance whether or not all their names shall be published.

That brings us right down to what the President said in his veto message. It is strange, is it not, that when a campaign is on, some of the Democratic candidates want the President to come into their States, and speak at every whistle stop, They appeal to the President on bended knee, "Please, oh, please, Harry Truman, come into my district. I need help." Then when he becomes President, and he calls in, to obtain the benefit of their judgment, members of his Cabinet, the head of the Munitions Board, the Secretary of Defense, the Attorney General of the United States, and gives Congress the benefit of the advice he has received, Members of Congress who have ridden in on his coattails, who may have pleaded on bended knee for the President's help in their campaigns, say in effect that the President does not know what he is talking about. They will say, "It is not popular now to vote against this bill, and I certainly am not going to follow Harry Truman now. I know so much more than he does."

What did the President say about these 40,000 or 45,000 defense plants? What he said is not based on the judgment of Harry Truman alone. A Senator who votes against the President's advice is setting up his judgment against whom? President Truman said:

> I am taking this action only after the most serious study and reflection, and after consultation with the security and intelligence agencies of the Government. The Department of Justice, the Department of Defense, the Central Intelligence Agency, and the Department of State have all advised me that the bill would seriously damage the security and the intelligent operation for which they are responsible. They have strongly expressed the hope that the bill would not become law.

So a Member of Congress who votes for the bill says he knows more about it than the President does, than Attorney General McGrath does and more than his staff does. Any Senator who does not agree with the interpretation of the bill as given to it by the President says in effect that the Attorney General and his staff do not know what they are talking about. "I know more about it than they do." Some who may have tried lawsuits, perhaps most of them in justice courts, may say they know more about the subject than does the Attorney General of the United States; that the Attorney General of the United States is mistaken. They say in effect that they know more about the subject than men who are handling hundreds of millions upon hundreds of millions of dollars; they know more about it than General Marshall, they know more about it than Omar Bradley, they know more about it than Louis Johnson, they know more about it than General Eisenhower.

Mr. President, it was only a short time ago that we voted hundreds of millions of dollars for the Central Intelligence Agency. Senators will remember the debate that took place then. Some Senators, as the RECORD shows, did not even know that the FBI did not operate in Europe and in Asia. The debate showed they thought that J. Edgar Hoover went all over the world, and they were amazed to find out that the FBI's operations were confined only to the United States of America. They were amazed to find out that the Central Intelligence Agency simply succeeded the secret service organization we had during the war, headed by Bill Donovan.

We have appropriated hundreds of millions of dollars and have hired the best men that money can get to come into agency. We send all over the world graduates of Columbia, Harvard, Yale, Delaware University, University of Minnesota, North Dakota University, Louisiana University, the University of Alabama, Tulane, the University of West Virginia, and others. They go to Iran, Iraq, Ethiopia; they go all over Africa, all over China; they go all over the world and gather what? They gather evidence at the risk of their lives. They run so much risk, they encounter so much danger that we have even passed a special retirement act applicable to them. They gather the evidence.

The President and the Vice President and all the other members of the Board of Defense know what nations are friendly to us. They are advised by the Central Intelligence Agency. They know what country is friendly and what country is unfriendly to us. No one knows it better than the President of the United States of America. If he has the least suspicion that some country is unfriendly, he notifies the head of the department to investigate.

The President of the United States called in all those people to advise him respecting the bill, and they all said to him, "This bill is no good." The Department of State, with embassies located all over the world, knows just what is going on in South America, in Mexico, in China, and probably even in Russia. The Department says the bill is no good. The President of the United States, after receiving that advice from those men and women had the courage, the moral stamina, to tell the Senate honestly, whether it is wise politically or unwise, that this is a bad bill. Where are those fellows who were hanging on President Truman's coattails a few short months ago, begging to be elected? Now we are told that President Truman knows nothing. They say, "We know so much more than Mr. Truman or the Vice President or Omar Bradley or any of the other men the President says he consulted. We are not going to support the President of the United States."

Mr. President, I am a Republican, and Mr. Truman is a Democrat; but I have been disgusted, as I have traveled over this great Republic of ours, to find Democratic newspapers and Republican newspapers alike making fun of and criticizing the President of the United States of America. Our forefathers came here to establish this great country, and they adopted the finest Constitution which, up to the present, has ever been adopted by any nation on the face of the earth. We have Constitution Day, and on that day the orators tell us what a great document the Constitution of the United States is.

In that Constitution it is provided that there shall be a President and a Vice President. The people of this great country—rich and poor, alike; men and women, regardless of race, creed, or color—went to the polls and elected Harry Truman, President; and ALBEN W. BARKLEY, Vice President. Before that time, the people had elected Franklin D. Roosevelt, President; and Harry Truman, Vice President. It was the will of the people. The American people did it, even though the large newspapers spoke out overwhelmingly against it.

Mr. President, under our great Constitution, Harry Truman is Commander in Chief of the Army, the Navy, and the Air Force; he is our President. We would expect that the average American would honor the President. We would think the average American would realize that there stands one man, alone, to protect the health and the safety of the rank and file of the people of the United States. He stands there alone, Mr. President.

Mr. KILGORE. Mr. President, will the Senator yield for a question?

Mr. LANGER. I decline to yield, because I am just about to pay a tribute to the President of the United States. I am very sorry that I cannot yield.

Mr. KILGORE. I ask the Senator to yield just for a question.

Mr. LANGER. I am sorry, but I cannot yield. The time is too short, Mr. President.

The PRESIDING OFFICER (Mr. GRAHAM in the chair). The Senator from North Dakota declines to yield.

The Senator from North Dakota has the floor, and he may proceed.

Mr. LANGER. Mr. President, under our Constitution there stands one man, the President of the United States, to protect the people of the United States against all enemies.

Some of the leaders of other countries are jealous of our high standard of living and of the fact that we in this country have more telephones per capita than

does any other nation on the face of the earth, and that we have more automobiles per capita than any other nation has. They are jealous of our great prosperity. Harry Truman is fighting, with his back to the wall, against all of them.

You would think, Mr. President, would you not, that the American people would rally to his support, that they would say, "Mr. President, right or wrong, we have chosen you to be our leader, and we are going to hold up your hands." That is what a good American does, Mr. President.

Mr. KILGORE. Mr. President, will the Senator yield for one question?

Mr. LANGER. Mr. President, I decline to yield for any question. I do not have time to yield for a question—not even for one question.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield.

Mr. LANGER. Mr. President, you would think, would you not, that every good American would hold up the good, right arm of the President of the United States.

But what do they do? Some of the newspapers ridicule the President, lie about him, draw contemptible cartoons about him. Every time they draw one of those cartoons, every time they lie about the President of the United States, every time they minimize his capacity and his ability, what are they doing? They are giving aid and comfort to the enemies of the United States of America; that is what they are doing. How the enemies of the United States must laugh at the men and women who stoop so low as to defame the President of the United States of America.

Mr. President, Mr. Truman is not a candidate for reelection at the present time. He may never be. The Democrats will have their convention in due time. If Mr. Truman then becomes a candidate, all the Dixiecrats and all the Republicans who do not like him will have lots of time to tell about all his faults and all his mistakes. They will be delighted to go on the radio and tell the American people what they think about him. But until he becomes a candidate for President, in these dangerous days American citizens should get down on their knees and pray to Almighty God that the President may have divine guidance, that he may have good judgment, that he may exercise wise leadership for the benefit of the people of the United States of America.

I say that the President is entitled to the united support of Republicans and Democrats alike, so that he may be enabled to give this country the kind of administration a good American wants it to have.

How tragic it is to think that some of the newspapers that are belittling this man will put into the hands of children some of the cartoons ridiculing our President—cartoons which fall into the hands of some young students. What must they think of the President, the Commander in Chief of the United States?

However, that is not the worst of it, Mr. President. Those newspapers go to virtually every land on the earth. I repeat that every time such things are said about the President of the United States, that is giving aid and comfort to the enemy.

There the President stands, alone—a mighty figure, in my opinion. I believe that Harry Truman would rather cut off his right arm than harm a single man, woman, or child in the United States of America; and I say that after 5 years of association with him in the Senate, in the days when he served as a Senator. What object would he have for saying, in his veto message—as he does in paragraph 1, which in my opinion is the greatest paragraph of all those in the veto message:

> I am taking this action only after the most serious study and reflection and after consultation with the security and intelligence agencies of the Government. The Department of Justice, the Department of Defense, the Central Intelligence Agency, and the Department of State have all advised me that the bill would seriously damage the security and the intelligence operations for which they are responsible. They have strongly expressed the hope that the bill would not become law.

Mr. President, I repeat that, in view of the hysteria which is sweeping over the country, it took a man of great courage to write that message. It is one of which I, as an American citizen, am proud. It is great to be a Member of the Senate of the United States when we have a President who is a brave, fearless man.

The next paragraph of the President's message will be in the minds of every citizen of the United States of America before we get through with this fight.

Of course, those who favor this measure may succeed in having it passed. After all, the alien and sedition laws were passed—but they were never enforced.

So it is that those who favor the enactment of this measure may succeed in having it passed by the Congress; I suppose they have sufficient votes to do so. But I thank God that here in the Senate of the United States a Senator still has the right to stand up at 2 or 3 o'clock in the morning and protest and give his side and state his opinion of any particular measure.

I say that this second paragraph will be in the minds of all the citizens of America before we are through with this fight. The President said:

> This is an omnibus bill containing many different legislative proposals with only one thing in common: they are all represented to be anti-Communist. But when the many complicated pieces of the bill are analyzed in detail, a startling result appears.
>
> H. R. 9490 would not hurt the Communists. Instead, it would help them.

A man who says that, and signs his name to it, in these great days of hysteria, is a great man, and a great President.

Coming back to, "The great mistakes of the war," Mr. Baldwin certainly knows American character. He says:

> The major American wartime errors were all part and parcel of our political immaturity. We fought to win—period. We did not remember that wars are merely an extension of politics by other means; that wars without objectives represent particularly senseless slaughters; that unless a nation is to engage in an unlimited holocaust those objectives must be attainable by the available strength, limited by the victor's capacity to enforce them, and the willingness of the vanquished state to accept them; and that the general objective of war is a more stable peace. We forgot that the "unity of outlook between allies in war never extends to the subsequent discussion of peace terms."

Mr. President, I have read that twice, because there was that great weakness of both the Republican and Democratic leaders in this war. To indicate how well he knows the human character of Americans, he said:

> Our duties were emotionally clouded by the perennial American hope for the millennium, the Russian military accomplishments, the warm sense of comradeship with our allies which the common purpose of victory induced by the very single-mindedness of our military-industrial effort. Wartime propaganda added to illusion; all our enemies were knaves, all our allies friends and comrades—military victory our only purpose.

No thought of how we would win the peace.

> We embarked upon total war with all the zeal and energy and credit for which Americans are famous, but we fought to win, in the broader sense of an objective, we did not know what we were fighting for.

How well I remember, in World War I, Mr. President, that our boys were told, "You are fighting to make the world safe for democracy." In World War II they were told, "You are fighting a war to end all wars." Mr. Hanson Baldwin says, "We did not know what we were fighting for."

Think of it, Mr. President. Here were millions of boys leaving home, some of them leaving behind them wives and little children, some of them leaving behind them a college career they would never be able to finish, thousands of them going forth to die. Yet the military expert, Mr. Hanson Baldwin, says they did not know what they were fighting for. I have received letters from Korea, and, according to those letters, those boys do not know what they are fighting for.

One of the great columnists of this century said that one of the most important things for the United States Government to do was to make clear to those who were doing the actual fighting the objectives of the war. This military expert continues:

> The political mistakes we made, therefore, sprang from the receptive soil of this immaturity; but they were fertilized, too, by a lack of knowledge or a lack of adequate interpretation of that knowledge. This was particularly true of our wartime relationship with Russia.

Mr. President, I hope no Senator will ever forget the next few words I am going to read:

> This was particularly true of our wartime relationship with Russia. Our policy was founded basically on four great—and false—premises, certainly false in retrospect and seen by some to be false at the time. These were:
>
> 1. That the Politburo had abandoned (with the ostensible end of the Communist International) its policy of a world Communist revolution and was honestly interested in the maintenance of friendly relations with capitalistic governments.
>
> 2. That "Joe" Stalin was a "good fellow" and that we could "get along with him."

Mr. President, I remember picking up Collier's magazine during World War II and seeing an article by the President of the United States headed Russia Is a Gamble. Think of it; the President of the United States was gambling with hundreds of thousands of lives—the lives of American boys and girls. That was the gamble. The very man and the very Government he denounced when they were fighting with Hitler suddenly changed from devils to angels overnight. Mr. Baldwin said:

That "Joe" Stalin was a "good fellow" and we could "get along with him." This was primarily a personal Rooseveltian policy and was based in part upon the judgments formed by Roosevelt as a result of his direct and indirect contacts with Stalin during the war.

This belief was shaken in the last month of Roosevelt's life, particularly by the Soviet stand on Poland.

This will show, Senators, how smart Russia was. We were afraid that she might make a separate peace with Germany. She scared American diplomats.

Fear of this dominated the waking thoughts of our politico-strategists throughout the early phases of the war, and some anticipated such an eventuality even after the landing in Normandy.

Talk about propagandists. They said, "If you don't treat us right we will make a separate peace with Germany. Hurry up, come over here."

What I say now I say with deepest respect. I would not say one word to hurt any Senator. We like to boast about our two party system. Where was the opposition in the Foreign Relations Committee of the Senate? Has it ever occurred to the press, or has it ever occurred to Senators that there was no opposition party on the Foreign Relations Committee? It was one party. There is not a Senator who can name one time when a bill was not unanimously reported from the Senate Foreign Relations Committee. It is said that kind of government is better for the country. I remember when the nomination of George Marshall to be Secretary of State came to the Senate. Whether it was a good or bad nomination is immaterial. It came at 12:22 in the afternoon. I looked at the clock. Where did the Foreign Relations Committee meet? In the Vice President's Chamber. Do Senators know how long they met there? Twenty minutes. Not a witness was called to testify whether Mr. Marshall would make a good or bad Secretary of State. The committee met for 20 minutes to decide whether George Marshall should be Secretary of State. Twenty minutes. What a travesty on government. I went to the then chairman of the Foreign Relations Committee and I said, "Of course I will vote against him." And I went over to Wallace White and I said, "Remember always that I voted against it." Mr. President, it took 20 minutes for the nomination to come from the committee.

Do Senators know what makes Communists? We have a bill now which would put Communists in concentration camps, and which would make Communists register. After all, we are only the officers and the representatives of the American people. Suppose a corporation like General Motors had a $35,000,000,000 debt, and in ten short years it had grown to $260,000,000,000, would not the stockholders say, "We are paying you too much in salary."

Mr. President, year after year every vote in the Foreign Relations Committee is unanimous. We boast we have a two-party system. How careful we are in picking those who go on the committee. Some day we might get an isolationist on it. An isolationist would not know anything about it. So an isolationist does not get on the Foreign Relations Committee. My goodness, it would be a terrible thing. It would be far worse than having a Communist. We get a unanimous report on every bill. That is the kind of government we operated under all through World War II.

I remember UNRRA. I remember we had an American at the head of it. However, when a United States Senator wanted to see the head of UNRRA he had to go through the office of Sir Arthur Roberts, of England. What a disgrace to America.

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

Mr. LANGER. I cannot yield. I regret very much that I cannot yield to the distinguished Senator from West Virginia.

Mr. Hanson Baldwin says:

All of these basic misconceptions except the second——

That is the one about Joe Stalin being a good fellow and we could get along with him——

had one common denominator:

I will show Senators how smart this fellow Baldwin is.

Lack of adequate knowledge about Russian strengths, purposes, and motivations; and inadequate evaluation and interpretation of the knowledge we did possess, or failure to accept and apply it.

Mr. KILGORE. Mr. President——

Mr. LANGER. I decline to yield.

The PRESIDING OFFICER (Mr. GRAHAM in the chair). The Senator declines to yield.

Mr. KILGORE. Will the Senator yield so I may suggest the absence of a quorum?

Mr. LANGER. I cannot yield, Mr. President, I read further:

The second mistake could not have been avoided.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. LANGER. I decline to yield.

The Presidential office, with its vast powers, can, under an Executive who is so inclined, formulate a personal foreign policy.

This is particularly true in wartime. President Roosevelt liked to transact business—even international business—on a man-for-man basis; he depended heavily on personal emissaries like Harry Hopkins, and upon his own judgment, and was confident that his estimate of the other fellow was correct.

"I just have a hunch," William C. Bullitt quotes Roosevelt as telling him, "that Stalin does not want anything but security for his country, and I think if I give him everything I possibly can and ask nothing of him in return, noblesse oblige, he won't try to annex anything and will work with me for a world of democracy and peace."

That is William C. Bullitt quoting Roosevelt. Bullitt had been Ambassador to Russia. He said Roosevelt told him:

"I just have a hunch"—

Roosevelt was telling this to Bullitt—

"I think if I give him everything I possibly can give him and ask nothing from him in return, noblesse oblige, he won't try to annex anything and will work with me for a world of democracy and peace."

Every Republican should use it in the next campaign.

Had the President been able to lean upon a younger and more vigorous Secretary of State and a stronger State Department, he might have depended less upon intuition and snap judgment and more upon careful research and group study. But it was in the character of the man to administer and to govern and to bargain on a "first name" basis; he relied heavily upon his great persuasive powers and charm, as well as upon his political ego.

I am coming to it later, but this is as good a time as any to show the type of determination Roosevelt had.

It will be remembered how he yelled for unconditional surrender. A great Democrat rose in this Chamber, Burton K. Wheeler, of Montana, certainly one of the great Democrats of all time in the great Northwest, honorable, efficient, unusually careful in his judgment, foresighted and farseeing. He stood upon this floor and pleaded for one whole day against what he called that terrible slogan of unconditional surrender, how that term would prolong the war for months and would cost thousands upon thousands of American boys' lives.

Burton K. Wheeler knew, but the American Senate would not listen to him. Why? Because he was an isolationist. He may have been a Democrat, but unless one was the right kind of a Democrat, he did not count.

What about the unconditional surrender that Mr. Wheeler pleaded with us to abandon, to pass resolutions to get rid of?

What does Winston Churchill say? Winston Churchill now repudiates Roosevelt's action and says it was Roosevelt's, and Roosevelt's alone. I will give the vindication in this book.

It is not merely the judgment of one man. Some of the Senators who are going to vote for this bill are going to put their own judgment against that of the Department of Justice, the Department of Defense, the Central Intelligence Agency, and the Department of State. Mind you, some of these thousands of employees have been all over the world. There is not the least doubt in my mind that some of them are in Russia tonight advising the President of the United States. And the President says:

I am taking this action of veto after only the most serious study and reflection and after consultation with the security and intellignce agency of the Government.

Is there a Senator on this floor who will seriously contend that he knows what the Central Intelligence Agency has reported to the President? Oh, some of

those who favor the passage of the bill know all about it; they know more than Omar Bradley, more than the Department of Justice, more than the Central Intelligence Agency, and the Department of Defense.

Leaving out the Department of State entirely, which some may not like, here is the President of the United States getting all this confidential information. He says to some of the Senators who only a few months ago were begging him to come into their States and help elect them that he has given this serious thought. Harry Truman went out and helped elect them. If it had not been for the two men at the head of the Democratic Party campaigning, the Republicans would have won many more victories.

Go to Idaho and talk to some of the farmers there. Harry Truman spoke at a whistle stop, and 2,000 inhabitants, farmers, in a little town, came to hear him. The train stopped only 10 minutes. What did he tell them? He said, "Oh, I see we are right in the middle of a dust bowl where all you fellows around here went broke." He leaned forward confidentally and said, "You know, I went broke with you. I had a little haberdashery store in Kansas City, and I went broke with you, and we are all in the same mess."

Do not think those fellows did not go out and shout for him. If you do not think so, talk to some of the members of the press who were there.

He was humble, nice, candid. He was not talking over the heads of the people. They came out to greet him and to welcome him.

The men for whom we are spending these hundreds of millions of dollars, men who are perhaps in Russia tonight, or they may be in Korea tonight—they are all over Asia and all over Europe—the generals and the admirals, all those who know, have advised the President, while Senators are guessing.

The Central Intelligence Agency, whose job it is to keep the President informed, advised him. The President said:

> I am taking this action only after the most serious study and reflection and after consultation with the security and intelligence agencies of the Government. The Department of Justice, the Department of Defense, the Central Intelligence Agency, and the Department of State have all advised me that the bill would seriously damage the security and the intelligence operations for which they are responsible. They have strongly expressed the hope that the bill would not become law.

As I have said, Mr. Hanson Baldwin talks about the great mistakes of the war. My judgment and idea is that passing this bill, by ignoring the advice of the President of the United States, will result in another great mistake.

It does not worry me at all to be talking at this hour of the night, because as I look at the newspaper in the hands of the distiguished senior Senator from Nevada, I see the headline, and it means that in Korea thousands upon thousands of American boys are fighting tonight. They do not quit for supper at 6 o'clock—"dinner," as some of the folks here in the East call it. They do not quit at 8 or 9 o'clock. They do not quit at 12 o'clock or at 2 o'clock in the morning or at 3 o'clock in the morning. Those boys there are fighting all the time, as is shown by the headlines in the newspaper in the hands of the distinguished senior Senator from Nevada. They are there battling.

Tonight may be the last night on earth for some of those boys. We are here in the Senate representing them. We are saying tonight to the Commander in Chief, "You don't know what you are talking about when you tell us to sustain your veto, when you tell us that this bill is no good, when you tell us that this bill, if passed, will do more harm than good."

In my opinion, the boys who are fighting in Korea tonight are over there because of some mistakes made by the leaders of our Government. But when the President of the United States, when Omar Bradley, when all the great leaders who compose the Department of Defense, and when the Central Intelligence Agency, all tell me that this is a bad bill, until someone upon the floor proves they are wrong, I shall accept their judgment. The American people are going to accept their judgment too.

Oh, how often I have heard J. Edgar Hoover praised upon this floor. I have heard some of the great Republican leaders, so-called, leaders on the Republican side, say, "If Edgar Hoover says a thing is so, it must be true." J. Edgar Hoover has made a remarkable record. One cannot read the veto message without realizing that the President has had the advice not only of the Central Intelligence Agency but the advice of J. Edgar Hoover. Yet only 3 days ago we heard an argument as to whether J. Edgar Hoover had written a letter or had not, and it was conceded that whatever J. Edgar Hoover had to say on a certain point was undoubtedly correct.

Mr. President, I am a member of the Committee on the Judiciary. When the Mundt-Nixon bill came before the committee, something happened that I do not believe ever happened before in the annals of the Senate. We voted on the bill on a Friday. That night one of the Senators who had voted against it, announced in the press that he had changed his mind; that he was for it. The next day the great and distinguished junior Senator from Tennessee [Mr. KEFAUVER] announced he was opposed to the bill. Then the senior Senator from Washington [Mr. MAGNUSON] announced that he was against section 4 of the bill. Later the distinguished Senator from West Virginia [Mr. KILGORE] announced he had changed his mind. I believe all Members were present when a motion was made to recommit, and the vote was either 6 to 5 or 7 to 6. The RECORD will show what the vote was. That is how close the vote was on the Mundt-Nixon bill in the Senate Committee on the Judiciary.

Mr. President, I submitted minority views. In them I stated that—

> The bill, if enacted, would constitute the greatest threat to American civil liberty since the alien and sedition laws of 1798.

That was written in March of this year. I have not changed my mind about that. I said at that time about the bill:

> It is the product of hysteria and frantic, unthinking fear.

And that is what it is. I said then, and I repeat now:

> Like that bill, it would strike at the very foundations of our democratic institutions—the right of the people to speak their minds, to hear every viewpoint on public questions, and to associate together freely to advance their common views. Like that bill, it merits the opposition of all who cherish liberty.
>
> Under the guise of protecting our democratic institutions against an alleged threat of subversion from foreign agents who seek to overthrow our Government by coercive means, it is proposed to regiment the thinking of the American people and to impair or prevent the free exercise of constitutionally guaranteed freedom of speech and association.
>
> It is proposed to confer on a politically appointed Board vague and, therefore, unrestricted power to outlaw associations of citizens whose views and policies are considered by it to be dangerous.

Mr. President, I said the other day upon the floor that I had had personal experience with such matters. During World War I the Governor of Minnesota was J. A. A. Burnquist. A law was passed in Minnesota creating a council of defense. That council had the right to stop anyone from speaking if it wanted to do so. It had a right to prohibit public meetings being held. It had the right, and it certainly exercised the right, of keeping persons from writing and publishing what they wanted to. If someone did what they did not like him to do, they painted his house yellow at night. The board, which was appointed by Governor Burnquist, was headed by C. H. March, I believe, of Litchfield. I told the Senate 2 days ago that Magnus Johnson, a great, respected citizen of Minnesota, who later was elected by the people to come to the Senate of the United States, and I went out in a truck to talk to the people of Minnesota. We had to be careful, however, to touch on the right spot. Magnus Johnson would start to make a potriotic speech and the sheriff of the county would say, "You cannot talk in this county, Magnus Johnson." Then we moved the truck to another town, put up the American flag, and Magnus Johnson would start to talk. This political board, appointed by the Governor of Minnesota, said, "No, you cannot talk in this county, Magnus Johnson." The only difference between that and what is proposed in the bill we are discussing is that under the bill a Communist would be put in a concentration camp. The Communists are going to be locked up good and tight. So Magnus Johnson had to go into a third county where there was a friendly sheriff, and speak. The people of Minnesota resented that.

Well, the term of Governor Burnquist expired, and Jake Preus was elected Governor and assumed office. He retained the same board, and then an election came on. What do Senators suppose happened? I will say what happened. Magnus Johnson beat the Governor, and put him out of political life

in Minnesota. And Jake Preus has never held an office in the State of Minnesota since. As a matter of fact he left the State and moved to Illinois, did this ex-governor who did what is proposed to be done here tonight. That is what the people of Minnesota thought about it.

Oh, the bill may be popular for a few months. The distinguished governor of a great State the other day announced, in a speech to veterans "I am in favor of hanging every Communist." The audience cheered. How good it sounded. But when a Member rises on the Senate floor and says that 37,000 farmers in one State are Communists, and when we hear of a governor who says he is in favor of hanging them all, one wonders whether we are in the United States or in Russia. A man who has been a Member of the Senate for years and years rose in the Senate and made those charges against the farmers of one State. The charge was so false that the junior Senator from South Dakota, one of the authors of the bill, got up in the United States Senate and repudiated the charge that the heads of the Farmers Union or any of its members were Communists. He said, "Even though a Democrat who is the head of the Farmers' Union is running against me, I want all of you to know that he is a good, loyal American citizen." Those were the words of the junior Senator from South Dakota.

Suppose we had a President of the character of the man I mentioned, who at that time was Governor of Minnesota? Suppose a President of that sort named a board of five persons, and suppose that President did not happen to like the Farmers Union. I do not have the least doubt that in an organization of 37,000 heads of families, there might be two or three Reds. Under a board appointed by a future President, could it not be said, "We have ferreted them out, and we will put all of them in a tent. We are going to teach these farmers not to join this union. We have been making the profits all these years, and we are not going to let any of the profits go to any cooperatives. We are going to put the fear of God into them."

Mr. President, do you think that could not happen? If you do, you simply have not been through the experience I have been through in North Dakota with the Nonpartisan League.

A certain Member of Congress was invited to Minnesota to give a speech. Before he could even begin to speak, he was driven off the platform; rotten eggs were thrown at him, and he was driven out of the State. That is the kind of thing which develops when there is a political board, appointed by a Governor. The situation would be no better if the board were appointed by a President.

I have forgotten the name of the man who, while still a young fellow, invented the new kind of dynamite which was used in World War I. Our Government bought it from him for $800,000. Some of the Members of the Senate very likely remember his name. That man helped win that war. Mr. President, do you know what happened to him in North Dakota, before Senator Frazier was elected Governnor? They rode that young man out of town on a rail, and poured tar and feathers on him. The Governor at that time was a cousin of Mark Hanna, of Ohio. That inventor, who had developed that great explosive, which our Government was so happy to buy, was ridden out of town on a rail, and was tarred and feathered.

I wish to ask those who have been advocating the enactment of this measure to imagine what would happen if a Communist were President of the United States. If he named the board to be appointed under this measure, how long do you think Senators would be at liberty? Senators should consider that when they are preparing to pass a law which will be permanent.

I remember when the Ku Klux Klan marched up Pennsylvania Avenue. That was not so very long ago, either. Do Senators say it could not happen today? Oh, how the Ku Klux Klan were cheered here in Washington. Senators would not think it possible; yet all of us know it did happen.

Mr. President, in the minority views I went into great detail. I wish to read from the closing passages of my minority views:

> It is proposed to confer on a politically appointed board vague and, therefore, unrestricted power to outlaw associations of citizens whose views and policies are considered by the Government dangerous. Under these powers, trade unions and other organizations which seek to alter the status quo or to oppose this or that governmental policy by lawful means, with no evil intent, could be branded as traitorous agents of foreign governments or movements. Their members could be relegated to the position of second-class citizens, and made subject to economic and social outlawing.

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

Mr. LANGER. I cannot yield now; I am sorry that I cannot yield.

Mr. President, only yesterday we heard of a case in Germany in which a son testified about his sister or his father or his mother or his brother. Just think of that, Mr. President—that one member of a family would spy on other members of his family.

In the minority views I said that it is proposed to punish as a crime mere membership in an organization which has failed to identify itself by registering when ordered to do so, and to make criminal an agreement to do any act, however innocent and lawful, which a court might find would substantially contribute to the establishment in the United States of a totalitarian dictatorship.

The other day the distinguished Senator from Tennessee [Mr. KEFAUVER] hit the nail on the head when he said, "Why does not the Congress pass a law requiring all burglars to register?" He said, "How many burglars do Senators think would register? Of course, they would violate the law if they did not register, but how much would any burglar care about that?"

Mr. President, the President of the United States might as well ask the Congress to require all thieves and burglars to register. If we are going to pass a bill requiring all members of a political party to register, why not make the situation easier and more simplified by requiring all those who are thieves and burglars to register, too?

One of the first battles I had when I came to Washington involved an anti-Communist measure. I had been about a year on the committee, when Francis Biddle, who had been Attorney General, came before the committee and advocated the passage of a measure which provided that all Communists be barred from running for public office. At that time there were 19 members of the committee, as I recall. One of the members was a very clear-headed man by the name of JOE O'MAHONEY, of Wyoming. I said to the Senator from Wyoming, "You know, I could not support this kind of legislation, because in North Dakota we had, away back in 1932, the same problem of Communists."

At that hearing I said to Attorney General Biddle, "You cannot stop the Communists by keeping their names off the ballot and by passing a foolish measure of that kind."

Mr. President, the first time I ran for Governor in North Dakota I was sick, and was lying in a hospital bed. I was sworn in as Governor while I was lying in that hospital bed.

While I was lying in the hospital, in 1933, a thousand men marched upon the capitol of North Dakota at Bismarck, in what they called a hunger strike, led by a man known as Red Flag Taylor, of Sheridan County, N. Dak. I got in touch with three very prominent men, with whom I thought I could talk. I said, "When those people get to Stanley, bring them into the courthouse." I picked the former Governor of the State, Walter Madden, a man by the name of "Dad" Walker, members of the legislature, and a man, Roy Frazier, who had been in the legislature. They went there and tried to talk to the marching group, but could do nothing with them. They continued marching on the capital of North Dakota. When they got to the town of Wilton, 26 miles from Bismarck, I had them met by the Adjutant General of North Dakota. He bowed to "Red Flag" Taylor, gave him our compliments, and said, "We are going to take care of you. The Governor has provided free lodging for you, he has provided free eats, he has called a joint meeting of the legislature, so that you may speak to your representatives and senators as long as you care to, because you are citizens of the State of North Dakota." Surprisingly, within 36 hours they were all talked out. They had two legitimate complaints; one, the matter of foreclosures, the other was that a labor family had been evicted in the city of Fargo; a family with five little children were evicted in the month of December, and the little girl had died as a result of exposure to the cold weather and snow. They were simply thrown out. The Legislature of North Dakota and myself, by executive decree, took care of those things, and the marchers went back home.

Mr. President, do you know what they did before they went home? They adopted a resolution thanking the legislature and the Governor of North Dakota for the reception given them. Mr. President, do you know how many votes

they got the next time they put up a ticket? They got 1,100. The next time, 2 years later, when I ran against Sam Patterson, the same man who ran against me before, they got 433 votes, because we had taken care of all the conditions mentioned by the junior Senator from Minnesota. We provided for a moratorium, so that people could not be evicted, and their farm machinery could not be taken from them.

Franklin Delano Roosevelt had also declared a moratorium. When they only got 433 votes, they lost their place on the ballot, because under the laws of North Dakota they had to have 500 votes in order to remain on the ballot, and they did not get that many.

J. Edgar Hoover says there are only 70 Communists who live in North Dakota, so, if counting 4 to a family, that means there are less than 20 Communist families in the State. That is because we passed legislation of the right kind, legislation which took care of the poor people. We were the first State in the Union to have an old-age pension act. That was 2 years before we ever heard of the Townsend plan. We were the first State in the Union to pass a law to take care of the widows and orphans. Before that, children used to be scattered all over the State. We said no one could take better care of those children than the mother could. So we gave the mother so much a month, and for each child she was given so much additional. Those are one or two of the things we did.

They used to take little 14- or 15-year-old girls and work them in department stores, drug stores, and in the movie theaters, which ran 7 days a week, many of them until late at night. In a department store at Grand Forks, N. Dak., I, as attorney general, found a little girl working for $2 a week and paying for her own board and room. Girls could work in drug stores without a medical examination being required of those for whom they worked. A little farm girl might work from early in the morning until late at night beside a syphilitic, and be waiting upon people who were buying and eating food. We passed a law providing for medical inspection, and providing that girls could not work for more than 8 hours a day nor more than 6 days a week. Later we made it 5—and the Communists only got 333 votes. But today, J. Edgar Hoover says there are but 70 Communists in the State, or about 20 families.

Mr. President, legislation is proposed now to make the Communists register. The President of the United States certainly characterized it properly. At times I think the President of the United States has a great sense of humor. I was given to understand tonight—I do not know how true it is, and I am not in his confidence—that he personally dictated most of this veto message. If he did, I can imagine his smiling at two or three of the paragraphs he wrote into it, particularly when he said, for example, that it was just as sensible to require thieves to register as to call upon the Communists to register. Those who are proposing this bill know that the Communists will never register, because they have already announced, at New York and some other places, that they do not intend to register. The President is dead right when he said they will simply change the names of their organizations.

Let me go back again to the paragraph which I consider one of the greatest paragraphs ever written by any President in any veto message. He says:

I am taking this action—

That is, in vetoing this bill—

only after the most serious study and reflection and after consultation with the security and intelligence agencies of the Government. The Department of Justice, the Department of Defense, the Central Intelligence Agency, and the Department of State have all advised me that the bill would seriously damage the security and the intelligence operations for which they are responsible and they have strongly expressed hope that the bill would not become law.

So I come right back again to the question I asked a while ago: Who knows more about this bill—96 Senators, some of whom have never studied it, a few more of whom have studied it only superficially, and none of whom, by any stretch of the imagination, could possibly know the facts as the Central Intelligence Agency knows them, through having men in Russia and in the satellite countries, all over Europe and all over Asia?

They say this bill is no good, and the Department of Defense, General Bradley and others, say the bill is no good. Then we have the Senate Judiciary Committee, which by a vote of 6 to 5, or 7 to 6, whichever it was, reported the bill.

Mr. President, whose judgment would you take? If it were a mater involving a large amount of money for yourself, if this were a matter involving the life of one of your children, whose judgment would you take? In a case involving infantile paralysis, if the American Medical Association said to you, "We have studied this question for many years and we know something about infantile paralysis," and if your little girl was suffering from it, and a couple of quack doctors came along and said, "You can cure it by putting on a hot cloth," whose advice would you take? Would you take the advice of men with no experience? After all, if we appropriate millions and millions of dollars for the Central Intelligence Agency, then most certainly we ought to follow their advice.

Mr. President, there was some discussion today about letters written by John W. Davis and some other authorities I desire to refer again to my minority views, written in March 1950. I said:

In the atmosphere created by this bill the American tradition of freedom could only stifle and die. That is why the trade union movement, represented by the A. F. of L., and CIO and Brotherhood of Railroad Trainmen, have expressed their vigorous opposition to this bill.

We have the A. F. of L. opposed to it. We have the CIO opposed to it. We have the Railroad Brotherhoods opposed to it. Mr. President, they are the men who work. Take a group like the Brotherhood of Railroad Trainmen. Are Senators acquainted with the patriotic record of this group during World War II. These men are against the bill. I will tell Senators what their record was during World War II. Are they Communists? In World War II 21 percent of the employees, engineers, firemen, and brakemen who belonged to the railroad unions and their auxiliaries went to war. With equipment and machinery running down, do Senators know what they did? They hauled twice as much freight as they had hauled before the war. They broke all records. With 21 percent less help, they hauled twice as much freight. I submit it it is a remarkable record. They are against the bill. Likewise the National Farmers Union is opposed to the principles of this bill.

I have already said all it is necessary for me to say about the National Farmers Union. I again call the attention of the Senate to the article which was written by James E. Patton and which took the anti-Communist view on the Korean War. The National Farmers Union which has done so much to organize the farmers and to get for them fair prices for their products, is opposed to the bill. That is the Farmers Union that consulted with Franklin Roosevelt day after day. Bill Thatcher, of Minneapolis, St. Paul, the head of the dairy cooperatives, is against the bill. The dairy cooperatives are against the bill.

In the atmosphere created by this bill the American tradition would only stifle and die.

That is why the Association for the Advancement of Colored People is opposed to the bill. They filed their objection in the committee. The American Jewish Congress expressed its opposition to such a bill. That is why the American Civil Liberties Union is against the bill. That is why the National Lawyers Guild is opposed to the bill.

Mr. President, I am in good company. It is a good company, and I am proud of the company. I am always proud to be associated with the National Farmers Union, because I have seen the brave fight they have made for the common people. I have seen them resist foreclosures and mortgages. I have seen them, when their neighbors were hurt or sick in bed, going out and doing all the farm work for them. Let me tell Senators that fundamentally the hearts of the members of the Farmers Union are sound and just as patriotic right straight through as are the hearts of the Members of the United States Senate. I do not have to apologize for the membership of the Farmers Union, because they have made a record so fine they do not need any defense from the senior Senator from North Dakota. They said they are against this bill.

The other day, while the American Bar Association was meeting in Washington, the newspapers carried the story that the Committee on Un-American Activities of the House was going to bar the National Lawyers Guild as red. Then we find that out of a membership of 3,800 only 4—none of whom were officers—were named by that committee.

I ask again the question to which I never received a satisfactory answer:

What emergency can be pointed to as a possible justification for this departure from our constitutional principles which have served us so well for more than 150 years and through two world wars?

Mr. President, we had a concentration camp in World War II at Fort Lincoln in North Dakota. To it were brought Japanese-American citizens. They were taken from California and placed behind barbed wire in North Dakota. Many Germans—about 250 of them—were brought there, too. They were put behind barbed wire. Some of them were there for nearly 3 years. I saw this thing in action. It is not anything new to me. I investigated it. I found out things about it.

In Costa Rica the Communists got control of the government. When the Communists in Costa Rica obtained control of the government, do Senators know what they did? They selected the 50 richest men of German extraction, and, with the help of Americans, either the FBI or the Central Intelligence Agency—I do not know which—picked them up, and without ever giving them a chance to say good-by to their wives and children, loaded them into a plane, and brought them to Bismarck, N. Dak., and put them behind barbed wire. I talked to these men at the request of Bishop Ryan of the Catholic Church. He asked me to go out and see them.

What do Senators think of stories like these? One of them had told me he left Germany when he was 2½ years old. He married a girl in Costa Rica. He built a brewery. He decided he could make more money if he also sold perfume. So he organized a perfume factory. Of course he had to sell the perfume. So he took trips all over the world. He went to Scotland, England, Ireland, and also to Germany. He did not stay in Germany any longer than he stayed anywhere else. One day one of the agents came in. This man was worth three or four million dollars, a man whom the Communists hated, a man whose property they wanted because they were envious. They said to him, "Is it not true you had been in Germany?" He said, "Yes." He was there for 3 years. They said, "You were there 2 years ago, 3 years ago?" He answered, "Yes." "You were there selling perfume."

Mind you, that is all he himself knew about. He was not confronted with any witnesses. At 5 o'clock that day the FBI or the Central Intelligence Agency picked him up and took him over to Fort Lincoln, N. Dak., put him behind barbed wire, and he stayed there 2½ years before anyone was able to do anything for him.

Talk about the writ of habeas corpus, which has been mentioned. Let me give a little testimony about the writ of habeas corpus. In North Dakota behind the barbed wire was a man named Bishop. An attorney by the name of Murray, of Bismarck, N. Dak., was hired to defend him. But the lawyer could not communicate with his client except in the presence of the commander of the fort.

The lawyer got out a writ of habeas corpus. The commander knew that the writ of habeas corpus was coming up on a certain day. Murray testified before the Senator from Nevada [Mr. McCARRAN] himself and another Senator, I believe the Senator from Mississippi [Mr. EASTLAND], in my presence. The United States Department of Justice picked this man up and took him to Crystal City, Tex. They paid no attention whatsoever to the writ of habeas corpus, the order which had been signed by a Federal judge, directing the commander of the fort to bring the man before the court under the writ of habeas corpus.

When people are in power, Mr. President, there are many things they can do. So now it is proposed to have concentration camps, and we can be absolutely certain that the concentration camps are for only one purpose, namely, to put in them the kind of people those in authority do not like. If the Communists were in authority, they would put their enemies in the camps, and if the others were in power, the Communists would be put in them. In the meantime, many innocent people would be caught in the toils.

The more often I read this veto message, the prouder I am of the President of the United States. They could not bluff Mr. Truman. They did not scare him. Mr. Truman knows that the American people at heart are absolutely sound. All the American people want to know is the true facts, and we can absolutely trust that the decision of the people will be sound.

Let me tell the Senate something more. There are the votes to pass this bill all right, but the American people are going to have the last say, as they had it in Minnesota. Those in power said to Magnus Johnson, "You cannot talk here." He talked there all right 2 years later as a United States Senator. He had the pleasure of beating the Governor who appointed the counsel who said he could not talk.

Mr. Truman does not have to worry, because the people are going to know just what is in this veto message, the newspapers of America are going to tell them.

Some of the old timers in politics have forgotten all about the radio. They still think we are where we were 50 or 60 and 70 years ago. They think they can pass a bill and nobody will know what is in it. I say that people will find out.

Those to whom I sent my minority report overwhelmed me, writing me that they were in favor of what I said in the report, and opposed to the Mundt-Nixon bill. Some of them did not know how dangerous the bill was.

The President said a very wise thing in his veto message:

H.R. 9490 would not hurt the Communists. Instead, it would help them.

It has been claimed over and over again that this is an "anti-Communist" bill—a "Communist control" bill. But in actual operation the bill would have results exactly the opposite of those intended.

Mr. President, that is the President of the United States speaking; it is the Department of Justice talking; it is the Department of Defense speaking; it is Omar Bradley talking. All of them put together, including the Central Intelligence Agency, with its hundreds and hundreds of employees, working in every country under the globe, some of them in Russia tonight, all of them together talking to the United States Senate through the voice of Harry Truman, and unitedly, they say "We don't want this bill passed." Those working in the Central Intelligence Agency, who are risking their lives every minute, say, "We don't want this bill passed. It is going to hurt us."

Winston Churchill was invited to speak here, the same Winston Churchill who said over the radio, "We don't want your boys. Just give us tools and guns."

I call the attention of the Senate to the fact that among the mistakes made was when Stalin took possession of Berlin, and our people were so dumb that they did not even have the right to go into Berlin by land, but had to organize an airlift, with its cost of millions of dollars to our taxpayers.

I wish to go back to the article by Mr. Baldwin, the military expert for the New York Times, because he analyzes so thoroughly what took place during World War II.

He says on page 6:

Had the President been able to lean upon his younger and more vigorous Secretary of State, and on a stronger State Department—

Mr. President, the State Department, it seems, always has been weak. There has been something wrong with the State Department ever since I have been in Washington.

I hate to criticize any department. This writer, who won a Pulitzer Prize says:

Had the President been able to lean upon a younger and more vigorous Secretary of State and stronger State Department he might have depended less upon intuition and snap judgment and more upon careful research and group study. But it was in the character of the man to administer and to govern and to bargain on a first-name basis; he relied heavily upon his great persuasive powers and charm, as well as upon his political ego.

And this man who was at Tehran, and at Yalta, says:

A graphic instance of this tendency toward snap decisions and casual dependence upon Stalin's good intentions was provided at Tehran. At that conference, in late 1943, Roosevelt, in one of his tête-a-tête's with Stalin and Churchill, casually agreed, unknown to virtually all of his advisers, that the Russians ought to have one-third of the surrendered Italian fleet. This agreement was put in the form of an oral promise, and Stalin was not one to forget promises.

The promise was for one-third of the Italian fleet, Mr. President.

Our Navy and the British Navy, who were then trying to utilize the surrendered Italian ships—manned by their own crews—to best advantage in the Mediterranean convoy and antisubmarine work, knew nothing of this agreement until Russian representatives in Washington asked early in 1944 when they

could expect "their share of the Italian fleet."

Navy, State Department, and Joint Chiefs of Staff were dumfounded; all our efforts had been directed toward enlisting Italian support in the war against Germany; assignment of one-third of the Italian fleet to the Russians as spoils of war would have been a political bombshell which would have handicapped the war effort in the Mediterranean. Accordingly, and to repair the damages of a casual promise made cavalierly without benefit of advice, the Russians were persuaded to accept, in lieu of the Italian vessels, some American and British men of war.

The American vessels being at the expense of the American taxpayers, of course.

This is but one example of Roosevelt's personalized foreign policy—a foreign policy marked more, perhaps, by idealism and altruism than by realism. This Rooseveltian tendency toward international altruism, too often unmoderated by practical politics, seems a strange manifestation in one who domestically was a pragmatic and consummate politician. But it must be remembered that the vision of a "brave new world" was strong in Roosevelt's mind, and his optimistic nature and the great inner wellspring of his faith in man sometimes affected his judgment.

As WILLIAM L. LANGER notes, Roosevelt regarded Russia as the lesser of two evils, and he shared an idea common at time that the cult of world revolution was already receding in the minds of the Soviet leaders, and they were becoming more and more engrossed in purely national problems.

As a result he turned away from the only practical policy that should have governed our actions—opposition to all dictatorships and reliance upon the time-tested balance-of-power to the chimera of so many Americans—a brave new world.

The Presidential ego unavoidably became stronger in Roosevelt's closing years. His great wartime power, the record of victory, the high esteem in which he was held by the world, and the weakness of the State Department all combined to reinforce the President's tendency to depend upon himself. Had the Nation then had a National Security Council, or organization for reconciling and presenting military-political views, had it had a strong, well-integrated State Department—

Is it not funny they always come back to the State Department and say, that it is no good?

this personalized foreign policy might have been tempered by riper judgments and more carefully thought-out decisions.

One of our greatest weaknesses in the policy field through the war was the failure to equate, evaluate, and integrate military and political policy; there was then no adequate government mechanism, save in the person of the President himself, for such integration.

Former Secretary of War Stimson points out in his book that the formal organization of the Joint Chiefs of Staff had "a most salutary effect (in the military field) on the President's weakness for snap decisions; it thus offset a characteristic that might otherwise have been a serious handicap to his basically sound strategic instincts." But there was no political counterpart of the Joint Chiefs of Staff; and even if there had been, it is difficult to conceive that such an organization could have tempered materially the personal views which Roosevelt formed about Stalin and Russia.

Mr. Roosevelt had his own ideas about them, and he would not take advice from anybody. The Department of State was unable to give him any, and so he had to go his own way and do the best he could.

The other fallacious premises upon which our wartime Russian policy was based, however, could have been avoided.

That is why this bill is so important, Mr. President; the matter of the Russian policy described in this book.

We became victims of our own noble propaganda: Russian aims were good and noble, communism had changed its stripes. A study of Marxian literature and of the speeches and writings of its high apostles, Lenin and Stalin, coupled with the expert knowledge of numerous American specialists, should have convinced an unbiased mind that international communism had not altered its ultimate aim; the wolf had merely donned a sheep's skin.

Had we recognized this—and all past experience indicates we should have recognized it—our wartime alliance with Russia would have been understood for what it clearly was: a temporary marriage of expediency. In the same manner, a careful study of strategical facts and available military information should have indicated clearly the impossibility, from the Russian point of view, of a separate peace with Germany.

A separate peace? Had we had a separate peace we never would have had the Communist problem to deal with and we would not be considering this bill tonight. Mr. Roosevelt thought the Russian aims were good and noble. We find out now how good and noble they were.

Such a peace could only have been bought in the opening years of the war by major territorial concessions on Russia's part, concessions which might well have imperiled the Stalin regime, and which, in any case, would have left the Russo-German conflict in the category of unfinished business. In the closing years of the war, when Russia had everything to gain and nothing to lose by continuing the struggle to complete victory, a separate peace would have been politically ludicrous.

There is no doubt whatsoever that it would have been to the interest of Britain, the United States, and the world to have allowed—and indeed to have encouraged—the world's two greatest dictatorships to fight each other to a frazzle. Such a struggle, with its resultant weakening of both communism and nazism, could not but have aided in the establishment of a more stable peace; it would have placed the democracies in supreme power in the world, instead of elevating one totalitarianism at the expense of another and of the democracies.

Mr. President, just think of the horrible situation. Here we have a United States Senate Foreign Relations Committee. What is its purpose? Where were they while all the things I have mentioned here were going on? When all the land around Berlin was given to Russia, not even a highway being left as a port of entry as a way to get into the American zone in Berlin, where were the members of the Foreign Relations Committee? Just think of it, Mr. President. Would the average farmer buy 40 acres in the middle of a section of land and not be smart enough to provide for a road by which he could get into the 40 acres? There were the great statesmen, and there was the great Committee on Foreign Relations. Russia took over Berlin, and the United States signed the agreement, but did not even reserve the right to have a road by which to get into the American zone in Berlin. Later on John Winant was blamed for that error, and he committed suicide.

We have the Senate Committee on Foreign Relations. I wish to state its duties. In some of the books which set forth the duties of the House committees and the Senate committees, the duties of the House committees are listed first, and those of the Senate committees are listed last. I seem to have in my hand at this time one of those books, for in it I find listed first the House Committee on Foreign Affairs. I shall read from page 16, at which appears a statement of the duties of that committee. According to this booklet, the House Committee on Foreign Affairs is supposed to be considering and taking care of—

1. Relations of the United States with foreign nations generally.
2. Establishment of boundary lines between the United States and foreign nations.

Mr. President, they did not even reserve a road to permit Americans to get into the American zone in Berlin, after the Americans took over Berlin. The men in charge of that particular project did not know enough even to reserve the right to have a road which would permit the American authorities and forces to get into Berlin.

I read further from the list of duties, responsibilities, and obligations of the House Committee on Foreign Affairs:

3. Protection of American citizens abroad and expatriation.
4. Neutrality.
5. International conferences and congresses.
6. The American National Red Cross.
7. Intervention abroad and declarations of war.
8. Measures relating to the diplomatic service.
9. Acquisition of land and buildings for embassies and legations in foreign countries.
10. Measures to foster commercial intercourse with foreign nations, and to safeguard American business interests abroad.
11. The United Nations organization, International Financial and Monetary Organization.

That is the job of the House Committee on Foreign Affairs.

I read now the duties, as set forth in this booklet, of the Senate Committee on Foreign Relations:

The Committee on Foreign Relations, to consist of 13 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Relations of the United States with foreign nations generally.
2. Treaties.
3. Establishment of boundary lines between the United States and foreign nations.
4. Protection of American citizens abroad and expatriation.
5. Neutrality.
6. International conferences and congresses.
7. The American National Red Cross.
8. Intervention abroad and declarations of war.
9. Measures relating to the diplomatic service.
10. Acquisition of land and buildings for embassies and legations in foreign countries.
11. Measures to foster commercial intercourse with foreign nations, and to safeguard American business interests abroad.
12. The United Nations organization, International Financial and Monetary Organization.
13. Foreign loans.

Mr. President, in connection with the foreign affairs of the United States and how they have been conducted, I ask the Senate to consider the Potsdam agreement. Mind you, Mr. President, this morning the Senate is considering communism, and the Senate is proposing to enact a law which will contain communism, so it is claimed.

According to Hanson W. Baldwin, millions of white persons were sold into slavery at Potsdam. Earlier in my remarks I asked the Senate to consider how Abraham Lincoln, the founder of the Republican Party, would have felt if he had known of what was to be done at Potsdam. Abraham Lincoln would turn over in his grave if he knew that our leadership in the past few years countenanced the selling and the giving into slavery of millions of German war prisoners. Abraham Lincoln, who freed the slaves, would have risen in his grave if he had seen our President selling millions of white men into slavery, millions delivered into the hands of France and Russia, and millions who died without even a chance to have a farewell embrace with their loved ones. It is no wonder that on the day when the United States entered the Second World War, Winston Churchill declared:

This is what I have worked for.

He is the man who, only a few weeks before, stated over the radio in the United States that he wanted only the guns and the tools from America, that England had the men.

Mr. President, how must the families who lost one or more of their sons in that war feel about these matters? Let us consider the families who lost one son or two sons, or some of them three sons, or some even four sons in that war. Those boys did not even have time to receive decent training, in many instances; thousands of those boys did not receive 1 year of training, although the law required it, before they went to foreign lands to fight.

Mr. President, no sooner had the fighting stopped, than there took place one of the greatest betrayals of the American people in our time. The 11,000,000 American veterans who were overseas were betrayed by the organization of the United Nations. When those boys left our shores, not one of them had ever heard of the United Nations. While they were abroad, there was organized what columnists since have said was the greatest propaganda machine in all the history of the world, an organization to put over on the American people the United Nations scheme. I say with the deepest regret that every Senator who voted for the United Nations Charter had forewarning before he voted of the terrible, frightening, horrible, incredibly devastating effects that our joining that organization, in the form in which it was drawn up, would have on our people. Alger Hiss had us tied up, all right. As Secretary and General Manager of the United Nations Conference in San Francisco, he did his job for the Communists, and he did it well. I say tonight that I have often asked in my prayers that Almighty God might have pity and mercy upon the Senators who voted for the United Nations and who got this country to embrace it.

The senior Senator from Connecticut says that our faction of the Republican Party, which has been opposing all these foreign entanglements, is composed of men who are masters of hindsight.

But I say to him that the other half of the Republican Party, of which I am a member, one who has often been referred to slurringly as an isolationist—this half of the Republican Party was not fooled. We knew what we were doing, and we knew what some of the foreign countries were doing to the American people at San Francisco. Today I am the one Senator left upon this floor who voted against the United Nations Charter. The other Senator who voted against it, Senator Shipstead of Minnesota, was defeated, but how well do I remember the terrific propaganda machine that said any Senator who voted against the United Nations was voting for war while those who were voting for it were voting for peace.

I see a large number of these men here tonight. I know that of the dozens and dozens of newspapermen now here, many will remember that terrible propaganda machine. If a Senator dare not to vote for the United Nations, he was voting for war; if he voted for it, he was voting for peace. I remember the speech made by the distinguished senior Senator from New Hampshire [Mr. BRIDGES] in which he said, "In organizing the United Nations, we are doing what the Thirteen Colonies did when they organized the United States of America." But I ask, as I asked at that time, would those Thirteen Colonies have joined the United States of America if one of the 13 States had retained the veto power over the others? Would South Carolina, Georgia, or Virginia have joined, had New York retained the veto power? They could have joined, they could have become a part of the United States regardless. I said so in my speech at San Francisco.

One man from Australia put up a great fight to carry out the principles of the Atlantic Charter, a brave fight for a principle. Who stopped him? Not Russia. Read the record. He was stopped by the United States and England, who insisted on the veto power. That is the record. Of the entire American delegation, only one—and, by a strange coincidence, it happened to be the only veteran on the entire list—supported the Australian. How well do I remember the newspapers all over America, one of them here in the city of Washington saying that they would dedicate themselves to the defeat of any Senator who would dare to vote not to join the United Nations. One of the newspapers in Washington, in a story on page 1, said it would dedicate itself to the defeat of any Senator seeking reelection, who had dared to vote not to join the United Nations. Mr. President, talk about pressure on a Senator: A great newspaper, worth millions of dollars, was saying to a Senator, "Here, Mr. Senator, if you do not vote for the United Nations, we will dedicate this paper to your defeat." It said so on the front page.

In North Dakota we do not worry very much about threats from newspapers. There we glory in the fine, broad prairies, where so many fine people live—the grandest people, I suppose, on the face of the earth. Roughly, 40 percent of them are Scandinavians; 38 percent of German or Teutonic extraction. There are Finns, Hungarians, and Austrians, and also a few Irish and a few Scotch. Those fine people understood why I voted against the United Nations and against the Charter. So when I went home to run for reelection, which was shortly thereafter, the opposition did not even dare make an issue of it. When I challenged my opponent to debate the question of my vote against the Atlantic Charter, I could not even get him to accept. The people there are unusually wise. They are not easily deceived by propaganda. When a man or a woman once has the confidence of his people, there must be proof, real and convincing, before the people will lose confidence in him as one of their public servants.

Mr. President, as the one Senator left here tonight upon the Senate floor who voted against the United Nations Charter, I, a nonpartisan Republican, take pride in telling the senior Senator from Connecticut—a man who on August 14 said that this branch of the Republican Party was a master of hindsight—that just the contrary is true. It is easy to call a man a Communist. It is just as easy to call him an isolationist. They use every possible name they can, except that of calling a man an American. It does not make any difference whether a man had three times offered his life for his country, if he was not in favor of the United Nations Charter, he was a scoundrel—he was for war. But when the senior Senator from Connecticut says that our faction of the Republican Party was guilty of hindsight he has forgotten entirely the warning which I, as a Republican, gave at the time the United Nations Charter was adopted. I warned those who were voting in favor of the United Nations Charter. On the 28th day of July 1945 every Democrat on the floor voted for it and every Republican, except former Senator Shipstead and I, voted for it. Former Senator Hiram Johnson was in the hospital. He was paired against. It was the last vote former Senator Hiram Johnson ever cast, and he cast that vote through a pair. I shall never forget what I said on that memorable day. I say it is not hindsight, Mr. President, because for 5 years that warning was there for every Senator to look at. It was written for posterity to read. It is there for my children and my grandchildren to read. I said it then and I say it today. It is the eternal truth. What I said then I say now. On that occasion I said:

Mr. President, during my service in the Senate in behalf of the common people, I have never sold the truth to serve the hour. I have no quarrel with the vote of any honest Senator upon this floor. Each one took the same oath that I took, namely, to defend and uphold the Constitution of the United States of America.

Practically all Members of this body have indicated that they will vote for the Charter.

Under my oath, Mr. President, and under my conscience, I cannot so vote. If I did I would feel that I was betraying the hundreds of thousands who have died in this war for the United States, and the hundreds of thousands who have sacrificed their loved ones and their treasure. I would be willing to vote for the appropriation of the last dollar in the United States Treasury, and the last dollar that we could borrow if, by spending that money, we could eliminate war, which we all abhor and hate. I would unhesitatingly vote for the Charter if I felt that it offered even the tiniest hope of a permanent peace. But, in spite of that, Mr. President, I feel from the bottom of my heart that the adoption of the Charter—and, make sure, we are going to implement it—will mean perpetuating war. I feel that it will mean the enslavement of millions of people from Poland to India, from Korea to Java, as well as people in many other places on this earth.

I say, Mr. President, that I told this Senate the truth. Millions of people were enslaved at Potsdam and millions of people were betrayed at Yalta.

Did not the Senator from Connecticut have warning? Did not the American people have warning? I told the Senate the truth. Then I went on to say:

Mr. President, I feel that the adoption of the Charter will be one step more toward compulsory and military conscription, and all that which goes with war.

What do we do now?

And I say today, Mr. President, right now the distinguished senior Senator from Maryland, as chairman of the Armed Services Committee, has brought out his bill for compulsory and military conscription—the same kind of compulsory-military conscription which our forefathers fled from when they left Europe—this compulsory-military conscription which they abhorred and detested and fought against.

I continued:

In my opinion, the Charter is not at all similar to the Constitution of the United States which was adopted by the Original Colonies. I may say at this point that I agree with what the distinguished Senator from New Hampshire [Mr. BRIDGES] said earlier in the day, when he stated:

"Most important of all, the American Constitution went to great length to guarantee genuine equality to States entering into the Union. Neither Ben Franklin nor the other members of the Constitutional Convention would have tolerated a Constitution by which two or three or five of the States were given a veto power over all of the rest."

It has been used time and time again by the Russians. I believe it has been used 46 times. This brazen attempt to deceive the American people by columnists and the propaganda machine that said the organization of the United Nations was similar to the organization of the Original Thirteen Colonies of the United States of America—why there is not one Senator upon this floor who believes that any of the 13 colonies would have ever joined the United States of America if 2 or 3 or 5 of these States were given a veto power over all of the rest.

Then, Mr. President, we come to another phase of my speech when I said:

Mr. President, in my campaign for the senatorship 5 years ago I pledged to the fathers and mothers of North Dakota that I would never vote to send our boys away to be slaughtered upon the battlefields of Europe. I kept that pledge on this floor. I promised in that campaign to vote in the Senate to expend the last dollar, if necessary, in order to defend the Western Hemisphere. Again I say, Mr. President, that I kept that pledge to the people of North Dakota.

Having so pledged myself, and having been elected to my senatorship upon such pledge, and not having been elected to create an organization to which we would give a promise, either expressed or implied, that it would have authority to send our boys all over the earth, I cannot support the Charter. I believe it is fraught with danger to the American people, and to American institutions.

Of every Senator who supported the United Nations Charter, I ask, "Who sent our boys to fight in Korea? Was any Senator in this body consulted about having a war in Korea?" We were told, "When we adopt this Charter we are not surrendering any sovereignty."

Let us look at the record. Let us read some of the speeches which were delivered by some of the great advocates of the United Nations Charter. Some of them later became delegates. We asked them, "What about the power to declare war?"

They said, "That is specifically exempted. Only the United States itself can decide whether we are or are not going to be in any war."

So I ask: Who sent our boys to Korea? There was no resolution adopted by the Senate. Except possibly the majority leader, was any Senator ever consulted.

Mr. President, I finished my talk as follows: I said then that we were betraying the very people who sent us to the Senate as their representatives—that by getting into this organization for our 11,000,000 fighting men and women who had been in all these countries before they could get home to tell us what they thought about it we were acting long, long before we should act.

Furthermore, Mr. President, I reiterate that we ought not to vote on this Charter in the absence of our 11,000,000 fighting men and women. They are now away, and we do not know what their attitude will be upon their return, after having been to the four corners of the earth and after having fought upon the seven seas. We sit here, Mr. President, in our fine offices and upon this senatorial floor, blissfully ignorant of what those 11,000,000 veterans may be thinking. After all, they constitute the backbone of the common people of America. Certainly there is no reason for such a hurry to pass this Charter that some steps could not have been taken to have referred the matter to the people of the country, including the men and women in the Armed Forces, before the final vote was taken upon it. As their representative here in the Senate, I cannot, I will not, God helping me, vote for a measure which I believe to be unlawful under our Constitution, a measure which, in my opinion, betrays the very people who sent us to the Senate as their representatives.

Mr. President, I have never been sorry for that vote. Now I want to come back to what was said about the Democratic Party.

Mr. SALTONSTALL. Mr. President, I rise to a point of order.

The PRESIDING OFFICER (Mr. ELLENDER in the chair) The Senator will state it.

Mr. SALTONSTALL. The Senator should continue talking if he is to keep the floor.

Mr. LANGER. I said I would not yield.

I desire to refer again to my speech on July 28, and I wish to come back to the United Nations Charter.

Particularly do I want to refer again to the President's veto. On page 2 the President said the adoption of this bill——

would help the Communists in their efforts to create dissension and confusion within our borders.

It would help the Communist propagandists throughout the world who are trying to undermine freedom by discrediting as hypocrisy the efforts of the United States on behalf of freedom.

Mr. SALTONSTALL. Mr. President, I ask the Chair to put the question.

The PRESIDING OFFICER. The Senator will proceed in order.

Mr. SALTONSTALL. I ask the Chair to put the question unless the Senator keeps on talking.

The PRESIDING OFFICER. The Senator will proceed in order.

Mr. HUMPHREY. Mr. President—

Mr. LANGER. I yield to the Senator from Minnesota.

Mr. HUMPHREY. Does the Senator yield the floor?

Mr. LANGER. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. HUMPHREY. Mr. President——

The PRESIDING OFFICER. The Senator from Minnesota will proceed.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Bricker	Hickenlooper	McKellar
Butler	Hill	McMahon
Byrd	Hoey	Magnuson
Cain	Holland	Malone
Capehart	Humphrey	Martin
Chapman	Ives	Mundt
Chavez	Jenner	Murray
Connally	Johnson, Colo.	O'Conor
Cordon	Johnson, Tex.	Robertson
Darby	Johnston, S. C.	Russell
Donnell	Kefauver	Saltonstall
Douglas	Kerr	Schoeppel
Dworshak	Kilgore	Smith, Maine
Ecton	Knowland	Stennis
Ellender	Langer	Thomas, Okla.
Ferguson	Leahy	Thye
Frear	Lehman	Watkins
Fulbright	Long	Wherry
George	Lucas	Wiley
Graham	McCarran	Williams
Green	McCarthy	Young
Gurney	McClellan	
Hendrickson	McFarland	

The VICE PRESIDENT. A quorum is present.

MOTION TO RECONSIDER VOTE ON ADJOURNMENT RESOLUTION

Mr. LUCAS. Mr. President, some time ago I entered a motion to reconsider the vote which was taken upon the concurrent resolution to adjourn. I now call up that motion.

The VICE PRESIDENT. The motion is not debatable. The question is on agreeing to the motion of the Senator from Illinois.

The motion was agreed to.

LEGISLATIVE ACCOMPLISHMENTS OF THE CONGRESS FROM JANUARY 3 TO SEPTEMBER 22

Mr. LUCAS. Mr. President, at this time I wish to place in the RECORD a statement and a comprehensive survey in which I have reviewed the principal legislative accomplishments of the Congress from January 3 to September 22.

This is a factual summary of the major measures approved by the Congress during this session.

I ask unanimous consent to have this survey printed in the Appendix of the RECORD, and I hope every Senator will carefully examine it.

The VICE PRESIDENT. Without objection, it is so ordered.

COMPLETE SUMMARY OF THE EIGHTY-FIRST CONGRESS, SECOND SESSION (S. DOC. 236)

Mr. LUCAS. Mr. President, I ask unanimous consent to insert a supplementary statement in the Appendix of the RECORD, following the recess, to be printed as a Senate document, which will incorporate the complete summary of the Eighty-first Congress, second session.

The VICE PRESIDENT. Without objection, it is so ordered.

PUBLICATION OF MATTERS IN THE APPENDIX AFTER ADJOURNMENT OF CONGRESS

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

MR. LUCAS. I yield.

Mr. WHERRY. I ask the distinguished majority leader if he intends to make a unanimous-consent request to have matters printed in a subsequent issue of the Appendix of the RECORD following the adjournment of the Congress.

Mr. LUCAS. Yes.

The VICE PRESIDENT. Does the Senator make that request now?

MR. LUCAS. Yes, Mr. President, I make that request now.

The VICE PRESIDENT. The Senator from Illinois asks unanimous consent that Senators may be permitted to print matters in the RECORD following the recess for a period of 10 days. Is there objection? The Chair hears none, and it is so ordered.

PROTECTION AGAINST CERTAIN UN-AMERICAN AND SUBVERSIVE ACTIVITIES—VETO MESSAGE

The Senate resumed the reconsideration of the bill (H. R. 9490) to protect the United States against certain un-American and subversive activities by requiring registration of Communist organizations, and for other purposes, the objections of the President of the United States to the contrary notwithstanding.

STATEMENT BY SENATOR MYERS ON H. R. 9490

Mr. MCCARRAN. Mr. President, the Senior Senator from Pennsylvania [Mr. MYERS] is unavoidably absent on important public business and cannot be present for this vote on H. R. 9490. I ask unanimous consent to have inserted at this point in the RECORD a statement prepared by the Senator from Pennsylvania, giving his reasons for supporting the position taken by those of us who intend to vote to override the Presidential veto.

The Senator from Pennsylvania had intended reading this statement, but was compelled to leave the city.

If the Senator from Pennsylvania were present, he would vote "yea."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MYERS IN SUPPORT OF OVERRIDING VETO OF MCCARRAN SECURITY BILL, H. R. 9490

Mr. President, I believe the Senate should override the President's veto of the McCarran security bill. Ten days ago I voted for the bill in substantially its present form, and the reasons which prompted my decision at that time remain unchanged.

The President, and all of us in the Senate, are under oath to uphold the Constitution of the United States. This oath imposes upon us the affirmative duty of safeguarding that Constitution—and the people for whose protection it was adopted—from any attack, conspiratorial or otherwise, which threatens.

No one will disagree with me here that world communism—acting through its agents and puppets in this country—does present a threat to our Constitution and to the liberty of our people. Anyone familiar with my record is well aware that I have voted for every measure to thwart Red designs both in this country and abroad. And despite some serious reservations I have about the bill before us, I intend to vote to override the President's veto.

Our Constitution is not so weak that it denies us the power and authority to safeguard it. What we must guard against, however, is the danger that we might wreck the Constitution in an endeavor to save it.

I am thoroughly satisfied that the most effective portions of the present bill are completely within the power and authority which the Constitution provides us for its protection.

In this connection, I point out specifically the so-called detention provisions which will permit the FBI to round up known and dangerous Communists overnight in the event a national emergency should be declared. I point out also such provisions as those which tighten controls over possible espionage and sabotage that might be attempted at military and other critical Government installations. And I point out the more effective controls it provides over undesirable aliens and agents and dupes of hostile foreign powers.

These provisions strike at the heart of Communist activities which afford any possible threat to our security.

Other features of the bill before us trouble me considerably. I believe many features, particularly those dealing with registration requirements, will fail to produce the results which their authors intend for them. I see in the registration requirements at least three serious defects. First, the legal language in which they are drafted is not specific enough to guarantee just enforcement. Secondly, they propose the use of a long and time-consuming process which cannot be operated rapidly enough to accomplish their general purpose in a short enough time to be effective. Third, and most serious of all, some aspects of the registration requirements raise grave questions about their constitutionality.

I am deeply concerned about this provision of the bill.

The President takes the position that we should separate the good from the bad, and I agree with him. As a practical matter, however, I can see no way that this can be accomplished. Substantial majorities in both the House and Senate have already indicated by their votes that they do not entertain any serious reservations about any of the provisions of this legislation. They do not believe them either to be inadequate or undesirable.

Because they represent majorities in both Houses, I am convinced that my choice is limited to the bill as it stands, or to no bill at all. I see no possibility whatsoever that a majority of either House will accept the separation which the President has suggested in his veto message.

I feel so strongly that America needs the protection of the good parts of this bill that I intend to vote to override the veto. I have complete confidence that our courts will steadfastly reject any attempted misuse of the law which seeks an unwarranted invasion of our guaranteed constitutional liberties, and that the courts will be equally quick to support its sound features which we must have now. I intend to vote to override the veto.

STATEMENT BY SENATORS FERGUSON AND MUNDT ON H. R. 9490

Mr. FERGUSON. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD at this point a joint statement on behalf of myself and the Senator from South Dakota [Mr. MUNDT] relating to the bill now under consideration.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JOINT STATEMENT BY SENATORS HOMER FERGUSON AND KARL MUNDT FOR INSERTION IN THE CONGRESSIONAL RECORD AND RELEASE ON RECEIPT

I

Given the sort of vigorous enforcement which the public interest demands, the Subversive Activities Control Act of 1950 will, in the opinion of its original sponsors, put an effective end to the Communist conspiracy in this country.

It will do so because, for the first time, it makes the underground activities of the Communist movement illegal, and its overt activities ineffective.

The emergency detention features which were added to the bill will provide protection against prospective acts of espionage or sabotage in event of war, invasion or insurrection.

The identification features of the act provide stiff penalties for any failure to comply with registration requirements. Thus, if the Communists and Communist fronts choose to ignore those requirements and go underground the investigating agencies of our Government will, for the first time in our history have legal authority to pursue them and bring them forth to accountability.

If the Communist movement chooses to comply with the law, by proper identification through registration, it will wither on the vine and die. It has relied on secrecy and stealth for its effectiveness. In the open, Americans in every walk of life will be able to recognize it and to repel its godless, poisonous and tyrannical doctrines.

In the open it will be forced to sever the ties with its ideological and financial sources in Rusisa. It will be shut off from the funds of capitalistic "angels" who have been its dupes. It will be unable to permeate Government with its agents, nor obtain its secrets, nor work in defense plants.

In the open, the Communist movement will have to stand or fall on its own doctrinaire merits, and the good sense of the American people will then be sufficient to smother it.

II

The President has made seven points against this legislation in his veto message. None of the seven points is valid and each

can be answered briefly, which we do for the record.

1. The President says, "It would aid potential enemies by requiring the publication of a complete list of vital defense plants, laboratories, and other installations."

He refers to the defense facilities from which members of the Communist-action organizations are barred for employment. The fact is, as emphasized in the report of the conferees, that the test to be applied by the Secretary of Defense in publishing any list of facilities is that he "finds and determines that the security of the United States requires the application of the provisions of subsection (a) of this section." Obviously, then, if publication would be against the interest of national security as the President claims, the Secretary could make no such designations or postings. It may be added that if the subsection is made inoperative by a failure of the Secretary, for security or other reasons, to designate an establishment as a defense facility and so publish the fact, nothing anywhere in the act modifies the protection afforded those establishments by other provisions of the criminal code, including the espionage and sabotage statutes.

2. The President states, "It would require the Department of Justice and its Federal Bureau of Investigation to waste immense amounts of time and energy in attempting to carry out its unworkable registration provisions."

It is refreshing that the greatest spender in the history of the American Presidency should be speaking of waste. Nevertheless, his sights are out of focus in this case. It can never be a waste of time or effort to obtain evidence for the enforcement of laws which protect the national interest. And what if the legislation should require more FBI agents? What is that, or the cost, compared to the billions which we are spending in other forms, presumably for the same purpose of protecting the national security? As a matter of fact, however, this legislation will decrease rather than increase FBI responsibilities as the Communist movement is forced into the open, where the American public will be able to recognize it and police it against its threats of espionage and sabotage.

3. The President states, "It would deprive us of the great assistance of many aliens in intelligence matters."

This presumably refers to features of the bill which amend the immigration and naturalization laws, but the fact here is that in the language of this act we exclude only those aliens whose entry into the United States is found by the Attorney General to endanger the security of the United States.

4. The President states, "It would antagonize friendly governments."

The clear and simple answer to such a proposition, whatever its foundation may be, is that any country which takes offense at our efforts to bar the penetration of spies, saboteurs, and fifth columnists—those foreign subjects who, under the terms of the act, are threats to our security—then that country is prima facie not a "friendly government."

5. The President says, "It would put the Government of the United States in the thought-control business."

This is the oldest and most hackneyed of the arguments against the original Communist-control bill. Neither has any person in the course of the entire debate on this legislation, nor the President in his veto message, been able to point to a word or phrase in those sections of the bill which the President finds so objectionable, that suggests or implies thought control.

The actual fact is that the legislation of which the President speaks proscribes and punishes only specific, designated, overt acts which are clearly defined in the law. Reference is made to the analysis of the Communist control section that follows.

6. The President states, "It would make it easier for subversive aliens to become naturalized as United States citizens." He elaborates on this assertion in the text of his message by saying that section 25 of the act "would make subversive aliens eligible for naturalization as soon as they withdraw from organizations required to register under this bill, whereas under existing law they must wait for a period of 10 years after such withdrawal before becoming eligible for citizenship."

The fact is that the section 25 to which he refers applies only to members of Communist-front organizations. The further fact is that aliens who belong to such organizations may be naturalized under present law. The final fact is that this section promotes the interest of national security by barring members of such Communist-front organizations from naturalization, unless within a specified period after the organization is listed as a front they withdraw their affiliation.

7. The President states "It would give Government officials vast powers to harass all of our citizens in the exercise of their right of free speech." This contention is amplified by a lengthy complaint that an organization could be classified as a Communist-front following a determination "based solely upon" one of the criteria that is set up in the act.

This contention was answered time and again in the Senate debate. Certain criteria are set up to assist in determining whether an organization is a Communist-front—eight criteria, in fact. But they are criteria for the guidance of the Board, and are not conclusive. By the use of the word "and" between each of the eight criteria it should have been clear to anyone who had read the bill that the Board could not act "solely upon" any one of the criteria. The ultimate determination of the Board is whether or not an organization is such as is specifically defined in the act, and that definition—which has been studiously overlooked by the President and every other critic—has as its central feature—control or domination by the foreign government or foreign organization controlling the world Communist movement.

This law will not harass any man, except those who by their own overt acts would invite liability under its terms. It contains every safeguard for the individual known to the processes of Anglo-American law. As a matter of fact and final consideration, it it provides the innocent even greater safeguards than they enjoy under present practices of the administration, which permits the listing and designations of organizations as subversive by mere administrative fiat on the part of the Attorney General. In contrast to that procedure this law gives due process through public hearings, the right of rebuttal and judicial review, to all individuals and organizations.

ANALYSIS OF SECTIONS 1 TO 17 OF THE INTERNAL SECURITY ACT (THE MUNDT-FERGUSON-NIXON BILL)

This legislation requires that all Communist-action and all Communist-front organizations in the United States shall register with the Attorney General. The two types of organization are distinguished by careful definitions [1] and by a set of criteria contained in the act. In general it may be said that the first type encompasses the Communist Party of the United States and the second encompasses the sort of organization that may be listed at present by the Attorney General as subversive.

[1] The definitions contained in the act are attached at the conclusion of this analysis.

Registration includes the name and address of the organization; the names, addresses, and duties of its officers; and an accounting of funds.

Communist action organizations must also register the names and addresses of their members. If an individual is, or becomes, a member of a Communist action organization which is not registered, or which is registered but has failed to register his name, he must register himself.

Responsibility for registering organizations is imposed upon the executive officer or secretary of the organization. Organizations must be registered within 30 days of the act's effective date, or within 30 days after an order requiring registration is made final.

Should an organization (either Communist action or Communist front) fail to register, the Attorney General may request a five-man bipartisan Subversive Activities Control Board, which is created by the act, to issue an order requiring registration. The organization affected may contest this petition of the Attorney General, as in open court. Likewise an organization or individual may petition the Board for the cancellation or registration or for removal from a registration list.

The registration lists are to be kept public, but the Attorney General may not make any name public until the individual affected has been notified and given the opportunity to follow procedures leading to removal in case of any erroneous listing.

Decisions of the Board may be appealed to the courts.

Organizations are made liable for their failure to register when required. Otherwise they are free to go about their business except that (1) they may not mail Communist publications or broadcast or televise a Communist program without identifying its source or sponsorship; and (2) they are denied income-tax exemptions. (Contributions to them may not be deducted for income-tax purposes, either.)

Beyond these provisions the act contains certain prohibitions which affect individuals, and impose penalties for certain overt acts on their part. These prohibitions can best be described by the manner in which they affect indviduals within certain categories, as follows:

It is made unlawful:

(A) For any person—

(1) To conspire to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship under foreign control;

(2) To mail Communist publications or broadcase or televise a Communist program on behalf of a Communist organization, without identifying the source or sponsorship of the mailing or broadcast. This does not apply to individual letter-writing, however.

(B) For any officer or employee of the Federal Government (or a Government-owned corporation—

(1) To communicate without authorization to another person whom he knows or has reason to believe is an agent of a foreign government or a member of a Communist organization, any information which he knows has been classified as affecting the national security;

(2) To issue a passport or passport renewal to any person whom he knows or has reason to believe is a member of a Communist organization.

(C) For any officer or employee of the Federal Government, or officer or employee of any defense facility—

(1) To contribute funds or services to a Communist organization, knowing or having notice that such organization is registered or required to register;

(2) To assist any member of what he knows or has notice is a Communist organization to violate or avoid the prohibitions and responsibilities of such individual as provided in the act with respect to seeking or holding office or employment under the Federal Government or in a defense facility.

(D) For a member (or one who becomes a member) of an unregistered Communist-action organization—(1) To fail to register the fact of his membership with the Attorney General.

(E) For a member of a registered Communist action organization (or one required to register by final order of the Board)—

(1) To fail to register himself if he knows the organization has failed to include his name in its list of membership;

(2) To engage in any employment in a defense facility;

(3) To apply for a passport or passport renewal, or to use or attempt to use a passport.

(F) For a member of a registered Communist-action or Communist-front organization (including such organizations as are required to register by a final order of the Board)—

(1) To obtain or attempt to obtain, without authorization for its transmittal, any information which has been classified by the President as affecting the security of the country, from an officer or employee of the Federal Government or a Government-owned corporation.

(2) To conceal or fail to disclose the fact of membership in such an organization when seeking, accepting or holding any nonelective office or employment under the Federal Government or employment in a defense facility.

(3) To hold any nonelective office or employment under the Federal Government.

(G) For any person making a registration statement—(1) to willfully make any false or misleading statement or misleading omission in the registration statement.

(H) For any agent or representative of a foreign government—(1) To obtain or attempt to obtain, without authorization for its transmittal, any information which has been classified as affecting the national security, from an officer or employee of the Federal Government or a Government-owned corporation.

DEFINITIONS CONTAINED IN THE ACT

The term "Communist-action organization" means—

(a) Any organization in the United States (other than a diplomatic representative or mission of a foreign government accredited as such by the Department of State) which (i) is substantially directed, dominated, or controlled by the foreign government or foreign organization controlling the world Communist movement referred to in section 2 of this title, and (ii) operates primarily to advance the objectives of such world Communist movement as referred to in section 2 of this title; and

(b) Any section, branch, fraction or cell of any organization defined in subparagraph (a) of this paragraph, which has not complied with the registration requirements of this title.

The term "Communist-front" organization means any organization in the United States (other than a Communist-action organization as defined in paragraph (3) of this section) which (A) is substantially directed, dominated, or controlled by a Communist-action organization, and (B) is primarily operated for the purpose of giving aid and support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title.

NOTE.—These are the ultimate and controlling definitions of the two types of Communist organization specified in the act. Certain criteria are set forth in the act, for the guidance of the Board in determining whether an organization should be required to register as one type of organization or the other. It is to be emphasized that none of these criteria individually (nor even collectively) can be conclusive in determining whether an organization comes within the definitions.

Mr. MURRAY. Mr. President, I ask unanimous consent to call up two reports I made earlier this morning, dealing with the nominations in the Public Health Service.

Mr. LUCAS. Mr. President, I object to that, at this time.

The VICE PRESIDENT. Objection is heard.

Mr. LUCAS. Mr. President, I wish to make a short statement on the pending measure.

At first I wish to say that I certainly regret what has happened, and I express a very sincere hope that the senior Senator from North Dakota [Mr. LANGER] will have a speedy recovery, and that there is nothing serious about his temporary absence at this time.

Mr. President, I dislike very much to override the President's veto on a fundamental piece of legislation, but in this instance I feel compelled to do so.

The President has found many flaws in the antisubversive bill passed by this Congress. I agree with him that there are serious flaws in this measure, but I think the good features of the bill outweigh the bad ones. All the bills passed by Congress represent compromises. No measure is ever completely satisfactory to any Member of the Senate.

The provisions of this bill against sabotage and spying are urgently needed now. I have noted the statement made yesterday in a public address by Maj. Gen. Jerry V. Mattjka. He declared that if total war occurs—

> we may expect enemy-organized sabotage units to cause major damage to important war resources just before the outbreak of hostilities.

General Mattjka is acting director of production management for the Munitions Board at Washington. I think he speaks from expert knowledge of the problems we may face in these days of peril. Mr. President, if this gentleman is correct in his conclusions in regard to the question of sabotage, certainly we need to have on the statute books a measure of some kind which will permit the Attorney General and others in the executive branch of the Government to detain saboteurs and spies who would create such havoc and chaos in this country under those circumstances.

If I voted to uphold the veto, I would be voting to let the antisabotage provisions of this bill go by the board at a time when it seems to me every day may count in our efforts to prevent sabotage. So I am standing with those who want this bill to become law.

Then again, I cannot vote to sustain this veto, because I was one who was in the forefront of the fight to place in this bill an amendment to provide for the immediate detention of all Communists and persons reasonably suspected of subversive activity in case of war, invasion, or insurrection. This part of the bill gives us a legal weapon to use against Communists and other dangerous persons in any dire emergency. It is a vital piece of legislation which will give the American people the protection they will need against spies and saboteurs if we become involved in total war. I am convinced that this part of the bill is its most important feature.

It may be that some phases of the so-called Mundt-Ferguson registration plan infringe the basic liberties of our Bill of Rights. However, able lawyers disagree on this point. Lawyers also disagree on whether this provision is constitutional. The court, however, is the proper place to decide these questions.

Under the circumstances, I believe the majority of Americans wanted Congress to take legislative action to deal with the difficult problems of subversive activities. Congress approved this bill by overwhelming majorities.

In this case, I believe the will of Congress should prevail.

Mr. President, of course we can talk about hysteria or about unusual conditions existing at this particular time. I do not question the sincerity of the position of any Senator who desires to vote to sustain the veto of the President of the United States; but from what I know about public opinion, I believe that at this time the American people are anxious to have an anti-Communist bill placed on the statute books by the lawmakers of the United States.

Mr. President, these are not ordinary times. I undertake to say, as I have said many times before, that these are the most dangerous and the most unusual times America has ever experienced since the founding fathers established this Republic in the long ago.

I, for one, irrespective of whether it is constitutional or not constitutional, I am not going to stand by and permit the laws to continue as they are, without attempting to do something more effective in the way of controlling saboteurs and spies, and also in respect to the detention of men in this country whom I known have sworn, in secret oath, to overthrow this Government by violence and by force.

I regret exceedingly that, as the majority leader of this great deliberative body, I am compelled to take this step. However, Mr. President, the issues before the Senate are basic and fundamental. I cannot under any circumstances stultify my conscience on such a far-reaching proposition, regardless of what the outcome may be.

I wished to make this statement before the vote is taken on this measure.

I sincerely hope that those who are seeking to sustain the President's veto will not continue to carry on a filibuster on this measure. The Members of the Senate are entitled to vote with all convenient speed. We have been here, now, since approximately 4 o'clock yesterday afternoon, when we first began to debate the President's veto message on this measure.

Senators will not change votes by engaging in further debate on this issue, even if they do so continuously for a week. Not one Senator's vote will be changed, regardless of how eloquent, how

persuasive, or how forceful any Senator's speech may be.

Some Senators think the speeches they make on the floor of the Senate will change the minds of other Senators. Mr. President, it is true that once in a while that does occur, but I seriously doubt that such will happen in the measure now before the Senate.

I think all Senators have made up their minds on this issue. They would like to vote. For us to stay here, now, all day long—which we shall do if necessary, in order to get a vote—I think would be a rather absurd and ridiculous thing to do although I am not attempting to say that any Senator should be cut off in his remarks or should be prevented from making a legitimate speech, if he has not heretofore had an opportunity to address the Senate on this issue.

I know that my able colleague has very definite views on this measure, and has not been able to get recognition. Senators always like to hear from him and get his viewpoint.

But for any Senator to address the Senate for hours and hours—as has been done already on this issue—in debating a piece of proposed legislation as basic and as fundamental and as important as this one, when Senators know that all other Members of the Senater have made up their minds how they will vote on this measure, would seem to me to be highly questionable, to say the least. It seems to me that Senators should hesitate and pause before pursuing such a course.

Mr. McCARRAN. Mr. President, I ask unanimous consent to have printed at this point in the RECORD my analysis of the President's veto, in the light of the provisions of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR McCARRAN

Mr. President, the veto message of the President declares that the bill, H. R. 9490, "would not hurt the Communists; instead, it would help them."

I have heard that statement made before, and I have characterized it as an irresponsible statement. It would be improper to characterize as irresponsible any statement made by the President of the United States. But, Mr. President, it certainly is not improper to say that I disagree with that statement wholeheartedly; and I do not believe, Mr. President, there are very many Members of this body, or very many persons anywhere, who have read this bill who believe, or can be made to believe, that this bill would help Communists.

At the outset of his veto message the President states what he calls "some of the principal objections to the bill." The veto message refers to these objections as being specifically stated, though in point of fact they are stated in general terms. However, let us examine these seven objections.

The first objection stated is that the bill would aid potential enemies by requiring the publication of a complete list of vital defense plants, laboratories, and other installations.

Mr. President, someone has misadvised the President with respect to that.

The only provision with respect to publication of a list of defense plants, which is to be found in this bill, is in section 5. Section 5 (b) authorizes and directs the Secretary of Defense to designate and proclaim, and from time to time revise, a list of facilities with respect to the operation of which he finds and determines that the security of the United States requires the application of the provisions of subsection (a), that is, exclusion from employment of members of Communist organizations.

This section does not require the Secretary to publish a complete list of plants, or to publish any list at all. The Secretary in his discretion is to determine which plants, if any, he wants to exclude Communists from, and then he publishes the list of such plants, if any. The Secretary might limit his list of plants, as published, to a few, or he might publish a list of many thousands; but it will be discretionary with him. If he thinks it is more important to keep the name of a plant off a list than it is to apply the provisions of the bill banning the employment of Communists in that plant, then he can keep the name of the plant off the list. As a matter of fact, Mr. President, while it is perfectly reasonable to believe that there may be some plants doing defense work which it would be desirable to keep entirely secret, even so far as the identity of the plants is concerned, it is also perfectly true that there are many thousands of defense plants and potential defense plants in this country, the identity of which is, if not well known, at least easily determined. If you should want to send a form letter to defense plants and prospective defense plants throughout the country, soliciting their business or their contributions for one reason or another, you could probably go to any one of several direct mail advertising agencies in Washington or in New York City and have your letter addressed to a list of some forty or forty-five thousand defense plants and prospective defense plants.

However that may be, Mr. President, the fact remains that the first numbered objection mentioned in the President's veto message charges this bill with requiring the publication of a complete list of vital defense plants, laboratories, and other installations; and that simply is not so.

Amplifying this charge, Mr. President, the President in his veto message states: "One provision alone of this bill is enough to demonstrate how far it misses the real target. Section 5 would require the Secretary of Defense to 'proclaim' and 'have published in the Federal Register' a complete catalog of defense plants, laboratories, and all other facilities vital to our national defense—no matter how secret."

A little farther along in the same paragraph, the President says: "There are many provisions of the bill which impel me to return it without my approval, but this one would be enough by itself."

Mr. President, that statement is incomprehensible. The present President of the United States spent enough time in this body to learn how to interpret plain legislative language. I cannot conceive that he would write or sign a veto message on this bill without reading the bill carefully; and I cannot imagine that, having read the bill carefully, he would make the statement which is in the veto message, with respect to what section 5 of this bill provides.

Mr. President, the veto message states that this one provision of the bill is enough to demonstrate how far it misses the real target. Mr. President, I leave it to any lawyer who will read this paragraph of the veto message, and subsection 5 (b) of the bill, to determine how far the veto message misses the target.

Mr. President, the second numbered objection in the veto message is that this bill "would require the Department of Justice and its Federal Bureau of Investigation to waste immense amounts of time and energy attempting to carry out its unworkable registration provisions."

Mr. President, I cannot criticize that objection, because it is obviously a statement of opinion rather than a statement of fact; but I thoroughly disagree with the opinions which the President has expressed. I do not consider the registration provisions of this bill to be unworkable; I do not believe it will require immense amounts of time and energy from the Department of Justice and the Federal Bureau of Investigation to carry out these provisions, and I do not agree that whatever time and energy is required to carry them out will be wasted.

The third numbered objection in the veto message is that this bill would deprive us of the great assistance of many aliens in intelligence matters.

In reading through the remainder of the veto message, Mr. President, I have tried to find some documentation for that charge. I did not find it. I will not say it is not there; but I did not find it. I did find the charge repeated, on page 5 of the mimeographed copy of the veto message; repeated, and enlarged. On that page, the veto message states (speaking of sections 22 and 25 of the bill) that "what these provisions would actually do is to prevent us from admitting to our country, or to citizenship, many people who could make real contributions to our national strength. The bill would deprive our Government and our intelligence agencies of the valuable services of aliens in security operations. It would require us to exclude and deport the citizens of some friendly, non-Communist countries. It would actually make it easier for subversive aliens to become United States citizens."

Those are, again, Mr. President, very general statements. Again, on page 14 of the mimeographed copy of the veto message, appears this statement: "Moreover, the provisions of section 22 of this bill would strike a serious blow at our national security by taking away from the Government the power to grant asylum in this country to foreign diplomats who repudiate Communist imperialism and wish to escape its reprisals. It must be obvious to anyone that it is in our national interest to persuade people to renounce communism, and to encourage their defection from Communist forces. Many of these people are extremely valuable to our intelligence operations. Yet under this bill the Government would lose the limited authority it now has to offer asylum in our country as the great incentive for such defection."

Mr. President, the limited authority the Government now has to offer asylum in our country to such persons is not disturbed by section 22 of this bill. The authority of the Attorney General to waive the provision excluding such persons is not eliminated. Furthermore, as I pointed out during debate on this bill on the floor of the Senate, the legislation recently passed by the Congress permitting the admission of up to 100 aliens per year for intelligence reasons is not repealed or otherwise affected by H. R. 9490; and the interesting thing is that although that legislation permitted the entry of a hundred persons per year, and was enacted upon the plea that at least that many persons would be needed to be allowed to enter the country, yet down to the present time only a handful of persons has been admitted under that law.

So, Mr. President, we find a statement made, and repeated, and repeated again, but not documented nor explained.

The fourth numbered objection in the veto message is that the bill would antagonize friendly governments.

I have tried to find in the rest of the veto message any support for this statement. I have not found it. I do not say it is not there, but I have not found it. I did find a statement which might have some bearing on the point; a statement that under this bill "the Attorney General would be required

to exclude from the United States all Spanish businessmen, students, and other nonofficial travelers who support the present government of their country."

Fortunately, Mr. President, the veto message is not a part of the legislative history of this bill. No matter how hard the Executive tries, legislation cannot be made by means of veto messages. The charge that this bill would require the Attorney General to exclude from the United States all Spanish businessmen, students, and other nonofficial travelers who support the present government of their country is an absurdity. I am confident that the Attorney General of the United States will never construe the bill in that way unless he is ordered so to construe it by a higher authority.

I think perhaps that mention of Spain was tossed into this veto message as a means of taking a sly dig at those of us who recently supported legislation to provide for a loan to Spain. I think perhaps there is intended to be some implication that one who voted for the loan to Spain is particularly partial to Spain or to the present form of government in Spain. Of course, I am sure the President knows that there were matters of principle involved in the question of the Spanish loan which had nothing to do with Spain's form of government. However that may be, I find no other substantiation in the veto message of the charge that this bill would antagonize friendly governments.

The fifth numbered point in the President's veto message is that the bill would put the Government of the United States into the thought-control business. Again, Mr. President, someone must have been misadvising the President of the United States. There is not a line in this bill that puts the Government of the United States in the thought-control business.

I do not like, Mr. President, standing here on the Senate floor to take issue with the President of the United States. But on this point, Mr. President, it is the President of the United States who has taken issue with me. The senior Senator from Nevada stood on the floor of the Senate, when the conference report on the bill was before the Senate, and made the plain and unequivocal statement that this bill contains no provisions which could properly be designated as "thought control." Now the President of the United States, in his veto message, declares the bill would put the Government of the United States in the thought-control business. All I can do, Mr. President, is to say that I believed my original statement to be true when I made it, and I believe it to be true now, the President of the United States statements to the contrary notwithstanding.

The sixth numbered charge in the veto message is that this bill would make it easier for subversive aliens to become naturalized as United States citizens. Mr. President, there is no comment I can make on that statement which would not be unduly disrespectful of the high office of the President of the United States.

Mr. President, let any Member of this Senate—let any member of the press galleries—let any citizen of the United States who has gotten as far as the eighth grade—read this bill, and then ask him if he thinks the bill would make it easier for subversive aliens to become naturalized as United States citizens.

The seventh point made by this bill, Mr. President, is that it would give Government officials vast powers to harass all of our citizens in the exercise of their right of free speech. Mr. President, that charge is true. But it is true only because of the use of the word harass. This bill does not contain any actual authority to invade or impede the right of free speech; but in the administration of this bill it obviously would be possible for Government officials to harass our citizens, if they desired to do so. That is true of the administration of a great many laws. The senior Senator from Nevada, for one, does not believe that the officials of the Government of the United States desire to use their powers under this or any other bill to harass the citizens of the United States; and the senior Senator from Nevada is glad to be able to say, Mr. President, that this bill contains such safeguards, in connection with the right of review, that any errors made by Government officials in that regard would eventually be corrected by our courts.

Mr. President, time will not permit me to discuss this veto message paragraph by paragraph, because I do not wish to hold my colleagues that long. I have discussed each of the numbered objections which are stated at the outset of the veto message.

However, there are a few statements in the veto message which deserve comment.

On page 5 of the mimeographed copy, the veto message states that the ostensible purpose of the provisions of sections 22 and 25 of the bill is to prevent persons who would be dangerous to our national security from entering the country, or becoming citizens. Then the veto message states: "In fact, present law already achieves that objective."

Mr. President, there are thousands upon thousands of subversive aliens in this country. The President himself has recognized that fact. If present law is achieving the objective of preventing persons who are dangerous to our national security from entering this country, how did these subversive aliens get here?

With further reference to the provisions of the bill which strengthen the immigration and naturalization laws the President has repeated in essence the charge, which is wholly unfounded, that these provisions would hamper our international relations. I have previously pointed out to the Senate, in the language of the bill, designating paragraph, sentence, and words, that this bill would not exclude any alien in diplomtic status unless his entry into the United States would endanger the public security. In fact, any schoolboy who could read this bill could see that aliens in diplomatic status are expressly exempt from the excluding provisions of the bill unless their entry would endanger the public security.

It is curious to note, Mr. President, that some of the provisions of the bill which are criticized most vigorously by the President are provisions of the present law which were merely brought forward in the bill in order that there might be set forth in one pattern all of the applicable statutes.

And now, Mr. President, I come to that part of the veto message with reference to the provisions of the bill which strengthen the immigration and naturalization laws. The veto message reads, and I quote, "The ostensible purpose of these provisions is to prevent persons who would be dangerous to our national security from entering the country or becoming citizens. In fact, present law already achieves that objective."

Mr. President, the quoted statement from the veto message is just not a fact. I know what I am talking about. Over the course of many months it has been my duty as chairman of a special subcommittee of this Senate to direct a thoroughgoing investigation of our immigration and naturalization systems. The undeniable facts are, as I have repeatedly advised the Senate and as they appear from the voluminous published testimony taken by the subcommittee, that aliens who are subversive to the national security are, under our present immigration and naturalization laws, being freely admitted into the United States and are becoming naturalized as citizens of this country.

On page 9 of the mimeographed copy, the veto message states that the bill would permit a determination that an organization was a Communist-front organization to be based solely upon "the extent to which the positions taken or advanced by it from time to time on matters of policy do not deviate from those" of a Communist movement. Mr. President, that statement simply is not so. The able Senator from Florida, Mr. HOLLAND, on the floor of the Senate on Wednesday, most ably demonstrated that it was not so.

Mr. President, I do not mean in any way to cast any doubt upon the sincerity of the President of the United States, nor upon his good intentions in desiring to fight subversive activity. I simply want to say, Mr. President, that there are many of us in this body who have acted, in connection with this whole matter, entirely in good faith, and solely out of a deep and impelling desire to take action for the protection of the welfare of this Nation.

STATEMENT OF APPRECIATION BY SENATOR KERR

Mr. KERR. Mr. President, the junior Senator from Oklahoma requests unanimous consent to submit, and have printed at this point in the RECORD, a brief statement of appreciation of our distinguished majority leader and others of his colleagues.

The VICE PRESIDENT. Without objection, the statement will be printed at this point in the RECORD.

The statement submitted by Mr. KERR is as follows:

STATEMENT BY SENATOR KERR

Mr. President, the junior Senator from Oklahoma desires to give expression to a deep feeling of gratitude to a very large number of his colleagues in the United States Senate. So many of them have been most kind on many occasions.

Among those who have been most cooperative is my distinguished associate from Oklahoma, the Hon. ELMER THOMAS.

I am indebted to my fellow members on the committees, with whom I have been honored to serve.

Mr. President, I want to pay high tribute to the distinguished chairmen of these committees. They have been most helpful to me.

And then, Mr. President, I want to express my respect and admiration for the majority leader, the distinguished SCOTT LUCAS, of Illinois. Mr. President, the Eighty-first Congress has been one of the greatest in the country's history. It has moved with wisdom and high resolve to meet the needs of peace and the requirements of war. The Democratic majority has been most fortunate to have as its leader a statesman of the outstanding ability of Senator LUCAS. He has been both patient and tolerant. He has been bold and courageous. And then, Mr. President, he has been wise in counsel and brilliant in performance.

Mr. President, I congratulate my party and my country in having during these stern times the leadership in the United States Senate of our esteemed and honored colleague, SCOTT LUCAS, of Illinois.

TRIBUTE TO SENATOR LUCAS

Mr. O'CONOR. Mr. President, I ask to have printed in the body of the RECORD a statement dealing with the leadership of the senior Senator from Illinois [Mr. LUCAS].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY MR. O'CONOR

Mr. President, I desire to pay tribute to the unexcelled leadership of the senior Senator of Illinois, SCOTT W. LUCAS.

His patriotic devotion to duty, his intelligent handling of legislative matters, and his eminent fairness in his dealings with his colleagues all stamp him as a majority leader of real worth and ability.

Every Senator entertains highest respect for Senator LUCAS. Those of us who occupy seats on the Democratic side of the aisle have especial reason to admire his leadership. His adherence to democratic ideals and principles is generally recognized. Our party is most fortunate to have him as our standard-bearer and realize that he is one of the ablest and outstanding majority leaders in the history of the Senate.

PERSONAL STATEMENT BY SENATOR JENNER

Mr. JENNER. Mr. President, I hesitate to take the time of the Senate; but at this time I desire to make a 5-minute statement which I feel must be made before the Senate adjourns.

Mr. President, I have just had the honor and distinction of being attacked by America's No. 1 key-hole-peeping, muck-raking, character-assassinating, propaganda-peddling prostitute of the Nation's press and radio—"P. U. Fearsome."

Mr. President, since such attacks from this source have generally been reserved for Presidents of the United States, I feel this attack on me to be a real achievement, since I have served only 3½ years in this august body. Think of it, Mr. President; two American Presidents were unable to find any other words to describe this propaganda-peddling prostitute than by calling him an "s. o. b."

However, as in so many other instances, these two Presidents failed to tell the whole truth, for they thoughtlessly cast reflection on his family.

Throughout my years of public life, Mr. President, thousands of fathers and mothers have appealed to me for help for their children, and I have made it a practice never to blame these folks for the waywardness of their sons and daughters. This is why I want to straighten out the record on the "s. o. b." matter.

Mr. Drew Pearson is not an s. o. b. He is only his own filthy brain-child, conceived in ruthlessness and dedicated to the proposition that Judas Iscariot was a piker. "Thirty pieces of silver for character assassination 2,000 years ago?" There is money in this business in 1950 A. D.—for, as I intend now to prove, this Drew Pearson is a self-appointed, self-made, cross T'd, dotted I'd, double-documented super-superlative, revolving s. o. b.

Mr. President, I have the floor to ferret out this rat, although not because of his personal attacks on me. Any man who has served in public life—and I have since I was 24 years of age—is constantly exposed in the arena of public action and public debate to the spotlight of public criticism and condemnation; and he must be eager, willing, and determined to make sure his record is an open book, and to defend that record against all comers.

Mr. President, prostitutes of the truth are the greatest enemies we confront. Like Goebbels and Vishinsky, they are the greatest enemies of the American people, for it is the truth and truth alone that can keep us free. When freedom of the press and freedom of speech are exercised without regard whatever to historical facts, they degenerate into license, libel, smear, slander, and character assassination.

This sets the stage for loss of confidence in our ability to solve our own problems and to run our own Government as a free people. It sets the stage for panic, hysteria, frustration, and collapse.

This is what Samuel Johnson meant when, long years ago, he wrote:

I know not whether more is to be dreaded from streets filled with soldiers accustomed to plunder, or from garrets filled with scribblers accustomed to lie.

That is why I cannot comprehend why such propaganda-peddling prostitutes as Drew Pearson, who make their living by feeding on the festering wounds of the characters they have stabbed in the back, continue to be supported by so many advertisers and publishers and industrialists of this country.

Have these men become so careless and so indifferent, or so greedy for these pieces of silver that they do not care about what is really happening to America?

I call attention to an article prepared by Drew Pearson for publication and use in his syndicated column, Washington Merry-go-Round, next Sunday, September 24, 1950. The article prepared for publication is as follows:

A lot of people, both in and out of Congress, have been wondering who and what were behind the vitriolic diatribe delivered by Senator WILLIAM JENNER, of Indiana, against Gen. George Marshall. The Jenner tirade labeling Marshall "a living lie" and "a front man for traitors" was so venomous that it made JENNER's fellow Republicans apologize. JENNER, a newcomer to Congress whose chief reputation among colleagues is for using the foulest language in the Senate. To understand what makes the "gentleman from Indiana" tick, you have to know something about the two men behind him. No. 1 is the man who put him in the Senate, the former treasurer of the Ku Klux Klan in Indiana, Bob Lyons. No. 2 is Albion Beverage, a fanatical pro-German pacifist, who displayed the German and Japanese flags on the altar of his church on Armistice Day 1942—after Pearl Harbor. Beverage is now the ghost writer for Senator JENNER and was behind the fanatical tirade against General Marshall. Bob Lyons, who helped groom JENNER for the Senate, ran the finances of the Ku Klux Klan when the Klan was in its heyday in Indiana in the 1920's. As a result of subsequent anti-Klan sentiment Lyons has never been able to achieve his political ambition of becoming Governor of Indiana, was even forced to resign as a member of the Republican National Committee in 1944.

CHAIN STORE LOBBYIST

But though unable to win office for himself he pulls powerful backstage wires to elect others. This is a big help to his lobbying business in Washington which has yielded him $375,000 as the lobbyist for such chain stores as the A. & P. and J. C. Penney. Once Lyons elects a man to Congress, of course, he counts on his votes on chain-store matters.

JENNER's other mentor, Albion Beverage, is a little known but important ghost writer on Capitol Hill. He has written speeches for Lone Wolf Senator LANGER, of North Dakota, for isolationist GOP Senator MALONE, of Nevada, Senator WHERRY, of Nebraska, the GOP whip.

Now he is on JENNER's payroll. Beverage is a former amateur wrestler, was a Congregational preacher at Niagara Falls at the beginning of World War II, and in 1948 turned up in Maine to run for the Senate as a Republican. He seemed to have ample money to spend, purchased radio time, displayed life-size placards of himself throughout the State, and made violent accusations against MARGARET CHASE SMITH. She defeated him.

Typical statements made by Beverage are: "The United Nations is an international booby trap * * * rearmament is a one-way road to bankruptcy and dictatorship * * * politicians in Washington are mortgaging your future in the wildest gambling in history."

In the Senate Republican cloakroom Beverage is called the "ghost Senator."

That is the end of the article prepared and sent out by wire for this syndicated column of Drew Pearson's, to appear Sunday, September 24, 1950. I have learned that a partial correction has been made, but only a partial correction.

This article is significant, not because Mr. Pearson has been caught with his facts so far down that he cannot pull them all up again, not because the charges made against me are so completely divorced from reality, but because Mr. Drew Pearson had to drag in the name of a dead man to try to give some credibility to his congenital falsehoods.

Mr. President, many men in public life have been the victims of smear attacks; they have been accused, in campaign speeches, of having committed various acts, but never have I seen any person stoop to such depths of journalistic degradation and character assassination as the reference in this column to a man who has been dead for more than 18 months.

My people know I was just a boy when the Republican Party, itself, finished off the Ku Klux Klan in Indiana.

The forthcoming further attack on me by this journalistic prostitute is not new. The ink had hardly dried on my commission as junior Senator from Indiana when Pearson sent one of his employees to Indiana to dig up any personal or political scandal about me he could find. I make no claim to perfection, but this employee admitted to my administrative assistant, upon his return to Washington, that he came back with a dry pen.

He has attacked me on other occasions, which attacks I have ignored. But I could not ignore this attack, since the above shocking facts are also conclusive proof that Drew Pearson's un-American smears against members of my staff are equally false.

Of course, Drew Pearson could not understand that one still cannot set a price on the basic patriotism and personal loyalty of real Americans, and that there are still millions of Americans who cannot be bought or bluffed.

PROTECTION AGAINST CERTAIN UN-AMERICAN AND SUBVERSIVE ACTIVITIES—VETO MESSAGE

The Senate resumed the reconsideration of the bill (H. R. 9490) to protect the United States against certain un-American and subversive activities by

requiring registration of Communist organizations, and for other purposes, the objections of the President of the United States to the contrary notwithstanding.

The VICE PRESIDENT. The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. DOUGLAS, Mr. KEFAUVER, and Mr. BYRD addressed the Chair.

The VICE PRESIDENT. The Senator from Illinois.

Mr. DOUGLAS. Mr. President, first I should like to propose a unanimous-consent request.

At approximately 5 o'clock last night the veto message of the President of the United States was read to the Senate, and immediately thereafter the motion to override was taken up. It is now 6 a. m. and in an hour or two the message will be printed in the morning newspapers all over the country. It will be read by millions of our citizens. Whether or not we agree with the message, we should recognize that it is a very forceful message and a very logical message on a matter of great importance to the country.

It would seem to me desirable, instead of proceeding immediately to vote, that we fix upon an hour this afternoon and agree to vote at that hour.

Let me make it clear that there is no desire on the part of anyone to prevent a vote. There is no desire on the part of anyone to speak at such length as to prevent the Senate or the American people from passing upon this issue; we want it voted on today. I think there is a feeling on the part of some Senators that we may be able to arrive at a wiser decision this afternoon, when the people of the United States have had a chance to think over the contents of the President's message, make up their minds about what they think, and convey their impressions to Members of the Senate. We could better reconvene this afternoon therefore and cast our final vote at that time.

I am therefore suggesting that in order that we may fully consider the message of the President, we should recess until approximately 2 o'clock this afternoon, that at 2:30 we proceed to take the matter under consideration, that the time between 2:30 and 4 o'clock be evenly divided, and that we proceed to a final vote at 4 o'clock this afternoon. This is not done for the purpose of delaying the bill, but to enable a wiser and more considered decision to be made.

I think it should be said that the proposal is not made in the belief that any eloquence or attempted eloquence on the part of any Senator would change the decision of any other Senator, but in the belief that sober reflection on the message of the President should be given a chance to operate. Therefore I propose a unanimous-consent request that the Senate recess until 2 o'clock, and that between 2:30 and 4 o'clock the time be equally divided, and that at 4 o'clock we proceed to vote on the bill.

The VICE PRESIDENT. The Senator does not provide who shall control the time.

Mr. DOUGLAS. I suggest that the time be controlled by the Senator from Nevada [Mr. MCCARRAN] and the Senator from New York [Mr. LEHMAN].

Mr. McCARRAN. Mr. President, I shall object to such an agreement.

Mr. DOUGLAS. It is not the purpose of the junior Senator from Illinois to delay the proceedings on a matter of such gravity, but I think it is important to make a not-too-prolonged statement. First, let me briefly attempt to summarize the reasons why I feel compelled to take a somewhat different position from the one I took on the final passage of S. 4037, the McCarran-Mundt-Ferguson-Wood bill.

ANALYSIS OF VOTE ON S. 4037

My vote on this question of sustaining the President's veto frankly represents a change from the position which I took on the passage of S. 4037. At that time I sought to balance the desirable against the dangerous features of the bill as amended in the hurried, last-minute actions of the Senate. The gains for national security then seemed so substantial as to outweigh the ineffective and harmful provisions of the measure. The adoption of the emergency detention title gave real protection against espionage and sabotage which are the real dangers. The sections taken from the Magnuson bill strengthened other security safeguards.

It was also my hope that the conference committee might eliminate some of the more dubious sections of the bill. With the feeling, therefore, that the positive protections for security as finally adopted overbalanced the set-backs for freedom in other clauses of the bill, I joined with those who voted their approval and sent the bill to conference. It was the most difficult decision of my life for I was acutely aware of the serious defects in the bill which I had previously pointed out in the Senate in some detail.

Since that time I have had more opportunity to reflect upon this decision—and I assure you I have done so for many hours—and to review with more care the final results of the conference committee.

I was disappointed to observe that no changes were made in conference to meet any of the real objections to the registration procedures and to section 4 (a) of the bill. The complex and clumsy procedures aimed at securing an ineffective and easily evaded registration were left unchanged. In my judgment the act will be almost completely ineffective in labeling Communists because of the long delays in hearings, appeals, and criminal prosecutions. The potentially mischievous definitions and tests and listings and the provisions that may impair our counterespionage machinery were substantially unaltered by the conference committee.

I was alarmed to find, in addition, a new requirement that the Secretary of Defense prepare and publish in the Federal Register a list of Defense facilities. It would be hard to imagine a handier guidebook for a corps of enemy saboteurs, as the President so cogently pointed out.

I was further disappointed in several of the changes made in the emergency detention title of the bill, both in the Senate and in conference. It was weakened in its security protections by being confined to outright war, invasion or insurrection. The power to take decisive action against saboteurs in the period prior to formal war, which we had provided for in the Kilgore bill, was eliminated. The procedures were made more complicated, costly, and delayed by injecting a duplicating, preliminary hearing instead of the quick-check administrative procedure set up in the Kilgore bill. The detention authority of the Attorney General was diffused by giving only to hearing examiners, independent of the Department of Justice, the right to issue detaining orders. Appeals by the Attorney General from orders of release were eliminated, as if this were a criminal procedure, although other sections almost expressly state that it is not.

While these security aspects of the detention title were thus weakened, provisions aimed at checking and preventing abuses of individual rights were also eliminated. The requirements that the Attorney General appoint an inspector of detention, that Senate and House committees appoint watch-dog subcommittees and that the entire detention title expire after 3 years unless renewed by Congress were all omitted.

Not only were the originally cited shortcomings left in the bill in conference, therefore, but the further changes I have mentioned weakened its security protections and reduced its safeguards for individual rights. The resultant gains to security are at best small, the loss to freedom may be great.

I shall frankly state, however, that it is sober reflection—and a great deal of sober reflection—on the potential dangers in section 4 (a) and in the cumbersome registration provisions of the bill that has brought me to the conclusion that we shall guard our freedoms better by defeating this bill in its present form—that we should vote to sustain the President's veto—and that we should strive when we return in November to pass a security measure that does not combine so much that is dangerous with so much that is good.

The compelling arguments of the President in his veto message have now fortified me in this conviction.

We must not abandon the attempt to secure reasonable legislation to protect our security merely because of the lateness of this session. The choice does not have to be between either this bill or no bill. The choice can be and should be between this bill and a much better bill. This I am sure the House and the Senate can hammer out in a few days or weeks. It may be no disadvantage, moreover, to a reasonable approach if the renewed consideration in Congress should come somewhat after the first week in November.

SHORTCOMINGS OF REGISTRATION PROCEDURES

Mr. President, I have no desire to prolong the discussion unduly, but I believe it is desirable that we think over again what the bill does. I wish to give the

sponsors of the bill full credit for excellent intentions and for a sincere desire to curb communistic activities. We join them very sincerely in that desire. This is not a personal matter between the sponsors and the opponents of the legislation; it is a question of means and a question of what are the best means for the welfare of our Republic.

In the somewhat lengthy analysis which I made of the bill on the 8th of September, I pointed out that its registration provisions were in the first place so protracted in nature that it would take years to get Communists to register, if they could be forced to register at all. I should like to point out that the obligations of an organization to register its members do not begin until 30 days after that Communist-action organization—that is now the phrase that is used—has been finally so designated. The obligation to register members—will not really become operative until 30 days after such a Board designation and order becomes final.

Mr. KEFAUVER. Mr. President, a point of order. The Senate is not in order.

The PRESIDING OFFICER (Mr. ELLENDER in the chair). The Senate will be in order.

Mr. DOUGLAS. Mr. President, I wish to emphasize that point. It is in section 7 (c) 3 that the Communist-action organizations previously called the Communist-controlled organizations, and before that called Communist political organizations, are only required to register their members—and I now quote from section 7 (c) 3 on page 8 of the conference report as printed by the House, "within 30 days after such order becomes final." I emphasize those words again, "after such order becomes final."

ENFORCEMENT OF REGISTRATION

When does an order become final? If we trace this procedure through, we will find that if an organization declares that it is not a Communist-action organization, but fights the issue all the way through, the order does not become final until there has been not only an administrative finding, but also judicial approval of that finding as well.

In other words, the Attorney General must prefer charges against an organization that it is a Communist-action organization. Those charges will then be assigned to the Subversive Activities Control Board, which will hold hearings, probably through trial examiners as is done in the case of the Federal Trade Commission, the National Labor Relations Board, and other quasi-judicial bodies.

The testimony will be taken, the evidence will be considered, a preliminary opinion will be prepared, exceptions may be filed, and then in the ordinary administrative procedure before the quasi-judicial bodies the evidence and the preliminary opinion will be submitted to the Subversive Control Activities Board itself for approval and order.

LENGTH OF TIME FOR BOARD AND COURT DECISIONS

On the 8th of September I indicated that in the case of the National Labor Relations Board this process took a long period of time. I showed figures on the length of time in the successive stages.

For example, in 1949 the time from the filing of the charge before the National Labor Relations Board to the final decision of the Board was on an average 464 days, or about 15 months. If we assume that at least this length of time would be taken, we would have a 15 months' lapse of time before the Board itself would make a finding.

But the sponsors of the legislation provided—and I wish to say I think it is a tribute to their sense of fairness that they did so—judicial review, judicial review that first goes to the Court of Appeals of the District of Columbia. Further appeal can then be taken from the court of appeals to the United States Supreme Court.

Mr. President, I think we can be quite certain that the Communist Party and all other Communist-action groups would fight the case. They fought the criminal cases of their 11 leaders who were tried in the district court of New York through to the court of appeals and are taking an appeal to the Supreme Court of the United States.

How much time would be taken in the proceedings in the court of appeals? I produced records of the time taken by the most recent National Labor Relations Board case in each of the 11 circuit courts. That time varied from 6½ to 40 months, but the average was 17½ months. If we add the 17½ months for the court decision to the 15 months for the Board decision, we get a total of 32½ months or nearly 3 years.

But appeals can then be taken from the court of appeals to the United States Supreme Court, and that also is a time-consuming process. I have taken the four most recent labor decisions handed down by the Supreme Court—the Poole Manufacturing case, the Mexia case, the Inland Steel case, and the Colgate-Palmolive-Peet case. These are the four most recent National Labor Relations Board cases—and I find that the average time taken from the decisions of the Board to the decisions of the Supreme Court amounted to 32½ months.

I think it is not improbable to believe that close to that length of time would be taken up in appeals through the court of appeals to the United States Supreme Court, and that we might have therefore 32½ months devoted to the judicial process, added to the 15 months of the administrative process, and that would amount to approximately 47½ months, or 4 years.

It is possible that it would not take 4 years, but it is possible that it would; and I think it is fairly safe to say that the administrative hearings, preliminary findings, examination of evidence by the Board, final decision by the Board, appeal to the court of appeals, appeal to the Supreme Court would take at least 2 years. So that it is a fair estimate that somewhere between 2 and 4 years would be required before there would be a final order compelling an organization finally adjudged to be "Communist action" to register its members.

REGISTRATION MAY BE BALKED BY DISSOLUTION AND REORGANIZATION

Notice, however, that there is no obligation for the organization to register its members until 30 days after the final order has been handed down. During that time, as several speakers on the floor pointed out, and as the President has indicated in his message, it would be possible for the organization to dissolve, to change its name, and then to pass out of existence, and it would therefore be possible in the end for there to be no members of the organization to be registered. In other words, the organization might vanish into air, into thin air by the sleight-of-hand tricks which the Communists so frequently use.

It has been a frequent trick of the Communists to dissolve one organization, dissolve the membership, then have a new organization with a different name started and for the same people to come in again. We may remember that the Communist Party was ostensibly dissolved during the war and the Communist Political Association was created, a different organization. That organization lasted, I believe, until the fall of 1945 when it in turn was dissolved and the Communist Party was reestablished. I am afraid we would have a game of legal hide-and-seek in which the Communist organizations would be as elusive as quicksilver, and it would be very hard to pin them down.

EFFECTS OF ULTIMATE REGISTRATION

But even if they were pinned down, even if they did stay in existence and were told that they had an obligation to register their members, what then? Does anyone believe that they would voluntarily come forward and list their real members? One who would believe that, I think would be very trusting. He would have far greater trust in the good faith of the Communist Party than I have. I think it would then be found that they would do either one of two things, or possibly both: either they would submit a false list of members—and I shall later discuss some of the consequences of that—or they would list no members at all.

Let us take the second possibility, that they listed no members at all. It would then be an obligation upon the part of the Attorney General to prove that given individuals were actually members of the Communist Party.

I am very glad that the FBI and the Attorney General have a list of Communist Party members. Mr. Hoover has testified—I believe I am quoting him accurately—that they know the names of about 55,000 members of the Communist Party.

Suppose they prefer charges against these 55,000 persons—and I think they would have to do so to enforce this law. They would then have to prove that these given people are actually members of the Communist Party. I think it would be found that virtually all the accused persons would deny their guilt. These 55,000 cases would then have to be heard before the Subversive Activities Control Board.

I want the Members of the Senate—there are not many on the floor—to listen to this point; I do not know whether they

will be able to read the RECORD before we vote this afternoon; but I ask them to ponder about the problem of having 55,000 cases submitted to a quasi-judicial board.

CLOGGING OF BOARD AND COURT CALENDARS

I want to emphasize again that the sponsors of this legislation provided for administrative protection and for judicial review. I want to pay tribute to them for providing it. But to submit 55,000 charges to an administrative board would swamp that board with the sheer physical burden of work.

I do not know how many cases it was that the National Labor Relations Board handled at the peak of its activity, which I suppose was in 1937 or 1938 or 1939. But I am certain that they did not amount to more than few thousand a year, and certainly not to any such astronomical figure as 55,000. The administrative process of the Board would in all probability be completely swamped. Trial examiners would have to be provided to hear these cases, evidence would have to be taken, preliminary opinions would have to be written, the cases would go on review to the Board itself—and, mind you, the cases would have to funnel through the Board—the Board itself passing on them.

If it now takes 15 months on the average to handle the labor cases, not more than a few hundred in number, which come up each year, think how long it would take to handle 55,000 cases coming up before the Board. Certainly it would take at least another 15 months to handle 55,000 cases. In all probability it would take much more than 15 months. I am being most cautious and trying to be most conservative in what I say. But this merely finishes the administrative process.

On top of that would come judicial review of the decisions about individuals. Each of these individual cases, if they were fought by the individual, would have to go to the court of appeals, and I would like to call attention to the fact that this would not be any court of appeals—it would be the Court of Appeals of the District of Columbia—one court of appeals. Can Senators picture what would happen with these thousands of cases coming to one such court?

If it takes 17½ months for all the circuit courts in the country on the average to handle labor cases now, how much time would it take the Court of Appeals of the District of Columbia to handle the appeals from the 55,000 cases which would come up from the Subversive Activities Control Board? Well, at the very least, it would take 17½ months. Then there would be appeals to the Supreme Court, perhaps not in every one of these cases, because a large number of the people would not have the money to carry them there, but certainly in many of the cases and probably in the most important cases. So that in my judgment—and I am trying to be very cautious in my estimate—it would take at least 3 years more to get an order declaring that a given person was a Communist, and should have registered, and in all seriousness it might very likely be far more than an additional 3 years. All this moreover is piled on top of the original delay, which I have estimated as from 2 to 4 years, plus added time because of the elusiveness of the organizations, and the fact that they might go out of existence and new organizations might come into existence.

Moreover only after all this could criminal prosecution of individuals begin. This would take additional years.

So, Mr. President, I should like to submit that with the best intentions in the world—and I certainly do not want to question the good intentions of the sponsors of this legislation—what has been done has been to create a very clumsy, time-consuming process, in order to register these Communists.

DETENTION, NOT REGISTRATION, IS REAL PROTECTION TO NATIONAL SECURITY

In my judgment the military emergency is likely to be on us long before this process of registration is completed. Mr. President, that is why I thought we should deal with the real danger to our security, which as I have said is sabotage and espionage, and that we should give to the Attorney General the power "to put on ice," so to speak, men whom he regarded as dangerous to national security, after Congress and the President had declared a state of internal security emergency to exist.

I personally said on the floor of the Senate that I would be willing to vote, if these provisions had been carried over into the bill, to declare that an internal security emergency now exists, in order to head off sabotage and espionage. The Senator from Tennessee [Mr. KEFAUVER] also introduced a new bill making this authority even clearer.

But it is no longer possible to do that because those provisions of the Kilgore bill were taken out of it before that measure was inserted into the Mundt-Ferguson-McCarran bill. Those security safeguards are no longer there. So that we do not have the protection against sabotage and espionage in this difficult period immediately ahead of us which the sponsors of the Kilgore measure designed.

I want to make that clear, because we are not opposing any measure designed to give real security to the United States. We believe that we had a well-drafted means of giving effective security, and I want to point out that what we have now is virtually no security at all. We have a long, cumbersome process which will take years, and during that time the dangerous Communists can be at large and can do great damage.

We may find, and I think probably will find, that some of the most dangerous of the Communists are not members of the Communist Party at all, and that the Communist Party has very carefully kept them out of the formal party as such, but that these are organized as possible sabotage and espionage squads.

Mr. President, what I have said therefore is simply to bear out my statement that the provisions of this bill are extremely clumsy and ineffective and do not give any real security. That is one of the main reasons why we prefer the Kilgore substitute, and why we are dissatisfied with the maimed and mutilated version of the Kilgore subsitute which is now incorporated in the present bill.

MUNDT-FERGUSON-M'CARRAN BILL HARMFUL AS WELL AS INEFFECTIVE

But, Mr. President, in addition to the fact that the measure before us will do little good, it can do a great deal of positive harm, and I want to indicate the three ways in which it can do positive harm.

In the first place, suppose the Communists submit fake lists of members. This is a very real possibility. They are perfectly capable of it. Suppose they submit the names of persons who are not members of the Communist Party, but that they say these people are members of the Communist Party. Think what a weapon would be turned over to the least reliable element in our population. What you do by this bill is to turn over to the Communist Party the power of discrediting and smearing virtually everyone in the United States whom they may dislike. They may take people against whom the secretaries of the Communist organizations have personal grudges. They may take people against whom they have political grudges. They may pay off both personal and political scores by listing these persons as members of the Communist Party.

DANGERS OF FALSE LISTING

The Communists are diabolical in their methods. I would not put it past them to list as members of Communist-action organizations a number of anti-Communists—for them to submit a list of actual anti-Communists, but to say, "These men are members of the Communist Party."

Suppose they picked out the names of some prominent Americans who were very effective in fighting communism and in turning back communism and in winning people away from communism. Suppose the Communists said, "These people are Communists." There would be a period of time in which the persons so charged would have an opportunity to clear themselves before the Attorney General. Again I wish to congratulate the sponsors of this measure for providing this safeguard. There would be a period of time.

Again I wish to say that we now have a splendid Attorney General. If any human being could be trusted to protect individuals, I think our former colleague, Howard McGrath, could be. However, this is tremendous power to put into the hands of any man. Even Howard McGrath and his very efficient organization might make mistakes.

There might, somewhere along the line, be Deputy Attorneys General who would like to pay off old political scores. Republicans who are really sincere anti-Communists might be listed by the Communists as Communists or members of Communist organizations; and there might be, here or there, a Deputy Attorney General or an Assistant Attorney General who might not be sufficiently zealous in the prosecution of his duties to protect the good names of certain individuals. The result would be that their names might be included—although

falsely and without basis—on the lists of persons charged with being members of Communst-action organizations. Or if the individuals falsely listed for any reason failed to receive the notification provided in the bill and therefore could not make timely protest, their names would also be open to the public. Once the Attorney General failed to remove the names of such persons from the register going to the Subversive Activities Control Board, and once that register or list was published, those persons' reputations would be ruined.

Mr. President, the matter of questioning a man's motives publicly is very much like questioning a woman's honor; it is tarnished merely by being questioned. And the person whose motives are thus questioned is not able to get his reputation back again, untarnished, even though he refutes the charge. That is why I think all of us should be extremely chary, both on the floor of the Senate and off the floor of the Senate, about questioning the motives or soiling the reputation of any person.

When I came to the Senate I made a pledge to myself that I would never question the motives of any colleague, that I would never make a personal attack, however violently any Member or person might differ from me. I have tried to live up to that pledge, and I shall continue to try to live up to it, because we deal with very delicate things—human reputations—which in the long run mean more than life itself.

But, Mr. President, suppose we were not to have a good Attorney General. Suppose we were to have an Attorney General similar to some of the Attorneys General who have held that office in the past? In order to remain true to my principle of not singling out individuals for reprobation, I ask the few Senators now present to think of some of the Attorneys General who, in the past, have held that office. I can think of an Attorney General of the United States who, by proven testimony in the courts of the country, was determined some decades ago to have allowed at least, let us say, the office of Attorney General to become a shameful and a wicked thing.

I would hate to think that the liberties and reputations of the people of the United States would be entrusted by law to the hands of such a person. Think of the opportunity that such a man and his assistants would have to blacken the names of political opponents. Think of the power a Democratic Attorney General of low character—and I wish to emphasize that our present Attorney General is of high character—might have, in terms of what he might do to his Republican opponents. It might be that the Communists and a Democratic Attorney General would gang up, so to speak, on our friends in the Republican Party. They would be perfectly innocent, but they would be irretrievably damaged, just the same.

Or suppose we had a bad Republican Attorney General. He and the Communists could combine and injure members of the Democratic Party, beyond the possibility of adequate repair.

MENACE TO THE LIBERAL CENTER

Here I should like to point out that what the Communists want is to destroy the liberal alternative to conservatism. The Communists want to polarize, so to speak, our political and social system. They want to give our people a choice only between extreme reactionism and extreme radicalism. They want to destroy the vital center, because they know that the liberal center is an alternative to either reactionism or to extreme radicalism. The group in the center is the group which, fundamentally, the Communists dislike most, because they know that this group is the rival and, I believe, if allowed a chance, the successful rival for the loyalties of men.

Suppose, therefore, that the Communists wanted to eliminate a number of the sincere liberals who are active in public affairs, and suppose the Communists saw in this measure a handy instrument by which to do away with the liberals whom they dislike. Suppose at that time there were a conservative Attorney General, an Attorney General who was not of as high a character as Mr. McGrath. The action of such an official, stimulated by the evil charges of the Communists, might do irreparable harm to a vital and loyal segment of the American people.

Mr. President, I do not wish to interfere with the pleasures of the gentleman who are behind the dias, but I should like to make a point of order that there is not order in the Senate.

The PRESIDING OFFICER. The Senate will be in order.

Mr. DOUGLAS. Let me say to my friends who are behind the dias that I know the hour is late and I know they are tired, and of course they wish to talk, and I do not wish to interfere with them. However, it is hard to proceed with this background of conversation.

I wish to express my apologies to my good friends, and I hope they will forgive me.

Mr. President, I think I have said enough to indicate that it is quite possible that we may have false listings of names on a very appreciable scale; that the reputations of large numbers of innocent persons may be destroyed, destroyed virtually beyond the possibility of redemption, by such actions; and that by means of this measure we would give to the worst elements in our society the power to blacken the reputations of good, fine, loyal men and women. That is a very real danger which is inherent in the proposed registration process.

DANGERS IN SECTION 4 (A)

Mr. President, the second source of positive harm to freedom has been rather thoroughly discussed, but I think it is worth while for us to go over it again. It arises in connection with section 4 (a), which provides that—

> It shall be unlawful for any person knowingly to combine, conspire, or agree with any other person to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship.

I ask my colleagues to notice that, as has been pointed out—and I do not wish to labor this point unduly—the words "substantially contribute" are very vague words. What do they mean?

Let us review, if we will, what some perfectly honest persons believe to be a "substantial contribution" toward totalitarian dictatorship. During the past year I have heard certain political leaders make speeches in the course of which they said the Brannan farm plan was a step toward communism and a totalitarian dictatorship.

Now, Mr. President, I want to make it clear that I am opposed to the Brannan plan. I never sponsored it, and I do not believe that it is in the remotest degree a step toward totalitarian dictatorship. But some people honestly believe that it is, and I am not going to charge them with being insincere; I am going to give them credit for being completely sincere, because I believe that to be of the fact.

Suppose such men as that—and they were eminent men who made this charge—were to be in charge of the administrative procedures in this act, or were to be judges, or jurors: it might well be that persons would be labeled as substantially contributing to a totalitarian dictatorship by advocating a specific measure which some people believe will lead to or is equivalent to communism.

That may seem a forced point. I assure you, Mr. President, it is not a forced point. These are very troubled times, and they are likely to become even more troubled; and, as they become more troubled, passions will run high.

Mr. MURRAY. Mr. President, the proceedings behind the marble curtain are interfering, I think, with the discussion on the floor of the Senate. I ask that they be silenced.

The PRESIDING OFFICER. The Senate will be in order, including persons behind the marble curtain.

Mr. DOUGLAS. I wish to call to the attention of Senators that this is a marble curtain, not an iron curtain. I hope my colleagues will not regard me as ungracious for mentioning this fact.

Now, let us take another measure with which I happen to disagree, the so-called Ewing health plan. I think it goes altogether too far. I do not believe in it, though I believe that we need far better protection against possible catastrophic illnesses. But some people have labeled the Ewing plan as communism—some very large and reputable organizations.

We may know that it is not communism. We know that the proponents of this measure are not Communists. We know that Mr. Ewing is not a Communist. We know that our beloved colleague, the senior Senator from Montana, who has been one of the sponsors of this legislation, is not a Communist.

But they have been charged with being such, and the measures which they sponsor have been charged with being such, and I think we can look forward to the very real possibility that if this law goes into effect, the advocacy of that health plan will be charged by certain persons as communistic, or substantially contributing to totalitarianism. The extraordinary thing is that some of the people who have made this charge have not been ordinarily irresponsible persons; they were people whom one would

normally think of as balanced and sane; yet they have made these terrible charges. In a time of great hysteria it is quite likely that they might be made again.

This language goes altogether too far, namely, to punish with 10 years' imprisonment any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship. It does not say "directly and predominantly contribute." That would be more understandable language. If that language were used, I do not think I should greatly object to it. But no one knows what "substantial" is. It may be indirect, it may be appreciable, but not large; it may be far removed from the effect, and yet it might still be punishable and still be made illegal under this bill. This, then, is the second danger to freedom which I see in the measure before us.

DANGERS IN DEFINITIONS OF COMMUNIST-FRONT ORGANIZATIONS

Now, the third danger which I see is the improper listing of organizations; and, I want to say, primarily, the improper listing of so-called Communist-front organizations. I want to pay tribute to the sponsors of this legislation for having worked out a fairly accurate list of the criteria, or, if one may use a theological phrase, the stigma, which apply to "Communist-political," "Communist-controlled," and "Communist-action" organizations. That list of some seven or eight criteria, which is given on page 14 of the conference report, is, I think, pretty accurate. I do not want to find any real fault with it.

I want to make this clear, however, that there is some difficulty involved even there, by the form in which these criteria are cast. The use of the phrase "to the extent that"—the question as to whether it is necessary to have only one or two, or more than two, or all of these criteria or stigmata satisfied before the organization becomes so labeled—those are issues. But, in the main, I should like to make it clear and call to the attention of the junior Senator from South Dakota for a moment, if I may, the fact that I think the job of listing these criteria or stigmata of Communist-action organizations has been pretty well done. I want to pay tribute to him and to the junior Senator from Michigan on this point. That is not merely a verbal tribute; it is a sincere tribute.

But when we get to the so-called "Communist-front" organizations, on page 15 of the conference report, section 13 (f), there we get into greater difficulty; and I ask Members of the Senate, if they will, to turn to page 15 of the conference report and cast an eye over these four standards. I do not wish to take up the time, but for the sake of the completeness of the RECORD, I should like to read them, if I may:

In determining whether any organization is a "Communist-front organization," the Board shall take into consideration—

And I emphasize that, "take into consideration"—

(1) the extent to which persons who are active in its management, direction, or supervision, whether or not holding office therein, are active in the management, direction, or supervision of, or as representatives of, any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2; and

(2) the extent to which its support, financial or otherwise, is derived from any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2; and

(3) the extent to which its funds, resources, or personnel are used to further or promote the objectives of any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2; and

(4) the extent to which the positions taken or advanced by it from time to time on matters of policy do not deviate from those of any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2.

Now, let me again give credit to the conference committee in this respect, because I think they have tried to plug one of the gaps in the bill which was previously pointed out by some of the speakers on the floor. After each one of these separate criteria there was a semicolon, and then, formerly at the end of the third criterion, the word "and" was inserted, but only at that point.

Now in the bill reported by the conference committee, I am happy to see that the word "and" is inserted after each one of these criteria. I think—and I want to be absolutely fair in this matter—I think that this provision does substantially weaken one phase of the objection which we had formerly advanced on this point. But it does not remove it. It weakens but does not remove it, because the language says "shall take into consideration". The board is therefore not limited to these factors.

The bill merely provides that the authorities shall "consider" these factors, and this may introduce other elements which may be controlling, even though these factors are not mentioned; and furthermore, I do not know how it is possible to assay—and I use the word "assay" rather than "essay"—I do not know how it is possible to assay the chemical content of each of these qualities which it is necessary for an organization to possess in order to satisfy the definition which is given, beginning with the words, "to the extent that". I do not know what the specific gravity, so to speak, of these qualities must be, in order to satisfy this test, "to the extent that". The standards are in fact still loose and inexact.

DANGERS IN TEST OF NONDEVIATION FROM COMMUNIST POLICIES

Mr. President, I should like to point out again that the fourth test in this set, the test of non-deviation, is a very dangerous one indeed, because Communists have advocated nearly everything under the sun at one time or another. Their policies shift and change both domestically and in the field of foreign relations. At one time their policy is like that of the Democrats; at another their policy is like that of the Republicans; then they are opposed to both parties. Policies shift. It all depends on the period of time which is considered as to whether this test of nondeviation may be used to label one group or another.

In the field of international affairs, Communists as interventionists loudly proposed collective security, demanding united action against fascism, until, I believe it was, the 24th of August 1939, when Hitler, Ribbentrop, and Molotov made a pact combining Russia and Germany into an alliance. Then in this country, the Communists became isolationists over night. They coined the slogan "The Yanks are not coming." They piped down their opposition to fascism, and they attacked liberalism and democracy for 22 months, until June 22 of 1941, when the Germans invaded Russia.

Overnight the Communists then turned back into advocates of intervention. The pickets who had formerly been parading in front of the White House denouncing American aid to the opponents of fascism, now demanded speedy American aid and not long after were shouting for a second front.

During the war Communists came out very strongly for American capitalism, and almost immediately afterward, following the Duclos letter, they were in violent opposition to capitalism again. So that they have literally boxed the compass. At one time or another they have been everywhere. I do not know for how long a period this test of nondeviation would be applied.

If it were applied for a short period of time, virtually every organized group in the country at one time or another would have advocated the policies which the Communists at a given time had advocated.

There is a little game which is played politically: "How do your votes compare with MARCANTONIO's?" I can remember in the Seventy-ninth Congress, lists were sent out by the Republicans comparing votes on domestic issues between the Democrats and MARCANTONIO. A record of nondeviation—not complete, but substantial identity—was estabtablished for certain domestic issues. If it turned out that a man had voted as MARCANTONIO had voted he was then called a Communist. That smear was applied against scores of anti-Communist Democrats in the Seventy-ninth Congress.

REPUBLICANS MIGHT ALSO BE TARGETS OF NONDEVIATION CHARGES

It might be poetic justice if this method were reversed and were now used against the other side on matters of foreign policy, but I think it would be unfair—and I want to make that clear—so to apply it, or to take Mr. MARCANTONIO as a sort of red litmus paper against which to compare the specificity of Members of the House and Senate.

Suppose we take MARCANTONIO's votes on the European recovery plan, which he fought very bitterly, and on the successive appropriations and authorizations for the Economic Cooperation Administration. Suppose we were to take the votes on the North Atlantic Pact and the military aid program. Suppose we took the vote on economic aid to Korea. If we did that we could pile up a good collection of votes, which by simi-

larity and virtual identity could be used to indicate nondeviation between the policies of a considerable number, and perhaps a very large percentage, of our very good friends on the Republican side of the aisle.

Before my Republican friends leave the Chamber I should like to say that it would be unfair to make such a charge. It would be as unfair for us to do so as it was for them to charge that Democrats were Communists because their voting record on other measures was identical with MARCANTONIO's. I want to assure my good friend, the junior Senator from Pennsylvania, who has a distinguished military record, and who, although I differ from him on some occasions, is, I believe, a completely fair man, that I have never used that argument against my Republican friends, and I will not do so. As it was unfair when used against us, it would be unfair if used against Republicans. However, in the hurly-burly of political life it is used and this bill seems to open up dangerous possibilities of its use to penalize worthy and loyal organizations.

Mr. WILEY. How long, O Lord, how long? Mr. President, will the Senator yield?

Mr. DOUGLAS. I am very happy to yield for a question.

Mr. WILEY. Can the Senator give us some idea of how long he will take?

Mr. DOUGLAS. I do not expect to talk more than 15 or 20 minutes more. I listened to the Biblical quotation from my good friend the Senator from Wisconsin when he said, "How long, O Lord, how long?" I am sure he was not addressing me, because I have no pretensions to divinity. If he was addressing God in heaven above, then, as a humble worshiper of that God, I will say that I shall take not more than 10 minutes.

Mr. WILEY. Will the Senator yield further?

Mr. DOUGLAS. Only for a question.

Mr. WILEY. That is all I desire the Senator to yield for. I am not trying to do anything other than to find out about how long we will be here. Some of us may have other functions to perform. If it is the plan of the junior Senator from Illinois and his associates to carry on until noon, perhaps some of us can get some sleep for a few hours and then go on with the work of the day. I think it only fair that if there is such a plan we ought to be informed about it. That is not said in any critical tone. It is asked in a spirit of cooperation. We have had one near tragedy, and I think it is very foolish to carry on along that line, when no constructive purpose can result.

Mr. DOUGLAS. I may say to my good friend that there is no master plan governing the conduct of this debate. I did not know how long my good friend from North Dakota would speak. It was not part of any plan. I speak only for myself, and I say that I will not take more than 10 minutes more. I understand some Senators will follow me. I do not know how long they will take.

I want to assure my good friend from Wisconsin that there is absolutely no purpose or intention to prevent a vote. We do think that the opinion of the country will be a little clearer after people have had a chance to read the President's message in the morning papers and have had a chance to ponder over it in the hours that lie ahead. That is why the junior Senator from Illinois proposed that we recess until 2 o'clock and vote at 4 o'clock. That reasonable offer was refused. There is no purpose to prevent a vote. I want to make that clear to my very good friend. We have had a prolonged discussion because of the fact that we have not been allowed to recess by the proponents of the bill.

Mr. WILEY. Mr. President, will the Senator yield further?

Mr. DOUGLAS. Certainly. I am always very glad to yield to my friend from my neighboring State, which produces very good cheese and butter, and it is always a delight to visit Wisconsin and get acquainted with its splendid people.

Mr. WILEY. I like the boloney that comes from Illinois, too. Now I shall ask my question. I heard the Senator comment twice that he would wait until the President's message has been read by the people. I want to ask the Senator if he does not think that instead of hearing from Murray, Green, and others, that it is our function as legislators to legislate, and not to let some groups or group tell us how to legislate.

Mr. DOUGLAS. I quite agree with the Senator. I may say that this is in no sense an attempt to have mass pressure operate upon the Congress. I think from individual citizens there frequently come spontaneous expressions of opinion that help us get a sense of the real feeling of the people.

I should like to call the attention of the Senator, if I may, to an editorial which appears in this morning's Washington Post. If I were to read it in full, perhaps I would be accused of prolonging the proceeding. Would the Senator care to have me read certain passages in the editorial, to indicate that there is no mass pressure involved, but only the spontaneous expression of one of the leading newspapers of the country—although I believe that certain people on the other side are not particularly fond of this newspaper? Does the Senator wish me to read portions of the editorial?

Mr. WILEY. Answering the question, I must say that I always like the intonations and the rather seductive influence of the Senator when he intones on the Senate. So when he reads somebody else's ideas, I suspect it will have a little of that influence in the language. But read on, McDuff.

Mr. DOUGLAS. The family of McDuff is an honorable Scottish family, but not quite as honorable as the Douglas family.

I now read from the Washington Post of this morning, September 23:

STAMPEDE

Panic and politics—and an irresponsible desire to go home—led the House of Representatives into a stampede late yesterday that overrode not only a Presidential veto but a fundamental principle of American life. The President's message on the McCarran bill deserved more conscientious consideration. The exceptional importance he attached to it was attested by his unprecedented action in sending to each Member of Congress a letter which urged that the issue be given sober and searching reflection. This was an appeal which, coming from the President of the United States, no Member of Congress could decently ignore. It deserved the most serious thought. It should have taken debate on the measure out of the mire of politics into which it was plunged during its earlier consideration. It imposed upon the Members of Congress a solemn obligation to review the issue not as Republicans or Democrats but as Americans responsible for the safeguarding of the Nation and of the Nation's distinctive and historic values.

I pause to say that I have tried not to make any intonation, seductive or otherwise, and I have tried to make my pronunciation semantically correct.

Mr. WILEY. It was very beautifully read, though.

Mr. DOUGLAS. I thank the Senator. The editorial continues:

The President's message presented, in our judgment, a carefully reasoned and compelling analysis of the McCarran bill. It demonstrated that, on strictly pragmatic grounds, the measure would injure the national security which its sponsors have sought to protect. Every agency of the Government entrusted with the responsibilities of safeguarding the country has informed the President that the bill would seriously impair its operations.

The President showed in detail that the registration provisions of the bill would in practice be wholly ineffective and would produce no information about Communists not already available to the FBI. He showed that so far as Communists are concerned, the bill imposes no penalties not already enforced and that it creates a grave danger that these penalties will be applied to legitimate activities by persons who are loyal citizens. He showed that the attempt to enforce the bill would entail a dissipation of energies needed for more effective internal-security precautions.

The McCarran bill has made a tremendous appeal to patriotic Americans because it is anti-Communist in intent and appearance. But it will do no injury to the Communists. It will, as the President observed, "help the Communists in their efforts to create dissession and confusion within our borders." Mr. Truman offered an illuminating analogy to show the ineptness of the bill. "The idea of requiring Communist organizations to divulge information about themselves is a simple and attractive one," he observed. "But it is about as practical as requiring thieves to register with the sheriff."

Most of the message was devoted to demonstrating the disparities between the purposes and effects of the bill. We are glad, however, that the President chose to lay before Congress the consideration of essential principle which justified his rejection of the measure. He presented as simply as it could be presented the basic American idea with which the McCarran bill is in irreconcilable conflict:

"There is no more fundamental axiom of American freedom than the familiar statement: In a free country we punish men for the crimes they commit, but never for the opinions they have, and the reason this is so fundamental to freedom is not, as many suppose, that it protects the few unorthodox from suppression by the majority. To permit freedom of expression is primarily for the benefit of the majority because it protects criticism, and criticism leads to progress."

It is this idea which the House overrode when it voted in such haste last night to reject the President's message.

I would add that it is this haste which we are seeking to prevent in the Senate, in order that sober reflection may guide the vote that is taken later today.

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

Mr. DOUGLAS. I will yield once more, and then, in order to save time for the Senator and other Senators, I will not yield again.

Mr. WILEY. I will ask the Senator to yield for a dual question. Does that not sound a little bit like what Patrick Henry said in Virginia when he was talking about the danger of adopting the Federal Constitution? The second part of my question is, If there had been a McCarran bill in Titoland and other countries that were taken over by Russia, they would not have been taken over, would they?

Mr. DOUGLAS. I do not think the McCarran bill would substantially prevent the Communists from developing great strength. I may say, however, that the McCarran bill is much milder than anything a totalitarian government would have. Even with the McCarran bill we will be an infinitely freer country than those totalitarian countries are.

I wish to make it clear that if the bill should become law by being passed over the President's veto, even in spite of that, this is an infinitely freer country than the countries of Communist dictatorship, and we would rally to its defense under any and all conditions.

But this is the point, it would not be as free a country as we would like to have. It would not be as free as the America of the past and the America which we hope will continue in the future.

LET THE VOICE OF AMERICA BE HEARD

Mr. President, I read this editorial primarily to indicate that these are not ill-informed voices that are coming from over the country. All over the Nation this morning people are getting their morning newspapers, reading the President's message, pondering over it, and they will do that for the next 4 or 5 hours, until noon. What is the harm of postponing the decision for a few hours until we can all have a chance to think a little more carefully and allow the real voice of America—not the mass of America, not masses whipped up by pressure organizations, but the conscience of America—to have a chance to be heard. What is the objection to that?

I wish to say that those of us who have been discussing the bill have no intent to prevent consideration. What we are asking for is what the Washington Post has asked for—more careful consideration, more deliberate pondering. Certainly in a matter of this grave importance a few hours more for consideration are desirable.

BOTH FREEDOM AND SECURITY ARE THE AMERICAN GOAL

Mr. President, I am nearly done. We have a difficult set of choices, probably the most difficult set of choices any of us has ever faced. We all love our country, and we want to be secure, and we want our country to be free. What we have to do is to weigh these two considerations, provide for as much security as possible in a time of great national danger, and sacrifice as little freedom as possible in a period of mounting hysteria.

The Members of the Senate and Members of the House, however widely they differ, in the main, have this common purpose of reconciling these two basic objectives. Some may minimize freedom, and some may minimize security. In varying proportions I think we are all honestly struggling to combine these two.

I do not believe this bill in its present form is good. The registration provisions will take years to operate as I have shown. In the meantime, the Communists will be at large and they will be security dangers.

I wish to emphasize that the real danger is in the possibiliy of espionage and sabotage, and not propaganda. The bill does not really provide security, but it can tremendously endanger freedom through false listings, through the vague definition of section 4 (a), and through the still loose wording, although it is better wording than before, of the definitions of so-called Communist-front organizations which may prevent people from forming any organization at all or joining any organization, lest it be so labeled.

What we may get are people who may be "goers along," people who never stick their necks out, for they will fear that if they do take stands on issues or join others to work on them, they may be improperly labeled and publicly discredited.

Mr. President, this country has grown great through the adventurous, free spirit and the clash of opinion. However brief the period in which we stay in the Senate, I think what makes our work valuable in the Senate most of all is the friendly clash of opinion. We find that people whose views differ from ours are often persons who have something to their case, and they may find we have something to ours. Out of the clash, if we allow the differences of opinion freely to play, we get a better decision.

What is true of the United States Senate should be true of America as a whole. If people become afraid to express their opinions, if discussion is shut out, public opinion will be frozen. The adventurous and inquiring spirit will die, and yet this country has grown great from the friendly difference of opinion and the ultimate reconciliation of these differences in a greater unity.

Mr. President, when I voted on the 12th of September in favor of the McCarran bill, I did so in the conviction at the time that my decision was correct. I felt that the security provision, the Kilgore bill, outweighed the possible loss of freedom in other clauses of the bill.

In the period between then and now two things have happened; something to me internally, and something to the bill externally. The bill has been substantially altered, so that it is even less of a security measure than it was before and a still greater invasion of freedom. Something has also been happening to me between that time and now. I do not want to make too great a personal revelation, but I can say that I have been extremely unhappy over the vote I then cast. I have had the feeling that I had made too great a sacrifice of freedom in behalf of security.

I have arrived at my present decision to vote to uphold the Presidential veto after real travail and suffering of soul, I can assure Senators. But ever since I have reached that decision, which was yesterday, I have sensed within me a strong feeling which I did not have before, that my feet are now set on the rock; that whatever might happen to me personally, I had made the correct decision. The inner voice, which in the long run is our best guide, whispers to me that I am now acting in conformity with the right. And according to that light, according to such imperfect wisdom as I may have—and I say this with no sense of self-righteousness—I shall vote to uphold the President's veto.

Mr. O'CONOR. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement outlining my views in regard to the President's veto of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Convinced as I am that the President's veto is not justified by the facts and by the law of this land and further is contrary to the views and wishes of the majority of our citizens, I could take no other course than to help in overriding the veto.

The anti-Communist bill is the result of extended study, lasting over a period of years. It received most careful consideration by our Judiciary Committee, which has the benefit of legal advices from authorities on constitutional law and from committees of the American Bar Association, strongly favoring this enactment.

An overriding consideration is the imperative need for statutory authority at once to deal with a clear and present danger to America's welfare. Subversives, including not only aliens in our midst but also citizens giving allegiance to a foreign power, are challenging the continued existence of our form of government. The law now before us strikes at the root of the vicious enemy action.

Under this legislation no loyal American and no alien conducting himself properly need fear any sanctions. Under it no man can be penalized for his beliefs, whatever they may be. Under it no act directed toward orderly changes in governmental processes through constitutional procedures is prohibited.

But under it, enemies of America, seeking to overthrow its institutions and to deliver it to a foreign power, are exposed for what they are—enemies of America. It is a legal, constitutional, necessary, and sound measure to perpetuate American ideals and American principles. I must have the courage of my conviction and vote for it, despite even the contrary opinion of the President of the United States.

Mr. MURRAY. Mr. President, at the outset of this debate I had intended to refrain from making any remarks on the pending measure, but as the debate has continued I have begun to feel that I should make a brief statement to justify the position I am taking in support of the President's veto.

Mr. WILEY. Mr. President, will the Senator yield to me for a question?

Mr. MURRAY. I yield.

Mr. WILEY. I think the Senator was present when I asked similar questions

of the Senator from Illinois [Mr. DOUGLAS]. I ask the question this time of the Senator from Montana for several reasons. The first reason is that the gentlemen who are reporting what is going on are no longer youngsters. They are tired and worn out. They have not had any rest. They have worked through the day and all night. I should like to find out from the Senator if he can tell us how long he intends to speak, and, second, if he knows of any other Senator on his side who wants to speak, and when we can expect a vote.

Mr. MURRAY. Mr. President, I can not give the Senator any assurance as to what other Senators are going to speak. There may be several other Senators who would like to express themselves on the pending measure before the time comes for a vote. So far as I am concerned personally, I do not intend to speak for any great length of time. I can assure the Senator that I certainly will not speak for more than an hour.

Mr. WILEY. I thank the Senator from Montana.

Mr. MURRAY. Mr. President, as I have stated, I did not at first contemplate speaking today at all. But we are meeting in a time of grave peril, when no man can honestly say that he knows what new dangers the future may hold. I believe it is important for all of us to think carefully about the situation which confronts us. I believe we should freely express ourselves. To refrain from speaking on an occasion of this kind when we feel deeply that we are supporting a just cause, would not be fair. I feel I am entitled to do so. I do not speak frequently or unnecessarily on the floor of the Senate.

I have listened with great interest to other Senators who have spoken, and I feel that their remarks have been very convincing. Certainly they have been effective upon my thinking. I am convinced, as I never was convinced before in my life, of the justice and righteousness of the position we are taking in supporting the President of the United States in his veto. The President has been advised by all the agencies under his direction as to the proper course to take. The bill has been analyzed carefully for him by the Department of Justice, Department of Defense and the Central Intelligence Agency and by the other agencies that have undertaken to advise him. In the Senate we have heard some of the most able discussions that have ever taken place on the floor of the Senate. I think they have been confined to the merits of the bill. No one has undertaken to attack or question the honesty or to impugn the motives of those supporting the pending measure. I personally believe that its supporters feel deeply that such a measure is necessary. On the other hand, I feel convinced, after listening to all the arguments that have been advanced here, that there is no need for the bill; that at least it is not needed to the extent that it purports to go, and that if it is enacted into law it will do more damage to our country than it will do good. I think that has been very clearly established by the discussions to which we have been listening during the day.

Mr. President, this is a time when we, as patriotic Americans, owe it to the heritage of our forefathers to put our country before any other consideration of a political or personal nature.

Most Americans have risen to this challenge to their patriotism. I want to say bluntly to you that a minority have not risen to this challenge. They are seeking to play politics with our country's misfortunes.

The perils we face today are twofold.

One threat comes from abroad.

The other danger lies within our own boundaries.

The threat from overseas is that of Communist force, directed by men who worship no God and have less respect for the rights of an individual than you or I have for the rights of animals.

To the men who direct the Communist assault on freedom, mankind, whom God endowed with souls and minds, is nothing more than a group of robots or zombies to be used to achieve power for those who seek to substitute police state regimentation for democratic freedom.

Chief Justice Hughes declared a decade ago:

"The greater the importance of safeguarding the country from incitements to the overthrow of our institutions by force and violence, the more imperative is the need to preserve inviolate the constitutional rights of free speech, free press, and free assembly in order to maintain the opportunity for free political discussion, to the end that government may be responsive to the will of the people and that changes, if desired, may be obtained by peaceful means. Therein lies the security of the Republic, the very foundation of constitutional government." *De Jonge* v. *Oregon* (299 U. S. 353, 365). These words have apt application to the present problem. If it be true, as the bill before us seeks to declare, that our American institutions are threatened by advocacy of a totalitarianism alien to our traditions, we must meet the threat not by direct or indirect repression but by the "free political discussion" which is the very cornerstone of democracy. And in this connection it is well to recall Mr. Justice Jackson's observation that "freedom to differ is not limited to things that do not matter much. That would be a mere shadow of freedom. The test of its substance is the right to differ as to things that touch the heart of the existing order." *West Virginia State Board* v. *Barnette* (319 U. S. 624, 642).

It is becoming increasingly clearer every day that the proposed legislation we are considering will not drive the Communist Party above ground, as its sponsors state, but will, instead, greatly accelerate its movement underground.

The result will be a serious blow to our internal security, since the bill will damage the effectiveness of our counterintelligence operations against Communist espionage, sabotage, and subversion.

Recent FBI reports unmistakably indicate that the active pendency of this proposed legislation has already caused the Communist Party to greatly accelerate its movement underground. Among other things, the party is shuffling its leadership, destroying its records, and urging its members to join respectable organizations, such as churches and nursery schools.

This situation is high-lighted by a news story in the New York Times of September 1, 1950, on page 4, from which I shall quote. The New York Times indicated that the Communist Party was "planning to go entirely, or almost entirely, underground after the Wood bill was enacted into law." The same story also indicates that the party is preparing a "cover" for secret Communists.

The following is the New York Times story to which I have just referred:

Henry Winston, national organizational secretary of the Communist Party, set a 30-day deadline yesterday for the completion of the party's own registration of members, before the Wood bill becomes law.

The Wood bill was passed by the House of Representatives Tuesday by a vote of 354 to 20. Introduced by Representative JOHN S. WOOD, of Georgia, chairman of the House Committee on Un-American Activities, the bill requires the Communist Party to register and list all its members, and report on all their activities. It also requires officers of Communist "front" organizations to register.

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

Mr. MURRAY. I yield.

Mr. FERGUSON. The question is this: Can the Senator from Montana cite the provisions or words or paragraphs of this bill which, in his opinion, outlaw the Communist Party?

Mr. MURRAY. The purport of the bill in its entirety has that object in view. I do not have the bill available to me now, and I cannot point to those portions, offhand. I would have to look it over to find them. I got a great deal of the information which I have regarding this measure from the remarks made on the floor of the Senate by Senators who, from time to time during the debate, have quoted the various portions of the bill. They impress me as having that effect.

Mr. FERGUSON. Mr. President, will the Senator yield for another question?

Mr. MURRAY. I yield.

Mr. FERGUSON. I have been over this bill a great number of times. I have challenged, here on the floor of the Senate, statements similar to those just made by the Senator from Montana, when made by other Senators; and I have asked the Senators who made such statements to indicate whether there is in this bill any provision which would outlaw the Communist Party.

I have heard the Governor of New York cited two or three times on this same point. I think it is material, for purposes of the RECORD, that we ascertain the provision or provisions of the bill which would outlaw the Communist Party.

Mr. MURRAY. I think the entire purport of this bill is to drive the Communist Party underground. That is the thought I have about the bill. Its entire effect will be to make the Communists go underground and to make it much more difficult and dangerous to meet the threat they constitute.

Mr. FERGUSON. Mr. President, will the Senator yield on that point?

Mr. MURRAY. I yield.

Mr. FERGUSON. Is the Senator from Montana familiar with the statements—particularly those of J. Edgar Hoover, as published in the United States News and World Report—in

which it is indicated that the Communists now are underground and have been underground, and that that is the way they work?

Mr. MURRAY. I suppose they work both underground and above ground, because I understand that Mr. J. Edgar Hoover has records showing that there are 55,000 members of the Communist Party in the United States. Of course, I am not familiar with the operations of the Communist Party, and I would not be able to vouch for any of those statements. I have simply become impressed, as a result of the debate which has occurred, that this measure would have that effect.

Mr. President, I read further from the New York Times article:

In Washington committee members indicated suspicion the party registration was an attempt to obstruct the proposed new law.

Winston, one of the party's 11 leaders convicted last year of conspiracy to advocate violent overthrow of the Government, but out on bail pending completion of appeal procedure, was quoted in yesterday's Daily Worker, the party's propaganda organ.

He said the annual registration of party members has been going on for some weeks to safeguard the welfare and liberties of party members and others who share their views for peace and against fascism. In view of the quick progress of the Wood bill, he said, the party's registration must now be rushed to completion.

PARTY SEEN GOING UNDERGROUND

To those familiar with Communist terminology, Winston's statement indicated the party was planning to go entirely or almost entirely underground after the Wood bill was enacted into law. It also is believed to indicate the party is preparing a cover for secret Communists, is conducting or getting ready for a purge of unreliables and is consolidating the hard core of party activists for whatever may lie ahead.

The statement called for a qualitative strengthening of the party's work and higher standards of membership.

Winston used Aesopian language, or Communist double-talk, as it was called by Federal Judge Harold R. Medina in last year's Communist trial, to call on members to work more intensively for class war in this country. He urged them to stir up labor troubles, fight this country's foreign policy, and collaborate with the Soviet Union for peace.

In an apparent allusion to recent defections from party ranks, he said anyone could join or leave the party voluntarily.

"Only those who have been registered by the party in the current registration," he added, "Will carry the great honor that goes with membership in the Communist Party."

Mr. President, countries outlawing the Communist Party seem to fall into three categories: First, those engaged in a reign of terror against all opposition movements; second, those which utilize the small Communist opposition as a scapegoat for all ills, and by creating a scapegoat detract from internal difficulties; and (3) those democracies which outlaw the Communist Party as a foreign menace.

The best example in the first category is Greece, which, while engaged in a civil war, outlawed the Communist Party on December 29, 1947. The law is administered by the military, rather than civil, authorities. Greece had passed a similar law in 1929, but it had not been enforced in recent times.

From the time the party was outlawed, arrests running to the thousands were made; 3,000 persons were arrested at one time December 1948; over 3,000 persons were sentenced to death. The New York Times reported on May 23, 1948, stated: "But it is just as true that the spreading threat of communism has resulted in non-Communists adopting or intensifying similar methods of repression against leftists." Greek secret police are "no better if not worse than the Yugoslavian OZNA. They don't know the difference between a Communist and a democrat." Great Britain twice protested to the Greek Government this reign of terror.

The best example of the second class is Paraguay. Dictator Mirengo outlawed the Communist Party on January 16, 1947, at a time when the Government was on an extremely weak footing. There had been constant outbreaks of a non-Communist nature. For a year following the ban, a state resembling civil war continued, and always the Communists were blamed for the uprisings. The Government issued numerous releases that Communist plots were being frustrated. Finally on August 19, 1948, Mirengo was forced to resign; and a new president stated that "the old regime had exaggerated the Communist menace." He estimated the number of Communists in the country at 3,000. On January 31, 1949, there was still another coup d'etat; and on March 30, 1949, all political prisoners were freed.

In the third category, Canada was undoubtedly the most democratic government to outlaw the Communist Party. The Communist Party in Canada was outlawed in 1932. This law was repealed in 1936, reenacted in 1940, and once again repealed in 1945. In 1940, the leaders of the Communist Party went into hiding for 2 years. In 1945 it changed its name to the Labor Progressive Party.

The peak of the Communist Party strength in Canada was in 1945 when it received 111,892 votes for the national election. The Labor Progressive Party has been legal since 1945 and in the elections last year, it received only 32,623 votes, electing only two members of Parliament.

On May 22, 1950, by a vote of 147 to 32, the House of Commons defeated a motion to outlaw all Communist activity.

Brazil, having the largest Communist Party in the Western Hemisphere, outlawed the party on May 8, 1947. In January of 1947, the party had polled 500,000 votes in the national election, about 10 percent of those cast. The party had been underground between 1922 and 1945. A few months after it was again legal, it claimed that it had 150,000 members. A probably more accurate estimate made by the New York Times was that there was 60,000 card-carrying members and 300,000 fellow-travelers.

Following the outlawing in 1947, there was much sabotage, labor unrest and minor uprisings, all attributed by the government to the Communist Party. On January 2, 1950, the New York Times reported that "despite the undoubted great power of the Roman Catholic Church with the threat of excommunication and the combined efforts of the Army and the political police, the Communists still have a well-knit underground organization of perhaps 40,000 to 50,000 card-carrying members and untold thousands of sympathizers." Though illegal, it still manages to print 20 newspapers throughout Brazil.

On January 6, 1950, the police began to seize all Communist newspapers to which the Brazilian Press Association objected.

Nicaragua outlawed the Communist Party on January 24, 1949. For the next year, a number of arrests among Communists were made, but on February 2, 1949, all political prisoners were released.

Costa Rica outlawed the Communist Party on July 19, 1948. In the elections of December 9, 1948, the members of the party were instructed by its leaders in exile to vote for the constitutional party, an extreme right wing group. This party placed second in the election although very far behind the government party which won overwhelmingly. On August 18, 1949, the Election Tribunal canceled the registration of the National Democratic Party because 18 of its candidates were members of the outlawed Communist Party.

Chile outlawed the Communist Party on September 3, 1948, at a time when the Communist Party claimed 50,000 members. On November 21, 1948, the President of Chile declared that "Fascists are the real threat in South America." Sixty persons described as Fascists were arrested in an abortive uprising. On December 21, 1948, a Polish news agency reported that a Communist-led underground was planning to seize power in Chile. Yet on January 28, 1949, more than 700 Communists were ordered released from prison camps. The President expressed confidence in the final victory of the democratic elements in that country.

In the elections of 1948, the National Democratic Front, a Communist group, elected six deputies but no senators. In the previous congress, the Communists controlled 15 deputies and 5 senators. Two senators not up for election still remained. This vote was used to show the declining power of the Communists, but it was not a well-controlled test since along with outlawing the Communist Party all members of that party were disenfranchised. Therefore, it is difficult to tell how strong the party is in Chile. According to Newsweek of August 29, 1949, the Chilean Communist Party is underground but still active.

The Philippine Republic outlawed the Communist Party on October 17, 1948, because they were supposedly leading the Hukbalokop rebellion, which grew out of anti-Japanese resistance during the war. According to Newsweek—

The Huk's reputedly number 20,000 to 30,000 members, with a supporting periphery of about 200,000. The government continues to wage an indecisive struggle against them but its own internal corruption wins more and more popular sympathy from the hearts of people who are not Communists.

In Mexico, the Ministry of the Interior rejected the application of the Communist Party for official registration in March of 1949. Since then there have been a few reports that the Communists have attempted to overthrow the government. According to the New York Times of January 4, 1950, communism in Mexico is losing ground. In the last election the Popular Party, a Communist front, made a very poor showing.

Lebanon outlawed the Communist Party on July 28, 1949. The party has gone underground and the government finds it difficult to check its activities. Some arrests are now being made on a small scale.

Syria outlawed the Communist Party on April 7, 1949. Since then, all political parties have been abolished. No reports have been found on present Communist activities.

Korea for a period of close to 2 years, preceding the present war, had engaged in a reign of terror against Communist elements. According to the New York Times of January 31, 1950, most observers felt that this reign of terror produced more rather than less sympathizers. Reports during the present conflict would tend to substantiate the contention that communism in South Korea was by no means destroyed as a result of this reign of terror.

Mr. President, history is filled with examples of temporary mob excitement, stirred by false or exaggerated charges, resulting in injury to innocent people. On various occasions down through the years, mass hysteria has gripped the populace for temporay periods, resulting in a witch hunt. There is a common pattern in the development of this hysteria. Usually, it takes root in an atmosphere of war, severe economic crisis, or a threat of either; insecurity is a fruitful breeding ground for such a movement. In such an atmosphere, demagogs or other unprincipled individuals can more easily stir up emotional and irrational fear. Charges are hurled indiscriminately to an extent that they are directed at palpably innocent individuals. Frequently, some of the precious civil rights for which men have fought centuries to establish are thrown to the winds in the wild effort to make some of the charges stick. The demagogs play upon ignorance and superstition in an attempt to inflame mob excitement. In the name of a false type of patriotism, individuals or ideas are attacked as "foreign." Racial, religious, and class animosities are stirred up in an effort to add fuel to the flames. Frequently, smear attacks are directed against individuals who are the stanchest advocates of liberal and progressive principles; in this way, the opponents of such principles endeavor to undermine public support of liberalism.

It is the purpose of this study to investigate and report on several examples of mass hysteria and witch hunting in American history, and to analyze the causes and symptoms of each outbreak. This may furnish some clues to ways and means of identifying such movements in the future, as well as helping to treat these problems dispassionately and in keeping with the spirit of our free institutions.

Such a study is vital at the present time, when the free peoples of the world have come to look to the Untied States as the champion of freedom and liberalism. Obviously, we must reject any move to foist totalitarianism upon us at home while we fight it abroad. If we wish to retain the confidence of free peoples, we must continue to set an example in our daily lives by deed as well as by word. We must be on guard against those who would have us carry on a degenerating witch hunt, particularly in these critical times.

I. WITCHCRAFT IN SALEM, MASS., 1692

A. BACKGROUND

The famous Salem witchcraft "delusion" was a startling demonstration of the way in which mob hysteria can deprive the individual of common justice and also have serious consequences for innocent people. The number of actual executions—20—was small in comparison with the mass murder of Jews by the Nazis. Nevertheless, there were some of the same elements of primitive violence involved on a localized scale.

The early settlers had a deep-seated fear of having their villages attacked by the Indians.

There were several other unsettling factors which made the community of Salem more susceptible to the type of hysteria which followed. The colony had recently lost its original charter. Land titles had been issued under the charter, and these titles had been invalidated by the revoking of the charter.

Communication with Boston was very bad. Lawlessness along the coast, in the form of hostile privateering, was increasing. The new governor of Massachusetts, Sir William Phips, was generally regarded as incompetent, and did little to suppress privateering. Taxation in this period was unusually burdensome. There were few large estates or wealthy people to carry the load, so that it fell with crushing weight on the struggling, small settlers.

At that time, a certain credence was placed in witches, demons, and other variations of Satan's evil devices. The threat of the devil was a popular theme for use against wavering members of congregations.

B. THE IMMEDIATE CAUSES OF THE HYSTERIA

Rev. Samuel Parris, the minister of Salem Village, had two slaves in his household, John Indian and his wife Tituba, whom Reverend Parris had brought with him from the Barbados. The younger girls of the community, including Reverend Parris' daughter Betty, soon discovered that Tituba had a fascinating grasp of the art of fortune-telling, the secrets of which she was willing to pass on to eager young listeners.

Of course the elders of the village would have frowned on these secret sessions with Tituba, had they known about them, so the youngsters were in mortal fear of being discovered doing something they felt was wrong. But at the same time, they developed an intense craving for more information about the unknown. This conflict was bound to have an effect on those who were unstable emotionally. Gradually, the young girls began to exhibit disturbing symptoms, such as weeping day-dreaming, incoherent speech, and, in more serious cases, convulsions.

Dr. William Griggs was called in to examine the malady, and he tried to diagnose it. Unable to discover what was wrong, he finally concluded that these girls were influenced by an evil spirit.

C. THE HYSTERIA GRIPS SALEM

Induced to name their "tormenters," the girls soon implicated Tituba and several others. Court was set up at the corner of North and Essex Streets, Salem, to hear charges.

Charges, counter charges, and widespread name-calling followed as the excitement mounted to a fever pitch. The number of bewitched girls and the number of accused witches both increased rapidly as time went on. In some cases, individuals were accused because of petty feuds or jealousies. Many were accused on the basis of spectral evidence—i. e., the afflicted person claimed that the shape of the accused had cast its spell. Needless to say, such evidence was difficult to refute. At each denial by the accused in the courtroom, the afflicted girls would scream or fall into convulsions—convincing most people present that this was indeed proof of witchcraft.

The plague of hysteria swept through Salem, and no individual seemed entirely safe from accusation. It was impossible to tell where the finger of suspicion would fall next, for some of the most respected citizens of the community were accused and hustled off to prison on the flimsiest evidence. The overwrought populace even reached up into Maine to drag back and hang Rev. George Burroughs, who 10 years before had been Salem's pastor and whose spectral shape was accused of witchcraft. All in all, 19 persons from Salem—mostly women—were hanged on Gallows Hill and one was pressed to death—all in response to the demands of the accusers and the vigilance of Reverend Parris in trying to drive out the devil.

D. CONCLUSIONS

In the fall of 1692, the hysteria passed its peak and started to decline. When the accusations touched more and more people close to the very prosecutors and ministers themselves, the populace was shocked into a realization that the community was slowly committing suicide.

In subsequent years, many of the accusers and prosecutors publicly confessed their error for the part they had played in the witchcraft hysteria. Property was restored to the heirs of those who had been murdered by hysteria, and their names were publicly cleared. The witch hunt was forgotten, but the same type of hysteria cropped up in later years in emotional name-calling and accusations which injured innocent people.

I could go on at great length discussing the outbreak in Salem in the early part of the history of the country, but I do not think it is necessary. I have before me an excerpt from a broadcast by Charles Collingwood, of the Columbia

Broadcasting System, delivered on Saturday, August 26, 1950, which I should like to read:

Do you remember back a couple of years ago when a couple of contestants for the Republican Presidential nomination named Thomas Dewey and Harold Stassen had a debate on the wisdom of outlawing the Communist Party? That debate has never died down. It is going to be renewed next week in the Halls of Congress. Both Houses of Congress will take up Communist-control bills. The two best known are the Mundt-Ferguson bill and a bill introduced by Senator MCCARRAN. Both have many common features, the most significant of which is the proposal that Communists and members of Communist-front organizations be forced to register and suitably to label all of their activities. The purpose is to smoke out Communists and to set up such legal barriers as would make it impossible for them to frustrate the policies of the United States Government. It's a purpose with which few in this country would disagree, and certainly not the administration which has gotten into so much trouble over the Communist question that it couldn't afford to be soft toward Communists even if it wanted to.

Yet President Truman is so opposed to these bills that he has made no secret that he will veto them if they ever get to his desk. The Justice Department and the FBI are opposed to them. So is a long list of eminent and politically irreproachable citizens and groups. Now, why? The reasons for the bills are clear enough, what are the reasons against them? Well, there are three categories of opposition: 1, the civil-rights angle; 2, the constitutional question, and 3, whether these bills will help control Communists or not. I only want to talk about one of these tonight. Plenty has been said already about the civil-rights angle. The constitutional question is too technical to be discussed here, but the practical problem of whether or not these bills would do what they are designed to do has received little attention.

The administration sees the job of coping with Communists in this country as basically a counterintelligence job, of coping with enemy agents. And our intelligence people, including the FBI, are practically unanimous in saying that the worst way to catch spies is to handle them the way these bills would do.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. MURRAY. I am trying to finish my address, in order to comply with the desires and wishes of other Senators who made inquiry of me a few minutes ago. I promised I would take no more than 1 hour. I wish to conclude.

Mr. KNOWLAND. I am very much interested in listening to the able address of the Senator from Montana. I understood him to say in his remarks that among the groups which had come out against these bills had been the FBI. I should like to ask the Senator on what he bases that information.

Mr. MURRAY. I did not say that they had come out against the bills. I said the administration sees the job of coping with Communists in this country as basically a counterintelligence job, of coping with enemy agents. And our intelligence people, including the FBI, are practically unanimous in saying that the worst way to catch spies is to handle them the way these bills would do. That is what I read.

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

Mr. MURRAY. Yes.

Mr. FERGUSON. From what statement of Mr. Hoover is that quotation taken?

Mr. MURRAY. I am not quoting from Mr. Hoover's statement. I am quoting from a radio address delivered by Charles Collingwood, of the Columbia Broadcasting Co., delivered on Saturday, August 26, 1950, at 11 p. m.

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

Mr. MURRAY. Yes. I am glad to yield for a question.

Mr. KILGORE. Will the Senator from Michigan state when J. Edgar Hoover said he wanted this bill passed? The same statement has been previously made on the floor of the Senate. I have heard it reiterated.

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. KILGORE. He said that he would not interfere with legislation.

Mr. MURRAY. I decline to yield for anything but a question.

The PRESIDING OFFICER. The Senator from Montana declines to yield.

Mr. MURRAY. Mr. President, I continue:

In the first place, a spy has to have what intelligence agents call cover, a respectable front behind which he can operate. Intelligence authorities say that the provisions of the proposed bills, in seeking to put the finger on Communist-front organizations, would affect so many non-Communists, that instead of isolating the real Reds, it would give them perfect cover by lumping them with all the misguided or stupid or idealistic who have strayed from the path of political orthodoxy. Moreover, the bills would raise so many new legal questions that a guilty Communist could keep his case in the courts for years before a final conviction. The Justice Department also maintains that it would put a tremendous burden—the Attorney General calls it an intolerable burden—of administration on the Department, and thus hamper the real job of counterintelligence. As one counterespionage expert put it, we want a bill to catch spies, not headlines. It's the Administration's contention that the present laws which have caught Harry Gold, and the rest are adequate to do the job. All it wants is to plug the loopholes. That's what President Truman has asked for, and modest bills to tighten up loopholes are now before both Houses. But this is an election year, and while Members of Congress are anxious to catch spies, they also are not averse to catching a few headlines. It's almost a foregone conclusion that a much broader and more ambitious bill than the President and our counterintelligence experts want is going to pass.

Mr. President, I should now like to call attention to the views of Paul H. Jensen—crack wartime counter intelligence officer, lifelong Republican, and for the past 4 years executive secretary of the Eau Claire, Wis., Chamber of Commerce—about effective legislative methods of dealing with Communists in the United States.

I have here an excerpt from the August 21, 1950 radio program of Frank Edwards, spokesman for the American Federation of Labor, dealing with this subject. This program was broadcast over the Mutual Broadcasting System at 10 p. m., eastern daylight saving time, August 21. Mr. Jensen, who was the guest speaker on this program is a native of Wisconsin and a graduate of the University of Wisconsin and its law school. During his university days he was a crack athlete, winning seven varsity letters in football, track and golf, and making the All Big Ten Conference team as tackle. Jensen, who is now 35 years old, entered the Army in 1941 as a private and was separated in 1946 as a major. Almost all of his Army career was as a counter intelligence officer. He was regarded as one of the crack members of the Counter Intelligence Corps. Among other things he served as commanding officer of the Seventh Army Counter Intelligence Corps under General Patton, as commandant of the Counter Intelligence Corps School in Africa, which trained all CIC for the Sicilian and Italian operations and as a counter intelligence staff officer with the Ninth Army and with SHAEF. He won the Silver Star medal for heroism. After the war he became executive secretary for the Chamber of Commerce of Eau Claire, Wis., and has held that position for the past 4 years. He has been a lifelong Republican.

As Mr. Jensen indicated in last night's broadcast, he is strongly opposed to the Mundt-Nixon bill—now usually known as the Mundt-Ferguson bill, S. 2311—and the McCarran bill, S. 4037, which he regards as bungling amateurish attempts at counter intelligence designed to catch headlines but not spies.

On the other hand, Jensen strongly favors the administration bill on this matter, S. 4061, which he describes as a bill which has been drafted by professionals in the field of counter intelligence.

Here are some excerpts from Frank Edwards'—A. F. of L.—MBS radio broadcast of Monday, August 21, 1950:

Mr. EDWARDS. In your opinion, Mr. Jensen, is the Mundt-Nixon bill an effective method of dealing with Communists in the United States?

Mr. JENSEN. No, it is not, Mr. Edwards, and there are sound reasons behind that rather vehement "no." First off, as an attorney, I believe the registration section of the bill is definitely in violation of the first and fifth amendments of the Constitution, but that is for more able attorneys and judges than I to decide. My principal objections are more on the "meaty" side, if you will, relative to the practicability of the Mundt-Nixon bill, its chances for success and the harm it might do.

I believe Senator MUNDT and Representative NIXON have highly laudatory intentions, but their craft isn't seaworthy for the following reasons quite aside from the constitutional issues:

First. Assuming this bill should be passed, how long will it be before one subversive or one enemy agent actually ends up behind bars? I predict it would take years because first, the control board established by the bill must register the Communist organization and its individuals. The organization has the right to appeal to the District Court of Washington, D. C., and, in turn, upon certiorari to the United States Supreme Court. This means, in turn, that 2 to 3 years could easily elapse before an individual was required to register. I've known many Communists, here and abroad, and

they will seek every legal loophole relative to delayed hearings and review to escape prosecution. Thus, it might be 4 or 5 years, or more, before any one agent actually is jailed.

Further, relative to the impracticability of the bill, can you imagine a dyed-in-the-red-wool Communist running to the United States Attorney General hollering, "Hey, I'm not on the list, I'm a Communist, I'm out to overthrow your Government." I hardly think so. That's like asking all saboteurs, enemy agent, thugs, and slugs to immediately turn themselves in to the nearest police station.

Senator MUNDT claims that his bill will expose the Communists, drive them into the open, expose them to the full glare of public disapproval. Well, sir, as a counterintelligence expert, and I believe after 6 years' experience I qualify as such, I disagree. On the contrary, this bill, if passed, would drive the Communists underground. History is a stern teacher and we might well pay attention to some of her lessons.

Did you know that Russia was the first country in the world to outlaw the Communist Party? In 1917 Lenin and Trotsky were exiled. Communists by the thousands, that is, the so-called "exposed Communists," were exiled to Siberia. Yet, within a few short months, fewer than 6,000,000 nonregistered Communists took over a nation of 180,000,000 Russians.

And another example, Czechoslovakia in 1940 outlawed the Communist Party. It went underground. The Communists came out of their holes in 1946, when American troops were withdrawn, and we can chalk up another nation for the Reds.

And closer to our own borders, Canada in 1929 passed a law rather similar to Senator MUNDT's proposal. Net result, the law was repealed in 1936 because communism flourished. Under pressure, a stronger version of the law was again passed in 1940. What happened? The most powerful atomic spy ring in world history sprang into existence. Needless to say, Canada has again repealed her version of the Mundt-Nixon bill.

And as a life-long Republican I've another reason for opposing the Mundt-Nixon bill. It creates yet another governmental agency. There's a bit of the spy in all of us, but darned if I want another police agency created. Those we have, particularly the FBI, are professionals, know what they're about and do not infringe upon personal liberties. We've had too many amateurs messing in this spy-catching business.

Mr. EDWARD. Well, Jensen, that makes some sense. But constructively, what do you have to offer? What is your opinion of the President's proposal for dealing with subversives?

Mr. JENSEN. Well, sir, few people, other than subversives, realize it, but we presently have 27 laws on the books which deal with espionage, sabotage, subversives and other undesirables. We have a good framework of law established during this Nation's history of freedom. All of our action founded upon the Constitution, the Bill of Rights, with due regard to due process of law. These are sound laws which protect the innocent from hysterical charges and now is certainly no time for hysterical, ill-conceived legislation. Answering your question specifically, Frank Edwards, there is a bill before the Senate which makes sense. It follows the security proposals suggested by the President. It has been drafted by experts, including the Department of Justice and our armed services Intelligence Divisions. This bill operates within the framework of existing and tested law. It does provide for the tightening up of our espionage and sabotage laws (largely through more precise definition) and extends additional powers to the Attorney General over undesirable aliens. The bill is a Senate proposal sponsored by the administration. This bill, drafted by professionals, is designed to catch spies, not headlines.

Mr. President, I wish now to call attention to existing laws relating to the national security and their recent enforcement.

TREASON

Title 18, United States Code, page 2381, embodying a constitutional definition of treason, article III, section 3, provides that "whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason." Since the beginning of World War II, successful prosecutions for treason have been had in the cases of Douglas Chandler (171 F. 2d 921, certiorari denied 336 U. S. 918), Robert Best, Mildred Gillars (Axis Sally), Ida D'Aquino Toguri (Tokyo Rose), Martin James Monti, Herbert Burgman, and Tomoya Kawakita. Ezra Pound was declared insane and was not brought to trial.

SEDITIOUS CONSPIRACY

Title 18, United States Code, page 2384, provides that—

If two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined not more than $5,000 or imprisoned not more than 6 years, or both.

ADVOCATING OVERTHROW OF THE GOVERNMENT

Title 18, United States Code, page 2385—the Smith Act or Alien Registration Act of 1940—prohibits advocating and teaching, or organizing a society or group to advocate and teach, the overthrow or destruction of any government in the United States by force or violence, or conspires or attempts to do either of these things. In *Dunne* v. *United States* (138 F. 2d 137, certiorari denied, 320 U. S. 790, rehearing denied 320 U. S. 814, 815), the Smith Act was applied to convict 18 leaders of the Socialist Workers' Party—Trotskyite Communists. More recently, in *United States* v. *Dennis et al.*, 11 leaders of the Communist Party of the United States were convicted on a charge of conspiracy to advocate and teach the overthrow and destruction of the Government of the United States by force and violence, and to organize the Communist Party of the United States to so teach and advocate. On August 1, 1950, the Court of Appeals for the second circuit affirmed this conviction and upheld the validity of the Smith Act, as the Court of Appeals for the eighth circuit had done in the Dunne case.

ACTIVITIES AFFECTING THE ARMED FORCES

Title 18, United States Code, page 2387, provides that—

(a) Whoever, with intent to interfere with, impair, or influence the loyalty, morale, or discipline of the military or naval forces of the United States:

(1) advises, counsels, urges, or in any manner causes or attempts to cause insubordination, disloyalty, mutiny, or refusal of duty by any member of the military or naval forces of the United States; or

(2) distributes or attempts to distribute any written or printed matter which advises, counsels, or urges insubordination, disloyalty, mutiny, or refusal of duty by any member of the military or naval forces of the United States—

Shall be fined not more than $10,000 or imprisoned not more than 10 years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the 5 years next following his conviction.

(b) For the purposes of this section, the term "military or naval forces of the United States" includes the Army of the United States, the Navy, Marine Corps, Coast Guard, Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve of the United States; and, when any merchant vessel is commissioned in the Navy or is in the service of the Army or the Navy, includes the master, officers, and crew of such vessel.

Title 18, United States Code, page 2388, provides that:

(a) Whoever, when the United States is at war, willfully makes or conveys false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies; or

Whoever, when the United States is at war, willfully causes or attempts to cause insubordination, disloyalty, mutiny, or refusal of duty, in the military or naval forces of the United States, or willfully obstructs the recruiting or enlistment service of the United States, to the injury of the service or the United States, or attempts to do so—

Shall be fined not more than $10,000 or imprisoned not more than 20 years, or both.

(b) If two or more persons conspire to violate subsection (a) of this section and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as provided in said subsection (a).

(c) Whoever harbors or conceals any person whom he knows, or has reasonable grounds to believe or suspect, has committed, or is about to commit, an offense under this section, shall be fined not more than $10,000 or imprisoned not more than 10 years, or both.

(d) This section shall apply within the admiralty and maritime jurisdiction of the United States, and on the high seas, as well as within the United States.

The case of William Dudley Pelley illustrates the application of title 18, United States Code, page 2388 (*United States* v. *Pelley* (132 F. 2d 170 (App. D. C.), certiorari denied, 318 U. S. 764, rehearing denied, 318 U. S. 801)).

REGISTRATION OF FOREIGN AGENTS

Title 22, United States Code, page 611, and following—the Foreign Agents Registration Act—provides for the registration with the Attorney General of agents of foreign principals and for the labelling of political propaganda, as defined in the statute, disseminated by such foreign agents. An important successful prosecution under this statute was that of George Sylvester Viereck (*Viereck* v. *United States* (139 F. 2d 849, certiorari denied, 321 U. S. 794)). More recently, Amtorg Trading Corp. plead nolo contendere to a charge of failure to register, and thereafter registered.

SABOTAGE

Title 18, United States Code, pages 2151–2156, contains detailed criminal provisions relating to sabotage. The absence of prosecutions under this statute reflects the fact that there have been no known successful attempts at sabotage in recent years.

ESPIONAGE

Title 18, United States Code, chapter 37, deals with espionage. While these statutes need tightening up in the respects requested by the President, they are being currently employed to prosecute Harry Gold and others who worked with the spy Fuchs. Previously, convictions were obtained against Judith Coplon and Valentine Gubitchev.

PERJURY AND THE MAKING OF FALSE STATEMENTS

Title 18, United States Code, page 1621, provides that:

Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall, except as otherwise expressly provided by law, be fined not more than $2,000 or imprisoned not more than 5 years, or both.

Title 18, United States Code, page 1001, provides that:

Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device, a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

The applicability of these statutes to Communist and other totalitarian threats to the security of the United States may not be readily apparent. However, it must be understood that these are powerful weapons against the secrecy and mendacity which are the necessary cloaks of subversive activity. For example, the recent successful prosecutions of Alger Hiss and Harry Bridges were based upon the perjury statute. Carl Marzani was convicted under title 18, United States Code, page 1001, for falsely stating to his superiors in the Government service that he had never been a Communist (*Marzani* v. *United States* (168 F. 2d 133, affirmed and reaffirmed, 335 U. S. 895, 336 U. S. 922)).

Under a similar false statement provision in the passport statute, now title 18, United States Code, page 1541, the Communist Leader Earl Browder was convicted of making false statements to obtain a passport (*Browder* v. *United States* (312 U. S. 335)).

EXCLUSION AND DEPORTATION OF ALIENS

Title 8, United States Code, pages 137 and 155, generally provide for the exclusion or deportation from the United States of aliens who advocate or teach the overthrow by force and violence of the Government of the United States. Such advocacy at any time after entry requires the deportation of an alien. During the years 1947–50, approximately 200 Communists were excluded at the borders and seaports. Two hundred and twenty-one deportation cases based on such charges against Communists are now in process. There are outstanding orders for the deportation of about 150 Communists; the difficulty in finding a country that will accept them led to the President's request for special surveillance powers.

GOVERNMENT EMPLOYMENT

Executive Order 9835 of March 21, 1947, which is based in part upon section 9A of the Hatch Act, provides a comprehensive program for excluding and removing from the Federal Civil Service any person as to whom reasonable grounds exist for belief that the person involved is disloyal to the Government of the United States. Among the factors to be considered in making such loyalty determinations is—

Mr. President, I ask unanimous consent that a quotation from the bill, which I have before me, in connection with the point I am now making, be printed at this point in the RECORD, as a part of my remarks.

The PRESIDING OFFICER (Mr. O'CONOR in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

Membership in, affiliation with, or sympathetic association with any foreign or domestic organization, association, movement, group, or combination of persons, designated by the Attorney General as totalitarian, Fascist, Communist, or subversive, or as having adopted a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or as seeking to alter the form of government of the United States by unconstitutional means.

Mr. MURRAY. Mr. President, pursuant to Executive order, the Attorney General has designated 159 organizations as totalitarian, Fascist, Communist, or subversive, and so forth. The results of this program as of June 30, 1950, may be summarized in part as follows: more than 2,000,000 employees were checked by the Federal Bureau of Investigation; full field investigations were had in about 12,000 cases; 128 incumbent employees were dismissed and 102 applicants and conditional appointees were excluded from Federal employment.

The validity of the loyalty program has been sustained in the lower Federal courts and is presently before the Supreme Court in three cases.

Existing Federal statutes confer powers of summary discharge upon the Atomic Energy Commission, the Department of State, and National Defense. In addition, H. R. 7439, now pending before the President, would extend such powers to certain other agencies of the Federal Government.

PASSPORTS

Title 22, United States Code, page 211, confers upon the Secretary of State discretionary authority to issue passports. This power may be and is used to deny passports in the interests of the United States. A recent example is the denial or cancellation of a passport to Paul Robeson.

TAX DEDUCTIONS AND EXEMPTIONS OF SUBVERSIVE GROUPS

In the administration of the tax laws, the Commissioner of Internal Revenue denies exemption from income tax under section 101 of the Internal Revenue Code to subversive organizations, and denies allowance of deductions in tax returns for contributions made to such organizations. The International Workers Order, the Joint Anti-Fascist Refugee Committee, and the National Council of American-Soviet Friendship are examples of organizations which have been denied such exemptions and deductions.

Mr. President, in order to hasten the proceedings in connection with the presentation of my remarks, I ask unanimous consent that the balance of my statement may be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MURRAY

THE LEGISLATIVE RECOMMENDATIONS MADE BY THE PRESIDENT IN HIS INTERNAL SECURITY MESSAGE OF AUGUST 8, 1950, TO CONGRESS

In his message of August 8, 1950, to Congress, the President stated:

"We must have effective internal security measures to prevent acts which threaten our national safety.

"These measures must be accurately devised to meet real dangers. They must not be so broad as to restrict our liberty unnecessarily, for that would defeat our own ends. Unwise or excessive security measures can strike at the freedom and dignity of the individual which are the very foundation of our society—and the defense of which is the whole purpose of our security measures.

"In considering the laws that are needed to protect our internal security against Communist activities, we should remember that we already have tested legal defenses against treason, espionage, sabotage, and other acts looking toward the overthrow of our Government by force or violence. Strong laws exist on the statute books—a number of them enacted or strengthened in recent years—under which we have proceeded and are proceeding vigorously against such crimes.

"The treason laws make it a crime for anyone owing allegiance to the United States to levy war against his country, to give aid and comfort to its enemies, or to conceal knowledge concerning treasonable activities.

"The espionage laws make it a crime to gather, give, receive, or transmit documents or similar materials concerning the national defense of the United States with intent or reason to believe that they are to be used against the interest of the United States. Furthermore, these laws make it a crime for anyone who has national defense information to communicate it to any person not entitled to receive it.

"The sabotage laws make it a crime for anyone, with intent to interfere with the national defense, to attempt to injure or destroy material, premises, or utilities which are important to the national defense.

"There are other laws which make it a crime for two or more persons to 'conspire to overthrow, put down, or to destroy by force the Government of the United States * * * or by force to prevent, hinder, or delay the execution of any law

of the United States.' There are also laws which make it a crime to advocate or teach the overthrow of the United States Government, or any State or local government, by force or violence, to organize any group for that purpose, or to be a member of such a group, knowing its purpose. In 1948, 11 of the most important leaders of the Communist Party in this country were indicted under these laws. After a long trial, all were convicted, and their conviction was affirmed by an appellate court on August 1, 1950.

"In addition to the criminal laws outlined above, there is a set of laws governing immigration, naturalization, and travel between our country and others. These laws permit the Government to exclude or deport any alien from this country who may be dangerous to our internal security, and to forbid or to regulate the travel abroad of United States citizens who may be engaged in subversive activity.

"The laws I have been describing apply to private citizens and groups. A special set of laws and procedures applies to Government employees. Here our purpose is to exclude or remove from Government service persons who may be disloyal, even though they have committed no crime, and to keep from positions of importance persons who cannot be trusted to maintain security regulations, even though they may be loyal citizens and satisfactory employees in all other respects.

"More than 3 years ago, the executive branch revised and improved its procedures for dealing with questions of employee loyalty and security. These new procedures have proved effective in protecting the Government against disloyal persons and persons whose employment constitutes a security risk.

"The various laws and procedures I have outlined make up a strong set of legal safeguards against acts by individuals and groups which strike at the internal security of the United States.

"Over the last few years, we have successfully prosecuted several hundred cases in the courts under existing internal security laws. In this process we have obtained a great deal of experience in the application of these laws. We have discovered a few defects, some of them minor and others of greater importance, in some of the existing statutes. In view of the situation which confronts us, it is important that these defects be remedied. At this time, therefore, I wish to recommend that the Congress enact certain legislation before the close of the present session.

"First, I recommend that the Congress remedy certain defects in the present laws concerning espionage, the registration of foreign agents, and the security of national defense installations, by clarifying and making more definite certain language in the espionage laws, by providing an extended statute of limitations (in place of the present 3-year statute) for peacetime espionage, by requiring persons who have received instruction from a foreign government or political party in espionage or subversive tactics to register under the Foreign Agents Registration Act, and by giving broader authority than now exists for the President to establish security regulations concerning the protection of military bases and other national defense installations.

"Second, I recommend that the Congress enact legislation permitting tLe Attorney General to exercise supervision over aliens subject to deportation and to require them, under the sanction of criminal penalties, to report their whereabouts and activities at regular intervals. In a number of cases, aliens under deportation orders cannot be deported because no other country will accept them. A bill pending before the Congress would permit the Attorney General in certain cases to detain such aliens in his custody for indefinite periods of time—not pursuant to a conviction for crime but on the basis of an administrative determination. Such action would be repugnant to our traditions, and it should not be authorized. Present law, however, is inadequate to permit proper supervision of deportable aliens, and should be strengthened as I have indicated.

"Under the leadership of the National Security Council, the agencies of the Government which administer our internal security laws are keeping these laws under constant study to determine whether further changes are required to provide adequate protection. If it does appear that further improvements in these laws are needed, I shall recommend them to the Congress.

"By building upon the framework now provided by our basic laws against subversive activities, we can provide effective protection against acts which threaten violence to our Government or to our institutions, and we can do this without violating the fundamental principles of our Constitution.

"Nevertheless, there are some people who wish us to enact laws which would seriously damage the right of free speech and which could be used not only against subversive groups but against other groups engaged in political or other activities which were not generally popular. Such measures would not only infringe on the Bill of Rights and the basic liberties of our people; they would also undermine the very internal security they seek to protect.

"Laws forbidding dissent do not prevent subversive activities; they merely drive them into more secret and more dangerous channels. Police states are not secure; their history is marked by successive purges, and growing concentration camps, as their governments strike out blindly in fear of violent revolt. Once a government is committed to the principle of silencing the voice of opposition, it has only one way to go, and that is down the path of increasingly repressive measures, until it becomes a source of terror to all its citizens and creates a country where everyone lives in fear.

"We must, therefore, be on our guard against extremists who urge us to adopt police state measures. Such persons advocate breaking down the guarantees of the Bill of Rights in order to get at the Communists. They forget that if the Bill of Rights were to be broken down all groups, even the most conservative, would be in danger from the arbitrary power of government.

"Legislation is now pending before the Congress which is so broad and vague in its terms as to endanger the freedoms of speech, press, and assembly protected by the first amendment. Some of the proposed measures would, in effect, impose severe penalties for normal political activities on the part of certain groups, including Communists and Communist party-line followers. This kind of legislation is unnecessary, ineffective, and dangerous."

Thus, the President's message makes four points:

1. We already have a very large and strong body of laws to protect us against espionage, sabotage, and other subversive activities.

2. Some changes in these laws are necessary and desirable at this time and are recommended in the message.

3. The counterespionage and security agencies of the Government—the places where the real experts in this field are to be found—are keeping these laws under constant study to determine whether other changes are desirable, and any further necessary changes will be promptly recommended.

4. Many of the pending proposals which would purport to strengthen our laws in this field would actually do much more harm than good. They would not only not improve the internal security of the United States, they would actually seriously impair it.

The President's recommendations fall into two categories: (A) Provisions strengthening the laws against espionage and sabotage, and (B) provisions strengthening the laws relating to Government supervision over aliens subject to deportation.

A. The following summarizes the legislative recommendations in the first category:

1. A general tightening of the Espionage Act of 1917. The following are the most important aspects in which this act is tightened:

(a) It subjects to the penalties of the act ($10,000 fine or 10 years imprisonment, or both) the transmission of information, oral or written, to a person not entitled to receive it, without a showing of intent to commit espionage if the person giving the information has reason to believe that it could be used to the injury of the United States or to the advantage of any foreign nation.

(b) The statute of limitations under the Espionage Act is extended from 3 to 10 years.

(c) Persons having unauthorized possession or access to national defense documents or information are required to turn them over (without any demand being made) to the Government official entitled to receive them, under penalty of the act.

(d) Persons in lawful possession of such documents or information who through gross negligence permit them to be lost or stolen, or who have knowledge that this has happened and fail to make a prompt report to their superiors of this fact, are subject to the penalties of the act.

(e) Conspiracy to violate these provisions of the act are made subject to the same penalties as direct violations.

The foregoing provision, if enacted, will close significant loopholes in our laws against espionage and will greatly strengthen our ability to carry on effective counterespionage operations.

2. Persons who have received instructions in the intelligence services or tactics of foreign countries or foreign political parties are required to register under the Foreign Agents Registration Act of 1938, unless their knowledge has been acquired by reason of civilian or military service with the Government or by reason of academic or personal interest not connected with any foreign government or party.

Failure to register would subject individuals subject to these provisions to the criminal penalties of the Foreign Agents Registration Act. This proposal is designed to deal with the situation of a foreign espionage or sabotage agent who has arrived in the United States with an espionage or sabotage mission in this country but who has not yet committed any overt act looking to the accomplishment of his mission. Nevertheless, he would be subject to criminal penalties under this proposal if he did not register immediately upon his arrival in the United States. If he did register he would, of course, expose himself and make impossible the accomplishment of his mission.

3. Criminal penalties ($5,000 fine or 1 year imprisonment, or both) are provided for violation of any regulation promulgated by the Secretary of Defense, with the approval of the President, for the protection or security of military or naval installations, property, facilities, and equipment. In time of war or national emergency the President can extend these provisions to include any property or places he designates to be in the interest of national security.

These provisions, if enacted, will be most valuable in protecting vital military, naval, and other facilities against sabotage.

B. The following summarizes the legislative recommendations in the second category:

At present the Government has inadequate authority with respect to the supervision of aliens who have been ordered deported. The

President's recommendations contemplate that aliens who have been ordered deported shall be subject to supervision under regulations prescribed by the Attorney General. Such supervision would, among other things, require them to appear from time to time before an officer designated by the Attorney General for identification, to give information about themselves to such officer, and to conform to such reasonable written restrictions on their conduct or activities as are prescribed by the Attorney General in each case. Failure to comply with these requirements would subject an alien to criminal penalties.

These provisions, if enacted, will give the Government the authority it needs to deal effectively with subversive or dangerous aliens.

The foregoing are the only significant changes in our internal-security laws which the President believes are necessary or desirable at this time. As he pointed out in his message of August 8, however, the various Government agencies which administer our internal-security laws are, under the leadership of the National Security Council, keeping those laws under constant study to determine whether further changes are required to provide adequate protection to the United States. The President stated that if it does appear that further improvements in these laws are needed he will recommend them to the Congress.

The provisions recommended by the President are wise, carefully framed counterespionage and internal-security provisions designed to deal with actual situations where legislation is needed. They were developed by the officials in charge of protecting the internal security of the United States. They are designed to hit the bull's-eye and not to spatter everyone in the general vicinity with buckshot.

There are, however, persons in Congress and elsewhere who, apparently without bothering to examine the internal-security laws already on the books, are shouting for more and more repressive and drastic internal-security legislation.

Most of these persons are sincere although misguided. Some have purely partisan political motivations. Finally, there are some persons in the country who find it convenient in a period of international tensions to disguise really sinister motivations under the cloak of superpatriotism. We must beware of these superpatriots. As wise old Dr. Sam Johnson pointed out almost 200 years ago: False patriotism is the last refuge of a scoundrel; it has been used in every country and in every age to cloak self-interest.

Today we can agree that all good Americans are anti-Communist but we must never assume that the degree of a man's anti-communism is a test of his American patriotism or his devotion to the things in which we believe. Hitler was an all-out anti-Communist; so was Mussolini; so are the Ku Klux Klan, the Silver Shirts, and the Christian Fronters. The real test of a man's genuine Americanism today is not merely that he is anti-Communist, but also that he is devoted to the ideals and traditions which have made this country great—our concepts of democracy, of individual rights, and of equal opportunity for all.

The aggression in Korea has speeded up the ominous trend in the United States toward the increasing curtailment of freedom of expression and opinion through intimidation of one sort or another. It is one thing for a nation to take basic counter-espionage and security measures necessary to protect its existence. That it must do. It is another thing to urge or tolerate heresy hunts at every stump and cross road in order to smoke out and punish nonconformists of every shade and stripe of opinion different from that of the majority. We have been moving in that direction. States and cities as well as the Federal Government have enacted or are pressing to enactment drastic antisubversive measures with ever greater frequency. The tendency is always to go much further than is needed, to paint the barn in order to cover the knothole.

The consuming fear of communism has led many sincere persons into the belief that loyalty and orthodoxy are synonymous. From this viewpoint, any change, whether it be a public housing program, a national health program, or fair-employment-practice legislation, is subversive and those who urge it are either Communists or fellow travelers. Others not so sincere play on the fear of communism for their own purposes.

With the possible exception of the days of John Adams and the Alien and Sedition Acts of 1798, and the more recent period of A. Mitchell Palmer, it is more dangerous to be an honest liberal today than in any other period of American history.

The situation, of course, plays into Soviet and Communist hands in several ways, aside from the obvious one of moving us in the direction of the very totalitarianism we oppose.

It furnishes effective weapons to the opponents of all our liberal democratic programs. It identifies Russia in the minds of the other peoples of the world as the leading exponent of the liberal causes to which the Soviets give such vehement lip service—for other countries. It falsely glorifies the status quo as the true concept of Americanism and democracy, when in fact these terms mean a dynamic and continually evolving adjustment between the rights and freedoms of the individual and the requirements of the society for order and security.

Finally, excessively drastic internal-security legislation—such as the Mundt-Ferguson bill, which is the present version of the Eightieth Congress Mundt-Nixon bill—is not only not necessary to protect our security but it will actually hurt it.

If the Mundt-Nixon bill had been on the books 2 years ago, when it was first being strongly pressed, it would not have caught a single spy. It would not have caught Fuchs. It would not have caught Gold. It would not have caught Judith Coplon. It would not have caught any of the others. Such persons can only be caught by intelligent and aggressive counterespionage tactics and personnel. In the person of the FBI we have a capable counterespionage agency which is constantly improving in experience and results.

However, it is interesting to note that if the President's present legislative recommendations to strengthen the laws against espionage had been law 2 years ago, not only would it have been much easier to convict these spies who have been convicted in the last two years, but it would also have been possible to convict others who were beyond the reach of existing espionage statutes. It is also interesting to note that these recommendations were submitted to Congress by the Department of Justice about 2 years ago.

Moreover, it must never be forgotten that we already have on the books a powerful and sharp-fanged law directed against subversive activity. This is the Smith Act, which became law in 1940. Under this act, 11 leading Communist leaders in the United States were convicted in October 1949 for conspiring to advocate the overthrow of this Government by force and violence and for conspiring to form an organization—the Communist Party of the United States—for the same purpose.

On August 1, 1950, in a historic decision handed down by Judge Learned Hand, one of the Nation's most highly respected jurists, the United States Court of Appeals for the Second Circuit unanimously confirmed this conviction. This is the Nation's answer to Communist or other totalitarian leaders who consider themselves above the law.

The Government's ability to deal with Communist subversion has been greatly strengthened by this decision.

Let us not forget that in Germany and Austria we destroyed the Nazi Party, which had millions of members, as an effective subversive force by arresting only a fraction of 1 percent of its membership—its active and dangerous leaders. In Italy we did the same thing with the Fascist Party. In the United States there are less than 55,000 members of the Communist Party. That is about 1 percent of the membership which the Nazi Party had in Germany.

There is another internal security factor to be considered which also argues against the enactment of unnecessary repressive legislation.

Today national policy must be based on the best possible intelligence obtainable. Intelligence is information, nothing more or less.

In the largest sense a dictatorship almost by definition cannot have a good top-level intelligence service because dictators simply will not listen to intelligence—information—which conflicts with their own predetermined views. If the chief Russian intelligence officer in the United States told Stalin that this country had the greatest economic potential the world had ever seen, that the possibility of a depression or economic collapse in the foreseeable future were fantastic, that despite some blots on our record we were still the freest country in this imperfect world, he would be most fortunate if he merely ended up in Siberia in a labor camp.

The fact of the matter is that it is almost certain that Stalin is getting his information about the United States—the information on which he bases Russian national policy—from the mouthings of the Daily Worker and its right-wing colleagues, the Chicago Tribune, the Washington Times-Herald, and the New York Daily News. He is also getting it from the speeches of a consistent party-liner in the House of Representatives as well as from the speeches of certain extreme right-wing Republicans in both Houses, whose policy line since the Korean aggression has often closely approximated that of the Communist Party. It is fairly certain, therefore, that Stalin is getting bad top-level strategic intelligence out of the United States. Unfortunately that is not only bad for Russia, but it is bad for the United States and it is bad for world peace.

On the other hand, a democracy such as the United States has the potentialities of a good intelligence service because a democracy believes in freedom of speech and opinion and tolerates every shade of viewpoint, however unorthodox, short of actual subversion. History has again and again revealed that the unorthodox of one period may be the generally accepted truth of a succeeding period. Out of this clash of opinions and ideas a democracy can winnow the truth because the democratic heads of a democratic state are not afraid to hear the truth even if it is uncomfortable.

If we press for repressive and drastic antisubversive legislation, we will dry up our intelligence—our information—at the grass roots. People will be afraid to express any viewpoint or idea that is not completely in conformity with orthodox thinking—even high Government officials would be afraid to do so. Under these circumstances our nationals leaders will not be able to get the reliable information which is the only basis upon which sound national policy can be founded. No more terrible blow could be struck against our national security.

Judge Learned Hand expressed the same thought in different fashion in his opinion earlier this month. The protection of the first amendment to our Constitution, which

safeguards free speech and a free press, he said, "does not presuppose that utterances, divergent from current official opinion, are more likely to be true than that opinion, it does presuppose that official opinion may be wrong, and that one way—and perhaps the best way—to correct or supplement it is complete freedom of criticism and protest. This may convince the officials themselves, and in any event it may rouse up a body of contrary opinion to which they will yield or which will displace them."

Accordingly, we must avoid repressive and drastic internal security legislation, not only because it will hurt those individual rights which we hold dear but also because it will strike a terrible blow at the very internal security which it seeks to protect.

The wise and sound counterespionage and internal security recommendations which the President has submitted to Congress should be enacted. But this should not be used as a pretext for the passage, in the name of internal security, of other legislation which is unnecessary and will impair our heritage of freedom and the very security we are seeking to protect.

Mr. LEHMAN obtained the floor.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Michigan will state it.

Mr. FERGUSON. The parliamentary inquiry is as to the number of times the junior Senator from New York has spoken on this particular question.

The PRESIDING OFFICER. The Chair is advised that the Senator from New York has spoken only once upon the pending question.

Mr. FERGUSON. I thank the Chair.

Mr. LEHMAN. Yes, Mr. President; that is correct.

The PRESIDING OFFICER. The Senator from New York has been recognized.

Mr. LEHMAN. Mr. President, I wish to associate myself with remarks made by the distinguished junior Senator from Illinois [Mr. DOUGLAS] at the beginning of his speech. I desire to make it very clear that there is no disposition among those of us on this side of the issue, among those who are speaking in behalf of support for the President's veto message, unreasonably or unnecessarily to delay or postpone a vote on this bill.

The President's message, as Senators will recall, reached this Chamber at about 5 o'clock yesterday afternoon. Very shortly thereafter, the motion to override the President's veto was made. It was made shortly after the clerk had read the veto message, and before many of the Members of the Senate had a chance to consider the contents of the message. Of course it was impossible for any of the newspapers, either afternoon or morning, to carry the veto message.

My associates and I felt it was important that sufficient time be given so that the contents of the President's veto message would be laid before the people of the United States and so that an opportunity would be given to the Members of the Senate to read carefully the veto message and consider the points in opposition raised by the President of the United States.

Yesterday afternoon I suggested that the vote on the question of overriding the veto be postponed until today. Of course, that suggestion or request was refused.

I feel that those who, like myself, believe that the President's veto should be supported, have made a real contribution to the orderly consideration of an important measure which will affect the lives of millions and millions and millions of people in the United States; and therefore we made it our aim to delay the vote on this bill until some hour this afternoon.

Again I wish to emphasize the fact that there is no disposition or intention on the part of those who feel the way I do, and who have spoken in behalf of support of the President's veto, and in opposition to the motion made by the senior Senator from Nevada [Mr. MCCARRAN] to override the President's veto, to delay or postpone consideration of that motion beyond a reasonable hour this afternoon, so that there will be plenty of time to take the vote.

Mr. President, I should like to make a brief declaration of faith and principles.

All my life I have fought for liberty and equality and against oppression and tyranny, both at home and abroad. All my life I have supported and fervently advocated the principles of American constitutional democracy. I have always opposed any movement which would have the effect of undermining American institutions. Communism has always impressed me as an odious system totally repugnant to the American concepts of government. I have always fought communism and the efforts of Communists.

As fascism represents the denial of truth, communism represents the utter corruption of truth. Because Communists in the United States are stooges of Moscow and are at the beck and call of Soviet imperialism with its aggressive designs, I consider American Communists capable of any kind of subversive activity. I believe that we must check and punish all subversive activities.

I believe that we must wage an unremitting battle to keep the American people or any substantial number of them from falling victim to the false promises of communism and at the same time we must protect the American Nation against overt conspiracy, sabotage, or espionage. I have long been engaged in that battle and intend to continue the fight.

I do not, however, propose to allow my zeal in this regard to lead me into the fundamental error of playing into the hands of the Communists by prejudicing the rights of the vast majority of the American people. By indirection that would be doing Moscow's bidding. I will not willingly take such a step. I am even less willing to do so because I am convinced the proposals we are considering today will not only endanger the basic rights of all our citizens but would, in fact, detract from our internal security.

We are professed champions of liberty. We say that we stand for freedom for the individual, for all individuals. That is our banner in today's world struggle. Thus, those nations and peoples abroad who also call themselves free, and the peoples who aspire to freedom, will be disheartened if we in this country move in the direction of the police state in order to meet the threat of the police state.

I am fully aware, Mr. President, of the dangers from the Communists in this country today. It is my belief, however, that we face no real danger from their views, but rather from their subversive activities. Against subversive activities we must guard curselves. We may need additional security laws for that purpose. But if we outlaw views, and penalize persons for their thoughts and beliefs, we will grant the Communists a victory which they have not won. And the world will be on notice that in this home of freedom, we do not dare grant all persons the right to express their views and compete in the market place of ideas.

I, for one, shall wholeheartedly support all legislation which is proved to be necessary for the preservation of our country and the protection of our people against subversion or overt attack.

But my firm and fervent belief is that our main strength lies in our liberties. In the freedom which we permit to all, lies our strength to oppose not only the enemies of freedom in our country but all the enemies of freedom abroad.

In any situation in which these freedoms should be abused in a way to constitute a present danger to the freedom of all, I would take prompt and judicious steps to curtail these abuses and protect this country and its institutions.

That is why, Mr. President, I joined recently with a number of other Senators in cosponsoring S. 4061, the so-called administration internal security bill. I believe that the measures embodied in that bill are necessary for the protection of our country's internal security.

But first, Mr. President, I wish to address myself to that aspect of this legislation which is of most concern to us at this very moment, the aspect of internal security.

We already have on the statute books more than 20 laws to control and penalize subversive activities such as espionage, sabotage, and failure to register as a foreign agent. We also have the Smith Act, recently upheld by the court of appeals, which makes membership in the Communist party prima facie evidence of criminal intent. Hence, the only operative provisions of the Mundt-Ferguson bill are completely unnecessary.

Nevertheless, there are certain provisions of our present antisubversive laws which the security experts tell us need tightening up. That was the purpose of Senate bill 4061, the administration's internal security bill.

I believe that Senate bill 4061 is a proper and necessary measure. The added security which this measure would give us against espionage and sabotage is desirable and essential. Senate bill 4061 plugs a number of legal loopholes in the Antiespionage Act. It provides for the proper detention and supervision of the activities of deportable aliens, some of whom may be subversives. It establishes penalties for the unauthorized disclosure or receipt of classified information to agents or representatives of a foreign power. It permits the President to guard military and other installations vital to the national security from possible spies and saboteurs. These are all

essential measures in these critical times. These measures will positively and constructively strengthen our internal security.

On the other hand, the McCarran omnibus bill, and the Mundt-Ferguson bill, are quite another matter. These are sweeping, all-embracing bills whose scope and content I venture to say are not understood by the majority of the American people. There are Members of this Senate who do not, in my judgment, fully comprehend the dangers, both to our security and to our way of life, lurking in these measures.

The proponents of these measures merely describe them as security measures, and as antisubversive bills, as measures designed to expose Communists, and to bring them out into the open. Mr. President, as I hope to be able to show, these bills do not conform to these specifications. Their labels are entirely misleading.

These bills will not expose but will submerge the Communist Party and its affiliated groups. True, the Communist Party today operates to a considerable extent underground. These bills will drive Communists completely underground. Dangerous icebergs in the northern seas are always two-thirds submerged. But what sailor would say that icebergs would be less dangerous if they were totally submerged and out of sight? I shall return to this point in a moment.

I know that a great deal of thought has gone into the drafting of the Mundt-Ferguson bill. Proponents of the bill argue that it is in its present form perfectly constitutional. I am not a lawyer but I disagree completely. In any event, I certainly am not willing to abdicate my responsibilities as a Senator and look to the Supreme Court to stop this unwise and dangerous legislation.

I know that this whole matter is a subject on which sincere and reasonable men may honestly differ. The veterans' organizations which are supporting the Mundt-Ferguson bill are inspired, I am sure, by patriotic motives. I honor them for their deep concern for the security of our country. But I tell them today, as I am telling my colleagues in the Senate, that most of the provisions of the Mundt-Ferguson bill, which are also contained in the McCarran omnibus bill, are not only unwise and unnecessary, but are inimical and prejudicial to our national security and to the very purposes which the supporters of this proposed legislation have in mind.

Mr. President, the most dangerous thing we could do at this critical moment in our history would be to abandon cool reason and logic and yield to hysteria. That is what Moscow hopes we shall do. That is what some of the provisions in the Mundt-Ferguson bill would have us do.

However, Mr. President, in regard to our internal security, which must be our chief concern, we must estimate our real danger and must move to meet it with means precisely calculated to combat it.

Let us look at the facts. On June 8 of this year Mr. J. Edgar Hoover, Director of the FBI, told the Congress that the total known Communist Party enrollment in this country was 54,174. In 1947 Mr. Hoover had told the House Un-American Committee that the membership of the Communist Party was 74,000.

If we pass the Mundt-Ferguson bill and drive the Communists underground, the numbers of real Communists will not decrease, but will swell. Martyrdom is contagious. Many fellow travelers and dupes who are the simple fronts of the Communist Party today and who do no real harm to the national security would be driven underground along with the dangerous Communists. Then the number of potential spies, saboteurs, and threats to our real national security would increase and multiply.

Mr. President, the Mundt-Ferguson bill, if it became law, would not catch in its net a single spy, saboteur, or real conspirator who could not otherwise be apprehended by the internal security agencies of our Government. Any loopholes which may exist will be tightly sealed if the Congress approves the administration's security bill, Senate bill 4061, of which I am proud to be a cosponsor.

Instead of permitting the FBI to concentrate on watching and detecting the real threats to our security if the Mundt-Ferguson bill were to pass, the FBI would be required to divert its efforts from the essential responsibilities with which it is charged and which it is discharging so effectively.

True, we might catch a few Communists. But the real professional spies and saboteurs are far too clever to be caught in this net. They are not members of the Communist Party, and keep away from it. Neither Karl Fuchs nor Harry Gold nor Judith Coplon were members of the Communist Party. They could never have been indicted for failing to register.

Mr. President, the official organ of the Communist Party in Moscow, Pravda, very recently quoted the great Communist god Lenin as having said 30 years ago, that Communists should be grateful to American capitalists for anti-Bolshevik hysteria and persecutions.

"They work for us," Lenin was quoted as saying. "They help us interest the masses in the question of the essence and significance of bolshevism." That was Lenin speaking. Today Stalin and the Politburo are, I am sure, eagerly watching what we in the Senate of the United States will do.

It may well be, Mr. President, that the top Communist planners would warmly welcome the passage of Senate bill 2311 or Senate bill 4037.

Mr. President, a few historical facts are interesting. The first country in the world to outlaw the Communist Party was imperial Russia. Seeking to repress revolutionaries, agents of the Czar rounded up liberals of every sort, and jailed them or exiled them. Undoubtedly, there were many Communists among those so jailed or exiled. Among those who were so jailed and exiled were three men now known to history by the names of Lenin, Trotsky, and Stalin. Jail and exile helped rather than hindered them. Russia, the first nation to outlaw the Communists, was the first to be ruled by the Communists. A handful of persecuted Communists, who had succeeded in frightening the Czar, led an army of men and women who had been oppressed and harassed and took over a nation of 180,000,000 people.

Czechoslovakia outlawed its Communists in 1940. That did not prevent the Communists from taking over Czechoslovakia in 1947.

In recent years a number of countries have attempted to stamp out communism by outlawing, jailing, or otherwise repressing Communists. To the best of my knowledge and belief there is not a single country in the world where the outlawing of the Communist Party has resulted in a decrease of Communist activity or the weakening of the Communist movement.

Mr. KILGORE. Mr. President, will the Senator yield for a question?

Mr. LEHMAN. I yield.

Mr. KILGORE. Is it not a fact that in the development of the Christian religion the very efforts by the Romans and by other nations to crush it caused it to increase?

Mr. LEHMAN. I do not claim to be a student of clerical or religious law, but I have been so told.

Mr. KILGORE. It is also a fact, is it not, that the various punishments meted out to Christians in Rome and at various other places caused the Christian religion to spread through Europe at a speed which other religions had not known?

Mr. LEHMAN. I think that is undoubtedly a fact.

Mr. KILGORE. For example, it caused it to increase more rapidly than the Mohammedan religion and other better established religions, which had been established prior to Christianity. Is that not true?

Mr. LEHMAN. There is no doubt about it. There is nothing more contagious than the aura of martyrdom.

Mr. KILGORE. I thank the Senator.

Mr. LEHMAN. Mr. President, we need not look far across the seas or look far back into history to study the effect of repressive legislation on the Communist movement. In 1929, Canada passed a law similar in many respects to the proposals advanced by the Senator from South Dakota, the Senator from Michigan, and the Senator from Nevada. In 1936 that law was repealed because the Communist movement in Canada had flourished rather than suffered under it. In 1940 a stronger version of the same kind of legislation was passed. That did not prevent the most powerful and dangerous atomic spy ring in history reaching even into the Canadian Parliament, from being established subsequently, Canada repealed that law.

In our own history the only comparable measures were the notorious Alien and Sedition Laws enacted in 1798. Those laws were pushed through the Congress during the course of the French revolution. There were some Americans who violently and vigorously urged the new American Republic to go to the aid of France in her wars against England. They were ready to involve America in war for the sake of a France which was already turning to the dictatorship of Napoleon Bonaparte. There were also in

our midst some agents of France who were seeking, by intrigue and subversion, to achieve the same purpose. The United States Congress passed the Alien and Sedition Acts.

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

Mr. LEHMAN. Yes.

Mr. KILGORE. Is it not a fact that the very passage of those laws built up the Democratic Party of Thomas Jefferson to an extent to which it probably would not otherwise have been built up?

Mr. LEHMAN. There is no doubt about that, as I shall point out a little later in my remarks. The administration of those laws rang the death knell of the Federalist Party.

Mr. KILGORE. And spread the increase of the Democratic Party at that time.

Mr. LEHMAN. There is no doubt about it.

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

Mr. LEHMAN. I am glad to yield.

Mr. FERGUSON. The Senator from Michigan is interested in knowing whether or not the Senator from New York made the same address to the Senate that he is now making. Did not the Senator from New York make this address, verbatim, on September 5, 1950? How does he explain that fact in view of the statement previously made that there is no desire to delay a vote?

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

Mr. FERGUSON. I should like to read this sentence and ask the question as to whether or not it is not identical with what the Senator is now saying.

Mr. LEHMAN. The Senator from New York is very glad to answer the question. The speech has many similarities, but it is not identical. Many things have been changed, and many things have been omitted. The things which I am reading today are arguments which I believe could be repeated time and time again for the benefit of the Senate and the people of the United States.

Mr. KILGORE and Mr. FERGUSON addressed the Chair.

Mr. LEHMAN. I yield to the Senator from West Virginia.

Mr. KILGORE. I ask the Senator from New York whether it is not a fact that the Senator from Nevada [Mr. MALONE] delivered the same speech yesterday, the day before yesterday, and several times before that? Is it not a fact that the speech was identical, with the exception of a few ruffles, with the speech he has made on 10 or 12 or 15 occasions on the floor of the Senate in the past 6 months?

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

Mr. LEHMAN. Yes.

Mr. FERGUSON. Does the Senator from New York feel that the Senate of the United States should be kept here since 11 o'clock yesterday morning and the Senator make almost the identical speech he made on December 5? I wish to read this paragraph:

> In our own history the only comparable measures were the notorious alien and sedition laws, enacted in 1798. Those laws were pushed through the Congress during the course of the French Revolution. There were some Americans who violently and vigorously urged the new American Republic to go to the aid of France in her wars against England. They were ready to involve America in war for the sake of a France which was already turning to the dictatorship of Napoleon Bonaparte. There were also in our midst some agents of France who were seeking, by intrigue and subversion, to achieve the same purpose. The United States Congress passed the Alien and Sedition Acts.

Is it not true that the Senator from New York used the identical language only a minute ago?

Mr. LEHMAN. The Senator from New York wishes to make a statement.

Mr. FERGUSON. Yes; I wish the Senator would make an explanation, because I see no reason for being kept here to hear the same speech.

Mr. LEHMAN. The paragraph which the Senator has read is identical with what is contained in my speech. I shall go further than that and say that many paragraphs in my speech are identical with the one that has been read.

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

Mr. LEHMAN. May I point out in the first place that the Senator from Illinois [Mr. DOUGLAS] this morning on behalf of his associates proposed a unanimous-consent agreement to vote on this bill in the early hours of the afternoon? That was refused, of course, on objection by the Senator from Nevada [Mr. MCCARRAN].

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

Mr. LEHMAN. No, I shall yield only when I have finished making my statement. Aside from that, I wish to say to the Senator from Michigan that when certain things stand out—will the Senator listen?

Mr. FERGUSON. Yes.

Mr. LEHMAN. I am making reply to his inquiry. I think he should pay me the courtesy of listening.

Mr. FERGUSON. Yes. I was listening. That is why I noted the great similarity.

Mr. LEHMAN. Certain things stand out so clearly as truths that I make no apology or explanation for repeating them, repeating them, and repeating them, just as often as I wish, and I hope that on this occasion the statement I was reading, which is very similar and in certain ways identical with the one I made before, will make an impression on the distinguished Senator from Michigan. Apparently it did not make an impression before.

Mr. FERGUSON and Mr. KILGORE addressed the Chair.

Mr. LEHMAN. Let me say to the Senator from Michigan that I shall urge the points which I have raised as often as I think it desirable. I want the people of the United States and the Members of the Senate to know and appreciate and realize and understand, if I may so hope, the force and effect of the statements which I have made.

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

Mr. LEHMAN. I yield to the Senator from West Virginia.

Mr. KILGORE. I ask the Senator from New York if it is not a fact that the Senator from Michigan sat idly by for eleven and five-eighths hours the day before yesterday while the Senator from Nevada stood on the floor making a speech?

Mr. FERGUSON. Mr. President, a point of order. The Senator from New York has the floor, I understand, and the Senator from West Virginia is making a statement, and not asking a question.

Mr. KILGORE. I am asking the Senator from New York if that is not the fact, that the Senator from Michigan stood idly by for eleven and five-eighths hours while the Senator from Nevada spoke on slot machines in a debate which covered the entire world, including the North Pole, the South Pole, and all continents interposed? I am asking that question of the Senator from New York.

Mr. LEHMAN. That is absolutely correct. I may say that if I think repetition of my speech will educate the distinguished Senator from Michigan, I shall not only repeat it once, but I am prepared to repeat it again and again.

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

Mr. LEHMAN. No; I shall not yield until I have concluded the point I wish to make. I wish to point out that every word I have said on the floor of the Senate, both last night and this morning, refers specifically and exclusively to the pending business before the Senate. I have not discussed any golf courses, golf tournaments, tariffs, reciprocal trade treaties, or a hundred and one other things, by way of a filibuster. Every word I have said refers to the pending business and I hope to educate some of my very good friends who are now facing me.

Mr. FERGUSON. Will the Senator yield?

Mr. LEHMAN. Yes.

MR. FERGUSON. If the Senator will advise the Senator from Michigan that he will quote the same speech he made previously, the Senator will then not have to remain, because he has heard all that the Senator is going to say.

Mr. LEHMAN. I will say to the Senator that I will continue to make this speech, and I shall undoubtedly have some other things to say. I again point out that obviously the speech which I delivered on a previous occasion has not been convincing. Therefore, since I am an optimist, I live in hope that on this occasion perhaps I shall convince my distinguished friend from Michigan.

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

Mr. LEHMAN. Yes.

Mr. FERGUSON. The Senator from Michigan having heard it and remembered it so well that he recognized paragraphs which were identical, there is no need for him to hear it the second time.

Mr. LEHMAN. There are other matters, but certainly I do not want to impose on the very good nature or the time of my distinguished friend from Michigan by insisting that he remain to listen to the speech again. I hope he will, because, as I said, I always live in hope that I may convince him.

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

Mr. LEHMAN. Yes.

Mr. KILGORE. I ask the Senator from New York if it is not much more advisable to speak on constructive things, and reiterate and reiterate them, than to speak upon slot machines and reiterate and reiterate the losses that may be occasioned to the people of the United States.

Mr. LEHMAN. There is no doubt at all about that, and, as I pointed out, there is not a word in my address now, or in the one I gave before, that does not refer specifically to the question before the Senate.

Mr. DOUGLAS. Mr. President——

The PRESIDING OFFICER (Mr. O'CONOR in the chair). Does the Senator from New York yield to the Senator from Illinois?

Mr. LEHMAN. I yield.

Mr. DOUGLAS. The Senator mentioned the fact that he had hope that Senators on the other side of the aisle would listen to his speech. Would the distinguished junior Senator from New York say that his feeling is accurately described by the saying from the Old Testament: "Hope deferred maketh the heart sick"?

Mr. LEHMAN. I thank the Senator from Illinois. That very adequately and clearly describes my feeling.

If I may proceed, Mr. President. These acts were never invoked against French agents or against real provocateurs. Instead, they were invoked against newspaper editors and political leaders who were critical of the Administration then in office in the United States. The offenders were convicted, jailed and fined. That law expired, under its own terms, in two years. But the American people were so revolted at the uses to which that law had been put, that the Federalist Party was turned out of office. That party never again won the trust of the American people and soon dissolved. A succeeding Congress appropriated money to repay the fines assessed against those convicted under these infamous acts.

The United States has never since, not even in the tragic and troubled days of the Civil War, enacted comparable legislation.

Let us bear in mind that laws aimed at a specific situation are frequently found to be utterly inapplicable to that situation, but are invoked much later in entirely other situations. Such a sweeping bill as the present one is an open invitation to that kind of misuse.

My own State of New York passed an antianarchist law back in 1901, after the assassination of President McKinley by an anarchist. However that law has never been invoked against an anarchist. It has been invoked against others. Who knows whether the bill now before us, designed to be invoked against Communists, might not some day be invoked, by irresponsible men against political parties or other organizations of a perfectly legitimate character.

There is a long-standing Federal statute which punishes with imprisonment any individual who makes a wilful threat to take the life of the President of the United States. However during World War I, this law was invoked to convict a man in Beaumont, Tex., who wsa opposed to Woodrow Wilson's war policies, and declared, in the course of an argument, "I wish Wilson was in hell, and if I had the power, I would put him there." The Texas courts ruled that this was, in effect, a threat to kill the President.

I have merely cited this case to show to what unforeseen uses even the best of laws may be put. And when we come to a proposal like the Mundt-Ferguson bill which sets up as criteria of guilt a long series of standards which are so dangerously vague as to constitute, in my judgment, a grant of unlimited power to punish for almost any kind of unorthodox thinking, and behavior which might happen to impress some official as being suspicious, I say that we are venturing out upon deep and dangerous waters.

I should like to refer again to my own State of New York where in 1919 a committee of the legislature, called the Lusk committee, outlined a case against certain members of the legislature who had been elected on the Socialist Party ticket.

The Lusk committee described the Socialist Party as "having a single purpose of destroying our institutions and Government and substituting the Russian-Soviet Government—an anti-national party whose allegiance is given to the Internationale and not to the United States." On the basis of this finding, which is strikingly similar to the legislatiye finding in section 2 of the Mundt-Ferguson bill and also to section 2 of the McCarran omnibus bill, the five Socialists were expelled from the New York Assembly.

A great American statesman and a great citizen of New York State, parenthetically, a highly respected and beloved predecessor of mine in the governorship of New York, a man whose memory we honor and revere today, Alfred E. Smith, denounced the expulsion of the Socialists from the New York Legislature in these words: "Our faith in American democracy is confirmed not only by its results but by its methods and organs of free expression. They are the safeguards against revolution. To discard the methods of representative government leads to the misdeeds of the very extremists we denounce—and serves to increase the number of the enemies of orderly free government."

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

Mr. LEHMAN. I yield to the Senator from Michigan.

Mr. FERGUSON. Does the Senator remember the famous slogan of Alfred E. Smith, "Let's look at the record"? It would save us a great deal of time here this morning if we followed that quotation, would it not?

Mr. LEHMAN. I remember that statement of Alfred E. Smith, because I was his associate, as the Senator knows, for a great many years. I wish to say that I am extremely glad to see my friends following my remarks so closely. I have not great confidence, but I live in the hope that perhaps by rereading my remarks they may see the error of their ways.

Mr. KILGORE. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I yield to the Senator from West Virginia.

Mr. KILGORE. Speaking about looking at the record, it is worth while to look at the record of the past 2 days, let me say to the Senator from New York, about the question of slot machines and the question of criminology in interstate shipments of slot machines. Does not the Senator think we should look at the record also to see whether or not a voice was raised to aid in blocking the effort to prevent the shipment of slot machines in interstate commerce?

Mr. LEHMAN. I fully agree with the Senator from West Virginia.

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

Mr. LEHMAN. No; I am not yet through my answer; and I shall then yield to the Senator from Illinois, who was on his feet.

The Senator from New York does not remember a single cricitism or a single objection raised to a speech which lasted nearly a dozen hours, in which the pending business was mentioned in a merely perfunctory way.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. LEHMAN. I yield to the Senator from Illinois.

Mr. DOUGLAS. Since the Senator has again expressed his hope that the Senators on the other side of the aisle will read the record closely, would not the distinguished junior Senator from New York say that the Greek myth of Pandora's box was applicable here, because when Pandora opened her box, the junior Senator from New York will remember, the various evils were let out on the world, and the last thing that Pandora hoped would come out was hope itself, but hope never appeared. It remained at the bottom of the box, the lid having been closed before it came out. Would the Senator say that he has been almost in the role of Pandora this morning, hoping against hope that hope would be justified, and yet finding this hope continuously shut up in the hard and cruel box of misunderstanding?

Mr. LEHMAN. I fully agree with the Senator from Illinois. I have held this high hope, but I have been disappointed, so that I certainly have the same impression the Senator from Illinois has. But I have another impression, a very definite and strong one, that my respected colleagues who have been questioning me, and who seem a little disturbed at my remarks, do not like to hear the things I have been saying, not because they are bored, but because the things I have been saying are so true that they hit home, and they do not like to have them go in the RECORD again. That is a very definite impression which I have formed in listening to the questions.

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

Mr. LEHMAN. I yield to the Senator from California.

Mr. KNOWLAND. Does not the Senator from New York believe that the little story just told by the Senator from Illinois about Pandora's box might have a different application also, namely, that our good and liberal friends on the other side of the aisle, who always heretofore have been opposed to Senate filibusters, have injected a new type of technique into the Senate of the United States for filibusters in the future, in that the same speeches will be made again and again and again?

Mr. LEHMAN. I am glad the Senator raised that question, because I want to make it clear, beyond any question that my associates and I who are merely trying to support the President's veto have not engaged and did not intend to engage in a filibuster of any kind. We have merely demanded our right to be heard, to bring this matter into the open, to let the people of the United States, through the press, through the radio, know what the situation is. We have stated time and time again that we do not intend or desire to hold up the vote on this measure, but we are willing now—and I repeat the very clear offer of my distinguished colleague from Illinois—to enter into a unanimous-consent agreement to take a recess, if that is the wish of the Senate, and to take up this matter again at 2 o'clock, and have an hour and a half or two hours of debate, and vote at a certain time, which I believe was 4 o'clock. Certainly there is not the slightest possibility that that constitutes a filibuster.

I may point out that my distinguished friends, the Senator from California [Mr. KNOWLAND] and the Senator from Michigan [Mr. FERGUSON] by raising questions which are not germane to the subject at all, have consumed much more time than I have done in the reading of my remarks. I am perfectly willing to continue to read my previous remarks—of course, I am happy to yield for questions—because I think my remarks are so vital, so sound, so definitely germane and to the point, that even now I have not wholly given up hope of convincing my distinguished friends.

Mr. DOUGLAS. Mr. President, will the Senator yield for a further question?

Mr. LEHMAN. Yes.

Mr. DOUGLAS. We have been using Old Testament and Greek mythological analogies. Would the distinguished junior Senator from New York say that the situation could accurately be described in the definition of faith found in one of Paul's Epistles, "Now faith is the substance of things hoped for, the evidence of things not seen"? The Senator still has faith that the Senators on the other side of the aisle will be moved by the arguments which the Senator is advancing, even though the Senator does not have the evidence of things not seen.

Mr. LEHMAN. I have faith that perhaps we are going to be surprised at the manner in which Senators will vote to support the President's veto. I have very great hope that the veto will be sustained. I urge my distinguished friends to vote to sustain the veto.

Now may I ask my distinguished friend the Senator from Michigan [Mr. FERGUSON] who has the CONGRESSIONAL RECORD before him, to refer to my speech previously made, as it appears in the RECORD. He will see that I follow it closely. Perhaps he will be convinced if he follows my statement carefully.

A great American statesman and a great citizen of New York State whose memory we honor and revere today. Al Smith, denounced the expulsion of the Socialists from the New York Legislature in these words:

Mr. President, I am repeating this again, although I read it just 2 minutes ago, because I think it is so important that I should like further to impress it on the minds of Senators.

Our faith in American democracy is confirmed not only by its results but by its methods and organs of free expression. They are the safeguards against revolution. To discard the methods of representative government leads to the misdeeds of the very extremists we denounce—and serves to increase the number of the enemies of orderly free government.

Did my friends follow, in the RECORD, my statement, or would they like me to read it again?

Mr. FERGUSON. I followed the Senator in his reading.

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

Mr. LEHMAN. I yield.

Mr. DOUGLAS. Is it not true that the distinguished junior Senator from New York was always one of the strongest backers of the distinguished Governor of New York, Alfred E. Emith?

Mr. LEHMAN. There is no doubt about it. I was as far back as 1922, I believe.

Mr. DOUGLAS. The distinguished junior Senator from New York supported Alfred E. Smith for the governorship and supported him for the Presidency and went with him all through the twenties?

Mr. LEHMAN. I voted for him in 1924 in the Democratic Convention. I managed his campaign for governor in 1926. I was chairman of the national finance committee when he ran for the Presidency in 1928, and I was a fellow candidate with him in 1928 when I was first elected Lieutenant Governor of the State of New York.

Mr. DOUGLAS. One of the things which endear the junior Senator from New York to so many of us is the fact that he helped give Al Smith his start in the New York State and in the national arenas.

Mr. LEHMAN. In 1799 a committee of the House of Representatives, urging the continuance of the Sedition Act, reported—and we need only substitute Russia for France in the quotation I am going to read:

France appears to have an organized system of conduct toward foreign nations; to bring them within the sphere and under the domination of her influence and control. It has been unremittingly pursued under all the changes of her internal policy. Her means are in wonderful coincidence with her ends; among these, and not the least successful, is the direction and employment of the active and versatile talents of her citizens abroad as emissaries and spies.

Mr. President, public debate on the bills now before us has been raging for many weeks and months. Yet I doubt if more than an insignificant percentage of the American public is familiar with or understands the provisions contained in this legislation.

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

Mr. LEHMAN. I yield.

Mr. KNOWLAND. I may ask the Senator this question: Was it by inadvertence that he left out the two lines as follows:

These words, too, have a strangely familiar ring today.

Mr. LEHMAN. I have cut out a great deal of the language previously used, but it is perfectly true that they do have a strangely familiar ring today.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. LEHMAN. Yes.

Mr. DOUGLAS. Is it not true that we can learn a great deal from aphorisms, and is not one of the most pungent of these aphorisms:

Men need not so much to be informed as to be reminded.

Mr. LEHMAN. Yes; and I thank the Senator very much.

Mr. DOUGLAS. Is not that particularly applicable to the arguments which the junior Senator from New York is now making, and which seem to fall on the somewhat deaf ears of our good friends across the aisle?

Mr. LEHMAN. Yes; I fully agree, and I thank the Senator very much.

Mr. DOUGLAS. In other words, they need to be reminded as well as to be informed.

Mr. LEHMAN. I think they need to be reminded. I want to repeat what I have said before. If at the conclusion of this speech I gain the impression or have the idea that I have made an impress on these gentlemen, and I hope I shall do so—I would not hesitate to read the speech two or three times. Then the Senators could do whatever they wanted to do by way of speaking, and I would gladly listen to them.

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

Mr. LEHMAN. I yield, but I want to point out it is the Senators on the other side of the aisle who are filibustering. I want to complete my speech. I do not want to delay matters. However, I am perfectly willing to repeat what I have previously said, with the hope that I may convince Senators on the other side who listen.

Mr. FERGUSON. The Senator indicated that he would not hesitate to do it. I wonder whether the better statement is that he did not hesitate to do it.

Mr. LEHMAN. I certainly did not hesitate to do it; but I go a step further and say that I would not hesitate to do it again and again and again. [Laughter.]

Mr. President, public debate on the bills now before us has been raging for many weeks and months. Yet I doubt if more than an insignificant percentage of the American public is familiar with or understands the provisions contained in this proposed legislation.

I may say parenthetically—and this is not in my original speech—that I very much hope that the debate, which has been carried on now for 16 or 18 hours,

I believe, will serve to enlighten the American people respecting some of the defects of the legislation which is now pending before the Senate.

The actions proposed to be taken under the terms of the Mundt-Ferguson and McCarran bills are manifold. The provision for the registration of Communist political organizations and Communist-front organizations is but one aspect—the foot in the door which opens the way to all the other unfortunate provisions in these measures.

The Senator from South Dakota [Mr. MUNDT], who is the chief architect of this legislation, has, himself, stated as recently as March 17 of this year:

> I do not believe that all the Communists in America are going to register simply because the law says that they should, and I think that we are still going to need the FBI, and we are still going to need the House Committee on Un-American Activities and a great number of other alert people to find the people who decline to register.

That, of course, has been acknowledged by everyone, and has been pointed out time and time again on the floor of the Senate during the course of the debate. I agree with him. But I will go one step further, and say that very few, if any, Communists are going to register. And then as the Senator from South Dakota says, it is going to require the FBI and a great number of alert people to investigate, to gather evidence and indict all those who fail to register. It has been pointed out in the debate heretofore on this floor that the FBI, therefore, instead of hunting spies, will be hunting people who, in the opinion of some official in the United States Government, ought to register under this act. The staff of the Attorney General will be occupied with filing charges and seeking indictments against individuals who, on principles, will decline to register, although the Subversive Activities Control Board may feel that they should.

As pointed out earlier today very clearly by my distinguished colleague the junior Senator from Illinois, there will be trials, hearings, appeals, and further appeals. Legal experts have estimated that it will require 4 years before the Supreme Court can hand down a decision in even one of these cases. And I believe the junior Senator from Illinois estimates that in some cases, before final action can be taken and the man imprisoned, it may take in excess of 4 years, including the administrative control action and the action in the courts, including appeals.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the Senator may yield to me, without losing the floor thereby, so I may be permitted to amplify that statement.

Mr. LEHMAN. Mr. President, I ask unanimous consent that I may yield to the Senator from Illinois for that purpose.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DOUGLAS. I may say, Mr. President, that in my speech earlier this day I merely traced two steps; first the step under which an organization would be listed as a Communist-action organization, in the phraseology of the pending bill; I said that in order to get an individual listed as a Communist, if he did not come forward himself, it would take from 2 to 4 years, and then there would be a further period which might be in excess even of 4 years if all 55,000 cases were prosecuted. But this is merely the beginning, because criminal prosecutions would have to occur after these two steps, and there would be trial, with appeal, and there would be criminal charges, and trial, with appeal. So that this would still further prolong the actual punishment of individuals judged to be Communists, who had not registered. It might amount to 10 or 12 years of actual imprisonment.

Mr. LEHMAN. I thank the Senator from Illinois. I think his statement is very useful and very informative.

There will be hearings, trials, appeals and further appeals. Legal experts have estimated that it will take 4 years before the Supreme Court can hand down a decision in even one of these cases. It will be 4 years before we know whether this law is constitutional. For 4 years we will have these indictments hanging over hundreds, and perhaps thousands, of people before one Communist can be sent to jail for failing to register. And meanwhile, springing up all over the land, will be new organizations, new fronts under new names set up just as fast as old ones are put under the ban of this act. This machinery is so cumbersome it creaks. It will prove to have no effect whatsoever.

Individuals and organizations who do register will immediately be subject to certain penalties and forfeitures of rights. Organizations will be required to stamp all literature and letters sent out and intended to be read by two or more persons with the label, Disseminated by a Communist Organization.

The content of the literature or letter will be immaterial. If an organization, determined by the Subversive Activities Control Board to be a Communist-front organization, sends out a brochure calling for the repeal of the Taft-Hartley Act, that brochure will have to be labeled as being mailed by a Communist organization. If they send out an invitation to a tea party, it will have to be labeled as being disseminated by a Communist organization.

How is this legislation to be enforced? The answer is very simple. The enforcement agencies will have to go through the mails, look into every letter and every piece of literature to see from what kind of an organization it emanates. Privacy of the mails will be gone. And an army of snoopers will necessarily be let loose to pry into the personal and private affairs of all our citizens. No individual writing to wife, husband, broker, lawyer, or doctor will be sure that his communication will not be read and abstracted by some agent in pursuit of evidence that this letter was one of those mailed by a Communist or Communist-front organization.

As I have said, the Mundt-Ferguson bill and the McCarran bill go much, much further than requiring a Communist or Communist-front group to register. For example, there is the sedition section. For example, there is the section which, out of hand, makes it a penal offense to be a Communist or to be a Fascist, although home-grown Fascists, without foreign connections are presumably exempted from penalty. But this provision is as broad as all outdoors.

But who is to determine what act might contribute to the establishment of a totalitarian dictatorship in the United States? There are those in this country who argue loudly and vehemently that public housing and rent control are substantial contributions to the establishment of a totalitarian dictatorship in the United States. There are those who say the same thing about Federal social security or public power development or compulsory health insurance. Only a few weeks ago FEPC was described on the floor of the Senate as Communist inspired.

Mr. President, I wish the Members of the Senate now present would listen to this statement; I think it is important.

In November 1948, Mr. President, over a million American citizens went to the polls and voted for the candidate of the Progressive Party for President. I believe, as many others do, that many of the leaders of the Progressive Party had close Communist connections and rigidly followed the party line. Would that make a million Americans subject to the penalties set forth in this bill? Our jails are not big enough to hold all those who might be condemned to them by this provision, and by many other sections of this legislative proposal.

Communists, of course, would obviously be indictable and subject to imprisonment under the provisions of section 4a. Yet, at the same time, they are required to register as Communists under the terms of section 8 of the same bill. In other words, one section requires them to register, and another section puts them in jail for registering. This is not legislation; it is a parody on legislation.

Of course the heart of this proposed legislation lies in the definition of what is a Communist or Communist-front organization. The standards by which the Subversive Activities Board is to determine whether an organization is Communist are, as I have said, broad and vague. I shall not list them all. I shall just read a few.

> The extent to which the organization fails to disclose or resists efforts to obtain information as to its membership by keeping membership lists in code, by instructing members to refuse to acknowledge membership, or by any other method.
>
> The extent to which it fails to disclose or resists efforts to obtain information as to records other than membership lists.
>
> The extent to which its meetings are secret and otherwise operates on a secret basis.

I need not discuss these particular criteria at any length. Their dangerous potentialities are obvious. Many labor unions keep their membership lists secret. Many labor unions, especially in some sections of this country, hold meetings in secret and certainly resist efforts to obtain information as to their membership lists. This is as necessary to a union seeking to organize an unorganized

area or plant as is the right of collective bargaining itself.

Another criterion is—

> The extent to which its principal leaders or a substantial number of its members are subject to or recognizes the disciplinary power of (a) foreign government or foreign organizations or its representatives.

What about an international labor union under this section? The international presidents of several of our unions are not American citizens. What if a Canadian should be elected international president of the United Automobile Workers Union. That is a possibility. The UAW has powerful branches in Canada. Would the Automobile Workers' Union then be subject to listing as a Communist organization? It certainly might.

This sort of evidence, without an restrictions, may be used by the board to determine whether an organization is a Communist organization. Naturally there are other criteria which deal with the political views of such an organization. These criteria are likewise vague.

It is frequently difficult enough, as any lawyer or judge knows—Mr. President, this has been pointed out, I believe, in a speech by the Attorney General of the United States—to establish the fact of whether a man had committed murder, or theft, ar assault, or perjury. But in the Mundt-Ferguson bill, we enter into an entirely new field—that of determining whether a man has dangerous thoughts or ideas.

Subsection 4, paragraph F of section 14 lists as one of the criteria the board shall use for determining whether an organization is a Communist front, the following language.

Mr. President, I hope the Senators now present will pay attention to this language:

> The extent to which the positions taken or advanced by it from time to time on matters of policy do not deviate from those of any Communist political organization, Communist foreign government, or the World Communist Movement referred to.

This definition could lead to action against almost any organization which at any time has taken a stand for public housing, for fair employment practices, for the Brannan plan, for rent control, for health insurance, against that Taft-Hartley Act or against aid to Franco.

Mr. KILGORE. Mr. President, will Senator yield for a question?

Mr. LEHMAN. Yes.

Mr. KILGORE. Is it not a fact that prior to the installation of our present postal department and postal service, it cost $1 to send a letter from Boston to New York?

Mr. LEHMAN. I believe that is so.

Mr. KILGORE. Is it not also true that in those early days it cost correspondingly large sums to send letters to other places?

Is it not also a fact that it cost tremendous amounts of money to have express shipments delivered in various parts of the United States, until there was established as a part of the Government the Interstate Commerce Commission, which controls the railroads and shipments by railroads?

Mr. LEHMAN. Undoubtedly that is so.

Mr. KILGORE. Is it not also a fact that the Interstate Commerce Commission has abolished the idea of giving free passes to the customers of the railroads, and all that sort of thing, and also the idea of giving special freight rates to certain companies? Is not that a fact?

Mr. LEHMAN. Certainly.

Mr. KILGORE. Is it not also a fact that that idea is somewhat of a communistic nature?

Mr. LEHMAN. Certainly those who advocated those things years and years ago were accused of being Communists; and they may have been so accused since that time.

Mr. KILGORE. Is it not also true that at times we can exclude parts of the whole, and still keep a democratic government, without accepting the whole?

Mr. LEHMAN. There is no doubt of that.

Mr. KILGORE. Is it not also a fact that if we do that, as we have in the past, we shall probably have a better system to take care of our people, without destroying or tearing up things as they are. If we could spread that idea over the world would it not be easier to tone down communism and tone up democracy; in other words, to lift democracy and lower the crazy ideologies of communism?

Mr. LEHMAN. There is no question about that.

Mr. KILGORE. However, if we punish the person who believes, shall we say, in public ownership of the power companies which we have in the TVA, we wreck the entire structure of public power, do we not?

Mr. LEHMAN. That is true.

Mr. KILGORE. It would also wreck the idea of having the Great Lakes become a part of our entire shipping system, would it not?

Mr. LEHMAN. That is correct.

Mr. KILGORE. However, of course, if the Great Lakes ever are included in our shipping system, it will be greatly benefited by spreading the idea to which I have referred, will it not?

Mr. LEHMAN. There is no doubt of that.

Mr. KILGORE. Is it not a fact, for instance, that there are in the Appalachian Range enormous amounts of copper, manganese, chrome, and various other metals which never have been exploited because there has been a shortage of power at a rate cheap enough to enable us to exploit those deposits of metals?

Mr. LEHMAN. There is no doubt of that. Let me say to the Senator that when Al Smith, President Roosevelt, who then was governor, and later I, advocated the public ownership and development of water power—which was there for the taking—in the St. Lawrence and Niagara Rivers, the accusation was made that that was a Communist idea.

Furthermore, I can say to the Senator that later on—in 1935—when I fought for the enactment of adequate social-security legislation in the State of New York, those who, like myself, advocated it were accused of believing in communism.

I shall go a step further: It seems inconceivable that today anyone should object to adequate factory inspection or reasonable control of hours of labor for minors and women; but when those subjects first came up for consideration in the early twenties, they were also held to be Communist doctrines.

Mr. KILGORE. Is it not also a fact that the charge of communism is frequently made in respect to such subjects as the regulation of working hours and various other things of that type; and is it not also a fact that we frequently get into the same question, shall we say, even in respect to slot machines?

Mr. LEHMAN. I think that is true.

Mr. KILGORE. Because of State lines and the question of violating States' rights.

Mr. LEHMAN. I do not want to leave the impression that I know anything about slot machines; so I cannot answer the last question. Certainly it was not discussed on the floor of the Senate recently.

Mr. KILGORE. Like many others, I have always lost money on them whenever I have played them.

Mr. LEHMAN. I thank the Senator very much indeed.

The Communist Party, in its vain attempt to win a popular following, has taken the same stand on these matters as have many good and patriotic American organizations including the Democratic Party. But opponents of these causes have seen fit to condemn the causes by citing Communist support of them. Under the terms of the Mundt-Ferguson and McCarran bills, good American organizations—labor unions, church groups, and others—could be charged on this basis with being Communist fronts.

By the same token, action could be taken under these bills against organizations and groups which have opposed the Atlantic Pact, the Marshall plan, military aid to Europe, the Truman doctrine, and involvement in Korea. All these programs and policies are violently opposed by Moscow for its own reasons. I may say parenthetically that I have heard a good deal of opposition voiced to most of these measures on the floor of the Senate by some of my distinguished colleagues.

The bill provides that the Board shall take into consideration the extent to which an organization "sends members or representatives to any foreign country for instruction or training in the principles, policies, strategy, or tactics of such world Communist movement."

Would, then, a scientific organization which sent representatives to a world scientific gathering at which representatives of Communist nations were also present fall under the ban of this proviso? It might.

Another criterion is the extent to which an organization reports to such foreign government or foreign organization or to its representatives.

Would, then, an international relief organization operating in Rumania or Hungary, required by the law of that country to report to that government concerning its activities, fall under the ban of this criterion? It might.

I could proceed in this manner through most of the list of these criteria. I have enumerated just a few.

I would like to pass for a moment to the innermost heart of this legislation, the definition of a Communist-front organization. This definition, found on pages 6 and 7 of the Mundt-Ferguson bill, states that a Communist-front organization means one which "is primarily operated for the purpose of giving aid and support to a Communist-political organization, a Communist-foreign government, or a world Communist movement."

But Russia is not the only Communist government in the world today. Yugoslavia is one, China is another, Poland is a third. Would a relief organization sending aid to private individuals in Yugoslavia fall under this definition? I think it certainly would.

Would a church organization collecting funds for food shipments to individuals in Communist-controlled China or Poland come under this definition? I think it certainly would.

Would the great CARE organization, which arranges for the shipment of food parcels to individuals in some areas under Communist control fall under this definition? I think it might.

Mr. President, I have been discussing the several standards by which the Subversive Activities Control Board is instructed, under the terms of this bill, to establish whether an organization is a Communist political organization or a Communist-front organizations. These standards are all set forth in section 14 of the Mundt-Ferguson bill. Eight separate characteristics are listed for detecting and determining a Communist organization; four criteria are listed for Communist-front organizations.

But the really significant point lies in the fact that the bill leaves it entirely to the discretion of the Subversive Activities Control Board to decide how many of these characteristics must be shown by an individual organization before the Board can find that the organization in question is a Communist political organization or a Communist-front organization. An organization might exhibit just one of these characteristics—just one—and still be found by the Control Board to be a Communist or a Communist-front organization.

As I have already shown, these standards are so vague as to be almost meaningless when applied to specific instances. But I should like to show the Senate how a specific organization without Communist affiliations might be measured against these standards and easily found to be, let us say, a Communist-front organization, despite the fact that it is actually, violently anti-Communist.

Let us take, for example, the United Auto Workers of America, a fine labor union to which I have already referred. There is no more anti-Communist union in America. There is no more patriotic and forward-looking organization, more keenly aware of its responsibilities to its members and equally to the Nation and the public at large.

I have no doubt that there are among the members of the United Auto Workers Union some few Communists and fellow travelers. There might be some locals of this union, one two of whose officers might fall into this regrettable category. There are undoubtedly some who at one time or another innocently, or otherwise, belonged to a Communist or Communist-front organization. But these very facts might put the entire United Auto Workers Union not only under suspicion as far as the Subversive Activities Control Board is concerned, but potentially under indictment as a Communist-front organization. There are probably influences and interests in America which would be glad to see this happen. This could occur on the basis of only one of the criteria set forth in the Mundt-Ferguson bill—the fact of some members of the UAW being Communists. But that is only the beginning.

The second criterion of a Communist-front organization under the Mundt-Ferguson bill deals with sources of financial support. It might be that in some strike the UAW might receive a contribution from an organization and might accept it, not knowing that this contribution was from a Communist organization. That would furnish a second criterion for indictment of this union.

The other two criteria of Communist-front organizations deal with the policies advocated by those organizations.

As I have already shown, Communists pay lip service to many causes such as public housing, peace, antidiscrimination, and social security. These causes happen to be supported very enthusiastically by the UAW union. The UAW supports many other principles—sound and liberal principles in my judgment—to which the Communist Party gives its questionable blessings. The UAW has on several occasions condemned laissez faire capitalism, an attitude this union shares with such organizations as the World Council of Churches.

Thus, under both the third and fourth criteria of the Communist-front organizations—the criterion of furthering and promoting the political objectives of a Communist political organization, and the criterion of nondeviation on matters of policy from a Communist organization, the UAW workers could be ordered to register as a Communist front.

Hence, in all four particulars set forth in the Mundt-Ferguson bill, the UAW would be as much liable to indictment as any one of a half-dozen Communist fronts now listed by the United States Attorney General. Yet it must be obvious to all the Members of the Senate that the UAW is violently opposed to communism and is, in fact, one of the most effective forces against communism.

DRAFT STATEMENT ON M'CARRAN-MUNDT-FERGUSON BILL

As one of seven Senators who voted against the McCarran omnibus bill including, among other things, the provisions of the Mundt-Ferguson bill, I am pleased to make the following statement:

The McCarran bill is called an act for the internal security of our country. In my judgment, this bill weakens and enfeebles our internal security. It blasts a hole in the dike of our liberties which real subversives would exploit to their advantage in this country, and which Moscow would richly exploit abroad.

Specifically, my reasons are as follows:

First. The McCarran bill would inevitably drive real Communists completely underground. The proponents of the bill admit this but hold out the false hope that subversives could be clapped in jail for refusing to register.

Second. The McCarran bill would create conditions under which Communists would disapper from the public eye and, out of sight, would swarm and multiply.

Third. The McCarran bill would surround Communists with an aura of martyrdom which would provide an irresistible attraction to drag many well-meaning citizens into the underground labyrinths of the Communist conspiratorial company.

Fourth. The McCarran bill would place in the hands of the Subversive Activities Control Board the power to brand as subversives many groups and countless individuals without Communist affiliation who support causes which any three members of that Board might deem to be similar or analogous to causes supported by Communists.

This bill, if it becomes law, would not force Communists into the open, as the sponsors claim, because it would first be necessary to prove, before the Board and then in courts of law, who are Communists. It would take 4 years to go through the legal process which this entails. It would require the FBI to disclose all its agents and sources of information within the Communist Party. Meanwhile, many patriotic Americans, many legitimate American organizations, including labor unions, and many harmless persons with unorthodox or unpopular ideas would be threatened and menaced in their basic liberties, in their right to speak openly, in a period when the right of free speech and free expression is more vital than at any time in our entire history.

Yesterday the Senate passed this unfortunate measure. Before passing it, the Senate superimposed a watered-down and virtually toothless version of the Kilgore amendment, a proposal which, in its original form, I helped to author and which I strongly supported, for the internment and detention, in times of internal emergency, of individuals known to the security agencies of our country to be potential saboteurs and spies. These would include members of the Communist Party.

The addition of the watered-down version of this amendment does not cure the weaknesses nor atone for the evils inherent in the McCarran bill. This amendment, in its final form, confounds the confusion inherent in the McCarran bill and does not mitigate it.

For these and other reasons I voted against the McCarran bill. I hope the Senate will uphold the veto, and that the

bill will not become law. I hope the Senate will stay in session long enough to enact a sound, practical, and effective antisubversive bill to protect our internal security. I hope we may enact legislation to wage unremitting war against totalitarianist influences and subversive influences in this country. But I will not cast my vote to satisfy a hysteria to get any piece of legislation enacted which is falsely labeled an anti-Communist bill but which actually weakens the internal security of our country.

Before casting my vote against the bill, I made a brief explanation to the Senate. I should like to quote in part from it at this point:

Mr. President, I shall detain the Senate only briefly in explaining the vote I am about to cast. In the past week we have heard the McCarran bill, including the Mundt-Ferguson provisions, analyzed and debated in great detail. I have told the Senate and the country in two separate speeches what I thought about those provisions. I feel that this legislation is unwise, unworkable, and indefensible. It will not prevent subversive activities by Communists, but will, instead, increase the strength of the underground Communist movement. This legislation will aim what the New York Times on its editorial page has called a "blunderbuss" straight at the precious liberties of all the American people.

There are many voters in my State and elsewhere who mistakenly understand—they have been so told—that the McCarran bill is an anti-Communist bill. Because of this misunderstanding, some of my colleagues, whom I highly respect, will vote for the McCarran bill. The time will come when they will regret that.

As for me, Mr. President, I will not compromise with my conscience. I will not betray the people of my State in order to cater to the mistaken impression which some of them hold. I shall try to clarify the issue and not to confuse it. I am going to vote against this tragic, this unfortunate, this ill-conceived legislation. My conscience will be easier, though I realize my political prospects may be more difficult. I shall vote to protect the liberties of our people.

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

Mr. LEHMAN. What I have read are the comments I made at the time I voted against the bill. They represent my feelings and my sentiments when I vote against the conference report. I want to make it very clear that the words which I have expressed represent my feelings and my sentiments today. Therefore I shall be glad to vote to uphold the veto of the President of the United States.

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

Mr. LEHMAN. Yes.

Mr. KILGORE. Unlike the Senator from New York, I voted for the bill originally because I thought by piling one bill on top of another we might get results. After studying the subject further I decided that we would not get results. It was more like putting one mustard plaster on top of another mustard plaster, one plaster ruining the other. I am asking the Senator if it is not his opinion that the entire approach is wrong, and the entire idea has gotten away from internal security? Is it not true that we have gotten into the idea of "anti-something," instead of "pro-American"?

Mr. LEHMAN. I think that is true. I can only speak from my own point of view, and I can only answer to my own conscience. I do not mean to be critical of or to speak for the conscience of my colleagues on the floor of the Senate.

Mr. KILGORE. Mr. President, may I ask whether the Senator from New York will yield for a question?

The PRESIDING OFFICER (Mr. KNOWLAND in the chair). Does the Senator from New York yield for a further question?

Mr. LEHMAN. I yield for a question.

Mr. KILGORE. I should like to put into the RECORD at this point three telegrams supporting the veto of the pending legislation, which were handed to me on the floor a moment ago. I do not know who sent them, but they come from the State of Illinois, the State of the majority leader.

Mr. LEHMAN. I ask unanimous consent that the Senator be permitted to insert the telegrams in the RECORD.

The PRESIDING OFFICER. Is there objection to the insertion in the RECORD?

Mr. FERGUSON. Mr. President, will the Senator state from whom these telegrams were received?

Mr. KILGORE. They are telegrams which have come in today.

Mr. FERGUSON. They came in today?

Mr. KILGORE. Yes.

Mr. FERGUSON. How many are there in all?

Mr. KILGORE. There are four.

Mr. FERGUSON. I thank the Senator.

The PRESIDING OFFICER. The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

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

Mr. LEHMAN. I am glad to yield for a unanimous-consent request that the Senator from Tennessee be permitted to make an insertion in the RECORD.

Mr. KEFAUVER. It is not for an insertion.

Mr. LEHMAN. I amend my request.

Mr. FERGUSON. What is the request?

Mr. KEFAUVER. I wish to send to the desk a resolution from the Special Committee Investigating Organized Crime in Interstate Commerce, with respect to citing a Mr. Russell for contempt.

Mr. FERGUSON. I shall be obliged to object to it at this time. I think we should keep on the regular business.

The PRESIDING OFFICER. Objection is heard.

The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. KILGORE. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point a telegram which I received from Francis Biddle, former Attorney General, on the question now before the Senate.

Mr. FERGUSON. Mr. President, I could not hear what the Senator from West Virginia said.

Mr. KILGORE. I ask unanimous consent to insert in the RECORD a telegram from the honorable Francis Biddle, former Attorney General of the United States, with respect to the bill now before the Senate.

Mr. FERGUSON. Does the Senator ask to insert the previous telegrams to which he has referred?

Mr. KILGORE. Yes; I ask unanimous consent that the four telegrams be inserted in the RECORD at this point.

Mr. FERGUSON. I wonder whether the Senator wants to insert all four telegrams in the RECORD. They are in identical language.

Mr. KILGORE. That is in accordance with the pattern followed by the National Association of Manufacturers, the National Automobile Manufacturers Association, and the National Chambers of Commerce. They follow a normal pattern.

Mr. FERGUSON. The Senator desires to have all of them printed in the RECORD?

Mr. KILGORE. Yes.

Mr. FERGUSON. I have no objection.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

CHICAGO, ILL., *September 23, 1950.*
Senator KILGORE,
Senate in Session, Washington, D. C.:
Encourage your fight to sustain veto Internal Security Act.

BEN EHRENBERG.

CHICAGO, ILL., *September 23, 1950.*
Senator KILGORE,
Senate in Session, Washington, D. C.:
Encourage your fight to sustain veto Internal Security Act.

FANNIE KERMAN.

GLENCOE, ILL., *September 23, 1950.*
Senator KILGORE,
Senate in Session, Washington, D. C.:
Encourage your fight to sustain veto Internal Security Act.

WILLARD KEPMAN.

CHICAGO, ILL., *September 23, 1950.*
Senator KILGORE,
Senate in Session, Washington, D. C.:
Encourage your fight to sustain veto Internal Security Act.

MAXINE KERMAN.

The PRESIDING OFFICER. The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. KILGORE. I ask that the telegram from Francis Biddle be printed in the RECORD at this point.

Mr. FERGUSON. I have no objection.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *September 22, 1950.*
Hon. HARLEY M. KILGORE,
Senate Office Building,
Washington, D. C.:
President has courageously vetoed McCarran bill placing severe restrictions on individual rights without accomplishing stated purpose. Your former colleague, Attorney General McGrath, has expressed vigorous opposition. We believe this leadership deserves equally courageous support. Your own record of clear anti-Communist liberalism leads us to hope you will sustain President.

Respectfully,

FRANCIS BIDDLE,
National Chairman, Americans for Democratic Action.

Mr. KEFAUVER. Mr. President, yesterday I quoted a part of the address of Gov. Thomas E. Dewey, of New York, and I wish to take this opportunity of reading certain other portions of the speech. It was delivered by Governor Dewey in Oregon in this historic debate with Gov. Harold E. Stassen on May 17, 1948. I thought the speech would be of particular interest to the minority Members of the Senate, inasmuch as Governor Dewey is still the head of the Republican Party.

Here is an issue of the highest moral principle. In the present issue the people in this country are being asked to outlaw communism. That means this: shall we in America, in order to defeat the totalitarian system which we detest, voluntarily adopt the method of that system?

Further he says:

I want the people of the United States to know exactly where I stand on this proposal, because it goes to the very heart of the qualification of any candidate for office and to the inner nature of the kind of country we want to live in. I am unalterably, wholeheartedly, and unswervingly against any scheme to write laws outlawing people because of their religious, political, or social or economic ideas.

Mr. President, I can imagine no statement of a great official of this country with the experience Governor Dewey has had that is more apt and pertinent to the issue we have before us.

Continuing, he said:

I am against it because it is a violation of the Constitution of the United States and of the Bill of Rights, and clearly so.

Governor Dewey had no doubt in his mind as to whether it was a violation of the Constitution. Some Senators here expressed a doubt one way or the other as to whether the Constitution of the United States and the Bill of Rights were violated by this kind of legislation, but the titular head of the great Republican Party, who has had a great deal more experience in law enforcement and dealing with subversives than any of us, has no question in his mind that this type of legislation is in violation of the Constitution of the United States and of the Bill of Rights.

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

Mr. KEFAUVER. I yield for a question.

Mr. HOLLAND. The Senator knows, of course, that the Governor of New York was talking about a proposal to outlaw the Communist Party, does he not?

Mr. KEFAUVER. It is quite true the Governor of New York was talking about the actual wording of the debate, the question being, "Shall the Communist Party be outlawed?" Anyone reading the bill before the Senate will certainly come to the conclusion that the bill substantially outlaws the Communist Party. I cannot see any distinction between outlawing and the kind of sanctions placed on the Communist Party and Communists under the bill.

That is particularly true in view of the fact that a Communist, if he is not listed, is required to come forward and register himself. Doing that, he proves against himself, in violation of the self-incrimination provision of the Constitution, one of the links in the chain of evidence which is necessary to prove that he is a law violator and criminal under the Smith Act, so that the language of Governor Dewey is certainly pertinent to the legislation we have before us. I would be for outlawing the Communist Party if it would eliminate the Communists, but Governor Dewey, J. Edgar Hoover, and all experts in the field say that outlawing the party would just make more Communists.

We ought to keep in mind at all times that it has taken 162 or 163 years to build up the tradition we have behind our Bill of Rights, the ideas of liberty which we have enjoyed under the Constitution. For the United States Senate to cast all that aside when it is unnecessary to do so in the interest of security, and to be in such a hurry to reach a final determination of this matter in order to go home a day or two earlier, is to me rather unthinkable. We ought to stay here and get the kinks and bad parts out of this bill.

After all, if substantial people who have had some experience with constitutional law and the President of the United States feel that legislation of this kind is going to endanger the things which we have won so dearly, which have made us the great, free United States of America, I think we can do no less than take a few days to consider and study every phrase and clause and get the opinion of the public and of the press of the Nation more fully before we enact into law a bill which many thoughtful persons, including our Chief Executive, say is going to strike at the very basic rights given in our Constitution and of our Bill of Rights.

I continue with Governor Dewey's statement:

I am against it because it is immoral and nothing but totalitarianism itself.

Mr. President, no Member of the Senate has accused anyone supporting the bill of being immoral, but Governor Dewey goes pretty strong in that statement. Of course, he means that it is an immoral thing to do to the freedoms and rights of the people of the United States.

Personally I know that the sponsors of the bill and all who are going to vote for it are actuated by the very highest motives. I can see and recognize that some of the provisions in the bill are protections which the FBI and the President of the United States ought to have. But in giving them those protections it is not necessary to cancel out with one fell stroke many of the provisions of the Bill of Rights, and of the Constitution, and to start us on the course of a police and thought-control state when we could stay here 2 or 3 days and get the bugs out of the bill, pass legislation which Mr. Hoover, the President, and the Department of Justice say would work, without the necessity of treating the liberties and rights and freedoms of our people so badly.

Governor Dewey says further:

I am against it because it is immoral and nothing but totalitarianism itself.

The closest any of us have gotten to the very direct statement of Mr. Dewey, who says this legislation is totalitarianism itself, is that we say we will be tending to establish a totalitarian state in order to fight a totalitarian state. But he goes all the way; he makes a direct charge that this kind of thing is totalitarianism itself.

I quote further:

I am against it because I know from a great many years' experience—

There is something we should keep in mind, and keep in mind all the time. I know there are distinguished lawyers and prosecuting attorneys in this body, but most of the lawyers who are Senators have been corporation or civil lawyers, who have not had a great deal of experience in dealing with subversives and in trying cases against fellows like Lucky Luciano against whom Mr. Dewey won a case, and Luciano was finally deported and is now in Italy. In matters of this kind we should be guided by people of experience.

Mr. Dewey says:

I am against it because I know from a great many years' experience in the enforcement of the law that the proposal wouldn't work.

Mr. President, not only do the President of the United States and the chief enforcement officer of the executive department, the Attorney General, say it will not work, and say it in direct language, but they say that if we want to secure insecurity, pass this legislation, of we want to help the Communists, instead of harm them, pass this legislation, if we want to make the Defense Establishment publicly tell where the laboratories and A-bomb and H-bomb plants are located, pass this legislation.

This is a grave responsibility Congress is taking on its shoulders, here we are placing our judgment not only against the Democratic President of the United States, the Attorney General, who serves under him, and all the enforcement agencies upon whom we must rely. I can understand that some member of the minority party might feel that, after all, he did not place much confidence in the Democratic administration or in the Democratic President, and might be willing to place his judgment against that of Mr. Truman, J. Edgar Hoover, J. Howard McGrath, and the Central Intelligence Agency, and other agencies. But even the minority Members of the Senate should be impressed when the head of the Republican Party speaks out in such unequivocal terms, and he has never taken a word of it back, and I have an idea he will never take any of it back.

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

Mr. KEFAUVER. I yield to the Senator from Minnesota.

Mr. THYE. The Senator is speaking about the head of the Republican Party. Is that Governor Dewey?

Mr. KEFAUVER. I assume he is still the titular head. I am sure the Senator is better qualified to speak about that than I. I have always thought the man who ran for President last was the titular head of the party.

Mr. THYE. The Senator will agree that Governor Dewey had reference to an act that was before Congress 2 years ago, and that he was speaking in the spring of 1948, and certainly was not speaking of the kind of legislation which is before the Congress today.

Mr. KEFAUVER. That does not hold up, in my humble opinion.

Mr. THYE. The Senator will agree that those were the spoken words of Governor Dewey in the spring of 1948.

Mr. KEFAUVER. It was May 1948, but the Senator will remember that this kind of legislation has been before the Congress in one form or another for a long time. It has not been changed in any great feature, it has been made more drastic and more violative of the Constitution, but it compares with the legislation that was being sponsored in May 1948 when Mr. Dewey made the statement. If he says this about the mild sort of legislation that was pending in May 1948, if he were debating today, I wonder what stronger language he would use. I know it would be a great deal stronger language about this more drastic, this more unconstitutional, legislation, this legislation which to a greater extent deprives people of their liberties and rights than did the proposed legislation of 1948.

I yield further to the Senator from Minnesota for a question.

Mr. THYE. Mr. President, I am sure the Senator will agree with me that in the 2 years from the time Governor Dewey spoke on the legislative proposal to outlaw Communists, Congress and all concerned have had much time to study the type of legislation which should be considered. The Congress has considered it for 2 years, and both of the Houses of Congress passed overwhelmingly, the bill which the President saw fit to veto, and which we are now discussing. The subject has been before the Congress for 2 years. We are now voting whether the Congress should override the President's veto.

Mr. KEFAUVER. The Senator has asked me a question, and I am glad he asked me the question. It is quite true that for more than 2 years Congress has been studying this kind of legislation. We have had it before us, and lawyers have testified on the subject, and many others have testified about it. Considering the fact that, despite all the time we have been studying the proposed legislation, it still contains provisions which are plainly unconstitutional and which deprive citizens of rights, as hardly anyone will deny, for the life of me I cannot understand why we should not take two or three more days to get at least some of the bugs out of the bill.

Furthermore, I may say to the Senator from Minnesota that while it is true that Congress has been studying this matter for many years, the part of the legislation which has the real teeth in it has never been given any committee consideration whatever. The provision which will give the Nation some protection and may do a little to offset the obnoxious provisions of the original McCarran bill, which is going to do a great deal more harm than good, has never been given any committee consideration whatsoever. I refer, of course, to the Kilgore provision. Where did the Kilgore provision come from? It was brought to the Senate floor directly, and I joined in bringing it here, because I felt that we ought to have some legislation that would help instead of harm. It was never considered by the Committee on the Judiciary of either the House or the Senate. The Kilgore bill was introduced only about 2 weeks ago. Of course I have heard many Senators say that we should not pass important legislation of this kind without at least giving it some committee consideration. I agree with the necessity of technical bills like the Kilgore bill being considered and worked over in committee.

A very strange thing happened about the Kilgore provision. I remember when it was first offered that standing here on the floor of the Senate the senior Senator from Nevada [Mr. MCCARRAN] made one of the most stirring pleas I have ever listened to in my life. He said, "Senators, think; do not strike down the Constitution. Let us protect the Bill of Rights. This violates the fifth and sixth amendments to the Consitution."

Then the distinguished Senator from Michigan [Mr. FERGUSON], who is a great constitutional lawyer, stood on the other side of the aisle and made a very strong plea against the Kilgore proposal, citing law cases, saying that it was unconstitutional, that it did not provide due process, that there was not sufficient language in it to set aside the operation of the writ of habeas corpus, and that it was unconstitutional in many respects; but then, almost as quick as the snap of a finger, instead of it being unconstitutional, these same Senators and others turned around and embraced it with all enthusiasm, and now they are proud of it as being the main part of the bill.

Mr. President, things like that simply do not stand up. The Kilgore amendment could not have been so very bad when they were making their impassioned pleas against its constitutionality provision, and then in the very next breath were saying, "Oh, I guess we were wrong about that. We will write something in it about more hearings, and so forth." The Kilgore provision is now a part of the bill of which they are very proud, and actually it is the only part that gives any real protection. We, of course, included the Magnuson provisions which were recommended by the President, and which strengthen the espionage and sabotage laws.

Let me say to the Senator from Minnesota that the detention section of the bill has been given no committee consideration. There have been no hearings on the Magnuson part of the bill. It is true that the Mundt-Ferguson bill has been here for 2 or 3 years. But the direction of the hearings has been toward the part of the bill that has to do with thought-control, of forcing citizens to follow the party line. The hearings on the bill have been in connection with the part that was discussed by Governor Dewey in his memorable debate with Gov. Harold Stassen.

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

Mr. KEFAUVER. I yield.

Mr. WATKINS. I noticed that a moment ago the Senator mentioned that most of the Senators who are lawyers, if not all, have been corporation lawyers, and probably never had any experience as prosecutors. I do not know what the Senator's background is, but has the Senator from Tennessee been a prosecutor?

Mr. KEFAUVER. I am glad the distinguished Senator asked me that question. I started practicing law in Chattanooga in the fall of 1927. I hung out my shingle for myself. I did not go into a big law firm. I took any kind of case I could get, whether civil or criminal. If I could get anyone to trust his liberties to me, I took his case. I did have some criminal experience in defending individuals, because in Tennessee at that time we had a rule that the criminal court judge, whenever a defendant was impecunious and did not have money enough to employ a lawyer, could assign a young lawyer to defend the person for the experience it would give him. I defended a great many defendants, and I gained considerable experience thereby.

The first defendant I defended was a Negro who had been accused of burglary. The testimony was that a man's house had been entered, and that a pair of pants had been stolen. The only thing the police found out about the man I was to defend was that a policeman, walking down the street, saw this Negro with pants on, and the pants looked like those which had been described, so he stopped him. The pants turned out to be the pants in question. My client had a good story to tell. It was that he walked down the street and bought the pants in a pawn shop; that he paid $2 for them. That was the case that was proved before the jury. No evidence was adduced about the defendant entering the man's house. I felt I had won my case and was pretty cocky about it.

Just before the case was ended, the State called the policeman back on the stand to prove some little point. I thought I had done so well that I would cinch my case absolutely. So I asked the policeman one final question: "You found this man with these particular pants on, and that is all you know about the case?" The policeman answered, "I testified about the pants, but I was not asked anything else. I don't know anything more about the case except that the defendant confessed very fully to me that he had entered the man's house and stolen the pants."

Mr. WATKINS. Like many a young lawyer, the Senator asked too many questions.

Mr. KEFAUVER. I asked one too many questions. That is the reason why amateurs should not be playing with such important matters as that which we are considering. It would be better if those who have worked on the legislation had listened to some man like Thomas E. Dewey, or J. Howard McGrath, J. Edgar Hoover, and had not listened to amateurs such as I.

I will say to the distinguished Senator that I do not put myself up as an authority on these matters. So far as I am concerned, if there are some provisions written into the bill which I believe would protect the rights of people and if we would do something with section 4, which is vitally necessary and which would prevent from being used to harass and embarrass, and to arrest innocent people, and if we would do something with the defense-plant part of the bill, that would make it a better bill.

Then if J. Edgar Hoover ever said that he would like to have a registration provision, I would vote for it, because I think he is an expert on the subject. We must rely on the Department of Justice and on the President, who will be charged with enforcing the provisions of the bill, and not rely upon the opinions of a bunch of amateurs who ask one too many questions.

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

Mr. KEFAUVER. I yield for another question.

Mr. WATKINS. I believe the Senator would not contend now that he has answered the question I asked him in the first place. That question was: Has the Senator been a prosecutor?

Mr. KEFAUVER. I have not gotten along to that point in my answer.

Mr. WATKINS. I do not know the Senator's background. That is why I asked him whether he had been a prosecutor.

Mr. KEFAUVER. I have not gotten to that point in outlining my experience.

Mr. WATKINS. I wanted to have an answer to the question.

Mr. KEFAUVER. I do not want to take up too much time, because there are many other matters which I wish to discuss. I have had some experience in prosecuting; and of course even more recently as a member of the Interstate Crime Committee I have had some experience—not as a prosecutor, but in investigating criminal activities, as have my fellow members. I said in the beginning that there were some former prosecutors in the Senate and I am sure the Senator from Utah was a capable one.

Mr. WATKINS. The Senator from Tennessee mentioned that most of the Members of the Senate who were lawyers had been corporation lawyers and not prosecutors. I want to call the Senator's attention to the fact that I have served, in a modest way, as a prosecutor, but have never represented any big corporation in my life. My work was in another field, having mostly to do with irrigation.

I also served as a judge, during which time I had to try criminal cases, many of them, over a period of years. Notwithstanding the fact that I am not the prosecutor that Governor Dewey was in his time, yet I have gone over the bill which is now before us, not the one Governor Dewey spoke of, and I believe it to be a good piece of legislation.

I should like to say, in connection with the type of crime affected by the bill, that in dealing with conspirators it is very difficult to write any kind of bill the provisions of which are going to be easy to enforce. Notwithstanding the fact that we have many criminal statutes now on the books, all over the United States prosecutors do find a way to enforce them, even though it is difficult to do so. When dealing with such a matter it is difficult to enact a measure which will please everybody. Prominent lawyers, including representatives of the American Bar Association, have gone over the bill. Members of this body who are on the Committee on the Judiciary, who are lawyers, have at heart the interest of the people of the country and desire to preserve their freedom. We have all studied it, and many of us have come to the conclusion that it is a good bill, and as a good lawyer, the Senator ought to accept the product which has come to the floor.

Mr. KEFAUVER. I appreciate the observations made by the Senator from Utah. Does he approve section 5 of the bill?

Mr. WATKINS. Not all of it; but on the whole, I think the bill is probably as good a bill as we can obtain in connection with legislation of this kind.

Mr. KEFAUVER. Does the Senator approve of the requirement that the Secretary of Defense list in the Federal Register all the positions of all of our vital defense plants and defense establishments all over the United States?

Mr. WATKINS. If the Senator will check the language of the bill, I think he will find that section leaves to the discretion of the Secretary of Defense the determination of whether he will list them.

Mr. KEFAUVER. I wish the Senator would give me his interpretation of that language, because subsection (b) of section 5 provides that the Secretary is directed to designate, and so forth; and then it refers to publication of the list in the Federal Register. Directed does not mean it is discretionary. Where does the Senator see in the bill language which refers to such discretion on the part of the Secretary of Defense? If the Senator will provide me with a definite citation from the bill in that connection, to show that the Secretary of Defense will have such discretion, I shall be very much interested in having the Senator do so.

Mr. WATKINS. I shall have to locate that particular part of the bill, which I do not have before me at this moment.

Mr. KEFAUVER. I shall be glad to have the Senator do so. Of course he has a copy of the conference report, and I should like to find out from him where he thinks the conference report or the bill provides that the Secretary of Defense shall have that discretion.

Mr. WATKINS. I read now from section 5 (b):

(b) The Secretary of Defense is authorized and directed to designate and proclaim, and from time to time revise, a list of facilities, as defined in paragraph (7) of section 3 of this title, with respect to the operation of which he finds and determines that the security of the United States requires the application of the provisions of subsection (a) of this section.

To my mind, that means that he will find and determine that the security of the United States requires that; and it will be left entirely up to him to determine if and when he will do that, with respect to the security of the United States.

In other words, Mr. President, it is an unfair interpretation for anyone to attempt to make it appear that this bill requires the Secretary of Defense to publish a list of every defense installation and every defense project and every laboratory in the United States. I believe that is an unfair interpretation.

Mr. KEFAUVER. But in subsection (a) the Senator will find that wherever the Secretary of Defense wishes to keep Communists from working in a defense plant which under his determination involves the security of the United States, he will have to list such plants and defense establishments, under the provisions of section 5, subsection (a). Of course we are talking about vital defense establishments, as to which the Secretary of Defense is directed by the bill to publish in the Federal Register the list of the locations of such plants and establishments. There can, in my opinion, be no doubt of the bill requiring the Secretary of Defense to publish the location of every vital defense installation.

Certainly, Mr. President, we should delete this section from the bill. Certainly we can take the time to remain here this afternoon and do something about this matter, at least sufficient to get this section out of the bill.

Mr. President, I continue to read from the memorable address by Governor Dewey:

I am against it because it is immoral and nothing but totalitarianism itself. I am against it because I know from a great many years' experience in the enforcement of the law that the proposal wouldn't work, and instead it would rapidly advance the cause of communism in the United States and all over the world.

That statement should be taken into consideration by the Members of the minority party in the Senate, Mr. President. Let us consider carefully what the head of the Republican Party was saying in that statement:

Instead it would rapidly advance the cause of communism in the United States and all over the world.

Governor Dewey knew what he was talking about when he was making that statement; and what he said at that time is just as true and applicable today as it was when Governor Dewey uttered those words in May 1948.

Governor Dewey knew, because of the experience of every nation which ever has tried this sort of thing, that instead of deterring Communists and reducing communism—which is the aim of all of us—the Communists have grown in numbers and have been able to portray themselves as martyrs, and thus receive sympathy and even admiration from many persons who otherwise would not pay much attention to them.

Governor Dewey said in his speech:

It would rapidly advance the cause of communism in the United States.

Mr. President, the main thing that such persons want is to have people gen-

erally led to believe that they, the Communists, are being abused and martyred. In that way the Communists are able to receive a great deal of sympathy from many of the general public, and are able to attract large audiences.

It is very true, as has been stated by J. Edgar Hoover, in the 1949 report of the FBI—and, Mr. President, I think it would be well for us to read these two statements side by side, or in comparison with each other. I suppose that two of the greatest law enforcement officers in the United States today are Thomas E. Dewey and J. Edgar Hoover.

Here is what Thomas E. Dewey said:

> Instead it would rapidly advance the cause of communism in the United States and all over the world.

I read now from the 1949 report of J. Edgar Hoover:

> As a nation, we need have no fear so long as the actions of those residing on our shores are open and aboveboard.

That is what Mr. Dewey was talking about, namely, that if we try to suppress these people and make martyrs out of them, they will thrive; but if we can meet them by presenting a better idea and by convincing the people of the world that democracy and freedom constitute the best idea, then the Communists never will have fertile ground on which to sow their seed.

Then we have the statement:

> It is a war of ideas, and we are in it.

Mr. President, we must consider that statement carefully and long. Mr. Dewey knew what the situation was when he made that statement.

As time and history have developed, there are only two great nations in the world today. The present situation is not simply a question of war between marching armies. Frankly, Mr. President, bullets will not stop communism permanently. The present situation in the world is a war of ideas. Who is going to put forth the best idea, so far as the great numbers of people in the world are concerned? We are never going to put over the idea of democracy by stifling democracy and freedom. We are not going to win in that way. Our efforts in the war of ideas would be rather futile, and we would be taking a tremendous loss and would be given a tremendous setback in our effort if we start going down the totalitarian road ourselves. And I mean this just as sincerely as anything I have ever said—if we were to back down from the heritage and the high place of freedom that have been given us by our forefathers, under our Constitution, we will have lost much in our struggle for freedom and peace.

When so many persons believe—in fact, when the President of the United States believes and when other persons in high positions believe—that this bill would impinge upon the freedoms we have—freedom of press, freedom of assembly, freedom of speech, the constitutional rights guaranteed to our people, and the requirement of our Constitution that aliens be treated according to due process of law—even if only a few persons feel that the bill would impinge upon those freedoms, certainly we should stop, look, listen, and be sure where we are going.

I cannot understand how anyone who reads this bill would not come to the conclusion that a great deal of substance, as regards the liberties and freedoms of the people of the United States, under our Constitution, will be taken away from the people by the enactment of legislation of this sort. I know I have talked to some Members of the Senate who have said, "It does not make any great difference what sort of law we pass; let us pass an unconstitutional law." I even heard a very distinguished Senator say, "Perhaps some parts of the bill are unconstitutional, but I am going to support it, anyway. The courts will deal with any unconstitutionality."

Mr. President, we cannot avoid our responsibility by proceeding in that way. We cannot pass on to the courts the question of constitutionality when there is a reasonable doubt about that matter in our minds.

After all, it is the duty of each one of us who serves either in the House of Representatives or in the Senate to see to it, according to our best judgment, that every law we vote to have passed meets the constitutional test. That is particularly true when we are dealing with such precious, such hard-won, such substantial matters as the rights and freedoms guaranteed in our Bill of Rights to all Americans.

Every Member of the Senate, when first assuming his duties in the Senate, holds up his right hand and takes a solemn oath to support the Constitution of the United States. However, Mr. President, are we supporting the Constitution of the United States when we vote for the passage of a bill, if we have some doubts about the constitutionality of the bill?

I remember that some time ago, during the administration of the late President Franklin D. Roosevelt, a bill relating to the Agricultural Adjustment Act was before the House committee in the late 1930's. I forget the exact occasion, but I remember very well the general circumstances. I know President Roosevelt would not have urged the enactment of a bill of doubtful constitutionality if he had thought the matter through. Perhaps the matter was handled by some bright underling of the White House.

At any rate, President Franklin Roosevelt sent to the House committee a letter dealing with that bill. In that letter he said, in effect, in addressing the members of the House committee, "Perhaps we are not sure of the constitutionality of this measure. Perhaps you have a point there. However, regardless of just how you feel about the constitutionality of the question, the House of Representatives should pass the bill and the Senate should pass the bill, so that the bill can thereafter be taken up with the Supreme Court, for that is what the Supreme Court is for."

In other words, the late President Roosevelt was making, in that connection, the same argument which I have heard made in more vociferous terms during the present debate.

Mr. President, I have never heard responsible lawyers become more worked up than was the case when the President made that statement, to the effect that the House of Representatives should pass the bill, regardless of doubts about its constitutionality, and thereafter should pass the buck on to the courts to determine the question of constitutionality. Most vehement expressions of righteous indignation were made in response to that statement by the President, and many statements were published in the press, to the effect that the House of Representatives should never dream of passing a bill if it believed the bill to be unconstitutional or if it had reasonable grounds to doubt the constitutionality of the bill.

Of course, Mr. President, what is true of the House of Representatives in that respect is even more true of the Senate, because, we are not supposed to be affected by the hysteria in the land. Originally, of course, Senators were appointed by the legislatures to represent the various States. They were supposed to be somewhat removed from the passions and prejudices of the moment. It is really a very shocking thing for elected Members of the United States Senate to stand here and say, "This may not be constitutional, but the people want it; so we must pass something—constitutional or not—and leave corrections to the courts." We are not doing our duty. We are not even attempting to do our duty. That is particularly true when unconstitutional provisions are enacted, such as those requiring a person to incriminate himself. That requirement is in direct violation of the fifth amendment to the Constitution:

> Nor shall he be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law.

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

Mr. KEFAUVER. I yield.

Mr. LONG. What provision does the Senator have in mind, which requires a person to incriminate himself?

Mr. KEFAUVER. The provision that requires a person, who is not registered as a member, when the organization registers, to come in and register, himself, that incriminates him, on one link of the offense, under the Smith Act.

Since the Burr case, decided by Justice Marshall back in the beginning of our legal history, the cases have uniformly held that a person cannot be called upon to incriminate himself on any one of the several links that go to make up the offense. Under the Smith case, as we know, there are two links; one is membership in the Communist Party, and the other is the intention, or the overt act—the doing of something to overthrow the Government of the United States. A man cannot be called upon to give testimony against himself even as to one of those links. That principle has been sustained by the circuit court of appeals in the Rosen case, and certiorari was denied very recently by the Supreme Court.

Mr. LONG. Is it the Senator's contention that it is compelling a person to incriminate himself if he should be compelled to admit one factor which, standing alone, would not be a crime, although

it could be a crime if connected with some other acts?

Mr. KEFAUVER. That is the law today. The Hitchcock case is another citation on the subject in which the principle is clearly brought out.

Continuing with the statement of Governor Dewey:

Now, let's look at this thing. It is a war of ideas in the world, and we are in it. It is also a war of nerves.

I think we can agree with him that it is a war of nerves. I suppose the Communists in the Politburo are taking a great deal of interest in seeing us abandon our concept of government to some extent in order to meet the test in this war of nerves. This, I imagine, is just what they would have us do.

Mr. Dewey says further:

The conflict is between two wholly different ways of life—the system of human freedom and the brutal system of the police state.

That is exactly what it is. It is a conflict between two wholly different ways of life. But the ways of life are not going to be entirely different if we enact this type of legislation. Their way of life will be different, but our way of life will become more like theirs.

On one side of the great world struggle are grouped all those who believe in the most priceless right in the world—human freedom.

We have always believed in human freedom, but we are not practicing human freedom in this legislation.

Quoting further from Mr. Dewey:

We believe that every man and woman has a right to worship as he pleases, the freedom of speech, assembly, and of the press.

Mr. President, can anyone read section 4 (a) of the McCarran bill and say that there are not possibilities of that section being used to intimidate people? Is there not danger they could be hailed before a court, and perhaps incarcerated for 10 years and fined $10,000 for engaging in what they think is freedom of expression?

Continuing:

We believe that every man and woman has an absolute right to belong to the political party of his choice.

Governor Dewey says that he wants every man and woman to have the right to belong to the Communist Party if he wants to. I suppose a man has that right. I should dislike to see anyone exercise that right, but I have an idea that more people will exercise that right if we try to keep them out of some party by suppression or by using un-American tactics on them. We are all familiar with the pattern. Time and time again we have seen how it works. A person may run for office, and the election may be close. Perhaps the elections are just a few years apart. With the election fever at white heat, if any candidate receives an unfair deal in the eyes of the public, let him come back and run for office the next time. If he carries on any kind of campaign at all, he is usually elected. I had such an experience myself. I ran for the State senate in the middle thirties, back at Chattanooga. I had a very hard and close race. There were some who felt that certain precincts were not all on the square. At any rate, there was some question about the election. That is the way many candidates are elected to office; and so it is with the expression of ideas. Ideas grow by suppression. They feed upon suppression. There is something about people which causes them to come to the rescue of a fellow whom they think has not been given a fair deal. This is true regardless of how despicable the person may be.

Continuing with Mr. Dewey's statement:

We believe, in short, that human beings are individuals, and that they do, and should, differ among themselves.

That is right. If we all thought the same, this would not be a very interesting world. If we did not have different ideas about the application of scientific methods, we would not advance very far technologically. If we did not have different political ideas he would not be able to advance in the science of government. Differences of opinion usually bring out the truth. That is the value of our two-party system. But this bill tends to strike down liberty of expression and of ideas if they do not conform to the thinking of the day. The bill undertakes to try to make one follow the party line, or else be subjected to fear of the penalties and sanctions of legislation.

Continuing:

We believe, in short, that human beings are individuals, and that they do, and should, differ among themselves.

Those were great words which were spoken by the head of the Republican Party. He has given good advice to the Members of the Senate. I am sorry that more members of the minority are not here to ponder, study, and consider further the words of the leader of their party. Mr. Dewey's words are so very applicable to this legislation.

We know that each of us has within himself a portion of error, and we believe that each of us has within himself a touch of God.

That is fine language. That is a great thought. It is impossible to reconcile the spirit expressed by Governor Dewey with the proposed legislation.

On the other side of this struggle are the advocates of the all-powerful totalitarian state.

That is right.

They believe human beings are cogs in a machine.

That is what we do not want in the United States. We do not want it because one does not want to be a cog in an ungodly machine. We do not want to be cogs in a machine so far as the press is concerned. But we are going in that direction with this legislation.

Speaking of communism, Mr. Dewey said:

They believe human beings are cogs in a machine. Godless creatures, born to slave through life with every thought and every act directed by an overpowering, all-powerful government. Everywhere, these two conflicting schemes of life, the free system and the police state, are struggling for the soul of mankind.

Let me read that again. I wish that a larger number of Members of the Senate, particularly of the minority, could be present to hear these words.

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

Mr. KEFAUVER. I yield for a question.

Mr. THYE. I am sure the Senator also regrets that so few Senators are present on his side of the aisle.

Mr. KEFAUVER. Mr. President, I believe that in fairness, I should say that there are more on our side of the aisle than there are on the Senator's side of the aisle.

Mr. THYE. Mr. President, I think it is about an even break if the Senator wishes to count Members.

Mr. KEFAUVER. I agree with the distinguished Senator from Minnesota that there ought to be more on the majority side of the aisle, but I do not think they would be as much persuaded by the lofty and sound advice of the leader of the Republican Party as would be Members on the minority side. We had a goodly number of Democrats on this side when President Truman's message was discussed. I am now discussing something that is, I think, equally strong and persuasive. It shows the character and opinion of another great man, which ought to appeal particularly to Members on the Republican side.

Mr. Dewey further said:

Everywhere, these two conflicting schemes of life, the free system and the police state, are struggling for the soul of mankind.

What did Governor Dewey have in mind when he said, "The free system and the police state are struggling for the soul of mankind"?

I suppose he had in mind these divergent philosophies of life which are struggling for the soul of the individual in this country, and in the neutral lands of Indonesia, Indochina, India, and in certain parts of South America, where people have seen American airplanes pass overhead, and are not satisfied with the sort of life they are living; where they have been forced to live in dingy little houses with large families, and have been told that there is nothing that can be done about it. They have heard about our developments along these lines in the United States, and they are determined to do something for the protection and welfare of their children. They are going to have a change. They do not intend to live in abject poverty and misery all the years to come merely because they have been told that there is nothing that could be done about it. They represent the great majority of the people on the globe. They are either going to be on the side of the police state or on the side of the free-enterprise system. We are not making our system more attractive to them by restricting it. We are not making our system more attractive to them when we say that the freedoms and rights under our Constitution are meaningless. We do not attract them if we say that those freedoms must be bridled and stifled. In this critical time, we should follow the position taken not only by President Truman but also by Governor

Dewey. We could persuade people to join our effort; to convince the neutral people of the world that freedom of opportunity, freedom of the press, freedom of speech, freedom of assembly, giving people opportunities, and treating them right is the way of life they should embrace.

I have an idea, Mr. President, that in the hearts of people everywhere—whether they be in China or Korea—whether they be uneducated Africans or Indians—whatever they may be—they all want to understand and embrace the democratic, free way of life.

That is what they would like. We are not going to convince them that our way of life is best; that our system is superior to the police state—we are not going to convince them of any of that—if we admit by the passage of this legislation that we must resort to police-state methods in order to carry on our democratic government. It is not necessary to admit a backward step, because everyone who knows anything about the problem—Mr. Dewey, Mr. J. Edgar Hoover, Mr. J. Howard McGrath, the heads of our intelligence agencies—say that the part of the bill that takes away liberties is not necessary at all. They say that part is a definite liability.

I continue to read:

The free world looks to us for hope, for leadership, and most of all for a demonstration of our invincible faith. The free way of life will triumph so long as we keep it free.

Mr. Dewey is stating that truth in much more forceful language than I could, and perhaps better than most of us could.

We are not keeping our free way of life either free or secure by the passage of this legislation. We can retain our freedoms, and we can get additionally needed security, by the passage of a revised Kilgore bill, with the Magnuson bill included, as well as other provisions contained in the bill which I introduced some time ago, and which is now before Congress. The bill is S. 4163. Representative CARROLL introduced a companion bill in the House of Representatives. This bill does not enter the field of thought-control or freedom of the press or freedom of speech. It does contain all the security provisions which the McCarran bill includes, and those recommended by the President.

I continue reading:

Now, as in all the days of our past, let us hold the flag of freedom high.

Does anyone think we are holding high the flag of freedom if we pass this bill? Does anyone think we are holding high the flag of freedom when we pass legislation which the President of the United States and our best experts have said would impede the freedom of the people and violate our Constitution?

I have watched this proposal, this easy panacea of getting rid of ideas by passing laws. I have been increasingly shocked.

That is exactly what we have here today. We have a so-called easy panacea for getting rid of ideas by passing laws. We have a situation in which Members of the Senate frankly say, "I do not like this legislation, but the people want something." That is the easy panacea to satisfy the people. By doing so, we rob people of freedom.

Mr. President, it may be unpopular today to oppose this legislation. Those of us who vote against this bill by voting to sustain the veto may be condemned by our people today; but, I have an idea that when the people see that in our honest judgment we were trying to preserve for them a way of life which they want their children to enjoy and in which they want them to grow up—that they will at last applaud our motives rather than condemn our action.

Mr. Dewey says he has become increasingly shocked. He was shocked in 1948 at a mild bill that we had before us at that time. He should be tremendously shocked now.

To outlaw the Communist Party would be recognized every place on earth as a surrender of the great United States to the methods of totalitarianism.

Mr. President, we should consider what other people and other nations will think of us. We are posing as the great protector of liberty and freedom. We are not only posing in that position but we are actually in that position. We are furnishing money and the wherewithal—the men, the spirit, and the substance—to the United Nations in an endeavor to uphold individual liberty and freedom in the world and point the way in which people can enjoy freedom, happiness, and the right to live and worship God as they please.

Mr. President, what will those pitiful millions think about this legislation? What will our friends think then about the United States, which has always given people all the freedoms worth having? Must we admit that communism has the best of us, to the extent that we must tread liberty underfoot in order to combat it? Will we advertise to the people in a neutral world that we have no confidence in our Commander in Chief and in the Department of Justice? Are members of the minority party going to advertise that they have no confidence in the leader of their party?

Stripped to its naked essentials, this is nothing but the methods of Hitler and Stalin.

That is strong language.

He says it is the method of Hitler and Stalin. I cannot help recalling what was brought out on the floor of the Senate yesterday afternoon, namely, that the first nation in the world to outlaw communism was Russia herself. She completely outlawed it and suppressed it; she forced the Communists underground; she did not allow them to participate in anything. Russia went along the same lines followed in this bill. The first great nation in the world completely to embrace communism was Russia. Now, it runs through every sinew and fiber of Russia's being. What a paradox!

How about Hitler? Hitler, in establishing the police camps, said he was going to give due process a hearing, and all this, that, and the other; but we found that the camps were used for the persecution of people; for the wiping out of opposition; for denying expression. Gov. Dewey had a point when he said:

Stripped of its naked essentials, this is nothing but the method of Hitler and Stalin.

I quote further:

It is the control borrowed from the Japanese war leadership.

This is another point that has not heretofore been discussed. I wish Mr. Dewey had amplified on that assertion. As I remember, the Japanese Diet was still in existence, but almost everything was turned over to the war lords. The war lords took over pretty much everything, and regulated the lives and thinking of the people. Finally the legislative branch became just a third adjunct to Tojo and the war lords.

The result was the usual result. Usurpers gain a little power over people and they want more; they want to expand, and finally they get the world into a conflict; and today the Japanese nation and Japanese people are almost destroyed.

Further, Governor Dewey said:

It is an attempt to beat down ideas with a club, the surrender of everything we believe in.

Mr. President, that is a very apt illustration. This bill is an attempt to beat down ideas by instilling fear; fear to prevent people from expressing themselves in opposition to the party in power; fear to criticize what some general may be saying; fear to speak for a constitutional amendment or orderly change in the process of government; fear of being haled into court; fear that somebody might come in and testify that he overheard a questionable statement.

Governor Dewey was eminently right when he said such bills are nothing but an attempt to beat down ideas with a club.

Mr. President, it is all so very unnecessary. Here this afternoon we could sustain this veto, and pass a revised Kilgore bill; including all the provisions which the President wants as contained in the Magnuson bill; including provisions to put into operation all wartime laws against sabotage and espionage which are probably not now in operation; and including a provision to make the declaration of Congress meet the requirements in the Constitution for the application of the law of treason. I would do that, and I think just about all my colleagues would join me. We could do all that this afternoon; yet, we proceed—not for the security of the United States—because those things give us security and protection, as admitted by the sponsors of this bill; and, yet, in our desire to save a few hours, we persist in passing legislation which Mr. Dewey says "is an attempt to beat down our ideas with a club, the surrender of everything we believe in."

I quote further:

There is an American way to do this job, a perfectly simple American way. We have now 27 laws on the books, and I have the whole list of them in front of me, outlawing every conceivable act of subversion against the United States.

Mr. President, that was probably true at that time. We have good laws. The sponsors of this bill talk about this preventing Communists from holding jobs. That is already provided in the Federal Government. It is said this bill prevents the issuing of passports to Communists. That is already done by existing regulation. The sponsors say this prevents donors to Communist-front organizations from deducting such donations from their income tax. That is already prevented. It is said that the bill does a lot of other things which are already provided by existing law.

It was Mr. Dewey's professional opinion, and he was in a position to know very well, that the whole list outlawed every conceivable act of subversion against the United States.

We think conditions have changed somewhat since May 1948. Those of us who want to sustain the veto would like to go further in the name of security and have a provision to enable us to intern dangerous Communists, spies, and satoteurs in case of war or great national emergency in the affairs of the United States, or when our forces are fighting for the United Nations to put down aggression.

We would like to have an enactment in the law which is not contained in the McCarran bill, to put into full effect all the various existing laws relating to sabotage, espionage, and other acts against the United States. These statutes are not now in effect, because the expression "in time of war" is used, and they refer to the enemy.

The Governments of Austria, Germany, and Japan, against which we were at war, are not now in existence. The laws in title 18 of the United States Code, which are so necessary today, are not operative, in my opinion. They should be made ready to impose heavy penalties to protect us against sabotage, espionage, and sedition, during our present efforts in Korea. These statutes might protect us if we went to war again with Austria, Germany, or Japan. Even that is doubtful, because these nations have no governments, and, of course, we are not thinking about going to war with those nations again.

In addition to that, we would like to have passed a bill to put into effect and strengthen all the laws against sabotage and espionage recommended by the President. These are described both in the Magnuson bill and the Kilgore bill. Mr. Dewey, who has had a great deal of experience with this matter, felt the 27 laws on the books were sufficient; we want these laws to be effective, and we want additional laws. I think it is our duty to get these additional protections.

What are we trying to do? Are we trying to protect the internal security of the United States; or are we trying to outlaw ideas and thoughts, restrict speech, and enforce conformity of thinking? If we are interested only in the internal security of the United States, these 27 laws about which Mr. Dewey talks, plus the bill which we could pass in 30 minutes, and which the President would sign, would give us a real start.

If we are talking about the other things I mentioned, we are encroaching in the realm of the Constitution. The conference bill which we have before us, to which many object, is an encroachment on the Constitution.

Mr. President, after talking about these 27 laws, Mr. Dewey said:

> I spent 11 years of my life as a prosecutor in New York. That was in the days when they said nobody could clean up the organized underworld.

We all remember those days. We remember Lucky Luciano, and the operations in white slaves and narcotics by one of the worst underworld gangs this Nation has ever seen. It was said nobody could clean up the organized underworld. We had to use the methods of dictators to go out and string them up.

That sounds akin to what we hear today. In a great many places today, if you marched weasel-looking Communists into town, told some of the citizens there were Communits in town, there would be many people who would be willing to go out and string them up. But, if they were strung up, the next day the people would be awfully sorry for what they had done. It could be said that they were horrible-looking people; nevertheless, they were entitled to some rights.

This is a "string-up" bill. Without the protection of the Constitution, lynchings occur, and people eventually are sorry. How can we justify a "string-up" law, a constitution-limiting measure, such as we have before us today.

I remember one day back in the little city of Shelbyville, Tenn., a Negro man had committed a horrible offense against society. Society could have hanged him or sent him to prison for life. But some people could not await orderly processes. A mob formed and burned the courthouse. There was, apparently, but one person in the whole group who was willing to speak up in behalf of the constitutional rights of this law violator. This lawyer was not very well known throughout the State at that time. He was a young practicing attorney in the city. But when the mob came with torches demanding the life of this law violator, without giving him due process—without a fair trial—this young lawyer got up and pleaded that the mob remember the Constitution. He pleaded that the courts were established for the purpose of meting out justice to this man. He pleaded that any man was entitled to the protection of our Constitution. Finally the mob agreed with him and subsided. The man was given a fair trial. This young lawyer was unpopular at the moment, but later he became Governor of the great State of Tennessee for three consecutive terms.

Governor Dewey said he spent 11 years as a prosecutor in New York. Then he said:

> That was in the days when they said nobody could clean up the organized underworld. They said we had to use the methods of dictators, that we had to go out and string them up. I had judges and even men in high places tell me that.

Mr. President, it has been said that judges will straighten out the constitutional difficulties; but, here is Governor Dewey, who knows what he is talking about, saying that judges are subject to the whims of the day. I have heard many arguments, both on the floor of the Senate and in individual conversations with Members of the Senate, to the effect that it does not make much difference what sort of a law we pass, it is the sort of men who administer it that makes the difference; that, even if we pass a good law, by getting all the constitutional kinks out of it, but do not have good administration, the law will not be any good, anyway. On the other hand, some say if we pass an unconstitutional law, a law with many difficulties in it—if we have good men to administer it, everything will be all right. That is the sort of argument we hear. In other words, if administrators make their own laws—which Congress condemns from time to time, and rightly so—things may be all right.

Mr. President, two things occur to me in rebuttal to that contention. In the first place, we should not put ourselves in the position of wanting an administrator to do something in contradiction of the expression of Congress. We ought not to put ourselves in the position of wanting an administrator to enforce a law that does not make sense, or to enforce it in such a way that the rights of the people are going to be adversely affected.

If that is the attitude we take, we might as well disband the Congress of the United States and leave it up to the Administrator to do anything he wants to, and just hope he will do it right.

Let us remember always that this is a government of laws and not of men. The people have a right to look to the laws for the protection of their rights. Laws are the standards for the protection of property. The people have a right to determine the law and know they can rely on it. People must not be called upon to know the whims and temperaments of particular enforcement officers with respect to their rights and privileges.

Mr. Dewey said, further:

> A group of young men took it on, and week after week, month after month, year after year, they worked and they delivered the city of New York from the control of organized crime, and they did it by constitutional means and under the Bill of Rights.

That demonstrates what can actually be done, even though some persons, in the hysteria of that time, said that it could not be done.

Mr. Dewey further said:

> Now, times are too grave to try any expedients and fail.

That is quite right, Mr. President. If we try expedients, and they are knocked out by the Supreme Court, we shall be that much worse off. The people prosecuted will be martyred.

Mr. Dewey spoke of outlawing the Communist Party. He said:

> This expedient has failed, this expedient of outlawing has failed in Russia. It failed in Europe, it failed in Italy, it failed in Canada. And let me point out that in Canada they tried it once and the Communist Party grew so powerful and dangerous

that they repealed the law in 1936, and in 1940 they tried it again and the Communist Party came right up with a dozen new false faces exactly as it would do if you passed the ludicrous law to outlaw them here.

Mr. President, here is what will happen: They will go through all the administrative procedure and file a writ of certiorari to the Supreme Court. Once it is finally established that the Communist organizations must register, then, as Mr. Dewey says:

The Communist Party came right up with a dozen new false faces exactly as it would do if you passed the ludicrous law to outlaw them here. They would come up under 40 new fronts. They would then say, "We are not Communists anymore," exactly as they did in Canada—"we are just good Canadians working to support our government." And what happened? What happened in Canada is exactly what would happen here. They became so strong that during the war, in the face of a law which says it is illegal to belong to the Communist Party, they developed the greatest atomic bomb spy ring in history, and Canada had to repeal the law.

I am sure, Mr. President, that we all remember what happened in that period. The first downward step taken by the Canadians in 1936 was legislation which was similar to that which we have before us. It provided for registration and so on. In spite of that legislation, the Communist Party's influence grew—as is usually the case—until, instead of trying to improve the law, Canada passed a harsher law in 1940. They finally got the organizations to the point of registering, but they changed their names, and two or three of the members of the prior organization were elected to the House of Commons. The Communists grew so strong, under the suppression of the Canadian law, which was supposedly designed to give some security to Canada, that in the face of that law several were elected members of the House of Commons and operated a spy ring. One member of the House of Commons was arrested and tried for being a member of the spy ring.

That is the type of protection legislation such as this affords. But if the Canadians had passed the kind of measure which many of us have been advocating so strenuously—a measure providing for the internment of dangerous persons and for putting into effect the laws against espionage and sabotage, and strengthening those laws—that situation would not have developed in Canada.

Mr. Dewey pointed out that in Canada the Communists—

became so strong that during the war, in the face of a law which says it is illegal to belong to the Communist Party, they developed the strongest spy ring in history to seek the atomic secrets, and Canada had to repeal the law.

In conclusion, Governor Dewey said:

Let us not make such a terrific blunder in the United States, that we build up these dangerous, venomous, subversive people with the power to overthrow our Government. Let us never make the blunders that have been made throughout the history of the world. Let us go forward as free Americans. Let us have the courage to be free.

I think the veto message of the President is one of the greatest veto messages any President has ever sent to any Congress. I congratulate him upon it. It is strong, forceful, and virtually demands protection for the people of the United States. However, almost as great and almost as applicable to the matter we are now discussing, are these quotations from the statement made by Gov. Thomas E. Dewey on May 18, 1948. Here we have utterances of the leaders of both our major political parties. I wish it were possible for us to give further consideration to what Governor Dewey had to say at that time.

Mr. President, I think we must point out some other unfortunate developments which will occur if this bill becomes law. I have talked about the requirement of the bill that the Secretary of Defense list and publish to the world the names and locations of our vital defense plants and establishments. Under the conference bill, he must do this with reference to plants in which he does not want Communists to work. These will be the plants in which Congress will not want Communists to work. The Secretary must publish his list immediately, because the bill provides that the Secretary of Defense is authorized and directed; it is not left to his discretion.

The publication of the required list will not occur next year or after November 27 when the Congress returns, for on page 7 of the bill, in subsection (b), we find language stating definitely and explicitly that the Secretary of Defense "shall cause such list as designated and proclaimed, or any revision thereof, to be promptly published in the Federal Register, and shall promptly notify the management of any facility so listed; whereupon such management shall immediately post conspicuously, and thereafter while so listed keep posted, notice of such designation in such form and in such place or places as to give reasonable notice thereof to all employees of, and to all applicants for employment in, such facility."

Note particularly, Mr. President, the word "promptly." That does not mean 2 or 3 months from now. It means as soon as reasonably possible.

Mr. President, I heard one Senator say, "I do not like this bill. It contains some unconstitutional provisions, and the provision about having the Secretary of Defense publish the list of our vital defense plants is simply preposterous." That Member of the Senate, in speaking to me, said, "Undoubtedly the Communists have been spending a great deal of money in trying to find out the location of these defense plants. But let us pass this bill now, and then, when we return in November or in January, we can iron out or adjust or change any sections of the bill which we may decide are unconstitutional."

Mr. President, Congress cannot operate in that manner. We who serve in Congress are supposed to draft bills in constitutional form before they are passed, and not pass in a careless fashion any measure which is introduced, and later try to patch it up so as to put it into proper constitutional form.

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

Mr. KEFAUVER. I yield for a question.

Mr. LONG. If the Senator will examine section 17, on page 18, of the conference report, he will see that it provides:

The foregoing provisions of this title shall be construed as being in addition to and not in modification of existing criminal statutes.

That means, as I take it, that all the present security methods for which we have provision on our statute books would still be effective to protect the United States, and section 5 (a) and section 5 (b) would be in addition to them.

I believe the Senator will find, in section 5 (b), the statement that the Secretary of Defense shall list those facilities—

With respect to the operation of which he finds and determines that the security of the United States requires the application of the provisions of subsection (a) of this section.

Mr. KEFAUVER. Yes; it requires the Secretary of Defense to apply those provisions to prevent Communists from working in such a plant.

That provision refers to the vital defense plants. The vital facilities are the ones in which we do not want Communists to work.

Mr. LONG. I believe the Senator will find that it is not the only meaning or the entire meaning of that section of the bill because it will also relate to an entirely different problem than that pertaining to the necessarily vital and necessarily secret defense plants or establishments.

Mr. KEFAUVER. It simply does not make sense to assume that we would permit the Communists to work in important, vital defense plants, and thus not have to list such plants, and list only the less vital plants. To assume we would list the less sensitive plants—but not list the vital plants—and only forbid the Communists to work in the plants which were not vital would result in exactly no security.

Obviously, the plants the Secretary of Defense would have to list to keep out the Communists, according to the intent of Congress, would be the ones which are vital to the defense of the United States.

Mr. LONG. But that is not the only possible interpretation of that language.

Mr. KEFAUVER. If there is any doubt in regard to the interpretation of the language, the Senator should vote to support the veto. Of course, it may be that there is room for other interpretations. But, if there is any doubt about it, I think all Senators should vote to support the veto, so as to give us time to remove any doubt.

The Senator is referring to section 17, which states:

The foregoing provisions of this title shall be construed as being in addition to and not in modification of existing criminal statutes.

I think that is the customary language found in most statutes.

I believe the distinguished Senator from Louisiana, for whose judgment I have great respect, would agree that the rule of interpretation is, if a new law covers identical subject matter covered by an earlier law, then the latter statute supersedes the earlier statute. Under

that rule of interpretation, this bill, if enacted, being the last legislative expression on the point, will prevail, if it covers substantially the same subject matter as an earlier statute. Of course, this bill, when enacted, would have been enacted after any other statutes on this particular subject.

Mr. President, I do not know whether there are Executive orders which prevent Communists from working in certain kinds of defense plants, but I think there are such Executive orders.

Certainly section 5 of the conference report would supersede and repeal any Executive orders on the same subject, as I think the Senator will agree.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. KEFAUVER. I yield.

Mr. LONG. The Senator knows that the rule of statutory interpretation actually is that statutes on the same subject have the effect of repealing one another only insofar as they are in conflict. If they deal with the same subject but do not conflict, then the later statute does not repeal the earlier one.

Mr. KEFAUVER. If the intention is to deal with the particular subject matter, then the later statute would prevail. If there is now a statute or an Executive order which attempts to regulate or determine who may work in a defense plant, then, this being the latest legislative statement on the subject, would supersede and for practical purposes repeal the prior law or Executive order.

Mr. HOLLAND. Mr. President, will the Senator from Tennessee be kind enough to yield?

Mr. KEFAUVER. I yield.

Mr. HOLLAND. I wonder whether the Senator has examined page 50 of the statement of the managers on the part of the House, relative to section 5, with which the colloquy between the Senator from Tennessee and the Senator from Louisiana has had to do?

Mr. KEFAUVER. I must confess to the distinguished Senator that I have not examined it.

Mr. HOLLAND. Mr. President, I wonder whether the Senator will be kind enough then to permit me to read it into the RECORD. It bears very clearly upon the matter being discussed between the Senator from Tennessee and the Senator from Louisiana.

Mr. KEFAUVER. Mr. President, the difficulty about that is that I have talked too long, and I am going to be accused of delaying the vote, whereas I have no such intention. If the Senator will protect me against that sort of criticism, I would appreciate it. I want to yield the floor as soon as I can. I do not want to carry on the discussion to any greater length than necessary.

Mr. HOLLAND. Mr. President, I do not think the Senator needs to be protected. Everyone knows he has a conviction that he is standing by. The Senator from Florida recognizes that.

Mr. KEFAUVER. With the understanding that I do not lose the floor, I shall be happy to yield.

The VICE PRESIDENT. Without objection, the Senator may yield for that purpose.

Mr. GURNEY. I object.

Mr. HOLLAND. Mr. President, not having an opportunity to read the provision at this time, would the Senator object to my asking for its insertion in the RECORD at this point, in connection with the provisions to which I have referred.

The VICE PRESIDENT. That can be done by unanimous consent only.

Mr. GURNEY. I object.

Mr. KEFAUVER. I am sorry. Mr. President, I should like to pose a unanimous-consent request, if I may.

The VICE PRESIDENT. The Senator will state it.

Mr. KEFAUVER. Mr. President, I think no one has any intention of delaying this matter longer than to give Members an opportunity of expressing themselves on the issues. I should like to propose a unanimous-consent request that we vote on this measure at 4 o'clock this afternoon, and that the time between 2 o'clock and 4 be equally divided between the Senator from Nevada, controlling half the time, and the Senator from New York [Mr. LEHMAN], controlling the other half.

The VICE PRESIDENT. Is there objection?

Mr. O'CONOR. Mr. President, reserving the right to object, I note from the clock that it 11:45 a. m. This is Saturday. We have been in continuous session since 11: 30 o'clock yesterday morning, and those seeking to uphold the President's veto have occupied almost the entire time since the hour of about 5: 30 yesterday afternoon. We have stayed in session at the urgent suggestion of the majority leader, and with the concurrence of other Senators who are vitally interested in this legislation. Under the circumstances, I am constrained to object.

The VICE PRESIDENT. The Senator from Maryland objects.

Mr. KEFAUVER. Mr. President, there is one other problem I wish to discuss. What is going to happen to the FBI boys who are charged with the prevention of sabotage and espionage and the investigation of Communists in the United States, if this bill is enacted into law? That is a very serious problem, and one which I think we ought to ponder a long time, if we are interested in security. We ought to let the FBI agents continue to ferret out and keep in touch with dangerous saboteurs and Communists and fifth columnists in this country. That is where their work can be done most effectively. We know the FBI has done a good job. Its agents did a good job in the last war, and we have tremendous confidence in these young men and women, and in the Director of the FBI.

But, Mr. President, what is going to happen if we pass this bill? Efforts of the FBI agents will be dissipated in trying to determine from the records in one way or another whether or not some fellow who may have been in a Communist-front organization was really in it or was merely a crackpot who had been making speeches. Instead of doing work that will help safeguard the security of the United States, they will be following the thought-control and the conformity-to-party provisions of this bill. They will be trying to determine whether what somebody said might tend to create a totalitarian dictatorship; whether somebody is or is not a member of some peace or other organization; whether some professor joined a certain organization, or whether he withdrew from it. In the first place, activities of that kind will waste the efforts of the FBI men.

The next point which I think should be considered is, How do the members of the FBI operate? How are they able to know who are the Communists and the fifth columnists? How is it that Mr. Hoover can say that there are 12,000 in one category and that there are 55,000 in another category? He knows. How is it that he can say that in case he is authorized and directed to do so, he can pick them up immediately in time of war and put them out of circulation. He could do at least that if we were to pass the Kilgore bill, or if we were to pass the bill I had introduced.

Here is Mr. Hoover's 1949 FBI report for the fiscal year 1949, and there are one or two statements in it which I should like to read:

> Many situations arise where citizens furnish information upon condition that their identities be protected, or where our own agents or others workng for the FBI have penetrated subversive organizations, which make it impossible to set forth the identities and investigate reports. In the handling of loyalty investigations, for example, this problem was turned over to the Civil Service Loyalty Review Board, and rather than deprive the Government of such information, the FBI was requested to report the data given it without revealing the identity of the source of the information.

Quoting further from page 3:

> The value of protecting the identity of under-cover agents was proved in the trial of the 11 Communist leaders in New York. Had their identities been revealed prematurely, their usefulness would have been ended. It is well known that Communists, their fellow travelers, and apologists have utilized every stratagem to force the FBI to disclose the identity of its sources of information.

Mr. President, let us consider that part of the FBI report. The Communists want the FBI to disclose the identity of the sources of their information, and they have used every method to try to get the FBI to do it—in the words of Mr. Hoover. How is the Government going to make out its case as to whether some fellow is a member of a Communist-front organization or is a Communist?

Mr. President, the conference bill attempts to give due process under the fifth and sixth amendments, which provide that a person shall have a speedy trial, be faced by his accusers, and not be obliged to give evidence against himself. Suppose a man the FBI knows to be a Communist is arrested. Or suppose some long-haired professor, a member of a Communist-front organization, or one which is suspected of being a

Communist-front organization, is picked up. How is the case against him going to be proved? How is he to be dealt with under the due-process clause of the Constitution? More specifically, the only one who can be called upon to prove the case against such an individual is an FBI agent or a Central Intelligence agent. The rule and the principle is the same in either event. Is the Senate of the United States going to require Mr. Hoover to have his men reveal their identity in the face of Mr. Hoover's own statement which says that that is one of the things the Communists have been trying to get him to do for a long, long time? Is the Senate going to require Mr. Hoover's agents to reveal their identity when Mr. Hoover says that if that had been done prematurely they never would have convicted the 11 Communists in New York? Again I say, we had better think about how the men who know feel that this matter can best be handled.

There is an unusual feature about the way the detention provision was finally written into the McCarran bill. In order to accomplish anything, it would be necessary to suspend the writ of habeas corpus. It is legally impossible to give persons due process and at the same time continue the effective writ of habeas corpus. The purpose is to keep the Communists in detention so that they will not do damage to the United States. Unless the right of habeas corpus is suspended, if the Communists are to be given due process, under which they can demand speedy trial and so forth, they may be held today but they will be out tomorrow. Then it will be necessary to bring them in again, and under habeas corpus proceedings they could be out the next day.

My bill provides an effective method of operation in such instances. Unfortunately, I cannot succeed in having much thought given to it. It provides that whenever the United States Armed Forces are being used in military support of the United Nations, that such action shall be considered as levying war against the United States. That would enable us to suspend the writ of habeas corpus.

Under the fifth amendment to the Constitution there must be a presentment or indictment. An individual cannot be put in jeopardy twice. He cannot be made to testify against himself. He cannot be deprived of life, liberty, or property without due process.

Amendment No. 6 provides:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial.

A public trial, if you please, Mr. President, by an impartial jury.

He is entitled—

> to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him.

There is no doubt that if the bill is passed, it will place Mr. Hoover and his agents in the position of having to make out cases against Communists and Communist-front organizations before the Board. The defendants will have a right to cross-examine. They will have a right to see the witnesses appearing against them. They will have the right to find out the source of their information.

The FBI, under such circumstances, might as well fold up. The FBI gets much of its information from individuals on the promise that the FBI will not divulge nor reveal the identity of the informant. The FBI is not willing to open up its files and be subjected to embarrassment and lose its contacts. Are we going to help the Communists do the very thing that Mr. Hoover says the Communists have been trying to get the FBI to do—to disclose the identity of the source of his information?

Mr. Hoover states that suppression and outlawing is not the way to handle the subversive problem. I have statements by Mr. J. Edgar Hoover made before the House committee. He went into the matter in a great deal more detail in those statements.

Mr. President, under the procedure made necessary by the bill, we would not gain any information; persons would quit informing the FBI if their names were going to be used and they were going to be called into court to testify. Many people would tell FBI agents something trusting in the honesty and the honor of this great organization. An informant would say, "I can tell you this, if you are not going to quote me, and not going to reveal the source from which you received the information." I imagine that is the way in which the FBI receives practically all its information. But if the bill is passed, will anyone give information to the FBI any more? If the FBI must bring its files and witnesses before the Board in order to prove its cases, are they going to be able to operate in Communist organizations so that they can put their fingers and their hands on the real dangerous subversives when they need to do so?

Mr. President, I have in my hand the Saturday Evening Post of July 29, 1950, which contains the third of a series of articles, I Posed as a Communist for the FBI, by Matt Cvetic, as told to Pete Martin. I am not going to read the whole of the article because I want to try to present my points and sit down as soon as possible. He said:

> In June 1947, my work as an FBI undercover man posing as a Communist in Pittsburgh took a new twist. Roy Hudson, a big wheel in the local politburo, asked me to lunch with him and George Wuchinich, who was an even bigger wheel in the Communist Party of the United States.

The result was that they gave Mr. Cvetic additional duties, and he was placed in the Communist cell out there. He says—

> Things were becoming so tense on the undercover front that the FBI instructed me to use a "drop" instead of bringing my reports to the FBI headquarters or handing them to FBI men who came to my hotel for them. My drop was either a postoffice box or an FBI agent doubling in brass as the proprietor of a business establishment.

Here they had not only a man in the cell itself, but they had somebody posing as a proprietor of a business establishment. He tells of his outside job; that he was kicked out because the man who employed him heard that he was running around with some Communists; that he told his employer "Just suspend judgment about this and trust me that things are eventually going to be all right so far as my status is concerned." This employer let him continue to work for him. He said:

> One thing I was happy about was that if anyone in the party suspected another member of being an FBI stool pigeon, he usually asked me to take it up with Steve Nelson. Steve was too important to be bothered by every Tom, Dick, and Harry who was seeing FBI agents under his bed.

This man became so well entrenched in the Communist cell that they would ask him to try to find out whether there were FBI agents in the outfit. The article is a very interesting one, dealing as it does with the operation of a former FBI agent. He went to New York and attended a rally, posing all the time as a Communist. He even came down to Washington. The article tells the various ways he would get his reports to the FBI. I think the last two paragraphs might be of interest. He tells of his hope that Mr. Hoover would let him testify in the trial of the 11 Communists in New York, because he is tired of being an undercover agent and he was anxious to get out with some respectability. He was not called to testify. So he had to go on as an FBI agent in a Communist cell.

He says:

> Once we realize that, it ought to be a comfort to know that, while there's a fifth column in this country that gives its first loyalty to a foreign government, there is also a sixth column working to hamstring that fifth column. This sixth column is made up of the FBI's undercover men.

He says there is no reason why people in the country should not know that—while the Communist Party is infiltrating various places—the FBI is infiltrating the party's ranks. He says:

> The Communist Party knows that the FBI is doing this. What it doesn't know is which of their comrades are really FBI undercover men and which aren't.
>
> I'm proud that I was part of that sixth column. I am also proud of the fact that in the first 2 weeks after it became known that I'd been an undercover man, I got 17 threatening letters and phone calls. Most of them were of the "keep your big mouth shut or we'll shut it for you" variety. A lot of them were from cranks. But I have reason to think that some of them were probably genuine. And I'm proud that the Daily Worker thought me worth a smear campaign. The more menacing letters and calls I get and the more I'm smeared by the United States Commies, the more worth while the job I did seems.
>
> On the first of May of this year the Immigration and Naturalization Service of the United States Department of Justice gave me a job as an investigator assigned to its Pittsburgh staff. That was nice. But even nicer was the look I saw on the face of one of my sons while I was testifying before the House Committee on Un-American Activities. In referring to my first appearance before the committee, the Washington correspondent of the Pittsburgh Press put it this way.

He goes on to describe how even his son had not known that he was an FBI undercover man, and how the son, because he had some misgivings about his father, brightened up with much appreciation when he found that after all his father was an FBI agent and not a Communist.

Mr. President, if these FBI agents must testify before the Board, how will they keep their identity secret? How will they continue to operate in Communist circles if they must come out in the open before the Board? How will they get their information? Mr. President, this bill puts a terrible burden on the FBI agents.

Not only does this man in the Saturday Evening Post tell the heartbreaks he went through because people suspected that he might be a Communist, but he was ostracized. He really made tremendous sacrifices to be an undercover agent in a Communist cell. Mr. President, are we going to require this man to register in order to keep up his work? Are we going to require him to undergo public humiliation by putting his name on a list as a Communist, in order to enable him to maintain his inside activities and to continue his work in Communist groups?

What would happen if the law were carried out the way the bill is written. It is doubtful, that it will, but suppose that all members of this Pittsburgh Communist outfit registered. He was an officer in it. He was the fellow they assigned the job to find out who the FBI agents were. Suppose the members of the cell were registered. Suppose his name is not on the list. The finger of suspicion is pointed at him. He is asked, "Why don't you register? You must be the FBI agent." All contact would be lost. Mr. Hoover knows what he is talking about when he says that to be required to reveal the identity of informants and the identity of their undercover agents would be disastrous to the work of the FBI.

Mr. President, I have before me an editorial from a Scripps-Howard newspaper. Two of such newspapers are progressive newspapers in Tennessee. They are the Knoxville News-Sentinel and the Memphis Press-Scimitar. We in Tennessee are proud of these papers and of their capable editors. After the Senate passed the McCarran bill, these newspapers took a reasonable position about the matter; a position that was taken by many Members of the Senate. It is that in the House and in the Senate all kinds of legislation on this subject had been passed, that the House had passed one version and the Senate had passed another version, including a hodgepodge of seven or eight bills. Practically all the so-called anti-Communist bills in Congress had been passed through at least one House and sent to conference. The Scripps-Howard newspapers expressed the sentiment that the bill that had passed one Senate was not satisfactory, and that the bill that had passed the other House was not satisfactory. They hoped that out of all of these measures the conferees would write something worth while. It was hoped that the committee would give the country some genuine security but would not encroach upon the freedoms of the people.

I hoped so too. I hoped the conferees would leave out the thought-control and freedom-depressing provisions and present a measure that would provide only for security. Instead of doing that they made the bill worse. They required the Secretary of Defense to list the vital defense plants. The concentration provision was made permanent. The bill was not approved in any respect. So the conference did not help the bill.

On September 23, the Washington News, a Scripps-Howard newspaper, published an editorial entitled, "The Veto Message." It presents the position of the Scripps-Howard papers as expressed in the Washington Daily News. I have not read all of the editorial; but I am sure the Members of the Senate would be interested in knowing what the intelligent and thoughtful men of this great group of newspapers think. I read:

THE VETO MESSAGE

Only time can tell whether the House has made the terrible mistake which President Truman believes it made by passing the so-called Communist-control bill over his veto.

But certainly the House did not give the veto message the careful consideration which it deserved, and for which Mr. Truman has sent a personal plea to each Member.

It was an exceedingly impressive message. Its tone was temperate. Its statement of the principle that this free country should punish men for crimes they commit, but never for opinions they have, was eloquent. Its explanation of the reasons why the President felt compelled to disapprove the bill, after huge majorities of both parties in both branches of Congress had voted for it, was painstaking and persuasive.

Yet the adjournment-headed House could hardly wait for its reading clerk to drone through the message before starting its roll-call vote to override the veto.

And, though the Senate went into a long night session, there was little more evidence there of open-minded willingness to discuss the President's arguments on their merits.

As this edition of the News goes to press, the Senate is still in session. And the atmosphere of gravel-throated filibuster oratory and heavy eyelids is not conducive to clear and statesmanlike thinking or legislation.

Mr. Truman may be mistaken in his opinion—an opinion which, he said, is also held by the Departments of Justice, Defense, and State and the Central Intelligence Agency—that the law which now goes on the statute books will help, not hurt, the Communists.

The dangers which he sees in this legislation—dangers to national security, to America's relations with other friendly nations, to the rights of all citizens—may be less than he believes, or may be nonexistent.

Laws previously enacted may be—and, in this newspaper's opinion, are—less adequate than Mr. Truman thinks to protect the country from "the real dangers of treason, espionage, sabotage, and actions looking to the overthrow of our Government by force and violence."

And, unquestionably, the votes in Congress on this bill reflect a heavily predominant belief among the American people that strong and comprehensive new legislation is needed.

But legislation enacted in such times of stress as these can be, and in other such times has been, too comprehensive and too strong to be wise and safe. The people and their Congress cannot afford to be too sure that Mr. Truman is mistaken.

When Congressmen reassemble again, in November, they should give Mr. Truman's veto message thoughtful attention. And then, in the calmer, postelection light, they should be resolutely prepared to enact such legislation as appears to be needed by the situation as it exists at that time.

Mr. President, it would be well to follow this good advice and allow this matter to go over until we return in November. Then we could act with more calm. We could cull out the bad features of the bill. I would be satisfied with even less than suggested by the Scripps-Howard papers. I believe if we would stay here two more days we could compose satisfactory legislation.

Mr. President, I wish to read briefly from an advertisement which appeared in the New York Times of July 7, 1947, in which Prof. Robert M. Hutchins, chancellor of Chicago University, and former president and former dean of Yale Law School, made a speech entitled "What Price Freedom?" This speech was reproduced in many other papers, as an advertisement presented as a public service by the International Latex Corp., Playtex Park, Dover, Del. It says:

We hear on every side that the American way of life is in danger. I think it is. I also think that many of those who talk the loudest about the dangers to the American way of life have no idea what it is and consequently no idea what the dangers are that it is in.

You would suppose, to listen to these people, that the American way of life consisted in unanimous tribal self-adoration. Down with criticism; down with protests; down with unpopular opinions; down with independent thought. Yet the history and tradition of our country make it perfectly plain that the essence of the American way of life is its hospitality to criticism, protest, unpopular opinions, and independent thought. A few dates like 1620, 1776, and 1848 are enough to remind us of the motives and attitudes of our ancestors. The great American virtue was courage.

We ought to be afraid of some things. We ought to be afraid of being stupid and unjust. We are told that we must be afraid of Russia, yet we are busily engaged in adopting the most stupid and unjust of the ideas prevalent in Russia, and are doing so in the name of Americanism. The worst Russian ideas are the police state, the abolition of freedom of speech, thought, and association, and the notion that the individual exists for the state. These ideas are the basis of the cleavage between east and west.

Yet every day in this country men and women are being deprived of their livelihood, or at least their reputation, by unsubstantiated charges. These charges are then treated as facts in further charges against their relatives or associates. We do not throw people into jail because they are alleged to differ with the official dogma. We throw them out of work and do our best to create the impression that they are subversive and hence dangerous, not only to the State, but also to everybody who comes near them.

The result is that every public servant must try to remember every tea party his wife has gone to in the past 10 years and endeavor to recall what representatives of which foreign powers she may have met on these occasions. A professor cannot take a position on any public question without looking into the background of everybody who may be taking the same position on the same question. If he finds that any person who is taking the same position on this question has been charged with taking an unpopular po-

sition on another question, the professor had better not take any position on this question, or he may be haled before some committee to explain himself?

Is this the American way of life? The great American word is freedom, and in particular, freedom of thought, speech, and assembly. Asserting the dignity of man, and of every man, America has proclaimed and protected the freedom to differ. Each man is supposed to think for himself. The sum of the thoughts of all is the wisdom of the community. Difference, disagreement, discussion decided by democratic processes are required to bring out the best in the citizens. America has grown strong on criticism. It would be quite as consistent with the American way of like to offer prizes for the most penetrating criticism of our country as it would be to offer prizes to those who have done the best job of advertising it.

The heart of Americanism is independent thought. The cloak-and-stiletto work that is now going on will not merely mean that many persons will suffer for acts that they did not commit, or for acts that were legal when committed, or for no acts at all. Far worse is the end result, which will be that critics, even of the mildest sort, will be frightened into silence. Stupidity and injustice will go unchallenged because no one will dare to speak against them.

To persecute people into conformity by the nonlegal methods popular today is little better than doing it by purges and pogroms. The dreadful unanimity of tribal self-adoration was characteristic of the Nazi state. It is sedulously fostered in Russia. It is to the last degree un-American.

American education has not been constructed on such un-American principles. In general, the practice has been to give the student the facts, to try to help him learn to think, and to urge him to reach his own conclusions. It is not surprising that the heart of American education is the same as that of Americanism: it is independent thought. American education has not tried to produce indoctrinated automatons, but individuals who can think, and who will think always for themselves. The basic principle of American government, and one that accounts for the importance of education in this country, is that if the citizens learn to think and if they will think for themselves, the Republic is secure. The basic principle of the Russian dictatorship is that the people cannot think or cannot be trusted to think for themselves.

The American doctrine rests on the proposition that it is the individual in himself that counts. It is not who his father was, or how much money he has, or what his color or creed is, or what party he belongs to, or who his friends are, but who and what is he? So the test of a teacher is whether he is competent. The professional competence of a teacher is hardly a question on which lay bodies, or even administrators or trustees, would wish to pass without the advice of persons professionally competent in the teacher's field.

The way to fight ideas is to show that you have better ideas. No idea is any good unless it is good in a crisis. You demonstrate the failure of your ideas if, when the crisis comes, you abandon them or lose faith in them or get confused about them to the point of forgetting what they are. The American idea is freedom. Freedom necessarily implies that the status quo may come under the criticism of those who think it can be improved. The American idea is that the state exists for its citizens and that change in society must occur to meet their developing needs.

And what would the FBI say of Thomas Jefferson, who calmly remarked in his first inaugural, "If there be any among us who wish to dissolve this Union, or change its republican form, let them stand undisturbed, as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it?"

Jefferson was not in favor of revolution; he was serene in the face of talk of it because he had confidence in our people, in our institutions, in democracy, and in the value, power, and results of independent thought.

We are now in the midst of a cold war. We must protect ourselves against external enemies, their representatives in this country, and any citizens who may be conspiring to overthrow or betray the Government. But the statute books are already filled with laws directed to these ends. It has never been shown that there are so many spies or traitors in this country, or that the external danger is so great and imminent that we have to divert the entire attention of our people into one great repressive preoccupation, into one great counterrevolution in which the freedoms of our citizens must be thrown overboard as too burdensome for the floundering ship of state to carry.

It is useful to remember that Jefferson spoke in 1801, when our Constitution was 12 years old, and when the infant republic was in dreadful danger from deep divisions within and from the wars that were raging between the great powers. If he was right in speaking in such a way at such a time, we cannot be far wrong if now, when America is the most powerful Nation on earth, we seek to recapture some of his sanity and courage.

How is the educated man to show the fruits of his education in times like these? He must do it by showing that he can and will think for himself. He must keep his head, and use it. He must never push other people around, nor acquiesce when he sees it done. He must struggle to retain the perspective and the sense of proportion that his studies have given him and decline to be carried away by waves of hysteria. He must be prepared to pay the penalty of unpopularity. He must hold fast to his faith in freedom. He must insist that freedom is the chief glory of mankind and that to repress it is in effect to repress the human spirit.

(Presented as a public service by International Latex Corp., Playtex Park, Dover, Del.)

Mr. President, before I resume my seat I wish to ask unanimous consent to present a resolution from the Special Committee To Investigate Crime in Interstate Commerce asking for contempt proceedings against Harry Russell.

Mr. LUCAS. Mr. President, we would have to have a quorum call for that, and I object at this time. There will be plenty of time to take that up when we finish the veto message. There are three other matters similar to that which are on the calendar, which the Senator from Texas [Mr. CONNALLY] reported, and we will take them all up at one time.

Mr. KEFAUVER. I think the Senator from Texas got his through yesterday, and I was anxious to get mine through. I think they should all go down to the district attorney together.

Mr. LUCAS. I am very much in favor of that, but we would have to have a quorum call in order to do it, and I think we had better wait until we finish the pending business. There will be plenty of time for it.

Mr. KEFAUVER. I yield the floor.

Mr. HUMPHREY. Mr. President, first of all, I want to commend the work of the distinguished Senator from Tennessee [Mr. KEFAUVER], for the diligence which he demonstrated, for his keen, patriotic, and devoted regard for the institutions of this Republic and the traditions and the principles of American democracy.

Mr. President, I believe I am to conclude, so far as I know, the remarks of those Senators who wish to sustain the President's veto. It was my privilege to be granted the floor immediately after the reading of the President's veto message. At that time I utilized, I believe, 35 minutes to address myself to the subject of the message and to the subject matter of the McCarran bill. During my discourse I emphasized what I honestly believed to be the weakness of the McCarran anti-Communist measure. I want to say that I know that those who were its authors worked with all sincerity and were desirous of perfecting legislation which would meet some of the needs of strengthening the basic law of our country to protect this Republic and to protect our institutions of freedom.

It is a great privilege to serve in the Senate and to be given an opportunity to have honest differences of opinion and to be able to express those differences of opinion. I am convinced that the greatness of this Nation is due to the fact that we have had competition of ideas. I believe competition of ideas is fundamental. I believe that intellectual freedom is the very heart of a free way of life. It is because of my deep concern for intellectual freedom, because of my deep concern for personal liberty, that I rise again to urge upon the Senate to sustain the President's veto.

I recognize that there is great unrest in America over the Communist menace. I recognize that millions of our people believe that the measure which is before us will do the job of protecting the security of the Nation. I also recognize, Mr. President, that it is a fundamental obligation of a man in public life not only to follow, but to lead. I believe the job of a man in politics is basically to educate himself and to attempt to the best of his ability to educate those whom he serves. I can think of no greater honor that could be bestowed upon one than to be elected by his fellow citizens to represent them in a great, free Congress such as we have.

Every word I have said on this bill has come from my heart. Every thought I have had about it has been one which has literally taken days, months, and years out of my life. I have never wrestled with a problem so difficult, nor have I ever been so perplexed and so disturbed over any decision which I have made.

It is not easy to know what is right and what is wrong in a situation such as that which confronts our country. These are moments of tension and strain. These are moments of passion, yes, and of hysteria. But I submit that it is the responsibility of the men in the Government of the United States serving in the Congress to be deliberate, to meditate, to seek guidance, and to ask that the truth may be made known. If there is anything that is crystal clear in my mind in these days, it is that we must preserve the mechanisms in America to find the truth. Our laboratory

has as its equipment the groups of political bodies out of which will come, from the refiner's fire of the conflict of ideas, those decisions which can be honorably defended and proudly proclaimed.

I do not suppose, Mr. President, that the Congress of the United States has been faced with a more difficult and crucial decision on legislation than that which we have before us at the present time, in all its history. Oh, yes, Mr. President; there was one other time. I must be correct in my historical analysis. In 1798 the Congress of the United States passed the alien and sedition laws. But I will say this for the alien and sedition laws, that their penalty was to be prescribed by the courts and through jury trial. The penalty of this bill is to be prescribed by an administrative tribunal appointed by the President, two members of which shall be from his party, and one minority member, serving at the discretion of the President. I have great faith in the President. I hope I can live in an America where I shall always have faith in the office of the Presidency. I believe it makes men become great men. But I submit that it is an almost unprecedented thing to establish by the law of this land an administrative tribunal that shall decide what groups shall be acceptable, what groups shall be respectable. I say that under the terms of this bill, those terms which establish a definition of what are called Communist-front organizations, we are entering upon some dangerous and turbulent waters, and it is entirely probable, in days to come, when passion and frenzy may grip the people, or when some power-crazed politician gets hold of the reins of Government, that some one may be able to rub out competition by smear and the stigma of smear. We have been approaching that point, Mr. President. A new technique in American politics has come into our midst, a technique that was developed to its finest point by ruthless, bigoted, immoral Hitler—the technique of the big lie. Hitler's master propagandist, Mr. Goebbels, told the big lie again and again. Mr. Hitler did not destroy his opposition with facts. He never confronted his opposition with facts. Mr. Hitler destroyed his opposition with smear, with the big lie. He branded as subversives those who stood against him, and the full power of the state was brought to bear upon them.

There are would-be Hitlers in America, Mr. President. Thank God they are not in public office, but they could be. If the people should lose their sense of balance, we could have an American-style Hitler. I hope that shall never happen, and I say, in all reverence, that I pray it shall never happen. I hope we shall never be cursed with such a ruthless, barbaric philosophy as that which is found in communism. But I submit that every time a State has tried to eradicate its opposition—and history is filled with examples—those who were to be eradicated and destroyed rose up to destroy those who planned their destruction.

My friend and able colleague, the distinguished Senator from Tennessee [Mr. KEFAUVER], has presented historical facts. Every state, every nation that has ever tried to outlaw a political party, every state, every nation that has tried to submerge a political party, every state, every nation that has tried to outlaw thought groups, pressure groups, or pseudo-political groups, has lived to rue the day; it has lived to see its work destroyed.

People may say, "The Senator from Minnesota is talking in the realm of the doctrine of eventuality. The Senator from Minnesota is seeing things that will never happen." Well, I want to remind this honorable body that our forefathers who wrote the Declaration of Independence and those who wrote the Constitution tried to protect the fundamental rights of the American people because they, too, saw some eventualities.

They, too, saw the possibility of, "the man on horseback." That is why there is provision in the Constitution for separation of powers, and that is why the Constitution was amended by the addition of the Bill of Rights, and that is why Thomas Jefferson and Thomas Paine would not work for the passage of the Constitution as it was first drafted, because they wanted the Bill of Rights to be included in the Constitution.

Mr. President, the Constitution is great because of the inclusion of the Bill of Rights. The Bill of Rights is to the American people, in a political sense, what the Ten Commandments are to the people in a moral and spiritual sense. Any tampering with the Bill of Rights is a tampering with the lifeblood of a free society.

I am not a great exponent of constitutional law; I am not even a poor exponent of constitutional law. I am not a lawyer. I am not debating whether this bill is constitutional. I think only the courts can decide that. Undoubtedly, the courts will be given that opportunity, because I say—not in a spirit of defeatism, but with what I consider to be a sound recognition of the political realities—that this bill, which has been vetoed by the President, will become public law. I have not fooled myself for a moment into thinking that our efforts here on the floor of the Senate would change enough votes to result in having the Senate sustain the veto.

But I say with equal candor that it is not always necessary to win the first battle. I am more concerned about winning the long-run fight for human freedom. I am more concerned about preserving the basic institutions of human liberty. I am more concerned with preserving the doctrine of Milton, in his plea for free speech. I am concerned about making as a living force in American life, the hopes, the dreams, and the philosophy of Thomas Jefferson, of Samuel Adams, of James Madison, and of Thomas Paine.

I am concerned with doing what Thomas Aquinas, the great Catholic scholar of the twelfth century, wanted—to have it inscribed in the hearts of men and on the tablets of law: That there are certain divine and natural rights which no government can take away.

I believe in democracy. I believe we have a creed and a faith that is so much more dynamic and so much more militant than anything that communism ever knew that I, for one, cherish the opportunity just to proclaim it.

I believe, with Jefferson, that:

> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness.

I believe in human equality. I believe there are certain truths which are self-evident, and I believe that every right I have as an American citizen, as a person, as one created in the image of his Maker, is an inalienable right, and is given to me, not by the Congress, not by the Democratic Party or by the Republican Party, not given to me by a President, but given to me by God Almighty.

I say to the Senate, and to each individual Senator, "You are not tampering with public law, but you are tampering with natural law, you are defying divine law, when you deny any human being the right to be his own exponent, his own priest, his own disciple, and to be able to be his own exponent without fear of retaliation."

I have said again and again that as far as the registration procedures for Communists—as those procedures are provided in this bill—are concerned, if it is possible to get Communists to register, more power to those who are able to get them to do so. But I say with equal force and conviction that the Communists will no more register than the thieves will go see the sheriff. The Voorhis Act has been on the statute books for 10 years, but no one has been registered under that act, because, in order to require registration under it, it is necessary to prove foreign control.

Similarly, Mr. President, this bill requires that foreign control be proved, before any Communists can be required to register.

If we can prove foreign control by evidence and by fact, why do not we require the Communists to register under the Voorhis Act? We do not require that because we cannot prove, in our courts of law, under the procedures of due process of law, the existence of such foreign control.

It is even difficult to get foreign agents to register; and yet we watch them with the careful eye of an intelligence officer.

No, Mr. President; I say again and again that if we can get the Communists to register, then let us require them to register and let us register them. However, if we break down our entire counterespionage system, if we badger and burden the Federal Bureau of Investigation with needless detail in requiring that Bureau to run down a lot of good-for-nothing persons, many of whom do not have sufficient intelligence to know how to do a bad thing, let alone to know how to do a good thing, we shall not be helping the internal security of the United States.

Mr. President, there are two dangerous features of this bill. One is, as the President said, that the bill is so clumsy and so ineffective, in terms of making it possible to find the dangerous saboteurs and Communists, and to be able to register them, because of the procedures prescribed in the bill, that it will virtually make unworkable the institutions of our

national security and our internal security. That is my conviction, too, Mr. President. I may be wrong. I know it was the conviction of my dear and respected friend, the junior Senator from Illinois [Mr. DOUGLAS], who gave on the floor of the Senate the most powerful, pointed, scholarly address on the weaknesses of this bill that has been presented; and no one has answered the documentation and the argument and the evidence which he presented to the Senate. Senators can say they do not want to answer the Senator from Illinois, or that he is too intelligent to be met in debate, or that he has too much information, and that therefore other Senators do not want to get involved in a discussion with him; but I assert that the only answer which will be sufficient is for Senators to answer the charges and the assertions and the arguments and the documentation and the facts and the proof which have been produced before the Senate by the distinguished junior Senator from Illinois. If other Senators cannot answer that, Senators should vote to sustain the President's veto.

Then, Mr. President, we come to the other part of the bill which is dangerous; I refer now to the part of the bill dealing with Communist-front organizations.

Mr. President, I have prepared a considerable amount of material dealing with Communist-front organizations and dealing with the question of how we should be able to find out what is a Communist-front organization.

Let us consider for a moment some of this material. In determining whether an organization is a Communist-political organization or a Communist-front organization, I should say, certain criteria and procedures are set up. The standards the Subversive Board has to apply in determining whether an organization is a Communist-front organization, are very flexible, and, I submit, dangerous. To put it bluntly, the first thing in determining whether an organization is a Communist-front organization, is to find whether the persons who are active in the organization and hold office in it are active in a Communist-political organization or in a Communist foreign government or in the Communist world movement. In other words, are there Communists in the organization? That is the first thing to determine.

But how many Communists are required to make an organization a Communist-front? Does this bill say how many are required in order to determine that an organization is a Communist front? Does it say that if the president of the organization is a Communist, it is a Communist front? Does it say that if the secretary of the organization is a Communist, it is therefore a Communist-front? Does it say that if the treasurer of the organization is a Communist, it is therefore a Communist-front? It says nothing. It says not one word about determining how many Communists it takes to make a Communist-front organization. I imagine there was good reason for that, because the authors of this bill are perfectly aware that in some of the most honored and respected organizations in the world Communists are involved. I shall point that out in a moment.

The board must determine on its own, according to its own standards and on its own procedures, whether one Communist makes it a Communist-front organization, or whether it takes 10, or whether one Communist who is really "hopped up" with communism makes it more of a Communist-front organization than several Communists who are somewhat fuzzy about it.

It could decide that one Communist is enough. I know of nothing in this bill that says it could not. This wide range of discretion might do terrible damage to perfectly good organizations.

Communists as we know do not often disclose their Communist affiliations. They impose on the innocent. We are told that they have infiltrated religious organizations and other groups; and yet the Board under this standard has authority to contact loyal, patriotic, self-respecting organizations, because of the presence of undisclosed Communists in their midst. This clause would permit the branding not only some of our labor unions but also some other perfectly reputable organizations, such as the Carnegie Endowment for International Peace.

Mr. President, did you ever hear of Alger Hiss? Is the Carnegie Endowment for International Peace a Communist-front organization? I venture to say that there have been a few Commies around. Well, we shall have to look into that when this Board is established; and I want to say for the record now that we had better start looking into the Carnegie Endowment Fund.

How about public officials who testified in behalf of Mr. Alger Hiss? Did they contribute substantially to communism? There were some very well known and respected public officials who so testified; yet Mr. Hiss was on the so-called inside. He was not one of the outsiders, one of the small fry; he was on the inside.

The next standard which the Board is to apply in order to deal with the activities of the organization is the extent to which its efforts, resources, or personnel are used to promote the political objectives of the Communist movement, and the extent to which the positions it takes on matters of policy do not deviate from those of the Communist organization.

My colleagues, I want you to know that in the criteria for this bill its authors did not put 10 percent on this side for that standard and 20 percent for the other; no, not at all. The standards are set out in the bill as to how we are to find out whether an organization is a Communist front. There is no waiting, there is no yardstick, there is no arithmetical proportion, no geometrical proportion; there is no way in the world to measure it. We are simply going to leave it up to the five members and let them measure it—the five members of the Subversive Board, appointed by the President, three members from his own political party and two from the minority party. I have a good deal of faith in people, but I also know something about human nature, because I know a little something about myself, and I want to say that this kind of legislation, in the hands of people who are a bit reckless with power can put a tremendous burden upon the principles of freedom in our land.

I commented about the extent to which the positions the Board takes on matters of policy do not deviate from those of the Communist organization. Using these standards, the Board can find that organizations which follow a policy which at the same time is being followed by the Communist movement could be Communist-front organizations. They could be. During the war, all political parties in this country were in favor of the defeat of the Axis. Communists? Were they patriotic?

I want to say, my friends, we have photographs of some of the most distinguished Members of this body in the company of some of the meanest, lousiest Communists who ever breathed a breath. They were for unity. Now, what about that? Does that make the other political parties Communists or Communist-fronts, or does it make some group that happened to have believed at the same time with the rest of the liberty-loving Americans, that we ought to defeat Hitler? We have all followed the same line—Communists, Republicans, Democrats, all people alike. There is no fabrication in the language of the bill which is before us.

I am not saying it was intended this way by the authors of this proposed legislation. I want to say with all the sincerity I can command that the Senators who have spoken on the floor in behalf of this bill have spoken with sincerity, with conviction, and with honest belief. But I also want to submit that when we are preparing a law which is not an emergency law but is a long-term permanent law, we had better be pretty careful of the language, because, once a law is placed on the books, it is hard to get it off; it is difficult, indeed, to get it off.

I said that during the war all the political parties and practically all the groups in this country had the same particular political objective—defeat of the Nazis, defeat of fascism. I think I can document by time, place, hour, and printed evidence, that responsible, patriotic, loyal American citizens were seen in public places discussing with known Communists how we would win the war. Mr. President, you and I know that was not making these loyal people Communists. But, at least on the surface, they had the same objectives.

At the present time in this country there may be political organizations, there may be candidates for office who recommend the abandonment of our programs for foreign aid. I want to drill this point home. I say now that there is no one policy our Goverentment has established which is more bitterly assailed or more bitterly attacked than the Marshall plan by the Communists, Pravda, the Tass News Agency, the Daily Worker. All their stooges are out assailing the Marshall plan, day in and day out, week in and week out, year in

and year out. What would happen in America if some of the men and women of this country who are opposed to the Marshall plan—and there are many of them; we have some in this body, and they are very effective Members of this body—organized an association for the abandonment of the Marshall plan? Well, I will tell you, Mr. President, that if they formed that kind of organization, it would be a tough job keeping the Commies out. Believe me, they will be in there, and if they are not in, they will be so near to those who are in, that they will look like Siamese twins; they will be standing so close together that one would not be able to see a gleam of light between them.

The Communist Party, international and national, has as its No. 1 objective today the destruction of the American foreign policy. It is opposed to point 4. It is opposed to ECA. It is opposed to the Voice of America. It is opposed to everything our State Department stands for.

Well, maybe we have an organization in this country of loyal Americans who likewise do not like the State Department. I think I have heard some rather caustic remarks about the State Department. I have gathered since I have been a Member of the Senate that there are other people besides Communists who do not like the State Department, who do not like Dean Acheson. I gather there are other people in America who do not like the policies our Government is pursuing in international affairs. Is it not entirely conceivable that a group can be organized to oppose the entire foreign policy of the Government? We have such groups. Does that make them Communist fronts?

It may be argued that the bill provides for judicial review which will curb the powers of the politically appointed Board. However, the findings of the Board as to the facts, if supported by the preponderance of the evidence, shall be conclusive. In other words, the courts are precluded from a complete review of the facts found by the Board. Such standards of judicial review may be all right in economic matters, but are we going to permit them to invade the field of public opinion and political action? Are we going to bar the courts from reviewing the decisions of this Federal Board for political purity?

Furthermore, if this Board is once established and goes into operation, judicial review of its findings will not suffice to restore the standing of organizations which have been compelled by it to register under this law. The mere finding by the board that an organization must register would be sufficient to frighten many people away from it—would be sufficient to place upon it a stigma of disloyalty which it could never overcome.

I appeal to my colleagues; what is there more tragic than to destroy a man's good name? What is there more tragic than to pick up one who has worked hard and diligently for his family and his country, because of some unorthodox attitude, and bring him before a subversive board? Listen: the language is subversive. It is not a Board of different attitudes or a board to investigate differences of opinion. This board is called the subversive board. And once a man is brought before the subversive board it is prima facie evidence that he is a subversive, and there are laws on the books under which prosecutors know how to deal with subversives. Subversives are traitors, and there is nothing more despicable than a traitor. How can a man's good name be restored to him, when it has been taken away from him in such a manner? How can those who have assailed the character of a fellow citizen restore his reputation? That is one of the tragedies of public life. But I do not think we ought to pass a law to make the happening of such tragedies easier. We can hold individuals accountable for this and that, but we ought not to pass a law which makes it a public policy to do so.

This board, had it existed in 1948, could have been used as a weapon to attack the Progressive Party, which manifestly, in many respects, fell under the criteria I have just discussed. I do not think there was any man in my part of the country that assailed the Progressive Party more than I did. I called its members what they were, fellow travelers. Its leadership surely was infiltrated with Communists. But I also know that many people voted for the Progressive Party candidates in my part of the country simply because they did not like the programs of either the Republican Party or the Democratic Party.

Are we going to call them Communists? It is a difficult decision to make. How did we deal with the Progressive Party? Did we need this kind of legislation to deal with them? A candidate on the Progessive Party ran against me. I do not want to brag, but I tell you, Senators, that he did not even come in a good second. The Progressive Party went down into dismal defeat. Why? It was thoroughly defeated by the good sense of the American people.

I want to trust the good sense of the American people. I have brought along a little book written by Woodrow Wilson. I trusted Woodrow Wilson. I happen to have had the privilege of being brought up on his philosophy. My father did many good things for me, and the finest was to acquaint me with good literature. In Woodrow Wilson's book, the New Freedom, he had something to say about the people:

> I believe, as I believe in nothing else, in the average integrity and the average intelligence of the American people, and I do not believe that the intelligence of America can be put into commission anywhere. I do not believe that there is any group of men of any kind to whom we can afford to give that kind of trusteeship.

Listen to Woodrow Wilson. What he is saying in that paragraph is that he does not believe there are any kinds of men who are so all-wise, so omnipotent, possessing such King Solomon attributes that they can determine when a person has the right idea.

I trust the average intelligence of the American people. Woodrow Wilson did. As a matter of fact, anyone who ever amounted to anything trusted the people; not just some of the people. Remember what Abraham Lincoln said? "Government of the people"—not just of a handful of them. "Government by the people"—not just by a handful. "Government for the people"—not just a handful. The great men of the world have always been on the side of the people. Jesus of Nazareth was on the side of the people. Moses was on the side of the people. Anyone who has ever done anything for humanity has done it for the people, he believed in the people, he was a part of the people. Every one of them was a champion of liberty. Every one of them was a fearless champion of individual liberty. The names of tyrants are in history only because of their miserable misdeeds. The names of the lovers of freedom, the names of the patriots, are in the history books because of their contributions to mankind.

I say that the bill, which I fear is going to become law, represents no contribution to mankind. It will go down in history with some of the edicts of the kings of old. It will go down with the alien and sedition laws. It will go down in the annals of American legislative history as the great mistake of this generation—the political tragedy of a mature people. I am confident that if the American people knew what was in the bill they would not be for it. The American people do not scare easily, not when they have the facts. But it is always easy to frighten a people when they are without the facts. That is why Jefferson said that the hope of democracy depends upon the education of the people. That is why he believed in education. That is why every scoundrel who wanted to enslave the people never believed in education. If we want to find a scoundrel, if we want to find one who would be a political dictator, then find someone who wants to take away the opportunity to be wrong. I want to live in a country where I can be wrong. I want to live in a country where a man can be so wrong that he must go before his people and confess his sins and ask their forgiveness.

I want to live in a country where I can stand up and say, "I have learned the errors of my way." The bill even says, "We cannot let you be wrong. We do not think you have enough sense to get along.'"

There are, of course, many people who feel that way. Many of them belong to some of the so-called better clubs. There is no place in the world more dreary than a Union League club. The only creatures in such a club who have any fun are the mice. They frolic around a bit. Why is it that young boys and girls of college age often join up with all kinds of organizations they wish they had never joined years later? Because they have imagination, because they have ingenuity, because they have zest for life. I say that whenever a person gets to the point where he becomes so concerned that he has to take a political blood test of everything he joins or associates with before he takes part, then this country has lost the right even to call itself a republic or a democracy.

One thing I like about the history of America is that when we started as a

Nation we were, as a people, flaming zealots. Our people came from countries dominated by the theory of divine right of kings. Our people said, "We do not believe in that kind of tommyrot. We believe that all men are created equal." Does anyone think King George III liked that? They had been pulling the old hocus-pocus over their people for centuries. They had been going around keeping people ignorant. They said, "Let us govern, because we have some kind of mantle from on high."

Then to America came the lovers of freedom. Why did they come to America? They came because they were considered to be dangerous in Europe. That is right. Tom Paine said:

> Where freedom there is not, there is my home. To do good is my religion.

Many people do not like Tom Paine. I do not know anything about his spiritual or religious attitude. I do know his literature. I know he said:

> These are times that try men's souls.

I know he said something about sunshine patriots, who wither away at the first blast of wintry winds.

Mr. President, we have some wintry winds around. It will be chilly in November. However, I say to the Congress of the United States: "Do not be sunshine patriots. Stand up."

Do Senators remember that old song:

> Give me some men who are stout-hearted men—

I do not remember how many men they were going to get, but it was something like 10—

> and I will give you 10,000 more.

That is what we need, Mr. President.

We are asking, this little handful of us, those of us who have been trying the sustain the veto:

> Give us some men who are stout-hearted men,
> And we will give you ten thousand more.

There are a million people in America who are jealous of their liberty and jealous of their freedom.

How many Senators remember the Jacobeans, after the French Revolution? How many remember the history of the eighteenth century? I remember it, because I had to teach it. Everything that has been said on the floor of the Senate about dangerous ideas was said about Thomas Jefferson and the Jacobeans.

When a man is proven a Communist under the definition of the bill, he is really proven to be a Communist. On the other hand, if a man is proven to be someone who has ideas which do not agree with one's own ideas, that is something else. If you have proven a man to be a Communist you have proven him to be a scandalous individual whose loyalty is to a bigoted, ruthless, and barbaric philosophy. Frankly, had it not been for the Jacobean philosophy Alexander Hamilton might have dominated the country. How we ever escaped one of those old defunct Bourbons, I do not know.

I suppose it was because we always had enough men like John Hancock, who was willing to write his name big enough so that King George could read it without his spectacles.

Mr. President, we are getting a little too respectable. We are getting a little too nice. We are getting so that we can hardly recognize the fact that other people may have a few ideas that we may think are crazy.

Let me say that the idea that some of our people in 1776 had were not accepted in the finer parlors and courts of Europe. Indeed they were not. We were looked upon as rather crude, unsophisticated, and sometimes as a rather illiterate lot.

That is what I consider to be some of the dangers in the legislation.

I see my good friend the Senator from North Carolina [Mr. GRAHAM]. He has emphasized what I have been talking about. Let me say a word about my very good friend the Senator from North Carolina. He is one of the greatest educators and one of the greatest citizens of one of the greatest democracies in these States of ours. The Senator from North Carolina believes in people. He loves people. He loves them so much that occasionally, as he and I know, has joined some organizations about which some people have made nasty comments. Well, I love the Rotary Club. Members of my family belong to the Rotary Club. It is a great organization. I advocate that people belong to it. It is a wonderful organization. Just as I believe that we ought to have that opportunity, I feel that the opportunity ought to exist to belong to other organizations.

I want to say that any man, no matter whether he is a Senator, a teacher, a minister, a laborer, or a businessman, if he feels in his heart compassion for humanity, and he is willing to join their efforts and relieve their burden and lift up the oppressed, that man is living in the spirit of the Lord. He is living in the spirit of true democracy. It is so easy to push aside people who may cause you a little trouble. It is so easy to join with those who are well off, secure, protected, and respected, because one never gets into trouble that way. By the way, he will never have any fun either. Those people do not know how to enjoy life.

The great people have been those who have served the oppressed, who have joined in ever fruitless and hopeless causes, to lift the burden from the weak and the sick.

While I hold no prerogatives for the robes of the clergy, I should like to say that if there is anything I found out in Sunday school and in church it is that the greatest thing man can do is to serve his fellow man. It is better to minister than to be ministered unto. He who would be first, will be last. That is the philosophy of humanitarian democracy. That is what has got some people into trouble, because some of these folks have been members of groups which under this bill would be called subversive. If a person joins an organization which is dedicated to noble purposes, if that organization has a few scoundrels in it, and a person is being accused of being a Communist, the effect is to destroy the heart of America, to destroy humanitarian democracy. There is nothing more brutal and more selfish than aristocratic respectability and acceptability. Thank God we have had in this country from its beginning men who have been willing to join with other people to sort of lift the burden from the backs of the poor, the sick, and the helpless. When I spoke on Friday—it was yesterday—I said something about the Statue of Liberty. I was impressed when I first saw the Statue of Liberty. I looked at that Goddess of Liberty, that massive statue, with her arms outstretched toward Europe. I wish I could remember the words that are engraved on the base of that statue. I know what the spirit is. The statue is a gift to us from the children of France, from the children of the French Revolution. It is a wonderful statue, with its arms stretched out to Europe. What does it say at the bottom of the statue? It says, in effect:

> Send me your sick, your weary, and your heavy-laden; send me your poor, your miserable, and your wretched souls.

Then it goes on to point out if they come to these shores they will have a chance to make something out of themselves, because in America we have had not only our creed of preservation, not only our creed of liberty, but our creed of the right for a little person to become a big person, and the right of a big fellow to become a great fellow.

There has been room for differences. In the Scriptures it is written that "in my Father's house are many mansions." I understand there are even differences in heaven. Why can we not have them on earth? Some people do not like all these differences. There are some who are afraid of ideas; they are afraid of good ideas and afraid of bad ideas.

Mr. President, if there is anything immortal, it is an idea. Whenever there is legislation that even approaches the fringes of thought control; whenever there is legislation that barely tampers with the right of men and women to be creative, to have ideas which we may not like, we are tampering with the fabric of freedom.

I remember a saying of Voltaire. I wish I could remember all these quotations, as does the Senator from Illinois, but I remember the philosophy of them. Voltaire said something to the effect that even though he did not believe in a word you were saying he would fight to the death for your right to say it. That is a tough discipline. We do not like to hear things we do not believe. Voltaire, the great French philosopher, said, "Even though I may disagree with every word you say, I will fight unto the death for your right to say it." Put that in this bill and you have something.

Say again and again in America that, regardless of how unorthodox your ideas may be, no matter how much they may upset us or challenge us, we will fight to the death for your right to say them. Then you really are soldiers in the battle for democracy.

Mr. President, that is my opinion. I have given much thought to this. No one likes to be criticized, but the saving grace in this country is the right to criticize. If you want to find out what is

wrong with America, you do not have to go to the library or even call in a scientist or technician. Just go to the barber shop, to the drugstore, or stand on the street corner, and you will find out not only what is wrong with America but what is wrong with the world. Besides that, you will get many programs for fixing it up.

These charges are not well-documented, but be that as it may, there is no substitute for the pragmatic experience of trial and error; there is no substitute for a man, by his own feeble efforts, seeking out the answers.

I will never believe there is an elite so wise it will know all the truth. I have no faith in the elite. That is why, when I was a student of political philosophy, I did not like Plato's Republic, because he had a neat mind. He had a mind that had compartments within it. He was a disciplined theoretician, he said there will be a governing class, a philosopher king—the perfect man. He said there will be the guardians, those who are trained to protect the safety of the state. Then below that there will be the masses, a neat compartmentalization among the masses, he was going to have everybody doing what he was best fitted for. It would be a sort of psychoanalysis, to find out whether or not one was supposed to be a salesman, a barber, a machinist, a shoe cobbler, or a blacksmith. Everybody was going to be in his neat little compartment, round pegs in round holes, square pegs in square holes. The only thing wrong with Plato's Republic was that there were no people who could meet his standards.

But Aristotle was a wiser man, as was Socrates. It was Socrates who began to believe in reason, and it was because of this that he drank the poison hemlock. Rather than destroy the traditions of his state, because of his love for Athens Socrates drank the poison hemlock.

I do not like the poison hemlock I am being asked to drink. I am not Socrates. Not only that, this poison hemlock does not defend the traditions of the state, because the traditions of our state are contrary to the language of this bill.

I like Aristotle's ideas. He said that politics and ethics are inseparable. Aristotle believed in man's capacity to reason. He believe in free speech, he believed in government by law, he believed in constitutional protections. He was a great constitutionalist, and those of us who have read political theory know that it was the reestablishment of the Aristotlian thought in the twelfth and thirteenth centuries that brought the great Catholic philosopher, Thomas Aquinas, and brought the Renaissance and later the Reformation.

Mr. President, this is the philosophical background. I do not believe we can discuss this question of legislation without understanding some basic fundamental philosophy.

Why do we believe in democracy? What do we mean by democracy? These are questions we ask again and again. Every child asks you that if you are a teacher. People ask you that as you go out and speak to them. What is the moral basis of democratic philosophy? I submit that the moral basis is ascertainable, and I intend to direct my attention to it.

I wish to read a statement I prepared called "A Declaration of Our Faith in an Era of Fear," because this is an era of fear. If ever a man needed faith, he needs it when men and women are consumed by fear. A nation without faith is nothing, and people without faith are nothing. Faith is the very lifeblood of citizenship, of a man's spiritual and physical well-being. We are absolutely nothing without faith. People are sick when they are badgered and consumed by fear.

On this Saturday, as we come almost to the point where we will vote on the pending legislation, I urge the Members of the Senate to rid themselves of fear if they have it, and to seek faith that is ever present.

I suppose every man places undue emphasis and importance upon his particular profession or occupation. What we do as individuals seems important to us, as our jobs in the Senate seem very important to us. But I am sure this Government will go along if all of us are not here. We Americans place a good deal of emphasis upon performance, energetic activity, accomplishment, and success. Most frequently these terms have been applied to the business or professional world. Occasionally they are applied to the realm of politics, in a country that has based its political institutions on representative government, a government by the consent of the governed. Politics becomes everybody's business.

Do Senators want to know why we have been talking since 6 o'clock last evening? It is not to conduct what is termed a filibuster, because we do not ask for unanimous-consent agreements to vote at a certain hour if we want to conduct a filibuster. A filibuster is an effort to kill legislation by getting no vote on it. I want a vote on this measure. I want a vote on it, because I want to be proud of myself; I want my name down on the RECORD; I want to be able to point out to the little Humphreys that their daddy voted to sustain the President's veto. I do not want any voice vote. We are going to have a roll call vote on this measure. I want to be on the side of the angels on this one. I want to walk in the spirit, the tradition, and the heritage of the men who have died for liberty. I do not recall the author of the alien and sedition laws, but I certainly remember the men who penned the Declaration of Independence. I do not recall the author of rules and regulations to enslave people, but I surely remember the author of the Emancipation Proclamation. We know of King John only because of the Magna Carta. We know of Tom Paine because of The Crisis, Common Sense, and The Rights of Man. We know the great spiritual and political leaders because of the courageous and moral phase of their character.

Mr. President, in a country that has based its political institutions upon representative government and government by the consent of the governed, politics becomes everyone's business. That is why the American people, all over this land, are reading the President's message. That is why some of us are receiving telegrams and long-distance telephone calls.

Mr. President, I want to pay tribute to the Senator from North Dakota [Mr. LANGER] who stood here. He fell on this floor while fighting for liberty. That is quite an honor. I was happy to be at his side if only to give him a helping hand.

We needed 24 hours—and it will be just about 24 hours since the time we received the President's veto message—24 hours to flash the news to the people of America that the American people are being invaded; their liberties are being attacked. There were some who wanted to have the attack come quickly and ruthlessly. The President of the United States sent to the Congress a message, with a personal letter affixed. I understand that is the first time it has ever been done. It was on White House stationery. I do not know how Members of the Senate feel about it, but if any of them live out in the country, in Minnesota, Wisconsin——

Mr. WHERRY. Or Nebraska.

Mr. HUMPHREY. Yes; or Pennsylvania, Alabama, North Carolina, or Louisiana; they know that if anyone there received a letter from the President of the United States, even if it contained only four lines, if it contained the President's signature, the voters would read it. If the President attached something to it and asked that it be read, I must say that 95 percent of the American people would take time out of a busy day and read it. The President did not have time to send a letter to every American, but he sent a letter to 96 Senators. We are here to represent the people. There are 3,000,000 Americans in my State, and I want them to have a chance to read what the President had to say.

I want to pay tribute to the newspapers in my State. We do not agree politically. As a matter of fact, we have some rather mean political arguments about who should be in office, whether Republicans or Democrats. Right now the issue goes far beyond that. It is an issue in which all parties should agree, and do agree, I trust—the issue of human freedom. I have an editorial from the Morning Tribune of Minneapolis, a fine newspaper. The editor is writing his convictions in that editorial, and he says that this measure is a dangerous one. He is no radical. As a matter of fact, if I were to give him the most objective opinion, I would say he is a middle-of-the-road conservative; a respected, intelligent, competent American citizen.

So, Mr. President, if politics is everyone's business, that is why we wanted 24 hours, and as soon as I am through—and it will not be long- I hope that we shall vote.

A VOICE. Amen.

Mr. HUMPHREY. I am glad to see that the spirit of this occasion has caught on. Now that we have the amen, possibly we can listen to the prayer.

The history of our country will demonstrate that individual participation in the affairs of politics has been a matter

of growth and development. It is known that at the time of the ratification of the Constitution only a small minority of the people were privileged to vote. However, the impelling force of the democratic faith required that the franchise, the right to vote, be extended to an ever-increasing number of people, until today, with very few exceptions, we have universal suffrage, freedom of the ballot for all adult citizens. This is the democratic process at its best.

Many people thought that was dangerous; the very thought of people voting was a really radical, dangerous idea. The only time it is really dangerous is when the vote does not come out one's way. But that does not mean it is dangerous for the Republic. It may be good for the Republic.

It was inevitable that as more people became participants in the processes of politics, more people would become vitally concerned with the decisions of government. When government was the special prerogative of those who owned property, the decisions and policies of government were inevitably directed toward the benefit of this group.

That is why little people are calling on Senators and Representatives about aid. They are concerned about soil conservation and many other things, because more and more persons are getting interested in government. The policies of government go hand in hand with the management of government.

For years in this country a handful of powerful persons representing the great economic interests had the American people convinced that politics was too dirty for the average American citizen to get into, even though they themselves were in it up to their necks. That is when the railroads, private utilities, and the banks of this country literally bled the American economy. If Mr. Roosevelt goes down in history for a great contribution—and he will go down in history—it will be found that this first great contribution was that he made every American feel that he was a partner of his Government. He breathed life into the doctrine of Lincoln, a government of the people, by the people, and for the people.

As the right to vote was extended to more and more people, the decisions of government became ever more important to a wider group of people. Today, we see government the vital concern of every citizen. Even the most politically uninformed realizes that the decisions of his government will affect his life, his business, his family, and his future.

In this country—as in others—there has been a constant struggle between those who have held the reins of power and those who aspire to a share of that power. I think it is fair to say that the twentieth century has witnessed a dramatic demonstration of the realization of Lincoln's challenge to America—"A government of the people, by the people and for the people"—and this is as it should be, because no man is free—no man is master of his own destiny—unless he is a shareholder and a participant in the policy-making of his government.

Some people do not like this, but those who believe in the principles of democracy, not only like it but realize that it is a cardinal principle of human freedom.

All of us are familiar with such phrases as "the American way," "the American system," or, as we say, "our way of life." We make these statements and use these phrases with such ease that seldom do we stop to think just what we are saying or what these phrases really mean.

Permit me to take just a little time to make a declaration of our faith and to outline that faith in such positive terms that it will serve as a standard to which all decent and good men can rally in this era of turmoil and fear. Do we have a faith? I believe we have.

Indeed, we do! It is the product of centuries of struggle and sacrifice. I do not intend by my vote to let it be blemished at this great hour. It has come down to us refined from the teachings and philosophy of the great teachers and philosophers of the ages. Yes, I could refer Senators to the legal doctrines of Cicero, the philosophy of the old Roman stoics, the teachings of Aristotle, the doctrine of natural and spiritual law of Thomas Acquinas, the theory of the social contract of Rousseau, the belief of John Locke in majority rule. These and others are the patron saints of a democratic faith. To all of this must be added the immortal teachings of Christianity and the testimony of the Old Testament prophets.

We must include the spiritual with the political, because democracy is more than politics; it is a faith rested upon the relationship of man to his God.

The teachings of these philosophers and prophets inspired our own Thomas Jefferson as he gave to us those immortal words of the Declaration of Independence—

> "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are, life, liberty and the pursuit of happiness.

Mr. President, I like that; it is music, the music of freedom.

This is the democratic faith, in short, precise and penetrating language—the doctrine of human equality, the belief in the dignity of man, the recognition of human freedom, and an acceptance of human brotherhood. All of these are our articles of faith. The whole system of representative government, based upon the principle of popular sovereignty, comes from an acceptance of a faith that recognizes human equality, a brotherhood of man, and a fatherhood in God.

It was from such a noble faith that we developed a political and economic system in which no man was to govern another without his consent, in which the doors of opportunity were to remain open not merely because of economic convenience, but because of a stern moral code. The politics of a republic, based upon a democratic faith, are moral and intellectual challenges to every citizen. I underscore that statement, Mr. President. The politics of democracy demand that representative government be deeply concerned with human welfare. The politics of democracy require a steadfast devotion to the principles of human equality and individual liberty.

A political system based upon such high and noble principles and dedicated to such humanitarian purposes requires the eternal vigilance of the people, and when I say "of the people," I mean of all of the people.

I trust that this short and incomplete analysis of the democratic faith does not seem too unreal and philosophical. It is important that we understand the inspiration and motivation of our political and social system. A careful study will reveal that democracy is not merely a structure of government, but, more basically, is a set of social relationships. It is based upon mutual respect, competition of ideas, trust in a majority with respect for minority. It it is expanding philosophy. It is flexible to the needs of the people. Its flexibility does not sacrifice principle. In fact, its ability to grow and develop preserves and protects the principles.

If there is one real fact of human history, it is the fact of change. Civilizations have come and gone. We have witnessed the rise and fall of empires, the dominance of particular philosophies and creeds. History has given us the story of the struggle of humankind to lift itself from bondage and oppression. The history of our great Nation tells the dramatic story of a diversity of people, living together in one nation, contributing to the richness of a culture.

Our dedication to liberty and freedom has released untold energy and talent. We are a living example of what can and does happen when mankind is permitted to utilize his talent and ability. I do not want any kind of a governor such as this bill to be limiting the exercise of any man's talent and ability. We have placed a premium upon individual performance. Yet at all times the rules of our society have required respect for the rights of others.

Another way to put it, is that we have created a political and social structure that allows for growth and change, without violence and revolution. We have not resisted change; in fact, we have encouraged it. Change and adventure was the spirit of the pioneers; experimentation, taking a chance, trying something new, have been a part of the fabric of our life.

It is only in recent years that the turbulence of change has seemed to bewilder us. In recent years we have become just a little concerned about all the changes which have been occurring; but I cannot believe that we have lost the pioneer spirit. I cannot believe that we are afraid of the future. I cannot believe that men and women of this generation wish to direct their thoughts to the good old days. No; whether we like it or not, we are citizens of today and tomorrow. There are no yesterdays that can be relived. Change is the order of the day. This world of ours is not the world of yesterday.

Our own country has changed from a predominantly rural and pioneer society

to a highly sensitive, industrialized economy. Our people move from city to city and from State to State. Our business economy becomes evermore centralized and concentrated. Our banking and credit structure of today is vastly different from that of the early 1900's.

Like it or not, we live in the age of bigness—big business, big labor, big production, big money; and they inevitably mean big government.

It does us little good to deplore these facts. It will do us good to understand them. It is imperative that we know how to meet the problems inherent in such a modern-day national economy.

I mentioned that this is an age of bigness—big business, big labor, big finance, big production and consumption; also big government. All of this bigness bothers people. The bigness of government seems to frighten even the most courageous. But, Mr. President, government in this Nation of ours is a reflection of the body politic and the economy. We cannot expect to have model "T" government in the age of the hydramatic drive, or government geared to the covered wagon, in the age of atomic energy and jet propulsion. We, as practical business people, know that, with our Nation changing from an agricultural economy to a highly-centralized industrial economy, we cannot have, nor should we have, a government geared to the needs and problems of the late 1800's. This is the mid-point of the twentieth century—a century of turmoil, of tension, of change; yes, even violent change. Our Government has grown big, not because any one person wanted it that way. It was not planned; there was no conspiracy. Our Government grew to immense proportions because it is representative government. It represents, it reflects, it symbolizes the nature of the society in which we live. Yes, it symbolizes that society in many ways. There is confusion at times, and uncertainty and indecision. That is the world picture, too, is it not? There are no patent remedies, no easy answers, no miracle cures.

Our century, the twentieth century, has been one of social and economic convulsion, revolution, and painful adjustment. When we look over the yesterday, we see that in the course of this century we have had two world wars, a world-wide depression, revolution, communism, naziism, and fascism, the breakup of empires, the collapse of world trade, a rapidly increasing population, and incredible industrial and scientific advancement. That has produced the kind of confusion and turmoil and frenzy in which we now find ourselves involved. Is it any wonder that people are confused and bewildered? Is it any wonder that, just as business has changed, so has government.

I believe the people of this Nation are primarily interested in two things:

(1) Freedom and opportunity.

(2) Security, both domestic and foreign.

Sometimes it is difficult to join together freedom and security. However, unlike some persons, I do not think the two are incompatible. From my standpoint, one of the functions of government is to help provide people with the opportunity to achieve security. And I think that one of our most basic problems today is to find ways in which the Government may help keep open the avenues of opportunity which have served to make this Nation great—opportunity for the small as well as the large. And, Mr. President, what is true in the economic realm is equally true, or good, or applicable in the political realm. Competition is good for politics; it is good for democracy.

I am not now, and never have been, opposed to bigness for its own sake. My idea of helping the small-business man is not based on penalizing those that have been successful in moving from the category of small to that of big. Rather, I favor the affirmative approach of keeping the avenues of opportunity open so that the small man can become big if he has the ability and the energy to do so.

I cross swords with bigness only when size is used as a means of restraining or hampering growth—only when it is used as a means of curbing or restricting the opportunities available to the smaller independents.

Our great economic system is based on the principle of vigorous, but fair and equitable, competition. Everyone ultimately benefits from this competition, the businessman as well as the consumer.

In a sense, it is a miracle that we here in America have been able to preserve a free economy and democratic Government. Our heritage has stood us well. Our devotion to individual freedom and our faith in our philosophy of life have given us the moral stamina not only to survive, but to grow and mature.

Today, I appeal to the Senate to breathe deeply the atmosphere of freedom, and to drink plentifully from the wells of our spiritual and political heritage of democracy. We must not be stampeded into mad retreat from our principles of liberty and equality. America needs in every community thousands upon thousands of men and women who will be steadfast in their loyalty to the democratic way of life.

America needs patriots who can withstand the Valley Forge of our time. Our Valley Forge is fear—fear of depression and unemployment, fear of war, fear of communism, fear of our neighbors—yes, fear of our Government. Fear can paralyze a people or a nation. Fear drives men to irrational action. Fear consumes the strength and intellectual fiber of people. Fear is a psychological cancer. It drives men mad.

And our Valley Forge is fear—fear of depression, fear of war, fear of communism, fear of our neighbors—yes, even fear of our Government. Fear can paralyze the people of a nation. Fear drives men to commit irrational acts. Fear consumes the strength and the intellectual fiber of the people. Fear is a psychological cancer. It inevitably drives men mad.

But fear, like many other manifestations of emotional instability, can be checked. The answer to fear is a mature understanding and knowledge of those factors which cause it. It is no answer to run away—or to curse the objects of our fear.

We must calmly measure the problems which beset us, and prepare ourselves for the task of meeting them.

Depressions are man-made. They can be prevented by man's ingenuity. Representative government by its very nature will and must be concerned with the economic well-being of the people. So why condemn a government, or why condemn a government program if it interferes with the economic life of the Nation, when, Mr. President, you and I know that no modern form of government can survive which ignores human welfare?

I repeat, this is 1950, not 1850. The customs of democratic countries cannot be ignored or pushed aside. There is an uneasiness in America for fear of war, the H-bomb, the atom bomb. They hang like the sword of Damocles over our heads, and, to be sure, the possibility of a full-scale world war III is ever present. But the fear of such a war cannot save the peace or preserve us if the conflict breaks forth. We must be strong in mind and spirit, and turn aside fear, and we must bend every effort toward creating the conditions of peace and security. I repeat, there is no easy answer, there is no miracle formula. We must prepare ourselves for a long ordeal of searching for areas of agreement with our adversary and rebuilding and strengthening our friends.

Wars are not won easily or cheaply; neither is the peace. It will take a little more than a visit from President Truman to Joe Stalin to obtain peace and freedom. This world of ours is morally, politically, and economically sick. Two world wars, a Hitler, a Tojo, a Mussolini—yes, a Stalin—are but symptoms of a sick world. The patient was not cured by the disappearance of the first three, and I doubt that the world would be much more secure with the removal of the last. Peace is a trade-mark for a society in balance and harmony. Peace in the twentieth century is a sum total of 2,500,000,000 people who have renounced war as a means of settling their disputes and have embraced the more difficult job of removing the causes of war, namely, selfish nationalism, economic insecurity, racial and religious bigotry, social and moral degradation. This is no small or easy assignment—or is it one to be accomplished in a year or two. The cost will be great—and there is no guarantee of success. But, the alternative is war—mass destruction—incomprehensible costs in people, goods, and money, along with the probability of the loss of our freedom.

We cannot run away from these alternatives. We must choose. Either one requires sacrifice, courage, and faith. I choose the road to peace, uncertain and perilous though it be. I refuse to be paralyzed by fear, or driven to the irrational catastrophic alternative of war. Our Government has chosen the path of peace. That is why taxes are high. Yes, all of this is expensive. That, plus the cost of past wars and national defense against the possibility of a future war. Expensive—yes, indeed—but it is a pau-

per's penny compared to the cruel and brutal reality of another war.

Yes; there are many fears that plague us—fear of depression, of unemployment, of war—and fear of communism. Each within itself is enough to frighten those of faint heart and timid spirit. Each could be disastrous. None need to overwhelm us. Let us turn our thoughts to this international monstrosity called communism. As I have said on many occasions, it represents the forces of totalitarian evil. It is a denial of the dignity of man. It is a repudiation of the democratic creed. It is the composite of all that we detest—but it need not and must not put us in a state of frenzy and fear. We cannot check the march of communism in Europe and Asia, or its growth in America, by merely legislating against it—and cursing it. I repeat, there is yet to be found by any of the proponents of this proposed legislation one example in history—give me one scientific example in history where anyone has ever stopped communism by investigating it, legislating against it, or cursing it. Listen: The test, the validity of legislation is, How does it work? Has it ever worked? What does history tell us? As a matter of fact, history tells us that the more restrictive the laws of a nation become, the more difficult becomes the task of preserving liberty and freedom and opportunity.

The irresponsible charges of communism against the innocent merely provide a smoke screen behind which the real Communist can operate. To attack the character or question the loyalty of the innocent undermines our stature in the eyes of the free peoples of the world. We have laws to deal with traitors and subversives. This body knows it very well.

The President of the United States, on August 8, sent to the House and to the Senate a message in which he outlined what he considered to be the essential requirements or conditions of our security laws. The President of the United States delivered a very powerful message on that date. He analyzed the many laws we have on the books dealing with traitorous activities, sabotage, and conspiracy. Yet the people of the United States have been led to believe that our Government is defenseless, that we simply have no way of protecting ourselves, despite the fact that even at this hour the agents of our Government are rooting out the Communist conspirators. I remind this honorable body, again and again, that we did not need this bill in order to catch Judith Coplon, Mr. Gold, Mr. Fuchs, or any of the rest of them, or the 11 communists in New York. The Smith Act did that. These laws are being and must be vigorously enforced. No Communist or Fascist should be permitted to serve in any position of public trust where his employment would jeopardize the security of this Nation. We have a right to expect unqualified loyalty from every person in public office or Government service. The FBI and the loyalty boards are equipped to give us that security.

But, to dismiss Communists from Government jobs or to prosecute them in the courts does not destroy communism nor check its growth. Communism is a political virus that feeds on poverty, insecurity, depression, inequality, political corruption, and economic greed. It flourishes where people are illiterate, poor, and sick. It develops and expands where opportunity has been destroyed, where cynicism has replaced positive faith.

Communism, like its twin brother, fascism, gains a foothold and seizes power where freedom has never lived, or where those entrusted with the institutions of freedom have failed in their trust.

Again, there is no easy answer, no quick cure to this vile disease. Speeches, investigations, loyalty oaths—yes, even guns—cannot stamp out totalitarian doctrines. The systematic day-by-day performance of democracy is an answer. The opening of new avenues of economic and social opportunity is part of the answer. The unyielding devotion to such democratic principles as fredom of speech, freedom of press, freedom of conscience and association is part of the answer. Freedom from want and freedom from fear are part of the answer. I submit that we cannot lick communism by applying police state methods or degrading ourselves to Communist tactics of character assassination, smear, and rumor.

We cannot lick communism with communistic methods. We cannot lick communism with just a little bit of communistic method either, because a little of that communistic method is just enough to make it a police method.

Even more important, we cannot strengthen our democracy by making everyone suspicious of his neighbor, afraid to think creatively, or to speak and write fearlessly. Individual liberty cannot be made secure by a rigid and deadening requirement of conformity to orthodox ideas. The question inevitably arises—which or whose ideas are orthodox? Since no one can be sure, security becomes available not by having orthodox ideas but rather by having no ideas. It is in such an environment that freedom dies.

Our security and strength rest in competition of ideas. Competition in the marketplace is the byproduct of intellectual and political freedom. Free enterprise cannot be preserved and extended when men are paralyzed or prejudiced by fear. It is the men of fear who kill freedom everywhere.

Mr. President, I hope we will rise to the responsibilities of this very important occasion as we vote upon the bill which was vetoed by the President.

Mr. President, I am convinced that whatever may be our ultimate decision here as of this day, the American people will rectify any mistakes we may make. No man knows for sure whether he is right or whether he is wrong. I am quite convinced that the position I have taken is not the popular position. I am sure it is not. But I believe that in the long run it will be the right decision. More than that, I do not want to see my country and our people move recklessly in a direction that may set a pattern for further curtailment of their liberties. It is one thing to lose one's money. That is sad enough. But it is much more serious and much more grave to lose one's rights as a free citizen.

Mr. President, I want to make it crystal clear that I do not say that the measure which is before us, if enacted into law, will necessarily mean the loss of our rights. I merely say that if the bill is passed it will open up the door for the kind of cynical, hard, and, may I say, biased administration that could seriously jeopardize political association, free speech, freedom of press, and even freedom of conscience.

There are many parts to this measure. I have received letters from Quakers who are terribly disturbed about the bill because of the nature of the oath it requires. I do not happen to be a Quaker. The oath required does not bother me as an individual, but it bothers the Quakers. I ask Members of the Senate, can they name better people than the Quakers, finer citizens, more God-loving, responsible, devoted people? Yet there is not a Member of this body who has not received a letter from the Quakers concerning the bill. The CIO, the A. F. of L., and other organizations are concerned. Maybe they are seeing ghosts, maybe they are fearing what will never happen. But I do not think we ought to tempt ourselves in this manner; no, indeed, I do not. It is so easy, once this sort of pattern is set, to move to something else.

Mr. President, I yield the floor.

PERSONAL EXPLANATION—LETTER FROM SENATOR GILLETTE TO SENATOR WHERRY

Mr. WHERRY. Mr. President, during a conversation I had with the junior Senator from Iowa [Mr. GILLETTE] on the floor a couple of days ago relating to the amount of the appropriations made available to the Kefauver subcommittee investigating crime, it was revealed that a columnist had made a statement which indicated that I had made the motion to reduce the amount of the appropriation. I never answer adverse publicity because I feel that one's own voting record, one's own actions furnish the best answers to any unscrupulous charges. But the junior Senator from Iowa was so interested in the misstatements attributed to me that he said he wanted to write me a letter, and asked that I place it in the RECORD for public information.

I deeply appreciated what the junior Senator from Iowa, who serves with me on the Rules and Administration Committee, offered to do. He wrote me the letter and I ask unanimous consent, as a matter of personal privilege, that the letter be read at the desk by the clerk. It is a short letter and will not result in detaining the Senate more than 2 or 3 minutes. I do this by reason of the request made by the Senator from Iowa.

Mr. KILGORE. Does the Senator request that the letter be read?

Mr. WHERRY. Yes. The Senator from Iowa himself thought it ought to be read.

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Without objection the letter will be read.

The legislative clerk read as follows:

UNITED STATES SENATE,
COMMITTEE ON
AGRICULTURE AND FORESTRY,
September 20, 1950.

HON. KENNETH WHERRY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: My attention has been directed to a recent column, published under the byline of Mr. Drew Pearson, in which you are charged with having shown opposition to the work of the Kefauver subcommittee investigating crime. The article states that you opposed making the necessary funds available for this subcommittee to continue its work, when the Committee on Rules and Administration of the Senate had the request for additional funds before it for consideration.

I have in mind the fact that the vote on this proposal was taken in executive session and that neither you nor any of the members would clarify such an erroneous report if it involved another member of the Rules Committee. Inasmuch as I was the Rules Committee member who moved to cut the requested additional amount of funds, from $100,000 to $50,000, I am writing this letter to you so that you may feel free to quote me if you so desire.

There was no opposition whatever in the Rules Committee to make funds available for the Crime Subcommittee work. As I recall the figures, SENATOR KEFAUVER told us that he still had around $112,000 left from funds previously made available to him. In response to inquiries made by members of the Rules Committee, it was evident that with the balance in his hands, an additional amount of $50,000 would be sufficient to carry the work of the subcommittee until its projected time of finishing its work, next spring. It was for this reason that I made the motion to make the sum of $50,000 additional available to the Kefauver committee, and I believe every member of the Rules Committee voted for this amount, but with the definite assurance to SENATOR KEFAUVER and his subcommittee that if additional funds were needed and he would come before us after the Eighty-second Congress convenes next January, that he would find us ready and willing to make whatever funds were needed to complete the work, available to him. I distinctly recall that your attitude was in accordance with my foregoing statement and that you, on at least three occasions during the discussion, stated that it was our desire that the subcommittee have the necessary funds for a full and thorough completion of its work.

The rules for the revealing of action by a committee in executive session do not, I believe, preclude me or any other member from stating his own vote on any measure before the committee. Therefore, I am addressing this letter to you stating that the motion to make the $50,000 available was made by me. You are at liberty to use this letter in any way you see fit.

With personal greetings, I am,
Sincerely,

GUY M. GILLETTE.

Mr. WHERRY. Mr. President, I should like to make a brief observation. I was asked by a news agency—because the statement of the columnist was published all over the country, and particularly in newspapers in my own State—whether I was the one who made the motion to cut the appropriation. During our conversation the distinguished Senator from Iowa brought to my attention that he was the one who made the motion, and he felt that the statement that had gone out about me should be corrected. I consider it to be an exhibition of sportsmanship and statesmanship for a Senator voluntarily to come to me and offer to write such a letter. The Senator from Iowa is a man of great stature.

The information contained in the letter could not have been revealed by me, because what was done took place in executive session. Even though the direct question was asked me, I refused to answer and tell who made the motion. But the Senator from Iowa and I discussed the matter and he volunteered to furnish the information in the manner he has done in his letter.

It encourages one, and makes one rise to new heights to see such statesmanship displayed by a man such as the junior Senator from Iowa, who wanted to correct the record. He did it voluntarily. He did not want to have me injured by something he had done, but which I could not reveal because it had happened in executive session and I had no right to violate the confidence. I want to thank him for his very fine letter, and for the courage and help he has given me by correcting an erroneous report.

I shall not answer Drew Pearson. I have never answered Drew Pearson. I shall simply keep on doing the best I can. One's life and actions constitute the final test. That is the only way in which to disprove untrue things that are said about one. So I kept it locked up in my heart. Then along comes the Senator from Iowa, and he volunteered to do this in order to clear up something that happened in executive session, which I could not reveal. He did it to clear me of the charge that I was attempting to stop the crime investigation by cutting down the appropriation, because it was charged that I had made the motion. The letter shows that he did it.

We gave assurance to the distinguished Senator from Tennessee that we would support his committee and would give him all the money he needed. It was maliciously published that I had made the motion. When it came to the attention of the junior Senator from Iowa he wrote the letter. I thank him from the bottom of my heart for the letter and for the interest that he took. The statement by Drew Pearson was absolutely not true.

Mr. KEFAUVER. Mr. President, will the Senator yield for a question?

Mr. WHERRY. Yes; except I do not want to detain the Senate.

Mr. KEFAUVER. I ask the Senator from Nebraska whether I did not tell him and also stated on the floor that the junior Senator from Tennessee was not complaining about the appropriation having been reduced, and that no blame accrued to the junior Senator from Nebraska, to the Senator from Iowa, or anyone else for the reduction of the appropriation from $100,000 to $50,000, except such blame as came to the junior Senator from Tennessee for not having his budget in proper shape? Did I not also state on the floor that I was very well pleased with the cooperation and support of the Senator from Nebraska and the Senator from Iowa and of the whole Committee on Rules and Administration for their help to the Interstate Crime Investigating Committee?

Mr. WHERRY. Mr. President, the distinguished Senator has asked me the question, and I want to say that the Senator did say exactly what he has stated. I appreciate it very much. I think, however, that in the colloquy which was exchanged between the distinguished Senator from Tennessee and the junior Senator from Nebraska the matter of who made the motion was not known to the Senator from Tennessee. I asked if I told him I did not make it, would he so believe? He said he would. I said I could not reveal the name of the Senator who had made the motion. That is why the distinguished Senator from Iowa wanted to clarify the record.

What the distinguished Senator from Tennessee says now he has already said. I am not charging him in any way with this malicious story. I am sure he never got the impression the story attempts to create. I appreciate the fact that he should voluntarily make the statement now. I do not see how these things get out of committees, particularly in executive session. I cannot understand it. Ordinarily while my office would have given the name of the Senator who had made the motion, because the question was squarely asked, I was not going to violate a confidence. I simply will not do it. I hope we can all follow that practice. When a committee holds a meeting in executive session its proceedings are confidential. I do not think the rules should be violated. The only way in which this explanation could come into the record was by the very gracious act of the Senator from Iowa, who felt he had the right to come forward and defend the junior Senator from Nebraska, even though the proceeding had been in executive session of the committee. The Senator from Iowa wanted to clear up a charge which was wholly untrue.

POSITION OF PAUL HOFFMAN REGARDING TARIFF ON AUTOMOBILES

Mr. FERGUSON. Mr. President, last week I attempted to make the RECORD clear concerning the position of Paul G. Hoffman, with respect to tariffs. In the course of a brief colloquy I was asked by the junior Senator from Nevada [Mr. MALONE] whether or not I had ever heard Mr. Paul G. Hoffman make a statement favoring the removal of the tariff on automobiles. I replied that he had made such a statement to me in private conversations and also that I had heard him make such a statement in testimony before the Committee on Appropriations.

I now find further record of such a statement. In a hearing before the Committee on Foreign Relations on Senate bill 3101, United States Senate, Eighty-first Congress, at page 41, there appears a statement by Mr. Hoffman in response to a question from Senator LODGE, which I think is self-explanatory. I do not wish to delay the Senate, but the statement is not long and I do wish to make the RECORD complete. It reads:

In theory, I presume that is true; yes, sir. I would like to make one statement here, purely gratuitously. It has nothing to do

with your question, Senator. But to clear the record: I want to state on the record, because this question of my attitude on imports of automobiles has been mentioned publicly—for 20 years I favored taking all tariffs off of foreign automobiles, and the automobile industry, at the time I was a part of it, on several occasions took a similar position. In other words, the automobile industry never requested any tariffs on foreign automobiles, and I personally thought they should be removed, and now think they should be removed. I just want that in the record.

Mr. Hoffman has also stated to me in the last 2 days that the only specific tariff that he has ever suggested reducing is the tariff on automobiles.

Having had knowledge of Mr. Hoffman's tariff philosophy through conversations with him I felt I should try to set the record straight in my earlier colloquy with the Senator from Nevada [Mr. MALONE] and I appreciate this opportunity to amplify the record with a specific reference.

PROTECTION AGAINST CERTAIN UNAMERICAN AND SUBVERSIVE ACTIVITIES—VETO MESSAGE

The Senate resumed the reconsideration of the bill (H. R. 9490) to protect the United States against certain un-American and subversive activities by requiring registration of Communist organizations, and for other purposes, the objections of the President of the United States to the contrary notwithstanding.

Mr. FERGUSON. Mr. President, I believe it is the duty of those who were the sponsors of this legislation to say a few words in rebuttal to the long discourses that have been in progress since about 5:45 o'clock last night. It is a known fact that when arguments are made and statements are made on a bill, particularly when they are made in relation to the intent of Congress and what Congress is trying to do, and if no reply is made to those statements and arguments by the sponsors of the bill or members of the committee reporting it, a misinterpretation can be drawn from such failure, and erroneous inferences as to the intent of Congress may also be drawn.

It is for that reason that I deem it my duty, even though we have been in session more than 24 hours consecutively, to speak briefly to the Senate at this time on this legislation. If I do not cover all the points that have been raised with respect to this bill in the past 25 or 26 hours, I do not wish it to be misunderstood that we are accepting all those issues without dispute.

Mr. President, the last speaker has stated that there was something in this legislation that was obnoxious to the Friends or Quakers, as well as other religious groups, with reference to bearing of arms, and with reference to an oath they would have to take when they became naturalized citizens.

I desire to call two sections of the legislation to the attention of the Senate as being the apparent source of the objection raised by the previous speaker. I can find nothing in these two sections which would be obnoxious or which could not be freely taken by those who might otherwise, on account of religious scruples, feel they were unable to bear arms. As I understand the sections, they are perfectly satisfactory to the Friends, Quakers, and others who feel pronounced religious scruples with regard to the bearing of arms. As a matter of fact I understand the provisions were expressly drawn at the suggestion and with the approval of those groups in order to meet objections they might otherwise have held.

I want to read these sections for the clarification they provide, because the statement to which I have referred is of a kind which might lead people to believe that there is prejudice in the hearts of some of those who are sponsoring this legislation.

These sections relate to certain necessary oaths. The bill, in fact, provides for two oaths, which are optional. I read from section 29 of the bill, at page 33 of the conference report:

(b) As provided in subsection (a) of this section, the petitioner for naturalization shall take one of the following oaths:

(1) I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States or perform noncombatant service in the Armed Forces of the United States when required by law; and that I take this obligation freely without any mental reservation or purpose of evasion: So help me God. In acknowledgment whereof I have hereunto affixed my signature; or

The second oath reads:

(2) I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I take this obligation freely and without any mental reservation or purpose of evasion: So help me God. In acknowledgment whereof I have hereunto affixed my signature.

Mr. President, we see clearly that there is nothing in the second oath which requires a man to bear arms or even perform noncombatant service in the Armed Forces, by reason of the specific omission of that requirement as it appears in the first of the optional oaths.

A further oath, which relates only to persons holding titles of nobility, is provided for in the next paragraph of the section, as follows:

(c) In case the person petitioning for naturalization has borne any hereditary title, or has been of any of the orders of nobility in any foreign state, the petitioner shall in addition to complying with the requirements of subsections (a) and (b) of this section, make under oath in open court to which the petition for naturalization is made, an express renunciation of such title or order of nobility, and such renunciation shall be recorded in the court as a part of such proceedings.

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

Mr. FERGUSON. I yield to the Senator from South Dakota.

Mr. MUNDT. I wonder if it would not be well to recall for the benefit of the Senate the fact that the distinguished Member of the House of Representatives, Representative NIXON, of California, who was a coauthor with me of the original socalled Mundt-Nixon bill, who introduced the version of the Communist-control legislation which comprises the first 17 sections of the bill now being considered, introduced in the first session of the Eightieth Congress, is himself a Quaker, of a long line of Quaker ancestors, which would seem to indicate he may think the Quakers are on guard, and that nothing to which the Quakers could object is in the proposed legislation.

Mr. FERGUSON. I am glad the Senator from South Dakota has made that observation, which should serve to make the record crystal clear upon this subject.

Mr. President, last evening as the veto message of the President was read—and I am sure it was thus reported in the press—we found on its first page the statement that—

H. R. 9490 would not hurt the Communists. Instead, it would help them.

No one who has studied and followed this legislation closely, and no one who has observed the cartoons, the editorials, and the pages of the Daily Worker, which is the mouthpiece of the Communists of the United States, could say that it would help the Communists. No one who has been on the firing line on this bill can say that the Communists want the legislation. The Communists and Communist-fronters of this country want anything but this legislation.

Mr. President, on the next page of the message there appears a statement which I am sure went out over the radio to every hamlet and home in America, in this language:

Specifically, some of the principal objections to the bill are as follows:

1. It would aid potential enemies by requiring the publication of a complete list of vital defense plants, laboratories, and other installations.

And on the following page this statement is amplified by the President's words:

I cannot imagine any document a hostile foreign government would desire more.

Mr. President, no law required the publication of data on Oak Ridge or the plant out in Hanford, Wash. But we are now picking up all over the United States and even in England the spies of Russia who had been in those plants and had obtained the secrets of the plants. We know they even extracted samples of the research being conducted in those plants. In other words, Mr. President, it is naive to believe that the Communist espionage apparatus does not pursue its ends effectively without the benefit of published lists which the President deplores.

But there is more than that in the President's statement. We have only to read the very words of the legislation to

know that that is not a fact, as the President alleges, that the legislation requires the publication of a complete list of vital defense plants, laboratories, and other installations.

At this point, I wish to insert in the RECORD a full explanation, which appears at page 50 of the conference report.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

Section 3 (7) and the provisions of section 5 relating to the designation of defense plants by the Secretary of Defense have been modified in the conference substitute so as to broaden the concept of defense plants to cover any appropriately designated plant, factory or other manufacturing, producing, or service establishment, airport, airport facility, vessel, pier, water-front facility, mine, railroad, public utility, laboratory, station, or other establishment or facility, or any part, division, or department of any of the foregoing. Because of this broader coverage, section 3 (7) has been changed so as to define the two terms "facility" and "defense facility."

The test to be applied by the Secretary of Defense in designating an establishment or facility as a "defense facility" is prescribed in section 5 (b), and he is authorized by that subsection to make such designation in the case of any facility, as defined in section 3 (7) "with respect to the operation of which he finds and determines that the security of the United States requires the application of the provisions of subsection (a) of this section."

In section 5 of the bill as it passed the House it was not specifically required, when the Secretary of Defense designated a "defense plant" that the designation made by him be made a matter of public information. In the modified section 5 (b) the provisions regarding designation have been changed so as to provide that the Secretary of Defense shall designate and proclaim, and from time to time revise, a list of the facilities designated by him, cause the list of such designated facilities, or any revision thereof, to be published in the Federal Register, and promptly notify the management of any facility so listed. It is made the duty of such management to post conspicuously, and to keep posted, notice of such designation in such form and in such place or places as to give reasonable notice thereof to all employees of, and to all applicants for employment in, such facility. The definition of "defense facility" in the revised section 3 (7) is so written that the criminal prohibitions in section 5 (a) relating to defense facilities will be applicable in the case of any particular designated facility only if the facility is included in the list published in accordance with section 5 (b), and only if the facility is in compliance with the provisions respecting the posting of notice of its designation as a defense facility.

Mr. FERGUSON. I think it would be well to have those things in the RECORD so that there may be no further questions on this subject. Some may have been troubled with the arguments made on the floor of the Senate. They may have been troubled with the President's statement. They may have been troubled with the radio announcements as to what the bill would do.

This explanation, which is before the Senate as the official record of the conference committee, makes clear that the public listing of defense facilities was provided for the very good purpose of implementing the provisions for protecting such facilities by denying employment therein to Communists. Moreover, it is clear that the publication of lists of designated facilities is not mandatory upon the Secretary of Defense, for he shall make such designations and listings only when he determines the national security requires that the bar against employment of Communists in such facilities be invoked.

Mr. O'CONOR. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. O'CONOR. May I ask the Senator from Michigan, who has devoted such earnest and continuous study to this matter, whether it is not a fact that in subsection (b) there is a provision that it is up to the Secretary of Defense to determine whether the section is to be applicable to any such facility? In other words, all he need do, in the event he does not wish this section made applicable, is to omit a certain plant from any listing he makes.

Mr. FERGUSON. That is exactly the correct interpretation, and that is the language. I am glad the distinguished Senator from Maryland, who has spent so much time on this bill, has asked that question and brought out the fact so forcefully. The lists are published only when national security requires their publication. Obviously, if listings are against the national interest, no publication would be made.

Mr. President, it could be that the President or the Attorney General did not wait until they received copies of the conference report to see the change made by the conference committee, and, therefore, were of the opinion that it contains an absolute or compulsory requirement as to the publication of a list of defense plants.

In evaluating the security interests involved in publication it should also be taken into consideration that the Secretary of Defense does not have to say, "This is an atomic-energy plant," or "This is where they manufacture some vital piece of machinery." No; that is not the fact. He need only publish the statement that it is a defense plant. He thereby invokes the security provisions of this section relative to barring Communists from defense-plant employment. The protections thus provided should be weighed against any possible injuries to security that might result.

Mr. President, there is one other thing that I feel it is important to bring to the attention of the Senate at this time. That is the provisions in section 22 which relate to the exclusion of certain aliens. This section is found at pages 21, 22, and 23 of the conference report.

I think one difficulty is that those who have advised the President against this particular section did not take into consideration the fact that much of that to which he is now objecting is part of the law and has been part of it for many years, and the Secretary of State has been operating under it.

I read from subsection (g), on page 22 of the conference report, which defines one class of excludable aliens as follows:

(G) Aliens who write or publish, or cause to be written or published, or who knowingly circulate, distribute, print, or display, or knowingly cause to be circulated, distributed, printed, published, or displayed, or who knowingly have in their possession for the purpose of circulation, publication, or display, any written or printed matter, advocating or teaching opposition to all organized government, or advocating (i) the overthrow by force or violence or other unconstitutional means of the Government of the United States or of all forms of law; or (ii) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government; or (iii) the unlawful damage, injury, or destruction of property; or (iv) sabotage.

That is all in the law today and it has to be administered by the President, regardless of any enactment by us at this time.

To that subsection the bill merely adds as new legislation the following language:

The economic, international, and governmental doctrines of world communism or the economic and governmental doctrines of any other form of totalitarianism.

The President cites various reasons for disapproving of section 22, among them the fact that it would deprive us of the great assistance of many aliens in intelligence matters, and the fact that no resident of a totalitarian country could come into the United States.

What the President overlooks in that condemnation of section 22 is the fact that the Attorney General has certain discretionary powers under the ninth proviso to section 3 of the Immigration Act of 1917, which is cited on page 24 of the conference report. Those discretionary powers of the Attorney General extend to a determination of who or who may not come in under the terms of Section 22, with certain exceptions.

These exceptions are two in number. The first is paragraph (1) on page 21 of the conference report, as follows:

(1) Aliens who seek to enter the United States whether solely, principally, or incidentally, to engage in activities which would be prejudicial to the public interest, or would endanger the welfare or safety of the United States;

The second exception is paragraph (3) on page 23 of the conference report, as follows:

(3) Aliens with respect to whom there is reason to believe that such aliens would, after entry, be likely to (A) engage in activities which would be prohibited by the laws of the United States relating to espionage, sabotage, public disorder, or in other activity subversive to the national security; (B) engage in any activity a purpose of which is the opposition to, or the control or overthrow of the Government of the United States by force, violence, or other unconstitutional means; or (C) organize, join, affiliate with, or participate in the activities of any organization which is registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950.

Those are the only exceptions, Mr. President, to the discretionary authority of the Attorney General. Those persons are automatically excluded. But the discretionary authority exists to cure what the President claims are defects of this section.

I should like to add one final word in relation to the President's message. The President objects to title II, which is the one to take effect upon the happening

of three events which are set out in the bill, in event of war, invasion, or insurrection. He has a criticism of the title because it does not suspend or authorize the suspension of the privilege of the writ of habeas corpus.

We remember, Mr. President, that in 1215 some of our forefathers fought at Runnymede in order to preserve the writ of habeas corpus. One of the causes of the Revolutionary War was that persons in the Colonies were being arrested and taken back to England in violation of the privilege of habeas corpus. If there is anything which distinguishes our form of government from a totalitarian form of government it is the courts and the privilege of habeas corpus.

Mr. President, if the time shall ever come when this country is at war or being invaded, as the terms are used in the Constitution of the United States, and the President comes to the Congress, that is the time that the Congress, representing all the people of America, should determine whether there shall be permitted a suspension of the writ of habeas corpus. Let us not otherwise destroy that for which we are today fighting in Korea. Let us not otherwise destroy that which makes us a God-fearing nation, opposed to totalitarianism and to communism.

Until such time we can take comfort and refuge in the specific provision in this title, which denies any possible inference to the contrary, that:

> Nothing in this title shall be construed to suspend or to authorize the suspension of the privilege of the writ of habeas corpus.

Mr. President, I wanted to refer also to some of the other arguments made against this legislation. I hope that those Senators who, with the Senator from Michigan, are sponsors of the bill will add their comments at this time in order that the record and the intent of Congress in enacting this legislation may be free of misunderstandings.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. McCARRAN. Mr. President, as stated by the Senator from Michigan, so many unsupported statements have been made in the course of the debate on this question, that it seems to me to be highly desirable that those of us who have had to do with this bill from its beginning to the present time be heard for a few minutes.

The veto message of the President declares that the bill H. R. 9490: "Would not hurt the Communists. Instead, it would help them."

I have heard that statement made before, and I have characterized it as an irresponsible statement. It would be improper to characterize as "irresponsible" any statement made by the President of the United States. But, Mr. President, it certainly is not improper to say that I disagree with that statement wholeheartedly; and I do not believe, Mr. President, there are very many members of this body, or very many persons anywhere, who have read this bill, who believe, or can be made to believe, that this bill would help Communists.

At the outset of his veto message, the President states what he calls "some of the principal objections to the bill." The veto message refers to these objections as being "specifically" stated, though in point of fact they are stated in general terms. However, let us examine these seven objections.

The first objection stated is that the bill would aid potential enemies by requiring the publication of a complete list of vital defense plants, laboratories, and other installations.

Mr. President, someone has misadvised the President with respect to that.

The only provision with respect to publication of a list of defense plants, which is to be found in this bill, is in section 5. Section 5 (b) authorizes and directs the Secretary of Defense to designate and proclaim, and from time to time revise, a list of facilities with respect to the operation of which he finds and determines that the security of the United States requires the application of the provisions of subsection (a)—that is, exclusion from employment of members of Communist organizations.

This section does not require the Secretary to publish a complete list of plants, or to publish any list at all. The Secretary in his discretion is to determine which plants, if any, he wants to exclude Communists from; and then he publishes the list of such plants, if any. The Secretary might limit his list of plants, as published, to a few, or he might publish a list of many thousands; but it will be discretionary with him. If he thinks it is more important to keep the name of a plant off a list than it is to apply the provisions of the bill banning the employment of Communists in that plant, then he can keep the name of the plant off the list. As a matter of fact, Mr. President, while it is perfectly reasonable to believe that there may be some plants doing defense work which it would be desirable to keep entirely secret, even so far as the identity of the plants is concerned, it is also perfectly true that there are in this country many thousands of defense plants and potential defense plants, the identity of which is, if not well known, at least easily determined. If one should want to send a form letter to defense plants and prospective defense plants throughout the country, soliciting their business or their contributions for one reason or another, he could probably go to any one of several direct-mail advertising agencies in Washington or in New York City, and have his letter addressed to a list of some forty thousand or forty-five thousand defense plants and prospective defense plants.

However that may be, Mr. President, the fact remains that the first numbered objection mentioned in the President's veto message charges this bill with requiring the publication of a complete list of vital defense plants, laboratories, and other installations; and that simply is not so.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. McCARRAN. I yield.

Mr. HOLLAND. Is it the Senator's opinion that the Secretary of Defense—considering all of the facts with reference to any atomic energy plant, which is subject to the very closest of screening, in respect to all its personnel, by the FBI and by agencies of its own, and having in mind the importance of secrecy in connection with such a plant—even remotely would consider having such a plant listed and published as needing the protection of the provision of this act of which the Senator from Nevada has just spoken?

Mr. McCARRAN. The Senator from Florida has stated the answer correctly. If the Secretary found that it was necessary to apply the provisions of this plan for the protection of the plant, he might do so. If, on the other hand, he did not, it would be within his discretion to do otherwise.

Mr. HOLLAND. Mr. President, will the Senator yield for a further question?

Mr. McCARRAN. I yield.

Mr. HOLLAND. Is it not the Senator's opinion that the Secretary of Defense would certainly conclude that an A–1 important plant, top secret in its operations, would not require the protection of this particular provision of the bill, having in mind the FBI screening and the separate agency screening which already prevail with respect to such a plant?

Mr. McCARRAN. The Senator from Florida has stated the matter correctly.

Mr. WILEY. Mr. President, will the Senator yield for a question?

Mr. McCARRAN. I yield.

Mr. WILEY. The question is somewhat collateral to the point under discussion; but there has been so much loose criticism, as I would call it, in relation to this subject, that I wish to find out definitely whether or not in the Senator's opinion there is in the bill anything which limits or in any way interferes with the action of the so-called Central Intelligence Agency of the Government.

Mr. McCARRAN. There is nothing in the bill that limits either the Central Intelligence Agency of the Government or the FBI or any one of the other protective agencies.

Mr. WILEY. I thank the Senator. That was my own conclusion, but I wished to have it confirmed.

Mr. McCARRAN. Let me say to the Senator, further in answer to his question, that that matter was gone into over and over again in conference, and was guarded and protected in every way.

So the primary purpose of this bill, among other purposes, is to see to it that the internal security of the Government of the United States is maintained. That is the object of the bill. The agencies which have been established to protect internal security certainly would not be interfered with in their operation.

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

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from California?

Mr. McCARRAN. I yield.

Mr. KNOWLAND. I think the Senator has amply answered the question from the point of view of the legislative history, but I particularly wanted to call his attention to section 8 of Public Law

110, Eighty-first Congress, a copy of which I showed him a little earlier, which deals with the right of the intelligence authorities to bring in—I believe it is a limitation of 100.

Mr. McCARRAN. That is correct.

Mr. KNOWLAND. And I wanted to make sure that there was not in this anything that interfered in any way with that legislative authority.

Mr. McCARRAN. I am going to touch on that very subject in just a moment.

Amplifying this charge, Mr. President, the President in his veto message states:

> One provision alone of this bill is enough to demonstrate how far it misses the real target. Section 5 would require the Secretary of Defense to "proclaim" and "have published in the Federal Register" a complete catalog of defense plants, laboratories, and all other facilities vital to our national defense—no matter how secret.

A little further along in the same paragraph, the President says:

> There are many provisions of the bill which impel me to return it without my approval, but this one would be enough by itself.

Mr. President, that statement is incomprehensible. The present President of the United States spent enough time in this body to learn how to interpret plain legislative language. I cannot conceive that he would write or sign a veto message on this bill without reading the bill carefully and I cannot imagine that, having read the bill carefully, he would make the statement which is in the veto message, with respect to what section 5 of this bill provides.

Mr. President, the veto message states that this one provision of the bill is enough to demonstrate how far it misses the real target. Mr. President, I leave it to any lawyer who will read this paragraph of the veto message, and subsection 5 (b) of the bill, to determine how far the veto message misses the target.

Mr. President, the second numbered objection in the veto message is that this bill "would require the Department of Justice and its Federal Bureau of Investigation to waste immense amounts of time and energy attempting to carry out its unworkable registration provisions."

Mr. President, I cannot criticize that objection, because it is obviously a statement of opinion rather than a statement of fact; but I thoroughly disagree with the opinions which the President has expressed. I do not consider the registration provisions of this bill to be unworkable, I do not believe it will require immense amounts of time and energy from the Department of Justice and the Federal Bureau of Investigation to carry out these provisions, and I do not agree that whatever time and energy is required to carry them out will be wasted.

The third numbered objection in the veto message is that this bill would deprive us of the great assistance of many aliens in intelligence matters.

In reading through the remainder of the veto message, Mr. President, I have tried to find some documentation for that charge. I did not find it. I will not say it is not there; but I did not find it. I did find the charge repeated, on page 5 of the mimeographed copy of the veto message, repeated and enlarged. On that page the veto message states, speaking of sections 22 and 25 of the bill, that—

> What these provisions would actually do is to prevent us from admitting to our country, or to citizenship, many people who could make real contributions to our national strength. The bill would deprive our Government and our intelligence agencies of the valuable services of aliens in security operations. It would require us to exclude and deport the citizens of some friendly, non-Communist countries. Furthermore, it would actually make it easier for subversive aliens to become United States citizens.

Those are, again, Mr. President, very general statements. Again, on page 14 of the mimeographed copy of the veto message, appears this statement:

> Moreover, the provisions of section 22 of this bill would strike a serious blow at our national security by taking away from the Government the power to grant asylum in this country to foreign diplomats who repudiate Communist imperialism and wish to escape its reprisals. It must be obvious to anyone that it is in our national interest to persuade people to renounce communism, and to encourage their defection from Communist forces. Many of these people are extremely valuable to our intelligence operations. Yet under this bill the Government would lose the limited authority it now has to offer asylum in our country as the great incentive for such defection.

Mr. President, the limited authority the Government now has to offer asylum in our country to such persons is not disturbed by section 22 of this bill. The authority of the Attorney General to waive the provision excluding such persons is not eliminated. Furthermore, as I pointed out during debate on this bill on the floor of the Senate, the legislation recently passed by the Congress permitting the admission of up to 100 aliens per year for intelligence reasons is not repealed or otherwise affected by H. R. 9490; and the interesting thing is that although that legislation permitted the entry of a hundred persons per year, and was enacted upon the plea that at least that many persons would be needed to be allowed to enter the country, yet down to the present time only a handful of persons has been admitted under that law.

So, Mr. President, we find a statement made, and repeated, and repeated again, but not documented nor explained.

The fourth numbered objection in the veto message is that the bill would antagonize friendly governments.

I have tried to find in the rest of the veto message any support for this statement. I have not found it. I do not say it is not there, but I have not found it. I did find a statement which might have some bearing on the point; a statement that under this bill "the Attorney General would be required to exclude from the United States all Spanish businessmen, students, and other nonofficial travelers who support the present government of their country."

Fortunately, Mr. President, the veto message is not a part of the legislative history of this bill. No matter how hard the Executive tries, legislation cannot be made by means of veto messages. The charge that this bill would require the Attorney General to exclude from the United States all Spanish businessmen, students, and other nonofficial travelers who support the present government of their country is an absurdity. I am confident that the Attorney General of the United States will never construe the bill in that way unless he is ordered so to construe it by a higher authority.

I think perhaps that mention of Spain was tossed into this veto message as a means of taking a sly dig at those of us who recently supported legislation to provide for a loan to Spain. I think perhaps there is intended to be some implication that one who voted for the loan to Spain is particularly partial to Spain or to the present form of government in Spain. Of course, I am sure the President knows that there were matters of principle involved in the question of the Spanish loan which had nothing to do with Spain's form of government. However that may be, I find no other substantiation in the veto message of the charge that this bill would antagonize friendly governments.

The fifth numbered point in the President's veto message is that the bill would put the Government of the United States into the thought-control business. Again, Mr. President, someone must have been misadvising the President of the United States. There is not a line in this bill that puts the Government of the United States in the thought-control business.

I do not like, Mr. President, standing here on the Senate floor to take issue with the President of the United States. But on this point, Mr. President, it is the President of the United States who has taken issue with the authors of the bill. The senior Senator from Nevada stood on the floor of the Senate, when the conference report on the bill was before the Senate, and made the plain and unequivocal statement that this bill contains no provisions which could properly be designated as thought control. Now the President of the United States, in his veto message, declares the bill would put the Government of the United States in the thought-control business. All I can do, Mr. President, is to say that I believe my original statement to be true when I made it, and I believe it to be true now, the President of the United States to the contrary notwithstanding.

The sixth numbered charge in the veto message is that this bill would make it easier for subversive aliens to become naturalized as United States citizens. Mr. President, there is no comment I can make on that statement which would not be unduly disrespectful of the high office of the President of the United States.

Mr. President, let any Member of this Senate—let any member of the press galleries—let any citizen of the United States who has gotten as far as the eighth grade—read this bill, and then ask him if he thinks the bill would make it easier for subversive aliens to become naturalized as United States citizens.

The seventh point, made by this bill, Mr. President, is that it would give Government officials vast powers to harass all of our citizens in the exercise of their right of free speech. Mr. President, that charge is misleading, and is no more true than the same charge would be if made with respect to any criminal law.

This bill does not contain any actual authority to invade or impede the right of free speech; but in the administration of this bill, as in the case of any other criminal law, it obviously would be possible for Government officials to harass our citizens, if they desired to do so. That is true of the administration of a great many laws. The senior Senator from Nevada, for one, does not believe that the officials of the Government of the United States desire to use their powers under this or any other bill to harass the citizens of the United States; and the senior Senator from Nevada is glad to be able to say, Mr. President, that this bill contains such safeguards, in connection with the right of review, that any errors made by Government officials in that regard would eventually be corrected by our courts.

Mr. President, time will not permit me to discuss this veto message paragraph by paragraph, because I do not wish to hold my colleagues that long. I have discussed each of the numbered objections which are stated at the outset of the veto message.

However, there are a few statements in the veto message which deserve comment.

On page 5 of the mimeographed copy, the veto message states that the ostensible purpose of the provisions of sections 22 and 25 of the bill is to prevent persons who would be dangerous to our national security from entering the country, or becoming citizens. Then the veto message states: "In fact, present law already achieves that objective."

Mr. President, there are thousands upon thousands of subversive aliens in this country. The President himself has recognized that fact. If present law is achieving the objective of preventing persons who are dangerous to our national security from entering this country, how did these subversive aliens get here?

With further reference to the provisions of the bill which strengthen the immigration and naturalization laws the President has repeated in essence the charge, which is wholly unfounded, that these provisions would hamper our international relations. I have previously pointed out to the Senate, in the language of the bill, designating paragraph, sentence, and words, that this bill would not exclude any alien in diplomatic status unless his entry into the United States would endanger the public security. In fact, any schoolboy who could read this bill could see that aliens in diplomatic status are expressly exempt from the excluding provisions of the bill unless their entry would endanger the public security.

It is curious to note, Mr. President, that some of the provisions of the bill which are criticized most vigorously by the President are provisions of the present law which were merely brought forward in the bill in order that there might be set forth in one pattern all of the applicable statutes.

And now, Mr. President, I come to that part of the veto message with reference to the provisions of the bill which strengthen the immigration and naturalization laws. The veto message reads, and I quote:

> The ostensible purpose of these provisions is to prevent persons who would be dangerous to our national security from entering the country or becoming citizens. In fact, present law already achieves that objective.

Mr. President, the quoted statement from the veto message is just not a fact. I know what I am talking about. Over the course of many months it has been my duty as chairman of a special subcommittee of this Senate to direct a thoroughgoing investigation of our immigration and naturalization systems. The undeniable facts are, as I have repeatedly advised the Senate and as they appear from the voluminous published testimony taken by the subcommittee, that aliens who are subversive to the national security are, under our present immigration and naturalization laws, being freely admitted into the United States and are becoming naturalized as citizens of this country.

On page 9 of the mimeographed copy, the veto message states that "the bill would permit a determination that an organization was a Communist-front organization to be based solely upon the extent to which the positions taken or advanced by it from time to time on matters of policy do not deviate from those" of a Communist movement. Mr. President, that statement simply is not so. The able Senator from Florida [Mr. HOLLAND] on the floor of the Senate on Wednesday, most ably demonstrated that it was not so.

Mr. President, I do not mean in any way to cast any doubt upon the sincerity of the President of the United States, nor upon his good intentions in desiring to fight subversive activity. I simply want to say, Mr. President, that there are many of us in this body who have acted, in connection with this whole matter, entirely in good faith, and solely out of a deep and impelling desire to take action for the protection of the welfare of this Nation, and to do it within the constitutional provisions and constitutional limitations.

Mr. JOHNSTON of South Carolina. Mr. President, during the time the committee was holding hearings on this particular bill and companion bills, I did not have the opportunity to take as much part as I wish I could have taken, for I was obliged to be away for a portion of the time. As Senators will recall, the first bill introduced was the Mundt-Ferguson-Johnston bill. My name has been mentioned very little in connection with the bill because of the fact that I did not take much part in the proceedings and hearings when the bill was in committee. But I want the public and the Senate to know that I was, and am, very much interested in this subject.

As I see it, it is imperative that there be enacted at this time legislation dealing with subversive activities. The people are demanding it. Those who go out among the people and talk with them find that they expect us to do something in this field because they have been educated to the point where they believe there are many Communists throughout America. The FBI has made the statement that they are here. The President has acknowledged that they are here. It is our duty to do something about the situation. This proposed legislation has been discussed pro and con. I do not intend at this juncture to take up the time of the Senate with respect to this bill. I am thoroughly convinced that the committee has done a good job. I believe it reported the first bill by a vote of 10 to 1. Then the authors of the first bill agreed to join with the Senator from Nevada [Mr. MCCARRAN] in order that we could have some legislation passed this year on this vital matter.

Then it came up for discussion on the floor of the Senate. It was thoroughly discussed on the floor of the Senate day after day, passed, and sent to conference. The conference committee reported the bill unanimously. Then the Senate agreed to the conference report by an overwhelming vote. It now comes before us on the question of whether or not we should pass the bill, the objections of the President to the contrary notwithstanding. So far as I am concerned, I am willing to vote to override the veto because I think in the closing days of the session this is the only chance we have of enacting legislation on this matter.

There may be some things in the bill with which we do not agree. However, as I have already said, legislation is a matter of compromise. That is what has happened in this instance. The House has already set the pace. They have voted to override the veto by a vote of 286 to 48. I hope the Senate will vote immediately. For that reason, I shall not take up any more time of the Senate.

Mr. MUNDT. Mr. President, let me assure the Senate that the junior Senator from South Dakota does not intend to detain the Senate for more than a few minutes. It is his understanding that his remarks will conclude the debate insofar as we have any knowledge of anyone who still wishes to speak on either side of the question. So if the whips and those who have the responsibility of getting in the votes will start to do their work of rounding up the absent Members for both parties, we shall not lose any time in the 10 or 15 minutes that the junior Senator from South Dakota expects to speak on the bill.

Like many of my colleagues, I have served for a number of years in the House of Representatives. The House has a rule known as the 5-minute rule. In the Senate there are days when the 5-minute rule is very attractive to Members of the Senate, and I believe this is one of those days.

We have been debating this issue now for 24 hours. The proponents of this legislation decided not to take more than an hour in total time; the other 23 hours were consumed by the opposition. There are one or two things, however, that I wish to direct to the attention of the Senate before we proceed to vote. This debate, which has been long, has been called by some a filibuster, by others a talkathon, and by still others just a necessary exposition of the legislation and I shall not enter into a debate on that point.

Perhaps I can stake out a claim for having made the greatest understatement of the Eighty-first Congress by simply saying that surely this legislation has been adequately debated. I do not think anyone denies that. I think no one will deny that it should have been adequately debated. I am happy, as I think most Members of the Senate are happy, and we can be proud, too, that it has been debated, by and large, rather intelligently. It has been debated with a marked lack of partisanship, and with almost a complete absence of personalities.

I think that in dealing with such a touchy subject, laden as it is with dynamite, it is to the credit of all Senators, either those who have participated in the debate, or those who have abstained from participation thus demonstrating a tremendous amount of self-control, that this debate has been dispassionate and objective.

I want to say one other thing for the information of the Senate, because it seems to me it is information which should have been given to the Senate long ago. I think it should be given to the Senate, because it is in full keeping with the basic concept of this legislation, which is the concept of disclosure, the concept of identification, and the concept of moving things out into the open where everyone can see them.

During the early hours of debate my attention was called to the fact that at the rotunda seats near the edge of the pillars where our guest room is temporarily located a sort of shadowy figure kept coming and going and operating through the darkness of night and dawn of morning until a very few moments ago. I think the Senate should know who that shadowy, stealthy figure actually is. I know who he is. I did not mention this before, as I have failed to mention his name up to this hour primarily because I wanted this important legislation to be approved or disapproved by the Congress on its merits and not on the basis of the good or evil qualities of its advocates and its opponents. However, this man has organized the so-called National Committee To Defeat the Mundt Bill, which has said of me such slanderous things that if I had twice the vocabulary of a Hoosier Senator I could not begin to do justice in reply to what he has said about me.

The name of this man is Jerry J. O'Connell. He is head of the National Committee To Defeat the Mundt Bill, which has its main office here in Washington. He has been with us tonight. I do not complain about that, but I do think that, like Senators, he should identify himself, that he should move in the open, and that we should know who he is and just exactly who he represents, because perhaps he will be coming back again in the form of some other type of agitator once we defeat his National Committee to Defeat the Mundt Bill by defeating instead the President's veto of the bill.

I shall tell the Senate only a small part of the record from one of the many sources available to United States Senators. I have before me the first report in 1948 of the Un-American Activities Committee of the State of Washington. It is a very commendable report, because Senators will recall that it resulted finally in the removal of three self-confessed and admitted Communist professors, who for 20 years had been teaching in disguise on the campus of the University of Washington. This subject, Jerry O'Connell, moved in the shadowy twilight last evening, consulting with others, among them an important Washington representative of the Communist Party, who sits here with us in part at least as a representative and reporter for the Communist Daily Worker. On two different occasions I saw them seated close together, planning, moving around, and doing whatever they could in trying to promote their campaign to sustain the President's veto, defeat this legislation, and to organize methods and techniques to this end. I know that none of the senatorial participants in this debate certainly would have had any truck with a character like Jerry O'Connell, on the basis of the evidence submitted under oath before this legally constituted committee of the State of Washington, if they took the time to investigate his background. The questions were asked by the committee investigator:

Question. I will ask you, professor—

The witness is Prof. Louis Budenz, former editor of the Communist Daily Worker—

do you know a former Congressman from Montana by the name of Jerry O'Connell?

Answer. Yes, sir.

Question. Do you know whether or not Mr. O'Connell was a member of the Communist Party?

Answer. Not that specific. I know that he was one whom the party felt it must take care of because of his agreement constantly with the party line.

Then Professor Budenz says:

May I supplement this?

The committee clerk said, "Yes."

The WITNESS. In regard to Mr. O'Connell, the discussion was to the effect that he had over a series of years done all that the party had wanted him to do, and therefore that the party owed it to him to see that he obtained a reward in the case of his defeat.

This man sat within 20 feet of our Senate Chamber all last night and during the long early morning hours, trying to promote the Communist line. I think Senators should keep in mind the fact that Mr. O'Connell was there. I do not say that he did not have a right to be there, but under this legislation he would have to be there in the open. He would be known to all Senators, not only to a few of us whose paths have crossed with his over the years. All Senators have a perfect right to know whom Mr. O'Connell represents as he pulls strings, moves puppets around, and sends out telegrams and makes phone calls to create a great network of propaganda and communications urging Senators to vote to sustain the President's veto. Senators are entitled to know who this Mr. O'Connell is who sat out there for 24 hours, almost within spitting distance of the United States Senate.

Mr. President, the testimony proceeds beyond the point where I stopped reading for perhaps a page and a half. I ask unanimous consent to include that portion of the testimony as part of my remarks.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

The WITNESS. May I supplement this?

Mr. HOUSTON. Yes, Mr.—Professor Budenz.

The WITNESS. In regard to Mr. O'Connell, the discussion was to the effect that he had over a series of years done all that the party had wanted him to do, and therefore that the party owed it to him to see that he obtained a reward in the case of his defeat. I think that this was when he was defeated. And therefore this was not just a chance interview, or a chance discussion, it was an official discussion of a committee, the finance committee of the party, headed by William Weiner, in regard to what to do to help out Mr. O'Connell because of his past services and cooperation to the party. And there it was agreed that he should become a representative of the International Workers Order.

Question. This was an official discussion of the high-ranking officers of the Communist Party, was it not?

Answer. That's correct.

Chairman CANWELL. Mr. Houston, I'm accepting into the record exhibit No. 7, which is the $2,500 check, exhibit No. 8, the $150 check and endorsement.

Mr. HOUSTON. That's exhibit No. 8, Mr. Chairman.

(Whereupon the two checks referred to were admitted into the record as exhibits No. 7 and 8.)

Question. At the time of that meeting was there any question in your mind as to whether or not Mr. O'Connell was a member of the Communist Party?

Answer. There was no question in my mind that he was in complete accordance with the Communist Party.

Question. Do you know of anyone, Professor, that the Communist Party has taken care of who are not members or are not under party discipline?

Answer. I do not. The Daily Worker had previously to that time played him up also to a very great extent, and that's very rare unless there is a dependent. As a matter of fact, we were assured of his allegience and cooperation with the party.

Question. Do you recall that issue of the Daily Worker during the period of time that you were editor, which stated that Jerry O'Connell was the clearest progressive voice in America today?

Answer. I remember the phrase to that extent and purpose, yes.

Question. Would you have published any such statement in the official organ of the Communist Party without being satisfied that the person referred to was a member of the Communist Party?

Answer. He may not technically have been a member, but there was complete agreement that he would do what the party wanted him to do.

Question. The party felt that they had him under discipline and could control him?

Answer. That's correct. That was made clear in many discussions.

Mr. MUNDT. Mr. President, I will have no more to say about O'Connell and the part he played. I simply offer his activities of last night to show how near the Red menace has actually penetrated our own surroundings.

I do wish to read a telegram, however, to the Members of the Senate which came from an organization which we all

respect. It does not have any questionable characters slinking around unbeknown to most of the Members of the Senate. This is a telegram which came here this morning from George N. Craig, national commander of the American Legion. I presume it was sent to every Senator. Let me read it:

WASHINGTON, D. C., *September 23, 1950.*
Senator CARL MUNDT:

Speaking for 3,000,000 veterans of World Wars One and Two and 1,000,000 members of the American Legion Auxiliary I strongly urge that the Senate vote to override the President's veto on Internal Security Act now before the Senate. As you know, the American Legion has, by unanimous action, repeatedly gone on record favoring national legislation of this type. Our entire membership firmly believes that when our men are called upon to fight and die and our citizens called upon to spend billions in an effort to stop communism all over the world, common sense and sound national security demand immediate action to override the President's veto of this vital legislation which would reduce the threat of Communist attack against the very heart of our democracy. We realize the Congress is now being fluttered with communications from every Communist cell within this Nation. Russia and the entire free world have their eyes upon you at this moment. As national commander of the world's greatest organization of veterans and patriotic women I entreat you to display the courage I know you have in your heart and to use your utmost influence to put this law upon our statute books now.

GEORGE N. CRAIG,
National Commander, the American Legion.

Mr. President, may I say in the remaining 4 minutes which I have allotted myself—and as a man who has been long a victim of a stern 5-minute rule I shall not proceed a single second beyond the 4 minutes—as we approach this vote, let us approach it in an all-American, bipartisan manner. We are considering legislation introduced by a bipartisan committee, supported by bipartisan groups, and resisted by some bipartisan combinations of people who thought they should resist it.

Let us look upon this legislation keeping in mind the courageous statement made by the majority leader, the senior Senator from Illinois [Mr. LUCAS], some 10 or 12 hours ago on this floor, when he said, "Senators, we are not considering this legislation in a normal period of time, not in peace"—and I believe I quote him correctly—"but in one of the most dangerous eras of American history."

Let us keep in mind as we vote that we will with our votes decide today what we should do, and this legislation is the only thing we can do to curb communism in this country between now and the next meeting of the Congress. Are we to decide to give our Government a security control bill against communism at home, or, by sustaining the President's veto, leave ourselves to continue to be the victims of the stealth and the conspiracies of Godless tyrannical Communists in America?

As we now vote, I will ask Senators to think about the fact that while they by their answers to the roll call indicate whether or not they are finally going to support this legislation, some mother's son in Korea is spitting out his last mouthful of blood, giving his life fighting against precisely the thing we are urging you to legislate against today, the Communist conspiracy in America. I trust and hope we shall now overwhelmingly override the President's veto of this long-sought Communist control bill, which first passed the House in an earlier version during the Eightieth Congress where it was called the Mundt-Nixon bill and which at long last now comes before us for the final action in its legislative, veto-ridden journey into actual law.

Mr. O'CONOR. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Bricker	Hickenlooper	McMahon
Butler	Hill	Magnuson
Byrd	Hoey	Malone
Cain	Holland	Martin
Capehart	Humphrey	Mundt
Chapman	Ives	Murray
Chavez	Jenner	O'Conor
Connally	Johnson, Colo.	Robertson
Cordon	Johnson, Tex.	Russell
Darby	Johnston, S. C.	Saltonstall
Donnell	Kefauver	Schoeppel
Douglas	Kilgore	Smith, Maine
Dworshak	Knowland	Stennis
Ecton	Leahy	Taft
Ellender	Lehman	Thye
Ferguson	Lodge	Tydings
Frear	Long	Watkins
Fulbright	Lucas	Wherry
George	McCarran	Wiley
Graham	McCarthy	Williams
Green	McClellan	Young
Gurney	McFarland	
Hendrickson	McKellar	

The VICE PRESIDENT. A quorum is present.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DOUGLAS. Will the Chair state the precise form in which the question will come before the Senate?

The VICE PRESIDENT. The Chair was about to do that.

The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Those who favor the passage of the bill will vote "yea" as their names are called. Those opposed will vote "nay" as their names are called. The roll call is automatic, and the Secretary will call the roll.

The legislative clerk called the roll.

Mr. LUCAS. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from South Carolina [Mr. MAYBANK], the Senator from Florida [Mr. PEPPER], and the Senator from Utah [Mr. THOMAS] are absent by leave of the Senate.

The Senator from Connecticut [Mr. BENTON], the Senator from Iowa [Mr. GILLETTE], the Senator from Arizona [Mr. HAYDEN], the Senator from Pennsylvania [Mr. MYERS], and the Senator from West Virginia [Mr. NEELY] are absent on public business.

The Senator from California [Mr. DOWNEY] and the Senator from Idaho [Mr. TAYLOR] are necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness.

The Senators from Wyoming [Mr. HUNT and Mr. O'MAHONEY], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Kentucky [Mr. WITHERS] are absent on official business.

The Senator from Oklahoma [Mr. KERR] is delivering the keynote address to the Oklahoma Democratic State Convention today, and is, therefore, necessarily absent. I am authorized to announce that if the Senator from Oklahoma were present and voting, he would vote "yea."

The Senator from Alabama [Mr. SPARKMAN] is absent by leave of the Senate on official business, as a Representative of the United States to the fifth session of the General Assembly of the United Nations.

I announce that the Senator from West Virginia [Mr. NEELY] is unavoidably absent on important public business. He has requested me to state that he voted for the passage of this bill, that he voted for the conference report, and that if he were present, he would vote "yea" on the question of overriding the President's veto.

I announce also that on this vote the Senator from Arizona [Mr. HAYDEN] and the Senator from Pennsylvania [Mr. MYERS] are paired with the Senator from Idaho [Mr. TAYLOR]. If present and voting, the Senator from Arizona and the Senator from Pennsylvania would vote "yea," and the Senator from Idaho would vote "nay."

I announce further that if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Mississippi [Mr. EASTLAND], the Senators from Wyoming [Mr. HUNT and Mr. O'MAHONEY], the Senator from South Carolina [Mr. MAYBANK], the Senator from Alabama [Mr. SPARKMAN], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Utah [Mr. THOMAS] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Colorado [Mr. MILLIKIN] the Senator from Missouri [Mr. KEM], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate.

The Senator from Vermont [Mr. FLANDERS] is absent by leave of the Senate on official business as a temporary alternate Governor of the World Bank.

The Senator from Maine [Mr. BREWSTER] and the Senator from New Jersey [Mr. SMITH] are absent by leave of the Senate as representatives of the American group to the Interparliamentary Union.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness. If present and voting, the Senator from North Dakota would vote "nay."

The Senator from Oregon [Mr. MORSE] and the Senator from New Hampshire [Mr. TOBEY] are absent on official business.

I also announce that, if present and voting, the Senator from Vermont [Mr. AIKEN], the Senator from Maine [Mr. BREWSTER], the Senators from New Hampshire [Mr. BRIDGES and Mr.

TOBEY], the Senator from Colorado [Mr. MILLIKIN], the Senator from Missouri [Mr. KEM], the Senator from New Jersey [Mr. SMITH], and the Senator from Michigan [Mr. VANDENBERG] would each vote "yea."

The yeas and nays resulted—yeas 57, nays 10, as follows:

YEAS—57

Bricker	Hickenlooper	Magnuson
Butler	Hill	Malone
Byrd	Hoey	Martin
Cain	Holland	Mundt
Capehart	Ives	O'Conor
Chapman	Jenner	Robertson
Connally	Johnson, Colo.	Russell
Cordon	Johnson, Tex.	Saltonstall
Darby	Johnston, S. C.	Schoeppel
Donnell	Knowland	Smith, Maine
Dworshak	Lodge	Stennis
Ecton	Long	Taft
Ellender	Lucas	Thye
Ferguson	McCarran	Tydings
Frear	McCarthy	Watkins
Fulbright	McClellan	Wherry
George	McFarland	Wiley
Gurney	McKellar	Williams
Hendrickson	McMahon	Young

NAYS—10

Chavez	Humphrey	Lehman
Douglas	Kefauver	Murray
Graham	Kilgore	
Green	Leahy	

NOT VOTING—29

Aiken	Hunt	Pepper
Anderson	Kem	Smith, N. J.
Benton	Kerr	Sparkman
Brewster	Langer	Taylor
Bridges	Maybank	Thomas, Okla.
Downey	Millikin	Thomas, Utah
Eastland	Morse	Tobey
Flanders	Myers	Vandenberg
Gillette	Neely	Withers
Hayden	O'Mahoney	

The VICE PRESIDENT. On this question the yeas are 57, and the nays are 10. Two-thirds of the Senate, a quorum being present, having voted in favor of its passage, on reconsideration the bill is passed, the objections of the President of the United States to the contrary notwithstanding.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 1025. An act for the relief of Waymon H. Massey;

H. R. 5327. An act to continue until the close of June 30, 1951, the suspension of duties and import taxes on metal scrap, and for other purposes;

H. R. 5372. An act to authorize the negotiation and ratification of separate settlement contracts with the Sioux Indians of Cheyenne River Reservation in South Dakota and North Dakota for Indian lands and rights acquired by the United States for the Oahe Dam and Reservoir, Missouri River development, and for other related purposes;

H. R. 6355. An act to provide for the conveyance of certain real property to the city of Richmond, Calif.;

H. R. 8920. An act to provide revenue, and for other purposes; and

H. J. Res. 516. Joint resolution authorizing the President, or such officer or agency as he may designate, to conclude and give effect to agreements for the settlement of intercustodial conflicts involving enemy property.

ADJOURNMENT TO NOVEMBER 27

The VICE PRESIDENT laid before the Senate House Concurrent Resolution 287, which was read as follows:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Saturday, September 23, 1950, they stand adjourned until 12 o'clock meridian on Monday, November 27, 1950.

Mr. LUCAS. Mr. President, I move the adoption of the concurrent resolution.

The motion was agreed to, and the concurrent resolution (H. Con. Res. 287) was considered and agreed to.

AUTHORIZATION FOR SPEAKER OF HOUSE OF REPRESENTATIVES AND PRESIDENT OF SENATE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DURING ADJOURNMENT

The VICE PRESIDENT laid before the Senate House concurrent resolution 288, which was read as follows:

Resolved by the House of Representatives (the Senate concurring), That notwithstanding the adjournment of the two Houses until Monday, November 27, 1950, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

Mr. LUCAS. I move the adoption of the concurrent resolution.

The concurrent resolution (H. Con. Res. 288) was considered and agreed to.

AUTHORITY FOR APPOINTMENTS TO COMMISSIONS AND COMMITTEES DURING ADJOURNMENT

On motion by Mr. LUCAS, and by unanimous consent, it was

Ordered, That notwithstanding the adjournment of the two Houses to Monday, November 27, 1950, the President of the Senate be, and he is hereby, authorized to make appointments to commissions or committees authorized by law, by concurrent action of the two Houses, or by order of the Senate.

AUTHORITY FOR SECRETARY OF SENATE TO RECEIVE MESSAGES FROM HOUSE OF REPRESENTATIVES DURING ADJOURNMENT

On motion of Mr. LUCAS, and by unanimous consent, it was

Ordered, That the Secretary of the Senate be, and he is hereby, authorized to receive messages from the House of Representatives subsequent to adjournment.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred, as indicated:

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Attorney General, withdrawing the name of Carmen Pardo De Tavera De Gonzales or Carmen P. Gonzales or Carmen Gonzales from a report relating to aliens whose deportation he suspended more than 6 months ago, transmitted to the Senate on February 15, 1950; to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF ALIENS

A letter from the Attorney General, transmitting, pursuant to law, copies of orders of the Commissioner of the Immigration and Naturalization Service suspending deportation of certain aliens, together with a detailed statement of the facts and pertinent provisions of law as to each alien and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

A letter from the Attorney General, transmitting, pursuant to law, copies of orders of the Commissioner of the Immigration and Naturalization Service granting the application for permanent residence to certain aliens, together with a detailed statement of the facts and pertinent provisions of law and the reasons for granting the applications (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the Committee for Fort Thomas (Ky.) protesting against a reduction in the appropriation under the Hill-Burton Act relating to construction of hospitals; to the Committee on Appropriations.

A resolution adopted by the General Council of the Hawaiian Government Employees' Association at Honolulu, T. H., expressing appreciation to Governor Stainback, of Hawaii, in his fight for statehood for Hawaii; to the Committee on Interior and Insular Affairs.

A resolution adopted by the General Council of the Hawaiian Government Employees' Association, at Honolulu, T. H., favoring statehood for Hawaii; ordered to lie on the table.

PERMISSION FOR COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS TO FILE REPORT DURING ADJOURNMENT

Mr. HOEY. Mr. President, I ask permission of the Senate that the Subcommittee on Investigation of the Committee on Expenditures in the Executive Departments be permitted to file its report on investigations during the recess of Congress.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. May I ask the distinguished Senator to which committee he has reference?

Mr. HOEY. The Subcommittee on Investigations of the Committee on Expenditures in the Executive Departments.

Mr. WHERRY. Does the subcommittee have any report to file?

Mr. HOEY. We contemplate being able to file it before Congress meets again. There were two or three investigations, I think. We have already concluded our executive hearings. Sometime between now and the assembling of Congress after the recess I will file the report.

Mr. WHERRY. Do I understand that the subcommittee has completed its investigations?

Mr. HOEY. Yes. We held executive sessions. I believe we had five different executive sessions. The staff has been going over the reports of the different

agencies of the Government, and we expect to be able to file the report sometime before Congress reassembles.

Mr. WHERRY. I was wondering whether they had made an investigation of the latest incident that has been brought to the attention of Congress.

Mr. HOEY. Not of that individual case, but we shall have a report on it.

Mr. WHERRY. I have no objection.

The VICE PRESIDENT. Without objection, it is so ordered.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 23, 1950, he presented to the President of the United States the following enrolled bills:

S. 1292. An act to amend section 32 (a) (2) of the Trading With the Enemy Act; and

S. 2195. An act to authorize the Palisades Dam and Reservoir project, to authorize the north side pumping division and related works, to provide for the disposition of reserved space in American Falls Reservoir, and for other purposes.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LUCAS:

S. 4191. A bill for the relief of Louis W. Kropp; to the Committee on the Judiciary.

By Mr. CHAPMAN:

S. 4192. A bill to provide advanced retired rank for certain persons specially commended for bravery in actual combat in each of the two world wars, and for other purposes; to the Committee on Armed Services.

(Mr. JOHNSON of Colorado introduced Senate bill 4193, to eliminate the retroactive application of the income tax to employees of the United States working in the possessions or in the Canal Zone, which was referred to the Committee on Finance, and appears under a separate heading.)

RETROACTIVE APPLICATION OF INCOME TAX TO CERTAIN EMPLOYEES IN POSSESSIONS OR CANAL ZONE

Mr. JOHNSON of Colorado. Mr. President, I introduce for appropriate reference a bill to eliminate the retroactive application of the income tax to employees of the United States working in the possessions or in the Canal Zone, and I ask unanimous consent that a statement prepared by me explaining the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the statement presented by the Senator from Colorado will be printed in the RECORD.

The bill (S. 4193) to eliminate the retroactive application of the income tax to employees of the United States working in the possessions or in the Canal Zone, introduced by Mr. JOHNSON of Colorado, was read twice by its title, and referred to the Committee on Finance.

The statement presented by Mr. JOHNSON of Colorado is as follows:

STATEMENT BY SENATOR JOHNSON OF COLORADO

Mr. President, the Senate has just agreed to the conference report on the new tax bill which, it is estimated, will increase the Federal revenue $4,500,000. Levying additional taxes is not a pleasant task. Nevertheless, the Korean war makes it necessary to do so. The vital fundamental principle to be observed in levying taxes is that they be fair and just to all.

One very unjust provision is contained in this conference report. As an inducement in recruiting able and skilled American citizens to accept employment in the Canal Zone, Federal income taxes heretofore have not been levied on American citizens who are employed there. Since such workers serve the Government of the United States and since such taxes would be paid to the Government of the United States the special tax exemption heretofore permitted by our revenue laws has been deemed to be an extra take-home pay incentive. Uncle Sam didn't bother to put money in one pocket and take it out of another. However the conference report changed that. Now Uncle Sam takes the money in but does not pay it out, and the Canal Zone worker is the victim.

His wages, in effect, have been reduced arbitrarily by this action. In essence, the action taken in the conference report amounts to a breach of faith if not a breach of contract by the Federal Government toward a group of loyal and defenseless citizens.

But that is not all that the conference report does to these unfortunate employees who are powerless to help themselves. It not only reduces their wages from now on but it compels them to pay on a dead horse. The new tax bill levies a retroactive tax on these people. Most Canal Zone employees of the United States Government now will be compelled to borrow money to pay this retroactive tax—a tax which applies to wages already earned but on which the earner did not expect to pay taxes and had made no plans to pay tax. Obviously no withholding tax was collected. If these workers were wealthy or even highly paid, the situation might not be so bad but the truth is that they are merely average American workmen who live under unpleasant climatic conditions and whose livelihood and future security is premised on a continuation of the status quo which permits them to live under the same standards of living as their fellow workers within the continental United States. They must send their children to the States for advanced education.

The parliamentary situation in the Senate and House made it inadvisable to even attempt to change the conference report. An extended debate on that point would have endangered the enactment of the new tax bill and other vital legislation in the closing hours of the session. Accordingly I did not resist the adoption of the conference report. There is a more effective way to proceed.

I now introduce a bill to correct this unfair retroactive provision which affects Canal Zone employees solely. It is my hope and belief that we will be able to attach this bill as an amendment to the excess-profits-tax bill which will be considered by Congress in November. Since revenue legislation, under the Constitution, must originate in the House, I am compelled to amend a House revenue measure to correct the unjust and confiscatory retroactive tax levied against a special group of American citizens—the Canal Zone workers.

The long-range Canal Zone income-tax problem, which has in effect reduced the wages of one group of highly skilled and loyal American citizens, can be cured by an outright repeal of the new revenue provision or by increased wages. The purpose of the bill I am now introducing is merely to prevent the confiscation of the property of Canal Zone workers.

I shall press for action in November.

AMENDMENT OF RAILWAY LABOR ACT—AMENDMENTS

Mr. HOLLAND submitted amendments intended to be proposed by him to the bill (S. 3295) to amend the Railway Labor Act and to authorize agreements providing for union membership and agreements for deductions from the wages of carriers' employees for certain purposes and under certain conditions, which were ordered to lie on the table and to be printed.

CITATION OF HARRY RUSSELL FOR CONTEMPT OF SENATE

Mr. KEFAUVER. Mr. President, from the Special Committee to Investigate Organized Crime in Interstate Commerce, I report an original resolution (S. Res. 358) citing Harry Russell for contempt of the Senate, and I submit a report (No. 2580) thereon. I ask unanimous consent for its immediate consideration.

There being no objection, the resolution (S. Res. 358) was considered and agreed to, as follows:

Resolved, That the President of the Senate certify the report of the Special Committee to Investigate Organized Crime in Inter-State Commerce of the United States Senate as to the refusal of Harry Russell to answer a series of questions before the said special committee, together with all the facts in connection therewith, under the seal of the United States Senate, to the United States Attorney for the District of Columbia, to the end that the said Harry Russell may be proceeded against in the manner and form provided by law.

EXPRESSION OF FELICITATIONS AND EARNEST WISHES FOR SPEEDY RECOVERY OF SENATOR ARTHUR H. VANDENBERG

Mr. O'CONOR. Mr. President, I submit a resolution and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read for the information of of the Senate.

The resolution (S. Res. 359) was read as follows:

Whereas, the distinguished senior Senator from Michigan [Mr. VANDENBERG] has been prevented, by illness, from participating in recent sessions of the Senate; and

Whereas the senior Senator from Michigan is held in high esteem by his colleagues and is deeply respected for his statesmanship and devotion to country, and for his zeal for the cause of world peace, as exemplified by his leadership in the development and furtherance of efforts for world accord; and

Whereas his outstanding contribution to the accomplishments of the Congress, particularly in the field of foreign relations, will ever reflect credit upon him and upon the United States Senate: Now, therefore, be it

Resolved, That the Senate of the United States express to the distinguished senior Senator from Michigan its sincere felicitations and earnest wishes for his speedy and complete recovery.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. HILL. Mr. President, I hope that the resolution may be unanimously agreed to.

Mr. WHERRY. Mr. President, I make the same request as to this resolution that was made as to the one offered yesterday in connection with the resolution making a presentation to the Vice President, that is, that the entire membership of the Senate be included.

The VICE PRESIDENT. Without objection, the request of the Senator from Nebraska is agreed to, and without objection, the resolution is agreed to unanimously.

The preamble was agreed to.

PRINTING OF SUMMARY OF ACTIVITIES OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. HILL. Mr. President, on behalf of the Senator from Utah [Mr. THOMAS], chairman of the Senate Committee on Labor and Public Welfare, I ask to have printed a summary of the activities of the Senate Committee on Labor and Public Welfare during this session of the Congress.

The VICE PRESIDENT. Is there objection to the request of the Senator from Alabama? The Chair hears none, and it is so ordered.

TRIBUTE TO SENATOR GURNEY BY SENATOR YOUNG

[Mr. YOUNG asked and obtained leave to have printed in the RECORD a statement prepared by him in tribute to Senator GURNEY, which appears in the Appendix.]

ACTIVITIES OF NATIONAL ASSOCIATION OF MANUFACTURERS—STATEMENT BY SENATOR BENTON

[Mr. DOUGLAS asked and obtained leave to have printed in the RECORD a statement by Senator BENTON, together with correspondence dealing with certain activities of the National Association of Manufacturers, which appear in the Appendix.]

STATEMENT BY WILLIAM M. BOYLE, JR., CHAIRMAN, DEMOCRATIC NATIONAL COMMITTEE

[Mr. LUCAS asked and obtained leave to have printed in the RECORD a statement by William M. Boyle, Jr., chairman, Democratic National Committee, which appears in the Appendix.]

ADDRESS BY SENATOR McCARTHY AT PRINCE GEORGES COUNTY REPUBLICAN RALLY, HYATTSVILLE, MD.

[Mr. McCARTHY asked and obtained leave to have printed in the RECORD an address delivered by him at a Republican rally at Hyattsville, Md., on September 22, 1950, which appears in the Appendix.]

THE BATTLE BETWEEN THE FEDERAL RESERVE BOARD AND THE TREASURY—ARTICLE FROM WASHINGTON POST

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD an article entitled "Reserve-Treasury Fight Shifts to Bank Meeting in New York," written by J. A. Livingston and published in the Washington Post of September 23, 1950, which appears in the Appendix.]

FIRE INSURANCE—ARTICLE BY HARRY PERLET

[Mr. FERGUSON asked and obtained leave to have printed in the RECORD an article entitled "Protests Article on Insurance," written by Harry Perlet, and published in the June 1950 issue of the American Bar Association Journal, which appears in the Appendix.]

AWARD OF NOBEL PEACE PRIZE TO DR. RALPH J. BUNCHE—ARTICLE FROM BALTIMORE SUN

[Mr. O'CONOR asked and obtained leave to have printed in the RECORD an article entitled, "Nobel Peace Prize Goes To Dr. Ralph Bunche," published in the Baltimore Sun of September 23, 1950, which appears in the Appendix.]

NEWSPAPER COMMENT REGARDING SENATOR WILEY'S RECORD IN PUBLIC OFFICE

[Mr. WILEY asked and obtained leave to have printed in the RECORD, a statement prepared by him containing comments from the press of Wisconsin and the Nation on his record in public office, which appears in the Appendix.]

NATIONAL PLANNING ASSOCIATION CASE STUDY ON MARATHON CORP.

[Mr. WILEY asked and obtained leave to have printed in the RECORD, a press release issued by the National Planning Association, dated September 22, 1950, dealing with the Association's case study on the Marathon Corp., which appears in the Appendix.]

THE INFAMOUS KATYN FOREST MASSACRE OF POLISH ARMY OFFICERS—ARTICLES FROM NEW YORK TIMES AND KNIGHTS OF COLUMBUS MAGAZINE, COLUMBIA

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article entitled "United States Aide Blames Soviet on Katyn," published in the New York Times of September 19, 1948; also an article entitled "New Light on the Katyn Murders," written by Julius Lada, and published in the Knights of Columbus' magazine, Columbia, which appears in the Appendix.]

ALL AMERICAN CONFERENCE TO COMBAT COMMUNISM

[Mr. MUNDT asked and obtained leave to have printed in the RECORD a bulletin entitled "All American Conference To Combat Communism," which will appear hereafter in the Appendix.]

AN AMERICAN NATIONAL AND INTERNATIONAL PROGRAM

Mr. GRAHAM. Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a statement which I have prepared, entitled "An American National and International Program."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF FRANK P. GRAHAM, SENATOR FROM NORTH CAROLINA

AN AMERICAN NATIONAL AND INTERNATIONAL PROGRAM

The present crisis for human freedom makes imperative (a) the national program for a stronger America as the leader of the free peoples and (b) the international program for a stronger United Nations as the chief hope of freedom and peace in the world.

A. America must be strong

1. In modern military, naval and air power and civilian mobilization and controls of prices, wages, manpower, materials, priorities, and rationing required to meet the world situation.

2. In atomic research; and in research on all the frontiers of knowledge so as to be ready for every emergency of national defense and for every call of human freedom.

3. In reorganization of the Government for efficiency and economy.

4. Fiscal policies with necessary economies and required revenues for balancing the budget as soon as possible without the destruction of the essential services of an effective civilized society, without bringing on a depression and without turning more of the earth over to the Communist dictatorship.

5. The constant energizing of our American free enterprise so as not to become the privilege or the monopoly of the few but so that its freedom, opportunities, and benefits shall be open to little-business men, big-business men and all people in the American way of fair competition.

6. Public power as an adjunct to the flood control of a few major rivers to supplement but not supplant private power as a basic resource of agriculture, industry, the communities, and the homes of the people.

7. Conservation of soils, forests, and water resources; agricultural education, research, extension, and home demonstration; rural electrification and rural telephones; the continuance and improvement of the agricultural parity price principle and the facilitation of the marketing of perishable commodities so as to keep in fair relation the prices the farmer receives and the prices the farmer pays in recognition of the people who "labor in the earth" (a) as equal partners in our economic society and (b) as creators of the foods and fibers which provide the sustenance, the clothing and shelter for all the families of men.

8. Sound industrial relations (a) through responsible freedom of working people whose self-organization is a great chapter in the modern history of liberty; and (b) through the equality of bargaining power between representatives of labor and management whose cooperation for gigantic production unparalleled in history helped decisively to win two world wars for human freedom and can yet win the peace for the peoples of the earth.

9. Local, State, and Federal cooperation (a) for the prevention of even one lynching by a mob in the South or by a gang in the North and (b) for the abolition of the poll tax as a prerequisite for voting; voluntary cooperation for the utilization of the most competent and available manpower for optimum production and national defense; and continuous progress in the humane relations of the races through the influence of religion and education in the minds and hearts of the people as the sound basis of enduring progress.

10. More equal educational opportunity for all children in all States by Federal aid to the States for the schools but without Federal control.

11. The prompt carrying through of a fair and decent housing program for veterans and people of low income to provide their families and children with the homes upon which depend the freedom and morale, the stability and progress, the health and happiness of many millions of the American people.

12. Decent minimum wages and the widening of the base of social security to lift the level of human liberty and increase the purchasing power and job opportunities for all people.

13. Private and public, local, State, and Federal cooperation now in building more hospitals and diagnostic facilities, in medical research; in the training of more doctors, nurses, and medical technicians under local and State control; in the Nation-wide promotion of voluntary health insurance; and a survey by a national commission participated in by eminent representatives of the medical and allied professions and lay groups, as a basis for recommendations to Congress for a hospital, medical care, and research program which would preserve the freedom of the medical profession on the highest levels of science and service and provide that no person in honest need would be without competent and adequate medical care in the Nation.

14. Requirement for the registration of the officers of all organizations which seek to control public opinion together with a statement of purposes, of membership and itemized sources of financial support and expenditures.

15. Careful and prompt administration of the Displaced Persons Act as our fair and responsible part of the international agree-

ment to provide refuge for the unfortunate human beings left homeless and hopeless by the march and countermarch of the armies of the Fascist and Communist dictators.

16. Continuation of the wise policy of reciprocal-trade agreements for the mutual reduction of tariff walls and the facilitation of trade between peoples to help close the dollar gap, to promote the economic prosperity of the nations as part of the larger program for the promotion of well-being of all peoples; for relieving economic and racial tensions, and for making more secure the foundation of freedom and peace in the world.

17. Adoption of the Genocide Convention to prohibit the extermination of a race as a crime against humanity.

B. The time for all people in America, as the leader of the free peoples of the earth, to stand united in support of stronger united nations

We are today confronted with a world in which over 700,000,000 people are under the orders of the imperialistic Communist dictatorship; in which approximately 700,000,000 stand with us on the side of human freedom, and in which over 700,000,000 are not clear as to which side they are on.

It is imperative in such a world not only that the people of the United States take some next feasible steps forward for fairer human relations in our own democracy, not only that America be made stronger in modern military power, in economic production and democratic morale, but also that Americans of all races, regions, economic groups, creeds, and national origins unite in support of a strong international program against all dictatorships, all aggression, for better international understanding, and for freedom and peace in the world. The American foundations, already well laid for such an international program, must be made more secure.

I. A Strong International Program

The people of America must make certain to the people of the Soviet Union that we will go to war only in defense of freedom against aggression in fulfillment of our obligations under the Charter of the United Nations.

Let us make clear our faith in and support of:

1. The treaty of the Americas which bind together 21 republics of the Western Hemisphere for mutual defense and cooperation.

2. The Marshall plan to aid in the self-recovery of the free nations devastated by war to become renewed strongholds of freedom, the welfare of the people, and democratic self-defense.

3. The Atlantic Pact and military-assistance plan with provision of modern American military equipment and forces in Europe under a single command for the collective defense and mutual aid of any and all of the 12 Atlantic nations.

4. The self-determination of western Germany and West Berlin as now the best hope of a free and united Germany and as a bulwark of freedom and democracy in an economically integrated and politically united western Europe.

5. The recently established self-determination of the peoples of India, Pakistan, Ceylon, Burma, the Near East, the Philippines and Indonesia and the potential self-determination of the people of Japan, Korea, Indochina, Malaya, and all the other Pacific and Asiatic peoples as the basis for the Asian conference and a devoutly to be wished democratic Asian pact for freedom and peace.

6. An international study of the status of Formosa under the auspices of the United Nations as a basis for recommendation to the United Nations.

7. As soon as wisely feasible an African conference in the interest of more self-determination of the peoples of Africa.

8. Point IV of the President's program for technical assistance to the people of undeveloped areas to lift the level of economic production and social well-being as the basis for a more general prosperity, freedom, and peace in the world.

9. The Voice of America and an international program of information about the American people, their yearning for peace with the Russian people, their good will and hopes for the freedom and peace of all peoples.

II. Through the Iron Curtain and to All People

The main purposes of the manifold American program is to strengthen freedom and democracy in America and to advance freedom and peace in the world. The peoples of America in particular and the democracies in general in the global struggle for the mind and spirit of man, must have the enthusiasm and fervor of a great devotion to the human freedom and dignity of all men as sons of God and brothers of men on both sides of the iron curtain. We must get through the iron curtain with the truth to the great Russian people to open their eyes to the dictatorship which cuts them off from the world, distorts their minds with falsehoods, embitters their hearts with hate, stirs their fears with alarms of aggression and war, and enslaves their bodies, minds, and spirits under the totalitarian tyranny of the police state. We must make clear again and again to the Russian people that the people of America with all our faults and frustrations have the freedom to struggle for freedom, that we covet no land, intend no aggression, and want no war. We must make clear again and again that we hate dictatorship, abhor aggression, and fervently want friendship and peace with the Russian people and all peoples on this earth.

The free peoples of the earth must make clear the nature of totalitarian dictatorship to the hundreds of millions of the people behind the iron curtain and to the bewildered hundreds of millions of people wavering between choosing, on the one hand, the slower but more enduring ways of freedom and democracy, and on the other hand, choosing the quickest ways and false promises of both fascism and communism. It must be made vividly clear that the revolution, which proclaimed the liberation of workers, has liquidated countless millions of workers and has enslaved millions more in enforced bondage; that the dictatorship, which declared itself the champion of little nations, has broken its promises to them, prohibited free elections and locked them behind the prison walls of the police state; and that the dictatorship which declared itself the transition to freedom, equality and peace has become a fixation for increasing tyranny, imperialism and war.

Fascism, communism and imperialism must be exposed and denounced for what they are. Denunciation is not enough. The Treaty of the Americas, the Western European Union, the Atlantic Pact, and the Asian Conference must be sustained. Treaties and pacts are not enough. National defense and military assistance programs must be made adequate against the monstrous threats of totalitarian tyranny. Armaments are not enough. More strategic than Formosa, stronger for defense than the Pyrenees, and more enduring than all the strongholds of reaction, are the stuff of the human spirit, the faith in the minds and hearts of the people, their democractic morale, their determination for self-determination against reactionary and colonial regimes, their will to resist aggression and dictatorship and to advance the freedom and well being of people everywhere.

America and the peoples of the whole free world must reveal themselves not only as defenders of human freedom but also as champions of human welfare, not only as foes of privilege and monopoly but also as promoters of the liberties and opportunities increasingly being made open to all people. The free peoples must stand forth, not only as stanch defenders of the old Bill of Rights for freedom of assembly, worship, speech, publication, elections, enterprise, and due process of law for equal justice, but also as advancing champions of the equal opportunity of the people to know, and of their children to be educated and to understand themselves, their fellows, and the world in which they live; to a fair chance to own and use the land; to organize and bargain collectively; to fair wages, decent conditions of life, labor, and housing; to security against disease, old age, and the hazards of modern economic society.

The free peoples must make clear to all men that the highest advances in the human pilgrimage from savagery to civilization have not been made by dictatorship, aggression and war but by the victories of free and creative cooperation for liberty and security against the common dangers of the jungle and the wilderness and then against the common hazards of our modern dynamic society. The broader the democracies make the base of economic opportunity and security the higher become the levels of individual initiative and human liberty.

In the transition from the household, local and regional economies to the national and world economies, modern democracy must safeguard both the freedom of the individual and the welfare of the people by making progressively intelligent adjustments of the local-national structure of our modern free dynamic society. They must also keep in progressive balance the rightful responsibilities and functions of both the local community and the Nation against the single consolidation of power in a totalitarian police state. The people of the free world must emphasize the historic fact that the advancing freedom of the individual and the increasing well being of the people, thus balanced, are the two sides of the shield of democracy which would protect the people from the false promises and the cruel power of the Fascist and Communist totalitarian states.

The resurgence of democracy in the British Commonwealth, in western Germany, in the western European—Mediterranean-Atlantic-American world, and the insurgence of nationalism in the Asiatic-Pacific world, are not, as the reactionaries fear and the totalitarians hope, the tired sigh of a democratic age that is dying, but, as all free men pray, the fresh breath of a new age that is being born. The free peoples must make clear through their leaders in the West and in the East that they want for all nations freedom and security, justice and peace in a world in which the people, with lessening fear and despair, as part of the struggles of the human pilgrimage, can hopefully dream dreams of a fairer day for themselves and their children.

III. Resolute Support of the Principles of the United Nations

We have committed ourselves, with the other free peoples, to fulfill the obligations of the Charter of the United Nations. Let us make clear our resolute support of the United Nations:

1. By making clear to any and all aggressors that the United Nations, by its courageous stand in South Korea, risked the military disaster of a Dunkirk to avoid the moral disaster of a Munich.

2. By making clear its unshakable determination to stop aggression there and anywhere in fulfillment of the obligations of the Charter of the United Nations.

3. By proposing the establishment of the Voice of the World under the direction of the United Nations for the promotion of

international understanding through accurate information regarding both the proceedings of the United Nations and the course of international affairs.

4. By working toward a world situation in which it would be possible and wise to hold an international conference of the nations for—

(a) International disarmament through the agreement of all nations;

(b) International control and inspection of the sources and production of atomic power;

(c) Amendments to the Charter of the United Nations for—

(1) The abolition or restriction of the veto against its abuse by any nation.

(2) The strengthening of the World Court to provide original jurisdiction against crimes committed in violation of the Charter of the United Nations.

(3) The widening of the responsibility of the Assembly so as, for example, to provide for the Assembly's right to make recommendations regarding matters on the agenda of the Security Council.

(4) The establishment of an international police force responsible to the United Nations strong enough to prevent aggression and preserve the peace of the world.

CONCLUSION

In the little Republic of South Korea an international police force is being assembled in response to the call of the United Nations and the moral opinion of mankind. Back of the local struggle of arms in Korea is the global war of ideas in our generation. Under the blue and white flag of the United Nations the physical boundaries of the little Republic of South Korea have been widened to the spiritual horizons of the free world. The aggression of international communism against the freedom of South Korea is an assault upon the moral foundations of the freedom and peace of the world. The United Nations, in taking a stand there, and the President of the United States, in giving the order for American troops to fight on that peninsula many thousand miles from home, in the face of the potential pressure of accumulated power reaching across the unbroken land mass of two continents, made one of the most heroic decisions of modern history. In a world darkened under the extension of the iron curtain over the hopes of the peoples in the west and in the east, the United Nations, in risking its existence, has saved its life with a moral idealism which rekindles the faith of free men everywhere.

The United Nations in resisting the aggression of a ruthless and cynical dictatorship, must, if necessary, fight on strategic fronts with modern equipped military forces, with technical and economic assistance for the increased opportunities and well-being of all people, and with the ideas of the freedom, the dignity, and spiritual autonomy of human beings everywhere. May the unfurling of the flag of the United Nations in South Korea mean the raising of the standard of freedom against aggression now and at all times, there and anywhere on this earth, however vast and unbroken be the land mass of the aggressor and however secret be the time-table of the dictator. We pray God that the stand of the United Nations against aggressors in Korea will make for freedom and peace in the world.

As the people of all races and regions, nations and stations, colors and creeds, look to the flag of the United Nations, may they have a new birth of the freedom to struggle for freedom, a new faith in themselves and their fellowmen, and a new vision, under God, of equal opportunities for their children and a new hope for justice and peace for all people on this earth. The peoples of the Nation and colonies, the islands and continents, white, black, yellow, red, and brown people, men, women, and their children everywhere, their freedom and dignity, opportunities and hopes, these are the sacred cause for which the flag of the United Nations calls us to the great crusade of the peoples against any materialistic, imperialistic, totalitarian, and ideological tyranny over the bodies, minds, and spirit of people anywhere on this earth.

As we look across our broken and desperate world and down the centuries of our modern times, we are reminded that our earth is being made one world in the interdependence of peoples either for the destruction of themselves and their civilization or for the creative cooperation of nations for the freedom, welfare, and peace of a fairer civilization for all peoples.

By the dynamics of the electromagnetic needle of the mariner's compass, the commercial revolution of the late fifteenth century and since, tied the continents, islands, oceans, seas, and all the nations together in one commercially interdependent world. By the dynamics of the steam, electric, and gas power engines, the industrial revolution of the late eighteenth century and since, has bound the nations together in one industrially interdependent world. By the high potentials of nuclear power, the atomic revolution of the mid-twentieth century, has linked the peoples of this earth together with the potential doom or the humane hopes of the common destiny of all the sons of men. By the moral dynamics of the peoples' aspirations for human freedom, the politically self-determining and the democratically interdependent peoples of the earth, confronted with the fact of the international Communist conspiracy and with the threat of a global totalitarian dictatorship, are drawn together by a common cause for the international defense of human liberty. The United Nations has taken its courageous stand against this monstrous threat and also seeks to bring under international political mastery the commercial, industrial, and atomic international framework of dynamic power for the weal rather than the woe of the peoples of the earth.

A dynamic, more powerful than the electromagnetic compass, stronger than the power engine, more potential than atomic power, and more fundamental than the controls and hopes of the United Nations, greater than all these, is the moral dynamic of the spiritual revolution in the teachings of Jesus who lived and died that people everywhere might be free and equal in the brotherhood of all men under the Fatherhood of God who "made of one blood all the nations of men for to dwell in all the face of the earth."

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A mesage from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

S. 450. An act to amend the Civil Aeronautics Act of 1938, as amended, by providing for the delegation of certain authority of the Secretary of Commerce and of the Administrator of Civil Aeronautics, and for other purposes;

S. 3504. An act to promote the development of improved transport aircraft by providing for the operation, testing, and modification thereof; and

S. 3960. An act to amend subsection (b) of section 10 of the act of June 26, 1884, as amended (U. S. C., title 46, sec. 599 (b)).

REMOVAL OF RACIAL BARS IN NATURALIZATION OF CERTAIN ASIATICS

Mr. LUCAS. Mr. President, I desire to address an inquiry to the chairman of the Judiciary Committee with respect to House Joint Resolution 238, which is now pending in the Senate, and as to which the chairman of the Judiciary Committee has written me a letter dated September 23, 1950. It is my understanding that the able chairman of the Judiciary Committee desired to ask for consideration of the joint resolution following the disposition of the veto message on the internal security bill, but, according to the letter which he has written me, I now assume that for good reasons he does not intend to do that. I should like to have a short statement from him before I place the letter in the RECORD.

Mr. McCARRAN. I hope the Senator from Illinois will place in the RECORD my letter, which was written to him today. I did not desire to bring up the veto message on the joint resolution for the reason that the matter referred to in the President's veto is a matter which was put in the bill in conference, at the instance of the conferees on the part of the Senate. The substance of that matter has now been made law by the bill which has just been passed by the Senate.

The provision which involves the citizenship of Asiatics is a separate feature of the bill. It is my judgment that the best procedure would be, as soon as Congress reconvenes, to bring in a bill having to do solely with the matter of citizenship of the Asiatics involved, and let the Congress act on that bill, inasmuch as we already have taken care of the other matter which was involved in the veto message.

Mr. LUCAS. Then I understand the Senator to mean that when Congress returns on November 27, a new bill could be drawn in substantially the same language as the bill which was passed by the Senate, before it went to conference, and got into difficulties there and subsequently was returned with the President's veto.

Mr. McCARRAN. That is correct.

Mr. LUCAS. Mr. President, with that statement, I desire to place in the RECORD at this point a letter from the chairman of the Judiciary Committee, which fully explains this measure.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
September 23, 1950.

Hon. SCOTT W. LUCAS,
Majority Leader, United States Senate,
Washington, D. C.

MY DEAR SENATOR: As you know, the President's veto message on House Joint Resolution 238 is pending in the Senate; but because of the present parliamentary situation, the question of whether this resolution should pass, the objections of the President to the contrary notwithstanding, cannot be brought up for a vote until after Senate action on the question of overriding the President's veto of H. R. 9490, the internal security bill.

It is my best judgment that under these circumstances, House Joint Resolution 238 should not be brought up.

In the first place, while the provisions in House Joint Resolution 238 respecting the prohibition of naturalization of subversives are substantially similar to provisions which are contained in H. R. 9490, they are not identical. The provisions in H. R. 9490 were rewritten so as to key in with other provisions of that internal security bill. In both

H. R. 9490 and House Joint Resolution 238, however, these immigration amendments would be accomplished by amending section 305 of the Nationality Act of 1940; and in each case the proposed amendment constitutes a complete rewriting of that section. Therefore, if H. R. 9490 should become law, as anticipated, through action of the Senate in overriding the President's veto, section 305 of the Nationality Act of 1940 would be amended, in accordance with the provisions of section 25 of H. R. 9490; and if, thereafter, House Joint Resolution 238 should become law, through action of the Senate in overriding the President's veto, section 305 of the Nationality Act of 1940 would be again amended; and the effect of this second amendment would be to undo what had been accomplished under H. R. 9490, by way of placing section 305 of the Nationality Act of 1940 in line with other provisions and results of the Internal Security Act.

Secondly, as you know, the portions of House Joint Resolution 238 to which the President objects and upon which his veto of that resolution was based are provisions added in conference upon the insistence of the Senate conferees, of whom I was one. Substantially similar provisions are contained in H. R. 9490, which I believe is certain to be passed over the President's veto. Therefore, it will be possible to introduce a clean bill, without these provisions, when the Senate comes back in November. This bill could contain only the provisions respecting removal of the racial ban on eligibility to naturalization. In this form, the President would, surely, have no objection to the bill; and with the controversial amendments removed, there should be no difficulty in getting the bill promptly passed in both Houses of the Congress. If such a bill is not promptly introduced by the sponsors of House Joint Resolution 238, it will be my purpose to introduce it.

Under all the circumstances, I hope you will agree with me respecting the wisdom of not attempting to bring up at this time the question of overriding the President's veto on House Joint Resolution 238.

Kindest personal regards.

Sincerely,

PAT MCCARRAN,
Chairman.

SCOTT W. LUCAS

Mr. McFARLAND. Mr. President, I do not wish to take up the time of the Senate at this late hour, when we are about to adjourn. However, none of my colleagues will begrudge me a few moments to say a word of appreciation for our majority leader [Mr. LUCAS] for the fine work he has done not only for this Senate but for the country as a whole in performing his duties as majority leader. My colleagues will pardon this personal reference but perhaps I know more than most the patience, the tact, the wide knowledge of legislation, the devotion to long hours of thankless duty that is involved in the job of carrying out the majority leadership. I have no doubt that on both sides of this aisle there is complete agreement that the senior Senator from Illinois has performed his duties capably, conscientiously, and in superlative degree. The record of this Congress is in large part a monument to SCOTT LUCAS.

He will be recorded in legislative history as a leader who has made a record which has never been surpassed. All too often we in Congress and the people take things for granted; I think it fitting that the RECORD show what we think of the senior Senator from Illinois and how invaluable his services and knowledge is to this Senate. He is deserving of the commendation and congratulations of all of us.

PURCHASE OF THE VESSELS "MARIPOSA" AND "MONTEREY"

Mr. MAGNUSON. Mr. President, I move that the Senate proceed to the consideration of House bill 9626, Calendar No. 2582, authorizing the Secretary of Commerce to purchase the vessels *Mariposa* and *Monterey*.

The VICE PRESIDENT. That motion, if adopted, would displace the unfinished business.

Does the Senator ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of House bill 9626, to which he has just referred?

Mr. MAGNUSON. Yes; I make that request, Mr. President.

The VICE PRESIDENT. The Secretary will state the bill by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9626), authorizing the Secretary of Commerce to purchase the vessels *Mariposa* and *Monterey*.

The VICE PRESIDENT. Is there objection to the request of the Senator from Washington?

Mr. WHERRY. Reserving the right to object, Mr. President, I should like to ask the distinguished Vice President what the unfinished business is.

The VICE PRESIDENT. The unfinished business is the conference report on the so-called slot-machine bill.

Following that, the unfinished business, which was temporarily laid aside, prior to consideration of the slot-machine bill, is the bill amending the Railway Labor Act.

Following that, the unfinished business is the amendment to the Railway Labor Act; is that correct?

The VICE PRESIDENT. Yes, although really there are two measures which are unfinished business.

Mr. WHERRY. Let me put the question in this way, then: The most recent unfinished business, which really now would be the pending business, is the conference report on the slot-mahcine bill. Is that correct?

The VICE PRESIDENT. That is correct.

Mr. WHERRY. This motion, if agreed to, would displace only the conference report on the slot machine bill, would it not?

The VICE PRESIDENT. Yes, temporarily.

Mr. WHERRY. Unanimous consent is required in connection with the request now before us; and there are two or three Members who were interested in this bill. They said it was highly controversial. I think the Senator from Delaware [Mr. WILLIAMS] is one of them.

Mr. MAGNUSON. He is present.

Mr. WHERRY. I simply wonder what the plans are, if I may inquire of the distinguished majority leader.

Mr. MAGNUSON. Let me answer that question, please. On this bill, I shall take only 2½ or 3 minutes. I do not know how long the Senator from Delaware will take on it. It is an emergency measure which must be passed at this session, thus making it permissible for the Secretary of Commerce to purchase two ships which can immediately be converted into troop ships—in fact, the only two ships in the United States which are available for that purpose.

Mr. WHERRY. Let me make a further inquiry, Mr. President: Did not the Senator from Vermont [Mr. AIKEN] have some question about these ships a year or so ago?

Mr. MAGNUSON. If the Senator will allow me to have 2 minutes, I can explain that matter.

There is a claim involving a steamship company and the two vessels, but that has nothing to do with this bill; that is a separate matter, one between the Maritime Commission and the General Accounting Office, and it simply comes over from World War II.

The bill to which I now refer relates to permitting the Government to purchase the ships, which are needed as troop transports.

Mr. LUCAS. Mr. President, reserving the right to object, if this matter is going to call for long debate, I shall demand the regular order, because there is on the calendar a bill of which we have been trying to make some disposition for about 10 days. I think it should have priority, for it is the unfinished business.

Mr. WILLIAMS. Mr. President——

Mr. MAGNUSON. Mr. President, the Senator from Delaware will have an opportunity to speak, and I shall take only 2 minutes of the Senate's time.

Mr. WILLIAMS. Mr. President, I am reserving the right to object. If the Senator from Washington wishes to speak before he puts his unanimous-consent request, that will be all right.

The VICE PRESIDENT. The request already is pending.

Mr. WILLIAMS. Mr. President, reserving the right to object, I wish to point out that if the Secretary of Defense needs these ships, under existing law the Secretary of Defense has full authority to take them. He could have taken them a year ago or 6 months ago. All that is necessary is that the President approve their needs under section 902.

Mr. MAGNUSON. The Senator can make a speech later.

Mr. WILLIAMS. Mr. President, I have the floor, I have reserved the right to object.

The VICE PRESIDENT. The Senator from Delaware has reserved the right to object.

Mr. WILLIAMS. I say that under section 902 they have the right to take the ships at any time they see fit.

This measure will be a highly controversial one, involving the turning of the ships over to the Department of Defense, and I know that several Senators will speak on this measure this afternoon if this bill is made the pending business.

I myself will not speak at any great length.

Mr. MAGNUSON. Mr. President, if the Senator will permit me to follow him, he can speak as long as he wishes to.

Mr. WILLIAMS. Mr. President, I was simply stating that I understand there will be several other speeches on the bill, because this measure is a highly controversial one. It has been before the Senate on three different occasions—in 1948, in 1949, and again in 1950. It is being brought before us now, at the conclusion of the session, as a great national emergency. But, Mr. President, this bill scarcely differs in one comma from the bill as it was before us 3 years ago.

The VICE PRESIDENT. The question is, Is there objection to the request of the Senator from Washington?

Mr. WILLIAMS. I object.

The VICE PRESIDENT. The Senator from Delaware objects.

Mr. MAGNUSON. Mr. President, I should like to make a short statement.

Mr. LUCAS. Mr. President, I demand the regular order.

The VICE PRESIDENT. The regular order is demanded, and objection has been made. The matter is disposed of.

Mr. MAGNUSON. Mr. President, I desire to get the floor in my own right for about 2 minutes, if I may be recognized at this time on the pending business.

The VICE PRESIDENT. The pending business is the slot-machine conference report.

Mr. MAGNUSON. Then I ask for recognition.

Mr. HUMPHREY. Mr. President——

The VICE PRESIDENT. The Chair recognizes the Senator from Washington.

Mr. MAGNUSON. Mr. President, the Senator from Delaware apparently did not want to allow me to make a short statement on this bill.

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

Mr. MAGNUSON. No, I do not yield to the Senator from Delaware, at all. These two ships, which are available in the United States, are the only two ships, the Defense Department has said, which could be made into troop ships within a period of 60 days. They will carry 7,000 troops each. The bill was passed unanimously by the House, and was reported by the Committee on Interstate and Foreign Commerce, with strong letters of endorsement from the Department of Defense and the Navy Department, stating that they want these ships as soon as they can get them. Because we are so short of troop ships, an order has been issued to take over the great liner, the *United States*, which is to be converted into a troop ship. The two passenger ships that the American Transit Line owns are now launched, but it will be months before they are ready. These are the only two available ships, which, according to the testimony, can be converted within a period of 60 days. We need them.

The Senator from Delaware is talking about two ships which were taken in World War II, and which, under the Merchant Marine Act of 1936, were returned to the company. There was some trouble over the reconversion price. That has nothing to do with this bill at all. This matter is being made the subject of negotiations between the Government through the General Accounting Office, and the steamship company, the Oceanic Steamship Co.

The Department of Defense wants these ships. They are not concerned with an old claim, or with going around with a lantern into closets to dig up some ghosts, and to get into an argument over what they are going to pay for them. The bill merely authorizes the Secretary of Commerce to negotiate the purchase. I have faith in Mr. Sawyer that he will get a good price for the Government. I have called him up suggesting that before he suggests the price, he call the Senator from Delaware and confer with him. I do not think he knows as much about ship prices as I do, but I am sure the Maritime Board does.

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

Mr. MAGNUSON. In a moment. Mr. President, this is emergency legislation. All the testimony is to that effect, and I am trying to obtain two troop ships to be used in the emergency in which we find ourselves. If any Senator wants to object, that will be his responsibility, not mine. That is a statement of what this bill is about.

The VICE PRESIDENT. Objection having been heard, the bill is not before the Senate.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement which I have prepared on the subject dealt with by House bill 9626.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MAGNUSON

On pages 80 and 81 of Merchant Marine Act, 1936, will be found section 902, providing method of requisition of vessels and standard of compensation.

It is true that section 902 of the act gives the Maritime Commission the power to requisition for use or for purchase—the same power requested by H. R. 9626. The main element of difference is that under section 902 it would be necessary for the President to (a) issue a proclamation of national emergency, or a proclamation that the security of national defense makes requisition advisable.

In view of the fact that the President has been avoiding official proclamation of emergency, with a very laudable view of striving to localize the Korean war, it is entirely probable that the Navy and Maritime Administration consider that the President would not want to declare a national emergency for the sole purpose of requisitioning two ships. The importance of H. R. 9626 is that it would permit the Navy and the Commission to secure the vessels and be ready for any emergency while relieving the President of the necessity of making a public proclamation as required by section 902.

It should be further noted that the standard of compensation provided by H. R. 9626 is exactly the same as the standard provided by section 902, and that in each instance the Government agency which would make the negotiation is the same agency, that is, the Maritime Commission. It would follow that if the objectors have no objection to requisition for use or purchase under section 902, they cannot logically have any objection to this bill unless they want to take it upon themselves to say that there is no need for the vessels at this time and place their judgment against the judgment of the Navy.

Other possible reasons that make H. R. 9626 advisable at the moment are:

1. It provides for acquisition and construction.

2. It makes clear that suitable materials can be purchased, which might not be clear under section 902.

The whole purpose is to meet the need now and to save the time that would have to be used in the completion of the vessels if the President should later declare a national emergency. This is stated well by Assistant Secretary of the Navy Koehler, page 48, when he said:

"Necessary steps should be taken to complete them as troop transports in view of the present world situation. * * * Their conversion at this time concurrently with construction would reduce, to some extent, the troop-ship shortages that will exist during the first few months of a national emergency."

The two volumes of the hearings will be found that Admiral Cochran and Secretary Koehler's testimony, facts relating to troop lifting capacity (4,500–7,000 men), speed (22 knots), time for completion (3 to 6 months), and savings of millions of dollars.

NOTE.—The hearings refer to H. R. 9534, which was predecessor of H. R. 9626, but the facts are the same. H. R. 9534 would have given power to purchase generally vessels. It was considered too broad and H. R. 9626 followed to authorize purchase of the only two vessels that the Navy says would suit its purposes. In view of the speed of these vessels, it might be worth while to think of their value considering increased speed of Snorkel submarines.

The VICE PRESIDENT. The question now is on agreeing to the conference report.

Mr. WILLIAMS. Mr. President, in reply to the Senator from Washington, I repeat—and there is no contradiction of the statement—that under section 902 of the existing law the Secretary of Defense can, with the approval of the President, take control of these ships at any time he sees fit. That could have been done months ago if the President felt this emergency justified such action. Why did the Senator from Washington fail to support the testimony by these same authorities last week when they opposed the transfer of 10 C–4's to the Great Lakes for an insignificant fraction of the cost. Where was this national emergency then?

On that occasion the Senator from Washington [Mr. MAGNUSON], over the combined opposition of every member of the Defense Establishment, over the opposition of the National Security Resources Board, stood on the Senate floor urging passage of a bill authorizing shipping companies of 10 C–4's—modern ships, only about 4 years old—ships which cost the Government over $45,000,000. He then sponsored legislation selling these ships for only $1,500,000, or 3½ percent of their original cost. These were practically new ships.

Mr. MAGNUSON. I think the Senate did that.

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

Mr. WILLIAMS. Not at this time. I repeat, last week the Senator from Washington, over the opposition of every branch of the Defense Department, stood here on the Senate floor urging that authority be given to transfer these 10 modern ships to the Great Lakes shipping

companies for $1,500,000, at a loss to the taxpayers of over $40,000,000. This bill before us today was before the Senate in 1948, when it was rejected. It was before the Senate again in 1949, and was again rejected. It is before us again today proposing that the Government buy these two 20-year-old ships at an exorbitant price. I say to the Senator from Washington that if our defenses are in such shape that these are the only two available ships that we have for carrying troops, we had better call the Defense Department to find out what is wrong. Where are the troop ships of the last war? Those are questions which should be answered.

Why did you last week sell those other 10 ships over the opposition of the Defense Department if they are needed so badly?

You had better make up your mind, you change sides so fast I cannot keep up with you.

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

Mr. WILLIAMS. I yield.

Mr. DOUGLAS. Is it not true that there are in mothballs at Baltimore two troopships which are not being used, the *Washington* and one of the General ships, as I understand?

Mr. WILLIAMS. That is as I understand.

Mr. DOUGLAS. Therefore, these are not the only two ships available for transport purposes.

Mr. WILLIAMS. The Senator from Illinois is correct.

Mr. DOUGLAS. It might have been better to look into the question of the two ships at Baltimore, which might have been obtained by the Government for purposes of transport without cost.

Mr. WILLIAMS. That is my position. These ships mentioned in this bill would have to be reconverted and made ready for use in carrying troops. The 10 ships which the Senator from Washington advocated giving to the Great Lakes shipping companies, or practically giving them to those companies, were already in shape to carry troops. I wish the Senator from Washington would display as much interest in the American taxpayers as he does in these shipping companies.

Mr. President, I want to say that I have been in attendance of the Senate, as has every other Member here, for nearly 30 consecutive hours. I do not think we are going to pass any constructive legislation from here on to the end of the session. I should be perfectly willing to come back Monday morning and start again, if there are bills which have to be considered, but I am unwilling to begin their consideration tonight for a long series of debates. I am wondering whether the Senator from Illinois has any particular legislation that he feels should be brought up, if not, I intend to move to adjourn.

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

Mr. WILLIAMS. I yield.

PROHIBITION OF TRANSPORTATION OF GAMBLING DEVICES IN INTERSTATE AND FOREIGN COMMERCE—CONFERENCE REPORT

The VICE PRESIDENT. The question before the Senate is on agreeing to the conference report. The debate, at present, is out of order, because the subject is not before the Senate.

Mr. WILLIAMS. Mr. President, I withhold my suggestion.

The VICE PRESIDENT. The Chair will recognize some Senator who knows what he wants to do about this conference report.

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent to lay aside temporarily the conference report on the slot machine bill.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. HILL. Mr. President, I understand the pending business is the bill S. 3295, known as the railroad labor union shop bill.

The VICE PRESIDENT. The Senator is correct. It is the unfinished business.

Mr. LUCAS. Mr. President, we are about to wind up this session of the Congress, at least until next November, and I hope the Senate will be patient and that no Senator will, when he gets the floor, move to adjourn to that time, because there is more business to be taken care of. I shall presently move that the Senate proceed to the consideration of executive business. There are some nominations of judges to be confirmed. I hope that no Senator will move to adjourn. I ask Senators to abide by that kind of decision. We shall be through in another hour or two, I am sure. I am very anxious to get along with the unfinished business and to make some sort of disposition of it. The bill has been before us for 10 days or 2 weeks, and I think the Senate ought to dispose of it one way or another tonight.

The Senator from Florida [Mr. HOLLAND] is very anxious about the confirmation of certain nominations. The same is apparently true of other Senators. If the Senator from Alabama [Mr. HILL] will yield, I propose to move that the Senate proceed to go into executive session. I shall ask that the unfinished business be temporarily laid aside so we can proceed with certain nominations.

Mr. HILL. Mr. President, I am glad to yield so that an executive session may be held.

Mr. LUCAS. Very well. I shall move that the Senate go into executive session, and then we can resume consideration of the bill of which the Senator has charge.

Mr. HILL. I yield to the leader.

The VICE PRESIDENT. Does the Senator from Illinois move that the Senate proceed to consider executive business?

Mr. LUCAS. Yes.

Mr. WHERRY. Mr. President, reserving the right to object, and I am not going to object, we do not have a printed calendar. I should like to make the request that when the nominations are brought forward we may receive an explanation concerning them. The Senate should have some opportunity to know who the nominees are.

Mr. LUCAS. They are emergency nominations.

Mr. WHERRY. I thank the Senator.

EXECUTIVE SESSION

Mr. LUCAS. Mr. President, I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

REPORTS FROM THE COMMITTEE ON THE JUDICIARY

Mr. McCARRAN. Mr. President, from the Committee on the Judiciary I report favorably the following nominations.

Hon. Louie W. Strum, of Florida, to be United States circuit judge, fifth circuit, vice Hon. Curtis L. Waller, deceased;

Bryan Simpson, of Florida, to be United States district judge for the southern district of Florida, vice Hon. Louie W. Strum, elevated;

John Norwood McKay, of Louisiana, to be United States attorney for the eastern district of Louisiana, vice James Skelly Wright, elevated;

James T. Gooch, of Arkansas, to be United States attorney for the eastern district of Arkansas. He is now serving in this office under an appointment which expired May 27, 1950;

Respess S. Wilson, or Arkansas, to be United States attorney for the western district of Arkansas. He is now serving in this office under an appointment which expired May 13, 1950; and

Noble V. Miller, of Arkansas, to be United States marshal for the eastern district of Arkansas. He is now serving in this office under an appointment which expired May 13, 1950.

The VICE PRESIDENT. Without objection, the reports will be received.

Mr. McCARRAN. I ask unanimous consent for the immediate consideration of the nominations.

The VICE PRESIDENT. Is there objection? The Chair hears none.

UNITED STATES CIRCUIT JUDGE

Mr. McCARRAN. Mr. President, some brief time ago certain nominations came from the White House. Since that time there has been no regular meeting of the Committee on the Judiciary. The nomination of Hon. Louie W. Strum, of Florida, to be United States circuit judge, fifth circuit, vice Hon. Curtis L. Waller, deceased, is now before the Senate, having been reported from the Committee on the Judiciary.

The members of the bar of Florida who were in Washington in attendance on the meeting of the American Bar

Association, consisting of the past presidents from the State of Florida and the newly elected president of the American Bar Association, together with other members of the bar of Florida, called on the chairman of the Committee on the Judiciary in furtherance of the promotion of Judge Strum. The Governor of the State of Florida also visited the chairman of the Committee on the Judiciary. There seemed to be quite unanimous approval in Florida of the promotion of Judge Strum from the district court to the circuit court of appeals. On behalf of the committee, I now ask unanimous consent that the nomination of Judge Strum be confirmed by the Senate.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, and I shall not object, I wish to ask a question or two, on points which have not been covered in the statement made by the Senator from Nevada, or if they were, I did not hear them. Is this a reappointment?

Mr. McCARRAN. This is an appointment, promoting a judge from the district court to the circuit court of appeals.

Mr. HOLLAND. For the record, speaking in behalf of my colleague [Mr. PEPPER] as well as for myself, I should like to state briefly the qualifications of Judge Strum. Judge Strum served first on the Supreme Court of the State of Florida. About 19 years ago he was appointed district judge. For many years he has been our senior district judge of the five district judges in our State, and has sat many times with the circuit court of appeals. He is now 60 years of age, but with an unusually great judicial experience, and, if I may say so, with a unique judicial standing in the bar and the bench of Florida.

If I may amplify the statement of the distinguished chairman, the American Bar Association committee also unanimously approved Judge Strum, and a member of that committee from our circuit, Mr. Miller, from Baton Rouge, La., also called upon the chairman of the Committee on the Judiciary to express the approving views of the American Bar Association. Former Senator Scott Loftin of Florida, a former president of the American Bar Association, followed the same course.

Mr. WHERRY. Mr. President, may I ask one more question of the chairman of the Committee on the Judiciary? It has been my position not to grant unanimous consent to confirm a judge of our civil courts. I think it is only fair that they be acted upon in the regular procedure. But this nomination has been reported from the committee, and all that is being waived, as I understand, is the procedure with respect to when the nomination should come before the Senate.

Mr. McCARRAN. That is correct.

Mr. WHERRY. There is no objection.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES DISTRICT JUDGE

Mr. McCARRAN. The next nomination is that of Bryan Simpson, of Florida, to be United States district judge for the southern district of Florida, vice honorable Louie W. Strum, elevated.

The nomination was sent to the committee from the White House a few days ago with the request that there be a special meeting of the Committee on the Judiciary to consider this nomination. The nominee is now ocupying a place on the State court of the State of Florida. He is promoted from the State court to the United States District Court. Again I may say that he has the endorsement of both the Senators from the State of Florida, and has the endorsement of the State Bar Association of the State of Florida. He has the endorsement of the members of the American Bar Association from the State of Florida, and the judicial division of the American Bar Association.

I ask for the present consideration of this nomination.

The VICE PRESIDENT. Is there objection to the present consideration of the nomination?

Mr. WHERRY. Mr. President, reserving the right to object, I wish to ask a question concerning this nomination. It is my understanding that this nomination has also been approved unanimously by the committee.

Mr. McCARRAN. That is correct.

Mr. HOLLAND. Mr. President——

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEY

Mr. McCARRAN. The next nomination is that of Respess S. Wilson of Arkansas, to be United States attorney for the western district of Arkansas. He is now serving in this office under an appointment which expired May 31, 1950. This nominee has the approval of both Senators from the State of Arkansas, and I am authorized by the committee to present the nomination.

Mr. President, I ask unanimous consent for the present consideration of the nomination.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, I wish to ask the same question respecting this nominee.

Mr. McCARRAN. The Senator from Nevada gives the same answer as with respect to the previous nominees.

The VICE PRESIDENT. Is there objection to the present consideration of the nomination? The Chair hears none; and, without objection, the nomination is confirmed.

UNITED STATES MARSHAL

Mr. McCARRAN. Mr. President, the next nomination is that of Noble V. Miller, or Arkansas, to be United States marshal for the eastern district of Arkansas. He is now serving in this office under an appointment which expired May 13, 1950.

The VICE PRESIDENT. Is there objection to the present consideration of the nomination? The Chair hears none, and, without objection, the nomination is confirmed.

Mr. WHERRY. The nomination has been reported favorably from the committee, and the only variation from the customary procedure is that the Senator asks unanimous consent for immediate consideration rather than have the nomination go to the calendar and be taken up later.

Mr. McCARRAN. That is correct.

The VICE PRESIDENT. Is there objection? The Chair hears none, and without objection, the nomination is confirmed. The Chair will say that there is no printed Executive Calendar.

Mr. HOLLAND. Mr. President, I should like to make a brief statement respecting this nominee.

Mr. McCARRAN. I may say that there are other nominations which I should like to present.

Mr. HOLLAND. Very well.

UNITED STATES ATTORNEYS

Mr. McCARRAN. Mr. President, the next nomination is that of John Norwood McKay, of Louisiana, to be United States attorney for the eastern district of Louisiana, vice James Skelly Wright, elevated. This nominee has the endorsement of both Senators from the State of Louisiana, and has been screened so far as eligibility is concerned. I ask unanimous consent that the rule be waived and that the nomination may be confirmed by the Senate.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, I ask the distinguished Senator if this nomination has also been reported unanimously from the committee?

Mr. McCARRAN. I may say that the committee did not meet to consider this nomination, but that the committee was canvassed.

Mr. WHERRY. The committee was polled?

Mr. McCARRAN. Yes.

Mr. WHERRY. I have no objection.

The VICE PRESIDENT. Is there objection to the present consideration of the nomination? The Chair hears none, and without objection, the nomination is confirmed.

Mr. McCARRAN. The next nomination is that of James T. Gooch, of Arkansas, to be United States attorney for the eastern district of Arkansas. He is now serving in this office under an appointment which expired May 27, 1950. He has the endorsement of both Senators from the State of Arkansas, and his record warrants his confirmation. I ask unanimous consent for the present consideration of the nomination.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, I wish to ask the same question about this nominee as I did with respect to the others.

Mr. McCARRAN. I wish to make the same answer. In place of holding a meeting on the nomination, the members of the committee were canvassed.

Mr. WHERRY. I have no objection.

The VICE PRESIDENT. Is there objection to the present consideration of the nomination? The Chair hears none, and without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

Mr. MURRAY. Mr. President, from the Committee on Labor and Public Welfare I ask unanimous consent to report favorably the following-named candidates for appointment in the regular corps of the Public Health Service:

Louis Block to be scientist (equivalent to the Army rank of major), effective date of acceptance.

Bill H. Hoyer, Robert J. Fitzgerald, and William F. Durham to be senior assistant scientists (equivalent to the Army rank of captain), effective date of acceptance.

Mary R. Lester to be senior assistant nurse officer (equivalent to the Army rank of captain), effective date of acceptance.

I ask for immediate consideration of the nominations.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana? The Chair hears none, and, without objection, the nominations are confirmed en bloc.

Mr. MURRAY. Mr. President, I wish to say that these nominations and the others I am about to report have the unanimous endorsement of the committee. They are routine nominations.

From the Committee on Labor and Public Welfare I ask unanimous consent to report favorably the following-named candidates for appointment and promotion in the regular corps of the Public Health Service:

Philbrook H. Knight and Boris J. Osheroff to be assistant pharmacists (equivalent to the Army rank of first lieutenant), effective date of acceptance.

Jerome L. Singer and William L. Jenkins to be assistant scientists (equivalent to the Army rank of first lieutenant), effective date of acceptance.

Margaret M. Sweeney, assistant nurse officer, to be senior assistant nurse officer (equivalent to the Army rank of captain).

Mr. President, I ask that the nominations be confirmed en bloc.

The VICE PRESIDENT. Is there objection? The Chair hears none and, without objection, the nominations are confirmed en bloc.

CONFIRMATION OF NOMINATION OF EMORY BYINGTON SMITH

Mr. JOHNSTON of South Carolina. Mr. President, night before last, at 11:10 o'clock, my office was informed that the Senate would adjourn immediately after the Senator who had the floor finished speaking, and that no further business would be transacted. I went home believing nothing else would be taken up. As soon as I reached home, a newspaper called me to inform me that the nomination of Emory Byington Smith, of the District of Columbia, had been confirmed as an associate judge of the Municipal Court for the District of Columbia. I want it clearly stated on the record that I did not withdraw my objection. If I had been present, I would have objected to the confirmation. I was absent only because I had been told that no business would be conducted after that hour.

Mr. LUCAS. One soft note in reply to my good friend from South Carolina. I do not know who gave the information to the Senator, but the Senator will recall that on September 20, which was Wednesday, I gave notice that we would call an executive session the following day.

Mr. JOHNSTON of South Carolina. It was Mr. Baker who had informed my office that no further business would be transacted.

LEGISLATIVE SESSION

Mr. LUCAS. I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

AUTHORIZATION OF AGREEMENTS PROVIDING FOR UNION MEMBERSHIP AMONG RAILWAY EMPLOYEES

The Senate resumed the consideration of the bill (S. 3295) to amend the Railway Labor Act and to authorize agreements providing for union membership and agreements for deductions from the wages of carriers' employees for certain purposes and under certain conditions.

Mr. HILL. Mr. President, Senate bill 3295, the bill before the Senate for consideration, is intended to extend to employees and employers subject to the Railway Labor Act, the right, now possessed by employees and employers in industry generally, to bargain collectively with regard to the union shop and check-off. The bill has been approved unanimously by the Committee on Labor and Public Welfare.

Perhaps I should say at this point that there is a very distinct difference between a union shop, which is what we deal with in this bill, and a closed shop. A closed shop is one where an employee has to be a member of the union before he can receive employment by the particular industry or company. The union shop is one where the employee becomes a member of the union after his appointment, but is not a member before employment, and there is no requirement that he be a member before the employment.

Mr. President, the bill was unanimously reported by the Senate Committee on Labor and Public Welfare, but there were three members of the committee, the Senator from Ohio [Mr. TAFT], the Senator from Missouri [Mr. DONNELL], and the Senator from New Jersey [Mr. SMITH], who felt that there were several questions raised by the bill which were not adequately or entirely taken care of as they should be. These three members reserved the right to offer such amendments as they thought might be fitting and might take care of the questions raised.

Since the report of the bill by unanimous action of the committee, these amendments have been worked out, they have been agreed upon, and on behalf of the senior Senator from Ohio [Mr. TAFT] and myself, I have offered the amendments. I should like at this time to have the amendments reported so that in my discussion I may discuss the bill with the amendments.

The VICE PRESIDENT. There are committee amendments.

Mr. HILL. Let my amendments be reported for the information of the Senate. They are amendments offered on behalf of the Senator from Ohio [Mr. TAFT] and myself.

The VICE PRESIDENT. The clerk will state the amendments.

The LEGISLATIVE CLERK. On page 2, line 20, after the word "assessment", it is proposed to insert "(not including fines and penalties)"; on page 2, line 21, to strike out the comma, substitute a colon, and the following: "*Provided further*, That no such agreement shall require membership in more than one labor organization"; on page 3, to strike out lines 6 and 7 and insert: "any periodic dues, initiation fees, and assessments (not including fines and penalties), uniformly required as a condition of acquiring or retaining membership: *Provided*, That no such agreement shall be effective with respect to any individual employee until he shall have furnished the employer with a written assignment to the labor organization of such membership dues, initiation fees, and assessments, which shall be revocable in writing after the expiration of 1 year or upon the termination date of the applicable collective agreement, whichever occurs sooner."

Mr. HILL. Mr. President, the provisions of the bill are necessary because the Railway Labor Act in paragraphs 4 and 5 of section 2 now prohibits all forms of union security agreements, including the union shop.

Remember, what the bill does is merely to remove this prohibition to the extent of permitting the employer and employee to bargain collectively as to whether or not they will have a union shop, and if they agree to the collective bargaining process to have a union shop, then the union shop is not any longer prohibited by law, as it is today under the existing Railway Labor Act.

In addition, the bill would permit the deduction from the wages of employees of any dues, fees, assessments, or other contributions payable to labor organizations. The bill would permit the individual employees to give authority in writing to the company to deduct these dues, fees, or assessments as check-offs for the benefit of the union.

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

Mr. HILL. I yield to the Senator from Tennessee.

Mr. KEFAUVER. In other lines of industry, aside from the railroad industry, the same system is permitted, checking off the dues, to be paid to the union, where the union and the industry involved agree to the check-off. Is that not true?

Mr. HILL. The Senator is exactly correct. Under the Taft-Hartley law, which, as we know, applies to industry generally, I might say all industry except the railways and the airlines, the employers and employees have this right which we now seek through this bill to give to the employers and employees of the railroad industry, namely, the right

to bargain collectively with the union shop for the check-off.

The prohibitions now in the law deny the right to bargain collectively for a union shop and for the check-off were, as I have said, made a part of the Railway Labor Act of 1934. They were enacted into law against the background of employer use of these agreements as devices for establishing and maintaining company unions, thus effectively depriving a substantial number of employees of their rights to bargain collectively. It is estimated that in 1934 there were over 700 agreements between carriers and unions alleged to be company unions. These agreements represented over 20 percent of the total number of agreements in the industry.

It was because of this situation that labor organizations did not oppose too vigorously these prohibitions in the statute, even though they applied to bona fide trade-unions, as well as those under the influence of the carriers.

Since the enactment of the 1934 amendments, company unions have virtually disappeared in the railroad industry. Labor organizations representing employees in this industry and in the airline industry now seek to gain for themselves the right to bargain collectively with regard to the union shop and the check-off.

As was brought out by the Senator from Tennessee, this right is possessed by unions representing employees in industry generally, and the Committee on Labor and Public Welfare is of the unanimous opinion that the right should now be extended to labor organizations subject to the Railway Labor Act.

Senate bill 3295 is intended to achieve this result. It would relax the prohibitions contained in paragraphs fourth and fifth of the Railway Labor Act by restoring to carriers and their employees the right to bargain collectively with regard to the union shop and the check-off. In the limitations imposed and the nature of the right granted, the bill closely follows the pattern of parallel provisions of the Taft-Hartley Act.

Paragraph eleventh (a) would permit a carrier and a labor organization duly authorized to represent employees under the Railway Labor Act to enter into an agreement requiring, as a condition of continued employment, that within 60 days following the beginning of such employment, or the effective date of such agreement, whichever is the later, all employees shall become members of the labor organization representing the craft or class of such employees.

I should like to emphasize that the bill would not require and does not in any way make mandatory the execution of union-shop agreements; it merely permits the carriers and the representatives of their employees, through the voluntary process of collective bargaining, to include a union-shop provision in their collective-bargaining agreements.

The bill attaches three conditions to the exercise of this right:

First, the agreement may not require membership in the labor organization as a condition of employment with respect to employees to whom membership is not available on the same terms and conditions as are generally applicable to any other members. Under this provision a labor organization cannot require union membership as a condition of employment if it refuses to accept the membership of persons of certain classes or offers them only limited membership.

The second condition set up is that the agreement may not require membership in the labor organization as a condition of employment with respect to employees to whom membership was denied or terminated for any reason other than the failure of the employee to tender the periodic dues, initiation fees, and assessments uniformly required as a condition of acquiring or retaining membership.

In other words, if for any other reason an employee is denied membership in the union, other than because he did not pay his dues, initiation fee, or regular uniform assessments—if he is denied membership in the union for any other reason than this, he cannot be denied employment with the railroad company. He does not have to belong to the union in order to have a job with the railroad company.

The effect of this condition is to remove from the requirements of any union-shop agreement those employees to whom membership has been denied or who have been expelled from membership for any cause except nonpayment of dues, fees, and assessments. In such cases, nonmembership in the labor organization could not be used as the basis for the dismissal of the employee by the carrier. The bill also makes it clear that the term "assessments" is not to include "fines and penalties." Thus, if an individual member is fined for some infraction of the union bylaws or constitution, the union cannot obtain his discharge under a union-shop agreement in the event that the member refuses or fails to pay the fine imposed.

The final condition attached to the union-shop portion of the bill is the proviso that no union-shop agreement entered into pursuant to the provision of the bill shall require membership in more than one labor organization. This proviso was attached because some question was raised as to the status, under this bill, of employees who are temporarily promoted or demoted from one closely related craft or class to another. This practice, with minor exceptions, occurs only among the train- and engine-service employees. Thus a fireman may be promoted to a position as engineer for a short time and then due to a reduction in force be returned to his former position as fireman. It is the intention of this proviso to assure that in the case of such promotion or demotion, as the case may be, the employee involved shall not be deprived of his employment because of his failure or refusal to join the union representing the craft or class in which he is located if he retains his membership in the union representing the craft or class from which he has been transferred.

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

The PRESIDING OFFICER (Mr. CHAPMAN in the chair). Does the Senator from Alabama yield to the Senator from Illinois?

Mr. HILL. I yield.

Mr. LUCAS. I am very glad the Senator from Alabama has vigorously brought forward the point he has just made, because in talking to some railroad men, that seems to be one of the points on which some of them differ. They do not believe this amendment does what it says. The explanation of the able Senator from Alabama I think is clear and convincing, so far as I am concerned, and I am very glad that he has proceeded along that line, because it seems to me it clears up some controversy existing between union members as to what is the true meaning or interpretation of the amendment which has been adopted.

Mr. HILL. I want to say to the distinguished Senator from Illinois that this amendment was worked on by the members of the committee and was arrived at after much consideration by members of the committee through expert counsel and advice called in by members of the committee in the preparation of the amendment. I think, as the Senator from Illinois has suggested, the amendment is clear, and I think it meets the criticism which was leveled at the fact that an employee might be forced in some way to have membership in more than one organization.

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

Mr. HILL. I yield.

Mr. HUMPHREY. It is true, is it not, that there is no prohibition within the bill that would deny anyone the right to belong to one or several organizations?

Mr. HILL. No.

Mr. HUMPHREY. I wanted to make that clear.

Mr. HILL. An employee could belong to as many different unions as he wished to belong to. But he cannot be required to belong to one. If he belongs to one, he meets the provisions of the statute, and he cannot be required to pay dues to or to belong to more than one union.

Mr. HUMPHREY. I thank the Senator.

Mr. HILL. Whenever I speak of the bill I speak of it with the amendment unanimously agreed to by the membership of the committee, which had been offered to the Senate by the Senator from Ohio [Mr. TAFT] and myself.

The bill would also permit a carrier and a labor organization duly authorized to represent employees under the act to enter into agreements providing for the check-off from the wages of employees of periodic dues, initiation fees, and assessments. But no such agreement is to be effective with respect to any individual employee unless first authorized in writing by him to the employer.

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

Mr. HILL. I yield.

Mr. LUCAS. Is it not a fact that it is absolutely within the discretion of the employee as to whether he requests the check-off?

Mr. HILL. It is wholly and entirely within the discretion of the employee, and unless the employee sits down and

writes on a piece of paper an authorization to the employer to turn the dues, fees, and assessments over to the labor organization, and signs his name to the authorization, there is no check-off, so far as the employee is concerned.

Here, too, I should like to emphasize that the bill does not impose such an agreement; it merely permits a carrier and a labor organization, through the voluntary process of collective bargaining, to include a check-off provision in the collective contract.

That is when the employer sits on one side of the table with his representatives, and the employees sit on the other side of the table, and work out the terms of their contract. All this bill does is to permit them, if they see fit to do so, through the collective-bargaining process, to include check-off provision in their contract.

This right is particularly important in the railroad and airline industries in which employees, unlike those in most other industries, frequently are scattered over hundreds of miles and not concentrated in one locality.

The bill, as I have stated, is designed merely to extend to employees and employers subject to the Railway Labor Act rights now possessed by employees and employers under the Taft-Hartley Act in industry generally. Its pattern is that of comparable provisions of the Taft-Hartley Act and no substantial reason exists to warrant the continued denial to the employees and employers of our great railroad and airline industries of the right to bargain collectively with respect to the union shop and check-off.

Therefore, as I have said, the committee has unanimously reported the bill; the committee is unanimously in accord with the amendments which I have offered on behalf of the Senator from Ohio [Mr. TAFT] and myself; and we urge the passage of the bill, with the amendments.

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

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Does the Senator from Alabama yield to the Senator from Florida?

Mr. HILL. I yield.

Mr. HOLLAND. Mr. President, I hope Senators will follow this exchange.

In view of the fact that this is a Senate bill on which the House of Representatives has not acted; in view of the fact that there is serious disagreement between the railroad operating brotherhoods, principally, on the one hand, and the railroad maintenance groups and shop groups, on the other hand; in view of the fact that the amendments would take a long time to debate; in view of the fact that I feel, for instance, that the bill is not on a parity with the Taft-Hartley Act, in that it does not contain the provision of the Taft-Hartley Act respecting the anti-closed-shop laws of the various States, whether constitutional or statutory, which provision of course is a part of the Taft-Hartley law; in view of the fact that Senators will find at the desk, awaiting consideration, an amendment on this point, offered yesterday or the day before by me; and in view of the further fact that I am advised that one Member of the Senate, now present, has already prepared a so-called civil-rights amendment; therefore, Mr. President, it seems to me that after this hectic session, particularly after these last almost 2 days of tiring effort, about the worst thing the Senate could do would be to quit on a note of inconclusive and disagreeable civil-rights discussion and debate, lasting way into the night or perhaps until midnight.

The only reason for my making this statement is that I realize that the Senator from Alabama is deeply interested in this measure, as he has shown very clearly. I realize that the majority leader feels the same way.

However, in view of the fact that this is a Senate bill and that nothing we can do here now could possibly be conclusive, certainly the wise thing, in view of the further fact that we are all so tired, would be either to return the bill to the calendar or to recommit the bill or to have anything else done with the bill which would avoid the head-on collision which appears imminent.

In order to be perfectly frank about the matter, I wish to state that I have shown to the Senator from Alabama my files, containing, as I recall, approximately 18 communications from influential members of the railroad brotherhoods, some of them the operating brotherhoods and some of them the other brotherhoods, all from my State, and all strongly opposing enactment of the proposed legislation. I believe the Senator from Alabama saw that file last night or the night before, I do not recall which.

I certainly will have to oppose the bill very vigorously, in view of everything I have learned about it.

I understand that the Senator from Georgia is of the same feeling—and also the Senator from North Carolina, the Senator from Arkansas, the Senator from Pennsylvania, the Senator from Delaware, the Senator from Indiana, and various other Senators. I hope I have not omitted to state any of those who have indicated that they wish to be heard—and some of them at considerable length—on this matter.

Mr. President, I do not wish to be arbitrary. If it is the opinion of the Senator from Alabama that it will be possible to have this matter fully prepared for action by the Senate when the Senate returns following the adjournment or recess we are about to take—and, after all, the time of reconvening is only a short time away—and if he feels that such a program would permit consideration of the bill by the House at this session, I would deeply appreciate having the Senator from Alabama agree to have such action taken, rather than to have this measure handled in some other way which might result in having the measure approached in a rather arbitrary way, even though such procedure might possibly work out.

However, I do not feel arbitrary about the matter. I wish to use this occasion to urge that Senators agree on a method of handling this measure which will be agreeable to all concerned.

In view of that situation—in view of the long, rocky path ahead; in view of the condition of the Senate; and in view of the fact that probably we could not get a quorum in attendance now, or at least not before an hour or so, at the earliest, would the Senator from Alabama—in view of his gracious make-up; and certainly he has an abundance of graciousness in his make-up—be willing to let this measure go over until we return in November? Certainly I would appreciate having that done.

In view of the facts, which I represent as being the facts, as I understand them—as to my own statement and intention, they are, of course, the facts; and as to my own file, they are the facts—would it be possible for the Senator from Alabama to reconsider this matter and not insist upon its present consideration?

Mr. HILL. Mr. President, the Senator from Florida has been most gracious and generous. Certainly I should like to accommodate him in any way I could. He has been most appealing, and I should like to meet his wishes in connection with this matter.

However, as the distinguished majority leader said not many minutes ago, for 10 days we have been trying to get this bill before the Senate. In fact, for the last 3 or 4 days this bill has really been the unfinished business; but it was laid aside 3 or 4 days ago, at a time when we were about ready to obtain results on it. However, various privileged matters came up; and they made this bill, instead of an active instrumentality for the results it seeks, a thing dormant.

For 3 or 4 days those privileged matters, which under the rules have a right to come in and they do come in, continued to come before the Senate. As the Senator from Florida knows, we had very extended and, may I even say, rather voluminous debate on those privileged matters, which consumed the last 3 or 4 days; and that situation denied to the Senate an opportunity to consider this measure.

This measure is now before the Senate for consideration. Certainly it has a clear track at the present time, so far as consideration is concerned.

Much as I regret not to accommodate my good friend, the Senator from Florida, I must say that I feel compelled to press for action on the bill.

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

Mr. HILL. I yield to my distinguished friend, the Senator from Pennsylvania.

Mr. MARTIN. Mr. President, none of us contemplated 48 hours ago that we would take so much time in overriding the President's veto.

I really think the session we have had has been one of the most valuable since I have been a Member of the Senate.

The veto message certainly was discussed thoroughly. The majority leader made a magnificent statement this morning. All the speeches have been to the point. However, they did take much more time than any of us anticipated would be required for acting on the veto message in the Senate. Personally, I

received a great number of demands that I vote in such and such a way on the veto message. As a result, I was on the floor of the Senate practically the entire time the veto message was under consideration because I wanted to hear the debate. I think it was very well done, but it did require a great deal of time. The distinguished Senator from Alabama, as the distinguished Senator from Florida has said, realizes, I believe, that it will be only 8 weeks before we will be back here. This bill is a Senate bill. When Congress reconvenes in November, we then shall have an opportunity thoroughly to discuss the bill. It seems to me that is the proper course for us to take.

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

Mr. HILL. In a moment. Mr. President, I appreciate what my good friend from Pennsylvania has had to say. He is a distinguished soldier, a very fine soldier, and he knows that when a soldier has a job to do, no matter how weary, how fatigued, or how tired he may be, he must move forward to perform the job.

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

Mr. HILL. I yield.

Mr. MARTIN. Some of the greatest victories in military history have been accomplished through a temporary retirement. The Revolution was won that way, and the great victory that is being attained in Korea is the result of a magnificent retirement. I wish that, some of these days, some of the generals would come here with the map and show us how that magnificent retirement was consummated. It is one of the greatest things ever to be achieved in military history.

Mr. DOUGLAS. Mr. President, will the Senator from Pennsylvania yield?

The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. HILL. Mr. President, I am delighted to yield to the Senator from Illinois.

Mr. DOUGLAS. I should like to ask my good friend from Pennsylvania, since he believes in the value of strategic retirement, whether he does not think it might be a very good thing for the Senator from Pennsylvania and the Senator from Florida to retire strategically and withdraw their objections.

Mr. HILL. Mr. President, I merely want to say that this is a Senate bill. A companion bill has already been reported by the House committee. As Senators know, the Senate could pass this bill today, send it to the House, where, the House committee having considered the companion bill and having had hearings on it, the bill could be reported favorably, there being a bill on the House calendar like this one at the present time. But one more step in the legislative process would be needed, very likely, and that would be the passage of the Senate bill by the House of Representatives. Therefore it would very much expedite final enactment, if the Senate could pass this bill today.

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

Mr. HILL. I shall yield to my friend from Kentucky in a moment. There are 22 railway labor organizations in this country, 18 of whom are supporting this bill in its present form. Those organizations represent a membership of 1,124,997. There are four railway labor organizations which are not now supporting the bill, but, out of the four, three of them presented testimony before the Senate Committee on Labor and Public Welfare, supporting the view that the right of employers and employees in the railway industry to bargain collectively for a union shop and to have the benefit of the check-off, should be recognized. So three out of the four have expressed themselves in that manner before our committee. They may not like this particular bill, but three of the four who do not now favor the bill, have said that this right, which would be provided for in this bill, should be granted.

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

Mr. HILL. I yield to my distinguished friend from North Carolina.

Mr. HOEY. Mr. President, I am wondering whether the distinguished Senator from Alabama would not feel that it would be wise to let this bill go over until after the reassembling of Congress following the adjournment. It apparently is a controversial issue. There are a number of Senators who desire to speak on the bill, and it will probably take at least 6, 8, or 10 hours to complete consideration of it. Most us want to leave. We have been here all the time, and have been standing by. I should like to ask the distinguished Senator from Florida whether he does not feel that there could not possibly be any detriment to anyone by letting this bill go over until after the reconvening of Congress?

Mr. HILL. Mr. President, I have stated the situation, and I have explained that for 10 days we tried to get the bill before the Senate. It was temporarily displaced for 3 or 4 days.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). May the Chair interrupt the Senator from Alabama?

Mr. HILL. I yield gladly.

The PRESIDING OFFICER. If the Chair understood the distinguished Senator from North Carolina correctly, the Chair thinks he made a mistake. He stated that most of the Senators wanted to leave. Did the Senator find someone who did not want to leave?

Mr. HOEY. No, I think the feeling has been unanimous.

Mr. HILL. Mr. President, let me say to my good friend, the Senator from North Carolina, who spoke of Senators speaking possibly for 6 or 8 hours——

Mr. HOEY. I meant, altogether.

Mr. HILL. Even so, this is a simple bill. There are no involved questions connected with it. It is not like the Taft-Hartley Act, or amendments to that act, which would involve numerous questions. This bill involves really but two very simple questions. Practically speaking, it may be said to involve only one question, and that a very simple one, which can be easily understood.

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

Mr. HILL. I yield.

Mr. HOEY. I agree with the Senator, it does not seem to be involved. But I think that any bill which would force any American citizen to join an organization he did not wish to join, ought to be rejected. I think the right of every American citizen ought to be protected. I do not believe anyone should be forced to join any organization, a church or any other organization, unless he wishes to. This bill would take away that right and force him to do that. It takes away the right of the citizen. I do not think a bill such as that should be passed without being fully discussed.

Mr. HILL. I may say to my friend that I appreciate his sincerity in this matter, and I appreciate the integrity of his position, although I happen to disagree with him very strongly. When I said it was a simple question, I meant it was something everyone could easily understand. It is not the type of a question which frequently comes before the Senate that requires considerable study. Everyone knows what is involved when we speak of a union shop.

Of course, as I say, I know the Senator is honest and sincere in his position, and he has a right to take that position, but his position is diametrically opposed to the policy of the Government, as embodied in the Taft-Hartley law and the policy endorsed by employers and employees in every industry except the railroad industry.

Mr. HOEY. Mr. President, if the Senator from Alabama will pardon me for a moment, I cannot agree with him that this bill is similar to the Taft-Hartley Act. This is a different proposition entirely, but, passing that over, the point I want to bring to the attention of the Senator is this: There cannot be any serious detriment to anyone by allowing this bill to go over until after the fall adjournment. There is nothing which is expected to transpire, there is nothing going to take place, nothing that will be interfered with. Within a comparatively short time the bill can be brought up and discussed, and I am frank to say I think it will be passed by the Senate. But I do not believe it ought to be passed hastily, during the last hour of the session. I think it ought to be discussed and, after it has been threshed out, if it is passed, there will then be greater satisfaction with the result.

I do not at all take the position that the bill ought not to be passed, but I am saying to the Senator that it could not damage anyone if we were to let it go over now and not insist upon its being taken up during this last hour of the session.

Mr. LEHMAN and Mr. CHAPMAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Alabama yield, and if so, to whom?

Mr. HILL. I shall yield in a moment. Let me say that the Congress will not return until November 27. That means that we shall not have more than 3 weeks for the transaction of business before

the Christmas holidays, and we know that unless there is some very compelling emergency with the greatest possible urgency, the Congress will take a recess over the Christmas holidays; so we shall not have over 3 weeks. Senators will understand that following the recess for several weeks, it takes a little while to get the machinery functioning. It takes a little time to get everything adjusted and running smoothly. So the chances are we will not have three full weeks for the consideration of legislation. When we return we fully expect that one matter to come before the Senate will be the excess-profits tax bill, and there will be other matters that will certainly consume time. If we could pass this bill today and send it on to the House, the Senate would then have discharged its responsibility and would have finished its work.

Mr. LEHMAN and Mr. DOUGLAS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Alabama yield, and if so, to whom?

Mr. HILL. The Senator from New York was on his feet first, so I yield to him.

Mr. LEHMAN. Is it not a fact that the unions are deeply interested in this situation, and that they have waited for this legislation, not merely for 5 or 10 days, but for an exceedingly long time? Is it not also a fact that this bill was reported by the Committee on Labor and Public Welfare by unanimous vote after months of exhaustive hearings.

Mr. HILL. The Senator is entirely correct. The committee had full hearings on this bill, and following that, reported it unanimously. Let me call attention to the fact that there are not very many matters dealing with organized labor upon which the Committee on Labor and Public Welfare acts unanimously. I doubt that there is any viewpoint of anyone in the Senate which is not represented in that committee. All the different schools of thought, all those with different viewpoints, have recognized the righteousness of this bill. The bill comes to the Senate with the unanimous approval and recommendation of the Senate Committee on Labor and Public Welfare.

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

Mr. HILL. I yield.

Mr. DOUGLAS. I believe it is true that the Senator, as a southern gentleman, has had a very good classical education. If that is so, I take it the Senator from Alabama is aware of the song of the sirens which would lure the unwary navigators onto the rocks off the coast of Italy. The music of the sirens was so sweet that they would lure the navigators onto the rocks, and the only way Ulysses and his sailors were able to escape was that he put wax in the ears of his sailors so they could not hear the sirens' song, and he directed his sailors to lash him to the mast so he could not be lured away.

Has not the Senator from Alabama, if he has listened to the song of the sirens from North Carolina and Florida, had the temptation to go onto the rocks; and should he not put wax in his ears and steel in his heart to resist their seductive song?

Mr. HILL. The Senator is correct. The Senator from Illinois must remember that the Senator from Alabama has been as consistent in his attendance at the sessions of the Senate as have other Senators. He has sat here just as late at night, as many hours of the day and perhaps he is just as weary of body and soul as the other Senators. If the Senator from Illinois will produce the wax the Senator from Alabama will be very much tempted to make use of it.

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

Mr. HILL. I yield.

Mr. LUCAS. Mr. President, I want to reiterate what the Senator from Alabama said with respect to this bill which was unanimously reported from the Committee on Labor and Public Welfare. It is very unusual that the committee should report a bill unanimously. I undertake to say that when the distinguished Senator from Ohio [Mr. TAFT] and the able Senator from Missouri [Mr. DONNELL] agree with the Democratic members of that committee on a measure of this kind, they have covered nearly all the bases of the bill. I congratulate the committee on unanimously agreeing on a measure of this character.

Furthermore, with respect to the business which will be before the Senate on the 27th of November, I can assure the Senate that when the Senator from Wyoming [Mr. O'MAHONEY] returns to Washington on that date there will be a motion made to lay aside whatever is the unfinished business or whatever is pending so as to take up the Alaska statehood bill. That is practically what the Senator from Illinois said a few days ago on the floor of the Senate. I certainly hope that we may get a vote upon this bill in some way here tonight so that we may find out what the Senate desires to do. I do not think it should require 6 or 8 hours to do so. The Senator from Indiana [Mr. JENNER] has, as an amendment to the bill, the FEPC measure. Everyone knows why that was offered, and it will not work, Mr. President, because Senators on this side of the aisle are not going to be dragged off into a dark corner with that sort of an amendment on this measure to which it has no business to be attached.

I hope we might vote on this bill within the next hour or 2 hours and dispose of it, and adjourn, because we will have a great deal of business to take care of when we return on November 27. I plead with the Senate to make disposition of it in some way or other.

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

Mr. HILL. I yield.

Mr. ELLENDER. Does not the Senator from Alabama realize that because of action previously taken by the Senate today there cannot be more than 7 hours of debate on the bill, and since it has been indicated by Senators that there would be probably be 6 or 7 speeches on it, there is no chance of passing it today?

Mr. HILL. All I can do is to drive ahead and see if we cannot pass the bill.

Mr. ELLENDER. What is the use of driving ahead?

Mr. HILL. I have many times seen such attempt to drive ahead prove to be successful. And I have seen such efforts fail. But if we drive ahead and keep moving we may achieve our objective. All we can do under the circumstances is to drive ahead.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. HILL. I yield.

Mr. FULBRIGHT. The Senator said the bill was unanimously reported by the committee. Only a couple of months ago or so I understood that it was unanimously supported by the various unions. But recently the representative of the trainmen in my State, and also representatives of three other unions, informed me they had changed their minds, but that they believe if this matter is carried over they will be able to compromise their differences, and get a bill they all can support. I wondered if the Senator considered that? I so requested, and as a matter of fact my suggestion was only to that extent; not finally to oppose this sort of legislation, but that an opportunity be afforded to work out the differences that exist.

Mr. HILL. When we held hearings on the bill the Brotherhood of Locomotive Engineers, represented by Mr. John Corbett, assistant grand chief engineer, appeared in opposition to the bill. The representative of the trainmen's union stated that his organization felt that this right should be granted to the employees and employers in the railroad industry; but they were not for this particular bill. They had some changes to suggest.

What happened was that the committee, after hearing the testimony, sat down as I said, and as was brought out by the Senator from Illinois, to attempt to reach an agreement. There were many schools of thought, many different backgrounds represented in dealing with this labor legislation. There was sitting in the committee room the distinguished author and father of the Taft-Hartley law. Sitting in that room were Members of the Senate who had previously, with all the power at their command, opposed the enactment of the Taft-Hartley law. Yet, here were these Senators, these agents of the Senate, sitting down together seeking to do what the committee felt was to the public interest, what was to the best interest of the country.

On that basis, the committee, after considerable discussion and debate, unanimously reported the bill.

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

Mr. HILL. I yield.

Mr. FULBRIGHT. I think the Senator will recall that every other measure we have passed during the last 2 days has been a measure which has been passed by the other body; and most of them were conference reports. The Senator knows positively, the other House having already adjourned, that the bill could not be passed through the other

House. Enough Members of the Senate have expressed themselves here, I think, to make it clear that the bill is not going to be passed in another hour or two. I was wondering what would convince the Senator that there is no possibility of passing the bill before we adjourn tonight. What would it take in the way of a declaration?

Mr. HILL. I will say to my good friend from Arkansas that earlier I spoke of our distinguished friend, the Senator from Pennsylvania [Mr. MARTIN] as a fine soldier. A fine soldier does not admit impossibilities. When he has a goal and objective, he drives on to that objective. That is what I am asking the Senate to do this afternoon. Let us drive on to the objective, to the goal of passing this bill.

Mr. FULBRIGHT. Does that mean that the Senator from Alabama——

Mr. HILL. It means that the Senator is going to do everything in his power to bring about passage of this bill.

I yield the floor at this time.

Mr. HOLLAND. Mr. President, there are several courses available to those who oppose present consideration of the bill by way of dilatory action. One of them would be to make a motion to recommit, which the Senator from Florida does not like to make; another would be to make a motion to defer consideration of this measure to November 27, which the Senator from Florida does not like to do, and following that motion there could be another motion to take up the matter on the 28th of November, and a similar motion for the 29th of November et cetera. The Senator from Florida does not want to make himself a party to that sort of procedure. He thinks the obvious thing to do under the circumstances is to let the measure remain where it is, so that it can be taken up first when we return.

With that in view, and hoping that we shall thus be able to avoid a lengthy fight until 12 o'clock, the Senator from Florida now moves that consideration of this measure be postponed until November 27 next.

Mr. HILL. Mr. President, I have already stated to the Senate the reasons for pressing consideration of this bill and action by the Senate on it tonight. I have already stated why I think it was important that we proceed to the consideration of the bill and that we make every effort to pass it tonight. I shall not reiterate those reasons. I said that a kindred bill has been reported by the House committee. It is now on the House Calendar. We can pass this bill tonight, and the bill would be ready for action by the House when the House reconvenes on November 27. That would be very definite progress. The Senate can pass the bill tonight. In that event the Senate would have finished its job on the bill. Therefore I urge that the motion of the Senator from Florida be not agreed to.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida. [Putting the question.] The "ayes" seem to have it.

Several Senators requested a division.

On a division the motion was agreed to.

Mr. LEHMAN. Mr. President, I ask unanimous consent that there be printed at this point in the body of the RECORD a statement prepared by me on the amendments to the Railway Labor Act, now embodied in the pending bill, Senate bill 3295.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HERBERT H. LEHMAN ON PENDING AMENDMENTS TO THE RAILWAY LABOR ACT (S. 3295)

Mr. President, I hope the pending bill, the amendments to the Railway Labor Act, will pass. The majority of the members of the railroad brotherhoods have been urging these amendments for many years. They feel that they, of all unions, are being unfairly discriminated against, and are being deprived of rights which all other unions have, solely because they are employees of an industry which the Government, in its proper concern for the national interest, has seen fit to regulate by special legislation.

It does not seem fair to me that railroad unions, which have accomplished so much for their members, and which have succeeded, through years of struggle, in raising to such a high level the standards of work and of performance in the railroad industry, should be penalized just because they are unions of railroad workers.

The railroad brotherhoods should have the same right that any other union has to negotiate for the union shop and to obtain the union shop if the railroad operators are willing to agree to such an arrangement, arrived at in free-collective bargaining.

The railroad unions have contributed a great deal to the magnificent record compiled by the railroads through the years in service to the public and in advancing the public interest. I think those contributions should be recognized.

This bill has received the most careful inspection by the Labor Committee. We held many, many hearings. I was a member of the subcommittee and can testify to the searching examination which this legislation underwent, and the painstaking manner in which all points of view were solicited.

This is not perfect legislation from all points of view. What legislation is perfect? But it does fill a need. I hope it will be speedily passed.

COTTON-ACREAGE ALLOTMENTS

Mr. ELLENDER. Mr. President, there is need for legislation that will provide an equitable basis for establishing cotton-acreage allotments among farmers whenever the need for them again arises. The Agricultural Adjustment Act of 1938, provided a method which proved unsatisfactory, so the Congress amended that act by enacting Public Law 272 in 1949. That legislation also proved to be defective and, as a stop-gap measure, for 1950 only, Public Law 471 was put on the books in the spring of 1950. The House has passed H. R. 9109, which its proponents claim will correct the present law. The Senate Committee on Agriculture and Forestry does not take that view but has discovered that it will not fully meet the needs of our cotton farmers, in the event downward adjustments in production become desirable.

H. R. 9109, seeks to amend some of the basic provisions of the Agricultural Adjustment Act of 1938, as amended, which govern the establishment of peanut- and cotton-acreage allotments. This legislation also contained provisions for the extension of the agricultural-conservation program for 2 years. The Senate Committee on Agriculture and Forestry has had public hearings on these amendments and has given careful consideration to them.

The chairman appointed a subcommittee of five to review carefully the provisions of H. R. 9109. The Senator from North Carolina [Mr. HOEY], the Senator from New Mexico [Mr. ANDERSON], the Senator from Vermont [Mr. AIKEN], the Senator from North Dakota [Mr. YOUNG], and I were the members of this subcommittee. I served as chairman of the subcommittee. We found that H. R. 9109 had a number of very controversial provisions and was filled with special gadgets favoring various States and areas within a State. Several of these provisions continued the basic defects of Public Law 272, Eighty-first Congress, under which the 1950 cotton-acreage allotments were established. Our subcommittee proposed several changes in this bill which are included in the committee print, H. R. 9109, dated August 30, 1950. These proposed revisions would eliminate most of the special provisions of H. R. 9109 and would eliminate the inequitable effects of war crop credits.

The principal provision the subcommittee did not change is that concerning the establishment of farm allotments on a uniform percentage of cropland by counties. Time was too short to attempt to revise this provision, because it is controversial and requires more careful consideration than present circumstances will permit. The Senator from North Carolina [Mr. HOEY] and I were in favor of reporting the revised bill of the subcommittee to the Senate for consideration. However, the majority did not think it advisable to consider the measure at this session. Since this important legislation and its now inadequate provisions must eventually come before this body for final disposition, I wish to direct your special attention to some very fundamental facts and principles to which I hope you will give careful thought and consideration.

Early in 1949, after it became apparent that marketing quotas might be needed for the 1950 cotton crop, the Congress began hearings to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, governing cotton acreage allotments and marketing quotas. These hearings made it clear that amendments were necessary to correct outmoded basic provisions because they were not in step with present-day conditions. It was not possible to allot less than 27,000,000 acres to cotton under the then existing law. Normally, production requirements to meet effective demand will take considerably less acres. Furthermore, the distribution of cotton allotments to States, to counties, and farms would have been completely out of line with recent cotton plantings. Consequently, the first session of this Congress passed Public Law 272 with the purpose of providing a suitable basis for establishing cotton allotments.

When consideration was being given to proposed amendments to Public Law 272, it was pointed out time and time again that major defects needed correction; (1) the arbitrary method provided in Public Law 272 for determining war crop credits to use in establishing State, county, and farm acreage allotments, and (2) the inflexible and rigid requirement calling for mathematical computation of farm acreage allotments on the basis of a uniform cropland percentage.

The national cotton acreage allotment for 1950 was 21,600,000 acres, while the acreage estimated by the Department of Agriculture in cultivation on July 1 totals about 19,000,000 acres. This means that farmers did not use 2,500,000 acres of cotton allotments for the production of cotton. Much of these unused allotments were misplaced on farms which no longer were in cotton production. Georgia farmers planted only 84 percent of their allotments and North Carolina producers only 77 percent. But farmers in many other States planted an average of anywhere from 95 to 98 percent of their allotments. I will show that these misplaced allotments largely came about through the use of war crop credits and the uniform cropland method of establishing farm allotments.

I also desire to point out some reasons why Public Law 272 resulted in improper and inequitable allotments.

War crop credits established under Public Law 272 placed allotments back on farms and in areas that had shifted out of cotton. Public Law 272 also provided that farm allotments be established by applying a uniform county percentage to each cotton farm's cropland. This caused some farms to make no downward adjustments in their cotton acreage, and others to make as much as 80 percent cuts.

The arbitrary war-crop credits calculated in accordance with the provisions of Public Law 272, caused 1950 allotments to be established for 95,000 farms having no cotton planted on them during the years 1946, 1947, and 1948. Producers on some of these farms made bona fide shifts from cotton to war crops. But producers on many other of these farms planted so-called war crops as part of a plan to shift out of cotton to livestock, peanuts, and other crops; and no cotton had been planted on a number of these farms since 1941. This meant taking cotton acreage from farms currently and regularly producing cotton and placing them on farms that had gone out of cotton production and gone into the production of other agricultural products. It is estimated that between 750,000 and 1,200,000 acres of allotments were placed on these 95,000 farms.

If Public Law 272, Eighty-first Congress, had authorized local farmer-elected county committees to give these misplaced allotments to cotton farmers whose cotton acreage was cut too heavily, it would have been unnecessary to provide emergency relief to correct inequitable allotments as was done under Public Law 471 of this Congress. Rigid mechanical procedures are poor substitutes for the knowledge and judgment of local-elected farmer committeeman. If farmers had set their own allotments without being forced by legislative mandate to give unfair war-crop credits, 1950 cotton production would have been considerably larger than what will be produced this year.

Public Law 272 forces war-crop credits to be given counties in excess of the credit passed on to the farms that earned it. It is specifically provided that in 1951, for example, war-crop credit shall be given to counties, in most States, for the years 1945, 1946, and 1947. Yet the county allotment will be given to farms on the basis of 1947, 1948, and 1950 cotton history. Thus, 3 years of war-crop credit is given to the county and only 1 year's credit is passed on to the farm that earned it. The 2 years' war-crop credit that are not passed on to the farmers that earned it must be used to give other farmers in that same county a larger allotment than they are entitled to. That is a big part of our cotton-allotment trouble. In 1952 the situation will be even worse than it is in 1951. In 1952, 2 years' war-crop credit is given to the county and no credit is specifically passed on to the farmer that earned it. These defects in the cotton-allotment law were not put there by Public Law 12, Seventy-ninth Congress, the original war-crop credit law which was passed in 1945, but by Public Law 272 which was passed in the summer of 1949. In its original form, House bill 9109 does not correct this defect, but repeats it.

The original war-crop credit law only promised the farmer that he would be eligible as an old grower if he diverted to war crops. In other words, if he planted war crops it was as though he planted cotton, insofar as establishing a cotton history was concerned. The law of 1945 quite clearly did not promise hundreds of thousands of farmers that they would get allotments by means of war-crop credits just because they happened to be in a county where other farmers had planted war crops.

While we may not need to have cotton quotas in 1951, we know that sooner or later we will have to have quotas and this war-crop credit problem will still be in the law. War-crop credits are passed on to most counties until 1955 under the terms of H. R. 9109. Three years after we have stopped passing these credits on to the farmers that earned them we will continue to give them to the county to loosen up the allotments for all the cotton farmers in that county. Quite obviously this is unfair to other farmers who are taking the reduction in cotton acreage for them.

The significance of this comes out more fully when we use specific examples. The 1950 allotment for a particular group of counties in Georgia was increased 40,000 acres over the 1948 cotton acreage. This was more than a 25 percent increase at a time when the country was being forced to cut down 10 percent from the 1948 planting. Wilcox County, located in this same area, only planted 10,000 acres in 1948 but had an allotment for 1950 of 15,366 acres. This is by no means the most outstanding case. For example, in Clay County in this area only 750 acres of cotton was planted in 1948 while the allotment was 4,514 acres. Similar unearned increased allotments over 1948 plantings occurred in Sumter, Ben Hill, Turner, and many other counties in this same area. Many individual farmers were enabled to plant more than double what they had previously been planting to cotton in recent years.

While this unfair increase in the planting of cotton was taking place in one part of Georgia, in another part of Georgia the situation was exactly reversed. Take Walton County, Ga. In that county farmers planted 36,000 acres in 1948 but their allotment was cut down to 30,000 acres for 1950. Other counties in this same area had to take reductions in cotton acreage instead of increasing their production. Some of these counties were Warren, Oconee, and Morgan. This disarrangement of cotton production within the State of Georgia caused cotton to shift from areas that had recently been growing cotton to areas that recently had been going out of cotton production for strictly economic reasons. And when you bring the example down to an individual farm, there's where clearly the shoe pinches. In the first area practically no farmer reduced his cotton production at all, regardless of the size of the farm, from his current recent years' plantings, whereas in Walton and those other counties in that area many farmers were required to cut production as much as 50 percent.

Not only must the law be changed with respect to war-crop credits but it also should be changed with respect to passing the county allotment on to farms. Public Law 471 gave relief from the rigid provisions of Public Law 272 only for the year 1950 and unless we enact legislation on this question, allotments for subsequent years will have to be made on a strict percentage of cropland approach. Under Public Law 272 the percentage of cropland approach caused many allotments to be inequitable. Some farms made no reduction whatever, while other farms made extremely large reductions. In fact, about one-third of the farms for which 1950 allotments were established made no reduction from the highest acreage planted to cotton during the years 1946, 1947, and 1948. This means that those farms received allotments considerably in excess of the average acreage planted on those farms. Whenever one farm is given an allotment in excess of the average acreage planted on that farm, it means that allotments have to be taken away from some other farm. Another 25 to 30 percent of the farms were required to make practically no reduction. Therefore, with one-third making no reduction and approximately another third making little or no reduction, the remaining one-third of the farms throughout the country carried the whole burden of reducing the national cotton acreage. Producers in this last third were required to reduce their

cotton acreage anywhere from 20 to 80 percent below the acreage that had been planted on those farms in recent years. It is no coincidence that the summary of county reports of unsatisfactory allotments showed that between one-fourth and one-third of the farmers were dissatisfied, since these producers were generally in the group that had been cut up to as much as 80 percent.

It has been said many times that the State and county acreage reserves provided in Public Law 272, Eighty-first Congress, were large enough to remedy all inequities if the committees would use them to the maximum extent. In fact, I shared that opinion when we considered the matter. I am now convinced this is not the case. Let us take a parish in my own State, West Baton Rouge. This admittedly is a small cotton parish but it illustrates exactly the thing I want to point out, which is, the maximum county reserves provided in Public Law 272 are not sufficient to remedy inequities in small cotton counties and parishes. The committee for this parish established its full maximum 15 percent and placed all of it on a few farms, which were being required to make all the cut in cotton acreage in that parish. After this was done, these few farms had to reduce their cotton acreage about 42 percent. Most of the 172 farms in this parish received allotments equal to their highest cotton acreage plantings or received only minor reductions. This same type of thing can be illustrated over and over again in small cotton counties and in parishes where the committee used the full 15-percent reserve.

The net result caused by unfair war crop credits and the percent of cropland approach was that when cotton producers were notified of their 1950 cotton allotments they hit the ceiling, and who can blame them? Their justifiable complaints reached the Congress. Immediately, the inequities in farm allotments brought about through Public Law 272 were recognized and the leadership of the House Committee on Agriculture began holding conferences aimed at devising emergency legislation. House and Senate leaders joined hands and emergency legislation, Public Law 471, Eighty-first Congress, was enacted by the second session of this Congress. Public Law 471 partially remedied inequities only for 1950; but there was an understanding that the permanent provisions of Public Law 272 would be carefully reconsidered later, and that necessary amendments dealing with the basic defects of Public Law 272 would be permanently made.

Immediately after the enactment of remedial legislation, which attempted to correct inequitable 1950 farm cotton-acreage allotments, the House Committee on Agriculture began hearings for the purpose of amending the cotton-acreage-allotment provisions of Public Law 272. Following these hearings, H. R. 9109 was passed by the House of Representatives. This legislation purportedly corrected the basic defects of Public Law 272. But H. R. 9109, contrary to the understanding at the time the emergency cotton-allotment legislation was enacted, completely sanctioned the use of war crop credits as provided in Public Law 272 and only remedied inequities resulting from the uniform cropland percentage approach for establishing farm allotments. As a matter of fact, farm allotments established on a cropland-percentage basis would be perpetuated by H. R. 9109.

In addition to inclusion of these two controversial provisions, objectionable gadgets dealing with particular situations and States were placed into this legislation. One provision, for example, would have shifted cotton allotments from one area of Texas back into another area. Such shifting is contrary to the current areas of cotton production in that State. It would mean a reduced acreage planted to cotton in Texas with the same State allotment, and would tend to increase the cost of production. Another provision was included especially for North Carolina, in which the uniform cropland percentage, combined with minimum small-farm allotments, worked very poorly in 1950. To remedy this situation, a special provision was included in H. R. 9109 for North Carolina, and only incidentally for four other States. This provision would overcome the inequities caused by the cropland approach by establishing farm allotments more in line with average plantings of cotton on farms. It is just as badly needed in all cotton-producing States and counties as it is in North Carolina. Finally, H. R. 9109 and Public Law 471 both contain provisions designed to freeze future cotton allotments in areas going out of cotton, even though farmers continue to underplant their allotments by substantial margins.

As pointed out in the beginning, the Senate Committee on Agriculture and Forestry has held hearings on and has given considerable attention to the provisions of H. R. 9109. The subcommittee in its consideration of H. R. 9109 proposed the following major changes:

First. We proposed to include war-crop credits in the base period for establishing State and county allotments only for those years which are also included in the base period used for establishing farm allotments.

Second. We eliminated the special provisions relating to Texas which shifts cotton allotments and history from one section of the State where cotton is currently being produced to the older areas that have gone out of production in recent years. The elimination of these provisions would avoid serious disruption of the present cotton economy of Texas.

Third. Section 1 of H. R. 9109 provides that the Secretary shall proclaim a national marketing quota for 1951 and 1952 if he determines that the total supply of cotton for the marketing year will exceed the estimated domestic consumption plus exports for such marketing year. We proposed that this provision be deleted. Instead the subcommittee proposed language to direct the Secretary of Agriculture to establish acreage allotments for 1951 and 1952 cotton crops as a condition of complying for price support even though marketing quotas should not be in effect. The Agricultural Adjustment Act of 1949 gave the Secretary discretionary authority to use allotments as a condition of eligibility for price support. Under such a plan those who comply would be eligible for loans. Noncompliers would not receive credit for acres planted in excess of their allotment.

Fourth. In establishing State and county allotments, H. R. 9109 provides for not counting the additional acreage planted to cotton in 1950 under the provisions of emergency legislation enacted in Public Law 471 for correcting inequitable 1950 farm allotments. We propose to count this acreage along with all other cotton acreage planted within allotments. To do otherwise would render an injustice to States and counties and would tend to perpetuate the very inequities that Public Law 471 sought to relieve. Also this is in line with the principle of placing allotments where cotton is now being grown. This proposal is a decided improvement.

It is my hope that Senators and Members of the House of Representatives from States that grow cotton will discuss the problem with their respective constituencies in the hope of enacting permanent cotton legislation at an early date. I am hopeful that if and when we return in the latter part of November that we will be able to remedy the situation that I have been talking about.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the following documents: (1) committee print, H. R. 9109, as reported to the Committee on Agriculture and Forestry by the subcommittee; (2) a document showing cotton allotments on an acreage allocation of 21,500,000 acres; (3) a document showing apportionment of 1951 and 1952 minimum national acreage allotment under provisions of H. R. 9109.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

H. R. 9109

An act to amend the Agricultural Adjustment Act of 1938, as amended; the Soil Conservation and Domestic Allotment Act; Public Law 74, Seventy-seventh Congress; the Agricultural Act of 1949; and for other purposes

Be it enacted, etc., That section 344 of the Agricultural Adjustment Act of 1938, as amended, is amended as follows:

1. Subsection (a) is amended by striking the period at the end of the second sentence and inserting in lieu thereof a colon and the following: "*Provided*, That the national acreage allotment for each crop of cotton shall be increased by the average percentage by which the total acreage allotted to farms for the preceding five crops of cotton for which acreage allotments were in effect exceeded the acreage planted to such crops of cotton."

2. Subsection (b) is amended by striking out the parenthetical clause.

3. Subsection (c) (1) is amended (1) by inserting "for 1947" after the word "including" in the first parenthetical clause and after the word "or" in the second parenthetical clause, and (2) by changing item (A) to read as follows: "the additional acreage added in each State acreage allotment base in 1950 for minimum small farm allotments adjusted upward or downward by the percentage by which the 1951 national acreage allotment is above or below the 1950 national acreage allotment."

4. Subsection (d) is amended to read as follows:

"(d) The national acreage allotment for cotton for 1952 shall be apportioned to States

on the basis of (1) the acreage planted to cotton during the years 1946, 1947, 1948, and 1950, with adjustments for abnormal weather conditions during such period, plus (2) the additional acreage added in each State acreage allotment base in 1950 for minimum small farm allotments adjusted upward or downward by the percentage by which the 1952 national acreage allotment is above or below the 1950 national acreage allotment."

5. Subsection (e) is amended to read as follows:

"(e) (1) The State acreage allotment for cotton for 1951 shall be apportioned to counties on the basis of the acreage planted to cotton (including for 1947, in any State which received its 1950 acreage allotment base under subsection (c) (1) of this section, the acreage regarded as planted to cotton under Public Law 12, 79th Cong.) during the same period of years used for such apportionment for 1950, plus the acreage added in each county in 1950 for minimum small farm allotments adjusted upward or downward by the percentage by which the 1951 State acreage allotment is above or below the 1950 State acreage allotment: *Provided* That the State committee shall reserve an adequate acreage not exceeding 10 percent of the State acreage allotment (15 percent if the State's 1948 planted acreage was in excess of 1,000,000 acres and less than half of its 1943 allotment) which shall be used (A) for adjustments in county allotments for trends in acreage, for abnormal conditions adversely affecting plantings, for incomplete or inaccurate basic county cotton data, and, upon proper showing by the county committee, for inequitable county allotments; and (B) for new farms, small farms, for farms adversely affected by abnormal conditions affecting plantings, and for adjustments by the county committee in other farm acreage allotments in counties in which the 15 percent reserve is insufficient to provide equitable farm allotments.

"(2) The State acreage allotment for cotton for 1952 shall be apportioned to counties on the basis of the acreage planted to cotton during the years 1946, 1947, 1948, and 1950, plus the additional acreage added in each county in 1950 for minimum small-farm allotments adjusted upward or downward by the percentage by which the 1952 State acreage allotment is above or below the 1950 State acreage allotment: *Provided,* That the State committee shall reserve an adequate acreage not exceeding 10 percent of the State acreage allotment (15 percent if the State's 1948 planned acreage was in excess of 1,000,000 acres and less than half of its 1943 allotment) which shall be used (A) for adjustments in county allotments for trends in acreage, for abnormal conditions adversely affecting plantings, for incomplete or inaccurate basic county cotton data, and, upon proper showing by the county committee for inequitable county allotments; and (B) for new farms, small farms, for farms adversely affected by abnormal conditions affecting plantings, and for adjustments by the county committee in other farm acreage allotments in counties in which the 15 percent reserve is insufficient to provide equitable farm allotments.

"(3) The State acreage allotment for cotton for 1953 and subsequent years shall be apportioned to counties on the basis of the acreage planted to cotton during the same years as are used in apportioning the national acreage allotment to the States under subsection (b) of this section: *Provided,* That the State committee shall reserve an adequate acreage not exceeding 10 percent of the State acreage allotment (15 percent if the State's 1948 planted acreage was in excess of 1,000,000 acres and less than half of its 1943 allotment) which shall be used (A) for adjustments in county allotments for trends in acreage, for abnormal conditions adversely affecting plantings, for incomplete or inaccurate basic county cotton data, and, upon proper showing by the county committee, for inequitable county allotments; and (B) for new farms, small farms, for farms adversely affected by abnormal conditions affecting plantings, and for adjustments by the county committee in other farm-acreage allotments in counties in which the 15 percent reserve is insufficient to provide equitable farm allotments.

6. Subsection (f) is amended to read as follows:

"(f) (1) The county acreage allotment, less the acreage reserved under paragraph (3) of this subsection, shall be apportioned in 1951 and 1952 to farms on which cotton has been planted (or regarded as planted under Public Law 12, 79th Cong.) in any one of the 3 years immediately preceding the year for which such allotment is determined, on the basis of the acreage allotments established for such farms (without deduction for acreage surrendered in 1950) for the immediately preceding year, with such adjustments as the county committee deems necessary for errors in basic farm data: *Provided,* That if the allotment base for any farm for the 1951 crop is less than the larger of 65 percent of the average acreage planted to cotton (including the acreage regarded as planted to cotton under Public Law 12, 79th Cong.) on the farm in 1946, 1947, and 1948, or 45 percent of the highest acreage planted to cotton (including the acreage regarded as planted to cotton under Public Law 12, 79th Cong.) on the farm in any one of such 3 years, the county committee, upon application in writing by the owner or operator of the farm within such reasonable period of time as the Secretary may prescribe, shall increase the allotment base for such farm to the larger of such acreage as determined by the county committee upon a proper showing of the facts, but such allotment base shall not be increased by reason of this proviso to an acreage in excess of 40 percent of the acreage on the farm which is tilled annually or in regular rotation, as determined under regulations prescribed by the Secretary.

"(2) The county acreage allotment, less the acreage reserved under paragraph (3) of this subsection, shall be apportioned in 1953 and subsequent years to farms on which cotton has been planted in any one of the 3 years immediately preceding the year for which such allotment is determined, on the basis of the average acreage planted to cotton on the farm in such 3-year period.

"(3) The county committee shall reserve an adequate acreage not exceeding 15 percent of the county allotment which shall be used for (A) making such adjustments in the farm-acreage allotments established under paragraph (1) or (2) as may be necessary to provide allotments which the county committee determines are fair and equitable in relation to land, labor, and equipment available for the production of cotton, crop-rotation practices, and abnormal conditions of production; and (B) establishing allotments for farms on which cotton was not planted (or regarded as planted under Public Law 12, 79th Cong.) during any of the 3 calendar years immediately preceding the year for which the allotment is made, on the basis of land, labor, and equipment available for the production of cotton and crop-rotation practices: *Provided,* That not less than 20 percent of the acreage reserved under this subsection shall, to the extent required, be allotted upon such basis as the Secretary deems fair and reasonable to farms, if any, receiving allotments of not exceeding 10 acres under other provisions of this subsection.

"(4) Any part of the acreage allotted to individual farms in any county under the provisions of this subsection which is voluntarily surrendered to the county committee shall be deducted from the allotments to such farms and may be reapportioned, under regulations prescribed by the Secretary, to other farms in the same county, including small farms, receiving allotments which the county committee determines are inadequate and not representative in view of the past production of cotton on the farms and to new farms in such county. Any transfer of acreage in 1950 shall not operate to reduce the allotment base for any subsequent year for the farm from which such acreage is transferred, unless cotton was not planted (or regarded as planted under Public Law 12, 79th Cong.) on such farm in 1947, 1948, or 1950. Any acreage so released and not reapportioned by the county committee in accordance with the foregoing provisions of this paragraph shall be added to the State reserve under subsection (e) of this section and be available for the purposes specified therein.

(5) No farm-acreage allotment established under the provisions of this section for any year shall exceed an acreage in excess of 50 per centum of the acreage on the farm which was tilled annually or in regular rotation, as determined under regulations prescribed by the Secretary: *Provided,* That the county committee may, by the use of the county reserve, increase any farm-acreage allotment up to 55 per centum of such acreage: *Provided further,* That if the national acreage allotment is more than twenty-one million acres, the farm acreage allotment limitations in this paragraph shall be increased by the same percentage that the national acreage allotment is in excess of twenty-one million acres: *And provided further,* That any part of the county acreage allotment not apportioned by reason of the limitation in this paragraph shall be added to the State reserve under subsection (e) of this section and be available for the purposes specified therein."

7. Subsection (g) is amended as follows:

"(g) Notwithstanding the foregoing provisions of this section and section 347—

"(1) State, county, and farm-acreage allotments and yields for cotton shall be established in conformity with Public Law 28, Eighty-first Congress;

"(2) for any farm on which the acreage planted to cotton in any year is less than the farm-acreage allotment for such year by not more than the larger of 10 percent of the allotment or one acre, an acreage equal to the farm-acreage allotment shall be deemed to be the acreage planted to cotton on such farm, and the additional acreage added to the cotton-acreage history for the farm shall be added to the cotton-acreage history for the county and State;

"(3) the additional acreage planted to cotton pursuant to paragraph (5) of subsection (f) of this section as amended prior to the enactment of this act shall be taken into account in establishing future State and county allotments;

"(4) in any State in which more than one-half of the cotton allotments established for the 1950 crop, for farms on which cotton was planted (or regarded as planted under Public Law 12, 79th Cong.) in 1946, 1947, or 1948, were 5 acres or less, the county committee may, with the approval of the State committee, adjust downward any farm acreage allotment base for the 1951 or 1952 crop so that such farm acreage allotment base shall not be less than the average acreage planted to cotton (including the acreage regarded as planted to cotton under Public Law 12, 79th Cong.) on the farm in 1946, 1947, and 1948;

5. Add a new subsection (m) as follows:

"(m) Notwithstanding any other provisions of law—

"(1) the Secretary shall establish acreage allotments for each of the 1951 and 1952 crops of cotton (other than extra long staple cotton) although a national marketing quota for each such crop is not proclaimed or not in effect under the provisions of this title. In establishing such allotments, the Secretary shall compute a national marketing quota which shall be converted into a

national acreage allotment and apportioned in accordance with the foregoing provisions of this section and any acreage planted in excess of any such allotment shall not be taken into account in establishing future State, county, and farm acreage allotments, as provided in section 344 (i).

"(2) producers who do not comply with such allotments shall not be eligible for price support."

SEC. 2. Section 347 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"LONG STAPLE COTTON

"Sec. 347. (a) Except as otherwise provided by this section, the provisions of this part shall not apply to extra long staple cotton which is produced from pure strain varieties of the Barbadense species, or any hybrid thereof, or other similar types of extra long staple cotton designated by the Secretary having characteristics needed for various end uses for which American upland cotton is not suitable, and grown in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of such varieties or types.

"(b) Whenever during any calendar year, not later than October 15, the Secretary determines that the total supply of cotton described in subsection (a) for the marketing year beginning in such calendar year will exceed the normal supply thereof for such marketing year by more than 8 percent, the Secretary shall proclaim such fact and a national marketing quota shall be in effect for the crop of such cotton produced in the next calendar year: *Provided*, That the Secretary may exempt from such quota any variety or type of such cotton if he determines that the total supply of such variety or type does not exceed the demand therefor, but such exemption shall apply only to such cotton which is produced in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of such varieties or types. The Secretary shall also determine and specify in such proclamation the amount of the national marketing quota in terms of the quantity of cotton described in subsection (a) adequate to make available a normal supply of such cotton, taking into account (1) the estimated carry-over at the beginning of the marketing year which begins in the next calendar year, (2) the estimated production during the next calendar year of any varieties or types exempted pursuant to this subsection, and (3) the estimated imports during such marketing year. The national marketing quota for cotton described in subsection (a) for any year shall not be less than the smaller of 30,000 bales or a number of bales equal to 30 percent of the estimated domestic consumption plus exports for such cotton for the marketing year beginning in the calendar year in which such quota is proclaimed, less the estimated production from exempt varieties and types of such cotton to be produced from the crop for which the quota is proclaimed.

"(c) All provisions of this act, except section 342, subsections (c), (e) (1), (h), (k), and (l) of section 344, and the provisions relating to minimum small farm allotments, shall, insofar as applicable, apply to marketing quotas and acreage allotments authorized by this section: *Provided*, That the applicable penalty rate for such cotton under section 346 shall be 50 percent of the parity price for American-Egyptian cotton as of the date specified therein. The national acreage allotment for 1951 shall be apportioned to the States on the basis of the acreage planted to such cotton in the State during the years 1946, 1947, 1948, and 1950, with adjustments for trends in acreage and for abnormal weather conditions during such period. The State acreage allotment for 1951 shall be apportioned to counties on the same basis as is required for such apportionment in 1952. Farm acreage allotments for 1951 and subsequent years shall be established in accordance with the provisions of subsection (f) of section 344.

"(d) Unless marketing quotas are in effect under subsection (b) of this section, the penalty provisions of section 346 shall not apply to any cotton the staple of which is 1½ inches or more in length.

"(e) The exemptions authorized by subsections (a), (b), and (d) of this section shall not apply unless the cotton is ginned on a roller-type gin."

SEC. 3. The Agricultural Act of 1949 is amended, effective with respect to the 1950 and subsequent crops of cotton, as follows:

1. Add a new subsection (f) at the end of section 101 of such act, reading as follows:

"(f) The provisions of this act relating to price support for cotton shall apply severally to (1) American upland cotton and (2) extra long staple cotton described in section 347 (a) of the Agricultural Adjustment Act of 1938, as amended, and ginned on a roller-type gin, except that the parity price for American-Egyptian cotton shall be used in determining the support level for all cotton described in such section 347 (a). Disapproval by producers of any quota proclaimed under such section 347 shall place into effect the provisions of section 101 (d) (3) of this act with respect to all extra long staple cotton described in subsection (a) of such section 347, regardless of whether certain types or varieties of such cotton were exempt from the quota."

2. Add, in the last sentence of section 403 of such act, following the words "the standard grade", the words "of American upland cotton" and add a new sentence at the end of section 403 reading as follows: "For extra long staple cotton as defined in section 347 (a) of the Agricultural Adjustment Act of 1938, as amended, the standard grade for parity and price support shall be grade No. 2 of 1½-inch staple length."

3. Add a new section 420 to such act, reading as follows:

"SEC. 420. Any price support program in effect on cottonseed or any of its products shall likewise be extended to the same seed and products of the cottons defined under section 347 (a) of the Agricultural Adjustment Act of 1938, as amended."

SEC. 4. a. That section 358 of the Agricultural Adjustment Act of 1938, as amended, be amended (1) by striking out the proviso in the last sentence of subsection (a) and inserting a period in lieu of the colon preceding the proviso; and

(2) by changing subsection (c) to read as follows:

"(c) The national acreage allotment shall be apportioned among the States on the basis of the average acreage of peanuts harvested for nuts in the State in the 5 years preceding the year in which the national allotment is determined, with adjustments for trends, abnormal conditions of production, and, for the crop produced in the calendar years 1952 and thereafter, the State peanut acreage allotment for the crop immediately preceding the crop for which the allotment hereunder is established: *Provided*, That for the second or third year of any 3-year period for which marketing quotas have been approved, the acreage allotment for each State for such year shall be increased above or decreased below the allotment for the State for the immediately preceding year by the same percentage as the national marketing quota for such year is increased above or decreased below the national marketing quota for the preceding year."

b. Subsection (c) of section 359 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding thereto the following sentence: "The provisions of this title, except subsection (b) of section 358, and the Agricultural Act of 1949 shall apply to each of the following groups of peanuts severally:

"(1) Virginia and Valencia types; and

"(2) Spanish and Runner types."

PROPOSED NEW SECTION 11 TO H. R. 9109

c. The Agricultural Adjustment Act of 1938, as amended, is amended (1) by adding at the end of subsection (a) of section 359 a new sentence as follows: "Notwithstanding the foregoing provisions of this subsection, no refund of any penalty shall be made because of peanuts kept on the farm for seed or for home consumption."; (2) by striking out the last sentence of subsection (b) of section 372 and inserting in lieu thereof the following: "The person liable for payment or collection of the penalty shall be liable also for interest thereon at the rate of 6 percent per annum from the date the penalty becomes due until the date of payment of such penalty. The amount of such penalties and interest thereon shall be covered into the general fund of the Treasury of the United States."; and (3) by designating the present provisions of section 376 as subsection "(a)" and adding to such section a new subsection as follows:

"(b) Any cause of action to recover penalties arising under the provisions of this title shall survive the death of the person liable for the payment or collection thereof, and an action to recover such penalties may be brought against the administrator or executor of such decedent. No action to recover penalties shall abate by reason of the death of the party liable for the payment or collection thereof, and any such action, upon substitution of party, may be continued against the administrator or executor of such decedent.

d. This section shall become effective beginning with the 1951 crop of peanuts.

SEC. 5. The provisions of sections 1, 2, and 5 of this act shall become effective with respect to the 1951 cotton and peanut crops and nothing therein shall be deemed to modify or amend existing law relating to acreage allotments and marketing quotas for the 1950 cotton and peanut crops: *Provided*, That the provisions of section 3 of this act shall be effective for the 1950 crop for the purposes of section 4 of this act. All other provisions of this act shall become effective upon enactment.

SEC. 6. The first sentence of section 363 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows: "Any farmer who is dissatisfied with his farm marketing quota may, within 15 days after mailing to him of notice as provided in section 362, have such quota reviewed by a local review committee composed of three farmers from the same or nearby counties appointed by the Secretary."

Passed the House of Representatives July 31, 1950.

Attest: Ralph R. Roberts, Clerk.

Cotton allotments on an acreage allocation of 21,500,000

State	Present law	H. R. 9109 in its original form	H. R. 9109 as revised
Alabama	1,563,000	1,570,000	1,571,694
Arizona	227,000	232,000	224,372
Arkansas	1,921,407	1,921,407	1,921,407
California	642,000	642,000	642,000
Florida	47,000	41,000	34,660
Georgia	1,412,000	1,411,000	1,336,635
Illinois	3,979	4,000	4,143
Kentucky	13,000+	13,000	13,069
Louisiana	867,000	873,000	881,431
Mississippi	2,260,000	2,295,000	2,396,011
Missouri	462,840	462,840	462,840
New Mexico	169,932	169,932	169,000
North Carolina	758,000	723,000	704,163
Oklahoma	1,249,000	1,243,000	1,224,492
South Carolina	1,024,000	1,025,000	1,044,582
Tennessee	706,000	703,000	703,464
Texas	7,637,000	7,637,000	7,637,037
Virginia	31,000	28,000	27,231

Apportionment of 1951 and 1952 minimum national acreage allotment under provisions of H. R. 9109, Senate committee print, Aug. 30, 1950, based on national baleage quotas of 13,500,000 and 11,500,000 bales, respectively [1]

State	1951 allotment (13,500,000 bales)	1952 allotment (11,500,000 bales)
Alabama	2,176,347	1,844,116
Arizona	310,691	266,687
Arkansas	2,660,600	2,343,384
California	889,817	695,270
Florida	47,994	40,130
Georgia	1,850,857	1,509,591
Illinois	5,737	4,836
Kansas	206	87
Kentucky	18,097	14,518
Louisiana	1,220,530	1,040,759
Mississippi	3,317,791	2,852,703
Missouri	640,901	550,346
Nevada	122	130
New Mexico	235,307	203,058
North Carolina	975,065	832,421
Oklahoma	1,695,572	1,302,168
South Carolina	1,446,448	1,227,868
Tennessee	974,097	853,544
Texas	10,575,114	9,155,443
Virginia	37,707	33,881
United States	29,079,000	24,771,000

[1] These allotments subject to minor changes due to revision of basic data.
Prepared in PMA Cotton Branch, Sept. 5, 1950.

FELICITATIONS TO MEMBERS OF THE SENATE

Mr. LUCAS. Mr. President, before the Senator from Illinois makes a motion to adjourn, in line with the concurrent resolution which has already been agreed to, I should like to make a brief statement with respect to a number of Senators, close friends and associates, who are leaving the Senate and will not return in January next. I refer to Democratic Senators, the Senator from California [Mr. DOWNEY], the Senator from North Carolina [Mr. GRAHAM], the Senator from Rhode Island [Mr. LEAHY], the Senator from Florida [Mr. PEPPER], the Senator from Idaho [Mr. TAYLOR], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Kentucky [Mr. WITHERS]; and Republican Senators, the Senator from Kansas [Mr. DARBY], and the Senator from South Dakota [Mr. GURNEY]. Mr. President, most of the Senators have been Members of this body during the past 2 years. Some have been Members only for a short time, particularly the Senator from Rhode Island [Mr. LEAHY] and the Senator from Kansas [Mr. DARBY].

My association with these Senators has been most pleasant, and one which will be enshrined in my memory as long as I live. All these men are worthy of their steel, they are honorable men, they are men who have given the best that was in them in promoting the general welfare of our country. They are all patriotic men, they are all men who were indefatigable workers, industrious at all times while they were serving on the various committees of the Senate, and they have given close attention to the measures considered on the floor of the Senate.

In bidding them farewell, I do so with the feeling that they have performed their work well. I wish them all good fortune in any undertaking with which they may proceed as they move out into their States again. It is the hope of the Senator from Illinois that these men will return to the Senate from time to time and visit with those who will be running the Senate in the years to come.

Mr. WHERRY. Mr. President, I desire to thank the distinguished majority leader for his observations regarding the Senators who are not to return, at least in the next Congress. I wish to say to the majority leader, however, that we are not taking a sine die adjournment, and I hope that at least every Republican he has mentioned will be back here November 27. I also hope from the bottom of my heart that those he has mentioned as terminating their service will also be with us, and visit without regard to the center aisle.

Certainly it has been a pleasure to know these men and to work with them. Human nature is pretty much the same, and if we were in their shoes, we would be doing about the same they are doing. I have learned that in my 8 years in the Senate. I hope they will return not only November 27, but when their terms are finished finally that they will feel that the latch string of the United States Senate is always out, and that they will come back and again exchange the friendly salutations and enjoy the pleasant relationships we have had in this select body.

THE MAJORITY LEADER

Mr. HILL. I was very much pleased to hear the fine words of tribute which the Senator from Arizona [Mr. MCFARLAND] paid earlier today to our distinguished majority leader, the Senator from Illinois [Mr. LUCAS]. I should like to associate myself with the Senator from Arizona [Mr. MCFARLAND] and join with him in his words of tribute to the distinguished majority leader.

As Senators may recall, it has been my privilege and honor on different occasions to be the acting majority leader of the Senate. I think I have some idea of the exacting, difficult, and perplexing duties of the majority leader of the Senate. He must possess tact, patience, great industry, high courage, and an outstanding capacity for reconciling views and closing ranks, as well as for leading men to sound and constructive action. The distinguished Senator from Illinois has met the test of this position. He has measured up to the highest and best traditions of the position. Under his leadership the Senate has rendered many fine and constructive services, of great importance and of great significance to the country. The Senator from Illinois deserves the best, and I join with the distinguished Senator from Arizona [Mr. MCFARLAND] in congratulating and commending him.

Mr. HUMPHREY. Mr. President, I wish to pay tribute to our able, conscientious, and distinguished majority leader, the Senior Senator from Illinois (Mr. LUCAS). He has shouldered a tremendous burden in his direction of the work of the Eighty-first Congress. He has been guided by his convictions and his faith in democratic principles. The majority leader, despite the differences which necessarily exist in the Senate, has guided and directed the passage of a great deal of legislation outlined in the Democratic platform. I am confident he will return to the Senate to complete the unfinished tasks that are before us. We need his leadership, his mature understanding that comes from years of experience. I am sure that the people of the great State of Illinois will reward his valiant service by reelecting him.

Mr. JOHNSON of Colorado. Mr. President, I cannot let this occasion pass without saying to the majority leader that I hope that on the first Tuesday after the first Monday in November he will get a renewed contract and come back here to spend a long time with us. I cannot think of any position that is tougher than that of being a floor leader, either majority or minority. We are a pretty hard crew to work with. We have our separate ways to go. We have our individual problems. We can see our own problems much easier than we can see those of the other fellow; but that is only human nature. We push and haul and do everything we can to get the particular matter in which we are interested done, and we have to push it along.

The floor leader has to stand the brunt of all that, he has to take it on the chin, and he has to keep us all satisfied, as nearly as he can. There is one way a majority leader can do all that. He can keep everybody happy for a while by promising everyone everything he wants. But finally he would get caught up in that kind of a game, and would be in a worse position than he would have been in had he been tough with all his colleagues.

Our majority leader has not been tough with us. He has been firm, he has been straightforward. He has told us when he could not permit certain things to be done, and when certain requests we have made could not be granted he has told us so frankly, and we have accepted his decision.

To prove how well the majority leader has handled his exacting task, I have only to refer to the fine feeling which exists on the majority side of the aisle. We come from different parts of the country, with different political philosophies, even though we belong to one party. But if there is any Senator on the majority side who does not hold the Senator from Illinois in the highest regard, and look upon him with the greatest respect, then I do not know what I am talking about. I say again that he has had a difficult task, he has performed it well, and once more I express my hope about the renewed contract in November.

Mr. DONNELL. Mr. President, I take this opportunity, as one Member of the minority, to express my appreciation for the fine service and conscientious endeavor and high integrity of the minority leader, the Senator from Nebraska [Mr. WHERRY].

I am confident that those of us who have worked with him and those of us who have observed his work are unanimous in our gratitude for his knowledge and industry, for his constant courage and clarity of thought. I think the Senator is to be congratulated, not alone on the fact that he has been here consistently in the performance of his duties but because of the high character of that performance.

As one member of the minority, I take this opportunity to pay this word of tribute and appreciation and good wishes to our minority leader, the distinguished Senator from Nebraska.

Mr. THYE. Mr. President, I should like to associate myself with the remarks made by the distinguished Senator from Missouri.

TRIBUTE TO SENATE OFFICERS AND ATTACHÉS

Mr. HUMPHREY. Mr. President, I rise for the purpose of paying tribute to the very gallant young soldiers of democracy who are up on the platform just ahead of me, the page boys of the United States Senate.

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

Mr. HUMPHREY. I yield to the Senator.

Mr. DONNELL. Would the Senator be good enough to include the page boys on the Republican side?

Mr. HUMPHREY. Certainly; I speak not only in a bipartisan spirit but in a nonpartisan spirit.

Mr. DONNELL. I thank the Senator.

Mr. HUMPHREY. I wish to express my regard and affection for these young boys who make up the corps of Senate pages. They have always been kind and courteous to me. As we all know, they have to go to school in the morning, and in order to get there must rise bright and early, and yet they are here and perform their duties in the Senate all day with alacrity and courtesy.

I express the hope that they will always be most guarded about commenting on conduct of Members of the Senate, that they will always say very fine things about us when they go back to their friends and neighbors.

Mr. President, I also wish to pay tribute to those able and loyal servants of the Senate, the Senate Official Reporters of Debates, who have certainly more than earned the respect and confidence of every Member of this honorable body. I have always found the Reporters' Office most cordial and cooperative, and I personally wish to express my thanks to all the members of the corps and their staff.

Then I turn around and look toward the members of the fourth estate, those who are members of the press and the radio force. I marvel that they still preserve their good sense of humor and at the same time preserve their great professional abilities. They have certainly done marvelous work in their reporting, and have taken the measure of democracy, rough as it is at times, in stride.

Also, as one Member of the Senate, I wish to thank the Secretary of the Senate and the Sergeant at Arms for all their hospitality and the courtesies they have extended.

PROBLEM CONFRONTING RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES

Mr. CAIN. Mr. President, under recent dates the junior Senator from Washington has exchanged letters with Brig. Gen. E. A. Evans, USAR, executive director of the Reserve Officers Association of the United States. These letters were written about a problem of some importance which confronts, in the opinion of the Senator from Washington, the Reserve officers of America. General Evans believes that the problem has been overstated. In order to advise the Senate about the question of how Reserve officers might best be used should total mobilization become the order of the day and so that every interested Reserve officer can have my report available to him I ask unanimous consent that the letters which passed between General Evans and myself and the report in question on Reserve activities be printed in the body of the RECORD at this point in my remarks.

There being no objection, the correspondence and report were ordered to be printed in the RECORD, as follows:

SEPTEMBER 23, 1950.

Gen. E. A. EVANS,
Executive Director, Reserve Officers Association of the United States,
2517 Connecticut Avenue NW.,
Washington, D. C.

MY DEAR GENERAL EVANS: I have before me your very frank and interesting letter of September 15 and I want to thank you for it. Your letter takes issue with a portion of the report which I offered to the Senate on September 11, 1950.

As you have noted from the CONGRESSIONAL RECORD it was my purpose while in Europe and the Near East to study several aspects and phases of our Nation's military activities and those of the members of the Atlantic Pact. Included within my mission was a study of Reserve problems and needs of the Army in the European Command.

As a result of this study it seemed apparent and obvious to me that the terminal leave promotions which were granted to thousands of AUS officers immediately after World War II would constitute a real and difficult problem in the event of a coming full or total mobilization. In my report to the Senate I discussed this question as frankly and honestly as I could. I have not presumed to feel that my estimate or evaluation of the subject is the last or best word on the question. I thought the problem was deserving of serious consideration by those concerned within the Department of the Army and I knew that the Congress, which must write and approve legislation on any military question requiring action, was entitled to have the terminal leave question brought to its attention.

It was completely proper for me as a Reserve officer on active duty who was assigned to Headquarters, European Command, for the purpose of inspecting Reserve activities to submit the report which I gave in the Senate and forwarded to the Department of the Army and it was likewise very proper for you, as the Executive Director of ROA, National Headquarters, to take exception to the portions of the report which did not coincide with your established views. I am inclined to believe from your friendly letter that you do not admit the existence of a problem. On the other hand I may have overstated what I conceived to be a problem. Certainly it will be of considerable benefit to Reserve officers and to the Congress and to citizens generally for the Department of the Army to examine my findings and your criticisms. By this means the Department of the Army can develop a policy which is clear and reasonable and which can be understood and supported by the Congress which must pass on and authorize the required expenditures of taxes which come from all citizens.

It is my intention to offer your criticisms and my terminal leave promotions report, together with the exchange of letters between us for the CONGRESSIONAL RECORD. When this has been accomplished everyone who is interested can puzzle over the question for himself. I expect to have some reprints made of the CONGRESSIONAL RECORD insertion and these reprints will be made available on request to anyone who is concerned.

I keenly appreciated the friendly and clear character of your letter. As a Reserve officer I hold you and your office in high regard. Both of us are justifiably proud of the commissions which we have earned in the Reserve Corps. I am of the considered conviction that both of us are presently working to protect and increase the effectiveness of a corps which has achieved so much for the good of our Nation.

With warm personal regards, I am

Most sincerely,

HARRY P. CAIN.

Mr. President, the fourth assignment the Senator from Washington took to Europe was this: D. To inspect Reserve activities of the Army in the European command.

Aside from being able to state that Reserve personnel on extended active duty are efficiently performing their duties my study of the question was largely restricted to one subject. I thought quite a lot about the role and assignments of the Reserve officer in the event of a full or total mobilization. I have endeavored to commit the problem, possible courses of action and some recommendations to paper. It is likely that the Department of Defense will wish to consider these views and I should think that the Senate Armed Services Committee, as well as the citizen who pays the bills, will find them provocative.

This Reserve officer problem is an interesting one to think about. It came about because of what must have been our national conviction that the possibility of war would never again be before us in our lifetime. This problem indicates how very little any of us can prejudge the future.

Problem: To obtain the immediate and efficient utilization of Reserve officer personnel in a national emergency at a reasonable cost to the taxpayer with the minimum morale problem for the majority of the Armed Forces personnel.

(a) Immediate utilization requires a proportionate number of officers in each grade so that units can be formed with full officer complement as soon after M-day as possible.

(b) Efficient utilization requires each officer to be fully qualified to perform and accept the responsibilities of his grade and position.

(c) Reasonable cost entails paying the wage of the grade held, only, to those who are able to satisfactorily perform the duties of that grade.

(d) Morale problem requires consideration of all persons in the Regular, Reserve, or Citizen Army, and granting grades based primarily on proven ability and then considering length of service.

Background: 1. The one incident which makes solution of the problem difficult was the terminal-leave promotions. This incident attacks all four points of the problem in the following way:

(a) By the end of World War II the expanded Army had through experience found the proper proportion of officers needed in each grade. They had also found that proper balance would not contemplate the rapid promotion of all officers without serious unexpected losses in the senior grades. However, immediately after World War II, a large number of AUS officers were given one grade promotion in the Reserve based primarily on length of service in grade. This resulted in a seriously over-graded Reserve which could not be immediately utilized because their grades would not be in propor-

tion to the officer grades required for the units needed.

(b) These terminal leave promotions also impaired the efficiency of the Reserve officers. Many officers during World War II reached the highest grade they were capable of serving in and there performed an excellent job. However, commanders would not recommend them for promotion because they had reached their individual peak. The terminal leave promotions which were basically on length of service in grade and secondly on an average of their efficiency rating permitted promotion of a very high percentage of all nonregular officers. The majority of these officers had never served in positions calling for their new grade and in many cases were not qualified to fill such positions. Therefore, today we cannot expect efficient service from the majority of these officers if called to duty in their higher grades.

c. The Reserve now has thousands of officers with war experience which experience is needed in another emergency. World War II also taught us that the taxpayer dollars to be properly expended, required a careful review to establish in units only such officer grades as were necessary based on the responsibility of the position. To utilize to the maximum the war experience of our Reserves will mean calling them into service with their terminal leave promotion grades and thus give us an over-graded army with an unreasonable cost to the taxpayer.

d. Calling of large numbers of Reserve personnel to duty in their terminal-leave grades will create a morale problem since commanders will not have confidence in their ability to perform the duties of their grade; troops will be hesitant to follow officers serving in grades they have not proven they can fill; fellow officers will know of their limitation and many Regulars and Reserves who remained on active duty will then be junior to Reservists who had served under them during World War II and who since the war have been in civilian life with only a minimum of military training.

2. A second incident which must be considered in the problem, particularly as it affects efficiency and morale was the loss of grade by Regular officers:

a. Pre-World War II Regular officers who had been promoted during the bar based on their proven ability found themselves demoted in 1946 at least one grade unless they were very senior in permanent grade. At present they have no claim to their old grade nor does their long seniority in temporary grade make them eligible for present temporary promotion.

b. The newly integrated Regular officers had in many cases held higher temporary or Reserve grades but lost such when given Regular appointments. Since the integration program was competitive and efficiency was a primary consideration, we must assume that they were better officers than those who failed in their try for Regular status. Yet the Reserves who failed in most cases now have higher Reserve grades based on terminal-leave promotions and in an emergency will become senior to both types of Regular officer.

Examples: 1. Here we will consider three typical officers assigned to a combat regiment as it ended the war in Europe in 1945. The regimental commander, a Regular Army colonel from the West Point class of 1934. The regimental executive, a lieutenant colonel, Reserve, who was initially commissioned in the Reserve in 1938 and promoted to lieutenant colonel in 1943. A battalion commander, also a lieutenant colonel, AUS, who entered OCS in 1941 and became a lieutenant colonel in 1944.

In 1946 both Reserve officers apply for Regular Army, and the same year, the regimental commander is reduced to the grade of lieutenant colonel. In 1947, both Reserve officers are given Reserve commissions as colonel and shortly thereafter the regimental executive is integrated into the Regular Army and loses his Reserve colonel rating. The battalion commander who failed the integration tests reverted to civilian status and for the next 3 years attends 30 drills per year and 2 weeks camp per year. Each of the 2 weeks camps in the grade of colonel.

In 1950, with an emergency, he returns to duty as a colonel. Since our expansion is slow and since we have many Reserve officers in high grades to step into the vacancies in the new units the two Regular officers may remain junior to this officer for some time and actually be assigned to the same regiment with new positions. The full-time duty from 1947 to 1950 for the Regulars would not give them the opportunity to advance on their proven ability as against the Reserve who failed integration and had limited active duty during the past 3 years.

2. A second example considers three Reserve lieutenant colonels who in 1946 applied for integration. Lieutenant Colonel "A" ranks from January 1943; Lieutenant Colonel "B" ranks from October 1943; Lieutenant Colonel "C" ranks from January 1944. In 1947 all are given the Reserve rank of colonel and remain on active duty as lieutenant colonels. Lieutenant Colonel "A" is given a Regular commission in July 1947 while the other two are notified of their failure to qualify. In February 1950, Lieutenant Colonel "C" is relieved from active duty under phase II. In July 1950, Lieutenant Colonel "C" has 2 weeks active duty training as a colonel.

In a national emergency Colonel "C" is called to duty as a colonel with 2 weeks' seniority. Lieutenant Colonel "B" no longer volunteers for duty as a lieutenant colonel and therefore moves into his Reserve grade of colonel. Lieutenant Colonel "A" who because of age is only a permanent major is not considered for temporary promotion to colonel. Thus we see the officer released under phase II, for low efficiency as a lieutenant colonel, becoming the senior of the three while the senior in temporary grade and the only one to successfully qualify for Regular status is the junior not only in date of rank but actually one grade lower.

Possible courses of action: In an emergency all persons with war service or military training are needed.

1. We can call all Reserves to active duty in their present Reserve grade.

This will not fill our requirements since we would then be overgraded. The cost to the taxpayer would be prohibitive and the efficiency of units would be doubtful since senior officers would not of necessity be of proven ability for their grade. The morale of the Regular officer personnel would be lowered.

2. In addition to one, we could give one grade promotion to all Regulars.

Although this may raise the morale of the Regulars it would add more cost to the taxpayer—not improve efficiency and not make units immediately available for duty with officers of the proper grade.

3. Not call Reservists to duty who had terminal-leave promotions.

This would reduce the available reserves by a large percent and deny us the use of combat experienced officers who had been capable in the grade in which serving at the end of World War II.

4. Withdraw all terminal-leave promotions from Reserve personnel.

This would give the Army sufficient Reserve officers to officer, at the proper grades, an army equal in size to that in being at the end of World War II. Each position would be filled with an officer capable of performing the duties of his grade by virtue of his past experience in that grade. Would also permit promotion based on proven ability for all the Regular, Reserve, and civilian Army personnel on an equal basis. Although many Reservists realize this terminal-leave grade was a gift, this action would create a morale problem unless proper press releases were made by the Department.

Additional facts:

1. During World War II many young inductees went to OCS and after being commissioned were assigned to new units. In many cases these officers were promoted to captain with from 12 to 18 months' service. With terminal-leave promotions they at least have the grade of major and in many cases that of lieutenant colonel. Thus we find thousands of field grade Reserve officers under the age of 30, many now being considered for Reserve promotions.

2. Regular officers both West Pointers and integrated officers have since World War II been considered for promotion based mainly on permanent grades. There are no permanent field grade officers below the age of 30. At present, Regular officers are not considered for temporary promotions to grades more than one grade above their permanent grade.

3. Many Regular officers, 35 years of age, with 6 to 8 years' service as temporary major and now in permanent grade of captain cannot be considered for promotion to temporary lieutenant colonel, while Reservists promoted to major at the same time now have lieutenant colonel, Reserve grades, and sufficient time in grade to be considered for promotion to colonel.

4. The number of years time in grade required for a Reserve officer to be eligible for promotion is based on the actual calendar years and gives as much credit for the year spent in the Reserve while employed in civilian pursuits with only drill nights and 2 weeks' active duty, as it does for the Reserve on extended active duty who is daily performing his military duty.

5. The newly commissioned Reserve officer with no extended active duty and the World War II Reserve officer who reverted to civilian status in 1945 or 1946 will normally, under present promotion criteria, be able to reach the grade of colonel several years before the Regular officer who is on continuous active duty.

6. Prior to World War II, Army Reserve officers had little or no incentive to remain in the Reserve and therefore frequent promotions were their only reward. Even then promotions were not as rapid as today. Now the Reserve officer is paid for each drill he attends, receiving a full day's pay for 2 hours at night. He has a uniform allowance which is payable under liberal provisions. He also has retirement benefits at age 60 with a liberal retirement pay considering the small amount of service to the Government. With satisfactory service he is sure of remaining in the active Reserve, for he need not go before periodic selection boards for elimination consideration as is required for Regular officers.

7. Following World War II the Army selected for integration into the Regular officer corps the more efficient wartime officers and has been giving direct Regular Army commissions to the outstanding ROTC graduates. The other wartime officers and ROTC graduates have been commissioned in the Reserve. In the event of another emergency today or in the future which will require the call to active duty of all Reserve personnel, it will invariably be found that under the present policies the Reserves are in higher grades than their contemporaries who were accepted for Regular commissions.

Recommended actions:

1. Immediate-temporary action: Revoke all terminal-leave promotions except when the officer has served in the higher grade during World War II and was reduced during the cut-back program. This will give them the same grades they earned during the war and place them on the same level with the average Regular officer who is still

serving in the highest grade he earned during World War II.

2. Long-range action: (a) Readjust all permanent Reserve commissions using the age and length of service factors in much the same manner as was used in determining the permanent Regular grade for integrated officers.

(b) After adjustment of the present Reserve officers and in the future for all newly commissioned Reserve officers, assign the Reserves a running mate in the Regular officer corps. Reserves to retain this assigned running mate as long as he completes a minimum of Reserve training each year (i. e., 50 points and 2 weeks' active-duty training). Failure to complete minimum training to drop him back 1 year to seek a new running mate.

(c) Reserves to be considered for promotion at the same time as their running mate. Passover by the Reserve selection board to be treated in the same manner as for the Regular and after second passover elimination of the Reserve to be mandatory.

(d) In order to put sufficient force to this long-range action, legislation should be obtained to support such administrative procedures. The great expenditure of public funds for Reserve drill pay, uniforms, and retirement warrants strong action to see that only the fully qualified and deserving personnel are retained. This will also increase the prestige of the Reserve officer personnel and avoid placing an unreasonable burden on the taxpayers by placing on the retired list only those who have fully earned the right thereto.

FOOTNOTE.—The above discussion is in general equally applicable to National Guard officers and "Recommended actions" should apply to them as well as the Reserve if we are to maintain a healthy and efficient National Guard. The establishment of a common commission for Reserve and National Guard officers will permit the placing of the most competent officers in the most critical units.

RESERVE OFFICERS ASSOCIATION
OF THE UNITED STATES,
Washington 8, D. C. September 15, 1950.

HON. HARRY P. CAIN,
United States Senate,
Washington, D. C.

DEAR SENATOR CAIN: I am considerably disturbed over your report on Reserve activities, appearing in the CONGRESSIONAL RECORD of September 11, 1950, which deals primarily with terminal-leave promotions.

We are fully aware that you, as a Reserve officer, are vitally interested in the Reserve program; but we are quite exercised that this report was apparently issued without prior attempt on your part to ascertain the feelings of Reserve officers generally on the subject of terminal-leave promotions. The side of the question which you have presented may be the viewpoint of certain Regular officers, but I know that this is not the present thinking in the Pentagon. It is my opinion that your viewpoint does not represent the thinking of most members of the Regular service, not the least important of whom happens to be Gen. George C. Marshall, under whose approval and direction terminal-leave promotions were granted when he was Chief of Staff of the War Department. The Department of the Army is today welcoming for active duty, without question or anxiety, officers who received terminal-leave promotions.

Your questioning of the ability of some ninety-odd-thousand Reserve officers to properly carry out their in-grade functions upon being called to active duty will be severely resented by all concerned, as reservists are proud of their service and confident of their ability to perform tasks to which they may be assigned in the event of national emergencies. Since the close of World War II, Reserve officers have been working hard with their training. They have attempted to build as strong a Reserve as circumstances would permit. They have once again volunteered their service to their country should they be required; and I am sure, Senator, that you appreciate the effort and sacrifices necessary for Reserve officers to maintain their active commissions.

I would like to comment on several points which you have raised in criticism of terminal-leave promotions.

(a) You mention first that terminal-leave promotions resulted in a seriously overgraded Reserve which could not be immediately utilized because their grades would not be in proportion to the officer grades required for the units needed. This is technically true if you are thinking only of the Department of Army troop basis, which troop basis takes care of only a portion of our Reserve officer strength. Should we expand our Army to its World War II strength of approximately 8,000,000, we would be short of officers in all grades. Since World War II, there have been relatively few promotions in the Reserve, and officers, since the close of that conflict, are 5 years older. Promotion in the Reserve is based on, among other things, age in grade and amount of service in grade, and during the last 5 years Reserve officers have gained confidence in themselves in their everyday life and have been acquiring additional leadership and technical qualifications year by year.

(b) You state, Senator CAIN, in your second point that you cannot expect efficient service from the majority of officers who received terminal-leave promotion if called to duty in their higher grade; and you further state that the majority of these officers had never served in positions called for in their new grade and, in many cases, were not qualified to fill such positions. We take serious issue on this point. The reason why terminal-leave promotions were granted by the Chief of Staff, Gen. George C. Marshall, was because he believed that officers receiving such promotions had earned them. It was also felt that there was no question that these officers were qualified for promotion, and that they would have been promoted in nearly every instance had there been a position vacancy. I am not in a position to argue the point that the majority of these officers had never served in positions called for in their new grade, but I do know of many, many cases where officers had served in positions calling for a higher grade. It will be granted that there will always be officers, whether they be regulars, reservists, or National Guard men, who may be incapable of performing duties incident to their grade, but I cannot be a party to any suggestion that there is any disproportionate number of reservists who fall in this category over and above the number that may exist elsewhere.

(c) Your third point states that to utilize to the maximum the war experience of our reservists would mean calling them into service with their terminal-leave promotion grades and thus creating an overgraded Army with an unreasonable cost to the taxpayer. I feel sure, Senator, that you are aware of the Army troop list, to which reference is made previously, which is the basis of assignment of officers to units. Officers assigned to organized units are of the proper number and proper grades, and any surplus in particular grades exists in the Volunteer Reserve; in other words, outside of the troop basis. Those officers who are in grades surplus to the needs of the troop basis will not be called to active duty until Army expansion is such that they will need these additional grades, and therefore there will be no overgraded Army and no unreasonable cost to the taxpayer. It is interesting to note that should the Army expand to World War II size, we still do not have enough high-ranking officers in the Reserve and the Regulars to meet the requirements in grade of such an Army.

(d) You state in your fourth point that the calling of a large number of Reserve personnel to duty in their terminal-leave grades will create a morale problem, since commanders will not have confidence in their ability to perform duties of their grade, and that troops will be hesitant to follow officers serving in grades they have not proven they can fill. I must again, Senator CAIN, take strong issue on this statement. If we had followed this as a policy during World War II, there would have been no one, be he regular, reservist, or National Guard man, who was qualified to perform his duties, since very few of these officers, including some of our most prominent field commanders, previously led troops in battle. I feel sure, Senator, that you realize as well as I do that leadership is where you find it. It is something that is acquired by experience, whether it is obtained in business, in industry, or in the service. It most certainly does not come to an individual because he happens to be a graduate of a particular school, or because he comes from a certain part of the country, or because he wears size 12 shoes.

If you really want a morale problem on your hands, I suggest that the Department of the Army carry out your first recommendation to revoke all terminal-leave promotions. The result would be a morale problem that would really be worth while talking about.

I can assure you that what I have said, and the thoughts which I have expressed, represent not only my personal views but those of my associates and the considered judgment of Reserve officers throughout this Nation.

Yours very sincerely,
E. A. EVANS,
Brigadier General, USAR,
Executive Director.

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Before recognizing the Senator from Illinois, who, the Chair assumes, is about to make a motion to adjourn, if the Chair may be permitted to do so, he desires to associate himself with and endorse completely the statement made by the majority leader with respect to our colleagues who are leaving us at the conclusion of the Eighty-first Congress. As he has said, every Member has been and is a distinguished ornament to this body. The Chair speaks more personally of the Members of his own party, and he wants them to know that they are leaving us with our warmest friendship and heartiest good wishes for long life, health, and happiness.

The Chair wishes also to concur in what the Senator from Minnesota [Mr. HUMPHREY] said about the page boys. They got up at 5 o'clock yesterday morning and have been working all night and today, and have had a longer day than have the Members of the Senate.

The Chair also wishes to concur in what the Senator said in regard to the official reporters. The Chair thinks, however, that he inadvertently overlooked a number of other persons who wait upon the Members of the Senate and who have toiled with us throughout the session, have made such a wonderful record, and have helped us in our work. The Chair wants to express his appreciation of their good work.

Mr. KEFAUVER. Mr. President, I think we should also particularly men-

tion the Sergeant at Arms and his assistants, the Parliamentarian, the Secretary of the Senate, Mr. Biffle, whom we all love and who has been so courteous to all of us, and also the doorkeepers of the Senate.

Mr. LUCAS. Mr. President, I want to make one brief statement before I move that the Senate adjourn.

I am very grateful for all the kind things which have been said about me as the majority leader. It is a rather difficult job, as anyone who has been around this desk can well realize. But, after all, someone has to do the work; and I have done the best I could.

ADJOURNMENT TO NOVEMBER 27, 1950

Mr. LUCAS. Mr. President, in accordance with the terms of House Concurrent Resolution 287, I move that the Senate adjourn until Monday, November 27, 1950.

The motion was agreed to; and (at 5 o'clock and 23 minutes p. m.) the Senate adjourned, the adjournment being, under House Concurrent Resolution 287, to Monday, November 27, 1950, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 22, 1950:

DEPARTMENT OF LABOR

Robert T. Creasey, of New Jersey, to be Assistant Secretary of Labor.

FEDERAL TRADE COMMISSION

Stephen J. Spingarn, of New York, to be a member of the Federal Trade Commission for the unexpired term of 7 years from September 26, 1946, vice Ewin Lamar Davis, deceased.

COLLECTOR OF CUSTOMS

H. Tucker Gratz, of Honolulu, T. H., to be collector of customs for customs collection district No. 32, with headquarters at Honolulu, T. H., to fill an existing vacancy.

UNITED STATES ATTORNEYS

James T. Gooch, of Arkansas, to be United States attorney for the eastern district of Arkansas. He is now serving in this office under an appointment which expired May 27, 1950.

Respess S. Wilson, of Arkansas, to be United States attorney for the western district of Arkansas. He is now serving in this office under an appointment which expired May 13, 1950.

UNITED STATES MARSHAL

Noble V. Miller, of Arkansas, to be United States marshal for the eastern district of Arkansas. He is now serving in this office under an appointment which expired May 13, 1950.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named candidates for appointment in the Regular Corps of the Public Health Service:

To be scientist (equivalent to the Army rank of major), effective date of acceptance

Louis Block

To be senior assistant scientists (equivalent to the Army rank of captain), effective date of acceptance

Bill H. Hoyer
Robert J. Fitzgerald
William F. Durham

To be senior assistant nurse officer (equivalent to the Army rank of captain), effective date of acceptance

Mary R. Lester

CONFIRMATIONS

Executive nominations confirmed by the Senate September 23, 1950:

UNITED STATES CIRCUIT JUDGE

Hon. Louie W. Strum, of Florida, to be United States circuit judge, fifth circuit.

UNITED STATES DISTRICT JUDGE

Bryan Simpson, of Florida, to be United States district judge for the southern district of Florida.

UNITED STATES ATTORNEYS

James T. Gooch to be United States attorney for the eastern district of Arkansas.

Respess S. Wilson to be United States attorney for the western district of Arkansas.

John Norwood McKay to be United States attorney for the eastern district of Louisiana.

UNITED STATES MARSHAL

Noble V. Miller to be United States marshal for the eastern district of Arkansas.

PUBLIC HEALTH SERVICE

APPOINTMENT AND PROMOTION IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE

To be assistant pharmacists, effective date of acceptance

Philbrook H. Knight
Boris J. Osheroff

To be assistant scientists, effective date of acceptance

Jerome L. Singer
William L. Jenkins

To be senior assistant nurse officer

Margaret M. Sweeney

APPOINTMENTS IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE

To be scientist, effective date of acceptance

Louis Block

To be senior assistant scientists, effective date of acceptance

Bill H. Hoyer
Robert J. Fitzgerald
William F. Durham

To be senior assistant nurse officer, effective date of acceptance

Mary R. Lester.

HOUSE OF REPRESENTATIVES

SATURDAY, SEPTEMBER 23, 1950

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou infinite and eternal God through whose mercies we are spared, and by whose power we are daily sustained, hitherto Thou hast blessed us and we have found Thee faithful unto all Thy promises.

On this day we would render unto Thee the tribute of our heartfelt gratitude for the high and holy privilege we have had of walking and working together in the service of our God, our country, and humanity.

We pray that Thou wilt bestow the benediction of Thy peace and the diadem of Thy praise, "Well done, thou good and faithful servant," upon our President, our Speaker, the chosen representatives of our Republic, and all who have served our Nation during this session of Congress, in whatever capacity.

We commend and commit one another to Thy love and care. We know not what the future has in store for us, but we will trust Thee and not be afraid, for we have the glad assurance that, as our days, so also shall be our strength and that no needed blessing wilt Thou withhold from us if we do justly, love mercy, and walk humbly with the Lord.

Hear us in Christ's name. Amen.

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Woodruff, its enrolling clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 6355. An act to provide for the conveyance of certain real property to the city of Richmond, Calif.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 450. An act to amend the Civil Aeronautics Act of 1938, as amended, by providing for the delegation of certain authority of the Administrator, and for other purposes;

S. 3504. An act to promote the development of improved transport aircraft by providing for the operation, testing, and modification thereof; and

S. 3960. An act to amend subsection (b) of section 10 of the act of June 26, 1884, as amended (U. S. C., title 46, sec. 599 (b)).

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8920) entitled "An act to reduce excise taxes, and for other purposes."

SPECIAL ORDER GRANTED

Mr. BECKWORTH asked and was given permission to address the House for 10 minutes today, following the legislative program and any special orders heretofore entered.

ENFORCEMENT OF INTERNAL SECURITY ACT, 1950

Mr. VELDE. 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 Illinois?

There was no objection.

Mr. VELDE. Mr. Speaker, one of the reasons given by President Truman in his message vetoing the Communist-control bill was that the bill as passed would be unenforceable.

It appears to me that he is already paving the way for another unenforcement policy for which he is famous in other cases where bills were passed over his veto. I am particularly referring to the lackadaisical attitude the President has taken about enforcing such legislation as the Taft-Hartley Act.

Now, it is the principal duty of our Chief Executive to enforce all Federal