PUBLIC BILLS AND RESOLUTIONS

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

By Mr. MACK:  H. R. 7571. A bill to permit and assist Federal personnel, including members of the Armed Forces, and their families, to exercise their voting franchise; to the Committee on House Administration.

By Mr. DAVIS of Georgia:  H. R. 7572. A bill to make it unlawful for any officer in the executive branch of the Government to take or maintain possession and control of any private property except pursuant to statutory authority for such action; to the Committee on the Judiciary.

By Mr. BROWSON:  H. R. 7573. A bill to provide for the conveyance to the State of Indiana of certain surplus real property situated in Marion County, Ind.; to the Committee on Expenditures in the Executive Departments.

By Mr. CLEMENTS:  H. R. 7574. A bill to amend title 28, United States Code, to require Federal grand and petit jurors to take an oath of allegiance and subscription to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. HEFFERNAN:  H. R. 7575. Joint resolution declaring the Eleventh day of June 1952, a national holiday, and authorizing the President to issue a proclamation in commemoration thereof; to the Committee on the Judiciary.

By Mr. HALE:  H. J. Res. 437. Joint resolution to authorize the erection of a memorial to Sarah Louise Eittenhouse in Montrose Park, District of Columbia; to the Committee on House Administration.

By Mr. KELLSWORTH:  H. Res. 630. Resolution requesting the President to furnish to the House full and complete information as to why he did not use his powers under sections 206, 207, 208, 209, and 310 of the Labor Management Relations Act, 1947, for the purpose of bringing about a settlement of the controversy between certain steel and copper employees and their employees; to the Committee on Education and Labor.

By Mr. MILLER of New York:  H. Res. 610. Resolution to investigate the seizure of the steel industry; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ALLEN of California (by request):  H. R. 7576. A bill for the relief of Chuan Huu Lowe and Sin-Long Lowe; to the Committee on the Judiciary.

By Mr. BRYSON:  H. R. 7582. A bill for the relief of John Franklin Chandler; to the Committee on the Judiciary.

By Mr. FINE:  H. R. 7585. A bill for the relief of Dr. Matilda Adato and Mrs. Suhula Adato; to the Committee on the Judiciary.

By Mr. LEONARD W. HALL:  H. R. 7586. A bill for the relief of Giovanni Michael Marra; to the Committee on the Judiciary.

By Mr. HOLMS (by request):  H. R. 7587. A bill authorizing the Secretary of the Interior to issue a patent in fee to Joseph Peters and Marie Peters; to the Committee on Interior and Insular Affairs.

By Mr. ROSS:  H. J. Res. 434. Joint resolution proposing an amendment to the Constitution of the United States limiting the powers of seizure of the President; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:  H. J. Res. 434. Joint resolution proposing an amendment to the Constitution of the United States providing for nomination of candidates for President and Vice President by popular vote; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, Mr. COLB of New York presented a petition of Mrs. Rose W. Baker, and other citizens of Canisteo, N. Y., and Mrs. T. B. Wheeler and citizens of Waverly, N. Y., to report H. R. 2188 out of the Interstate and Foreign Commerce Committee, which was referred to the Committee on Interstate and Foreign Commerce.

HOUSE OF REPRESENTATIVES

FRIDAY, APRIL 25, 1952

The House met at 12 o'clock noon. The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou whose infinite grace is sufficient for all our temporal needs and eternal longings, we pray that we may have a greater sense of Thy divine providence and loving kindness.

God forbid that we should ever be numbered among those who are cynical in saying that Thou hast forsaken humanity and art not good enough to care and to prevent great wrongs and prevent the world’s tragedies and tribulations.

Help us to see more clearly that when these ills and troubles occur in the social order it is because man, in his selfishness, stupidity, and shortsightedness is the guilty party.

Grant that we may never murmur or complain, but may we understand that Thou hast placed at our disposal every need and blessing.

May it be the goal of all our aspirations to enshrine and enthrone the Christlike spirit in our minds and hearts and to obey Thy holy will gladly and faithfully.

Hear us in His name. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landrum, its enrolling clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3639. An act to amend the Railroad Unemployment Insurance Act.

SPECIAL ORDERS GRANTED

Mr. HOFFMAN of Michigan asked and was given permission to address the House for 10 minutes today, following any other special orders heretofore entered.

Mr. AUGUST H. ANDRESEN asked and was given permission to address the House for 15 minutes today, following the special orders heretofore entered.

PROGRAM FOR WEEK OF APRIL 28

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute to inquire of the majority leader as to the program for next week.
The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. After the disposition of the immigration bill, some of the amendments will be considered; The agricultural appropriation bill, to be followed by the legislative appropriation bill; then if there is any time left next week for general debate, H. R. 5767, to amend the Federal Reserve Act, lease-purchase agreements, I understand they are trying to consider connection with those bills.

Tuesday is primary day in Massachusetts. On Tuesday, Wednesday, Thursday, and Friday the following bills will be considered: The agricultural appropriation bill, to be followed by the legislative appropriation bill; then if there is any time left next week for general debate, H. R. 5767, to amend the Federal Reserve Act, lease-purchase agreements, I understand they are trying to consider connection with those bills.

Mr. MARTIN of Massachusetts. I understand there will be general debate on the agricultural appropriation bill next week.

Mr. McCORMACK. Yes. A committee appointed by the Speaker to visit the Coast Guard Academy will make their visit on Friday next. That is the matter I discussed with the gentleman from Massachusetts over the telephone. There will be no roll calls on that day, but I would not expect any on that particular day because of the program that the agricultural appropriation bill and the legislative bill will be completed by Thursday or Friday of next week.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Indiana.

Mr. HALLECK. Of course, week after next is quite a ways off.

Mr. McCORMACK. The gentleman and I had a discussion yesterday on that and I made a memorandum of the discussion. I have that distinctly in mind because there are primaries on both May 5 and 6.

Mr. HALLECK. There will be primaries on May 5 and 6. Now, it takes a little while to get back from out there. The gentleman made reference to general debate on the fair-trade bill the latter part of the coming week. That could result in action on that bill coming early the following week. It is a very important measure.

Mr. McCORMACK. I am sure that the Members who can rely on the gentleman from Massachusetts (Mr. Martin), the gentleman from New York (Mr. McCormack), and also the gentleman from Indiana (Mr. Halleck) to protect the rights of Members who are away in connection with primary activities in their own States.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from New York.

Mr. McCORMACK. May I say to the gentleman that the so-called fair-trade bill, if it comes up the latter part of next week, might find a great many abstentions. That bill is a very intricate one although it may not be a bill of great length. I think it needs very mature explaining and general debate would be of paramount interest for the Members to hear whether the gentleman could not change his plans so that that bill could be called up the following week.

Mr. McCORMACK. The gentleman from Massachusetts is in a position, with all due respect to my friend from New York and to some of my other good friends, where some people interested in this legislation are improperly but honestly of the impression that there is a deliberate attempt to withhold programming the bill. Certainly, there is no such intent at all and I am programming it just as quickly as I can. Let me also remind the gentleman that the problems of the leadership in programming these things are not very easy. I try to please as far as is humanly possible everyone, but leads to the bill. There is the Marine Corps bill that many Members are anxious to bring up. That is not being withheld either. It is a question of either the Marine Corps bill or this bill. The Marine Corps bill will come up just as soon as possible, probably week after next, just as soon as is humanly possible. This bill is programmed and I feel that under the circumstances there is nothing that can be done.

Mr. CELLER. I want to make one observation. I am sure the gentleman will not be cowed by any accusations that might be made in reference to a particular bill. The Marine Corps bill will come up just as soon as is possible.

Mr. McCORMACK. Well, I am human, you know.

Mr. CELLER. Secondly, I want to state that the Committee on the Judiciary this week has been engaged on two important bills. Now you are scheduling another very important bill for next week. This means that we have to get all the members of the committee present and on the Floor, and I do hope that the gentleman will keep that in mind.

Mr. MARTIN of Massachusetts. I thought the Judiciary Committee members were always on the Floor.

Mr. CELLER. We hope that that will be the case, but that is not always the case.

Mr. McCORMACK. Might I say that I know of no chairman who cooperates more effectively and courageously than the gentleman from New York (Mr. Cellers), and I know, having expressed myself, that he will cooperate with the program announced by the leadership.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business be dispensed with.

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

There was no objection.

REVISION OF LAWS RELATING TO IMMIGRATION, NATURALIZATION, AND NATIONALITY

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 5678) to revise the laws relating to immigration, naturalization, and nationality, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 5678, with Mr. Holfild in the chair.

The Clerk read the title of the bill.

Mr. WALTER. Mr. Chairman, there are three committee amendments undisposed of which have to do with correcting typographical errors. I ask unanimous consent that the business be dispensed with.

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

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments:

Page 10, strike out "Swain" and insert "Swains.

Page 63, line 22, strike out "or" and insert "(12), (14), (15), or (16)."

Page 65, line 8, strike out "or" and insert "(12), (14), (15), or (16)."

Page 65, line 8, after (a) insert "or under the act of May 10, 1920, as amended."

The committee amendments were agreed to.

Mr. GRAHAM. Mr. Chairman, I move to strike out the last word for the purpose of inquiring of the gentleman from Pennsylvania, the chairman of the subcommittee (Mr. Walter), relative to the following subject:

Several religious groups have approached me regarding section 337 (a) of the bill—page 133—which has to do with the oath of allegiance to be taken in open court by aliens who apply to be admitted to United States citizenship.

These groups are concerned with the wording of the oath regarding the pledge to bear arms on behalf of the United States and they want to be assured that a bona fide conscientious objector would not be forced to violate his convictions by agreeing to bear arms and that he might be permitted to perform noncombatant service or to perform duties of national importance under civilian direction when required by the law.

Is the gentleman from Pennsylvania (Mr. Walter) satisfied that the wording of the oath would permit conscientious objectors to take that citizenship oath without mental reservation or without violation of their religious beliefs?

Mr. WALTER. Yes. There is no question about that. If the gentleman will examine the language in section 337 (a) (5) he will find that in the oath the disjunctive "or" is used, so that the oath...
provides, "to bear arms on behalf of the United States when required by the law, or to perform noncombatant service in the Armed Forces of the United States when required by the law, or to perform work of national importance under civilian direction when required by the law."

In other words, the naturalized alien is subject to the same requirements as the native-born citizen is under the Selective Service Act. In this the language differs from that of the Senate bill, where the conjunctive "and" is used instead of "or."

Mr. GRAHAM. With that exception, it is the same as the Senate bill in that respect?

Mr. WALTER. It is not the same, because the Senate bill uses the conjunctive "and."

Mr. GRAHAM. I say, with that exception.

Mr. WALTER. With that exception the language is the same. I discussed this section with representatives of the Quakers and the Mennonites, and I am certain they are satisfied with the language in the House bill.

Mr. GRAHAM. Mr. I say that they are the same group that approached me, the Amish, the Mennonites, and the Quakers.

The CHAIRMAN. Are there further amendments at this time?

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

The Clerk read as follows:

Amendment offered by Mr. Multer: On page 1 in subsection 212 (e), strike out "Whenever" and insert in lieu thereof: "When the United States is at war or during the existence of a national emergency proclaimed by the President and."

Add at the end of section 213 a new subsection as follows:

"(f) When the United States is at war or during the existence of a national emergency proclaimed by the President, and the President finds the entry of any aliens or any class of aliens into the United States would promote the interests of the United States, he may by proclamation suspend such restrictions on the entry of such aliens, and would not be contrary to the best interests of the United States, he may by proclamation, and for such period as he shall deem desirable, suspend such restrictions on the entry of aliens for temporary residence as he may deem appropriate."

Mr. CELLER. Mr. Chairman, I wonder if we can get some agreement by unanimous consent for the ensuing legislative period of the time that there be 10 minutes allotted to each amendment, 5 minutes on a side.

Mr. WALTER. Reserving the right to object, Mr. Chairman, how many amendments are on the Clerk's desk?

The CHAIRMAN. The Chair is informed that there are 16 amendments now at the Clerk's desk.

Mr. WALTER. Mr. Chairman, I ask unanimous consent that all debate on the bill and all amendments thereto close at 25 minutes with the last 16 minutes to be reserved to the committee.

Mr. HOFFMAN of Michigan. I object, Mr. Chairman.

Mr. WALTER. I withdraw the request, Mr. Chairman.

Mr. MULTER. Mr. Chairman, I hope the distinguished Committee on the Judiciary can see its way clear to accept this amendment. It is quite simple in its terms and in what it seeks to effectuate.

As the bill is presented, we find a provision at page 36, section 212, subdivision (e) which provides that at any time the President finds the entry of any aliens or a class of aliens would be detrimental to the interests of the United States he may by proclamation suspend the entry of those aliens. The first part of my amendment provides that, instead of being able to do that at any time, the President may make a proclamation and effectuate such a suspension only in the event of a national emergency, or a state of war. That is the first part. The second part of the amendment provides again when the United States is at war, or during the existence of a national emergency as proclaimed by the President, when the President finds the entry of any alien or class of aliens would promote the interest of the United States, or is necessary to provide sanctuary to persecuted aliens or a class of aliens, and would not be contrary to the best interests of the United States, he may by proclamation, and for such period as he shall deem desirable, suspend such restrictions on the entry of aliens for temporary residence as he may deem appropriate. You will note it refers to the entry of aliens for temporary residence and not for permanent residence. That, I think is in accordance with the best traditions of this country to afford sanctuary and a place of refuge to persons being persecuted for political reasons, or during time of war when people that we would be able to use in the best interest of the security of this country should be let in for temporary residence.

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

Mr. MULTER. Mr. Chairman, I yield.

Mr. HALLECK. Mr. Chairman, let us consider how this section agrees with the language of the House bill. Section 213 of the House bill states, 'Whenever the President finds that the entry of any alien or class of aliens would promote the interest of the United States, he may by proclamation suspend such restrictions on the entry of such aliens, and not be contrary to the best interests of the United States, he may by proclamation, and for such period as he shall deem desirable, suspend such restrictions on the entry of such aliens for temporary residence as he may deem appropriate.'

Mr. WALTER. Mr. Chairman, I hope the amendment is rejected.

Mr. HALLECK. Mr. Chairman, I hope the amendment is rejected.

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

Mr. CHAIRMAN. Mr. Chairman, I rise simply to give an expression of opinion as to the first part of this amendment. Under the bill, as proposed, the President is given an untrammeled right, an uninhibited right to suspend immigration entirely. That is a tremendous power, summarily to cut off immigration at any time, and I think the President should not have such power. There is no statement that as a condition precedent for the exercise of such power there has to be a state of national emergency, either declared by the Congress or by the President himself. A state of war is not needed. He can simply, by fiat, by a stroke of the pen, say, "There shall be no immigration into this land of ours." That is what I call, and our founding fathers have always called, government by man, not government by law.

I am firmly of the conviction, despite my high regard for the office of President of the United States, despite my high regard for the present incumbent of that high office, the idea being that the President of the United States should not have such tremendous power, summarily to cut off immigration on any kind of grounds that might actuate him. I think the first part of the amendment is a worthy amendment and warrants favorable action by this committee.

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

Mr. CELLER. Mr. Chairman, I yield to the gentleman from Indiana.
Mr. HALLECK. I take it that the gentleman would not be concerned if he were sure that we would have a President that could not do any wrong.

Mr. CELLER. I should like to have a situation develop where we would have a President who could not do any wrong, anything regardless of his party affiliation.

But, I believe the gentleman from Indiana has been greatly concerned about the actions of the present incumbent in the White House, because of what the gentleman did recently. I am sure he would want some curbs placed upon his power as that power was recently exercised. If those curbs were placed upon his power, then the gentleman would not have vociferously argued against certain actions of the President, I think the point of view of the gentleman from Indiana is very inconsistent. I am on his side, as it were, on the principle, when I say that there should be some limitation upon the President's power to exercise the right, summarily, to say, to have his appointees shall hereafter enter the country," for any period that he may see fit. If I remember correctly, there is no limitation upon his power. He may appoint for his entire term in office. That is, he may do it for 4 years or for 8 years. I think you are giving to the President a blank check, and he can fill in the details as he will.

I am particularly appealing to these ladies and gentlemen on the other side not to do what you have said the President should not be permitted to do; that is, to exercise unlimited power on any subject.

The CHAIRMAN. The time of the gentleman from New York has expired. Mr. HOFFMAN of Michigan. Mr. Chairman, I rise in opposition to the amendment, and ask unanimous consent to revise and extend my remarks and to include certain newspaper articles which I secured permission in the House to include.

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

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Chairman, I would like very much to go along with this amendment, but it gives altogether too wide power to the President. If I could get through this House and the Senate a bill and through the House a resolution both of which I am introducing today, I would not be quite so fearful.

The bill reads as follows:

**CONGRESSIONAL RECORD - HOUSE**

Mr. HOFFMAN of Michigan. I rise in opposition to the amendment, and ask unanimous consent to revise and extend my remarks and to include certain newspaper articles which I secured permission in the House to include.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield? Mr. HOFFMAN of Michigan. Mr. Chairman, I would like very much to go along with this amendment, but it gives altogether too wide power to the President. If I could get through this House and the Senate a bill and through the House a resolution both of which I am introducing today, I would not be quite so fearful.

The bill reads as follows:

A bill to promote confidence in Presidential statements

**FINDINGS**

Sec. 1. The Congress hereby finds that there is a lack of confidence in the accuracy of some important statements made by the President of the United States.

The Congress hereby finds that, in addition to other statements, the accuracy of which are open to question, the President recently stated that in 1945 or 1946 he issued an ultimatum to Russian Premier Stalin warning Russia to get her troops out of Iran and that unless Russian troops were removed from Iran by a certain named day American troops would move into Iran; and

Whereas the press also carried a story to the effect that the President recently stated that he had canceled the statement and that the United States would keep the House in session until it complied with his will. To my mind, the statement indicating that the President has become so egotistical that he does not realize some of the facts of life, or there must be something wrong with his mentality.

To continue as a republic one thing our people must have is confidence in the statements of the Chief Executive, especially when he makes statements involving the foreign policy or the integrity of the Congress itself.

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

Mr. HOFFMAN of Michigan. I have not read the news ticker in the last 5 minutes. What has the gentleman learned?

Mr. HINSHAW. That one Mr. Baldwin is reported in his argument before the Congress as stating that the powers of the legislative and judicial branches of the Government are limited by the Constitution, but the President is not. Mr. HOFFMAN of Michigan. Who is the gentleman who said that?

Mr. HINSHAW. Mr. Baldwin, who is arguing this steel case.

Mr. HOFFMAN of Michigan. Is he an authority?
Mr. HINSHAW. He is presenting the case before the district court for the Attorney General.

Mr. HOFFMAN of Michigan. I remember when somebody from the Attorney General's office made the statement that while it used to be the duty of the Department to interpret the law, or to give effect to the laws as the Congress intended, that more recently it had become the purpose of the office to interpret the laws to enable the President to do the things the Executive wanted done.

Mr. HINSHAW. I recommend that the gentleman read the news ticker out there and then come back and make another speech.

Mr. HOFFMAN of Michigan. I can only add that the gentleman, whoever he may be, is who is contending that the President has authority to seize the steel plants and who said—if he did say—that the Constitution, while it may restrict the powers of the legislative and judicial branches, does away with the power of the President or the executive branch, has failed either to read or to understand the Constitution. The Constitution gives the powers to the legislative, the judicial, and executive departments. As was pointed out by me within the week and as everyone who ever read that document will insist, the President has no authority whatever except as he derives it from the Constitution.

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

Mr. HOFFMAN of Michigan. I yield.

Mr. MASON. Do I understand that the gentleman is proposing to establish a new office to cost $30,000 or $30,000, the incumbent to advise or censor, or what it may be, the President?

Mr. HOFFMAN of Michigan. No; not to censor the President; an advisory censor to tell the President whether the statements which he intends to make and which might impair the welfare of our people or embolden us in the affairs of other nations are in accord with the facts, before he makes a speech. Then it would not be necessary for somebody in his own office to come back and tell him in the presence of the press or at another press conference that what the President said yesterday or just a few hours before was not true.

Mr. MASON. Why was not that done in the first place?

Mr. HOFFMAN of Michigan. Well, we know about the cherry tree. So it was not needed at that time.

Mr. MASON. Permit me to repeat my argument that before we admit additional millions of aliens we attempt to restore the confidence of our people in our President by adopting the bill and resolution now offered for consideration.

Mr. HOFFMAN of Michigan. I yield.

Mr. MASON. Statement in Support of Bill and Resolution

In support of the bill entitled “A bill to promote confidence in Presidential statements,” and of the resolution calling for the appointment of a special commission, the recent statement alleged to have been made by the President, both of which will be introduced today, permit me to state:

While the Declaration of Independence, the Constitution, and the Bill of Rights are the written foundation upon which our welfare, our freedom and the security of our people depend; of almost equal importance is the necessity of having as President a man in whose statements the people have confidence. If a President makes inaccurate statements which adversely affect the public welfare or the security of the Republic, the people lose confidence in him and our whole economic system as well as the security of the State.

It is currently reported by the public press that recently the President made the two statements referred to in the resolution which will now be introduced and copies of which follow the statement.

The making of the first statement, that is, the one to the effect that the President would continue the Congress in a designated day and said that the legislation which he demanded, has not been denied. It is obvious that the President has no authority to force the Members of Congress to cast their votes for or against on any measure as he may dictate.

The making of such a statement indicates that the President was either being facetious—and there is no excuse for the making of a facetious statement referring to the constitutional duty of the people's representatives or reflecting upon the integrity of the Congress, or that his egotism renders him incapable of making accurate statements; or, that his mental faculties have become impaired.

When the President stated, in substance, that he had, either in 1945 or 1946 issued an ultimatum to Premier Joe Stalin requiring the withdrawal of Russian troops from Iran before a certain designated day and said that unless such troops were withdrawn, United States troops would be sent to Iran, the President intended that he, without the authority of Congress, could declare war. His statement further tended to create discord in our relations with foreign nations, and, in some degree at least, create a situation where war might be imminent.

In support of the bill and resolution to which reference has been made, I read from an article in this morning’s Times-Herald, written by Laurence Budr, and also from an article published on the first page of last night’s Evening Star, as well as from the News, and the recent comment of David Lawrence on the same subject of the President’s lack of truthfulness:

[From the Washington Times-Herald of April 25, 1932]

Aide Retracts Truman Talk of Ultimatum

President Truman yesterday defended his seizure of the steel mills as an emergency step to back up this country's global struggle against Communist threats. He said:

As at a news conference, where he made remarks of some of which were later modified by the White House, Mr. Truman drew a parallel between the situation and previous actions by his administration to meet Communist threats against Iran, Trieste, Korea, and Western Europe.
He said that he never stated that he had any intention of bringing newspaper or radio stations, and never made even such an implication.

Furthermore, he said he had never even thought of such a thing in relation to a question asked him at last week's news conference about whether he attended by several hundred newspaper editors.

He declared the reason for the steel seizure was because the United States is in the midst of one of the greatest emergencies the country has ever faced.

**Denies Ultimatum**

United Nations, New York, April 24—Former Secretary of State Byrnes said today there never were any ultimatums issued either outside or inside the United Nations in dealing with Russian troops in Iran, or with Yugoslavia on Trieste.

The Governor of South Carolina made the comment by telephone when questioned about President Truman's controversial news conference earlier in the day.

Byrnes said the closest the United States ever came to an ultimatum was to warn the Russians that it would support Iran's complaint to the United Nations if the Red army remained in Iran in violation of the Tehran agreement.

The governor said:

"This action I took with the full support of the President."

[From the Washington Evening Star of April 24, 1949]

**Truman Likens Steel Seizure to Action on Iran**

In his news conference discussion, Mr. Truman had said the Russian leader complied, because at that time the United States had Army and Navy forces on hand to back up the demand.

Mr. Truman also asserted that on one occasion Marshall Tito had been driven to a threatened march on Trieste. The President said he ordered the Mediterranean Fleet into that area and there was no march.

While he refused pointedly to deny any claim to power to seize press and radio, the President said he had never had any idea of seizing either press or radio and he conceived that would be a very difficult industry for the Government to run.

Mr. Truman also referred to history of other Presidents acting boldly in emergencies. He mentioned Jefferson's Louisiana purchase, Lincoln's purchase of Alaska, and the purchase of Alaska in the Johnson administration.

The President's dissertation on the powers of his office followed a reference to his news conference a week ago in which members of the American Society of Newspaper Editors participated.

**SAME INHERENT POWERS**

At that time he was asked if the same inherent powers he said he was exercising in taking power to steel plants could also be used to take over press and radio.

His response left many of the audience with the impression he was claiming such power.

Starting today's news conference, he read a brief statement in which he declared that there had been no Presidential seizure of press and radio after last week's conference.

He added that the President of the United States has great inherent power to meet great emergencies, but until such an emergency arises these powers cannot be defined.

Quickly the President pointed out that the threat of a steel shut-down confronted this country with one of the greatest emergencies in its history.

**TELLS OF "ULTIMATUM" TO STALIN**

Mr. Tubby then explained a note from the United States to the Soviet Union was forwarded on March 6, 1946, "making our position perfectly plain with respect to the situation in Iran.

The trouble was occasioned by Russia's refusal to get its troops out of Iran and instead setting up a puppet regime in the northern part of the oil-rich country.

Mr. Tubby said the note was published on March 7 and "as you probably recall, the Russians then withdrew their troops from Iran in May 1946."

Mr. Tubby said he thought the President had in mind, speaking of ultimatum, the occasion where he had taken action to cope with the statement that there had been no ultimatums in the Russian leader and that his comment applied to what some members of the American Society of Newspaper Editors thought was assertion of his powers to seize press and radio at a news conference a week ago.

The later White House statement also said that the President's comment about halting a threatened march on Trieste by Marshal Tito's Yugoslavian forces actually related to a demand by the United Kingdom and the United States on the Yugoslavs to terminate their occupation of Trieste in May 1945.

The President had told reporters he did not remember whether it was 1945 or 1946 that he had cited the ultimatum to Stalin.

Nearly 2 hours after the press conference had ended, Roger Tubby, assistant press secretary, called reporters to his office and said a question had arisen as to the President's use of the word "ultimatum," and then he added:

"The President was using the term in a nontechnical, layman's sense, referring to United States leadership in the United Nations—particularly the Security Council—and the threat of a March 6, 1945, that was a major factor in bringing about the Soviet withdrawal from Iran."

[From the Washington Evening Star April 24, 1949]

**TRUMAN TELLS OF "ULTIMATUM" TO STALIN**

April 25

Other Emergencies Recalled

Then he began to relate other emergencies the country has faced in his nearly 7 years in office.

In 1945, he said, later he explained it might have been 1944, he had sent an ultimatum to the Soviet Union to get out of Iran—which he called Persia.

The President said he sent the ultimatum to Stalin and set a date to get his forces out of Iran.

The President was asked if he could cite some instances where Presidents exercised unusual powers in an emergency.

He responded that the reporters should read history and he commented that when these powers had been exercised the country had not been hurt.

**Jefferson's Purchase Recalled**

Citing Instances where his predecessors had taken unusual action, the President said Jefferson had spent $15,000,000 for the greatest addition ever made to this country.

Then he said Tyler agreed to the annexation of Texas.

He called that James K. Polk was responsible for the purchase of Alaska.

The annexation of California was in Polk's time.

Then Mr. Truman said there was a Secretary of State named Seward responsible for the purchase of Alaska.

Recalling that this territory was described as "Seward's ice box," Mr. Truman said that he informs the states today are a thousand times the sum paid for the territory.

Lincoln, Mr. Truman said, exercised great powers to meet emergencies and so did Roosevelt.

Mr. Truman said he wasn't lecturing but he wanted to tell the reporters some of the interesting things that had happened.

[From the Washington Daily News]
AMERICA HAS A PUPPET PRESIDENT—TRUMAN PULLED IN EVERY DIRECTION BY RADICAL ADVICE; SOME OF HIS STATEMENTS CAN BE PROVED UNTRUE.

(By David Lawrence)

America today has a puppet President, a man who is pulled and hauled in every direction by radical advisers and who does not himself understand the fundamentals of the American industrial system.

Several of the important statements made to a Nation-wide audience by the President over the radio were misleading. His mistakes are errors of judgment, inexperience, and policy.

Yet some of the key statements he did make are nevertheless untrue. They are easily proved to be untrue. What's more, Mr. Truman did not tell all of the truth. He omitted some of the most essential points that have anything to do with the steel dispute—points which, for political reasons, may have been wise to omit but which certainly, on the basic issues of the strike, people have the right to expect from their President. Not a word was said by him about the Government's pressures on the steel companies to force workers to join unions or lose their jobs or what this has to do with the war emergency. Yes this is one of the main factors in the whole dispute.

Here are Mr. Truman's key statements and the facts about them:

Untruth No. 1: The President said the steel industry was making a profit of $19.50 a ton and that the companies could absorb this wage increase without any price increase in the cost of the materials they buy—a figure far in excess of the $17 or $18 a ton profit, because that's what the companies absorbed in the three prosperous years before Korea—1947, 1948, and 1949—and was informed by the chairman of the Steel Labor Relations Board that the companies were absorbing a little better than $11 a ton, so he declares that "the companies could absorb this wage increase entirely out of the making of higher profits than they made in the three prosperous years before Korea."

Mr. TRUMAN. The Chairman's statement is correct. What the unions always show is that $6.82 a ton before Korea is hard to understand. Nor were there such inflationary price increases in other industries as in the steel industry in the post-Korean period as there are today. The purchasing power of the company's dollar has fallen. The laborer working for the investor's dollar has risen, too.

Mr. Truman meant the $19.50 profit per ton. The President paid no attention whatsoever to the need to fix an amendment whereby labor could expand the need for the steel companies to complete the biggest building program of steel plants ever carried on in our history. Not a word was spoken by the President about this essential requirement for profits. Nor did the President tell the American people what he was advocating that virtually $1,000,000,000 of extra wage increases should be paid to the unions and the Federal revenues of 70 percent of that sum—namely, $700,000,000—should be sacrificed by using tax money to pay those wage increases. This can only mean that Mr. Truman is willing to transfer the burden of raising $700,000,000 to all taxpayers, including workers in other industries.

The President told the American people that the Taft-Hartley Act's machinery would not have to sit around for a week or two while the necessary injunctions were being obtained. The President said this was a matter of national importance; Mr. Truman argued, the union had already waited 60 days. This is a question of the President's view, but it isn't all of the truth. Nor is it a statement of the obligation to use specific legal instead of inherent powers. The President thus adds up to a Nation-wide audience by the President over the radio were misleading. His mistakes are errors of judgment, inexperience, and policy.

The Nation-wide audience by the President over the radio were misleading. His mistakes are errors of judgment, inexperience, and policy.

Mr. CHAIRMAN. Objection is heard.

Mr. FARRINGTON. The motion to strike the last sentence, as it can settle all strikes, as it can settle all strikes, is a matter of the President's view, but it isn't all of the truth. Nor is it a statement of the obligation to use specific legal instead of inherent powers. The President thus adds up to a Nation-wide audience by the President over the radio were misleading. His mistakes are errors of judgment, inexperience, and policy.

nationality through prolonged residence abroad.

I understand, however, that unless the amendment I have proposed is adopted, this provision will not affect the citizenship under the Hawaiian Organic Act of 1900. Mr. WALTER. Mr. Chairman, will the gentleman yield?

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

Mr. WALTER. If I understand the gentleman's amendment correctly—and I have just seen it for the first time—if adopted naturalized Americans would be permitted to return to the country from which they came without loss or danger of losing their citizenship; is that right?

Mr. FARRINGTON. It would restore citizenship to those individuals who divested their citizenship under the Hawaiian Organic Act and have been held to have lost it as a result of residing in a foreign state 3 or 5 years. This is to cover a group, not more than two people that I know of—who without realizing that the law applied to them remained abroad longer than they should have remained, in consequence of which they have been held by the State Department to have lost their citizenship.

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

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

Mr. CELLER. Would that be regardless of their activities while abroad? Would activities of certain characters be of sufficient importance to cancel citizenship and would the gentleman's amendment do away with that requirement?

Mr. FARRINGTON. No. My amendment covers only residence abroad. The Nationality Act of 1940 provides that if you are a naturalized citizen and live in a foreign state 5 years or more or in a foreign land that automatically cancels your citizenship. Would the gentleman's amendment interfere with that?

Mr. FARRINGTON. It would relate only to the residential provisions. This was studied by members of the committee staff. The House in adopting a bill which was introduced in the last Congress, approved the principle of this provision and in a letter which was addressed to me, early in this Congress, the chairman said provision would be made in the bill to cancel the citizenship of these people. It has done this, excepting only those who have already lost their citizenship. Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. FARRINGTON. I yield to the gentleman from Illinois.

Mr. MASON. Now, would the gentleman's amendment cover them?

Mr. FARRINGTON. This amendment covers only the individuals who were granted American citizenship under the Hawaiian Organic Act of 1900.

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

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

Mr. WALTER. Mr. Chairman, if the gentleman will yield further, then this would give those who acquired citizenship collectively a preference over those who acquired citizenship individually.

Mr. WALTER. That is right; by act of Congress.

Mr. MASON. Mr. Chairman, the gentleman will yield further, then this would give those who acquired citizenship collectively a preference over those who acquired citizenship individually.

Mr. WALTER. That is correct.

Mr. FARRINGTON. I think that is a situation that is not likely to occur again. The people who were citizens of the Republic of Hawaii and were given American citizenship under the Hawaiian Organic Act did not realize that their status was the same as a naturalized citizen rather than of natural-born citizens.

Mr. MASON. Some of our naturalized citizens did not realize that by living abroad 3 or 5 years they lost their citizenship automatically. They did not know the law; they did not realize it.

Mr. FARRINGTON. That is possible.

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

Mr. FARRINGTON. I yield to the gentleman from Missouri.

Mr. ARMSTRONG. Can the gentleman tell us where these Chinese have been living for the most part?

Mr. FARRINGTON. The two of whom I have knowledge are of the Chinese race. One of them is a physician, and he is back in Honolulu, but because he lost his citizenship he is unable to practice medicine. The other is still in China attempting to return to this country.

Mr. ARMSTRONG. It seems to me the gentleman is making a reasonable request.

Mr. MASON. Mr. Chairman, if the gentleman will yield further, I have a further amendment to the gentleman's amendment; I am just trying to clarify the time of the proposal offered by the Delegate from Hawaii. According to the best evidence available there will not be more than a handful of people affected. But I think I am not in opposition to the amendment offered by the Delegate from Hawaii. According to the best evidence available there will not be more than a handful of people affected. But I think I am not in opposition to the amendment offered by the Delegate from Hawaii. According to the best evidence available there will not be more than a handful of people affected. But I think I am not in opposition to the amendment offered by the Delegate from Hawaii.
otherwise want to come and can come, regardless of their color.

The third item in this ad states that the bill further restricts immigration by

subjecting victims of religious persecution to literacy requirements.

Now let me call members of the Displaced Persons Commission to ascertain how many aliens were exclud

ed under the Displaced Persons Act, under which we had as of today not 340,000 people, and found that not one single person was refused admission because of being illiterate. The provision in the original law was placed there during the period of the czarist regime when many people in Russia and in subjugated Poland were illiterate, because they were barred from schools. They could not read or write. Under present-day conditions, however, there have been no rejections for many years of people because of illiteracy. They have all been able to read or write in the English language, and merely that they know simple words and phrases in some other language.

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

Mr. WALTER. In just a moment. I want to complete this thought.

Mr. RANKIN. I want to know who signed that ad.

Mr. WALTER. I will tell the gentleman who signed it. He can guess, and he would not miss by many.

The second section of that same paragraph says:

By eliminating professors from quota-exempt status and by continuing the use of the outdated census year of 1920 as a basis for immigration allocations.

Actually, wherever a professor is needed, as we said yesterday, he is put at the top, at the very top, of the priorities.

The last charge is that the bill provides many new, unreasonable, and arbitrary bases for deportation. The only new ground alleged at Mr. Adonis, and those professional gamblers who cannot be touched under existing deportation law because they have violated but certain State laws. Those people ought to be deported.

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

Mr. GRAHAM. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania be permitted to proceed for five additional minutes, in order to complete his statement.

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

There was no objection.

Mr. WALTER. I have about completed my statement, except that this last paragraph goes further and says:

The bill eliminates the statute of limitations and create numerous grounds for deportation, easily subject to judicial review.

The bill creates only one new ground, not numerous grounds, and by express provision reinstates the applicability of section 10 of the Administrative Procedure Act, which gives judicial review from any administrative decision.

As far as the elimination of the statute of limitations is concerned, that, too, is not the fact, but we do make it much easier to deport those people who did not take the oath of allegiance to the United States in good faith, people who were Communists and who when they took the oath of allegiance were Communists. I go a long way back in the United States. I hope that before very long the FBI can complete its examination of the records of certain of those people because, as many of you know, particularly those of you who were on the Subcommittee on Immigration on their trip to Berlin several years ago, the United States has in its possession the Berlin document center. In that center is a complete record of the political affiliations and activity of people who were in Germany, and who are now in the United States. I hope that some of those people have initiated this campaign because they are afraid that at some time or another they are going to have to leave our shores and return to Germany.

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

Mr. WALTER. I yield.

Mr. HAND. I agree most heartily with most of the things that the gentleman has said. It does seem to me that the bill goes a little bit further than the gentleman has suggested in eliminating the statute of limitation.

Mr. WALTER. In what respect?

Mr. HAND. In the respect, for example, if I understand the bill, if a person comes here with a visa which is technically improper and lives here for a period of 4 or 5 years, you can under this bill, as I understand it, deport him merely because of that technicality. In other words, the statute of limitations, which had been a safeguard, if you will, has in such respect been eliminated in this bill, or at least that is my understanding of it.

Mr. WALTER. May I suggest that the gentleman read the committee report.

Mr. HAND. If the gentleman will yield further, the committee report, of course, is about as long as Gone With the Wind, and I have not had a chance to read it.

Mr. WALTER. The committee report is long because this is a very involved, technical, and long subject which we are dealing with. I think if the gentleman will examine that report, he will find no injustice can possibly be worked under the provisions of this act.

Mr. HAND. I hope to have the opportunity to suggest to the committee an amendment dealing with this question of deportation, and I would be glad if the gentleman would listen to it because I may well be mistaken about it. I would like to have his advice because I have a great deal of respect, as the gentleman knows, for his thinking on this subject.

Mr. RANKIN. Mr. Chairman, did the gentleman say who signed that document?

Mr. WALTER. I have tried to find out. I was informed this morning that there is a signature of Ching on the Chinese American Citizens National Association. There is no such organization.

Mr. RANKIN. It is not signed by Joe Stalin?

Mr. WALTER. I have not noticed that. I do not think his name is on it. But this organization just does not exist, of course. I think the gentleman would think would throw some light on it, and I find that many of these organizations are nonexistent. There appears the name of only one person that disturbs me and that is the name of Earl Harri

son who is dean of the law school at the University of Pennsylvania. I now understand his opposition to the bill because sometime ago he testified he did not think we should have a quota at all, and that the doors should be open to any number of immigrants. So that is apparently how they are able to induce that very distinguished educator to sign this advertisement.

Mr. RANKIN. I will say to the gentleman the reason I asked that question is that this advertisement sounds like Communist propaganda, and I think that what it is.

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

Mr. WALTER. I yield.

Mr. MCCORMACK. I call my friend's attention to section 212A, subdivision 10.

Mr. WALTER. What does that section contain?

Mr. MCCORMACK. I do this for the Record. There are some charges which I know are as far removed from my friend's mind as anything could possibly be.

Mr. WALTER. I yield.

Mr. MCCORMACK. In the respect, for example, that the bill contains a sentence of 3 years' imprisonment for such nonpolitical functions as giving religious instruction to children.

I specifically call that to the gentleman's attention, knowing his views, and my reason for association with what I believe should be disabused from the mind of anyone who reads the Record or anyone who does not read the Record, but if any foreign government should, for example, prosecute a minister or a rabbi or a priest or anybody else because of their religious views and they should receive a sentence of 5 years or more, that that particular subdivision would not cover it in any way.

Mr. WALTER. That is almost as silly as the charge that a man could be excluded from the United States for violating a traffic ordinance. Actually, what that section states is that an alien is excludable if he has been convicted of two crimes, the sentence for which was 5 years in jail. I do not see anything unreasonable about that. It expressly excepts the very things the gentleman is talking about.

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

Mr. GRAHAM. Mr. Chairman, I move that all debate on this bill and all amendments thereto close at 3 o'clock.
The motion was agreed to.

Mr. McCORMACK. Mr. Chairman, may I say that all Members who seek recognition within the 1-hour limit may be given consideration, that by unanimous consent the Chair may, within the time remaining, recognize Members for 3 minutes, the remaining 10 minutes to be reserved for the committee?

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts, that all Members who seek recognition be recognized for 3 minutes each, 10 minutes to be retained by the committee to close debate?

Mr. HALECK. Mr. Chairman, a parliamentary inquiry. That would be within the limitation of the 1 hour just agreed to?

The CHAIRMAN. That would be within the limitation just agreed to.

Mr. FARRINGTON. Mr. Chairman, a parliamentary inquiry. Is my amendment still pending?

The CHAIRMAN. The gentleman's amendment is still pending. The Chair will put the question very shortly.

Mr. JAVITS. Mr. Chairman, will the time taken out for voting or teller votes be taken into consideration?

The CHAIRMAN. The Chair will recognize Members as far as possible up to 2 o'clock.

Mr. McCORMACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN of Michigan. Mr. Chairman, I ask unanimous consent that all the amendments be read and then voted on.

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

Mr. CHUDOFF. Mr. Chairman, I object.

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

The Clerk read as follows:

Amendment offered by Mr. JAVITS: Page 154, after title III, and at the end thereof a new section as follows:

"VISA REVIEW BOARD"

"SEC. 361. (a) There is hereby established in the Department of State a Visa Review Board (hereafter referred to as 'the Board') which shall be composed of three members to be appointed by the Secretary of State. Persons appointed to the Board shall be selected solely on the basis of their experience and qualifications, and shall be charged with no functions other than those vested in the Board. The Board shall have authority, as provided in this section, to review the case of any alien or person claiming to be a citizen of the United States who has been denied an immigration visa by any consular officer."

"(b) Whenever a consular officer shall deny an immigration visa to any alien on the ground of ineligibility under section 212 (a), the Board shall, as provided in this section, review the decision of such officer upon the request of any person, institution, firm, organization, or governmental agency in behalf of any alien who has been denied a visa shall be made in writing to the Board and may be accompanied by any affidavit sworn by any person, or an officer of such institution, firm, organization, or agency, setting forth any facts which have a bearing upon the alien's eligibility for a visa. Upon receipt of any such request the Board shall notify the consular officer with respect to which an appeal is sought, and, upon receiving such notice, such officer shall promptly forward to the Board a concise statement of the material facts upon which he based his decision to deny a visa in the case of such alien, and which statement shall indicate whether such alien would be entitled, except for his decision with respect to ineligibility, to a nonquota immigration visa under paragraphs (e) to (g) of section 101 (a) (27)."

"(c) The Board shall, upon request as provided in subsection (b), review the decision of a consular officer denying a visa to any alien who, except for such decision, would be eligible for a nonquota immigration visa under paragraphs (e) to (g) of section 101 (a) (27). The Board may upon request as provided in subsection (b), review the decision of any officer in the case of any other alien whenever in its sound discretion it shall determine that such review is necessary to secure uniform interpretations and applications of the provisions of this act, or to achieve a correct interpretation and application of the provisions of this section."

"(d) In reviewing the decision of a consular officer denying a visa to an alien, the Board shall hear testimony and receive evidence from (1) any official of the Government requesting the privilege to be heard with respect to a matter pending before the Board, and (2) the person, or representatives of the institution, firm, or organization, if any, upon whose petition a quota or nonquota immigration preference was granted or accorded to an alien with respect to whose case the Board has granted a review.

"(e) In reviewing the decision of any consular officer denying a visa to an alien, the Board shall hear testimony and receive evidence from (1) any official of the Government requesting the privilege to be heard with respect to a matter pending before the Board, and (2) the person, or representatives of the institution, firm, or organization, if any, upon whose petition a quota or nonquota immigration preference was granted or accorded to an alien with respect to whose case the Board has granted a review."
Mr. JAVITS. Mr. Chairman, this amendment deals with a very difficult situation for many Americans, not just for aliens.

As you will see from this bill, the consular officer in every small place or large place in the world has absolute and untrammeled jurisdiction to deny any alien a visa. For example by the new section 212 (a) (27) a consular officer can deny an alien a visa if he does not think he is good for the United States, or that he is not a Christian, or that he has a pride of authorship to cause them to urge the defeat of every worthwhile amendment that is offered to make this a better bill.

I raise at this moment, however, to tell you who are the persons who are alleged to be the minions of Joe Stalin when they signed the advertisement referred to a few moments ago by the gentleman from Pennsylvania (Mr. WALTER). I will add that advertisement from the New York Times to my remarks so that you can read it and compare it with the debate on this bill. Perhaps that will put us in a better position to determine whether the statements made in the advertisement are correct. But let us not be clouded by calling names considered so cleverly.

Every one of them has the security and power that is offered to make this a better bill.

There are only about 70 names subscribed to that advertisement, and I submit there is not a person who can be accused of being a Communist or pro-Communist. Every one of them has the security and the interest of this Nation at heart, and they urge the defeat of this bill unless it is amended so as to improve it and take out of it all of the bad things that you have heard about thus far and the many other bad things you will not have time to hear about because the debate has been cut off. I know there will be persons who will go through this list and say that some of these people are talking for a minority group which they represent. Who else will speak for them?

It is time that all of us talk out in the open, as we have done here, about these things.

The gentleman from New York (Mr. JAVITS).

Mr. Chairman, I oppose the amendment and ask that it be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. JAVITS).

The amendment was rejected.

Mr. MULTER. Mr. Chairman, it is really unfortunate that the authors of this amendment failed to realize their own hope that would be served by putting this latitude to foreigners to have bis case brought to this State for final disposition. He could go before the visa review board, he could then take an appeal to the courts, and we would be able to take care of months and months with these matters. It would mean additional Federal judges.

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The advertisement which appeared in yesterday’s New York Times follows:

One suggested course would simplify and humanize our present immigration laws and demonstrate our desire to aid the victims of discrimination abroad. This is the intent of the Humphrey-Lehman bill (S. 2842) which has been introduced in the Senate and an identical bill introduced in the House of Representatives by Congressman ROOSEVELT (H. R. 7353).

The other course would depart from the American tradition of welcome to freedom-loving peoples, and would enact new barriers to immigration.

This is proposed in the McCarran bill (S. 2550) and the Walter bill (H. R. 5678) now before the Senate and the House of Representatives.

The McCarran-Walter bills—

Constant threats to visa. Our immigration law provides for the admission of 154,000 immigrants each year. Less than half that number have been used through the years. The McCarran-Walter bills retain our old-fashioned and inflexible quota system.

Add new racial discriminations. These bills are designed to exclude aliens by drastically reducing immigration from colonies in the Western Hemisphere.

Further restrict immigration by subjecting victims of religious persecution to literacy requirements, by eliminating professors from quota-exempt status, and by continuing the use of the outmoded census year of 1920 as a basis for immigration allocations.

Provide many new, unreasonable, and arbitrary bases for deportation. The bills eliminate the statute of limitations in many instances and create numerous grounds for deportation not easily subject to judicial review.

The Humphrey-Lehman-Roosevelt bills—

Would not waste visas, because they provide for a pooling of unused quotas, thus making our immigration system more flexible and permitting some 80,000 additional immigrants annually within the quotas of our immigration law.

Virtually eliminate racial discrimination. The bills leave untouched present immigration from Western Hemisphere colonies and do away with many objectionable racial provisions in the current law.

Would liberalize immigration by using the 1960 census as a basis for computing quotas. The bills would remove many provisions by basing quotas on current population statistics rather than the outmoded 1920 figures.

Provide for fair hearings, judicial review, and other legal protections in accordance with established American traditions of fair play.

The bills referred to are long and technical measures which cover hundreds of pages of legal language and numerous provisions.

In the interest of space, only a few of these are touched upon in this advertisement.

The McCarran and Walter bills would surrender many of our finest traditions and retard our efforts to rally the allies of democracy against this threat.

The Humphrey-Lehman-Roosevelt bills would keep flowing an invigorating stream
of fresh talent, fervor, and energy which has contributed so much to America's greatness in the past, and would advance our efforts to inspire faith in democracy the world over.

Wrote a Congressman and Senators now to oppose the pending Walter and McCarran bills.

Use your Congressman to support the Humphrey-Lehman-Roosevelt bills.

Act now—the bill is being debated as you read this ad.

Wire your Congressman and Urge your Congressman to support the Mrs. Arthur Forrest Anderson, president, American Jewish Committee; James Carey, CIO; Thomas Carey, New York Regional Director, International Association of Machinists; Mrs. Runtic Carter; Dr. Joseph Cestero, president, Philippine-American Civic Association; Richard Balch, president, Horrock-Tibbotson Co., Utica, N. Y.; Peter L. Hess, supreme president, Order of AHEPA; Adolf A. Berle, Jr.; Mary McLeod Bethune; Walter Bieringer, president, United Service Organizations of Education, Teacher's College, University of California; Frank Crosswhite, chairman, Negro Labor Committee; Morris Culter, president, Hungarian-American Clubs; Dr. Robert Cummins, general superintendent, Universalist Church of America; Helen Gabagan Douglass; Maurice N. Eisenstadt, president, Union of American Hebrews; Mrs. Katharine A. Engel, president, National Council of Jewish Women; Acusus Falussey, director, American Hungarian Federation; Lloyd K. Garrison; Harold J. Gibbons, secretary-treasurer, Teamster Local 688 (AFL); Paul Ginsburg, national commander, Jewish War Veterans of the United States of America; Frank Goldfarb; Mr. Israel Golein, president, American Jewish Congress; Lester Granger; John Grigalitis, vice president, Lithuanian American Council; Leon Haber, University of Michigan; Oscar Handlin, professor of history, Harvard University; Earl G. Henderson, professor, Hof, chairman, Jewish Labor Committee; Dr. Clarence Holmes, president, Cosmopolitan Club, Denver; Mrs. Lewis Koskins, executive secretary, American Friends Service Committee; Steven J. Jarems, executive director, Urkianian American Congress; Alvin Johnson, president emeritus, New School for Social Research; Horace Kallen; Irving Kane, chairman, National Community Relations Advisory Council; Prof. James B. Kelley, Hofstra College; John F. Schlesinger, executive director, Bartenders Union Local 76; James Kerney, Jr., editor, Trenton (N. J.) Times; Mary Kizis, director, Lithuanian Information Center; Simon G. Kramer, president, Synagogue Council of America; Prof. John J. Langell, administrative officer, Polish Lithuanian American Legion, former national commander of Polish Legion of American Veterans; Joseph Mosco; Dwight F. McCann, president, American Friends Service Committee; Fortune Pope; Alex Rose, president, United Human Relations, Cleveland, Ohio; American Veterans of Foreign Wars and American Veterans of Foreign Wars of America (AFL); Harold Russell, former national commander, AMVETS; Arthur Schlesinger, Jr., professor of history, Harvard University; Steven S. Scopes, Order of AHEPA; Dr. D. B. Sharp, executive secretary, Cleveland Baptist Association; Dr. Leonard Simunis, president, Lithuanian American Council; George A. Soulter, Lithuanian Supreme Council of Lithuania; Order Sons of Italy in America; Michael Straight, national chairman, American Veterans' Committee; Anna Lord Strauss; Samuel A. Telsey, president, Hebrew Immigrant Aid Society; John R. Thompson, president, Mutual Benefit Life Insurance Co., Newark, N. J.; Andrew Valuher, vice president, Czechoslovak National Council; Roy G. Wagner, executive director, Metropolitan Church Federation of Greater St. Louis; Osip Waksunsky, interim director, International Handbag, Luggage, Belt and Novelty Workers Union (AFL); Walter W. Wait, executive secretary, National Association for the Advancement of Colored People; Roy Willkins, administrator, National Association for the Advancement of Colored People; Rabbi Joel Zion, Temple Emanuel, Chicago; (Organizations are listed for purposes of identification only.)

Mr. POWELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his amendment.

Mr. POWELL. How can a person not or the list get the floor in opposition to a measure, which was done previously to the Jews' amendment was not on the list.

The CHAIRMAN. The Chair will inform the gentleman that he is on the list.

Mr. POWELL. I know.

The CHAIRMAN. If he seeks to use his time at this time, he will be recognized.

Mr. POWELL. One of the gentlemen in opposition to the Jews' amendment was not on the list.

The CHAIRMAN. The Chair will state that that was before the time was fixed.

Mr. POWELL. No; it was after the time was fixed.

The CHAIRMAN. The Chair will recognize first those Members who have amendments to offer.

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

The Clerk reads as follows:

Amendment offered by Mr. DOLLINGER: In subsection 212 (b) immediately after "(b)") add the following: "Any alien who is not admissible alien, or any alien lawfully admitted, and citizen or alien lawfully admitted, and any group to which he belongs because of his religious faith or the list get the floor in opposition to a measure, which was done previously to the Jews' amendment was not on the list."

The CHAIRMAN. The amendment was rejected.

The CHAIRMAN. Mr. Chairman, my amendment is a clarifying one.

It is personal possession, he is guilty of a crime and shall

Then the amendment was rejected.

Mr. CHUDOFF. I would like to have the amendment relating to section 264 (e) covered first, Mr. Chairman.

Mr. CHUDOFF. Mr. Chairman, my amendment is a clarifying one. It does not affect the bill one way or the other, but I think it ought to be in the bill.

This section of the bill provides that every alien 18 years of age and over shall at all times carry with him and have in his personal possession, he is guilty of a crime and shall suffer the penalty of serving 30 days in jail or paying $100 fine, or both.

Mr. CHUDOFF. Mr. Chairman, this raises a rather practical problem. Alien registration cards are not new in the law, yet this

relatives of American citizens or residents of American citizens. This section, as contained in the bill before us, would deprive the victims of religious persecution and relatives of American citizens of the exemptions from literacy requirements that they had enjoyed under the act of 1917. The gentleman from Pennsylvania [Mr. WALTER] explained this proposed amendment a few minutes ago in his remarks in which he said that in 1917 there were many illiterate people who sought and who needed that protection; that recently of some 300,000 DP's that came to America, not one was illiterate. I think that the argument that was advanced proves conclusively that we need this amendment, because if there might be so few people who are illiterate; the fathers, mothers, sisters, brothers, or wife or husbands of American citizens, possibly a handful of people, I think they are entitled to literacy exemption and that we should permit them to come in; there might be some instances where these people who because of religious persecution or tyranny under Communist Russia and Nazi Germany never had the opportunity to be given an education.

I think those people are entitled to some protection, and that the exemption of 1917 should be continued at this time.

I ask that my amendment be adopted.

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

The amendment was rejected.

Mr. CHUDOFF. I would like to have the amendment relating to section 264 (e) covered first, Mr. Chairman.

The CHAIRMAN. The amendment was rejected.

Mr. CHUDOFF. Mr. Chairman, my amendment is a clarifying one.

It does not affect the bill one way or the other, but I think it ought to be in the bill.

This section of the bill provides that every alien 18 years of age and over shall at all times carry with him and have in his personal possession, he is guilty of a crime and shall suffer the penalty of serving 30 days in jail or paying $100 fine, or both.

Mr. CHUDOFF. Mr. Chairman, this raises a rather practical problem. Alien registration cards are not new in the law, yet this
is the first time where it becomes a necessity for an alien to carry the card with him and, if he does not, it becomes a crime. The old alien registration cards that people received when they registered were practically worthless. They took them home and either put them in the family strong box or hid them in some drawer so that they would not lose them. They did not carry them with them because they were afraid if they did and were asked for them the cards might get lost. They might not be able to produce them.

If these people get these cards they might think it is the same type of card and put it away, and if so they will be committing a crime under this bill.

Then we have another practical problem. An alien may leave his card in his Sunday suit and forget to have it with him. A female alien may forget to transfer it from one handbag to another. As a matter of fact, it would be a crime for any alien to go into a shower or take a bath unless he has his Sunday suit and forgets the card should be guilty of a crime only if it were a willful act, but "willfully" would make it a crime even if it were an honest mistake. We are only trying to make those aliens more circumspect because they were afraid if they lose them. They did not carry them with them. I think you will all agree with me that it would be very difficult for an automobile driver to put the words "registration card in the other."

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

Mr. CHUDOFF. Mr. Chairman, the effect of the adoption of this amendment would be to shift the burden of proof, and make it impossible that an alien was not carrying his card deliberately. All it amounts to under the present language of the bill is that, if an alien forgot his card, lost it or misplaced it, it is a matter of defense; the burden of proof is on him. I do not think the burden of proof should be shifted to the United States.

Mr. Chairman, I ask that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania. [Mr. CHUDOFF].

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

The Clerk read as follows:

Amendment offered by Mr. HAND: Amend section 212 (a), subsection (g), by inserting after the 10th word of the 14th line of the 2nd paragraph thereof a new subsection as follows:

"(1) Notwithstanding the provisions of subsection (a), deportation shall not be ordered in the case of any alien on the grounds that he (1) entered the United States without the card at any time or place other than that designated by the Attorney General, or (2) was, at the time of entry, (whether occurring before or after the effective date of this act), excludable by reason of a condition or status described in paragraphs (21), (24), (26) of section 212 (a), unless deportation proceedings are commenced against such alien within a period of 6 years from the date such alien was first subject to deportation by such ground. Any period of time spent outside the United States by such alien shall not be counted in computing such period."

Mr. HAND. Mr. Chairman, the bill before us contains 166 pages of text, and the accompanying committee report to explain the bill is a 328 page book. It is almost inevitable that in a bill of such magnitude, which attempts to revise and to codify all of our laws relating to immigration and naturalization, there should be a great deal of good, and there is bound to be a good deal that is bad.

The gentleman from Pennsylvania (Mr. WALTER), his committee, and his staff have performed a monumental task, and among many accomplishments, one of the most important is that the bill makes us ridiculous in a immigration and citizenship on a nondiscriminatory basis. This repairs, after too many years, the enormous damage which was done by the Pennsylvania Exclusion Act, which was an unnecessary insult to a proud people, and in my judgment was a substantial factor in causing the recent war between Japan and the United States.

Within the last few weeks I heard Mike Masaoka, the Washington representative of the Japanese American Citizens' League, make an inspiring address on this subject to a convention of Japanese-American citizens in my congressional district. It is obvious that any bill we pass must contain this good provision in the present bill removing discrimination against Japanese and other Asiatic peoples.

This and dozens of other fine provisions should be retained, but as I have said, in a bill of this character and scope, many mistakes have been made that ought to be corrected before this bill is passed.

Something must be wrong with some parts of this bill when we recall that there has been opposition testimony of the American Immigration Association, the American Federation of Labor, the New Jersey Welfare Council, the American Friends Service Committee, the Jewish War Veterans of the United States, the National Catholic Welfare Conference, the Young Women's Christian Association, the Order of Sons of Italy in America, and many other organizations and individuals who say, among other things:

Within the next few days you will be asked to vote on a bill, H. R. 5678, which would make far-reaching and unprecedented changes in the existing law governing American citizenship and immigration. This bill would greatly affect millions of American citizens, subjecting their members or some of them to searches and seizures without court warrants, deprivation of citizenship by reason of foreign travel and other innocent acts, deportation without hearing, and the Indefinite postponement of immigration visas on present waiting list.

Now, if this is so—and my examination of the bill indicates that it is—the situation must necessarily be corrected if we want to pass a fair law—fair not only to future American citizens but fair to all American citizens.

The American Friends' Service Committee has said:

While recognizing the tremendous job of codification embodied in the McCarran-Walter Bill, and the direction of elimination of racial and sex discrimination that they contain, we are troubled by the fact that so large a proportion of their provisions are negative, and that they place more restrictions than ever on immigration into this country and securing United States citizenship.

The merits of this bill are plain, but the objections to it are equally plain and very numerous.

Now, the amendment which I have offered is certainly not designed to correct all the defects in the bill. It will require a series of amendments to do that; nevertheless, this single amendment is, I think, of some importance. Under existing law we have applied to immigration cases and to deportation cases the familiar principle of the statute of limitation, and have provided that if the Government did not act to deport an alien within the limitation period proceedings should not commence thereafter. As I understand section 241, subsection A, of the bill, this familiar protection of the statute of limitation is removed in a great many cases. In some
cases I think it should be, but in others it clearly should not. The purpose of my amendment is to provide that, notwithstanding the provisions of this subsection, deportation shall not be ordered in the case of any alien who, although he entered the United States without inspection, or at some improper time or place, unless deportation proceedings be commenced within 5 years, which seems to me to be amenableable.

The amendment makes the same general provisions with respect to section 212A, paragraphs 21, 24, and 26. Where aliens get into the country, illegally, by which perhaps contains a technical defect, or do not have just the kind of a border-crossing identification card that they should have, they are both excludable and deportable under this act, and I have no quarrel whatever with that, except that I think that they are entitled under these circumstances to the protection of the courts of the United States. If we are going to deport them at all, we should deport them within 5 years. After that period, they have a right to feel secure, it seems to me, and not to have to feel that the protection is a partial, but which takes place some 10, 15, or 20 years later after they have fully established themselves in this country. As I have said, this is only one of a series of amendments, which I think are required in order to make this bill fair, and while I am anxious to support a general revision of immigration laws, unless this and a series of other amendments are adopted, it occurs to me that this bill should properly be recommitted to the Committee on the Judiciary for further and more detailed study.

I cannot escape the feeling that the bill in its present form, despite some of the strideries that it has made in the right direction, is unduly discriminatory and ought not to be passed without major improvements.

Mr. WALTER. Mr. Chairman, I rise in opposition to the amendment. The effect of the adoption of this amendment would be to put a premium on the ability to hide. This amendment affects only those people who are in the United States illegally—illegal entrants.

Let me call attention to the last sentence of this amendment:

"Any period of time spent outside the United States by such alien shall not be counted in computing such period."

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

Mr. WALTER. I do not have time. I ask that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. Zablocki), who has an amendment at the desk. The Clerk will report the amendment. The Clerk reads as follows:

Amendment offered by Mr. Zablocki: Page 34, strike out section 212 (c) and insert:

"(c) Aliens who temporarily proceeded abroad and not under an order of deportation, who are returning to an unrestricted United States domicile except within 7 years, may be admitted in the discretion of the Attorney General, and under such conditions as he may describe."

Mr. ZABLOCKI. Mr. Chairman, this particular section virtually eliminates the present discretion of the Attorney General to readmit otherwise excludable aliens returning to their homes in the United States.

"The purpose of my amendment is to restore the provisions of the existing law which give the Attorney General the discretion to readmit aliens returning to their homes in this country in circumstances where the conditions for exclusion would not have been grounds for deportation if the alien had never left the country."

"In my conviction that there are sound and valid reasons for the retention of the particular provision embodied in our present law."

In the first place, no sound arguments have been advanced for the elimination of the existing flexibility in our law on this point, which makes possible the exercise of favorable discretion in all deserving cases. The existing practice continues to be humane and permits the adjustment of status to deserving aliens. Factors of hardship, good moral character, long residence, and family ties are considered in extending this relief. There is certainly no valid reason for changing the law so as to subject deserving aliens who were legal residents of this country, as well as their families, to severe hardships.

Further, the provision of my amendment would in no way open the door for the admission of undesirable aliens. Such aliens who could receive favorable consideration and have to be residents of the United States for 7 years during which time they have committed no acts which would have given grounds for their deportation. Further, aliens applying for consideration under this provision would have to show that they have not relinquished United States domicile, but merely left for a temporary stay abroad. Finally, the Attorney General would have the power to prescribe the conditions under which they would be readmissible to this country. Only the deserving aliens, as I stated earlier, could receive favorable consideration under this provision.

Mr. Chairman, I feel very strongly that the present discretion of the Attorney General with respect to the readmission of certain otherwise excludable aliens returning to their homes in the United States should be retained. I hope that the membership of this House will concur in the view that support the amendment which I had proposed.

Mr. WALTER. Mr. Chairman, the language contained on page 34 which the gentleman attempts to amend, is entirely adequate to carry out the purposes in bona fide cases. This is a modified restatement of the old so-called seventh proviso. I think it would be dangerous to adopt an amendment which anybody having given it proper consideration, but right now I am sure that what the gentleman seeks to do has been done under the language in the bill, and I ask that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. Zablocki).

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. Cruzdoff), who has an amendment at the desk.

Mr. ZABLOCKI. Mr. Chairman, this amendment both relate to the same subject matter.

The CHAIRMAN. Without objection, both amendments will be read by the Clerk and on conclusion they will be voted on en bloc.

Mr. WALTER. Mr. Chairman, reserving the right to object, I do not know whether or not the amendments are related.

The CHAIRMAN. The Chair will report the amendments and the gentleman's reservation will stand until he has had the amendments read. I was assured by the gentleman from Pennsylvania that they were related amendments.

The Clerk reads as follows:

Amendment offered by Mr. Cruzdoff: Amend section 940 (b), page 139, by inserting after the word "or" in the eighth line thereof the following: "if personal service cannot be obtained."

Amendment offered by Mr. Cruzdoff: Amend section 942, page 139, by striking out lines 9 and 10 of said section and said person's last known place of address."

The CHAIRMAN. Is there objection to considering the amendments en bloc?

There was no objection.

Mr. CHUDOFF. Mr. Chairman, these amendments are also clarifying amendments. They do not affect the bill one way or the other; they apply in denaturalization proceedings under this bill if there is just cause shown for denaturalization. The Attorney General of the United States or district attorneys in the various districts have the right to file a petition, a show-cause order against the person, to naturalize, to show cause why his naturalization should not be revoked.

In these amendments it appears that notice of these petitions can be given in the alternative, that is personal service upon the alien that is the person complained against, or by publication. Mr. Chairman, I think that the due-process clause of the Constitution comes into the question here, and I think the Supreme Court has held many times that it is necessary to make personal service wherever possible, although they do recognize service by publication.

My amendments would simply do this: They would provide that the alien can-
not be served by publication unless every possibility of personal service has been exhausted. I believe a recent Supreme Court decision interpreted the phrase "personal service" to mean that that is the only way in which it can be done and complete. These amendments just clarify the situation. They do not give the Attorney General the alternative but state that he must make personal service wherever he can.

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

Mr. CHUDOFF. I yield.

Mr. WALTER. I just saw the amendment a moment ago. Is that amendment the one rejected by the senior member?

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

Mr. CHUDOFF. Mr. Chairman, the amendments that we are now considering and have been for the last few minutes are of a series prepared by the lawyer who was retained to try and get the amendment in. The gentleman from Pennsylvania (Mr. CHUDOFF) has stated that this was amendment No. 37 of that series. I happen to have the entire group of amendments that was parceled out among various Members.

The effect of this amendment would be to make it impossible to denaturalize somebody if he could avoid service. Under the language of this act we follow the provisions of existing law, that is to say, we follow in that the alien who has been in the country for 10 years and who has served in the army may not be denied the right to naturalize. The effect of the amendment would be to prevent this right to naturalize from being proper.

Certainly it seems to me we ought not to depart from the usual rules respecting service, and that is what this amendment would do.

I ask that the amendments be defeated.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Pennsylvania (Mr. CHUDOFF). The amendments were rejected.

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

Mr. POWELL. Mr. Chairman, I did not intend to speak on this bill because I can see by the temper of the House it is going to roll through preponderantly, but some things have been said here this afternoon which are not quite correct and I feel I must put the record straight, even though the voting will not be straight.

Three. Deportation:
(a) Statute of limitations.
(b) Deportation for public charge.
(c) Mental condition.
(d) Criminals and "undesirable residents of the United States."
(e) Countries to which an alien shall be deported.

Fourth. Review process.

Fifth. Naturalization:
(a) Requirements as to reading and writing proficiency.
(b) Prohibition of naturalization of persons favoring a totalitarian ideology.
(c) Revocation of naturalization.

Sixth. Alien registration.

Certainly it seems to me we ought not to try to prevent action on this bill.

There must be a return on the service of the courts, and that is what this present law is designed to prevent.

The result would be to adjust the quotas of many nationality groups, especially those from southern and eastern Europe, whose proportional contributions to United States population have increased during the last 30 years. This would minimize the great waste of quotas we are now experiencing.

(b) The Asia-Pacific triangle:

This section establishes an Asia-Pacific triangle and assigns it an annual quota of 100, in addition to separate quotas for independent countries, self-governing dominions and territories under the international trusteeship system of the United Nations, situated within the Asia-Pacific triangle. This section provides, however—as is the case in existing law with respect to Chinese, Filipinos, and persons indigenous to India—that an alien born outside this triangle, but attributable by as much as one-half of his ancestry to a people or peoples indigenous to the triangle, is chargeable to the quota of his country of birth but to the quota of the country of his ancestry, or, if no such quota exists, to the Asia-Pacific triangle quota of 100. Thus a person born in England of an English father and an Indian mother is categorized as an Indian, and must apply for admission not under the British quota of 65,000—perhaps he may be a British citizen—but under the Indian quota of 100.

While this section takes a forward step by making all peoples, regardless of race, eligible to immigration, it nevertheless perpetuates certain objectionable racist features. The ancestry test smacks closely of the infamous Nuremberg racial laws of Hitler Germany. For the last few minutes are of a series prepared by Jack Wasserman?

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MCCARRAN-WALTER BILLS: SOME MAJOR FAULTS OF OMISSION AND COMMISSION

First. Quotas:
(a) An anachronistic base census year.
(b) Asia-Pacific triangle.
(c) Quotas to which natives of dependent areas are chargeable.
(d) Proposal for utilizing unused quotas.

Second. Exclusion:
(a) Criminal classes.
(b) Visas secured by willful misrepresentation.
(c) Literacy requirements—exclusion.
(d) Definition of "good moral character."

Third. Deportation:
(a) Statute of limitations.
(b) Deportation for public charge.
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Mr. Chair, I did not intend to speak on this bill because I can see by the temper of the House it is going to roll through preponderantly, but some things have been said here this afternoon which are not quite correct and I feel I must put the record straight, even though the voting will not be straight.
urgently needed in the United States or are likely to be of special benefit to the national economy, cultural interests, or welfare of the United States; second, close relatives of American citizens and of aliens who have obtained a benefit by such a misrepresentation; third, refugees from persecution or threat of persecution for religious or racial reasons or because of adherence to democratic principles or opposition to communism, totalitarianism, or dictatorship; fourth, immigrants, on application for admission under the quota system, to an American organization, or an American official, whose cases, because of special circumstances or hardship, merit special treatment; that is, cases which at present can be dealt with only by private bills.

It is further suggested that unused quotas might be used to relieve, to some extent, the heavy drain on future quotas created by the admission of aliens under the Displaced Persons Act of 1948, as amended, particularly in the case of countries which, like the Baltic States, have quotas not seriously small and have been reduced by half for years to come, in some instances for periods exceeding 50 years.

The adoption of this proposal for utilizing unused quotas would make our quota system more flexible, far less discriminatory, and much more responsive to human and national needs. It would also greatly strengthen our immigration leadership which the United States is endeavoring to exercise in the world at a time when the struggle for men's minds is at a critical stage.

Second. Exclusion:

(a) Criminal classes:

Both bills provide for the exclusion of aliens who admit committing acts which constitute the elements of a felony, a crime involving moral turpitude, other than a purely political offense. In contrast, existing law provides for the exclusion of aliens who admit having committed acts which are not crimes or other crimes or other conduct involving moral turpitude. The bills would thus place in the hands of administrative officials, such as consuls or immigration inspectors, the authority to determine what acts constitute a crime. It is noted that what may be considered a crime in a foreign country may not be so considered in the United States. Shall consular and immigration officials be expected to become so expert in foreign laws as to be equipped to determine whether crimes committed under such laws or other criminal or other conduct involving moral turpitude?

The bills would thus place the hands of administrative officials, such as consuls or immigration inspectors, the authority to determine what acts constitute a crime. It is noted that what may be considered a crime in a foreign country may not be so considered in the United States. Shall consular and immigration officials be expected to become so expert in foreign laws as to be equipped to determine whether crimes committed under such laws or other criminal or other conduct involving moral turpitude?

The McCarran bill provides for the exclusion of an alien who has secured a visa or other documentation by fraud or by willfully misrepresenting a material fact. The Walter version makes an exception for those persons who misrepresented a material fact because of fear of persecution and when the misrepresentation was made to foreign officials not to have been material to the issue in the proceeding in question. Such exception is not contained in the McCarran bill. Under the provisions of the Walter bill, an alien who made a misrepresentation to a foreign government, for example, in order to obtain a travel document so that he might escape from a totalitarian country, could be held excludable. Although the Walter bill version of this provision is considered preferable, it is suggested that this too is deficient in not specifying that a material fact, to be grounds for exclusion, must be made to an official charged with the administration of the United States immigration laws and that the alien have obtained a benefit by such a misrepresentation—section 212 (a) (19).

(b) Literacy requirements: Both bills provide for the exclusion of aliens over 16 years of age who cannot read or understand some language, and eliminate exemptions made under existing law in favor of close relatives of American citizens and permanent resident aliens, as well as foreigners not of good character, for that reason now become deportable for some deficiency in their status and who have obtained a benefit by such a misrepresentation—section 212 (a) (19).

(c) Deportation for public charge:

The McCarran bill provides for the deportation of an alien who, in the opinion of the Attorney General, has herebefore or hereafter been a public charge, and at any time after entry shall have been a public charge from causes not affirmatively shown to have arisen after entry.

The Walter bill provides for the deportation of an alien who, in the opinion of the Attorney General, has within 5 years after entry become a public charge, and at any time after entry shall have been a public charge from causes not affirmatively shown to have arisen after entry.

The McCarran bill would thus require the deportation of aliens who became at any time public charges, no matter how long ago this occurred, and for any period of time they may have been public charges, and regardless of how prosperous their present circumstances may be. Moreover, the determination as to circumstances which led to the alien's becoming a public charge is left—both bills—to the subjective opinion of the Attorney General, which in practice usually means to subordinate immigration officials. Under McCarran's proposed change, it would be a serious hardship for an alien to bear the burden of proof long after his admission, that he became a public charge for reasons that did not exist prior to his entry. The new provision seems to serve little purpose except to have aliens who need protection from deportation.

The standards of existing law, it is felt, adequately protect the country and should be retained—section 212 (a) (8).

The McCarran bill would require the deportation of any person who is institutionalized in a mental hospital within
explicitly deny further inquiry to any alien who may appear to the examining officer to be excluded under paragraphs 27, 28, and 29 of section 212 (a), relating to subversive classes—section 235 (c)—a discretion that is contrary to normal democratic procedures. It is recom-

mended that the existing nonstatutory Board of Immigration Appeals be retained and made statutory, and that the existing procedure be retained, whereby appeal may be made to the Commissioner of Immigration and Naturalization from a decision of a lower official to exclude an alien, and from the latter’s decision, if adverse, to the Board of Immigration Appeals.

Under both for aliens who have an absolute right to deny issuance of a visa, and there is virtually no means whereby an interested American citizen or organization may obtain a hearing to put in question the action of the consul. While the Department of State may require a report of the consul, final discretion lies with the latter, in the Department’s participation being limited to an advisory opinion. It is therefore further urged that a Visa Review Board be established empowered to review and reverse consular decisions on denial of visas. Such Board should provide an opportunity for an American citizen or organization interested in bringing an alien to this country to appeal on his behalf to an administrative body in the United States.

Fifth. Naturalization:

(a) Requirements as to reading and writing English:

This section would incorporate into our nationality law the requirement, recently effected also in the Internal Security Act of 1950, that an applicant for naturalization be able not only to speak, but also to read and write English. The only requirement of the Nationality Act of 1940 was that a candidate be able to speak English, and we urge that the old requirement be readopted. The new provision is considered an unnecessarily onerous burden for older persons in particular, since they experience considerable difficulty in learning to read, let alone to write, a new language. For such persons especially, the new and harsh requirement may bar them effectively from reaching citizenship status.

Nor is it a requirement for persons over 50 years of age, and in this country for 20 years, a sufficient protection against these hardships, since the exemptions would not apply to those persons who may enter the country after the date of enactment of the bill—section 312.

(b) Prohibition of naturalization of persons favoring a totalitarian ideology:

Both the McCarran and Walter bills exclude former members of subversive organizations from the right to apply for naturalization until at least 10 years have passed since the ending of their membership. This provision is considered consistent with the principle enunciated in section 212 (a) (28) (l), which allows former members of subversive organizations to be admitted as immigrants to this country if their membership has ceased at least 5 years before submission of their applications for immigrant visas.

The more lenient period presents the view that a former totalitarian may re-

The McCarren and Walter bills provide that where a person who has been naturalized for 5 years or less becomes affiliated with a subversive organization, such affiliation shall constitute prima facie evidence that the person is subject to detention or exclusion, and that the alien be accorded an opportunity, in accordance with normal standards of American justice, to plead his side of the story and bring any witnesses he may desire.

It is further recommended that the existing nonstatutory Board of Immigration Appeals be retained and made statutory, and that the existing procedure be retained, whereby appeal may be made to the Commissioner of Immigration and Naturalization from a decision of a lower official to exclude an alien, and from the latter’s decision, if adverse, to the Board of Immigration Appeals.

Under both bills, officials have an absolute right to deny issuance of a visa, and there is virtually no means whereby an interested American citizen or organization may obtain a hearing to put in question the action of the consul. While the Department of State may require a report of the consul, final discretion lies with the latter, in the Department’s participation being limited to an advisory opinion. It is therefore further urged that a Visa Review Board be established empowered to review and reverse consular decisions on denial of visas. Such Board should provide an opportunity for an American citizen or organization interested in bringing an alien to this country to appeal on his behalf to an administrative body in the United States.
by fraud or by material misrepresentation. It is recommended that this provision be eliminated—section 249.

Sixth. Alien registration. 

(a) Penalty for failure to carry registration card: Both bills require that every alien shall at all times carry with him any alien who fails to make such a harsh provision is questioned, and than exceed. However, if it is deemed necessary, in order to protect alien residents who have been in this country for many years and who may be unaware of such a new requirement, the penal provision should be made contingent on a willful failure to comply—section 264 (e).

(b) Notice of change of address and penalty: The bills require an annual address report by every alien, whether permanently or temporarily admitted; a change of address report within 5 days of such change of address by the alien whether temporarily or permanently admitted; and a quarterly address report by all aliens with lawful temporary residence status.

An alien who fails to comply with any of these requirements is to be fined not more than $200 or be imprisoned not more than 60 days for each violation, under the McCarran-Walter bill, any alien who fails to make these reports is to be deported, "unless such alien established to the satisfaction of the Attorney General that such failure was reasonably excusable or was not willful."

The penalty of deportation for a failure to report address or changes of address, even when such failure is willful, appears unduly harsh and it is recommended that the penalty of deportation apply only when it is proved that the intent of the alien is only to conceal his whereabouts for criminal or subversive purposes. It is important for the Government to be currently informed regarding the whereabouts of aliens in this country, but it is felt this can be best achieved by appropriate educational and publicity devices, rather than by threat of deportation—sections 265 and 266 (b).

According to a Senate Judiciary Committee press release, all racial discrimination would be removed from the law by the pending McCarran-Walter omnibus immigration bills, S. 2556 and H. R. 5678. With regard to the admission of Negroes in particular, this statement is unqualifiedly false. Not only does the proposed legislation perpetuate the discriminatory features of the 1924 Immigration Act, which excluded the descendants of slave immigrants from the population of the United States upon which the quotas were to be based, but the measure also would bar the admission of aliens of other nationalities, which singles out natives of the Western Hemisphere for special bar to entry. In addition, under the bills, Negroes, as well as all other minority groups, would be subjected to a host of new grounds for exclusion, deportation, denationalization, and expatriation.

The 1924 Immigration Act established annual quotas for immigration which, in theory, were fixed by the proportionate relationship of each nationality group in the world's population to the United States population. In determination of the total population, however, Negroes were coupled with Asians, who were barred from citizenship, and with American Indians, who may be unaware of such a new requirement, the penal provision should be made contingent on a willful failure to comply—section 264 (e). The McCarran-Walter bills perpetuate this obvious racial discrimination, and by so doing reaffirm a bias against Negro immigration which should have been repudiated long ago.

To ensure that only a token number of colored people enter the United States, the proposed legislation further strikes directly at the major modern source of this population flow. Most Negro immigration to our country today comes from Jamaica, Trinidad, and other colonies of the British West Indies; on the whole, this immigration has contributed thousands of good workers, loyal citizens, and leaders who now hold important positions in the national economy. The McCarran-Walter bills, by discriminating against the immigration from the colonies of the British West Indies, would cut down the West Indian immigrant from about 1,000 to 100 immigrants annually, and would fix 100 as an iron-clad maximum limit upon every other colony. When it is recognized that the inhabitants of Canada, Mexico, or any other independent country in the Western Hemisphere may enter freely as nonquota immigrants, the racially discriminatory aspects of the bill would be placed in proper perspective.

Of special interest to Negroes, and to their fellow Americans, are the new provisions of the proposed measure which represent a return to our basic civil liberties. Where the present law provides for the deportation of aliens who have committed serious crimes, for example, the McCarran bill would allow the deportation of any alien who had committed a violation of a municipal ordinance—like parking at the wrong place or throwing trash into the street—while the Attorney General declares such aliens undesirable. As a result, infractions of the law punishable with a $5 fine in the case of a citizen would cause an immigrant to be sentenced to deportation, which in many cases means the breakup of a family. Since persons charged with petty offenses do not have a constitutional right to jury trial or representation by counsel, or to most of the other traditional safeguards of our democratic society, the proposed legislation would make aliens of every nationality, including professional extortionists, and politically minded officials.

Similar in concept are the new sections set forth in the McCarran-Walter bills which would render aliens forever deportable even if there was only a minor technical defect in the accusation, or even if the incidents now held against them were not grounds for deportation at the time they occurred. The former provision runs counter to one of the most fundamental percepts of our law; the principle that a person who has committed a wrong which is not of the most serious nature and who has thereafter become a law-abiding citizen, after a lapse of time, shall acquire immunity against prosecution. The latter provision is in violation of the spirit, if not the letter, of the constitutional prohibition against passage of an ex post facto law.

Not even the acquisition of American citizenship would permit an immigrant to escape from the impact of the McCarran-Walter bills. Where the present law protects the interest of the United States by providing for the denaturalization of citizens who obtained their citizenship purely from fraud or illegality, the proposed legislation substitutes for these words the terms "concealment of a material fact" and "willful misrepresentation." In combination with other sections of the measure, this provision would greatly increase the reasons for which citizenship may be lost. What may previously have been entirely irrelevant for purposes of naturalization could now be a material fact. A brief absence from the United States during the period of required continuous residence, or an act committed years before naturalization would be material facts which could form the basis of revocation proceedings. A casual contribution of 25 cents to the collection box of an organization which later fell under totalitarian control might result in the loss of citizenship.

Finally, whereas under present law the revocation of the naturalization of a parent or spouse does not affect, except in cases of actual fraud, the naturalization of a child or spouse who acquired citizenship through such naturalization, such child or spouse would also lose citizenship under the McCarran-Walter bills if denaturalization occurred by reason of the parent's concealment of a material fact or willful misrepresentation.

In the final analysis not even native-born American citizens would be left unscathed by the proposed legislation. Today, for example, no Government official can come to an American citizen's place of work and cross-examine him without a court warrant based on probable cause. The McCarran-Walter bills do away with that precious American liberty. If these measures become law, then citizens as well as aliens become subject to such examination, for the test is not whether a person actually is an alien—as the law now states—but whether he is believed to be an alien. Today, a citizen can instruct his lawyer to move to quash a court warrant, or to most of the other traditional safeguards of our democratic society, the proposed legislation would make aliens of every nationality, including professional extortionists, and politically minded officials.

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possible, this shift practically eliminates judicial review of administrative abuses. Under another section of the McCarran-Walter bills, American citizens by birth may be deprived of their citizenship by failing for 5 years to secure court review of an adverse finding by an official concerning such status. Lastly, the proposed legislation provides for the expatriation of American citizens who, without receiving the permission of United States authorities, serve in the armed forces of a foreign state, regardless of whether such service was voluntary or involuntary. Additional grounds for the loss of citizenship are the poor performance of the duties of any office under a foreign government for which an oath of allegiance is required, regardless of whether the oath was actually taken.

I would like to say that when the author of this bill states that the ad in the New York Times yesterday might have been placed there by those who were Communists, that is not quite correct.

Mr. WALTER. I did not say that.

Mr. POWELL. I do not yield. I only have 3 minutes.

Mr. WALTER. I think in fairness he should yield.

Mr. POWELL. If the chairman will give me another 10 minutes of his time I will yield.

The CHAIRMAN. The gentleman will proceed in order.

Mr. POWELL. Mr. Chairman, if you will look over this ad you will find it is composed of anti-Communists and I will later on when the Committee rises put it in the Record. There is not a single Communist in this list. In fact, the law­yer that has just been referred to by the author of the bill, who came before the committee with these various amend­ments, represented the American Bar Association. Is that a Communist organization? Is it even liberal?

Mr. REED. It was my privilege last year to go with the committee to the Brussels Conference as the result of which the conference, composed of representatives of 28 nations of the world, he was honored by being requested to make the initial address.

Let me remind the Members that to­day we are passing general legislation. A bill of this character is intricate. It cannot and will not please all of us. Those who may be disappointed that the quotas for some of the overpopulated countries of Europe have not been in­creased can, however, take comfort in the fact that the bill, if enacted into law, will itself become an iron-curtain in the western part of the Union of South Africa's apartheid. Maybe that is what some of you want; but, if so, you are sowing the certain seeds for the destruc­tion of America. The Rome-Berlin axis was defeated. Cape Town-Washing­ton, D. C., axis cannot escape the same fate.

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

Mr. REED of Illinois. Mr. Chairman, I wish to pay a deserving tribute to the chairman of our subcommittee (Mr. WALTER) for the interest of all of us in this field which we felt simply must be dealt with by this subcommit­tee. It is sound. It is workable. It will yield the time allotted me to the gentle­man from Pennsylvania.

Mr. JUDD. Mr. Chairman, I want first to pay tribute to the great Commit­tee on the Judiciary and especially to its Subcommittee on Immigration and Naturalization for its hard and arduous work on this bill which is so extremely compli­cated, because it deals with so many indi­vidual cases and situations which are by their very nature complicated. I want also to express my gratitude for the long-suffering and understanding patience which its members have shown to some of us who perhaps seemed at times to have axes to grind because of the interest and uncertainty with which we have pressed for certain changes in our immi­gration laws. It was only because we were so concerned about the inequities in this field which we felt simply must be corrected if we are to maintain our place in the world and security for our own country. Particular appreciation is due the chair­man, the gentleman from Pennsylvania (Mr. Walter), for his unselfish courtesy, along with his thorough mastery of this subject and his high patriotism in trying to get done the things that he believed were for the interest of all of us.

Mr. Speaker, I do not contend that this bill is a final solution to our immigration problems or that it gives perfect equity and justice in all situations. There are some things in it that do not like. I do not believe that the single Member of this House or even the subcommittee agrees with everything in the bill. But certainly this bill, if enacted into law, represents an enormous forward step and a great improvement over the hodge­podge of immigration legislation which has grown up since the last comprehen­sive revision. It does remove a good many injustices that presently exist, al­though one cannot say that it does per­fect justice to every needy and deserving person.

One of the most important and signifi­cant advances and the one in which I
am most interested, of course, is the inclusion of the provisions of my bill to remove race from the wording of our immigration and naturalization laws, while preserving the basic national origins principle. I have been working for 9 1/2 years, since I first entered Congress, to try to get along decent legislation taken. My bill was passed twice by the House of Representatives, once in the Eighty-first Congress and again in the Eighty-first Congress, but each time it was stymied in the other body because of reason or another.

I was in Asia during the twenties and thirties and saw the devastating effects on its people and on ourselves, of the Racial Exclusion Act of 1924. I am convinced that when history is written it will be recognized that perhaps the single biggest factor causing Japan to turn away from her original desire and tendency to go along in friendship and harmony with the United States and other Western Powers, was the passage of that act. We stigmatized the wrong people to deal with the problems which admission of large numbers of cheap Oriental labor inevitably created. That act turned Japan over and made it an enemy of the Big Three and the militarists who were trying to develop a race war of the colored peoples of the earth against the white peoples as a means of gaining world power for themselves. It led to the loss of thousands of American lives and to disturbances in Asia which are still costing us and will continue to cost us dearly in blood and in dollars we have to give.

During all the intervening years I have felt that no greater contribution to developing good will on a long-term basis between the east and west could be made than by removing that insult to the people of Asia because of their race—an insult which had no possible justification and no benefit to ourselves. I am certain we will not have secure relations with Asia as long as we leave the stigma in our laws is removed.

I am deeply grateful that this omnibus bill today contains in one place or another all the provisions of my bill. H. R. 199, to remove racial discrimination from both our immigration laws and our naturalization laws.

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

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

Mr. JAVITTS. Does not the gentleman believe it is unjust to limit the quota as we did in the Caribbean and to antagonize those colored people?

Mr. JUDD. No; I do not think that it is unjust in principle. I recognize it is unfair to those individuals who might otherwise be able to enter our country from colonies under quota numbers of the mother country.

They have been able to come in through an exception to the basic national origins principle that underlies our immigration policy. The bill is not, however, unjust to them when it extends to them the same principle that already applies to others.

When I worked here in 1943 to get a quota for the Chinese whose help and loyalty and understanding we needed during the war, and then when we made Filipinos and natives of India eligible about 1946, it was only a beginning. Little by little you will chip away our immigration barriers. These are the camel's nose under the tent, and once we take it away we tear down our immigration laws and our country will be thrown wide open to immigration from countries with cultures and standards widely different from those on which this Nation was built. This will be rather the opposite of something. I said, "I will resist efforts to do that." And to remove racial discrimination from our immigration laws does not destroy them; it improves them. It does not abandon the principles on which they are based; it merely extends them to people now wholly excluded because of race.

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

Mr. JUDD. I have only a little time; but I must yield to the gentleman from New York, the chairman of the committee who has been unfailingly considerate to me.

Mr. Celler. Does not the gentleman think it is in part discriminatory, if we are interested in our interests in Asia, that want to come into this country, or you will take all the Uruguayans that want to come into this country, or all the Puerto Ricans that want to come into this country, but when it comes to the Islanders such as those that live on Guadeloupe and Jamaica, you say, "No," and you limit the quota for all of them to 100?

Mr. JUDD. The islands you mention are not on all fours with Uruguay and Brazil which are independent countries; or with Puerto Rico which is a Territory of the United States. Jamaica is a colony of Great Britain. Why should it as a colony be in a more favored position than the Dominions? Australia and New Zealand each has only the minimum notation of 100 a year. But Jamaica can now use several thousand quota numbers a year that belong to Great Britain. This bill gives minimum quotas that get back ideas that I shall tell the Jamaicans on the same basis as the other peoples in the world except independent countries in the Western Hemisphere. Jamaica has had a position of special privilege because it had access to the largest quota of all, that of Great Britain.

So, while there is a sense in which the bill is hard on them, and I am sure it will seem to them unfair, yet the fact is that it does not discriminate against them; rather it merely takes away a special privilege they have had as compared to other peoples. The bill does establish equity and justice in our immigration laws as far as race is concerned, which we have never had since the beginning, or at least not since the 1924 act.

The bill removes race from the naturalization laws by providing the privilege of becoming a naturalized citizen of the United States "shall not be denied or abridged on account of race." Eligibility would not be on the basis of race as at present. It would be on the basis of the individual human being. If he can qualify intellectually, physically, morally and financially and obtains a quota number which the bill makes available to each country and colony and a separate quota of 100 for the Asia-Pacific triangle to take care of the persons of mixed bloods in Asia, then he is eligible to be admitted as an immigrant and in due course to be naturalized regardless of his race. That is the way it ought to be. It makes clear that we believe in the principles of equality and freedom which we are always talking about. Yet if every quota number made available in the bill to Asian countries were used by persons of Asian ancestry, it would be only 1,485 additional such persons in a year. What an insignificant price, if it is a price, to pay for such benefits.

Half the people of the world live in Asia. Half the potential producers, half the potential consumers of the world, whose good will and friendship we are going to need in the years ahead.

Miss Thompson of Michigan. Mr. Chairman, I am a new member of this committee, and I do not feel as well informed as the other members of the committee. However, I have worked with the chairman long enough to know that he has the confidence of every member of the committee. I believe this is a good bill, and I hope it will be passed.

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

Mr. JUDD. I yield to the gentleman from Michigan.

Mr. MEADER. Mr. Chairman, I would simply like to have the record complete. When we get back into the House I shall ask permission to include in my remarks a letter which will settle any doubt about the authority of the witness who appeared before the committee handling this bill to speak for the American Bar Association.

I call attention to page 4415 of the Record, which should be corrected to show the authority of Mr. Wasserman, who appeared on behalf of the administrative law section of the American Bar Association to present the bar's position on the same subject on which I addressed the House yesterday, namely, the preservation of the right of judicial review of administrative decisions.

Mr. Celler. Will the gentleman also include the seven objections the American Bar Association that were addressed to the bill itself? I think that is attached to the gentleman's letter.

Mr. MEADER. Apparently a telegram was sent to each member of the Judiciary Committee.

Mr. Celler. Will the gentleman put that in the Record at that point?
Mr. MEADER. I will put that in the Record also.

AMERICAN BAR ASSOCIATION,
SECTION OF ADMINISTRATIVE LAW, 1950-51,
March 19, 1951.

Jack Wasserman,
Chairman, Committee on Immigration and Naturalization,
Washington, D. C.

(Appearance of Jack Wasserman on behalf of the American Bar Association and its section of administrative law in opposition to certain provisions of S. 716 and H. R. 2379.)

DEAR MR. WASSERMAN: This letter will confirm that there has been delegated to you, pursuant to the instructions of the House of Delegates of the American Bar Association upon the administrative law section, and by the section upon its chairman of the national committee, authority to represent the American Bar Association and its administrative law section in connection with the hearings on S. 716 and H. R. 2379, Eighty-second Congress, first session.

As you are aware, the section unanimously expressed its disapproval of the provisions of S. 3:5:3 of the Eighty-first Congress, second session, of the rider in the supplemental appropriation act, 1951 (act of September 27, 1950, c. 1052, Pub. 843), by which deportation proceedings are specifically exempted from the provisions of the Administrative Procedure Act. The section has directed its officers and the council to take all appropriate action feasible to bring about repeal of the provision.

The House of delegates of the American Bar Association has expressed its disapproval of specific exemptions of the Administrative Procedure Act at its midwinter meeting in 1950, and directed the administrative law section of the association to seek other means, including appearances before legislative committees (1) to preserve the gains made by the adoption of the Administrative Procedure Act as the law of the land, (2) to develop and seek the adoption of improvements thereof as well as additional measures to like purposes, and (3) to procure the assistance of officers, units, and matters of the association as well as the cooperation of those of State and local bar associations. Accordingly, the association is opposed to the specific or general exemptions from the Administrative Procedure Act in any of the bills pending before the Subcommittee on Immigration and Naturalization.

To the extent you find it advisable or necessary, you are authorized to use this letter as showing your authority to represent the American Bar Association and its administrative law section in connection with its objectives herein set forth.

Very truly yours,

John W. Cragin,
Chairman, National Committee, Administrative Law Section, American Bar Association.

I am informed that the following message was sent to members of the Judiciary Committee with reference to H. R. 5678:

We respectfully submit the following amendments to H. R. 5678. First amendment sec. 242b to provide for trials examiner appointed under section 11, Administrative Procedure Act, to review deportation law as set by Supreme Court in In re case. Second, amend 242a to maintain present authority of committees to decertify of bills. Amend 242f to retain present right of hearing before deportation to alien previously deported. Fourth, amend 252 so as to maintain present right of extension of denial of citizenship to hearing before deportation. Fifth, revise 380 to preserve the present satisfactory procedure for the declaration of nationality. Sixth, delete 243 providing for cancellation of certificates of citizenship with its unconstitutionally inadequate provisions for notice. Seventh, amend 940b insofar as it permits an affidavit without any showing that personal notice cannot be made. We urge these amendments in the belief that real aliens, naturalized citizens, and citizens generally wherever they may momentarily be are entitled to the protection of fair procedure as established by the Constitution and the Administrative Procedure Act.

IMMIGRATION COMMITTEE OF ADMINISTRATIVE LAW SECTION, AMERICAN BAR ASSOCIATION.

Mr. ROOSEVELT. I just want to correct the record also. I have received the following communication from Mr. James Carey, secretary-treasurer of the CIO, that Mr. Nathan Cowan, CIO legislative director, who testified in opposition to the McCarran-Walter bill, definitely represents the position of the CIO and all affiliated organizations that have had an opportunity to express themselves on this misguided proposal.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts (M. Kennedy).

Mr. Kennedy. Mr. Chairman, I am today voting for the motion to recommit the so-called Walter immigration bill, H. R. 5678.

My opposition to this bill is based on my belief that the Walter bill, in some of its provisions, restricts rather than liberalizes our immigration system. There were many amendments proposed in the past 2 days that might, had they been accepted, resulted in a sufficiently equitable bill. They were, unfortunately, rejected by the House.

Although the reasons for my opposition to the Walter bill are numerous, there are a few specific provisions of the bill which I oppose especially. They include:

First. The fact that the Walter bill bases its quota allotments on 1920 census data. Obviously, if we are to achieve the desired modernization of our immigration system, we must use as a base for today's census, as provided for in the Humphrey-Lehman and Roosevelt bills.

Second. The fact that the Walter bill makes no provision for the utilization by low-quota countries of the plentiful number of unused quotas of other countries like Great Britain and the Scandinavian countries.

Third. The continued restrictions of the Walter bill on immigration from the southern and eastern European countries. Italy, for example, with its entire population concentrated in an area no larger than the State of California, can hope for no appreciable help from the Walter bill in solving its chief problem today.

Fourth. The fact that the Walter bill changes immigration quotas for Jamaica and other Caribbean colonies from the never-filled United Kingdom quota of 65,721, to a special quota of 100 for each such colony—thus, drastically restricting immigration from this area.

In voting for the recommittal of the Walter bill I do so in the hope that the Subcommittee with reference to H. R. 5678, a bill more in line with the Humphrey-Lehman, Roosevelt bills.
part of God's earth. There is no divine restriction on migration, no divine divi-
sion of the earth into racial or religious areas. We, therefore, in exercising the
privilege accorded to us as citizens of a
sovereign nation must be very careful to
be fair and just. Obviously, to preserve
opportunity, freedom, and orderliness, we
must regulate immigration, but we
also must not be unmindful of the great
values implicit in our great commitment
to our partnership for democracy and
defense of our way of life. We need
more Americans to share the great task
of leading the peoples of the world out
from under the threatening shadows of
totalitarianism. I am disappointed that
the pending bill does not change the law
so as to permit us to open our doors to
those who sincerely desire to
adopt our way of life and help us defend
and perpetuate it.

The CHAIRMAN. The Chair recognizes
the gentleman from Ohio (Mr. Jenkins).

Mr. JENKINS. Mr. Chairman, I join
most heartily with the other Members
of this House in complimenting those
who have been responsible for this legis-
lation that has engrossed the attention
of the House for the past two or three
days. The fact that every amendment
offered that was not approved by those
in charge of this legislation has been
defeated is a great compliment not only
to the ability, but to the fairness of
those in charge of the bill. The past
day or two has been reminiscent of the
days of 20 years ago when the wishes of
the Members was to keep away from our
shores the thousands of undesirables
just as it is their wish now, while there
was a small group who were then as
now willing to lower the bars and admit
almost anybody just so more of their
own kind could come in without let or
hindrance.

I think the records will show
that the group of people that has com-
plained the most against our immigra-
tion laws has profited more from our
immigration system than any other
group.

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

Mr. JENKINS. I yield.

Mr. CELLER. If I may correct the
gentleman, there were a number of
amendments accepted. A number of
amendments prevailed.

Mr. JENKINS. I meant no amend-
ments offered were adopted by the House
except those which were acceptable to
the committee.

Mr. Chairman, a year or two ago one
of the able Members of the Senate put
out a statement which I think is very
significant and very applicable to the
matter under discussion. This is in sub-
stance what he said. In reference to the
indiscriminate entry of aliens it should be
remembered that the Attorney Gen-
eral of the United States recently stated
that an analysis of 4,384 of the more
militant members of the Communist
Party in the United States showed that
91.4 percent of the total were of foreign
stock or were married to persons of for-
eign stock.

I admit that many of our finest citi-
zens are persons who came to our land
as immigrants. But I have observed
that a great percentage of our lawless
and communically inclined persons are
of alien stock.

When our country was young, immi-
gration brought us almost exclusively
Europeans whose ideals were of those
of western Christian civilization; these
people were instrumental in subduing
and settling our frontiers; they wished
to conform to rather than modify or
supplant the body of traditions and
ideals summed up in the word America.

From about 1880, our immigration
shifted sharply to include millions of
persons from southern and eastern Eu-
rope. Most of these people were
sincere and non-Christians who came to
our land as immigrants. But I have observed
that many of these persons from southern and eastern Eu-
rope were of foreign stock.

Those of us who believe in keeping
out of our country all undesirables and
in admitting only the number that we
can assimilate into our body politic we
should be more inclined to listen to the
immigration officials who are trying to
do their duty than to the people who
are advocating the admission of all
classes of people without regard to
morals, health, patriotism, or national
welfare. Likewise, we should not be too
anxious to admit those groups that are
constantly protesting and claiming un-
fair of foreign stock. I will say that
for 7 years, from 1937 to 1943, these
groups produced from 25 to 77 percent
of our total immigration. Again I say
we should listen to the officials.

The CHAIRMAN. The Chair recog-
nizes the gentleman from Wisconsin
(Mr. Zablocki).

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

The Clerk read as follows:
Amendment offered by Mr. Zablocki: On
page 69, delete section 244 and substitute
therefor the following:

"Sec. 244. (a) As hereinafter prescribed in
this section, the Attorney General may, in
his discretion, suspend deportation and ad-
mit to the alien's spouse, parent, or child who is a citizen
or an alien lawfully admitted for permanent residence,
in the case of an alien who—

"(1) is deportable under paragraph (1)
of section 241 (a) as a person who
has not been registered under this
section, the Attorney General does not relate to criminals, prostitutes or
other immoral persons, subversives, violators of narcotics laws,
and similar classes or under paragraph (2)
of section 241 (a), as a person who
entered the United States without inspection or at a
time or place other than as designated by
the Attorney General, who has not
engaged in enforcing immigration laws when
prevented from doing so by insufficient
personnel and is not within the provisions
of paragraph (3) of this subsection; and

(A) has been physically present in the
United States for a continuous period of not
less than 10 years after such entry and
immedi-
ately preceding his application under this
paragraph and proves that, for all of such
period he has been and is a person of good
moral character, or (B) is a person whose
depor-
tation would result in serious detriment to
himself, or (B) establishes that his depor-
tation would result in serious detriment to
his spouse, parent, or child who is a citizen
or an alien lawfully admitted for permanent
residence; or

"(2) is deportable under paragraph (2)
of section 241 (a) as a person who has remained
longer in the United States than the period
for which he was admitted, or paragraph (4),
(5), (6), (7), (11), or (12) of section 241 (a)
for an act committed or status acquired sub-
sequent to admission to the United States;
and (A) has been physically present in the
United States for a continuous period of not
less than 10 years following the
commission of an act, or the assumption of a
status, constituting a ground for depar-
tation, and proves that during all of such
period he has been and is a person of good
moral character, or (B) is a person whose
deporation would result in serious detri-
ment to the alien's spouse, parent, or child,
who is a citizen or an alien lawfully admitted
for permanent residence;

"(b) Upon application by any alien who
is found by the Attorney General to meet the
requirements of subsection (a) of this sec-
tion, the Attorney General may in his
discretion suspend deportation of that alien.
If the deportation of any alien is suspended
under the provisions of this subsection, a
complete and detailed statement of the facts
and pertinent provisions of law in the case
shall be reported to the Congress with the
reasons for such suspension. Such reports
shall be submitted on the first and fifteenth
day of each calendar month in which Con-
gress is in session. If during the session of
the Congress at which a case is reported, or
if a case is reported less than 30 days prior
to the close of the session, then during the
session of the Congress the Speaker of the House
passes a resolution stating in substance that
such House does not favor the suspension of
such deportation, the Attorney General shall
thereupon deport such alien in the manner
provided by law. If during the session of the
Congress at which a case is reported, or
If a case is reported less than 30 days prior to the next session of the Congress, then under the rule the previous question on the motion to recommit the bill has no provision for the man who has been here 20 or more years, who has no family, but would endure personal hardship if deported. A requirement of hardship should be sufficient whether it be to the alien or to his family. Then, where an alien has a citizen child dependent upon him, or a resident spouse who is in need of his support and companionship, he should be entitled to seek relief by way of suspension regardless of the length of his stay here, if he establishes that he is a person of good moral character. Proof that his deportation would result in serious detriment—rather than exceptional and extremely unusual hardship—should be sufficient.

In addition, as proposed to the House, the bill has no provision for the man who has been here 20 or more years, who has no family, but would endure personal hardship if deported. A requirement of hardship should be sufficient whether it be to the alien or to his family. Then, where an alien has a citizen child dependent upon him, or a resident spouse who is in need of his support and companionship, he should be entitled to seek relief by way of suspension regardless of the length of his stay here, if he establishes that he is a person of good moral character. Proof that his deportation would result in serious detriment to his family should, as under existing law, be in itself sufficient grounds for eligibility to suspension.

We should favor reuniting families—keeping them together rather than disrupting them. Most civilized countries do just that. The provisions of section 244 will, if enacted, create more hardship cases than they will solve.

The amendment which I am proposing would substitute humane and reasonable requirements for those which are, in my considered judgment, drastically restrictive, unworkable, and seriously detrimental to family unity and have tragic implications for familyless aliens who have established proof of their good moral character and who have become thoroughly assimilated through long-term residence.

Since the temper of the House is obvious, I ask unanimous consent to revise and extend my remarks and withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The balance of the time will be allotted to the committee.

The gentleman from New York [Mr. CELLER] is recognized, if he desires to use any further time.

Mr. CELLER. I yield back the remainder of the time, Mr. Chairman.

The CHAIRMAN. Are there any further amendments?

If there are no further amendments, under the rule the Committee will rise.

Accordingly the Committee rose; and the Speaker having assumed the chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, by and with the advice and consent of the Senate, had revised the laws relating to immigration, naturalization, and nationality; and for other purposes, pursuant to House Resolution 354, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

CALL OF THE HOUSE

Mr. LANHAM. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 63]

The SPEAKER. On this roll call 332 Members have answered to their names, a quorum.

REVISION OF LAWS RELATING TO IMMIGRATION, NATURALIZATION, AND NATIONALITY

The SPEAKER. The question is on the amendments. The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. KEATING. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The gentleman opposed to the bill?

Mr. KEATING. Yes, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. KEATING moves to recommit the bill H. R. 5676 to the Committee on the Judiciary for further study.

Mr. WALTER. Mr. Speaker, I move the previous question on the motion to recommit.
The SPEAKER. Without objection, the previous question is ordered.

Mr. ROOSEVELT. I object, Mr. Speaker.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. JAVITS. Mr. Speaker, I demand the yeas and nays.

Mr. Speaker, I demand the yeas and nays on the motion to recommit.

The yeas and nays were refused.

Mr. POWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. POWELL. If a Member desires to demand a reading of the engrossed copy, that means we will have to stay over until tomorrow?

The SPEAKER. It is too late for that now. The previous question has already been ordered on the motion to recommit.

The question was taken; and on a division (demanded by Mr. JAVITS) there were—ayes 62, noes 195.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. JAVITS. On that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

The question was taken; and on a division (demanded by Mr. POWELL) there were—ayes 205, noes 68.

So the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that Members may have five legislative days to extend their remarks in the Recess on the bill just passed.

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

There was no objection.

SPECIAL ORDER GRANTED

Mr. SMITH of Mississippi asked and was given permission to address the House for 30 minutes on Tuesday next, following any special orders heretofore entered.

ADJOURNMENT OVER

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

CHEESE IMPORT RESTRICTIONS THWART AMERICAN CONSUMERS AND IMPEDE FIGHT AGAINST COMMUNISM

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House and to revise and extend my remarks at this point in the Recess.

The SPEAKER. Is there objection to the motion of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, one of the ironical aspects of section 104 of the Defense Production Act is the fact that by its language it tries to justify cheese restrictions in the name of our national defense. As a matter of fact, there is no threat to our national defense and these cheese restrictions.

Let me point out the relation.

In southern Italy widespread poverty and unemployment has created easy pickings for Communist organizers. Before section 104 was enacted, one of the bright spots in the economy of southern Italy was a growing export trade in cheese. Pecorino, romano, and the other pungent cheeses of the area were coming to the United States in growing volume, giving employment to southern Italy, giving dollars to the Italian economy, giving some new taste sensations to the American consumer. Section 104 put the lid on this development and handed the local Communist agitators the finest propaganda plum of the year. They have not been slow in seizing this opportunity. Furthermore, as we have been closing our market, the Soviets have been purchasing, with obvious propaganda efforts, substantial quantities of products such as lemons, oranges, and almonds which are produced in this same area.

Politically and economically, Italy has been weakened as a result of section 104 and our collective security, of which Italy is an important link, has been badly damaged.

The SPEAKER. Under previous order of the House, the gentleman from Minnesota (Mr. August H. Anderson) is recognized for 10 minutes.

DR. FRANCES DENSMORE

Mr. AUGUST H. ANDRESEN. Mr. Speaker, it is with considerable pride that I am addressing my colleagues in the House of Representatives today and for a few moments to honor a famous American Indian. Dr. Densmore's contribution to our knowledge of the American Indian's music has been given to songs used in the Chippewa Indians at Grand Portage, Minn., on the north shore of Lake Superior, in 1905. Other trips were made to Indians in Minnesota at her own expense, and in 1907 the Bureau of American Ethnology allotted a small sum for the furtherance of her work. This sum was used primarily for recording equipment with which Dr. Densmore returned to the Indians to record their songs. As the result of her first successful field recording trip, aided funds were allotted and her work for the Bureau developed. From the northern plains, the high plateau of Utah, the low desert of Arizona, the region of the Colorado River, the northern part of Washington and thence into British Columbia. There she sought the Indians of Texas, Louisiana, and Mississippi, with three trips to the Seminole in Florida.

All her recording of Indian songs was done with a portable cylinder equipment, at first having a spring motor and later with storage electric battery. The result of her work for the Bureau of American Ethnology is designated as the Smithsonian-Densmore Collection of Indian Song Recordings. The catalog of this collection contains about 2,400 songs, all of which have been transcribed in musical notation. Several hundred other transcribed recordings are preserved elsewhere, and she has recorded a large number of these which have not been transcribed but not transcribed. The songs include those of ceremonies, war, games, dances, and other customs. Special attention has been given to songs in the treatment of the sick, and to songs of the Sun dance, the Ghost dance and the Peyote Cult. Some of the recorded songs are known to be about 200 years old.
Throughout this work the singers have been carefully selected and only the most reliable informants and interpreters have been employed.

The establishment of field collecting is increased in importance when we pause to think that without her effort the great majority of these songs would have passed unnoticed. Many are forgotten among the Indians themselves, and the older singers are in most cases, long since dead. But these songs still live as part of the American heritage, preserved in sound on disks to which they have been transferred from the cylinders at the Library of Congress. For this work alone Dr. Densmore deserves to be honored.

Having gathered the songs in the field, however, Dr. Densmore then worked to prepare the material for permanent preservation in book form. Her monographic work issued by the Bureau of American Ethnology are, to date, the definitive works in the field. They include the transcription of the words and music from cylinder disks, as well as musical studies of the customs and traditions surrounding the use of the music. They are, in other words, a record of Indian life and a notable aid to our understanding of the American Indian.

In addition to recording songs, Dr. Densmore has collected hundreds of specimens of musical instruments and other articles connected with the native life. Her largest collection is in the National Museum, but a notable collection is also in the Museum of the American Indian in New York, which published her brochure A Collection of Specimens From the Teton Sioux.

Mention should also be made of her expert photography in portrayals of Indian life and a notable aid to our understanding of the American Indian.

Dr. Densmore's monographs include the following: Two volumes on Chippewa Music; Teton Sioux Music; Northern Ute Music; Hidatsa Music; Pawnee Music; Menominee Music; Yuman and Yaqui Music; Cheyenne and Arapaho Music; Music of San­to Domingo Pueblo, New Mexico; Nootka and Kwakiutl; and Chippewa Music. Others await publication. Outside of our own country, as stated, Dr. Densmore made a study of the music of the Indians of British Columbia. She also, apart from these specialized tribal studies, issued a general volume dealing with The American Indians and Their Music, as well as a book on Indian Action Songs. Beyond these studies of American Indian music, Dr. Densmore also issued volumes on Chippewa Customs; the Uses of Plants by the Chippewa Indians; Flora and Fauna of Sioux and Chippewa Songs; and A Handbook of the Collection of Musical Instruments in the United States National Museum. Her scholarly and popular magazine articles also appear to mention here. I call attention to the fact that they are all included in a bibliography of Dr. Densmore's writings to 1946 which was published by the Journal of Musicology. During this activity for the Bureau of Ethnology Dr. Densmore undertook special projects which included a survey of the music of the Indians in the Gulf States for the National Research Council in 1932 and 1933; research on Indian music for the Southwest Museum from 1935 to 1937; and a survey of the Indians in Michigan for the University of Michigan, while the Library of Congress, under her consultancy work from her home in Red Wing, Minn.

In order to duplicate the vast collection of records of Indian music needed not only to purchase new equipment but had as well to construct special machines for playing both cylinders and disks. Once the equipment was ready the cylinders were copied onto two sets of 16-inch disks, one set being forwarded to Dr. Densmore and the second set retained at the Library of Congress. From her set Dr. Densmore has selected the most representative songs in each tribe and arranged them in a series of 10 units. For each she wrote a descriptive pamphlet, the order of these units being practically the same as that of the publication of the songs by the Bureau of Ethnology. These are to be available to the public, and four of them have already been issued by the Library of Congress in the form of a record-playing machine. The four which have been issued are Songs of the Sioux; Songs of the Umatilla and Yaqui; Songs of the Yuma; and Songs of the Pawnee and Northern Cheyenne.

The record producer of the Library of Congress has had in musical and anthropological circles the reception which these records have had in musical and anthropological circles indicates clearly that the time and effort expended upon their initial preservation and subsequent manufacture has been well worth while. Favorable reviews of them have appeared in the Saturday Review of Literature, the New York Times, and American Heritage, also in the San Francisco Chronicle and other magazines and newspapers, as well as journals in the field of anthropology and folklore. Dr. Willard Rhoades, of the music department of Columbia University, also an authority on Indian music, describes the recordings as an extraordinarily valuable collection per se and for purposes of comparison with other studies of Indian music. Dr. Duncan Emrich, Chief of the Folklore Section of the Library of Congress, states that there is no way of measuring the historical value of these recordings; they are unique and irreplaceable. Dr. Harold Spivacke, Chief of the Music Division of the Library of Congress, indicates that they are one of the great treasures in the recorded collection of the Library of Congress, constituting a most important addition to our knowledge of musical America.

There can be no question that Dr. Frances Densmore's work belongs to the ages. And fortunately for the ages to come, her work has culminated in these very fine and wonderful sound recordings which will make it possible for students in the generations ahead to hear and know the true music of the American Indian. It gives me great pride and pleasure at this time to honor her in the Halls of Congress this great American and eminent scholar, Dr. Frances Densmore, of Red Wing, Minn.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the


CONGRESSIONAL RECORD — SENATE

April 28

Record, or to revise and extend remarks, was granted to:
Mr. FALCON.
Mr. SMITH of Wisconsin and to include a letter.
Mr. SADLAK and to include a resolution.
Mr. AUCTIONESS and to include a speech and a newspaper editorial.
Mr. MURPHY and to include extraneous matter in the remarks made by him in Committee of the Whole.
Mr. POWELL and to include extraneous matter in remarks made by him in Committee of the Whole.
Mr. COLE of New York and to include a letter.
Mr. WIGGLESWORTH with reference to the public debt and to include certain tabular matter received from the Bureau of the Budget.
Mrs. Rugg of Massachusetts and to include a speech made by General Vandenberg at Lexington on April 19.
Mr. HUNTER.
Mr. SCOTT and to include an editorial.
Mr. BUDGE and to include extraneous matter.
Mr. VAN ZANDT in two instances.
Mr. POAGE.
Mr. ELLIOTT in two instances and to include extraneous matter.
Mr. PRICE and to include extraneous matter.
Mr. RANKIN and to insert in the remarks made today in Committee of the Whole excerpts from the Record.
Mr. ROONEY and to include an editorial.
Mr. MOULDER and to include an editorial from the Kansas City Star.

SENATE ENROLLED BILL SIGNED
The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:
S. J. Res. 144. Joint resolution to give the Secretary of Commerce the authority to extend further certain charters of vessels to citizens of the Republic of the Philippines, and for other purposes.

ADJOURNMENT
Mr. MCCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly, (at 2 o'clock and 27 minutes p. m.), under its previous order, the House adjourned until Monday, April 28, 1952, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS
Under clause 2 of rule XXIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:
Mr. HOLMES: Committee on Ways and Means. House Joint Resolution 422. Joint resolution to provide for publication in English of international agreements and proceedings from foreign countries for the purpose of exhibition at the Washington State-Far East International Trade Fair, Seattle, Wash., to be admitted without payment of tariff, and for other purposes; without amendment (Rept. No. 1810). Referred to the Committee of the Whole House on the State of the Union.
Mr. DAWSON: Committee on Expenditures in the Executive Departments. Report of the Committee on Expenditures in the Executive Departments relating to the intermediate report of the Committee on Expenditures in the Executive Departments, an inquiry into the procurement of automotive spare parts by the United States Government (Rept. No. 1811). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS
Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:
By Mr. BERRY:
H. R. 7592. A bill to authorize the negotiation and ratification of certain settlement contracts with the Sioux Indians of Lower Brule Reservation and Crow Creek Reservation in South Dakota for Indian lands and for the purchase of the United States for the Fort Randall Dam and Reservoir, Missouri River development, and for other related purposes; to the Committee on Interior and Insular Affairs.

By Mr. DINGELL:
H. R. 7584. A bill to amend the Tariff Act of 1930, to the Committee on Ways and Means.
H. R. 7585. A bill to amend the Tariff Act of 1930, to the Committee on Ways and Means.

By Mr. HAVENNER:
H. R. 7596. A bill to authorize additional appropriations for the lower San Joaquin River project; to the Committee on Public Works.

By Mr. HOFFMAN of Michigan:
H. R. 7598. A bill to promote confidence in Presidential statements; to the Committee on Expenditures in the Executive Departments.

By Mr. JOHNSON:
H. R. 7597. A bill to authorize additional appropriations for the lower San Joaquin River project; to the Committee on Public Works.

By Mrs. KEES:
H. R. 7598. A bill to amend section 25 (b) (3) of the Internal Revenue Code, relating to the definition of dependent; to the Committee on Ways and Means.

By Mr. SIMPSON of Pennsylvania:
H. R. 7599. A bill to amend the Internal Revenue Code with respect to the time for filing individual income-tax returns and for other purposes; to the Committee on Ways and Means.

By Mr. ANFUSO:
H. R. 7800. A bill to amend the Federal Alcohol Administration Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. MORANO:
H. Con. Res. 212. Concurrent resolution to express the sense of the Congress with respect to the holding of a plebiscite in the Free Territory of Trieste; to the Committee on Foreign Affairs.

By Mr. HOFFMAN of Michigan:
H. Res. 612. Resolution to ascertain the reason for the making of inaccurate statements by the President of the United States; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS
Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:
By Mr. FARRINGTON:
H. R. 7601. A bill for the relief of Gustav Peter Su'a, Getile Gertrude Su'a, and Christoph Su'a; to the Committee on the Judiciary.

H. R. 7602. A bill for the relief of the estate of L. L. McCandless, deceased; to the Committee on the Judiciary.

By Mr. KING of California:
H. R. 7604. A bill for the relief of Michio Sasaki; to the Committee on the Judiciary.

By Mr. SADLAK:
H. R. 7605. A bill for the relief of Mrs. Rose Kaczynska; to the Committee on the Judiciary.

By Mr. WALTER:
H. R. 7606. A bill for the relief of Alex Harfenist; to the Committee on the Judiciary.

SENATE

MONDAY, APRIL 28, 1952
(Provisional day of Thursday, April 24, 1952)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God our Father, whom we seek in all our need and through all the mystery and perplexity of life; without whom we cannot live bravely or well: Show us Thy will for our individual lives in all the maze of paths our uncertain feet may take. And, as we draw nearer to Thee now in prayer, do Thou graciously draw near unto us until, at the beginning of another week's demanding tasks, we become more sure of Thee than of midday light. Come to us in the common life that entangles us, meet us in the thorny questions which confront us, and, though the hope of world-wide brotherhood often seems forlorn, may we be found ready to lead it. Without stumbling and without stain may we follow the gleam until the day is ended and our work is done. In the dear Redeemer's name. Amen.

THE JOURNAL
On request of Mr. McFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 24, 1952, was dispensed with.

MESSAGES FROM THE PRESIDENT
Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE
A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 5678) to revise the laws relating to immigration, naturalization, and nationality, and for other purposes, in which it requested the concurrence of the Senate.