H. J. Res. 116. An act to correct technical errors in the act approved August 13, 1946 (Public Law 729, 79th Cong., 2d sess.).

ADJOURNMENT

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

The motion was agreed to; accordingly (at 6 o'clock and 4 minutes p. m.) the House, under its previous order, adjourned until tomorrow, Friday, May 9, 1947, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

663. A letter from the Chief Clerk, Court of Claims of the United States, transmitting a certified copy of the special findings of fact, conclusion of law, and opinion of the court in a case that was decided May 5, 1947; to the Committee on the Judiciary.

664. A letter from the Administrator, Veterans' Administration, transmitting a draft of a proposed joint resolution authorizing the Administrator of Veterans' Affairs to continue and establish offices in the territory of the Republic of the Philippines; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FELLOWS: Committee on the Judiciary. H. R. 436. A bill for the relief of Roger Edgar Lapierre; without amendment (Rept. No. 339). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. FARRINGTON:

H. R. 3376. A bill to ratify and confirm Act 10 of the Session Laws of Hawaii, 1947, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945; to the Committee on Public Lands.

H. R. 3377. A bill to amend section 73 of the Organic Act of Hawaii, relating to opening of agricultural lands for settlement; to the Committee on Public Lands.

By Mr. SMATHERS:

H. R. 3378. A bill relating to the completion of Everglades National Park in the State of Florida, and for other purposes; to the Committee on Public Lands.

H. R. 3379. A bill to amend the National Motor Vehicle Theft Act to include embezzled vehicles and aircraft; to the Committee on the Judiciary.

By Mr. BECKWORTH:

H. R. 3380. A bill relating to the computation of Federal grants to States for old-age assistance; to the Committee on Ways and Means.

By Mr. DEVITT:

H. R. 3381. A bill to amend parts VII and VIII of Veterans Regulation No. 1 (a) to extend the educational benefits granted therein to veterans of World War II to the widows and children of such veterans, and for other purposes; to the Committee on Veterans' Affairs.

H. R. 3382. A bill to amend part VII of Veterans Regulation No. 1 (a) to remove the obligation of employers in certain on-the-job training programs of reporting payments of overtime salaries or wages to veteran trainees; to the Committee on Veterans' Affairs.

By Mr. FALLON:

H. R. 3383. A bill for the payment of claims of the Fidelity Trust Co., of Baltimore, Md., and others, covered by findings of fact made by the United States Court of Claims, dated June 5, 1944, and contained in Senate Document No. 229, Seventy-eighth Congress, second session; to the Committee on the Judiciary.

By Mr. POULSON:

H. R. 3384. A bill to provide for regulation of certain insurance rates in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H. R. 3385. A bill relative to the promotion and pay of retired Army officers; to the Committee on Armed Services.

H. R. 3386. A bill relative to the promotion and pay of retired Army officers; to the Committee on Armed Services.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Oklahoma, memorializing the President and the Congress of the United States to enact H. R. 149, a bill relative to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma; to the Committee on Public Lands.

Also, memorial of the Legislature of the Territory of Puerto Rico, memorializing the President and the Congress of the United States to enact H. R. 2180, a bill which extends to Puerto Rico the benefits of the Reclamation Act; to the Committee on Public Lands.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to amend the housing laws in such manner as to allow the occupancy of housing units by families other than distressed families of servicemen and veterans with families to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. COLE of Missouri:

H. R. 3387. A bill for the relief of Bruce Bros. Grain Co.; to the Committee on the Judiciary.

By Mr. JACKSON of California:

H. R. 3388. A bill for the relief of John A. Hogg and Mrs. Leona Pearl Hogg; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 3389. A bill for the relief of Benedict Kleitsch; to the Committee on the Judiciary.

By Mr. SMATHERS:

H. R. 3390. A bill to provide that the name of Fred S. Knisley be added to the emergency officers' retired list of the Army of the United States; to the Committee on Veterans' Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

469. By Mr. BUFFETT: Petition of 33 citizens of Unadilla, Dunbar, and Syracuse, Nebr., urging favorable consideration and support of S. 265, a bill to prevent the interstate transmission of advertising of all alcoholic beverages and the broadcasting of such advertising by means of radio; to the Committee on Interstate and Foreign Commerce.

470. By Mr. CASE of South Dakota: Petition of Mr. R. A. Sjobery, secretary, Federated Shop Crafts, Aberdeen, S. Dak., and 151 other signers requesting support to defeat H. R. 2169 and H. R. 2310, which propose to amend the so-called Crosser amendments; to the Committee on Interstate and Foreign Commerce.

471. By Mrs. NORTON: Petition of South Jersey Association of Water Superintendents, urging a restoration of the authorization for the United States Geological Survey to do ground-water work and that adequate funds be appropriated for such work; to the Committee on Appropriations.

472. By Mr. TOWE: Petition of the Englewood Zionist District, Englewood, N. J., relative to the Palestine question; to the Committee on Foreign Affairs.

473. By the SPEAKER: Petition of a New Haven emergency committee for displaced persons, petitioning consideration of their resolution with reference to endorsement of H. R. 2910, the Stratton bill; to the Committee on the Judiciary.

474. Also, petition of the Board of Commissioners of the City of Bayonne, N. J., petitioning consideration of their resolution with reference to endorsement of the Taft-Ellender-Wagner bill; to the Committee on Banking and Currency.

475. Also, petition of the Model Agri-Pisci-Poultry and Cattle Farm, South Arcot district, India, petitioning consideration of their resolution with reference to the availability of funds for a farm-trust plan in India; to the Committee on Foreign Affairs.

SENATE

FRIDAY, MAY 9, 1947

(Legislative day of Monday, April 21, 1947)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Rev. Bernard Braskamp, D. D., pastor of the Gunton-Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty God, whose wisdom our finite minds cannot comprehend, we rejoice in the revelation which Thou hast made of Thyself as the guiding intelligence and the overruling Father.

Grant that in all the deliberations and decisions of this day we may be sensitive to the leading of Thy spirit, holding our own desires in abeyance until Thou dost declare Thy will. We pray that we may appropriate with increasing tenacity of faith the inexhaustible resources of Thy grace.

May it be the goal of our aspirations to attain unto the likeness of our blessed Lord. Help us to hasten the coming of that glorious day of prediction when the chasms which divide the members of the human family shall be bridged by friendship, and all the barriers which impede the progress of the Kingdom of Brotherhood shall be supplanted by the kind and gentle spirit of the Prince of Peace.

Hear us in His name. Amen.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 8, 1947, was dispensed with, and the Journal was approved.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. WHERRY. Mr. President, I ask unanimous consent that the Subcommittee on Flood Control of the Committee on Public Works be permitted to sit during the session of the Senate this morning; and I make a similar request for the Subcommittee on Interior Department Appropriations of the Committee on Appropriations, that it may sit during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, permission is granted.

NOTICE OF HEARINGS ON EXPORT-IMPORT BANK ACT

Mr. WILEY. Mr. President, the Committee on the Judiciary of the Senate, commencing next Tuesday at 9:30 o'clock in the morning, will hold hearings on the Export-Import Bank Act. The purpose of this announcement is to give notice of the hearings not only to the Members of the Senate but to the country. It will be borne in mind that the act expires on June 30, and in view of the rather chaotic world condition it is very important that we secure the opinions of the best-informed persons as to what should be done in relation to continuance or discontinuance of the Export-Import Bank.

DONATIONS BY NAVY DEPARTMENT TO NONPROFIT INSTITUTIONS AND ORGANIZATIONS

The PRESIDENT pro tempore laid before the Senate a letter from the Secretary of the Navy, reporting, pursuant to law, a list of institutions and organizations, all nonprofit and eligible, which have requested donations from the Navy Department, which was referred to the Committee on Armed Services.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the Territory of Puerto Rico; to the Committee on Public Lands:

"Whereas Puerto Rico is an agricultural country in which the welfare of the population depends primarily upon returns from the land; and

"Whereas the land resources of Puerto Rico are extremely limited in relation to the large number of people dependent upon them, there being less than an acre of tillable land per inhabitant; and

"Whereas the total production of wealth in Puerto Rico could be materially increased by the development of storage dams and canals for the irrigation of large areas of potentially rich land now relatively unproductive because of a lack of sufficient rainfall; and

"Whereas the insular government, like the States, is not in position to finance large irrigation projects on favorable terms: Therefore be it

"Resolved by the House of Representatives of Puerto Rico (the Senate of Puerto Rico concurring):

"SECTION 1. That the Congress of the United States be urged to give favorable consideration to H. R. 2180, which provides that the Reclamation Act, approved June 17, 1902, and acts amendatory and supplementary thereto, be extended to include and to apply to Puerto Rico, and if they so desire it, to Alaska, Hawaii, and the Virgin Islands, as mentioned in the resolution.

"SEC. 2. Certified copies of this concurrent resolution shall be sent to the President of the United States, the Speaker of the House of Representatives, and the President of the Senate of the United States, and to Senator BUTLER, Congressman WELCH, the Resident Commissioner, and the Governor of Puerto Rico."

A resolution adopted by the Irish societies and kindred organizations, Los Angeles, Cal., relating to the political status of Ireland; to the Committee on Foreign Relations.

Petitions of the members of the Jacksonville Townsend Club, No. 1, and the members of the Crescent City Townsend Club, No. 1, both in the State of Florida, praying for the enactment of the so-called Townsend plan to provide old-age assistance; to the Committee on Finance.

A letter in the nature of a petition from the Industrial Soldiers Association, San Juan, P. R., praying for the enactment of legislation granting the same allowances and privileges to industrial soldiers of Puerto Rico as those granted to members of the armed forces; to the Committee on Public Lands.

By Mr. JOHNSTON of South Carolina:

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on Public Lands:

"Concurrent resolution memorializing the Congress of the United States of America to allow controlled burning of certain areas within the Francis Marion National Forest so as to provide a safe refuge for the propagation of wild turkeys

"Whereas the pure-strain wild turkeys are fast vanishing from the State of South Carolina, and those few remaining largely inhabit the county of Berkeley and that area of said county embracing the Francis Marion National Forest: Now, therefore, be it

"Resolved by the senate (the house of representatives concurring), That the Congress of the United States of America be hereby memorialized to authorize and empower such agencies thereof as have jurisdiction to allow controlled burning of certain areas within the Francis Marion National Forest, S. C., so as to provide and effect a safe refuge and refuges for the propagation of such wild turkeys."

(Mr. MAYBANK submitted a concurrent resolution of the Legislature of the State of South Carolina identical with the foregoing, which was referred to the Committee on Public Lands.)

By Mr. WILEY:

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Armed Services:

"Joint resolution protesting the order of the Secretary of War inactivating the United States Army post at Camp McCoy and memorializing Congress to take steps to prevent such order from taking effect.

"Whereas according to a recent Washington news release the Secretary of War has issued an order inactivating the United States Army post at Camp McCoy and placing that camp on a caretaker basis which will require displacement or discharge of 1,800 troops now quartered there along with the post complement of 350 and civilian workers numbering 461; and

"Whereas it is evident from recent letting of contracts for the construction of 50 temporary housing units at Camp McCoy and existing plans for utilizing the post facilities by the Reserve Officers' Training Corps and the Wisconsin National Guard, that the order was not prompted by military expediency, but that it issued only as a matter of financial necessity; and

"Whereas existing disputes with world powers over international affairs will not permit jeopardizing our national defense; and

"Whereas as a sound measure of security in these turbulent times, Camp McCoy, one of the outstanding camps in the Nation for complete training of troops under all weather conditions, above all others, should continue to be used by the War Department as an active Army post: Now, therefore, be it

"Resolved by the senate (the assembly concurring), That the Legislature of the State of Wisconsin vigorously protests the closing of Camp McCoy as an active Army post and memorializes the Congress of the United States to take such steps as are necessary to continue to make Camp McCoy available to the United States War Department as an active Army post; and be it further

"Resolved, That properly attested copies of this resolution be transmitted to the President of the United States, Secretary of War, to both Houses of Congress and to each Wisconsin Member thereof."

(The PRESIDENT pro tempore laid before the Senate a joint resolution of the Legislature of the State of Wisconsin, identical with the foregoing, which was referred to the Committee on Armed Services.)

By Mr. MAGNUSON:

A petition of sundry citizens of Colville and vicinity, in the State of Washington, praying for the enactment of Senate bill 265, to prohibit the transportation of alcoholic-beverage advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

LABOR RELATIONS

The Senate resumed the consideration of the bill (S. 1126) to amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes.

The PRESIDING OFFICER (Mr. CAIN in the chair). The Senate this morning is operating under a unanimous-consent agreement which the clerk will read.

The Chief Clerk read as follows:

Ordered, That on the calendar day of Friday, May 9, 1947, at the hour of 1 p. m., the Senate proceed without further debate to vote upon any amendment that may be pending, or that may thereafter be offered, to the amendment proposed to S. 1126, the Federal Labor Relations Act of 1947, by Mr. BALL (for himself, Mr. BYRD, Mr. DONNELL, and Mr. GEORGE) on page 54, after line 4, relating to boycotts and other unlawful combinations, and then upon the said amendment, whether modified or amended.

Ordered further, That on said day of May 9 the time intervening between the meeting of the Senate and the said hour of 1 p. m. be equally divided between the proponents and the opponents of the said amendment, to be controlled, respectively, by the Senator from Minnesota [Mr. BALL] and the Senator from Florida [Mr. PEPPER].

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT] in the nature of a substitute for the amendment proposed by the Senator from Minnesota [Mr. BALL] for himself, the Senator from Virginia [Mr. BYRD], the Senator from Missouri [Mr. DONNELL], and the Senator from Georgia [Mr. GEORGE].

Mr. WHERRY. Mr. President, I now ask unanimous consent that a quorum call be had, and that the time consumed by the roll call may be divided equally between the proponents and the opponents of the pending amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and the clerk will call the roll.

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

Aiken	Hatch	Murray
Baldwin	Hawkes	Myers
Ball	Hayden	O'Conor
Barkley	Hickenlooper	O'Daniel
Brewster	Hill	Overton
Bricker	Hoey	Pepper
Bridges	Holland	Reed
Brooks	Ives	Revercomb
Buck	Johnson, Colo.	Robertson, Va.
Bushfield	Johnston, S. C.	Robertson, Wyo.
Butler	Kem	Russell
Byrd	Kilgore	Saltonstall
Cain	Knowland	Smith
Capper	Langer	Sparkman
Chavez	Lodge	Stewart
Connally	Lucas	Taft
Cooper	McCarran	Taylor
Cordon	McCarthy	Thomas, Okla.
Donnell	McClellan	Thomas, Utah
Downey	McFarland	Thye
Dworshak	McGrath	Tydings
Eastland	McKellar	Umstead
Ecton	McMahon	Vandenberg
Ellender	Magnuson	Wagner
Ferguson	Malone	Watkins
Flanders	Martin	Wherry
Fulbright	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Morse	Young

Mr. WHERRY. I announce that the Senator from New Hampshire [Mr. TOBEY] is necessarily absent because of illness in his family.

The senior Senator from Indiana [Mr. CAPEHART] and the junior Senator from Indiana [Mr. JENNER] are necessarily absent.

Mr. LUCAS. I announce that the Senator from Wyoming [Mr. O'MAHONEY] is absent on public business.

The PRESIDING OFFICER. Ninety Senators having answered to their names, a quorum is present.

The Chair will restate the question. The question is on the amendment submitted by the Senator from Ohio [Mr. TAFT] in the nature of a substitute for the amendment proposed by the Senator from Minnesota [Mr. BALL] for himself and other Senators. The time between now and 1 o'clock will be equally divided between the Senator from Minnesota [Mr. BALL] and the Senator from Florida [Mr. PEPPER].

Mr. BALL. Mr. President, I yield myself the time necessary to explain the amendment, which has not yet been done. The amendment deals with secondary boycotts and jurisdictional strikes, which are universally condemned. I think the committee bill deals with them one way. It is proposed in the amendment to deal with them in a different way.

In subsection (a) of the amendment, which is amendment D on the desk of Senators, and No. 4 in the supplemental views, on page 54 in the committee report, there is one change made in the printed copy, to eliminate from the definition a direct organizational strike by employees of an employer, by inserting in line 8, on page 2 of the amendment, after the word "any," the word "other," which means that the only thing covered is an organizational boycott to force another employer, not the employer of the employees conducting the boycott, to recognize and bargain with a labor organization which has not been certified as the representative of his employees. The way amendment D reads in the printed copies on the desks of Senators it would cover a straight organizational strike by employees who do not bother to come to the NLRB for an election. In my opinion, that kind of an organizational strike is quite thoroughly unjustified today, because there is a democratic procedure by which the bargaining agent can be determined.

Subsection (a) of the amendment is identical in defining secondary boycotts and jurisdictional strikes, with the language in the committee bill, S. 1126, on page 14, paragraph (4) of section 8 (b), beginning in line 23 on page 14 and through line 9 on page 16.

So there is no difference between the definition of secondary boycott and jurisdictional strike in the pending amendment and the definition in the committee bill. The difference lies wholly in the remedy proposed. Neither is there any difference in the proposal to grant injunctive relief against secondary boycotts and jurisdictional strikes. If Senators will turn to page 33 of the bill, subsection (1) of section 10, they will find that it reads as follows:

> Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of paragraph 4 (A), (B), (C), and (D) of section 8 (b)—

That is the definition of secondary boycott and jurisdictional strike—

> the preliminary investigation of such charge shall be made forthwith and given priority over all other cases except cases of like character in the office where it is filed or to which it is referred. If, after such investigation, the officer or regional attorney to whom the matter may be referred has reasonable cause to believe such charge is true and that a complaint should issue, he shall—

He has no discretion—

> on behalf of the Board, petition any district court of the United States (including the District Court of the United States for the District of Columbia) within any district where the unfair labor practice in question has occurred, is alleged to have occurred, or wherein such person resides or transacts business, for appropriate injunctive relief pending the final adjudication of the Board with respect to such matter. Upon the filing of any such petition the district court shall have jurisdiction to grant such injunctive relief or temporary restraining order as it deems just and proper, notwithstanding any other provision of law.

That means that when the regional attorney of the NLRB seeks an injunction the Norris-LaGuardia Act is completely suspended, as are sections 6 and 20 of the Clayton Act. We do not go quite that far in our amendment. We simply provide that the Norris-LaGuardia Act shall not apply, with certain exceptions. We leave in effect the provisions of sections 11 and 12. Those are the sections which give an individual charged with contempt of court the right to a jury trial. Section 12 gives an individual charged with contempt the right to file a notice of prejudice against the judge, and obtain a different judge. We also leave in effect section 7, exclusive of clauses (c) and (e) of the Norris-LaGuardia Act. I have before me a copy of the Norris-LaGuardia Act. Section 7 is the section which deals with the conditions under which courts may now issue injunctions in labor disputes. We leave that whole section in effect, with the exception of the paragraphs requiring the court to make two findings, namely:

> That as to each item of relief granted greater injury will be inflicted upon complainant by the denial of relief than will be inflicted upon defendants by the granting of relief.

That is one of the five findings which the court has to make under the law, and which have completely eliminated any possibility of injunctions in labor disputes, because that is obviously an almost impossible finding to make. How can the court make that kind of determination?

Subsection (e), which is also suspended, requires the court, before it issues an injunction, to find "that the public officers charged with the duty to protect complainant's property are unable or unwilling to furnish adequate protection."

That, again, is a pretty tough requirement to place upon a court. In effect, the court must find that the mayor, the police chief, and the governor are not fulfilling their oaths of office in enforcing the law.

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

Mr. BALL. I yield.

Mr. DONNELL. Am I correct in understanding that the entire contents of section 7 of the Norris-LaGuardia Act, with the exception of subsections (c) and (e), are left in full force and effect by the amendment which the Senator is advocating?

Mr. BALL. That is absolutely correct. As the Senator knows, section 7 requires that before a temporary injunction or restraining order is issued there must be notice to the opposite party and a full open hearing in court. The only exception to that is a provision for a temporary restraining order without notice and without hearing, where it is alleged that irreparable damage will be done if it is not granted; and such temporary order is good for only 5 days. Then there must be a hearing and notice, and compliance with all the requirements of section 7.

Mr. DONNELL. Section 7 begins with this language:

> No court of the United States shall have jurisdiction to issue a temporary or permanent injunction in any case involving or growing out of a labor dispute, as herein defined, except after hearing the testimony of witnesses in open court (with opportunity for cross-examination) in support of the allegations of a complaint made under oath,

and testimony in opposition thereto, if offered, and except after findings of fact by the court—

Such findings are enumerated in the following subsections. As I understand, subsections (a), (b), and (d) are left in full force and effect by the Senator's amendment.

Mr. BALL. That is correct.

Mr. DONNELL. The Norris-LaGuardia Act further provides in section 7, in the portion left in effect by the Senator's amendment, that the hearing shall be held after due and personal notice thereof has been given to all known persons against whom relief is sought.

Mr. BALL. That is correct.

Mr. DONNELL. The Senator's amendment, in which I have the pleasure and privilege of joining, leaves in full force and effect everything in section 7 except subsections (c) and (e), to which the Senator has referred. Is that correct?

Mr. BALL. That is absolutely correct. As a matter of fact, any union against which a charge is made, and against which relief is sought, will have greater protection, will be granted notice and full hearing in open court under our amendment, whereas under the provision now in the committee bill, which wipes out all the safeguards of the Norris-LaGuardia Act and the Clayton Act, there is no such guaranty of notice and open hearing. So I think we go a little further than the committee bill does.

Mr. DONNELL. By saying "we go a little further," the Senator means that there is further protection to labor in his amendment than there is in the provisions of the bill to which the Senator refers.

Mr. BALL. That is absolutely correct. A great many persons do not realize it, but the sacrosanct Norris-LaGuardia Act is completely suspended anyway in the current National Labor Relations Act whenever the Board goes into court to obtain an enforcement order for one of its decisions. Organized labor did not object to the suspension of the Norris-LaGuardia Act in that case, I suppose presumably because under the present act the only ones to whom it could apply are employers. Organized labor was perfectly willing to have the Norris-LaGuardia Act completely wiped off the books when it came to enforcing Board orders in labor disputes against employers.

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

Mr. BALL. I yield.

Mr. FERGUSON. I understand that the right of the Board to seek an injunction, as now stated in the Wagner law, does not apply except against industry but not against labor.

Mr. BALL. That is correct.

Mr. FERGUSON. There is no provision in the law at present that an injunction can be obtained by the Board against labor.

Mr. BALL. That is correct. That is what I said. The present act is entirely a one-way street. It operates only against employers in labor disputes. The Norris-LaGuardia Act had to be suspended in order to enforce the Wagner Act.

Mr. FERGUSON. Is there anything in the pending amendment which would require notice to the other side, and hearing, including the right of cross-examination?

Mr. BALL. I think the Senator was not in the Chamber when I explained that the pending amendment goes much further than the committee bill in safeguarding the right of the parties against whom the injunction is sought. We leave in complete effect section 7 of the Norris-LaGuardia Act, with the exception of subsections (c) and (e).

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks sections 7, 11, and 12 of the Norris-LaGuardia Act.

There being no objection, the sections were ordered to be printed in the RECORD, as follows:

SEC. 7. No court of the United States shall have jurisdiction to issue a temporary or permanent injunction in any case involving or growing out of a labor dispute, as herein defined, except after hearing the testimony of witnesses in open court (with opportunity for cross-examination) in support of the allegations of a complaint made under oath, and testimony in opposition thereto, if offered, and except after findings of fact by the court, to the effect—

(a) That unlawful acts have been threatened and will be committed unless restrained or have been committed and will be continued unless restrained, but no injunction or temporary restraining order shall be issued on account of any threat or unlawful act excepting against the person or persons, association, or organization making the threat or committing the unlawful act or actually authorizing or ratifying the same after actual knowledge thereof;

(b) That substantial and irreparable injury to complainant's property will follow;

(c) That as to each item of relief granted greater injury will be inflicted upon complainant by the denial of relief than will be inflicted upon defendants by the granting of relief;

(d) That complainant has no adequate remedy at law; and

(e) That the public officers charged with the duty to protect complainant's property are unable or unwilling to furnish adequate protection.

Such hearing shall be held after due and personal notice thereof has been given, in such manner as the court shall direct, to all known persons against whom relief is sought, and also to the chief of those public officials of the county and city within which the unlawful acts have been threatened or committed charged with the duty to protect complainant's property: *Provided, however,* That if a complainant shall also allege that, unless a temporary restraining order shall be issued without notice, a substantial and irreparable injury to complainant's property will be unavoidable, such a temporary restraining order may be issued upon testimony under oath, sufficient, if sustained, to justify the court in issuing a temporary injunction upon a hearing after notice. Such a temporary restraining order shall be effective for no longer than 5 days and shall become void at the expiration of said 5 days. No temporary restraining order or temporary injunction shall be issued except on condition that complainant shall first file an undertaking with adequate security in an amount to be fixed by the court sufficient to recompense those enjoined for any loss, expense, or damage caused by the improvident or erroneous issuance of such order or injunction, including all reasonable costs (together with a reasonable attorney's fee) and expense of defense against the order or against the granting of any injunctive relief sought in the same proceeding and subsequently denied by the court.

The undertaking herein mentioned shall be understood to signify an agreement entered into by the complainant and the surety upon which a decree may be rendered in the same suit or proceeding against said complainant and surety, upon a hearing to assess damages of which hearing complainant and surety shall have reasonable notice, the said complainant and surety submitting themselves to the jurisdiction of the court for that purpose. But nothing herein contained shall deprive any party having a claim or cause of action under or upon such undertaking from electing to pursue his ordinary remedy by suit at law or in equity.

* * * * *

SEC. 11. In all cases arising under this act in which a person shall be charged with contempt in a court of the United States (as herein defined), the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed: *Provided,* That this right shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice or to apply to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court.

SEC. 12. The defendant in any proceeding for contempt of court may file with the court a demand for the retirement of the judge sitting in the proceeding, if the contempt arises from an attack upon the character or conduct of such judge and if the attack occurred elsewhere than in the presence of the court or so near thereto as to interfere directly with the administration of justice. Upon the filing of any such demand the judge shall thereupon proceed no further, but another judge shall be designated in the same manner as is provided by law. The demand shall be filed prior to the hearing in the contempt proceeding.

Mr. BALL. Mr. President, as I pointed out, under the definition in the pending amendment with reference to secondary boycotts and jurisdictional strikes, the final injunctive relief is identical, except that the rights of unions accused of such practices are actually better protected by the pending amendment. The suspension of the Norris-LaGuardia Act is not quite so broad in the amendment as in the committee bill. The committee bill and the proposed amendment differ also in this respect: First, under the amendment an injured party—and he is usually an innocent third party—suffering from a secondary boycott or jurisdictional strike, is given the right to go directly into a district court and seek injunctive relief, whereas, under the committee bill, such an individual is forced to go through a bureaucracy, the National Labor Relations Board, and let the regional attorney for the National Labor Relations Board decide whether his case should be presented to the court. The committee bill gives the court final jurisdiction. May I say that in the great majority of cases a secondary boycott or a jurisdictional strike is conducted simply by employees

of employer A, B, or C grouped into a union and assuming for themselves a prerogative for using their economic force to dictate to the employees of employer X the terms and conditions under which those employees shall work. The employees are the primary objective and the primary victim for secondary boycotts and jurisdictional strikes. It is quite true that a great many employers are the secondary victims, and quite a number of them have been driven out of business by such practices.

I have said that the pending amendment would simply give to those employees and to their employers the right to go directly into court to protect their right to freedom from this kind of racketeering pressure, whereas the committee bill routes them through a bureaucracy, and that bureaucracy possesses the right to say whether the court shall finally pass upon the merits of the case.

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

Mr. BALL. I yield.

Mr. WHERRY. I am interested in the transportation of farm produce into large cities. Is it the Senator's opinion that if injunctive relief remains in the hands of the individual speedier remedial action will be taken than if it were left in the hands of an administrative governmental agency?

Mr. BALL. It is clearly apparent that if the regional officers of the National Labor Relations Board first have to satisfy themselves that the charge is justified and that a complaint will develop under National Labor Relations Board procedure, the regional attorney—not the injured party—has the right to go and is directed to go into court. Obviously that will require anywhere from 1 week to as long as 6 weeks. The Senator knows that the farmer has been one of the major victims of secondary boycotts in hauling perishable produce to market, and that kind of relief will not help him in the slightest degree. It will not be helpful to small business concerns that are secondary victims of boycotts and jurisdictional strikes. Most of them do not have the capital to carry on their business under such conditions.

Mr. WHERRY. The second observation which the distinguished Senator made was an answer to a question which I expected to ask with reference to the small businessman. I am intensely interested in conditions in my section of the country, where truckloads of farm produce, livestock, and milk are being stopped on the highways. I think we ought to provide assurance that perishable products will reach the market. That is one of the things in which I have been much interested as related to this amendment. While I do not want in any way to contribute to the passage of legislation which would be unfair to any union or group of laboring people, yet, in the absence of any other provision to permit the farmer to transport perishable produce into the cities, this amendment offers the only assistance at this moment, so far as proposed legislation is concerned.

Mr. BALL. I thank the Senator, and I agree with him completely. I think the secondary boycott is one of the most vicious abuses of economic power now being indulged in by labor unions. It is being used in some cases to create the tightest kind of little monopolies, and in other cases virtually to dictate the terms on which small businessmen, farmers, and other persons may do business with each other. In the Philadelphia, Baltimore, and New York markets, the farmers hauling their produce are compelled to obey 100 percent every rule laid down by the teamsters' union, or they cannot do business; and that in supposedly free America.

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

Mr. BALL. I yield to the Senator from Vermont.

Mr. AIKEN. I refer to paragraph (d) on page 4 of the Senator's amendment which provides for suspension of sections 6 and 20 of the act of October 15, 1914. Do I correctly understand that that is the Clayton Act?

Mr. BALL. That is correct.

Mr. AIKEN. Am I right in understanding that section 6 is that provision of the Clayton Act which specifically exempts labor and farm organizations from the provisions of the antimonopoly law under certain conditions?

Mr. BALL. That is correct.

Mr. AIKEN. I thank the Senator.

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

Mr. BALL. I yield.

Mr. FERGUSON. I am having some difficulty with one of the answers which the able Senator gave me in regard to his amendment. Sections 11 and 12 which are mentioned in the amendment refer to the Norris-LaGuardia Act, do they not?

Mr. BALL. That is correct. Section 11 simply gives an individual accused of contempt of court the right to a jury trial. Section 12 gives the defendant in a contempt proceeding the right to object to the sitting judge on grounds of prejudice. Section 7 is really the heart of the Norris-LaGuardia Act, and that section is left intact, with the exception of subsections (c) and (e). Subsection (c) requires the court to find, first:

> That as to each item of relief granted greater injury will be inflicted upon complainant by the denial of relief than will be inflicted upon defendants by the granting of relief.

Which is an impossible finding for any court to make. It also requires the court to find that the public officers charged with the duty of protecting complainant's property are unable or unwilling to do so. Again, that is a finding which few courts will make.

Mr. FERGUSON. I cannot agree with the statement that injunctions should be granted in cases where it can be said that the court has no discretion. I do not think this is a proper amendment. I do not think a court of chancery should grant an injunction unless there is irreparable damage shown with respect to the plaintiff. That is a well-established rule.

Mr. BALL. Mr. President, if the Senator will get a copy of the Norris-LaGuardia Act and read section 7 he will find that there are three other findings which the court has to make, which we leave unchanged. One of them, under subsection (b), is that substantial and irreparable injuries to plaintiff's property will follow.

Mr. FERGUSON. I also believe that an injunction should not be issued in a case in which the plaintiff would not suffer greater damage than will be inflicted upon the the defendants if the injunction were not issued. I do not think that an injunction should be issued in such a case.

Mr. BALL. That is not the requirement. The requirement on the court is to find as to each item of relief granted that greater injury will be inflicted upon plaintiff by the denial of relief than will be inflicted upon defendants, by granting relief. That is a matter of pure conjecture which no court could indulge in, in making a finding of fact.

Mr. FERGUSON. I cannot agree with the Senator. I think if a court had evidence before it the court could determine that fact and should determine the facts before it grants an injunction. The difficulty in the past has been that the courts would sit in chancery and would allow a bill of complaint to be passed up to them and would sign on the back of it, "Let an injunction be issued as prayed for in the bill."

Mr. BALL. Mr. President, is the Senator from Michigan aware of the fact that under the committee bill the National Labor Relations Board attorney can go into court and obtain an injunction against a secondary boycott or a jurisdictional strike, and the Norris-LaGuardia Act is completely suspended? There is no requirement that the court make any finding, no requirement of notice to the other party, no requirement of a hearing in open court.

Mr. FERGUSON. But still there has been a trial.

Mr. BALL. I am sorry; if the Senator from Michigan will read subsection (1) of section 10 of the committee bill, on page 33, he will find that no hearing is required. There is simply an investigation by a regional attorney. In any event, we are defining very clearly, in this amendment and in the pending bill, secondary boycotts and jurisdictional strikes, and the definition is the same. We are defining clearly what we want to make unlawful. There is no serious disagreement in the Senate as to the fact that we should stop such kinds of racketeering practices.

All I am objecting to in the committee bill, and all that I propose to change, is the requirement in the committee bill that before the court is permitted to pass on such questions and to protect the rights of employers and employees injured by such racketeering practices, the National Labor Relations Board shall first screen the charges, before the courts are permitted to pass on them. So far as I am concerned, I have considerably

more confidence in the courts than that. I do not think it has ever been a sound, liberal policy to place an appointive, administrative official between a citizen and his right to go into court and protect his rights.

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

Mr. BALL. I yield.

Mr. FERGUSON. I come back to this proposition: If this amendment is adopted, before an injunction can be obtained by an individual or by a district attorney, will it be necessary that there be a hearing, with the right of cross-examination, and a determination by the court that, under the circumstances of the particular case, an injunction should issue; or can the court grant a temporary restraining order after hearing only the plaintiff?

Mr. BALL. The provision in that respect is identical with the provision now in the Norris-LaGuardia Act. It requires notice, public hearing, and cross-examination of witnesses in open court, except that the act now permits a temporary restraining order to be issued for not more than 5 days, on a showing that irreparable injury will occur if such temporary restraining order is not granted.

Mr. FERGUSON. Do I correctly understand that a preliminary injunction or a restraining order can be granted without a hearing?

Mr. BALL. Yes; for 5 days. We are not proposing to change that provision in the slightest degree.

Mr. FERGUSON. I appreciate that.

Mr. BALL. Anyone can go into court now and try to get that kind of relief. But if the order is issued, it is good for only 5 days. Before it can be extended, there must be notice and a public hearing.

Mr. FERGUSON. But there has to be a finding such as we have previously discussed, that greater damage will be suffered by the plaintiff than by the defendant; is that correct?

Mr. BALL. Yes; that is the case now. Of course, under that provision, no injunctions have been issued.

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

Mr. BALL. I yield.

Mr. DONNELL. I call attention to the further fact that with respect to the issuance of a temporary restraining order, the provision of the Norris-LaGuardia Act which is retained in force by the amendment offered by the Senator, reads as follows:

> No temporary restraining order or temporary injunction shall be issued except on condition that complainant shall first file an undertaking with adequate security in an amount to be fixed by the court sufficient to recompense those enjoined for any loss, expense, or damage caused by the improvident or erroneous issuance of such order or injunction, including all reasonable costs (together with a reasonable attorney's fee) and expense of defense against the order or against the granting of any injunctive relief sought in the same proceeding and subsequently denied by the court.

That provision of section 7 of the Norris-LaGuardia Act will, as I understand, remain in full force and effect under the amendment in favor of which the Senator from Minnesota is arguing.

Mr. BALL. That is correct.

The pending amendment would change the committee bill in two other respects. First, the language in subsection (c) would permit any person injured by such racketeering practices to sue and to recover damages actually suffered and the cost of the suit. That is similar to the provision of the Taft substitute.

Mr. DONNELL. Mr. President, will the Senator yield for a further inquiry?

Mr. BALL. I yield.

Mr. DONNELL. The amendment in favor of which the Senator from Minnesota is arguing gives, as he has indicated, to the concern or plaintiff that claims it has been injured, the right to control its own litigation, to hire its own lawyer, to take such steps as it deems proper, and to go into such court as it deems proper to proceed in.

Mr. BALL. That is absolutely correct.

Mr. DONNELL. Whereas, if the Senator's amendment is not adopted, the matter must be submitted to the National Labor Relations Board, and there there must be some investigation, and there some official of the Board must decide whether in his discretion, rather than in the discretion of the man who claims to be injured, the litigation should be filed.

Mr. BALL. That is correct.

Mr. DONNELL. And thereafter, if the representative of the National Labor Relations Board shall decide that the proceedings shall be filed, control of the litigation is exclusively vested in the representative of the National Labor Relations Board, rather than in the person who claims to have been injured. Is not that correct?

Mr. BALL. That is correct. That is my main reason for offering this amendment, namely, to take away the placing of a bureaucracy of government—an administrative board, if you please—between the injured citizen and his right to go into court and protect his rights under the law.

Mr. DONNELL. Mr. President, does the Senator from Minnesota know of any reason under heaven why, if a person claims he is injured, he should not be entitled to engage his own attorney, go into the court which he selects, and direct the conduct of his litigation, rather than, if he lives in the State of Nebraska, for instance, to have to send his complaint to some regional office of the National Labor Relations Board, or possibly to the Board itself, in Washington, and thereafter await the determination of someone who was never selected by the person who has been injured, and perhaps never was even seen by the person who has been injured, as to whether any proceeding should be filed? Does there occur to the Senator from Minnesota any possible justification for such a provision as that?

Mr. BALL. I certainly do not think there is justification for it.

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

Mr. BALL. I yield.

Mr. WHERRY. I wish to thank the distinguished Senator from Missouri for bringing out that point so clearly, because it seems to me that the person concerned should control his own rights of litigation, and should not have to depend, when it comes to the question of going into a court of law and applying for damages or for injunctive relief, upon the judgment of some bureaucrat in whom is lodged the power to determine whether such a course should be followed.

This amendment, as I understand, would permit a person to go into any court and there use his own judgment in regard to the question of applying for injunctive relief or in regard to the question of whether he should sue for damages. Am I correct about that?

Mr. BALL. That is correct.

Mr. DONNELL. Mr. President, if the Senator from Minnesota will yield further to me, I wish to place myself on record clearly and conclusively in favor of giving to the person who claims to be injured the right to select his own counsel, the right to initiate his own suit, and the right to control the litigation, rather than to be restricted to a particular course of action by some official of the Government who is without personal interest in the matter, and have to await the determination by such Government official as to whether the rights of the person shall or shall not be protected. I wish to place myself clearly and squarely on record as being in favor of what seems to me to be a fundamental principle of American citizenship, namely, that if a person claims to be injured, he shall have his right to a day in court for himself, rather than to have to leave to some Government official the determination of whether he shall or shall not have his right to a day in court.

Mr. BALL. I thank the Senator. I think he has expressed what I have always regarded as fundamental liberal doctrine. The liberal principle of government is to define clearly in the law the rights, responsibilities and duties of citizens, and permit them to go directly into court to have their rights and duties adjudicated; not to delegate vast arbitrary power and discretion to some administrative agency of government to decide whether or not a citizen's rights shall be protected in a given situation.

Mr. President, there is one other change the amendment makes in subsection (d). That subsection provides that the Norris-LaGuardia Act, with the exceptions previously noted, as well as the Clayton Act, shall not be applicable "in respect of any contract, combination, or conspiracy, in restraint of commerce, to which a labor organization is a party, if one of the purposes of such contract, combination, or conspiracy is to fix prices, allocate customers, restrict production, distribution, or competition, or impose restrictions or conditions upon the purchase, sale, or use of any material, machines, or equipment."

That language is designed to correct the interpretation of the Norris-LaGuardia and Clayton acts made by the Supreme Court in the Hutchinson case, and a number of other cases brought by former Assistant Attorney General Thurman Arnold, when he attempted to break up monopolistic practices on the part of labor unions, sometimes acting on their own, sometimes in conspiracy with employers. They were engaging in all kinds of price fixing. They were attempting to determine, on their own responsibility, what products should be used in industry, what kind of machines, and what products the public should be entitled to buy.

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

Mr. BALL. I yield.

Mr. PEPPER. The able Senator says the purpose of this portion of the amendment is to correct a decision of the United States Supreme Court. What he means is that it is intended to overrule or set-aside the holding of the United States Supreme Court that the Clayton Act and the Sherman Antitrust Act do not apply to labor organizations, and to permit the application of the Clayton Act and the Sherman Antitrust Act to the acts set out in the words of the amendment.

Mr. BALL. The Senator can phrase it in any way he desires; whether it is "to correct" or "overrule," it means the same thing. There is no reason why those acts should not be applicable.

Mr. President, I do not think it is necessary for me to describe the evils of the secondary boycott and jurisdictional strike. The Senate should be familiar with them by now. As I said before, farm producers and small businesses and their employees are the main victims of secondary boycotts, jurisdictional strikes, and organizational boycotts. It is not the large companies, such as General Motors and General Electric, although they were caught in the monopolistic boycott of the IBEW in New York City, that are the main victims of secondary boycotts and organizational boycotts. It is the small businessmen, usually those with only 50 or 100 employees, who do not have the resources to enable them to last out the 2 to 6 weeks' delay which would intervene before they could possibly get relief under the committee bill. It is such persons and their rights that we are trying to protect.

Mr. REVERCOMB. Mr. President, will the Senator from Minnesota yield?

Mr. BALL. I yield to the Senator from West Virginia.

Mr. REVERCOMB. The bill provides that a secondary boycott is an unfair labor practice. That will be determined by the Board, which itself may invoke injunctive relief to stop one that is threatened, or an existing secondary boycott. The amendment of the able Senator would permit an individual himself to seek an injunction in an effort to stop a secondary boycott. That, in essence, is the difference between the bill and the amendment?

Mr. BALL. The Senator is correct. Under the committee bill a regional office of the NLRB can go into court and get an injunction, and the Norris-LaGuardia Act is wiped out completely. Under our amendment the individual who is injured does not have to detour through the National Labor Relations Board; he can go directly into court and get temporary relief. I might say that if the amendment shall be agreed to it will be in order to move to strike out the unfair practice provision in the committee bill.

Mr. President, it seems to me that the great majority of Senators are agreed that secondary boycotts, organizational boycotts, and jurisdictional strikes are wrong, and that they should be stopped. But, somehow or other, the idea has persisted that even though we are absolutely opposed to this kind of racketeering practices, we still must detour through the regional office of the National Labor Relations Board a party injured by such practices before he can go into court and obtain relief, and then he cannot go into court unless the National Labor Relations Board says he may do so. That seems to me extreme New Deal doctrine. I think it is far removed from what I have considered to be the liberal approach to these problems, which, as I said before, is to define in the law the rights, responsibilities and duties of parties, and permit an injured party to go directly into court to protect his rights.

I cannot understand the seeming lack of confidence in the courts to pass on issues so clear as these and to protect the rights of the people. I do not know why we have to screen these cases through some bureaucrat before the court can get a chance to pass on them.

Mr. McCLELLAN. Mr. President, will the Senator from Minnesota yield?

Mr. BALL. I yield.

Mr. McCLELLAN. Under the present law, what protection has a farmer, when a boycott interferes with the transportation of his products, which possibly are highly perishable?

Mr. BALL. He has none, unless there is a State law which would protect him.

Mr. McCLELLAN. He has none under the present Federal law?

Mr. BALL. He has not. We passed the Hobbs Act last year, but so far there has been no prosecution under it.

Mr. McCLELLAN. That did not go far enough.

Mr. BALL. No; it did not.

Mr. McCLELLAN. The pending amendment would give such a farmer opportunity for immediate relief by appealing to the court himself?

Mr. BALL. It would give him a chance to go directly into court, and if he could show that the act of which he was complaining was a violation of the law, he could get immediate relief.

Mr. McCLELLAN. But under the bill as it is now, without the Senator's amendment, he would be compelled to resort to a regional office of the Labor Board in an effort to get relief?

Mr. BALL. The Senator is correct.

Mr. McCLELLAN. In the meantime the perishable food would rot, and it would be lost to the country and to the farmer.

Mr. BALL. He would be detoured through the National Labor Relations Board.

Mr. ELLENDER. Mr. President——

Mr. BALL. How much time have I left?

The PRESIDING OFFICER. The Senator from Minnesota has 8 minutes remaining at his disposal.

Mr. BALL. I yield to the Senator from Louisiana for a question.

Mr. ELLENDER. Is it not true that all the unfair labor practices covered by the bill, whether against management or labor, are processed through the Board?

Mr. BALL. Yes; of course.

Mr. ELLENDER. Why should the Senator desire to provide a different method of procedure in the disposition of cases involving jurisdictional strikes and secondary boycotts?

Mr. BALL. I want to control this kind of racketeering in violation of the law, and stop it. I do not know why we should go through the administrative law approach in order to stop something that is clearly racketeering, and which we all agree we want to stop. I do not know why we should have to go through that kind of rigmarole to accomplish the result.

Mr. ELLENDER. Would the Senator be willing to permit a union to go into court to seek redress in the case of an unfair labor practice on the part of management?

Mr. BALL. No.

Mr. ELLENDER. I cannot follow the Senator. What is the difference insofar as obtaining relief is concerned?

Mr. BALL. There is a great difference. We are defining something that is unlawful. It is a racket. Unfair practices on the part of employers deal with the reasons or the motives why they discharge or refuse to hire somebody. That is not a question of fact as in the case I am discussing.

Mr. ELLENDER. I can see no difference. The penalties are the same in case of violations of the injunction by the offender. Whether a violation of the act on the part of management or a union is made unlawful or an unfair labor practice, a question of fact is always involved. The injured party seeks redress and if he is able to obtain relief through a Board attorney or through the Board itself should make no difference. As I pointed out on several occasions the Board is compelled to give priority as to all cases involving jurisdictional strikes and secondary boycotts. In the case of jurisdictional strikes the Board is authorized to appoint special arbitrators so that all cases can be handled with speed. I have no doubt but that the Board will set up special machinery to handle all such cases in order that justice can be meted out with the least possible delay. My belief is the fact that we make jurisdictional strikes and secondary boycotts unfair labor practices will act as a deterrent and few violations will come to the attention of the Board.

Mr. IVES. Mr. President, I should like a little time on the amendment.

Mr. PEPPER. Mr. President, it is my understanding that the Senator from New York is favoring the substitute offered by the Senator from Ohio, but is opposing the amendment offered by the Senator from Minnesota [Mr. BALL]. In that case, I am sure the time can be satisfactorily adjusted. Did the Senator from New York have in mind any particular length of time he would like to speak?

Mr. IVES. The Senator from New York will try to finish within 10 minutes.

Mr. PEPPER. I yield 10 minutes to the Senator from New York.

Mr. IVES. I should like to have an understanding that the Senator from Florida yields 7 minutes to the Senator from New York and that the Senator from Minnesota yields 3 minutes, for the reason I cannot in this instance be either wholly with the Senator from Florida or wholly with the Senator from Minnesota. I am probably more strongly opposed to the amendment offered by the Senator from Minnesota.

Mr. BALL. Mr. President, I find that I have remaining 4 minutes only, and I think I should conserve that time.

Mr. IVES. Then, if I may, I ask the Senator from Florida to yield me 10 minutes.

Mr. PEPPER. I yield 10 minutes to the Senator from New York.

Mr. IVES. The Senator from New York appreciates the courtesy shown him by the Senator from Florida.

Mr. President, I want to point out a few salient things in connection with this particular proposal. In the first place, I am opposed to the amendment which has been offered by the Senator from Minnesota for two very simple reasons: First, his proposal revives the injunction upon the request of an employer. I grant it is limited to a particular type of case, but, nevertheless, insofar as the principle itself is concerned, there is definitely a violation of the principle of the Norris-LaGuardia Act. I want to point out to the Senators that the Norris-LaGuardia Act, which has been referred to so frequently, was passed and signed under the administration of President Hoover, and I think the Senate would do well to keep that in mind. I deplore a condition which in any way, shape, or manner will revive the flagrant abuses which brought about the enactment of the Norris-LaGuardia Act. I think the pending amendment opens the door; it is the entering wedge.

Second, in his very effective statement outlining the contents of the bill, at the beginning of its consideration by the Senate, the chairman of the committee, the Senator from Ohio, indicated that the unfair-labor-practice procedure provided by the bill would be sufficient without the injunctive procedure proposed by the Senator from Minnesota.

In the first place, a priority is given this particular type of case. If I know anything about the workings of the National Labor Relations Board, I am absolutely convinced the Board will have to set up additional machinery to take care of cases of this particular kind. I am further convinced that the Board will do so, and that the priority referred to will insure almost immediate consideration of cases of the kind prescribed.

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

Mr. IVES. I cannot yield, because I am so limited in time. I should like to do so, but I cannot.

Furthermore, as the matter develops, the same thing would be found true in practically every part of the country. It has been pointed out that possibly the unfair-labor-practice procedure might not be so effective as the direct injunction obtained by the employer. To some extent, perhaps, it would not be. Perhaps there would not be the immediate action obtainable by injunction, but by and large, the entire suggested procedure is intended to deal with the National Labor Relations Act. The provisions with respect to jurisdictional disputes and with respect to secondary boycotts, which are met by a statutory denial, deal fundamentally with the National Labor Relations Act. In effect, such boycotts and strikes would constitute violations of that act, if indeed they would not actually violate other laws. The remedy should be found in procedures under the National Labor Relations Act. So I say that if there should be a slight delay—and I do not think there would be, once the system is established—but if there should be a slight delay, the right approach is through the provisions of the committee bill without opening the door to abuses which formerly existed and which resulted in the passage of the Norris-LaGuardia Act. I have stated my second reason for opposing the amendment offered by the Senator from Minnesota.

Third, I am opposed to it, because Senators will have before them either a substitute for the amendment or a direct amendment—I do not know which it will be. Incidentally, that is why I should have obtained the 3 minutes from the other side, because I cannot go along with what I believe to be the position of the Senator from Florida on this particular phase. As I understand, a substitute amendment will be offered, to authorize the bringing of actions for damages in the Federal courts, under certain conditions as I have indicated. I know of no reason in the world why actions for damages should not be permitted in the Federal court. That is perfectly legitimate. I know of no reason in the world why one suffering from such abuses or violations should not have the right to recover damages, not only in the Federal court, but in any court.

I want to point out to the Senator from Nebraska, and any other Senators who may have made the point, that in my judgment the right to recovery as proposed in the amendment offered by the Senator from Ohio will take care of the situation about which the Senator from Nebraska inquired. Once it is established that recovery may be had for damages in the Federal courts, it will go a long way toward stopping the jurisdictional dispute and secondary boycott.

I appreciate the generosity of the Senator from Florida, but I shall not use all the time he granted me. For the three reasons I have stated I shall vote against the amendment of the Senator from Minnesota. If the procedure provided in the bill should not take care of the situation I should like to add a fourth reason. I deny that it will not take care of it, but if it should not, then the joint committee established by the bill, will be following the matter, as it will be following other questions which have been considered in the debate, and if, in another year, the proposed procedure should be found inadequate, the joint committee could and should come forward with proposals which would satisfactorily take care of conditions that may exist at that time.

For all these reasons I submit that there can be no justification for the adoption of such amendment as the one proposed by the Senator from Minnesota; but I want it definitely understood that I am wholeheartedly supporting the proposal to be made by the Senator from Ohio.

Mr. PEPPER. I yield 15 minutes to the Senator from Oregon.

Mr. MORSE. The substitute proposal offered by the Senator from Ohio [Mr. TAFT] is subject to many of the same objections as I shall make to the original amendment offered by the Senator from Minnesota [Mr. BALL]. While the substitute proposal eliminates injunctive relief at the instance of the United States attorney or private parties, it nevertheless makes every person who participates in a strike for one of the outlawed objectives liable to damage suits. In other words, the proposal of the Senator from Ohio would open wide the doors of the Federal courts to damage suits against any person who engaged in a strike or attempted to persuade other employees to engage in a strike for one of the prohibited objectives.

The proposal very definitely would take us back at least 40 years and we would again have the spectacle of mass suits against employees, similar to the infamous Danbury Hatters case. Senators will recall that in that case some 150 members of the union were sued by their employer and the Supreme Court of the United States sustained a judgment against them in the neighborhood of a quarter million dollars. As a matter of fact the proposal would make it substantially easier to maintain a damage suit than was the case under the Sherman Act as interpreted by the Danbury Hatters case and the Apex Hosiery case. In the Apex case the Court stated that in the earlier cases arising under the Sherman Act the activities had been "directed at control of the market" and had resulted in "a suppression of competition in the market." But under the substitute proposal all that need be shown in order to maintain a damage suit is that the party plaintiff has been "injured in his business or property."

It also should be pointed out that the substitute proposal is inconsistent with the present provision in the bill allowing

a union to be sued for breach of contract. Section 301 of the bill permits suits against labor organizations only, whereas the substitute proposal allows damage suits against "any person." Also, section 301 limits recovery to the assets of the union. The substitute allows the attachment of employees' bank accounts and all their property.

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

Mr. MORSE. I yield to the Senator from Ohio.

Mr. TAFT. On request by the Senator from New York and others who raised the point, I am amending the proposal, by striking out the word "person," in the second line, and inserting in lieu thereof "labor organization," so the action will be open only against labor organizations promoting this type of strike.

Mr. MORSE. I want to say, Mr. President, that I am very glad the Senator from Ohio is agreeing, at least, to remove my first objection to the amendment. I shall not press the argument on that point, other than to say that had it remained as it was submitted to the Senate, we should have been back to the Danbury Hatters' case of 40 years ago. I think, however, it illustrates the great mistake in our proceeding, during the closing days of debate, to amend the bill presented by the committee, by suggesting such hastily drafted amendments as are now being presented to the Senate. I think the bill should be taken as it came from the committee, without additional amendments.

I do want to make the additional argument against the Taft substitute, that it makes it possible for two different district courts and the NLRB to be dealing simultaneously with the same subject matter. The Board would be conducting a hearing looking to a cease-and-desist order. At the same time, the Board would be required, as provided in the committee bill, on which I shall comment in a moment, to seek injunctive relief, which means that there would be two actions going on at the same time, or that there might be. While I acquiesced in this latter provision when it was added to the bill, I may say that I did so rather reluctantly. That is an example, however, of my willingness to enter into reasonable compromise in committee. I did so believing that the best procedure would have been to make it discretionary, rather than mandatory, for the Board to seek injunctions.

Finally, under this proposal, we have a third agency—probably a different Federal court—deciding whether a damage action lies. Such dispersion of authority, in my judgment, is very bad legislative policy.

Mr. President, in view of the question raised by the Senator from Michigan [Mr. FERGUSON] a short time ago, I want to emphasize that under the committee bill discretion is left with the Federal court, after notice has been filed, to go into a hearing on any request for injunctive relief. I want to call the Senate's attention to page 33 of the bill, line 7, as follows:

(1) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of paragraph 4 (A), (B), and (C) of section 8 (b), the preliminary investigation of such charge shall be made forthwith and given priority over all other cases except cases of like character in the office where it is filed or to which it is referred. If, after such investigation, the officer or regional attorney to whom the matter may be referred has reasonable cause to believe such charge is true and that a complaint should issue, he shall, on behalf of the Board, petition any district court of the United States (including the District Court of the United States for the District of Columbia) within any district where the unfair labor practice in question has occurred, is alleged to have occurred, or wherein such person resides or transacts business, for appropriate injunctive relief pending the final adjudication of the Board with respect to such matter.

Now note the procedure, Mr. President:

Upon the filing of any such petition the district court shall have jurisdiction to grant such injunctive relief or temporary restraining order as it deems just and proper, notwithstanding any other provision of law: *Provided further*, That no temporary restraining order shall be issued without notice unless a petition alleges that substantial and irreparable injury to the charging party will be unavoidable and such temporary restraining order shall be effective for no longer than 5 days and will become void at the expiration of such period.

In other words, Mr. President, in the committee bill we have given to the courts certain discretionary power in issuing injunctions, but, as pointed out by the Senator from Michigan, however, we have limited that power by adequate procedural safeguards.

I want to say that I think one of the results of the Taft substitute, contrary to the approval of it by the Senator from New York [Mr. IVES], will be the use of litigation, the use of lawsuits, the effort to break up unions by constantly bringing them into court on one charge or another, whether foundation in fact lies for the charges. It does not make any difference, so far as the union treasury is concerned, Mr. President, whether the charges are truthful or whether they are false.

Furthermore, let us recall again the fact that as of today, under our State laws, those who are harmed by unions have the right to go into court and sue if they can bring proof that they have been damaged by the action of unions or of a union.

What we are trying to do here, it seems to me, is to superimpose upon a very sound administrative law structure devised to bring about the settlement of labor disputes the old technique of damage suits in order to harass and weaken a union. I want to say to the Senator from Minnesota that I certainly disagree with his views that in this field we ought to set aside our whole body of administrative law. Administrative law has been built up over the years in this country, Mr. President, to deal exactly with certain specified, specialized fields of the activity, such as transportation, labor relations, and some agricultural problems. Why then is an attack made on administrative law as it deals with labor unions? I will tell the Senate why. Because antiunion employers know that one of the best ways to break a union is to keep its treasury depleted by way of court action. I submit, Mr. President, that one of the results of the amendment will be to foster that type of antiunion activity.

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

Mr. MORSE. I am sorry, but time does not permit.

Many of the amendments I have opposed, Mr. President, including this one, are based upon a view of labor relations which causes me to believe that the amendments overlook the realities of labor relations. In discussing the amendment with respect to industry-wide bargaining the other day, I pointed out that the amendment was based upon the wholly erroneous premise that local unions had no voice in choosing or control over their agents—the officers of the international union. In discussing the amendments relating to health and welfare funds, I again pointed out that, contrary to the view of the sponsors of the amendment, trade-union members do exercise considerable control over their officers and have means of holding them accountable for their actions. A similar unfortunate approach to labor-relations problems is implicit in the proposal here made; namely, that employees enjoy striking, are ready to do so at any time, and suffer no penalties or deterrents in the event they go on strike. Only such a view is consistent with the outlawing of the strike for recognition.

I cannot emphasize too strongly the very potent deterrents to striking which now exist, or the error of those who believe that the only cause for strikes lies in the desire for power on the part of a small group of trade-union leaders. I am sure those who voted for the Smith-Connally Act were surprised, as I was not, to find that employees voting in a Government-conducted election upon a question loaded against striking during wartime, nevertheless, voted by overwhelming majorities in favor of such strikes. At the present time an employee who goes on strike, contrary to many assertions made by the proponents of these amendments, is not automatically reassured that he will get his job back, but takes the hazard that he may never be restored to employment.

I want to add, Mr. President, that I think one of the primary effects of the Ball amendment will be that it will destroy the right to strike for recognition purposes. In addition, the employee faces the obvious loss of his salary or wages for an indefinite period and sometimes loss of status in the enterprise which has been employing him. I ask what provocations would induce the Members of this body voluntarily to cut off their source of income for an indefinite period, with the possibility that they might never get their jobs back? It must be self-evident that only wrongs rankling deep in the hearts of workers can induce them to take a step so vital to their welfare. That they do so voluntarily in so many cases is an unhappy commentary on the status of our industrial relations, but I am confident that the answer is to be found not in for-

bidding even this safety valve to outraged feelings, but in basic improvements in our management-labor relations.

While, as indicated by my support of the committee bill, I feel that there are instances where we should and can properly place some restraint upon use of this power, I feel strongly that the strike for recognition is not one of them. It frequently happens that, when a union has just begun its organizing efforts, an employer undertakes retaliatory action. The discharge of one or two of the most active union members is a sharp warning to others who have joined the union that they will be the next to go and any courageous person, justifiably incensed by this invasion of the rights of the group by the employer, might well feel it necessary to take steps in self-defense particularly by way of withdrawing the economic power of those who remain in order to meet the challenge laid down by the employer. To deny this weapon is to force men to wait in abject fashion for such further attacks as the employer may care to make upon their most fundamental rights.

But, say the sponsors of this measure, under the National Labor Relations Act these men now have an alternative in that they may receive protection from the Board. It is well that they do and the steady falling off in the last 10 years of strikes for recognition indicates that in a vast majority of cases employees do resort to the processes of the Board rather than engaging in strike action. But the remedy provided by the National Labor Relations Act is slow and time-consuming, running in litigated cases to a period of about 3 years. The hazards of the law are always there and even a meritorious claim may fail for lack of proof or on a technicality. It is a particularly unhappy answer when the appropriations for the National Labor Relations Board are inadequate to enable it even to begin to do its job. Insofar as the remedy is effective, employees will of course use it as an alternative to striking; and every self-interest will encourage them to do so. Further, the National Labor Relations Act by no means covers all provocative action by an employer which may induce employees to engage in a strike for recognition. There may be grievous infractions of other Federal or State laws, there may be a deliberate incitement to such strikes by the employer through an "agent provocateur" or other means. To deny employees under these circumstances their right of self-help is to award a bonus to those employers who engage in the most outrageous antisocial conduct. While I do not welcome strikes for recognition—or, indeed, any type of strike—I have not the slightest question that this is an instrument which should properly be left in the hands of employees where the circumstances are so outrageous as to induce them to resort to it.

The next change from the committee bill is the insertion of the language contained in section (b) of the amendment which allows the district attorneys to bring suits for injunctions in the district courts for any violation of this subsection. The procedure of the committee bill is set forth in section 10 (j), (k), and (l) of the committee bill which, in my judgment, fully meets the problem of enforcing these provisions. Under section 10 (j) of the committee bill the National Labor Relations Board may in its discretion apply for a temporary restraining order where unfair labor practices have been committed, including, of course, the unfair labor practices which we are here discussing. Section 10 (k) authorizes the Board to appoint arbitrators in jurisdictional disputes whose decision is to be final. Section 10 (l) requires that with respect to secondary boycotts and jurisdictional strikes the regional attorney of the National Labor Relations Board shall petition for appropriate injunctive relief pending the final adjudication of the Board with respect to the case.

It has been my consistent endeavor while this legislation has been under discussion to vest determination of labor problems so far as it is humanly possible to do so in a single organization that is expert in labor problems. I assume that if the debates on this bill have served no other purpose they have demonstrated to all Members of the Senate the complexity and difficulty of this field. Labor problems are complex; as complex, indeed, as our entire social structure, since the great mass of our people are workers. It is a field which has been growing even more complex as our society has come to depend more and more upon the output of large industrial enterprises. Nor will these problems be simplified if the legislation which we have here proposed becomes law. Close day-to-day contact with these problems is necessary if able persons are to keep themselves even reasonably informed.

I am confident, despite the high regard in which I hold the district judges of the United States, that they have neither the background, the desire, or the time, to become experts in these matters. It is one thing to grant to the district courts, upon application of the Board, an interim power to maintain the status quo pending resolution of the problem by the body which we have selected as the expert body to handle such problems. It is quite a different thing to do what this bill proposes, namely, to throw these matters for final decision into the laps of the approximately 250 district judges of the United States, some few of whom may have some knowledge of the field, but all of whom can certainly not pretend to be experts. I feel that it is placing upon them an unfair burden to ask that they gain the necessary experience which the amendment would require them to have.

It is unhappily true, even though frequently unjustified, that many labor organizations and workers, because of unfortunate experiences before passage of the Norris-LaGuardia Act, hold the Federal courts in great mistrust. I believe that many of those unfortunate decisions which made the Norris-LaGuardia Act so necessary arose precisely out of the ignorance of the Federal courts concerning labor matters. I do not believe we will enhance either the reputation of the Federal courts, or the respect of our people for the Federal courts, or the cause of industrial peace, by placing these matters in the hands of our district courts for solution. And everything I have said may be applied with equal vigor to the district attorneys who would be called upon to bring such action.

The provisions of the committee bill should not make it necessary for me to indicate that I am heartily in sympathy with discouraging jurisdictional strikes and secondary boycotts. I submit that the committee does contain adequate machinery appropriate to that end. But all our debate has been centered on the search for sound solutions to existing problems; I cannot be convinced that it is sound legislation to disperse the authority over these problems, to draw into the orbit of their handling, a host of district attorneys and Federal judges without competence in the field or, by splitting up authority among all the district attorneys and district judges of the land, to make impossible the development of a uniform body of precedent and decisions, harmoniously integrated with each other over the entire economy.

Section (c) of the proposed amendment is, in my judgment, also unwise. This allows suits for damages to be brought in the Federal courts for violations of the section to recover damages and costs of the suit. Since the Clayton Act is also repealed as to this type of violation under section (d) of the amendment, this would mean that a trade-union engaging in these practices could be enjoined, could be sued for damages in the Federal courts, and would be liable criminally under the Sherman Act for treble damages. Nothing in the way of such remedies is proposed for unfair labor practices when committed by employers, and I suggest that if we are to give something more than lip service to the ideal of equality which we have set for ourselves, that we should be careful, as the committee bill has been, to make certain that the remedies available against employers and labor organizations are precisely equal. The manifest injustice of such additional penalties in the case of employee unfair labor practices alone would forever serve to damn any legislation here adopted as discriminatory class legislation.

It has happened in the past—frequently before the passage of the National Labor Relations Act—that employers entered into arrangements by which they agreed to blacklist union employees in an entire industry—or to supply insurance funds to enable employers to enter into lock-outs against organizations, or to supply funds for spying on labor organizations. No one will deny that such practices cause substantial harm and damage to the interests of trade-unions throughout the country and to the individuals composing them. Such practices may well continue clandestinely in various parts of the country, and to the extent that they may be revived they represent a serious danger to trade-unions. Yet the sponsors of this amendment have not suggested that such practices by employers, if again revived, should be subject to the penalties here proposed to be applied against trade-unions.

Section (d) further removes the protection of the Norris-LaGuardia Act and the Clayton Act from "any contract, combination, or conspiracy in restraint of commerce, to which a labor organization is a party, if one of the purposes of such contract, combination, or conspiracy is to fix prices, allocate customers, restrict production, distribution, or competition, or impose restrictions or conditions upon the purchase, sale, or use of any material, machines, or equipment."

After all, our objective, Mr. President, ought to be to prevent labor abuses, and not proceed here today, by hastily considered amendments under the great limitation of time under which we are laboring, to give to the Federal courts power which I submit in practice is going to result in a return to many of the old abuses of the injunctive powers of the courts that led in the first instance to the adoption of the Norris-LaGuardia Act.

Adoption of the amendment certainly would lead to a great deal of litigation to determine how much power in fact has been returned to the courts.

As I have stated, the provisions of the committee bill should not make it necessary for me to indicate that I am heartily in sympathy with discouraging jurisdictional strikes and secondary boycotts. I proposed the provisions of the committee bill which seek to make those practices unfair labor practices. I think that is as far as we should go in this session of Congress. Let us implement and effectuate those sections of the committee bill. Let us try them for a year and then determine whether I am right or wrong when I say that with those sections in operation we shall not need any additional Federal legislation to check jurisdictional strikes and secondary boycotts.

Next I wish to invite the attention of the Senate to the small phrase contained in the amendment—"If one of the purposes" is to fix prices, and so forth. For years, even prior to passage of the Clayton Act and the Norris-LaGuardia Act, the courts had developed the doctrine of primary purpose. In the first of the Coronado Coal cases (259 U. S. 344 and 268 U. S. 295) the Court pointed out that the Sherman Act was not violated because union activities restricted production.

In the second Coronado case in 1925 Chief Justice Taft said:

> The mere reduction in the supply of an article to be shipped in interstate commerce by the illegal or tortious prevention of its manufacture or production is ordinarily an indirect and remote obstruction to that commerce. But when the intent of those unlawfully preventing the manufacture or production is shown to be to restrain or control the supply entering and moving in interstate commerce, or the price of it in interstate markets, their action is a direct violation of the Antitrust Act (citing cases). We think there was substantial evidence at the second trial in this case tending to show that the purpose of the destruction of the mines was to stop the production of nonunion coal and prevent its shipment to markets of other States than Arkansas, where it would by competition tend to reduce the price of the commodity and affect injuriously the maintenance of wages for union labor in competing mines.

This language followed the opinion of Mr. Chief Justice Taft in *United Leather Workers International Union* v. *Herkert & Meisel Trunk Co.* (265 U. S. 457), where Chief Justice Taft said:

> The sole question here is whether a strike against manufacturers by their employees, intended by the strikers to prevent, through illegal picketing and intimidation, continued manufacture, and having such effect, was a conspiracy to restrain interstate commerce under the Antitrust Act because such products when made were, to the knowledge of the strikers, to be shipped in interstate commerce to fill orders given and accepted by would-be purchasers in other States, in the absence of evidence that the strikers interfered or attempted to interfere with the free transport and delivery of the product when manufactured from the factories to their destination in other States, or with their sale in those States.
>
> We think that this question has already been answered in the negative by this Court (citing the first Coronado case).

The Court then reviewed various authorities and continued:

> None of these cases * * * can properly be said to support the argument that mere intentional cutting down of manufacture of production is a direct restraint of commerce in the product intended to be shipped when ready * * *.

And in conclusion:

> We concur with the dissenting judge in the circuit court of appeals when, in speaking of the conclusion of the majority, he said:
>
> "The natural, logical, and inevitable result will be that every strike in any industry or even in any single factory will be within the Sherman Act and subject to Federal jurisdiction provided any appreciable amount of its product enters into interstate commerce."

In the *Apex Hosiery Case* (310 U. S. 469), decided in 1940, the Court recognized the distinction between primary intent and objectives and the secondary intent present in every strike to limit or restrict production. If it is enough to look to the secondary intent to stop production then, as the Supreme Court has consistently pointed out, every strike would be illegal. But since the provision of the amendment here is to make a strike illegal "one of the purposes" of which is to restrict production, then every strike automatically becomes illegal. As Mr. Justice Stone, speaking for the Court in the Apex Hosiery case said:

> Concededly the purpose of the strikers and their principal objective was to compel petitioner to yield to their demands for a union shop, but it is a matter of common knowledge and experience that the stoppage of a large manufacturing plant, which the strikers did intend, whose product is distributed generally to consumers throughout the country, would prevent its shipments in interstate commerce.

After discussing the various cases under the Sherman Act, Chief Justice Stone concluded:

> Underlying and implicit in all of them is recognition that the Sherman Act was not enacted to police interstate transportation, or to afford a remedy for wrongs, which are actionable under State law, and result from combinations and conspiracies which fall short, both in their purpose and effect, of any form of market control of a commodity, such as to monopolize the supply, control its price, or discriminate between its would-be purchasers. These elements of restraint of trade are wholly lacking here. We only hold now, as we have previously held in both labor and nonlabor cases, that such restraints are not within the Sherman Act unless they are intended to have, or in fact have, the effect on the market on which the court relied to establish violation in the second Coronado case.
>
> If, without such effect on the market, we were to hold that a local factory strike, stopping production and shipment of its product interstate, violates the Sherman law, practically every strike in modern industry would be brought within the jurisdiction of the Federal courts, under the Sherman Act, to remedy local law violations. The act was plainly not intended to reach such a result, its language does not require it, and the course of our decision precludes it.

Further, the Supreme Court in 1911 in the Standard Oil case developed the doctrine that in order to show a violation of the Sherman Act it was necessary to show that there was an unreasonable restraint upon interstate commerce. This test, too, would be abolished in the case of labor organizations alone if the pending measure were to become law. The language of this section would revive the case of *Duplex* v. *Deering* (254 U. S. 443) and the *Bedford Cut Stone Case* (274 U. S. 37). In those cases workers attempted to protect their own living standards by refusing to work upon goods made by nonunion labor; the outcry against those cases was among other abuses responsible for the passage of the Norris-LaGuardia Act. An examination of history and an accurate appraisal of the background of public reaction in the labor field, should persuade us to avoid again facing the outcry which attended those unfortunate cases.

This portion of the amendment is genuinely playing with fire. Its literal effect would be to make all strikes illegal. It will be noted that the amendment, for instance, contains no clause protecting workers who strike because machinery is dangerous; it becomes illegal to impose restrictions or conditions upon the purchase, sale, or use of any material, machines, or equipment. Hence any strike by workers against the use of dangerous machinery would subject them to an immediate injunction, severe suits in the Federal courts, and imposition of treble damages under the Sherman Act.

The language of this section is so broad, its possibilities so infinite, its impact upon well-settled doctrines so far-reaching, that I shall not make the effort to expand what seem to me to be its dangerous implications. I am confident that only years of litigation, turmoil, and strife could ever adequately explore its sinister possibilities. Suffice it to say that of all the proposals which have been made on the floor of the Senate, this seems to be most clearly a provision which is not thought through, designed to interfere with vast areas of legitimate union activity as well as with a small area of indefensible union practice. It is utterly clear on the face of the amendment that its effect must be in very

large measure to wipe out the Norris-LaGuardia Act, to repeal entirely the Clayton Act, and to put us well back to the state of the common law in England in the late 1700's, when any combination of workers was a conspiracy. The bill uses the language of "combination" and "conspiracy" and thereby wakes echoes of the common law now more than a century and a half forgotten.

For reasons which escape me, section 303 (a) (4) of the amendment changes the language of the committee bill which reads "for the purpose of forcing or requiring any employer to assign to members of a particular labor organization work tasks assigned by an employer to members of some other labor organization." The amendment omits the words "members of" where they appear for reasons which are entirely unclear to me. I suggest that the language in the committee print is clear and definite and thus should not be changed without some valid reason.

I submit that on the basis of the decisions of Chief Justice Taft the Ball amendment will take us back to the situation which was brought out in the Coronado cases and the Herkert & Meisel case. In other words, the amendment seeks to move us back, in my judgment, a great many years in labor relations, back to the era of labor injunctions and oppressive court action.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. PEPPER. Mr. President, I yield 4 minutes additional to the Senator from Oregon.

Mr. MORSE. Mr. President, I close by repeating that the substitute amendment would also throw the question of labor relations once more back into the courts, with all the litigation which would flow from it. If anyone thinks that that would bring labor harmony, he is not aware, in my judgment, of the lengths to which labor will go to see to it that not again will there be shackled upon the free workers of the United States all the abuses of the injunctive process which would rise again either under the amendment proposed by the Senator from Ohio [Mr. TAFT] or that of the Senator from Minnesota [Mr. BALL].

Mr. PEPPER. Mr. President, I yield 5 minutes to the Senator from New Jersey [Mr. SMITH].

Mr. SMITH. Mr. President, I can state very briefly my reasons for opposing the amendment of the Senator from Minnesota [Mr. BALL].

I am entirely in accord with his statement that there can be no defense for secondary boycotts and jurisdictional strikes; but this question arose in the Committee on Labor and Public Welfare. I look upon it as a matter of procedure. We decided, after debating the question, that instead of opening these cases to direct attack by employers aggrieved, it was wiser to consider them as unfair labor practices, and put them under the National Labor Relations Board. I feel that as we have broadened the scope of the National Labor Relations Board and the scope of the Wagner Act to include unfair labor practices by labor organizations as well as by employers, our logical procedure in dealing with these questions is through the Board, placing the responsibility on the Board to deal with such cases, whether on the one side or the other.

But beyond that, all through the discussion before the Committee on Labor and Public Welfare I took the position—and never swerved from it—that we should not open up the Norris-LaGuardia Act to the use of injunctions by private employers or private individuals aggrieved. It is my judgment that the Norris-LaGuardia Act should be open only for injunctions in behalf of the Government, in the limited classes of cases provided in our bill.

As the Senator from New York [Mr. IVES] so ably stated a few minutes ago, we would be making a very serious mistake to open the Norris-LaGuardia Act beyond that point, and therefore I oppose the suggestion in the Ball amendment that that be allowed to be done.

We have taken care of the question of time. I admit that these cases may not be handled as quickly through the procedure of the National Labor Relations Board, but I think we should experiment with that procedure. If we find that it does not work effectively enough, after trial and error, we can determine what is necessary to be done to cure the defect. I feel that we should try what we have sought to write into the bill as a complete revision of the Wagner Act, with unfair labor practices on both sides, and the primary responsibility with the National Labor Relations Board to protect both parties.

That is a brief statement of my position on this question. Let me add that I am entirely in favor of the so-called Taft substitute, whether it is offered as a substitute or as a separate amendment, because I see no reason why injured persons should not go into court to seek damages for wrongs in the event wrongs are done. My primary objection is to the use of the injunction in such cases.

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

Mr. SMITH. I yield.

Mr. DONNELL. I ask the Senator whether he knows of any reason, or principle, why a person who claims to have been injured by a jurisdictional strike or secondary boycott should not be permitted to go into court, employ his own lawyer, and control his own litigation, rather than have it sent to the National Labor Relations Board to determine whether his rights shall be presented to the court in an injunction proceeding.

Mr. SMITH. It is only because I feel that we are experimenting with procedure in these questions in an effort to improve the relations between management and labor, and not to raise new barriers through the feeling brought about by lawsuits. I do not believe that the way to deal with this problem in the first instance is by seeking injunctions. I believe that the problem should be handled by the Board, which is distinctly charged with the responsibility of being a judicial board to take care of problems on both sides of the controversy. I think we are justified in experimenting with that procedure before we go back to all the old legal remedies, including especially the injunctive remedy, which caused so much trouble in the early labor cases.

I admit that secondary boycotts and jurisdictional strikes are indefensible; but questions will arise with respect to which discretion may be needed, and I believe that the Board can serve a very useful function, even in cases of secondary boycotts and jurisdictional strikes.

Mr. DONNELL. Does the Senator, notwithstanding the point of trial and error to which he referred, know of any reason on principle why a person who claims to suffer an irreparable injury should not be entitled to control his own litigation, conduct his own suit, and hire his own lawyer?

Mr. SMITH. My only answer to the distinguished Senator is that in injunctive cases I am leaning over backward to try to improve the relations between labor and management.

The PRESIDING OFFICER. The time of the Senator from New Jersey has expired.

Mr. PEPPER. Mr. President, I yield 5 minutes to the Senator from Ohio.

Mr. TAFT. Mr. President, yesterday I offered a substitute for the Ball amendment. It is mimeographed and on the desks of the Senators. I now withdraw the substitute. I find that under the circumstances Members on both sides of the proposition are liable to vote against the substitute in the first instance if it is offered as a substitute. If the Ball amendment fails of adoption, I shall offer my substitute as a separate and direct amendment to the bill.

I now withdraw the substitute. When I offer it, I shall make one change. The word "person" in line 2 will be changed to read "labor organization," so that suits in secondary boycotts may be brought only against labor organizations and not against individuals, which might have been the effect, as stated by the Senator from New York [Mr. IVES].

My views on the subject of the Ball amendment are stated in the supplemental views found on page 4 of the majority report. I do not change those views. However, in the progress of the consideration of a bill the Senator in charge of it should judge the temper of the Senate and the action which should be taken. I found that opposition to restoring the injunctive process even in cases of secondary boycotts and jurisdictional strikes seemed to be so strong, and I am so anxious to retain provisions covering the right of direct action in suits brought for damages in cases of that kind, that I have determined that I shall vote against the Ball amendment and then offer the substitute, which provides for direct suits in cases of secondary boycott. I think that will be a powerful deterrent. While the injunctive process through the National Labor Relations Board is not so direct, it is an injunctive process of a kind; but without

the right to sue for damages, there is no recourse for a man who is injured by a secondary boycott. I was appealed to last week while I was in Connecticut by a man who had lost $100,000 because the sign-hangers union refused to hang his signs, and they practically put him out of business completely.

It seems to me that the right to sue for damages is a very vital thing to retain. As I sense the sentiment of the Senate, I believe it is in favor of that, although perhaps not for the injunctive procedure.

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

Mr. TAFT. I yield to the Senator from Maine.

Mr. BREWSTER. Am I to understand that some of the Senators who the Senator apprehends would vote against the Ball amendment would vote against the substitute amendment?

Mr. TAFT. I have discussed the matter with the Senator from New York [Mr. IVES] within the last few days and have tried to reach a compromise of some kind, and having reached a compromise I intend to act in accordance with it.

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

Mr. TAFT. I yield.

Mr. DONNELL. The Senator stated that he had not changed his views as set forth in the supplemental statement of certain Senators as set forth in the report. I ask the Senator, in order that the record may show it, whether the statement to which he still adheres includes the sentence set forth in the conclusion on page 56 of the report, which I read:

> We see no reason why any one of these four amendments—

And I interpolate that the Ball amendment is one of them—

> should be regarded as punitive or restrictive of the legitimate rights of labor unions. They do not go beyond the general principles accepted in the committee bill, but they do fill up gaps which we feel are serious.

Does the Senator still adhere to that statement?

Mr. TAFT. I agree with everything that is stated in that report. As the Senator in charge of the bill I believe that the welfare of the entire bill will be benefited by the compromise into which I have entered, so far as I myself am concerned.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. PEPPER. Mr. President, I yield 10 minutes to the Senator from Montana.

Mr. MURRAY. Mr. President, as stated by the Senator from New Jersey [Mr. SMITH], the amendment offered by the Senator from Minnesota deals with matters of procedure, with the problem of how the prohibition against certain types of labor activity is to be enforced. The amendment offered by the Senator from Ohio also deals with a matter of procedure.

The bill as reported by the committee already outlaws the activities in question by making them unfair labor practices, and even enables the National Labor Relations Board to obtain an immediate injunction while it is conducting a hearing on the issue. We are led to believe that the only question that now remains is whether we should add to these sanctions the suit for damages contemplated by the amendment offered by the Senator from Ohio, or the damage suit, injunction, and antitrust prosecution contained in the amendment offered by the Senator from Minnesota.

I shall return presently to the question of whether all or any of these enlargements on the sanctions already contained in the bill are warranted or desirable; but I believe we must put first things first, and I therefore wish at this point to direct my remarks to the fact that, regardless of the sanctions employed, the language of these amendments and of their counterpart in section 8 (b) (4) of the bill strikes without discrimination at legitimate efforts of labor unions to employ peaceful economic action in promoting their lawful interests.

Let us look at the language in question. It would be unlawful for any labor organization "to engage in, or to induce or encourage the employees of any employer to engage in, a strike or a concerted refusal to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services in the course of their employment" if the objective of the strike, or refusal to handle, was one of four objectives enumerated. The first of these objectives, we are told, is the so-called secondary boycott. Let us examine this language. A strike or refusal to handle, or the encouraging of others to strike or to refuse to handle, is made unlawful if it is conducted "for the purpose of forcing or requiring any employer or other person to cease using, selling, handling, transporting or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person."

Mr. President, I believe that all of my colleagues on the committee, and all others who have given serious thought to the problems of labor relations, will agree that there are few issues that are more complicated and more illusive than those connected with secondary boycotts. Here we have a term which is almost incapable of any precise definition, but which is one of those very dangerous loaded phrases which can be tossed around indiscriminately to stir the emotions and cloud the brain. In support of the amendment of the Senator from Minnesota we are told in the committee report that "there appears to be virtually no disagreement as to the complete injustice of secondary boycotts." I, for one, refuse to do my thinking on the basis of loaded phrases and slogans. If I am going to pass judgment on secondary boycotts, I want to know what they are in concrete and understandable terms, in terms that have some meaning in the light of the economic realities involved.

And so I look once again to the language of this provision which is designed to outlaw this so-called secondary boycott, and I find, in substance, a prohibition against any strike or any refusal to handle or any effort to encourage others to do likewise which is designed to persuade one employer to cease dealing with another employer.

At this point, Mr. President, the question we must, of course, ask ourselves is this: What is there about a strike or refusal to handle which has the objective of persuading one employer not to deal with another that is evil, and as a result of which this practice must be banned in its entirety? Surely it cannot be the fact that in such conduct parties who are not directly concerned in the labor dispute are adversely affected. At the outset of this debate the Senator from Ohio, and chairman of the Labor Committee, stated that in a free economy we must recognize freedom to strike "in spite of the inconvenience, and in some cases perhaps danger, to the people of the United States which may result from the exercise of such right." There is no doubt that in an economy such as ours, in which specialization and interdependence are the keynotes, virtually any strike of any significance adversely affects the interests of third parties, many of whom are wholly innocent, and frequently wholly incapable of influencing the settlement of the dispute. But we are willing to suffer such injustices because we realize, or at least enough of us realize, that in a free country the wage earner must be free to work or not to work, for whom he will, and that curtailing that freedom involves a greater injustice than permitting it, and trusting to his sense of reasonableness, and to the controlling influence of public opinion to curb its abuse.

Certainly, therefore, the evil of the workers' striking or refusing to handle in order to bring pressure upon some employer to cease dealing with another cannot be said to lie in the fact that innocent third parties are affected, unless we are willing to place a similar restriction on any strike which has a like effect.

The fact is, Mr. President, that there are justified and unjustified boycotts, just as there are justified and unjustified strikes, but the true test cannot be whether or not third parties are affected. The true test must be the objective sought to be accomplished. In the ban on strikes or refusals to handle with a view to persuading one employer to cease dealing with another we do not have any reference whatsoever to the underlying objective of the economic action. The ban is placed indiscriminately on a particular form of economic action regardless of what the objective may be.

Throughout this debate we have had our attention focused on boycotts used in furtherance of jurisdictional disputes; but it is well to remember that the labor boycott began as an effort by labor unions to protect hard-won union wage standards and working conditions from the depressing influence of the sweat-shop

conditions in many nonunion businesses. Many boycotts even today are purely defensive and are carried on for that purpose. As such they have a beneficial influence on society because they support better wages and better working and living conditions for everyone.

Consider, for example, the facts in one of the early boycott cases, *Duplex Printing Press Co.* v. *Deering* (254 U. S. 443) to which the Senator from Florida directed our attention several days ago. There were four manufacturers of printing presses; three of them operated a union shop, the fourth did not, and paid lower wages and required longer hours. The three union manufacturers, unable to meet the competition of the nonunion producer, threatened to refuse to continue the union shop unless the nonunion producer likewise adopted it. The union of printing press workers called upon workers installing, delivering, and repairing presses to refuse to handle the presses of the nonunion producer.

Are we prepared to call such activity unjustified? Yet it would be clearly unlawful under the bill and amendment we are now considering. In the words of Mr. Justice Brandeis:

> When centralization in the control of business brought its corresponding centralization in the organization of workingmen, new facts had to be appraised. A single employer might, as in this case, threaten the standing of the whole organization and the standards of all of its members; and when he did so the union, in order to protect itself, would naturally refuse to work on his materials wherever found. When such a situation was first presented to the courts judges concluded that the intervention of the purchaser of the materials established an insulation through which the direct relationship of the employer and the workingmen did not penetrate; and the strike against the materials was considered a strike against the purchaser by unaffected third parties * * * But other courts, with better appreciation of the facts of industry, recognized the unity of interest throughout the union, and that, in refusing to work on materials which threatened it, the union was only refusing to aid in destroying itself.

This bill, and the amendments we are now considering, would reverse the trend to which Mr. Brandeis referred. It would be unlawful for union labor in one craft to refuse to handle products made by nonunion labor even in the same or related craft. It would be unlawful for union labor to strike in order to compel their employer to cease dealing with a nonunion employer. It would be unlawful for the union workers to refuse to work next to nonunion workers of another employer engaged in a common project. In each of these situations the efforts of the unionized workers are primarily directed at protecting their own organizations, and their wage and hour standards against the destructive competition of nonunion labor.

I have said that the criterion with which to distinguish between justifiable and unjustifiable boycotts should be the objectives of the action. I have cited examples in which I believe the objectives are legitimate, but which would be struck down under this bill and the amendments we are considering. I would be the last to condemn legislation specifically limited to boycotts used in furtherance of objectives which are not legitimate; and that was stated very specifically in the minority views filed by the Senator from Utah, the Senator from Florida, and myself. We stated there, and we now state again, that we would support legislation to prevent boycotts when used to further jurisdictional strikes or to compel employers to violate the National Labor Relations Act, and I am certain that if thorough investigation by a commission or joint committee disclosed that the boycott was being used in any substantial fashion to further other objectives which are as clearly illegitimate, we would support extending the ban to cover those situations. But we cannot in good conscience support a measure which outlaws the secondary boycott without reference to the objectives pursued, and thereby attacks activities which in the distilled wisdom of many of our courts and many outstanding authorities in the field of labor relations have come to be recognized as socially beneficial, morally just, and legally right.

I have been endeavoring to demonstrate to the Senate that, entirely apart from the question of the nature of the sanctions imposed, the amendments now under consideration, and their counterpart in the unfair labor practice section of the bill, are, at least so far as the boycott situation is concerned, drafted without regard to valid distinctions between wholly acceptable and wholly unacceptable situations that may arise. I wish to say a word, however, with reference to the extension of sanctions, which is the direct function of the two amendments.

The suit for damages contemplated in the amendment offered by the Senator from Ohio is, I believe, open to attack, first of all, on the ground that it would further compound the difficulties which would be created by section 301 of the bill. For reasons which I believe are adequately set forth in pages 13 and 14 of the minority views, it would be most unwise to depart from the present amount in controversy and diversity of citizenship jurisdictional requirements in our Federal courts. The dockets of these courts are already crowded beyond reason, and the institution of a new era of litigation involving boycotts and jurisdictional disputes would merely add to the existing difficulties.

In a more fundamental sense, this amendment would introduce an element of gross inequality in the enforcement of the unfair labor practices. It would make available to employers a remedy—private suit in the Federal courts—which is nowhere available for employees who may be injured as a result of the commission of an unfair labor practice by employers—and this in a bill which, we are advised, is designed to equalize the position of employers and employees.

The amendment introduced by the Senator from Minnesota gives rise to these same problems, plus many more. Much has already been said, and much more could be said, about the grave dangers involved in restoring the use of the labor injunction. Mr. President, the injunction can be beneficial as the means of preventing unions from committing unlawful acts; but, as a device for forcing people to work, it is an insidious device to deny to free Americans their constitutional rights against involuntary servitude. I do not believe that Senators want to make themselves parties to any action which would again commit the United States Government to a course of denying Americans their rights as freemen.

The PRESIDING OFFICER. Of the 6 minutes remaining, 4 minutes are under the control of the Senator from Minnesota [Mr. BALL], and 2 minutes are under the control of the Senator from Florida [Mr. PEPPER].

Mr. BALL. Mr. President, I yield 1 minute to the Senator from Mississippi [Mr. EASTLAND].

Mr. EASTLAND. Mr. President, I should like particularly to call the attention of the southern Senators to an editorial which appeared in the International Teamster, the official magazine of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America, in the June 1946 issue. In the editorial, Mr. Tobin states that the cotton bloc in Congress has supplied the Republicans with sufficient votes to pass antilabor legislation, and therefore he calls upon the members of the international teamsters' union and all other organized labor to boycott cotton production and thereby defeat the southern delegation in Congress; and he states that because of the activities of southern Senators in behalf of labor legislation, legislation to curb his ruthless power, he urges a secondary boycott; by means of which the economy of the South would be destroyed and the Senators from the South would be defeated.

Mr. President, I ask unanimous consent to have the editorial printed at this point in the RECORD.

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

HOW TO CRACK THE COTTON BLOC

The cotton bloc in Congress is responsible for most of our domestic troubles. It is composed of the reactionary southern Democrats who team up with the equally reactionary northern Republicans to destroy the living standards of the American people.

Naturally the Republicans must bear the bulk of the blame because they are more numerous. But without the cotton Senators, and Congressmen, they would be only a noisy, dangerous minority.

The cotton bloc supplies the votes the Republicans need to kill legislation promoting full employment, higher wages, social security, and public health.

It also supplies the votes the Republicans need to pass legislation restricting labor, removing price control, and reducing taxes for large corporations. Such legislation reduces living standards by reducing the purchasing power of the workers' wages.

The cotton bloc is interested chiefly in higher prices for cotton, even though that means higher prices for shirts, dresses, underwear, socks, and other articles of wearing apparel.

When Economic Stabilizer Chester Bowles restricted speculation in cotton, the southern Congressmen attacked him and the whole price-control program in retaliation. They are demanding inflation in cotton, even if it means inflation in everything.

The public can go naked while warehouses bulge with cotton being hoarded for higher prices, for all the cotton bloc cares.

The southerners in Congress, interested primarily in perpetuating the plantation slave economy of the South, think that the public is helpless.

But it is not. It can strike back with devastating force. How? By simply boycotting cotton goods.

You can buy rayon underwear; rayon, nylon, silk, or wool socks and shirts. You can reject articles made of cotton, even insisting on automobile tires made with rayon instead of cotton thread. Such tires wear longer and are safer.

If the public becomes cotton-conscious and refuses to buy anything made of cotton, the price of cotton will tumble and the power of the cotton bloc in Congress will be broken. Many of them may be defeated for reelection because of the penalty their arrogance brought upon the South.

Labor can do this job by mobilizing its economic strength and diverting its buying power to cotton substitutes with which the market will soon be loaded.

Patronize your friends, is the key to the success of the union label. And there is no union label on the cotton Congressmen. They are apostles of the open shop.

You can beat them if you make the simple resolution and tell it to your friends:

Don't buy cotton!

Mr. BALL. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter from Charles W. Holman, secretary of the National Cooperative Milk Producers Federation, and a telegram from Edward A. O'Neal, president of the American Farm Bureau Federation, both of which state their conviction that both the pending bill and the Taft proposal, which now has been withdrawn, would be inadequate to protect effectively farm producers against the secondary boycott and "hot cargo" tactics which have been used against them, and they urge support of the pending amendment.

There being no objection, the letter and telegram were ordered to be printed in the RECORD, as follows:

THE NATIONAL COOPERATIVE
MILK PRODUCERS FEDERATION,
Washington, D. C., May 9, 1947.

Hon. J. H. BALL,
Senate Office Building,
Washington, D. C.

DEAR SENATOR BALL: The Taft substitute for the Ball antiboycott, antimonopoly amendment, offered yesterday, is thoroughly unsatisfactory. It will create great disappointment and cause resentment among the dairy and other farmers of your State.

Elimination of subsection (d) of the Ball amendment dealing with labor unions comprised jointly of wage workers and self-employed persons such as country haulers and farmers and controlling the marketing and pricing of commodities is a severe blow to farmers who in many parts of the country are distressed and oppressed by these practices.

The House of Representatives passed a very adequate provision dealing with secondary boycotts and monopolistic practices of labor unions. The Ball amendment meets this problem courageously; the Taft substitute dodges the issues.

The Taft substitute should be defeated. The Ball amendment should be passed.

Sincerely yours,
CHARLES W. HOLMAN,
Secretary.

MAY 9, 1947.

Hon. JOSEPH H. BALL,
Hon. HARRY F. BYRD,
Hon. FORREST C. DONNELL,
Hon. WALTER F. GEORGE,
Hon. ROBERT A. TAFT,
Senate Office Building,
Washington, D. C.:

Substitute amendment offered by Senator TAFT is very inadequate to protect farmers against secondary boycotts, jurisdictional strikes, and monopolistic practices of labor unions, which have heavily penalized farmers and public generally. Farmers are expecting Congress to enact effective legislation to protect them against these abuses, which violate basic rights of public. Substitute amendment contains no protection against monopolistic practices and its boycott provisions will be ineffective, especially with respect to perishable food commodities, unless parties are given right to secure court injunction restraining boycotts which otherwise will cause losses of perishable food. Respectfully urge that Senate protect farmers by approving Ball-Byrd-Donnell-George amendment.

EDW. A. O'NEAL,
President, American Farm Bureau Federation.

Mr. BALL. Mr. President, it has been alleged that the amendment is a hastily considered or ill-considered piece of legislation. That is not so. A provision similar to this amendment was in the Case bill, which was passed by both Houses of Congress at the last session. It was in Senate bill 55, which was introduced in January; and it was considered fully in the committee. It was voted out of the bill, in the committee, by a vote of 7 to 6.

Mr. President, the issue in connection with the pending amendment is very simple. The committee bill provides for injunctive relief against secondary boycotts and jurisdictional strikes, but it provides that the citizen who is injured, whose rights are transgressed by a union which has engaged in those racketeering practices, must first obtain the permission of the regional attorney of the National Labor Relations Board before he can go into court to protect his rights, and then only the attorney or the Board goes into court; the injured citizen does not control his own action.

Mr. President, I think the American people in the last election voted against that kind of bureaucratic authority over the rights of citizens; and I think any person who is injured by such racketeering practices should have the right to go directly into court and obtain relief.

Mr. PEPPER. Mr. President, I heartily join the Senator from New York [Mr. IVES], the Senator from Oregon [Mr. MORSE], the Senator from New Jersey [Mr. SMITH], the Senator from Montana [Mr. MURRAY], and the Senator from Ohio [Mr. TAFT] in the announcement that they are opposing the pending amendment because they feel that it goes too far.

The amendment, if adopted, would accomplish two things: First, it provides that citizens who allege injury may secure injunctions against boycotts. Such a provision would be an amendment to the Norris-LaGuardia Act. The bill itself provides that it shall be mandatory upon the regional attorney or the regional representative of the National Labor Relations Board, if a complaint is filed with him, to seek an injunction. So, today, under the provisions of the bill it is mandatory for an agent of the Board to seek an injunction against a boycott. The Senator from Minnesota by his amendment would extend that further, to allow that dangerous right to be exercised by a private citizen.

The second point is that the amendment is designed, as the Senator from Minnesota pointed out, to overrule or correct, as he stated, the decision of the United States Supreme Court that the antitrust laws of the United States are not intended to be applied to labor unions. The Senator from Minnesota is trying to reverse or set aside that decision of the Supreme Court and to make the antitrust laws applicable to labor unions. I do not believe the Senate wishes to make those two radical departures from either the present law or the present decisions of the Supreme Court of the United States.

The PRESIDING OFFICER. The Senator from Minnesota has control of all the time remaining between now and 1 o'clock, which is approximately one minute and a half.

Mr. BALL. Mr. President, I merely wish to make the parliamentary situation clear. Am I correct in stating that the proposed substitute of the Senator from Ohio has now been withdrawn, and that the vote at 1 o'clock will be on the Ball amendment as offered yesterday?

The PRESIDING OFFICER. The Senator from Minnesota is entirely correct. Inasmuch as the Senator from Ohio has withdrawn his amendment in the nature of a substitute, the question is on the amendment submitted by the Senator from Minnesota [Mr. BALL], on behalf of himself and other Senators.

Mr. REED. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. REED. Is the so-called Ball amendment the amendment which is printed and on our desks this morning, and which was submitted yesterday by the Senator from Minnesota [Mr. BALL], the Senator from Virginia [Mr. BYRD], the Senator from Missouri [Mr. DONNELL], and the Senator from Georgia [Mr. GEORGE]?

Mr. BALL. That is correct.

Mr. REED. That amendment, as printed and lying on our desks, is the amendment upon which we are to vote, is it?

The PRESIDING OFFICER. The Senator is correct.

Mr. IVES. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. IVES. In order to make sure that I understand the Chair's statement, I should like to inquire if it is the understanding of the Chair that if the amendment now pending, which has been offered by the Senator from Minnesota [Mr. BALL], is defeated, the Senator from

Ohio [Mr. TAFT] then will offer his substitute amendment, or the one which he has called a substitute amendment, immediately following?

The PRESIDING OFFICER. The Chair understands that if the Ball amendment is rejected, the Senator from Ohio or any other Senator can offer any amendment to the bill which he may desire to offer to it.

Mr. TAFT. Mr. President, I intend to offer the amendment as an amendment to the bill, if the Ball amendment is rejected. It will not be necessary to offer it otherwise, because in that event the bill will contain the provision.

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

The PRESIDING OFFICER. The Clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Murray
Baldwin	Hawkes	Myers
Ball	Hayden	O'Conor
Barkley	Hickenlooper	O'Daniel
Brewster	Hill	Overton
Bricker	Hoey	Pepper
Bridges	Holland	Reed
Brooks	Ives	Revercomb
Buck	Johnson, Colo.	Robertson, Va.
Bushfield	Johnston, S. C.	Robertson, Wyo.
Butler	Kem	Russell
Byrd	Kilgore	Saltonstall
Cain	Knowland	Smith
Capper	Langer	Sparkman
Chavez	Lodge	Stewart
Connally	Lucas	Taft
Cooper	McCarran	Taylor
Cordon	McCarthy	Thomas, Okla.
Donnell	McClellan	Thomas, Utah
Downey	McFarland	Thye
Dworshak	McGrath	Tydings
Eastland	McKellar	Umstead
Ecton	McMahon	Vandenberg
Ellender	Magnuson	Wagner
Ferguson	Malone	Watkins
Flanders	Martin	Wherry
Fulbright	Maybank	Wiley
George	Millikin	Williams
Green	Moore	Wilson
Gurney	Morse	Young

The PRESIDING OFFICER. Ninety Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment submitted by the senior Senator from Minnesota [Mr. BALL] for himself, the Senator from Virginia [Mr. BYRD], the Senator from Missouri [Mr. DONNELL], and the Senator from Georgia [Mr. GEORGE].

Mr. MORSE and other Senators asked for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. WHERRY. I announce that the Senator from Maine [Mr. WHITE] is necessarily absent and is paired with the Senator from Wyoming [Mr. O'MAHONEY]. If present and voting the Senator from Maine would vote "yea" and the Senator from Wyoming, if present, would vote "nay."

The Senator from New Hampshire [Mr. TOBEY] is necessarily absent because of illness in his family.

The senior Senator from Indiana [Mr. CAPEHART] and the junior Senator from Indiana [Mr. JENNER] are necessarily absent. If present and voting they would vote "nay."

Mr. LUCAS. I announce that the Senator from Wyoming [Mr. O'MAHONEY], who is absent on public business, is paired on this vote with the Senator from Maine [Mr. WHITE]. If present, the Senator from Wyoming would vote "nay," and the Senator from Maine would vote "yea."

The result was announced—yeas 28, nays 62, as follows:

YEAS—28

Ball	Gurney	Robertson, Va.
Bricker	Hawkes	Robertson, Wyo.
Buck	Hickenlooper	Stewart
Bushfield	Kem	Tydings
Byrd	McClellan	Wherry
Capper	McKellar	Wiley
Cordon	Martin	Williams
Donnell	Moore	Wilson
Eastland	O'Daniel	
George	Reed	

NAYS—62

Aiken	Hill	Murray
Baldwin	Hoey	Myers
Barkley	Holland	O'Conor
Brewster	Ives	Overton
Bridges	Johnson, Colo.	Pepper
Brooks	Johnston, S. C.	Revercomb
Butler	Kilgore	Russell
Cain	Knowland	Saltonstall
Chavez	Langer	Smith
Connally	Lodge	Sparkman
Cooper	Lucas	Taft
Downey	McCarran	Taylor
Dworshak	McCarthy	Thomas, Okla.
Ecton	McFarland	Thomas, Utah
Ellender	McGrath	Thye
Ferguson	McMahon	Umstead
Flanders	Magnuson	Vandenberg
Fulbright	Malone	Wagner
Green	Maybank	Watkins
Hatch	Millikin	Young
Hayden	Morse	

NOT VOTING—5

Capehart	O'Mahoney	White
Jenner	Tobey	

So the amendment offered by Mr. BALL on behalf of himself and other Senators was rejected.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BALDWIN:

S. 1253. A bill to amend the Armed Forces Leave Act of 1946 so as to extend terminal leave benefits to the survivors of members of the armed forces who died while on active duty between September 8, 1939, and September 1, 1946, and for other purposes; to the Committee on Armed Services.

S. 1254. A bill to authorize the transfer of the *Joseph Conrad* to the Marine Historical Association, of Mystic, Conn., for museum purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LANGER:

S. 1255. A bill to amend the Veterans' Preference Act of 1944 by requiring that veterans entitled to benefits thereunder have served honorably in the armed forces on full-time active duty with pay, and for other purposes; to the Committee on Civil Service.

S. 1256. A bill for the relief of Andrew Mathewes;

S. 1257. A bill for the relief of William Karundeng; and

S. 1258. A bill for the relief of Johannes R. Andu; to the Committee on the Judiciary.

(Mr. LANGER also introduced Senate bill 1259, relating to searches of the premises of persons arrested by officers and agents of the United States, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. WILSON (for himself, Mr. REED, Mr. GURNEY, Mr. WHERRY, Mr. HICKENLOOPER, Mr. BUTLER, Mr. BUSHFIELD, Mr. CAPPER, Mr. LANGER, Mr. YOUNG, Mr. BALL, Mr. THYE, Mr. MCCARTHY, Mr. ECTON, and Mr. JOHNSON of Colorado):

S. 1260. A bill to provide for the settlement and payment to certain motor carriers of claims against the United States for damages resulting from Federal possession, control, and operation in time of war of the carriers' transportation systems and properties; to provide for just compensation to such carriers for the use of such transportation systems and properties during such possession, control, and operation; and for other purposes; to the Committee on the Judiciary.

(Mr. MCGRATH introduced Senate bill 1261, to provide emergency relief for American citizens captured on American sovereign territory by the armed forces of Japan, and for other purposes, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. CORDON:

S. 1262. A bill to provide a central authority for standardizing geographic names, for the purpose of eliminating duplication in standardizing such names among the Federal Departments, and for other purposes; to the Committee on Public Lands.

(Mr. VANDENBERG (for himself, Mr. BARKLEY, Mr. AIKEN, Mr. BALL, Mr. FERGUSON, Mr. HICKENLOOPER, Mr. JOHNSTON of South Carolina, Mr. LANGER, Mr. MCCARTHY, Mr. TAYLOR, Mr. THOMAS of Utah, Mr. THYE, Mr. TOBEY, Mr. WILEY, Mr. WILSON, and Mr. YOUNG) introduced Senate Joint Resolution 111, approving the agreement between the United States and Canada relating to the Great Lakes-St. Lawrence Basin with the exception of certain provisions thereof; expressing the sense of the Congress with respect to the negotiation of certain treaties; providing for making the St. Lawrence seaway self-liquidating; and for other purposes, which was referred to the Committee on Foreign Relations, and appears under a separate heading.)

By Mr. BROOKS:

S. J. Res. 112. Joint resolution to establish a commission to formulate plans for the erection, in Grant Park, Chicago, Ill., of a Marine Corps memorial; and

S. J. Res. 113. Joint resolution authorizing the erection in the District of Columbia of a memorial to the Marine Corps dead of all wars; to the Committee on Rules and Administration.

By Mr. LANGER:

S. J. Res. 114. Joint resolution creating a joint committee to formulate plans for withdrawal of Federal restrictions over Indians in the State of California; to the Committee on Public Lands.

THE RIGHT OF FREEDOM FROM SEARCH

Mr. LANGER. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill relating to searches of the premises of persons arrested by officers and agents of the United States. I request that the bill be printed in full in the body of the RECORD.

There being no objection, the bill (S. 1259) relating to searches of the premises of persons arrested by officers and agents of the United States, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on

the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That (a) no officer or agent of the United States having authority to arrest a person charged with a crime or offense against the laws of the United States shall, by reason of such authority, have any right to search the dwelling, place of business, or other premises of such person.

(b) Nothing contained in subsection (a) shall prohibit the seizure by such officer or agent of any property found (1) within the dwelling, place of business, or other premises of such person, and (2) within plain view of such officer or agent at the time and place of such arrest or while going to or coming from such place, if such officer or agent has reasonable grounds to believe (A) that the property so seized was stolen or embezzled in violation of any law of the United States or was used as the means of committing the crime for which such arrest is made, or (B) that custody or possession thereof is unlawful under any law of the United States; or prohibit the search by any such officer or agent of any individual lawfully arrested or the seizure of any property found on the person of such individual.

SEC. 2. No evidence obtained by any officer or agent of the United States in violation of the provisions of this act shall be admissible in any criminal prosecution in a court of the United States.

SEC. 3. Any officer or agent of the United States who makes a search in violation of the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine of not to exceed $1,000 or by imprisonment for not to exceed 1 year, or by both such fine and imprisonment.

SEC. 4. Nothing contained in this act shall be construed to supersede or modify any law of the United States relating to the issuance or execution of search warrants or to affect in any way the admissibility of evidence obtained pursuant to any search warrant.

Mr. LANGER. Mr. President, in connection with the bill just introduced by me, I ask unanimous consent to have printed in the RECORD an editorial which appeared in yesterday's Washington News. The editorial is entitled "Right of Freedom From Search," and I wish to read the first paragraph of it:

The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Mr. President, that is the fourth amendment to the Constitution of the United States.

I wish to have the editorial printed in full, and to have printed following it the dissenting opinion of Mr. Justice Frankfurter, of the Supreme Court of the United States, which was handed down on May 5, 1947.

There being no objection, the editorial and dissenting opinion were ordered to be printed in the RECORD, as follows:

RIGHT OF FREEDOM FROM SEARCH

"The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized." (Fourth amendment to the Constitution.)

The Supreme Court, to our way of thinking, stuck its foot through that particular part of the Bill of Rights in its Harris case decision this week. It was another of those 5-to-4 divisions, concerning which there probably will be much hell to pay until the High Court reverses itself.

Harris, a small-bore crook in Oklahoma City, was arrested on a charge of trying to defraud an oil company by a check forgery. FBI agents had an arrest warrant, but no search warrant. Nevertheless, they took custody of the man in his apartment and proceeded to search the premises. For 5 hours they ransacked the place. They were looking for a couple of canceled checks for evidence.

They didn't find what they sought, but they did find in the bottom of a dresser drawer an envelope containing a number of draft cards and registration forms, possession of which is illegal under the Selective Service Act. It was for this latter crime that Harris was tried, convicted, and sentenced. The case was carried to the Supreme Court on the question of whether the fourth amendment had been violated.

Chief Justice Vinson, for the majority, ruled that the search was not "unreasonable," since it was confined to the premises where the arrest occurred. And that the evidence was valid, since it was discovered in the course of that search, although it related to a crime at the time unsuspected by the arresting officers.

The four minority Justices denounced that end-justifies-the-means line of reasoning—and we think what they said makes sense. We haven't space here to repeat their eloquent and vehement language.

The gist of their dissents was that the arresting officers, if they had good reason to believe incriminating evidence was hidden in the man's apartment, could have gone before a judge and obtained a search warrant "particularly describing the place to be searched, and * * * things to be seized." Not circumscribed by such due process, any arresting officer might feel free to ransack from cellar to garret any home, or to rifle all the desks and safes and files of any office, wherever an arrest is made—even though the arrest be for a misdemeanor. And the arresting officer would be largely free to choose the premises to be searched, among all the places where the accused person might be found.

As an old police reporter, we see readily that this would make it pretty easy for a politically run police department to arrest one of the mayor's opponents on a minor charge, then go through his effects to try to pin something on him.

If that should happen to a respectable citizen, instead of a penny-ante criminal like Harris, we are sure that the majority Justices—Vinson, Burton, Reed, Black, and Douglas—would hold the search "unreasonable." But before any such other test case reaches them, much damage is likely to be done.

The minority Justices—Jackson, Rutledge, Murphy, and Frankfurter—probably don't love the Fourth Amendment Act more than the majority does. But they seem to have a better understanding of how cops act on a raid.

The most moderate of the dissents was that of Mr. Justice Jackson, from which we quote:

"In view of the long history of abuse of search and seizure which led to the fourth amendment, I do not think it was intended to leave open an easy way to circumvent the protection it extended to the privacy of individual life. In view of the readiness of zealots to ride roughshod over claims of privacy for any ends that impress them as socially desirable, we should not make inroads on the rights protected by this amendment * * *

"Of course, this, like each of our constitutional guaranties, often may afford a shelter for criminals. But the forefathers thought this was not too great a price to pay for that decent privacy of home, papers, and effects which is indispensable to individual dignity and self-respect. They may have overvalued privacy, but I am not disposed to set their commands at naught."

SUPREME COURT OF THE UNITED STATES—No. 34—OCTOBER TERM, 1946.—GEORGE HARRIS, PETITIONER *v.* THE UNITED STATES OF AMERICA

MAY 5, 1947—ON WRIT OF CERTIORARI TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE TENTH CIRCUIT

(Mr. Justice Frankfurter, with whom Mr. Justice Murphy and Mr. Justice Rutledge concur, dissenting.)

Because I deem the implications of the Court's decision to have serious threats to basic liberties, I consider it important to underscore my concern over the outcome of this case. In *Davis* v. *United States* (328 U. S. 582) the Court narrowed the protection of the Fourth Amendment[1] by extending the conception of "public records" for purposes of search without warrant.[2] The Court now goes far beyond prior decisions in another direction—it permits rummaging throughout a house without a search warrant on the ostensible ground of looking for the instruments of a crime for which an arrest, but only an arrest, has been authorized. If only the fate of the Davises and the Harrises were involved, one might be brutally indifferent to the ways by which they get their deserts. But it is precisely because the appeal to the Fourth Amendment is so often made by dubious characters that its infringements call for alert and strenuous resistance. Freedom of speech, of the press, of religion, easily summon powerful support against encroachment. The prohibition against unreasonable search and seizure is normally invoked by those accused of crime, and criminals have few friends. The implications of such encroachment, however, reach far beyond the thief or the black-marketeer. I cannot give legal sanction to what was done in this case without accepting the implications of such a decision for the future, implications which portend serious threats against precious aspects of our traditional freedom.

If I begin with some general observations, it is not because I am unmindful of Mr. Justice Holmes' caution that "General propositions do not decide concrete cases." *Lochner* v. *New York* (198 U. S. 45, 76). Whether they do or not often depends on the strength of the conviction with which such "general propositions" are held. A principle may be accepted "in principle," but the impact of an immediate situation may lead to deviation from the principle. Or, while accepted "in principle," a competing principle may seem

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[1] "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

[2] While this case presents a situation not involved in the Davis case, or in *Zap* v. *United States* (328 U. S. 624) so that the Court's conclusion cannot rest on those cases, it is appropriate to note that neither of those cases carries the authority of a majority of the Court. Aside from the fact that a constitutional adjudication of recent vintage and by a divided Court may always be reconsidered, I am loath to believe that these decisions by less than a majority of the Court are the last word on issues of such far-reaching importance to constitutional liberties.

more important. Both these considerations have doubtless influenced the application of the search and seizure provisions of the Bill of Rights. Thus, one's views regarding circumstances like those here presented ultimately depend upon one's understanding of the history and the function of the fourth amendment. A decision may turn on whether one gives that amendment a place second to none in the Bill of Rights, or considers it on the whole a kind of nuisance, a serious impediment in the war against crime.

The provenance of the fourth amendment bears on its scope. It will be recalled that James Otis made his epochal argument against general warrants in 1761.[3] Otis' defense of privacy was enshrined in the Massachusetts Constitution of 1780 in the following terms:

"XIV. Every subject has a right to be secure from all unreasonable searches and seizures of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right if the cause or foundation of them be not previously supported by oath or affirmation, and if the order in the warrant to a civil officer to make search in suspected places, or to arrest one or more suspected persons, or to seize their property be not accompanied with a special designation of the persons or objects of search, arrest, or seizure; and no warrant ought to be issued but in cases and with the formalities prescribed by the laws."

In the meantime Virginia, in her first constitution (1776), incorporated a provision on the subject narrower in scope:

"SEC. 10. That general warrants, whereby an officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offence is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted."

When Madison came to deal with safeguards against searches and seizures in the United States Constitution he did not draw on the Virginia model but based his proposal on the Massachusetts form. This is clear proof that Congress meant to give wide, and not limited, scope to this protection against police intrusion.

Historically we are dealing with a provision of the Constitution which sought to guard against an abuse that more than any one single factor gave rise to American independence. John Adams surely is a competent witness on the causes of the American Revolution. And he it was who said of Otis' argument against search by the police, not unlike the one before us, "American independence was then and there born" (10 Adams, Works, 247). That which lay behind immunity from police intrusion without a search warrant was expressed by Mr. Justice Brandeis when he said that the makers of our Constitution "conferred, as against the Government, the right to be let alone—the most comprehensive of rights and the right most valued by civilized men. To protect that right every unjustifiable intrusion by the Government upon the privacy of the individual, whatever the means employed, must be deemed a violation of the fourth amendment."

To be sure, that was said by him in a dissenting opinion in which he, with Mr. Justice Holmes, Mr. Justice Butler, and Mr. Justice Stone, applied the prohibition of the fourth amendment to wiretapping without statutory authority. *Olmstead* v. *United States*, 277 U. S. 438, 478. But with only an occasional deviation, a series of decisions of this Court has construed the fourth amendment "liberally to safeguard the right of privacy." *United States* v. *Lefkowitz*, 285 U. S. 452, 464. (See an analysis of the cases in the appendix to this opinion.) Thus, the Federal rule established in *Weeks* v. *United States*, 232 U. S. 383, as against the rule prevailing in many States, renders evidence obtained through an improper search inadmissible, no matter how relevant. See *People* v. *Defore*, 242 N. Y. 13, and Chafee, the Progress of the Law, 1919–22, 35 Harv. L. Rev. 673, 694 et seq. And long before the Weeks case, *Boyd* v. *United States*, 116 U. S. 616, gave legal effect to the broad historic policy underlying the fourth amendment.[4] The *Boyd* opinion has been the guide to the interpretation of the fourth amendment to which the Court has most frequently recurred.

It is significant that the constitution of every State contains a clause like that of the fourth amendment and often in its precise wording. Nor are these constitutional provisions historic survivals. New York was alone in not having a safeguard against unreasonable search and seizure in its constitution. In that State the privilege of privacy was safeguarded by a statute. It tells volumes that in 1938, New York, not content with statutory protection, put the safeguard into its constitution.[5] If one thing on this subject can be said with confidence, it is that the protection afforded by the fourth amendment against search and seizure by the police, except under the closest judicial safeguards, is not an outworn bit of eighteenth century romantic rationalism, but an indispensable need for a democratic society.

The fourth amendment we have seen derives from the similar provision in the first Massachusetts Constitution. We may therefore look to the construction which the early Massachusetts court placed upon the progenitor of the fourth amendment:

"With the fresh recollection of those stirring discussions (respecting writs of assistance), and of the revolution which followed them, the article in the Bill of Rights, respecting searches and seizures, was framed and adopted. This article does not prohibit all searches and seizures of a man's person, his papers, and possessions, but such only as are 'unreasonable,' and the foundation of which is 'not previously supported by oath or affirmation.' The legislature were not deprived of the power to authorize search warrants for probable causes, supported by oath or affirmation, and for the punishment or suppression of any violation of law" (*Commonwealth* v. *Dana* (2 Met. (Mass.) 329, 336)).

The plain import of this is that searches are "unreasonable" unless authorized by a warrant, and a warrant hedged about by adequate safeguards. "Unreasonable" is not to be determined with reference to a particular search and seizure considered in isolation. The "reason" by which search and seizure is to be tested is the "reason" that was written out of historic experience into the fourth amendment. This means that, with minor and severely confined exceptions, inferentially a part of the amendment, every search and seizure is unreasonable when made without a magistrate's authority expressed through a validly issued warrant.

It is noteworthy that Congress has consistently and carefully respected the privacy protected by the fourth amendment. Because they realized that the dangers of police abuse were persisting dangers, the fathers put the fourth amendment into the Constitution. Because these dangers are inherent in the temptations and the tendencies of the police, Congress has always been chary in allowing the use of search warrants. When it has authorized them it has circumscribed their use with particularity. In scores upon score of acts, Congress authorized search by warrant only for particular situations and in extremely restricted ways. Despite repeated importunities by Attorneys General of the United States, Congress long refused to make search by warrant generally available as a resource in aid of criminal prosecution. It did not do so until the First World War, and even then it did not do so except under conditions carefully circumscribed.

The whole history of legislation dealing with search and seizure shows how warily Congress has walked precisely because of the fourth amendment. A search of the entire premises for instruments of crime merely as an incident to a warrant of arrest has never been authorized by Congress. Nor has Congress ever authorized such search without a warrant even for stolen or contraband goods. On the contrary, it is precisely for the search of such goods that specific legislative authorization was given by Congress. Warrants even for such search required great particularity and could be issued only on adequate grounds. (For a table of congressional legislation, with indication as to its scope, see

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[3] For reports of Otis' famous argument, see 2 Adams' Works, pp. 523–525; Tudor, Life of James Otis, ch. VI; Quincy's Massachusetts Reports, pp. 471 et seq. (see also pp. 51–55); American History Leaflets, No. 33. And see the tribute of John Adams to Otis, Samuel Adams, and Hancock in 8 Old South Leaflets, p. 57 (No. 179). "The seizure of the papers of Algernon Sidney, which were made use of as the means of convicting him of treason, and of those of Wilkes about the time that the controversy between Great Britain and the American Colonies was assuming threatening proportions, was probably the immediate occasion for this constitutional provision. See *Leach* v. *Money* (Burr, 1742; S. C., 1 W. Bl. 555, 19 State Trials 1001), and Broom, Constitutional Law, 525; *Entick* v. *Carrington* (2 Wils. 275; S. C., 19 State Trials 1030), and Broom, Constitutional Law, 558; May, Constitutional History, ch. 10; Trial of Algernon Sidney (9 State Trials 817)." Cooley, Principles of Constitutional Law (1st ed.) 212 note 2.

[4] Compare the answers to certified questions by this Court in *Gouled* v. *United States* (255 U. S. 298), with the forecast made by a student of the subject of known partiality in favor of civil liberties. Fraenkel, Concerning Searches and Seizures, 34 Harv. L. Rev. 361, 385–387. As pointed out by Prof. Zechariah Chafee, Jr., in each instance where the Gouled case differs from Mr. Fraenkel's forecast, "the court gave increased force to the constitutional guarantee." Chafee, The Progress of the Law, 1919–22, 35 Harv. L. Rev. 673, 699.

[5] It is not without interest to note the first appearance of provisions dealing with search and seizure in State constitutions: Alabama, I, 9 (1819); Arizona, II, 8 (1911); Arkansas, II, 9 (1836); California, I, 19 (1849); Colorado, II, 7 (1876); Connecticut, I, 8 (1818); Delaware, I, 6 (1792); Florida, I, 7 (1838); Georgia, I, 18 (1865); Idaho, I, 17 (1889); Illinois, VIII, 7 (1818); Indiana, I, 8 (1816); Iowa, I, 8 (1846); Kansas, I, 14 (1855); Kentucky, XII, 9 (1792); Louisiana, VII, art. 108 (1864); Maine, I, 5 (1819); Maryland, Declaration of Rights, XXIII (1776); Massachusetts, I, art. XIV (1780); Michigan, I, 8 (1835); Minnesota, I, 10 (1857); Mississippi, I, 9 (1817); Missouri, XIII, 13 (1820); Montana, III, 7 (1889); Nebraska, I, 7 (1875); Nevada, I, 18 (1864); New Hampshire, I, XIX (1784); New Jersey, I, 6 (1844); New Mexico, II, 10 (1910); North Carolina, Declaration of Rights, XI (1776); North Dakota, I, 18 (1889); Ohio, VIII, 5 (1802); Oklahoma, II, 30, (1907); Oregon, I, 9 (1857); Pennsylvania, Declaration of Rights, X (1776); Rhode Island, I, 6 (1842); South Carolina, I, 22 (1868); South Dakota, VI, 11 (1889); Tennessee, XI, 7 (1796); Texas, Declaration of Rights, 5 (1836), I, 7 (1845); Utah, I, 14 (1895); Vermont, I, XI (1777); Virginia, Bill of Rights, 10 (1776); Washington, I, 7 (1889); West Virginia, II, 3 (1861–63); Wisconsin, I, 11 (1848); Wyoming, I, 4 (1889).

the appendix to the dissenting opinion in the *Davis case*, 328 U. S. at 616.)

This is the historic background against which the undisputed facts of this case must be projected. For me, the background is respect for that provision of the Bill of Rights which is central to enjoyment of the other guarantees of the Bill of Rights. How can there be freedom of thought or freedom of speech or freedom of religion if the police can, without warrant, search your house and mine from garret to cellar merely because they are executing a warrant of arrest? How can men feel free if all their papers may be searched, as an incident to the arrest of someone in the house, on the chance that something may turn up, or, rather, be turned up? Yesterday the justifying document was an illicit ration book, tomorrow it may be some suspect piece of literature.

The court's reasoning, as I understand it, may be briefly stated. The entry into Harris' apartment was lawful because the agents had a warrant of arrest. The ensuing search was lawful because, as an incident of a lawful arrest, the police may search the premises on which the arrest took place, since everything in the apartment was in the "possession" of the accused and subject to his control. It was lawful, therefore, for the agents to rummage the apartment in search for "instruments of the crime." Since the search was lawful, anything illicit discovered in the course of the search was lawfully seized. In any event, the seizure was lawful because the documents found were property of the United States, and their possession was a continuing crime against the United States.

Much is made of the fact that the entry into the house was lawful. But we are not confined to issues of trespass. The protection of the fourth amendment extends to improper searches and seizures, quite apart from the legality of an entry. The amendment asserts the "right of the people to be secure" not only "in their persons, houses," but also in their "papers, and effects, against unreasonable searches and seizures." It is also assumed that because the search was allegedly for instruments of the crime for which Harris was arrested it was ipso facto justified as an incident of the arrest.

It would hardly be suggested that such a search could be made without warrant if Harris had been arrested on the street. How, then, is rummaging a man's closets and drawers more incidental to the arrest because the police chose to arrest him at home? For some purposes, to be sure, a man's house and its contents are deemed to be in his "possession" or "control" even when he is miles away. Because this is a mode of legal reasoning relevant to disputes over property, the usual phrase for such nonphysical control is "constructive possession." But this mode of thought and these concepts are irrelevant to the application of the fourth amendment and hostile to respect for the liberties which it protects. Due regard for the policy of the fourth amendment precludes indulgence in the fiction that the recesses of a man's house are like the pockets of the clothes he wears at the time of his arrest.

To find authority for ransacking a home merely from authority for the arrest of a person is to give a novel and ominous rendering to a momentous chapter in the history of Anglo-American freedom. An Englishman's home, though a hovel, is his castle, precisely because the law secures freedom from fear of intrusion by the police except under carefully safeguarded authorization by a magistrate. To derive from the common law right to search the person as an incident of his arrest the right of indiscriminate search of all his belongings, is to disregard the fact that the Constitution protects both unauthorized arrest and unauthorized search. Authority to arrest does not dispense with the requirement of authority to search.

But even if the search was reasonable, it does not follow that the seizure was lawful. If the agents had obtained a warrant to look for the cancelled checks they would not be entitled to seize other items discovered in the process *Marron* v. *United States* (275 U. S. 192, 196).[6] Harris would have been able to reclaim them by motion to suppress evidence. Such is the policy of the fourth amendment, recognized by Congress and reformulated in the New Rules of Criminal Procedure adopted only last year. (See rule 41 (e) superseding the act of June 15, 1917, 40 Stat. 228, 229.) The Court's decision achieves the novel and startling result of making the scope of search without warrant broader than an authorized search.

These principles are well established. While a few of the lower courts have uncritically and unwarrantedly extended the very limited search without warrant of a person upon his lawful arrest, such extension is hostile to the policy of the amendment and is not warranted by the precedents of this Court.

"It is important to keep clear the distinction between prohibited searches on the one hand and improper seizures on the other. See Mr. Justice Miller, in *Boyd* v. *United States* (116 U. S. 616, 638, 641). Thus, it is unconstitutional to seize a person's private papers, though the search in which they were recovered was perfectly proper. *E. g., Gouled* v. *United States* (255 U. S. 298). It is unconstitutional to make an improper search even for articles that are appropriately subject to seizure, *e. g., Amos* v. *United States* (255 U. S. 313); *Byars* v. *United States* (273 U. S. 28); *Taylor* v. *United States* (286 U. S. 1). And a search may be improper because of the object it seeks to uncover, *e. g., Weeks* v. *United States* (232 U. S. 383, 393–394), or because its scope extends beyond the constitutional bounds, *e. g., Agnello* v. *United States* (269 U. S. 20).

"The course of decisions here has observed these important distinctions. The Court has not been indulgent toward inroads upon the amendment. Only rarely have its dicta appeared to give undue scope to the right of search on arrest, and *Marron* v. *United States, supra* (275 U. S. 192), is the only decision in which the dicta were reflected in the result. That case has been a source of confusion to the lower courts. Thus, the circuit court of appeals for the second circuit felt that the Marron case required it to give a more restricted view to the prohibitions of the fourth amendment than that court had expounded in *United States* v. *Kirschenblatt* (16 F. 2d 202), see *Go-Bart Co.* v. *United States, sub nom., United States* v. *Gowen* (40 F. 2d 593), only to find itself reversed here, *Go-Bart Co.* v. *United States, supra* (282 U. S. 344), partly on the authority of the Kirschenblatt decision which, after the Marron case, it thought it must disown. The uncritical application of the right of search on arrest in the Marron case has surely been displaced by *Go-Bart Co.* v. *United States, supra*, and even more drastically by *United States* v. *Lefkowitz, supra* (285 U. S. 452), unless one is to infer that an earlier case qualifies later decisions although these later decisions have explicitly confined the earlier case." *Davis* v. *United States* (328 U. S. at 612–613) (dissenting opinion).

It is urged that even if the search was not justified, once it was made and the illicit documents discovered, they could be seized because their possession was a "continuing offense" committed "in the very presence of the agents." Apparently, then, a search undertaken illegally may retrospectively, by a legal figment, gain legality from what happened 4 hours later. This is to defeat the prohibition against lawless search and seizure by the application of an inverted notion of trespass ab initio. Here an unconstitutional trespass ad initio retrospectively acquires legality. Thus, the decision finds satisfaction of the constitutional requirement by circular reasoning. Search requires authority; authority to search is gained by what may be found during search without authority. By this reasoning every illegal search and seizure may be validated if the police find evidence of crime. The result can hardly be to discourage police violation of the constitutional protection.

If the search is illegal when begun, as it clearly was in this case if past decisions mean anything, it cannot retrospectively gain legality. If the search was illegal, the resulting seizure in the course of the search is illegal. It is no answer to say that possession of a document may itself be a crime. There is no suggestion here that the search was based on even a suspicion that Harris was in possession of illicit documents. The search was justified and is justified only in connection with the offense for which there was a warrant of arrest. But unless we are going to throw to the winds the latest unanimous decisions of this Court on the allowable range of search without warrant incidental to lawful arrest. *Go-Bart* v. *United States* (282 U. S. 344), and *United States* v. *Lefkowitz*, (285 U. S. 452), this was an unlawful search which rendered unavailable as evidence everything seized in the course of it. That the agents might have obtained a warrant to make the search only emphasizes the illegality of their conduct. In the words of Mr. Justice Holmes, speaking for the Court, the precious constitutional rights "against unlawful search and seizure are to be protected even if the same result might have been achieved in a lawful way." (*Silverthorne Lumber Co.* v. *United States* (251 U. S. 385, 392).) Nor does the fact that the goods seized are contraband make valid an otherwise unlawful search and seizure. (*Agnello* v. *United States*, (269 U. S. 20).) Indeed it was for contraband goods that search warrants, carefully hedged about, were first authorized by Congress.

The only exceptions to the safeguard of a warrant issued by a magistrate are those which the common law recognized as inherent limitations of the policy which found expression in the fourth amendment—where circumstances preclude the obtaining of a warrant (as in the case of movable vehicles), and where the warrant for the arrest of a person carries with it authority to seize all that is on the person, or is in such open and immediate physical relation to him as to be, in a fair sense, a projection of his person. That is the teaching of both the Go-Bart and the Lefkowitz cases, which effectually retract whatever may have been the loose consideration of the problem in *Marron* v. *United States* (275 U. S. 192). Thus, the Go-Bart case emphasized that the things seized in the Marron case were "visible and accessible and in the offender's immediate custody" (282 U. S. 344, 358). By "immediate custody" was not meant that figurative possession which for some legal purposes puts one in "possession" of everything in a house. The sentence following that just quoted excludes precisely the kind of thing that was done here. "There was no threat of force or general search or rummaging of the place." Ibid.

In our case, five agents came to arrest Harris on a charge of violating the postal

[6] "The requirement that warrants shall particularly describe the things to be seized makes general searches under them impossible and prevents the seizure of one thing under a warrant describing another. As to what is to be taken, nothing is left to the discretion of the officer executing the warrant."

laws and the National Stolen Property Act. Though the arrest was consummated in the living room, the agents were told to make a thorough search of the entire apartment. In the bedroom they lifted the carpets, stripped the bed linen, turned over the mattress. They combed the contents of the linen closet and even looked into Harris' shoes. The selective service cards, the items whose seizure is here in controversy, were discovered only after agents tore open a sealed envelope labeled "personal papers" which they had found under some clothes in a drawer of a small bureau in the bedroom. If there was no rummaging of the place in this case it would be difficult to imagine what rummaging of the place means.

Again, in the Lefkowitz case, the Marron case was carefully defined and limited:

"There, prohibition officers lawfully on the premises searching for liquor described in a search warrant arrested the bartender for crime openly being committed in their presence. He was maintaining a nuisance in violation of the act. The offense involved the element of continuity, the purchase of liquor from time to time, its sale as a regular thing for consumption upon the premises, and other transactions including the keeping of accounts. The ledger and bills being in plain view were picked up by the officers as an incident of the arrest. No search for them was made" (285 U. S. at 465).

Surely no comparable situation is now here. There was no search warrant, no crime was openly being committed in the presence of the officers, the seized documents were not in plain view or picked up by the officers as an incident of the arrest. Here a thorough search was made, and made without warrant.

To say that the Go-Bart and the Lefkowitz cases—both of them unanimous decisions of the Court—are authority for the conduct of the arresting agents in this case is to find that situations decisively different are the same.

It greatly underrates the quality of the American people and of the civilized standards to which they can be summoned to suggest that we must conduct our criminal justice on a lower level than does England, and that our police must be given a head which British courts deny theirs. A striking and characteristic example of the solicitous care of English courts concerning the liberty of the subject may be found in the recent judgments in *Christie* v. *Leachinsky*. In that case the House of Lords unanimously ruled that if a policeman arrests without warrant, although entertaining a reasonable suspicion of felony which would justify arrest, but does not inform the person of the nature of the charge, the police are liable for false imprisonment for such arrest. These judgments bear mightily upon the central problem of this case, namely, the appropriate balancing, in the words of Lord Simonds, of "the liberty of the subject and the convenience of the police" (*Christie* v. *Leachinsky* ([1947], 1 All E. R. 567, 576)).[7]

The English attitude was clearly evinced also in the famous Savidge case. "Both the original incident and its sequel illustrate the sensitiveness of English opinion to even a suggestion of oppression by the police." (Fourth Reports of the National Commission on Law Observance and Enforcement (Lawlessness in Law Enforcement), p. 261.) For "the high standards of conduct exacted by Englishmen of the police" (id. at 259) see the debates in the House of Commons (220 Hans. Deb. (Commons), cols. 5 and 805 et seq. (July 20, 1928)), and the Report of the Tribunal of Inquiry on the Savidge case (Cmd. 3147 (1928)). There are those who say that we cannot have such high standards of criminal justice because the general standards of English life insure greater obedience to law and better law enforcement. I reject this notion, and not the least because I think it is more accurate to say that the administration of criminal justice is more effective in England because law enforcement is there pursued on a more civilized level.

Of course, this may mean that it might be more difficult to obtain evidence of an offense unexpectedly uncovered in a lawless search. It may even mean that some offenses may go unwhipped of the law. If so, that is part of the cost for the greater gains of the fourth amendment. The whole point about the fourth amendment is that "Its protection extends to offenders as well as to the law abiding," because of its important bearing in maintaining a free society and avoiding the dangers of a police state (*United States* v. *Lefkowitz*, supra, at 464). But the impediments of the fourth amendment to effective law enforcement are grossly exaggerated. The hindrances that are conjured up are counsels of despair which disregard the experience of effective law enforcement in jurisdictions where the police are held to strict accountability and are forbidden conduct like that here disclosed.

Stooping to questionable methods neither enhances that respect for law which is the most potent element in law enforcement, nor, in the long run, do such methods promote successful prosecution. In this country police testimony is often rejected by juries precisely because of a widely entertained belief that illegal methods are used to secure testimony. Thus, dubious police methods defeat the very ends of justice by which such methods are justified. No such cloud rests on police testimony in England. Respect for law by law officers promotes respect generally, just as lawlessness by law officers sets a contagious and competitive example to others. See IV Reports of the National Commission on Law Enforcement and Observance (Lawlessness in Law Enforcement) passim, especially pages 190–192. Moreover, by compelling police officers to abstain from improper methods for securing evidence, pressure is exerted upon them to bring the resources of intelligence and imagination into play in the detection and prosecution of crime.

No doubt the fourth amendment limits the freedom of the police in bringing criminals to justice. But to allow them the freedom which the fourth amendment was designed to curb was deemed too costly by the founders. As Mr. Justice Holmes said in the Olmstead case, "we must consider the two objects of desire, both of which we cannot have, and make up our minds which to choose" (277 U. S. at 470). Of course arresting officers generally feel irked by what to them are technical legal restrictions. But they must not be allowed to be unmindful of the fact that such restrictions are essential safeguards of a free people. To sanction conduct such as this case reveals is to encourage police intrusions upon privacy, without legal warrant, in situations that go even beyond the facts of the present case. If it be said that an attempt to extend the present case may be curbed in subsequent litigation, it is important to remember that police conduct is not often subjected to judicial scrutiny. Day by day mischief may be done and precedents built up in practice long before the judiciary has an opportunity to intervene. It is for this reason—the dangerous tendency of allowing encroachments on the rights of privacy—that this Court in the Boyd case gave to the fourth amendment its wide protective scope.

It is vital, no doubt, that criminals should be detected, and that all relevant evidence should be secured and used. On the other hand, it cannot be said too often that what is involved far transcends the fate of some sordid offender. Nothing less is involved than that which makes for an atmosphere of freedom as against a feeling of fear and repression for society as a whole. The dangers are not fanciful. We too readily forget them. Recollection may be refreshed as to the happenings after the First World War by the Report Upon the Illegal Practices of the United States Department of Justice, which aroused the public concern of Chief Justice Hughes[8] (then at the bar), and by the little book entitled "The Deportations Delirium of Nineteen-Twenty" by Louis F. Post, who spoke with the authoritative knowledge of an Assistant Secretary of Labor.

More than 20 years ago, before democracy was subjected to its recent stress and strain, Judge Learned Hand, in a decision approved by this Court in the Lefkowitz case, expressed views that seem to me decisive of this case:

"After arresting a man in his house, to rummage at will among his papers in search of whatever will convict him, appears to us to be indistinguishable from what might be done under a general warrant; indeed, the warrant would give more protection, for presumably it must be issued by a magistrate. True, by hypothesis the power would not exist, if the supposed offender were not found on the premises; but it is small consolation to know that one's papers are safe only so long as one is not at home. Such constitutional limitations arise from grievances, real or fancied, which their makers have suffered, and should go pari passu with the supposed evil. They withstand the winds of logic by the depth and toughness of their roots in the past. Nor should we forget that what seems fair enough against a squalid huckster of bad liquor may take on a very different face, if used by a government determined to suppress political opposition under the guise of sedition" (*United States* v. *Kirschenblatt* (16 F. 2d 202, 203)).

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[7] The extent to which such subordination of the police to law finds support in informed English opinion is reflected by the comments of the Solicitors' Journal. After noting that, in the view of Lord Simon, "Any other general rule would be contrary to our conception of individual liberty, though it might be tolerated in the time of the Lettres de Cachet in the eighteenth century in France or under the Gestapo," the Journal observes: "The importance of the reaffirmation of this principle cannot be exaggerated. The powers of private persons to arrest where a felony has been committed and there is reasonable ground for thinking that the person detained has committed it are important now that crimes of violence are more numerous, and the statutory powers of arrest without warrant under, for example, the Malicious Damage Act, 1861, the Larceny Act, 1916, the Curtis Act of 1876, and many other acts, are more used than is generally appreciated. Of no less importance in such times as these is the assertion of our individual liberties to counteract any tendency which may appear for police powers to be exceeded" (91 Solicitors' Journal, 184–185 (Apr. 12, 1947)).

[8] Address, Harvard Law School Centennial, June 21, 1920, Some Observations on Legal Education and Democratic Progress, page 23: "We cannot afford to ignore the indications that, perhaps to an extent unparalleled in our history, the essentials of liberty are being diregarded. Very recently information has been laid by responsible citizens at the bar of public opinion of violations of personal rights which savor of the worst practices of tyranny." For a contemporaneous judicial account of searches and seizures in violation of the fourth amendment in connection with the Communist raids of January 2, 1920, see Judge George W. Anderson's opinion in *Colyer* v. *Skeffington* (265 F. 17).

APPENDIX

Analysis of decisions involving searches and seizures, from Weeks v. United States (232 U. S. 383) up to Davis v. United States, (328 U. S. 582)[1]

1. Name of case	2. Charge on arrest	3. Authority for arrest	4. Articles seized	5. Articles seized under warrant	6. Articles seized incident to lawful arrest	7. Articles seized incident to authorized search for other articles	8. Decision
Weeks v. *United States*, 232 U. S. 383 (1914).	Use of mails to distribute lottery tickets.	Arrested without a warrant and not during commission of crime.	Personal papers and lottery tickets, taken from defendant's home.	None	None	None	District court had improperly admitted in evidence some of articles seized; conviction reversed.
Schenk v. *United States*, 249 U. S. 47 (1919).	Conspiracy to violate Espionage Act of 1917.	Indictment	Leaflets counseling draft evasion.	Leaflets counseling draft evasion. Warrant was directed to search of Socialist headquarters from which leaflets were mailed by defendant.	do	do	Evidence properly admitted by trial court for use against defendant.
Silverthorne Lumber Co. v. *United States*, 251 U. S. 385 (1920).	Contempt of court for failure to produce books and documents required by subpoena. (One of defendants was a corporation.) Order was based on evidence secured as indicated in columns 3-7.	No arrest	Books and papers seized under color of invalid subpoena.	None	do	do	Order directing production of evidence, which was based on knowledge secured in violation of Fourth Amendment, was error, and conviction for failure to obey order reversed. (White, C. J., and Pitney, J., dissenting.)
Gouled v. *United States*, 255 U. S. 298 (1921).	Conspiracy and use of mails to defraud United States.	Indictment	4 documents taken from defendant's office.	3 of the papers. (The other was taken by stealth from the office by a government agent.)	do	do	On certification, held that papers were inadmissible. Search warrant may issue only when interest of public or complainant in the article is primary, or when its possession is unlawful; it may not issue merely to secure evidence.
Amos v. *United States*, 255 U. S. 313 (1921).	Removal of whiskey without payment of tax; sale of whiskey on which no tax had been paid.	do	Whiskey in question, as result of search without a warrant in defendant's absence. (Officers admitted by defendant's wife.)	None	do	do	Evidence improperly admitted; conviction reversed.
Burdeau v. *McDowell*, 256 U. S. 465 (1921).	Civil suit for return of property in hands of Assistant to Attorney General.	No arrest	Plaintiff's books and papers had been stolen from plaintiff's possession by a party unrelated to the Federal Government.	do	do	do	District court had held that retention of paper for use as evidence was in violation of Fourth and Fifth Amendments; this Court reversed. (Brandeis and Holmes, JJ. dissenting.)
Essgee Co. v. *United States*, 262 U. S. 151 (1923).	Violation of import laws. (Corporate and individual defendants; only latter, of course, were arrested.)	Warrants	Corporate papers and books.	Corporate papers and books produced under subpoena.	do	do	District court admitted evidence against both corporate and individual defendants. This Court affirmed.
Carroll v. *United States*, 267 U. S. 132 (1925).	Transportation of alcoholic beverages.	Arrested during commission of crime.	Alcoholic beverages.	None	Whiskey uncovered during search of car in which it was being transported at time of arrest.	do	Evidence was properly admitted; conviction affirmed. (McReynolds and Sutherland, JJ., dissenting.)
Steele v. *United States*, 267 U. S. 498, 505 (1925) (two cases).	1. Action for return of seized liquor.	1. No arrest	1. Liquor	1. Liquor. (Warrant was directed to address not specifically stated to be that of building searched.)	1. None	1. None	1. Evidence properly secured and need not be returned.
	2. Possession of liquor in violation of Prohibition Act.	2. Information	2. Liquor	2. Liquor. (Warrant was directed to prohibition officer. Question of reasonable cause for its issuance was not left to jury.) Alcoholic wines.	2. None	2. None	2. Evidence properly secured and properly admitted by district court; judgment affirmed.
Dumbra v. *United States*, 268 U. S. 435 (1925).	Motion to quash search warrant.	No arrest	Alcoholic wines	Alcoholic wines	None	None	Warrant properly issued on reasonable ground; refusal of district court to quash search warrant affirmed.
Agnello v. *United States*, 269 U. S. 20 (1925).	Possession and sale of cocaine without registration or payment of tax.	Arrested during commission of crime.	Can of cocaine seized at home of one of defendants while he was being arrested several blocks away.	None	do	do	Evidence improperly admitted; conviction, affirmed by the C. C. A., here reversed.

[1] For cases related but not immediately pertinent, see *Olmstead* v. *United States*, 277 U. S. 438; *Goldman* v. *United States*, 316 U. S. 129; *United States* v. *White*, 322 U. S. 694; *Oklahoma Press Publishing Co.* v. *Walling*, 327 U. S. 186.

Analysis of decisions involving searches and seizures, from Weeks v. United States (232 U. S. 383), up to Davis v. United States (328 U. S. 582)—Continued

1. Name of case	2. Charge on arrest	3. Authority for arrest	4. Articles seized	5. Articles seized under warrant	6. Articles seized incident to lawful arrest	7. Articles seized incident to authorized search for other articles	8. Decision
Fyars v. *United States*, 273 U. S. 28 (1927).	Possession of counterfeit alcoholic beverage stamps.	Indictment	Counterfeit alcoholic beverage stamps.	No Federal warrant issued. But warrant was issued by State judge to State officers to search for liquor. Federal officer accompanied them on search and uncovered stamps.	None	Counterfeit alcoholic beverage stamps. (See column 5.)	Conviction in district court, affirmed in the C. C. A., here reversed, because evidence was improperly admitted.
McGuire v. *United States*, 273 U. S. 95 (1927).	Possession of intoxicating liquor.	Information	Intoxicating liquor.	Intoxicating liquor. (Most of liquor thus seized was immediately destroyed, with only samples retained for evidence.)	do	None	On certificate from C. C. A. after conviction, held that evidence was properly admitted. Butler, J., concurring in result.
United States v. *Lee*, 274 U. S. 559 (1927).	Conspiracy to violate Prohibition Act.	Arrested while engaging in crime.	71 cases of grain alcohol. Cases were seized on American vessel more than 12 miles from shore.	None	71 cases of grain alcohol.	do	Defendant's conviction, reversed by the C. C. A. on grounds of illegal search, sustained by this Court.
Segurola v. *United States*, 275 U. S. 106 (1927).	Transportation of intoxicating liquor.	Arrested during commission of crime.	Intoxicating liquor.	None	The liquor	do	Conviction, affirmed by C. C. A., affirmed by this Court.
United States v. *Berkeness*, 275 U. S. 149 (1927).	Civil suit to abate nuisance.	No arrest	Liquor	Liquor. Warrant was invalid for failure of allegation of sale on the premises as basis for its issue.	None	do	District court judgment excluding evidence, affirmed by C. C. A., affirmed by this Court.
Marron v. *United States*, 275 U. S. 192 (1927).	Violation of Prohibition Act.	Indictment. (Crime committed in presence of arresting officers. Articles seized, as described in columns 4-7, were taken at time of arrest.)	Intoxicating liquor, ledger, and papers. (Ledger was in closet in back of bar which contained some of the liquor; papers (bills) were on table near cash register.)	The intoxicating liquor.	Ledger and bills. Court held that, while seizure was not authorized by the warrant, ledger and bills were properly seized as within the "immediate possession and control" of offender.	See explanation in 282 U. S. at 358, that the articles "were visible and accessible" and that there was no "rummaging of the place." And see 285 U. S. at 465.	Evidence properly admitted; conviction sustained by C. C. A., affirmed here.
Cambino v. *United States*, 275 U. S. 310 (1927).	Transportation of intoxicating liquor.	Crime committed in presence of arresting officers (state police).	Intoxicating liquor.	None	Liquor seized as result of search of car in which defendants were when arrested. But Court found no probable cause for arrest.	None	Evidence improperly admitted; conviction, affirmed by the C. C. A., reversed here.
Go-Bart Co. v. *United States*, 282 U. S. 344 (1931).	Possession, transportation, sale, etc., of intoxicating liquor.	Invalid warrant	Office papers and records secured by use of keys taken from defendants at time of their arrest, and on false statement that they had a warrant for the papers.	do	None. (See column 3.)	do	Evidence must be returned to defendants; judgments of district court and the C. C. A. reversed.
United States v. *Lefkowitz*, 285 U. S. 452 (1932).	Conspiracy to violate Prohibition Act, including use of premises for sale and solicitation of orders.	Warrant of U. S. Commissioner.	Variety of papers taken from desks, cabinets, and wastebasket. Among these papers were lists of names and addresses, stationery, bills directed to customers, letters of solicitation, etc.	do	None. (Papers in wastebasket were, of course, in open view.)	do	District court denied motions for return of papers; C. C. A. reversed, and this Court affirmed judgment of C. C. A.
Taylor v. *United States*, 286 U. S. 1 (1932).	Illegal possession of intoxicating liquor.	Arrest made on basis of evidence uncovered during search.	122 cases of liquor. Agents investigated and noticed odor of alcohol coming from garage. Defendant had been under suspicion. Agents broke into garage and uncovered cache of liquor. Defendant was arrested when he came to garage during search.	do	None	do	Evidence of seized liquor improperly admitted; conviction and C. C. A. affirmance reversed.

Analysis of decisions involving searches and seizures, from Weeks v. United States (232 U. S. 383), up to Davis v. United States (328 U. S. 582)—Continued

1. Name of case	2. Charge on arrest	3. Authority for arrest	4. Articles seized	5. Articles seized under warrant	6. Articles seized incident to lawful arrest	7. Articles seized incident to authorized search for other articles	8. Decision
Grau v. United States, 287 U. S. 124 (1932).	Unlawful manufacture and possession of liquor.	Indictment	Still, its appurtenances, and 350 gallons of whiskey.	Still, its appurtenances, and 350 gallons of whiskey. But warrant issued on mere allegations that defendant had been seen hauling cans often used for liquor, and bringing cane sugar onto premises; that full cans were removed from premises; and that odors of fumes of cooking mash were noticeable. There was no allegation of any sale on premises.	None	None	Evidence of seized goods improperly admitted; conviction in trial court and affirmance of C. C. A. reversed. (Stone and Cardozo, JJ., dissenting.)
Syro v. United States, 287 U. S. 206 (1932).	Possession and sale of intoxicating liquor.	Information	Intoxicating liquor.	Intoxicating liquor. But warrant was invalid. When first issued, it was not executed within 10 days; reissued without new evidence or affidavits.	do	do	Evidence of seized liquor improperly admitted; conviction and its affirmance by C. C. A. reversed. (McReynolds, J., concurring in special opinion; Stone and Cardozo, JJ., dissenting.)
Nathanson v. United States, 290 U. S. 41 (1933).	Importation of liquor without payment of import duties.	Information, filed after seizure.	do	Intoxicating liquor. But warrant issued by state judge at request of customs agent on mere allegation of belief by customs agent that defendant had violated the law.	do	do	Evidence of seized liquor improperly admitted; conviction and affirmance by C. C. A. reversed.
Scher v. United States, 305 U. S. 251 (1938).	Possession and transportation of distilled alcohol on which tax had not been paid.	Arrest during commission of crime.	Distilled alcohol on which tax had not been paid.	None	Liquor seized during search of car which officers had followed into garage adjoining defendant's house.	do	Evidence properly admitted conviction and judgment of C. C. A. affirmed.

EMERGENCY RELIEF FOR CERTAIN AMERICAN CITIZENS CAPTURED BY ARMED FORCES OF JAPAN

Mr. McGRATH. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to provide emergency relief for American citizens captured on American sovereign territory by the armed forces of Japan. I request that the remarks which I had intended to make in connection with the introduction of the bill, but which I shall not make at this time, in deference to the matter now before the Senate, be printed in the RECORD in the form of a statement.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred; and, without objection, the remarks of the Senator from Rhode Island will be printed in the RECORD in the form of a statement.

There being no objection, the bill (S. 1261) to provide emergency relief for American citizens captured on American sovereign territory by the armed forces of Japan, and for other purposes, introduced by Mr. McGRATH, was received, read twice by its title, and referred to the Committee on the Judiciary.

There being no objection, the remarks of Mr. McGRATH, in the form of a statement, were ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR J. HOWARD McGRATH, MAY 9, 1947, PRESENTING BILL TO PROVIDE EMERGENCY RELIEF FOR AMERICAN CITIZENS CAPTURED ON AMERICAN SOVEREIGN TERRITORY BY THE ARMED FORCES OF JAPAN, AND FOR OTHER PURPOSES

Mr. McGRATH. Mr. President, the bill I have just introduced I regard as fulfilling a most urgent and moral obligation of our Government growing out of the late war.

The bill incorporates the principles of legislation which are sought by the American Internees Committee, a nonprofit organization of American civilian citizens, who were the victims of atrocities committed upon their person by the Japanese when their armies invaded American soil. There are about 7,000 United States citizens who were interned by the armed forces of Japan for more than 3 years. Most, if not all of these, suffered in addition to torture and ignominy permanent injuries to their health and in many cases complete destruction of their material possessions, all as a result of their confinement.

In some instances, entire families of American citizens were imprisoned by the Japanese and when they were released from imprisonment, they found their homes, including their household goods and personal effects, completely destroyed. Many possessed only the clothes upon their back when they were liberated. They were without funds and, when repatriated, found themselves in destitute circumstances.

During their detention about 600 civilian American citizens died as a result of maltreatment, and our Government has not made any provisions to compensate their next of kin or dependents.

Many American citizens suffered losses during the war period by reason of acts for which the German and Japanese Governments are responsible, and their claims must be satisfied. No tribunal has been created to hear and to determine the claims and enter awards for the losses for which those Governments are responsible since the outbreak of the war December 1941, more than 6 years ago. American claimants are forced to await action by Congress which is required for the consideration and payment of their claims.

UNITED STATES POSSESSES RIGHT TO USE ENEMY PROPERTY TO PAY CLAIMS

Property of enemy governments and their nationals in the United States as of March 17, 1947, vested in the Alien Property Custodian approximates $300,000,000, of which about $215,000,000 was formerly owned by nationals of Germany and $56,000,000 by nationals of Japan. In addition, $66,000,000, of which $11,000,000 is in the form of cash, is presently in the German special deposit account set up in 1928 in the Treasury, representing a transfer of German property to the Treasury by the Alien Property Custodian pursuant to the provisions of the Settlement of War Claims Act of 1928.

Under the Potsdam declaration the United States possesses the right to retain this property to satisfy the claims of American citizens against Germany and Japan. The United States has already taken out of Germany a substantial amount of German prop-

erty in accordance with the reparations provisions of that declaration for its own use.

Some provisions must be made by Congress for the payment of reparations justly due American claimants. The proposed legislation recognizes the close relationship between the problems which must be solved together. It is impossible to provide for the immediate payment of all the American claimants by recourse to enemy property vested in the Alien Property Custodian. There is not enough of it to satisfy all claims. However, provision can be made for immediate part payment of some urgent meritorious claims of American civilian citizens who while located upon American sovereign territory invaded by the Japanese suffered loss and damage which the United States has not thus far made any provision to compensate and who are in destitute circumstances.

NOT WARNED TO EVACUATE FOR POLITICAL REASONS

American civilian citizens located within the Philippine Islands December 7, 1941, are the victims of Japanese aggression. According to Acting Secretary of State Grew, they "could not with due regard to the national interest be advised to leave for the mainland * * * because it is obvious that for political reasons they could not be warned * * * and having been captured on American soil are entitled to protection and assistance."

United States High Commissioner Sayre was in the Philippines at the time of the Japanese attack and has stated the reason for not giving notice to American civilians to leave was due to "advice from Washington not to do so * * * Washington felt that with due regard to the national interest it would be inadvisable to issue such notice * * * I urge that Congress take such action as is appropriate for the relief of those Americans still in distress as a result of their injuries and losses suffered in the Philippines."

AWARDED CAMPAIGN RIBBONS

Upon the liberation of American civilians after 37 months of internment by the armed forces of Japan in the Philippines, they were awarded by the War Department the Asiatic-Pacific Campaign Ribbon and were cited because of their "fortitude and courage which contributed materially to the success of the Philippine Campaign." The War Department has advised these recipients of the Asiatic-Pacific Campaign Ribbon that they "shared in the activities of our armed forces." The Philippine Commonwealth awarded the Philippine Defense Ribbon and the Philippine Liberation Ribbon to them in recognition of their services in defending and liberating the Philippines. It is respectfully submitted that this group of Americans possess a semimilitary status.

CAPTURED MEMBERS OF ARMED FORCES, CIVILIAN EMPLOYEES OF UNITED STATES, AND EMPLOYEES OF WAR CONTRACTORS COMPENSATED

Congress has enacted about 200 laws for the benefit of the members of our armed forces including reimbursement for loss of pay and allowances while a prisoner of war and providing payments to dependents of prisoners. Provision has been made to compensate them for personal property damaged, lost, destroyed, captured, or abandoned in the service.

Congress has provided benefits for the injury, death, and enemy detention of civilian employees of the United States, including employees of contractors with the United States, and members of the crews of vessels of the American merchant marine service, and compensation for loss of personal property. As recently as July, 1946, Congress passed an act increasing the compensation for injury, death, or detention of employees of contractors with the United States outside the United States, and in so doing House Report No. 2510, Seventy-ninth Congress, said in part:

"The maximum amount payable under the workmen's compensation law was considered inadequate to carry out the policy of Congress to take care of the captured employees and their dependents and, in order that the employees of Government contractors should receive approximately the same extent of relief as Congress had previously provided for civilian employees of the Government by act approved December 23, 1943 (57 Stat. 626), amended such act of December 2, 1942.

"Such amendment had the effect of providing for the detained employees 100 percent payment of the rate of pay of civilian employees of the United States.

"An employee of the United States under the amendment of December 23, 1923, is entitled to 100 percent of his wages."

The above-mentioned laws were passed as relief measures for civilian employees of the United States and for the employees of contractors performing work for the United States outside of the continental United States and for the families of such employees in cases of injury, death or detention brought about by action of the enemy, and "to carry out the policy of Congress to take care of captured employees, and their dependents."

DUTY OF GOVERNMENT TO PROTECT PERSON OF ALL ITS CITIZENS

It is the duty of the Government to protect the person of its citizens and extend the same measure of relief to all of its citizens similarly situated as fully and as readily as it has any particular groups of citizens, i. e., armed forces, civilian employees of the United States, and employees of Army-Navy contractors.

The purpose of my present bill is to see that all American civilian citizens who were captured be placed upon an equal basis with employees of the Government and of Army and Navy contractors, and be accorded equal benefits in the matter of compensation for detention by the enemy.

The proposed legislation creates a fund in the Treasury Department to pay the claims of certain civilians who were detained by the Japanese. This is done through the transfer of Japanese and German property by the Alien Property Custodian to the Treasury which is to be held as security for reimbursement of an appropriation out of the Treasury in the amount of $35,000,000.

An emergency payment for relief purposes in the amount of $5,000 is provided for certain beneficiaries.

The claims of veterans are to be adjudicated by the War and Navy Departments and the claims of civilians by the State Department.

BILL EFFECTUATES REPARATION POLICIES

The general purpose of the bill is to have Congress carry into effect the policies of the Departments of State, and Treasury, and the Alien Property Custodian that the vested property of Japanese seized pursuant to the provisions of the Trading With the Enemy Act be used by the United States for its purposes, and that no provision should be made for any return or compensation by the United States to the former owners.

Secretary of State Byrnes, during his tenure of office, wrote Senator McCARRAN:

"The Department is in basic agreement that the property in the United States of Germany and Japan should be made available to meet American claims on account of losses resulting from the war; it appears to the Department that considerable attention should be given to the categories of claims which may be paid from such properties or their proceeds, and to the priority to be given to various types of claims.

"Claims * * * resulting from personal injuries * * * stand high on the list of allowable claims."

A letter from Acting Secretary of Treasury Gardner to Senator McCARRAN states:

"Compensation to private claimants, we believe, should be based only on the ground that such claimants have suffered losses which it would be unjust to require them to bear in addition to their general obligations as citizens. Accordingly, it is the view of this Department that the merits of each class of claim should be judged separately and any class found worthy of redress should be carefully defined by Congress. For example, Americans who were maltreated or have suffered physical injury as interned civilians would appear to be clearly entitled to compensation in dollars."

Seymour J. Rubin, Deputy Director of the Office of Economic Security Policy, Department of State, testified in opposition to S. 1322, Seventy-ninth Congress, but said that the Department's opposition did not "relate in any way to legislation which might be enacted for the relief of persons who have suffered personal injury or loss of personal property in areas occupied by the enemy."

The bill enunciates a policy that Japanese property is subject to the satisfaction of claims of American citizens, who while located upon American territory under the American flag suffered damages to their person and property as a result of Japanese invasion of part of the United States.

REHABILITATION DESIRED

Repatriated Americans are entitled to be rehabilitated by their Government and desire to make their contribution to the economic life of their own country. Any narrow conception of what compensation these American citizens should receive results in Japan escaping financial responsibility to whatever extent adequate and just compensation is withheld from them.

The claims which are to be paid under the bill are those of American civilian citizens of the United States who are the victims of the Japanese in Alaska, Guam, Hawaii, Philippine Islands, and Wake occupied American soil where they suffered:

1. Deprivation of liberty, arrest, imprisonment, and internment.
2. Evacuation from their homes.
3. Maltreatment, cruelty, and violence during capture.
4. Impairment of earning capacity during internment and since liberation.

Provision is made to compensate the dependents of those Americans who died as a result of war crimes.

AMERICANS IN PHILIPPINES NOT WARNED TO LEAVE

Acting Secretary of State Grew, on August 4, 1945, made this statement which was released to the press on that date:

"American residents in the Philippine Islands, a territory under United States sovereignty, were not publicly warned to leave before the Japanese attack on Pearl Harbor. In view of the steps taken by the War and Navy Departments to evacuate from the Philippines all of their nonessential personnel, including families of officers and enlisted men, the United States nationals who remained in the Philippine Islands were presumably aware of the danger that threatened.

"However, they could not, with due regard to the national interest, be advised to leave for the mainland. Therefore those United States nationals who fell into the hands of the Japanese in the Philippines may well believe that, not having been apprised of the imminent danger, they are entitled to more consideration than United States nationals who remained in foreign countries in the Far East or in Europe despite repeated advice from their Government and its officials to return to the United States while commercial transportation facilities were available.

"American citizens from Wake, and Guam as well as from the Philippine Islands might be given preferential treatment in relation

to those from other areas: (a) because it is obvious that for political reasons they could not be warned officially to return to the United States, as were citizens in Europe and Asia: (b) because these citizens in the Philippine Islands, Wake, and Guam, not having official warning to depart and having been captured on American soil, are entitled to protection and assistance."

In connection with the unconditional surrender of Japan it accepted the Potsdam declaration which results in making Japanese assets in the United States available for payment of our reparation claims.

See written statements of claimants giving graphic accounts of their experiences during internment.

REDUCTION OF INCOME TAX—AMENDMENTS

Mr. JOHNSTON of South Carolina and Mr. LANGER each submitted an amendment intended to be proposed by them, respectively, to the bill (H. R. 1) to reduce individual income-tax payments, which were referred to the Committee on Finance, and ordered to be printed.

REDUCTION OF INTEREST RATE ON POSTAL-SAVINGS DEPOSITS—AMENDMENTS

Mr. BUCK. Mr. President, I ask unanimous consent to submit for appropriate reference amendments intended to be proposed by me to the bill (S. 1015) to amend section 7 of the act of June 25, 1910, as amended, to reduce the interest rate on postal-savings deposits to 1 percent per annum. I request that the amendments be printed and printed in the RECORD.

There being no objection, the amendments were received, referred to the Committe on Civil Service, ordered to be printed, and to be printed in the RECORD, as follows:

On the first page, line 5, after "Sec. 7.", insert "(a)."

On page 2, line 2, strike out the quotation marks.

On page 2, between lines 2 and 3, insert the following:

"(b) Whenever, in the judgment of the board of trustees, current interest rates on obligations of the United States justify a change in the interest rate on postal-savings deposits established by subsection (a), the board of trustees by unanimous vote may increase or decrease the rate of interest payable on such deposits, by multiples of one-fourth of 1 percent per annum, to not more than 2 percent per annum and to not less than 1 percent per annum. Any such increase or decrease in interest rate shall take effect on the 1st day of January or the 1st day of July, as the board of trustees may determine, after public notice of not less than 3 months."

EXECUTIVE REPORTS OF A COMMITTEE

Mr. VANDENBERG. Mr. President, I ask unanimous consent, as in executive session, to submit several reports from the Committee on Foreign Relations and make a brief statement with respect thereto.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. VANDENBERG. Mr. President, from the Committee on Foreign Relations I report favorably, by a full vote of 13 to nothing, the following executive documents:

Executive F. Treaty of peace with Italy, signed at Paris on February 10, 1947;

Executive G. Treaty of peace with Rumania, signed at Paris on February 10, 1947;

Executive H. Treaty of peace with Bulgaria, signed at Paris on February 10, 1947; and

Executive I. Treaty of peace with Hungary, signed at Paris on February 10, 1947.

There will be a full presentation of our reasons for this action when the treaties are taken up for Senate action. I wish, at the moment, to make only this brief observation.

There are many clauses in these treaties which we all would wish might be written otherwise. But the United States is only one of the four so-called major powers involved, and only 1 of 21 nations in the peace conference from which the treaties stem. It is the considered view of the President of the United States, the Secretary of State, and the Foreign Relations Committee that the treaties represent the best available result; that nothing but dangerous uncertainty and confusion would flow from rejection or postponement; and that this report sustains the best available and the best relative hope for peace and stability. Again, we believe this is the better "calculated risk."

We have the greatest sympathy with those among our citizens who have asked for delay or rejection. Italian-American groups have been particularly earnest in these appeals. But we have reached the conclusion that it is best for peace, best for America, and best for the new, democratic Italy that the treaties should be promptly ratified. I ask Senators carefully to read the committee record which soon will be available. It will demonstrate the great efforts which the Government of the United States made to write a treaty that would fairly recognize Italy's right to consideration as an ultimate cobelligerent. It will demonstrate the great contribution which the Government of the United States was able to make to this end. It will unequivocally demonstrate our firm friendship for the new forces of democracy in Italy. This friendship, I dare to prophesy, may be a source of profound encouragement for the future.

This is not the time or place to present the total story. I simply am making this preliminary appeal for careful and considered judgments in the light of all the facts as they shall be disclosed.

We here deal with only the perimeter of European peace. It is inexpressibly regrettable that we do not also have in hand the other treaties, with Austria and Germany, for which we continue to strive with every resource at our command. It is wholly logical to argue a relationship between these problems. But to make one contingent upon the other might be to multiply the hazards and the confusions which would further jeopardize both.

I express the personal view that we have no sound alternative except to start where we can in this process of salvaging peace from World War II; and that if the ultimate pattern of the total European peace finally recommends different treatment for Italy, or any of these other countries, in the interests of the general welfare or friendly relations among nations or in sustaining the purposes and principles of the United Nations, the forum of the General Assembly of the United Nations will be available for this purpose under article 14 of the Charter.

Mr. President, I do not wish to debate the subject of the treaties today. But knowing how deeply this subject comes to the heart of both the Senate and the country, I have wanted to make this preliminary observation as I report from the Foreign Relations Committee and as I ask my colleagues and my fellow citizens to review all the record in reaching a conclusion on this problem which so intimately relates itself to destiny for us, for the world, and for peace.

The PRESIDING OFFICER. The reports will be received and the treaties will be placed on the Executive Calendar.

DEVELOPMENT OF ST. LAWRENCE WATERWAY

Mr. VANDENBERG. Mr. President, on behalf of myself, the Senator from Kentucky [Mr. BARKLEY], the Senator from Vermont [Mr. AIKEN], the senior Senator from Minnesota [Mr. BALL], my colleague the junior Senator from Michigan [Mr. FERGUSON], the junior Senator from Iowa [Mr. HICKENLOOPER], the Senator from South Carolina [Mr. JOHNSTON], the senior Senator from North Dakota [Mr. LANGER], the junior Senator from Wisconsin [Mr. MCCARTHY], the Senator from Idaho [Mr. TAYLOR], the Senator from Utah [Mr. THOMAS], the junior Senator from Minnesota [Mr. THYE], the Senator from New Hampshire [Mr. TOBEY], the senior Senator from Wisconsin [Mr. WILEY], the senior Senator from Iowa [Mr. WILSON], and the junior Senator from North Dakota [Mr. YOUNG], I ask unanimous consent to introduce for reference to the Committee on Foreign Relations, a joint resolution approving the agreement between the United States and Canada relating to the Great Lakes-St. Lawrence Basin, and so forth. I request that a statement by me, together with an explanatory memorandum, be printed in the RECORD.

The PRESIDING OFFICER. Without objection, the joint resolution will be received and referred as requested by the Senator from Michigan; and, without objection, the statement and explanatory memorandum will be printed in the RECORD.

There being no objection, the joint resolution (S. J. Res. 111) approving the agreement between the United States and Canada relating to the Great Lakes-St. Lawrence Basin with the exception of certain provisions thereof; expressing the sense of the Congress with respect to the negotiation of certain treaties; providing for making the St. Lawrence seaway self-liquidating; and for other purposes, was received, read twice by its title, and referred to the Committee on Foreign Relations.

The statement and explanatory memorandum presented by Mr. VANDENBERG were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR VANDENBERG

The resolution to authorize the St. Lawrence project, which several of my colleagues and I have introduced today, is materially

different from similar legislation that has been before Congress in recent years. All previous proposals have been primarily in the nature of public works, like our domestic rivers and harbors projects, to be paid for principally out of the National Treasury. This resolution proposes to make the St. Lawrence seaway and power project as a whole self-supporting and self-liquidating, both in its power and in its navigaton phase. This policy is in line with the general desire of Congress and the country to balance the national budget and place the development of natural resources on a self-sustaining basis.

There are many precedents in other international waterways projects for charging tolls in reasonable amounts in order to defray the cost of construction and operation. In fact, most international projects of this nature, such as the Panama Canal, the Suez Canal, the Manchester ship canal, and the Kiel Canal, have had tolls for the purpose of meeting their costs. Since the St. Lawrence seaway is an international project of commensurate magnitude, to be used by the vessels of all nationalities the principle of charging tolls to defray its expenses is in line with this established traditon.

In proposing this legislation I am mindful of the recommendations of Secretary of State George Marshall, the Joint Chiefs of Staff, the Corps of Engineers, United States Army, and the Maritime Commission that this project is an important contribution to national security and preparedness for any national emergency. In the cooperative working relationship which it establishes with our cherished neighbor, Canada, it exemplifies a continental solidarity which will not fail to have a favorable effect abroad.

The proposal to charge tolls on the St. Lawrence seaway does not apply to the present navigation facilities within the Great Lakes system. Specifically, it does not apply to the local domestic Great Lakes traffic of Canada and the United States that utilizes the Soo Locks and the Welland Canal. It will not apply, also, to the 14-foot Canadian Canals on the St. Lawrence River. Trade and navigation that has adjusted itself to these navigation facilities will remain unaffected. Only the new deep-water navigation facilities on the St. Lawrence River authorized by this resolution will be affected by the proposition to charge tolls.

It is provided, also, that bulk cargoes, agricultural, mineral and industrial raw materials, will have special consideration and may have lower rates than other products, to the end that the relative advantages of the St. Lawrence seaway to different types of traffic will be maintained insofar as practicable. There is a practical reason for this since ships carrying bulk cargoes are generally loaded to a greater proportion of their capacity than ships carrying a variety of other products. It should be the aim of the two countries to equalize the benefits of the seaway to the producers and consumers of different types of cargo. There is a maximum limit of 1.25 on total charges for any type of cargo.

The resolution calls for the negotiation of a new agreement between Canada and the United States to determine the rates of charges and other pertinent details. This new agreement, to be negotiated during the period of construction, is subject to approval by the Congress.

I regret that the Foreign Relations Committee cannot proceed with early consideration of the proposal. We shall do the best we can; but we have a long series of other treaties and other foreign policy measures which have imperative priority and which have long been waiting their turn. I have a new and positive degree of hope and confidence, however, that in this new form the St. Lawrence project can command congressional approval and that, at long last, we are on the way to success before this Eightieth Congress adjourns next year.

EXPLANATORY MEMORANDUM ON JOINT RESOLUTION AUTHORIZING THE ST. LAWRENCE PROJECT

Section 1: This section has the effect of authorizing the President to construct the United States' share of the St. Lawrence project, which in the present case means principally the International Rapids section, and the dredging of connecting channels in the Great Lakes, as provided by the Canadian-American agreement of March 19, 1941, upon the following conditions:

A. The Canadian Parliament also approves the said agreement.

B. In approving the agreement, the Canadian Government agrees to the elimination of article VII, article VIII, paragraph (c), and article IX of the Canadian-American Agreement.

C. The Canadian Government agrees to the principle of self-liquidation of the deep-water navigation works on the St. Lawrence River authorized by the joint resolution.

The articles deleted from the agreement as a condition of approval by the Congress deal with the following subjects:

Article VII extended perpetual navigation rights to the two countries in boundary waters and connecting channels and canals where those navigation rights are now terminable with the life of existing treaties.

Article VIII, paragraph (c), established a procedure of arbitration in case of damages resulting in either country in consequence of unilateral diversion of water from the Great Lakes by the other country. This was specifically applicable to the so-called Chicago Diversion, and is permanently deleted from the agreement.

Article IX amended the provisions of the Boundary Waters Treaty of 1909, increasing the amount of diversion of water allowed to each country at Niagara River.

Articles VII and IX were eliminated to meet the view that they required the advice and consent of two-thirds of the Senate, because they were considered to be matters properly dealt with by means of treaties.

With the elimination of articles VII, VIII (c) and IX from the agreement, the effect of the remaining provisions of the agreement is to authorize the construction of the St. Lawrence seaway and power project, which the Senate Foreign Relations Committee decided last year could be accomplished by majority vote of both houses of Congress.

Section 2: Authorizes the President to negotiate the necessary treaty arrangements to achieve the purposes of articles VII and IX delegated from the agreement by section I of joint resolution.

Section 3 (a): This section authorizes and directs the President to negotiate a new agreement, during the period of construction of the St. Lawrence seaway, to define and establish the necessary toll charges to make the new deep-water navigation facilities on the St. Lawrence River self-liquidating. The negotiation of this new agreement will not delay the construction of the project. On the contrary, the Canadian-American agreement will come into full force by the provisions of article XI of that agreement when the Congress and the Parliament of Canada approve said agreement, with the exceptions of article VII, article VIII, paragraph (c), and article IX, and the additional proviso that before the agreement comes into force according to article XI of the agreement, the Canadian Government gives satisfactory assurance that they agree to the principle of self-liquidation.

Certain policies are to be followed in the negotiations of these details with Canada. These policies are (a) the total charges will be fair and will give encouragement to increased utilization of the navigation facilities; (b) the special character of bulk agricultural, mineral, and other raw materials would be recognized and they may carry differential (lower) rates as compared with other types of cargo; (c) that the maximum charge on any type of cargo shall not exceed the equivalent of $1.25 per short ton of laden cargo and may be lower; (d) that tolls shall apply only on traffic utilizing the new deep-water navigation works on the St. Lawrence River, excluding the 14-foot canals on the Canadian side now in existence, and excluding navigation within the Great Lakes system, the Soo Locks and connecting channels, from toll charges.

Section 3 (b) gives discretionary authority to the President to appoint a St. Lawrence Advisory Commission, which, in cooperation with representatives of Canada and after public hearings, may make recommendations to the two Governments on the administrative, technical, and economic aspects of a toll system.

The resultant agreement on the basis of such studies will be subject to the approval of the United States Congress and the Parliament of Canada.

Section 4: This section authorizes the expenditure of the necessary funds for the accomplishment of the purposes and the undertakings approved by this joint resolution, but prohibits the change in the amount of such authorization by exchanges of notes between the executive agencies of the United States and Canada.

Section 5: Authorizes the President to negotiate an agreement with the government of the State of New York for the transfer of the power facilities to an appropriate State agency under a formula agreed to by New York State and the United States Corps of Engineers, which provides in essence that the State of New York will pay all of the costs of the powerhouse and equipment, plus one-half of the United States' share of the joint costs for navigation and power at the International Rapids section. It is also provided that this arrangement with the State of New York will protect the interests of the United States and of other States, which has particular reference, as a practical matter, to the New England States. Furthermore, this agreement will also be subject to approval by the Congress of the United States and the Legislature of the State of New York.

A BULWARK OF DEMOCRACY—ADDRESS BY SENATOR ROBERTSON OF VIRGINIA

[Mr. ROBERTSON of Virginia asked and obtained leave to have printed in the RECORD an address delivered by him at the Lees Press Clinic, at Natural Bridge, Va., on May 8, 1947, which appears in the Appendix.]

STATEMENT OF SENATOR MARTIN TO PENNSYLVANIA MEMBERS OF COMMUNIST WAR VETERANS

[Mr. COOPER asked and obtained leave to have printed in the RECORD a statement made by Senator MARTIN on May 9, 1947, to a delegation of Pennsylvania members of the Communist War Veterans, which appears in the Appendix.]

EDITORIAL TRIBUTE TO WENDELL BERGE

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD an editorial tribute to Wendell Berge, retiring Assistant Attorney General, published in the St. Louis Post-Dispatch of May 1, 1947, which appears in the Appendix.]

THE PROPOSED ST. LAWRENCE SEAWAY

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an editorial entitled "A Self-Liquidating Seaway," from the Pioneer Press of St. Paul, Minn., of May 5, 1947, and an editorial entitled "A Toll Canal?" from the Vindicator of Youngstown,

Ohio, of May 4, 1947, in support of the St. Lawrence seaway project, which appear in the Appendix.]

THE WAY OUT OF INFLATION—ADDRESS BY SENATOR MURRAY

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD a radio address entitled "The Way Out of Inflation," delivered by Senator MURRAY, May 4, 1947, which appears in the Appendix.]

LEAVE OF ABSENCE

Mr. OVERTON. Mr. President, I ask unanimous consent that beginning next Monday, I may be excused from attendance on the sessions of the Senate for several weeks.

The PRESIDENT pro tempore. Without objection, consent is granted.

LABOR RELATIONS

The Senate resumed the consideration of the bill (S. 1126) to amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes.

Mr. TAFT. Mr. President, I offer an amendment to the bill.

The PRESIDING OFFICER. The Clerk will state the amendment.

The CHIEF CLERK. It is proposed, on page 54, after line 4, to insert the following:

BOYCOTTS AND OTHER UNLAWFUL COMBINATIONS

SEC. 303. (a) It shall be unlawful, in an industry or activity affecting commerce, for any labor organization to engage in, or to induce or encourage the employees of any employer to engage in, a strike or a concerted refusal to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services in the course of their employment—

(1) for the purpose of forcing or requiring any employer or other person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person;

(2) for the purpose of forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9 (a) of the National Labor Relations Act;

(3) for the purpose of forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9 (a) of the National Labor Relations Act;

(4) for the purpose of forcing or requiring any employer to assign to a particular labor organization work tasks assigned by an employer to some other labor organization unless such employer is failing to conform to an order of certification of the National Labor Relations Board determining the bargaining representative for employees performing such work tasks. Nothing contained in this subsection shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under the National Labor Relations Act.

(b) Whoever shall be injured in his business or property by reason of any violation of subsection (a) may sue therefor in any district court of the United States subject to the limitations and provisions of section 301 hereof without respect to the amount in controversy, or in any other court having jurisdiction of the parties, and shall recover the damages by him sustained and the cost of the suit.

Mr. TAFT. The amendment, except for one change, is the same one I offered yesterday as a substitute for the Ball amendment, and subsequently withdrew. The change is on line 2 of the mimeographed sheet which is on the desks of most of the Senators, where the word "person" is stricken out and the words "labor organization" inserted.

This is similar to the Ball amendment, dealing with the jurisdictional strikes and secondary boycotts. It eliminates the injunctive process, the suspension of the Norris-LaGuardia Act, which I found was creating so much difficulty and opposition to the Ball amendment. It retains simply a right of suit for damages against any labor organization which undertakes a secondary boycott or a jurisdictional strike.

I think it a most effective remedy. Under the bill there is a kind of injunctive remedy through the National Labor Relations Board, but there is no possibility of a suit for damages. I have heretofore cited the typical case of a secondary boycott, wherein the small businessman is practically put out of business because he is required to recognize, we will say, an AFL union, and a CIO union will not handle his goods. There are a number of cases of that kind in the record. Further, I think the threat of a suit for damages is a tremendous deterrent to the institution of secondary boycotts and jurisdictional strikes. I may say that, so far as I know, no defense of this kind of strike was made throughout the testimony. There was a suggestion that there was some kind of "good" secondary boycott, but no one was ever able to point to it and to say what it was. I think, since the sentiment of the Senate is against the injunctive process, I see no reason why suits of this sort should not be permitted to be filed. After all, it is only to restore to people who lose something because of boycotts and jurisdictional strikes the money which they have lost. I do not think suits will often be brought, because I believe the possibility of a suit will be a sufficient deterrent to prevent unions undertaking this kind of racketeering activity.

Mr. ELLENDER and Mr. PEPPER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Ohio yield; and if so, to whom?

Mr. TAFT. I yield first to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, as I understand, the Senator's amendment does not in any wise affect the injunctive process provided for in the pending bill, but simply provides an additional remedy by way of suits for damages.

Mr. TAFT. The Senator is correct. We considered making it a procedure through the National Labor Relations Board also, but it is not felt, I think, by any of those on the other side of these questions that the Labor Board is an effective tribunal for the purpose of trying to assess damages in such a case. I do not think anyone felt that that particular function should be in the Board. So, if such remedy is to be provided at all, if there is to be any recourse for financial losses caused by unions, it must be by direct suit, as proposed by the amendment.

Mr. PEPPER. Mr. President, I had assumed that the Ball amendment and the Taft amendment had both, in defining the boycott or the jurisdictional strike, employed substantially the same language as is used in section 8 of the bill, where those things are made an unfair labor practice. It just dawned on me that the Senator has made it unlawful—not an unfair labor practice, but he has made it unlawful to engage in a boycott or in a jurisdictional strike. That is found in section 303 (a) of the Senator's amendment:

It shall be unlawful, in an industry or activity affecting commerce, for any labor organization to engage in, or to induce or encourage the employees of any employer to engage in, a strike or a concerted refusal to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services in the course of their employment—

For the enumerated purposes set out in the amendment. Was it the desire of the Senator from Ohio to make those acts unlawful?

Mr. TAFT. That is correct. I may say that the definition is exactly the same as the definition we had of an unfair labor practice. The effect of making it unlawful is simply that a suit for damages can be brought for that kind of thing. There is no criminal penalty of any sort.

Mr. PEPPER. Mr. President, that is the point I am making. If the Senator will yield further, I should like to refer to a memorandum which I put in the RECORD last year, in which I called attention to the conspiracy statute, which is on the statute books of the country, providing that, if two or more people band together, or if they conspire one with another, to do an unlawful act, that is a criminal offense. I shall presently obtain the memorandum from the office of the Legislative Counsel, and I should like to call it to the attention of the Senator. But I also call attention to the fact that the Senator's amendment has been modified to make it applicable to labor organizations, not to a "person," as it was when first submitted.

Mr. TAFT. I do not see how the conspiracy statute could apply.

Mr. PEPPER. It would always be a working together of many people to do what the Senator defines as an "unlawful act." I maintain that they would be subject to criminal prosecution under the Federal conspiracy statute. I think I can sustain the contention with cases. I have the memorandum here.

Mr. TAFT. I think the Senator is entirely incorrect. There is no intention whatever to subject persons to a charge of conspiracy or to subject them to any criminal penalty for such strikes, by the use of the words "labor organization." Furthermore, a labor organization is

just like a corporation; a corporation is not itself a conspiracy, nor is a labor organization a conspiracy. So that even on the Senator's assumption, unless there were two or three labor organizations conspiring together there could not be any possible application of the amendment to the law.

Mr. PEPPER. Mr. President——

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

Mr. PEPPER. Mr. President, let me finish this particular inquiry to which we were addressing ourselves.

Mr. TAFT. Yes; I yield further to the Senator from Florida.

Mr. PEPPER. I want to call the Senator's attention to the fact that a labor organization is not a corporation. It is an unincorporated association. It is made up of many individual persons, and therefore the conspiracy statute would apply, because if several persons work together to accomplish an unlawful purpose, that is a conspiracy within the definition of the Federal statutes, and the provisions of the United States Code.

Mr. TAFT. I may say to the Senator on that point that under the provisions of the Norris-LaGuardia Act and the Clayton Act a labor union is not a conspiracy, and cannot be a conspiracy simply by reason of the existence of a number of members of the labor organization.

Mr. PEPPER. Mr. President, the individuals who engage in this concerted activity which would be outlawed will be working together—I shall have the language of the statute before me presently and will call it to the Senator's attention—they will be working together to accomplish what the Senator makes not an unfair labor practice but an unlawful act. That will be the action of the American Congress in castigating an action as being unlawful, not merely as being an unfair labor practice.

Mr. TAFT. If something is castigated as being an unfair labor practice it might as well be castigated as being an unlawful act.

Mr. PEPPER. On the contrary, the courts——

Mr. TAFT. So far as the conspiracy statute is concerned, I do not think it applies.

Mr. PEPPER. The courts of the country are set up to administer punishment for unlawful acts, not for unfair labor practices, unless they are specifically criminal in their nature.

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

Mr. TAFT. I yield.

Mr. FERGUSON. As I read the section, all that is attempted to be done by the amendment is to provide jurisdiction in the Federal courts in suits for damages in case damages might be proved by reason of certain conduct. I do not understand that the amendment creates any unlawful act, so far as the act being criminal is concerned. Is that a correct statement?

Mr. TAFT. That is correct. There is no criminal penalty whatever proposed in the amendment.

Mr. FERGUSON. Therefore all the amendment would do, if adopted, would be to create a cause of action for damages, which could be heard before a jury in a Federal court. Is that correct?

Mr. TAFT. That is correct. I shall now read the provision of the Clayton Act as follows:

> Nothing contained in the antitrust laws shall be construed to forbid the existence of labor organizations—

And so forth.

> Nor shall such organizations—

The labor organizations—

> Nor shall such organizations or the members thereof be held or construed to be illegal combinations or conspiracies in restraint of trade under the antitrust laws.

That only covers the antitrust laws, but there is another statute, either the Norris-LaGuardia Act or the Clayton Act, which covers generally the idea that members of a labor organization, acting as an organization, are not violating any conspiracy statute of the United States.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. JOHNSON of Colorado. I should like to ask the Senator from Ohio if his amendment is in line with the recommendation made in the President's message to the Congress opposing secondary boycotts and jurisdictional strikes? Does the amendment implement the President's message?

Mr. TAFT. I do not have the President's message before me. The President spoke of his desire to outlaw jurisdictional strikes and certain types of secondary boycotts. I think he used the word "outlaw," which would seem to me that he thought they should be made unlawful. I shall obtain a copy of the President's message and find out exactly what he said. As I recall, however, the President did use the word "outlaw." I think the answer to the Senator's question is "Yes."

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

Mr. TAFT. I yield.

Mr. BARKLEY. I have not examined the Criminal Code, but I recall that there is a provision to the effect that when no specific penalty is assessed against an act which is elsewhere declared unlawful a penalty may be applied as if it were made a penalized act, if the act itself, when committed, was similar to one with respect to which there is a penalty. Has the Senator looked up that statute to see whether, notwithstanding there is no specific penalty in his amendment, one might be applied under the general basic clause of the Criminal Code?

Mr. TAFT. I have looked up that matter before, and there is no such general clause, as I understand. The only question is respecting the conspiracy statute which the Senator from Florida has brought up.

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

Mr. TAFT. I yield.

Mr. BALDWIN. As I understand, what we are considering would be unlawful in the sense only that it would create a civil liability for damages. It is not unlawful in the sense that there would be any criminal liability?

Mr. TAFT. It is unlawful. There may be other results arising from it, but there would not be a criminal penalty in my opinion, because there is no criminal penalty prescribed in the amendment.

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

Mr. TAFT. I yield.

Mr. HATCH. I merely want to call the Senator's attention to the fact that the use of the word "unlawful" is clearly unfortunate. There is no necessity for making an action unlawful in order to make the person liable in civil damages. What it amounts to is a mere trespass, and nothing else, and it is clearly unfortunate to use the word "unlawful."

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

Mr. TAFT. I yield.

Mr. FERGUSON. I think the able Senator from New Mexico hit the nail on the head when he said that it merely makes the person committing the act liable in civil damages. I think it is unfortunate to say that it is unlawful, because the word "unlawful" indicates criminality. There is nothing in the measure which would make such action criminal. We have no Federal criminal common law. It is true that the definition of a conspiracy at common law was a combination of two or more persons to do an unlawful act, or to do a lawful act unlawfully. But we have no such common law in the Federal law. Therefore it is wrong to say, in my opinion, that this is an illegal or unlawful act. The amendment merely creates a right of action for a trespass or for damages, and I am glad the Senator from New Mexico raised the point he did.

Mr. TAFT. If it makes any difference to anyone we will handle the matter by inserting after the word "unlawful" the words "for the purposes of this section."

Mr. FERGUSON. Yes.

Mr. TAFT. And then the only thing under this section is the suit for damages. That would be the quickest way to handle the matter.

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

Mr. TAFT. I yield.

Mr. PEPPER. This subject arose when we had the Case bill before the Senate during the last session of Congress, and there was some discussion between the Senator from Georgia [Mr. GEORGE] and me as to whether or not there was any criminal significance to the use of the word "unlawful" as it appeared in that measure. I thought it was a question of significance, and others thought it was not. I applied to the legislative counsel's office for an opinion, and I shall read two or three paragraphs of the opinion submitted to me by the legislative counsel:

> Memorandum for Senator PEPPER:
>
> This memorandum is in reply to your request for my opinion as to whether a prosecution under the conspiracy statute (sec. 37 of the Criminal Code) would lie with respect to a violation of section 4 (b) of H. R. 6578 (the President's temporary labor bill).
>
> Section 4 (b) of H. R. 6578 reads as follows:
>
> "(b) On and after the finally effective date of any such proclamation, continuation of a strike, lock-out, slow-down, or any other

interruption at any such plant, mine, or facility shall be unlawful."

Mr. President, there was no penalty provided in the statute. It was simply made unlawful, but no criminal penalty provided thereafter in the bill.

The memorandum continues:

Section 37 of the Criminal Code (18 U. S. C. 88) provides:

"If two or more persons conspire either to commit any offense against the United States, or to defraud the United States in any manner or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be fined not more than $10,000, or imprisoned not more than 2 years, or both."

This is the conclusion of the legislative counsel:

In conclusion, it may be stated generally that the conspiracy statute (sec. 37 of the Criminal Code) covers to all intents and purposes the situation you had in mind when you stated that there was a general criminal statute to punish persons for continuing a strike made unlawful by section 4 (b). While the conspiracy statute applies only to two or more persons acting in concert, a continuation of a strike, slow-down, or other stoppage of work referred to in said section 4 (b) will of necessity be concerted action on the part of a labor union and its members and will subject its officers and members to a criminal prosecution for conspiracy.

That memorandum was inserted in the CONGRESSIONAL RECORD on August 2, 1946, and appears on page 10732 of the RECORD, if Senators care to see the entire memorandum.

Mr. TAFT. However, when this amendment deals with labor organizations and the only unlawfulness is for a labor organization to do something, in my opinion the labor organization is not a conspirator, and the conspiracy statute does not apply to it unless two or more labor organizations are involved. I believe that the simplest way to take care of the matter is to insert in line 2 on page 1, after the words "it shall be unlawful", the words "for the purposes of this section only." I have no intention of subjecting them to criminal liability. I now modify the amendment by inserting in line 2 on page 1, after the words "it shall be unlawful", the words "for the purposes of this section only."

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

Mr. TAFT. I yield.

Mr. PEPPER. I do not want to leave the Senator under a misapprehension. I am not in favor of the damage suit part of the amendment. I do not see anything to be gained by declaring such an act to be unlawful in any respect. If the Senator wishes to give the commission of some acts legal significance and make them the subject of a suit for damages, he can do so without running the risk of becoming involved with the question of criminal prosecution by leaving out the declaration of unlawfulness altogether and either calling it an unfair labor practice, as we do in the body of the bill, or simply say that the commission of such acts shall be the basis for suits in the Federal courts.

Mr. TAFT. Is not that what I do when I say that it shall be unlawful for the purposes of this section? Does not that cover the case? It is not unlawful for any other purpose.

Mr. PEPPER. Of course, an act does not have to be unlawful to be the basis of a civil suit. If all the Senator is seeking to accomplish is to lay the predicate for a civil suit, I see no reason why he has to use the language of criminality.

Mr. TAFT. I do not think it is necessary, but I do not see what harm it does, if we make it clear that it applies only to this section. There is no criminal penalty in the section.

I now have before me the President's message. He refers first to jurisdictional strikes. He says:

I consider jurisdictional strikes indefensible. Legislation to prevent such strikes is clearly desirable.

The second unjustified practice is the secondary boycott when used to further jurisdictional disputes or to compel employers to violate the National Labor Relations Act.

The third item relates to breach of contract.

So the President himself has stated, in a general way, that this type of action is unjustifiable. I would have no great objection to making it a criminal offense. But certainly that is not this proposal. As modified, the amendment would simply provide that "it shall be unlawful for the purposes of this section"; and this section is for the purpose of providing the remedy of a civil suit for damages.

Mr. AIKEN. Mr. President, I wish to propose an amendment to the amendment offered by the Senator from Ohio [Mr. TAFT].

Mr. PEPPER. I wish to address myself to the amendment of the Senator from Ohio, but I defer to the Senator from Vermont.

Mr. AIKEN. Mr. President, to the pending amendment I offer an amendment which I send to the desk and ask to have stated.

Mr PEPPER. Mr. President, does the Senator from Vermont wish to offer the amendment now?

Mr. AIKEN. Yes. If the Senator from Florida, with the consent of the Chair, will grant me a couple of minutes I will say that the amendment which I am offering to the amendment offered by the Senator from Ohio [Mr. TAFT] is to meet and partially correct one of the worst evils existing in the industrial strife in recent years. We have had reports for many years of cases involving farmers who have worked through the year raising a crop and have taken it to market, only to run into a secondary boycott or a jurisdictional strike in existence at the place at which they were supposed to deliver the crop. Consequently they have lost it. I do not believe that the amendment offered by the Senator from Ohio would afford much protection to the average farmer. He might lose a load of produce worth $500 and would have the privilege of suing to recover damages, but he would not have a moral certainty of recovering $500. It would be eaten up in lawyers' and court fees. What the farmer wants is to be able to deliver his produce to market and not be turned back when he gets to the city terminal with it.

For that reason I offer an amendment which, I admit, is class legislation. It provides for something that I do not like, but it does provide that if when the farmer reaches market he runs into a jurisdictional strike which prevents his unloading his season's crop he may appeal to the courts for an injunction permitting him to unload that which he has brought to market. I admit that I do not like to do it; I do not like injunctions; but we have searched everywhere to find a remedy for a condition which has victimized the innocent and deserving people who raise produce.

If the amendment offered by the Senator from Ohio is adopted, I think it ought to afford some real protection to the farmer so far as it is possible to afford such protection by legislation.

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

Mr. PEPPER. I yield.

Mr. TAFT. I understand the Senator is proposing to restore the injunctive process in certain special cases. Is that correct?

Mr. AIKEN. That is correct; in the case of perishable farm produce, such as fruit, vegetables, and dairy products; nothing else.

I ask that my amendment be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. It is proposed to amend the amendment of the Senator from Ohio by adding at the end thereof a new subsection (c) as follows:

SEC. 303. (c) Whenever any violation of subsection (a) causes or threatens to cause destruction, spoilage, or deterioration of any perishable agricultural commodity (including but not limited to any meat, fruit, vegetable, or dairy product), the district courts of the United States have jurisdiction, in proceedings instituted by any person suffering or threatened with loss or damage by reason of such destruction, spoilage, or deterioration, to prevent and restrain violations of such subsection.

Mr. PEPPER. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. The Senator from Vermont is yielding the floor. I think the Senator from Florida had it, anyway.

Mr. PEPPER. Mr. President, I do not recall exactly the terms of it, but last year we passed the Hobbs bill, the so-called antiracketeering bill, which gave jurisdiction to the Federal court to act with respect to interruptions of and interference with people delivering their goods, in the way I think the Senator from Vermont has in mind. I was wondering if, since the Federal court has jurisdiction of that kind of an affair and the local authorities have jurisdiction to prevent such an act in the course of the administration of the ordinary criminal law, the Senator feels it is necessary to add the further restoration of the injunctive process which his amendment contemplates.

Mr. AIKEN. As the Senator from Vermont recalls, the Hobbs bill made it a felony to interfere with anyone traveling along the highway to market.

Mr. PEPPER. It was intended to reach the situation which the Senator from Vermont apparently has in mind.

Mr. AIKEN. It was thought that it would cure the condition. However, it has developed that the Hobbs bill was

not worth the paper upon which it was written, so far as affording any protection to the farmer was concerned, because the farmer is not molested in taking his crop to the market, but when he arrives there may find that the commission man has an agreement for a closed shop, and the farmer cannot unload his produce, and therefore is turned back. Therefore he is in the same position as he was before.

The Senator from Vermont regrets very much that he has to propose anything of this nature. Frankly, I do not know whether it will work. It is very difficult to correct by legislation any of these evils. It is very difficult to write legislation which some "slick" lawyer cannot get around. But it seems to me that if we are attempting to give protection to other persons we should try in some way to afford protection to the producer. I know that a great many large corporations producing perishable foods are well able to look out for themselves, but I also know that the ones I have in mind are not producers of that kind. My amendment is to protect small producers who probably do not produce over a thousand dollars' worth in a year, and they cannot afford to lose it. If they lose it they cannot afford to go to the court to recover damages. I do not know whether this amendment would help them; it is simply an effort to do something to remedy the situation.

Mr PEPPER. I am sure we are all sympathetic toward what the Senator from Vermont has in mind. I am glad he has made it clear that he is not attempting to restrain interference, in the sense of violence, in connection with the delivery of farm produce to market. What he is trying to enjoin is the stopping of work or asking others to stop work in connection with what they believe to be a legitimate objective relating to their own welfare. The Senator's amendment seems to me to have the vice which the amendment offered by the Senator from Minnesota had, except that it is limited to cases in which the commodity involved is a farm commodity and is not applied to the situation generally.

Mr. HAWKES. Mr. President, will the Senator yield a moment? I think there is an important point to be brought out here.

Mr. PEPPER. I yield.

Mr. HAWKES. Of course, I believe that the abuse the Senator from Vermont has in mind should be corrected. But let me ask a question. In addition to fruit or dairy products or other farm products which will spoil if they cannot be unloaded promptly, how about the manufacturing plants which have raw materials which do not come from a farm, but are in process or ready to go in process, and will be ruined unless they are promptly processed? Unless the operations of the plant continue, those materials will be destroyed, thus causing losses to the extent of thousands upon thousands of dollars. Such operations constitute another segment of our American life, aside from the farmer. How about a jurisdictional strike which stops that process, but as to which a citizen cannot obtain the injunctive relief which the Senator from Vermont seeks to make available to the farmer?

Before the Senator answers, let me say that I am very much in favor of what the Senator from Vermont has requested, and that is why I voted for the Ball amendment. I think injunctive relief should be available whenever someone unlawfully or illegally or without provocation interferes with the carrying on of legitimate activities, and I think that such injunctive relief should be available prior to the institution of a suit for the protection of property and property rights.

Mr. AIKEN. Mr. President, will the Senator from Florida yield, to permit me to answer the Senator from New Jersey?

Mr. PEPPER. I yield.

Mr. AIKEN. Let me say that I believe that nonperishables are taken care of in the bill, through the provision that the National Labor Relations Board shall have the right to apply for an injunction. But in the case of perishables, it is almost essential that relief be obtained immediately. A matter of hours, not a matter of days, is involved.

Mr. HAWKES. But the Senator from Vermont has not answered the point raised by me. I happen to be familiar with certain processes in certain factories which must proceed without delay; and if they do not do so, thousands upon thousands of dollars' worth of material is ruined. The situation in regard to such plants is the same as the situation in the case of perishable fruits. The relief that is afforded by the bill is available both to the farmer and the manufacturer, but it is not available by means of the injunctive process. The Ball amendment, for which I just voted, would have given such relief to all without discrimination.

Mr. AIKEN. I believe we would be justified in giving the relief to the small producers who need the help of the Congress. I realize the truth of what the Senator from New Jersey has said, but I do not care to open up the whole question of injunctions.

My proposal is simply a desperate effort to help remedy one of the worst evils facing the people of the United States insofar as union activities are concerned. I think the unions themselves should have cleaned up the matter long ago, so as not to force the Congress to make legislative provision of the sort I have suggested. However, that has not been done. The Hobbs Act, as I have said, turned out to be worth no more than the Petrillo Act, which seems to be worth nothing at all.

Although I do not like to have the Congress take the step I have proposed, I think it is justified. I think we are justified in offering some relief or trying to obtain some relief for these small agricultural producers, many of whom sometimes pool their crops and send them to the market together, simply because they cannot even afford a truck of their own, in which to send their own crop to market.

Mr. HAWKES. Mr. President, if the Senator from Florida will further yield to me, let me say that I wish the Senator from Vermont to realize that I am not talking about big business. The Senator from Vermont said he wished to protect the little people. I can take the Senator to dozens of tiny manufacturing establishments which are living from hand to mouth, with their very existence in the balance; they are trying to make a success, and they are affected by conditions which we have been discussing.

I should like to say that during the past several weeks many labor leaders and representatives of labor organizations have called to see me, but I have not heard a single labor leader say that in his own mind and heart he believed a jurisdictional strike was justified. Every one of them to whom I have talked has said very definitely that some way should be found to control and stop jurisdictional strikes. That shows that almost the entire country recognizes the evil of such procedures.

I think the labor organizations would like to handle the jurisdictional strike situation themselves, by having some kind of a czar. But they have had czars, without materially affecting the situation complained of. That is the reason why we are trying to provide a remedy in the interest of all the American people.

Mr. President, there is no ill-feeling about this matter. If the great economy of the United States is to move forward and do the things which must be done in order to make it possible for our Nation to carry out successfully all the plans we have for activities in the domestic field as well as those to which we are committed in the foreign field, we must make sure that no group in America has the power to stop our economic and industrial machine from working.

Mr. PEPPER. As I have said, all of us are exceptionally sympathetic to the suggestion which has been made by the Senator from Vermont. All of us regard it as despicable to make any man suffer loss, especially the farmers of the country who are bringing perishable products to the market. On the other hand, if the farmers associate themselves together and determine not to bring their products to the market on a certain day, I do not know of any injunction which could be issued against them on behalf of a canning plant or a manufacturer who might sustain some loss from their action in that respect.

I believe that some way should be worked out to prevent interference with the action of farmers in disposing of their products. We have a local law which makes certain acts criminal, and now the Congress is enacting Federal legislation to make certain actions criminal.

But in the present instance, I fear that the Senator from Vermont wishes to do what the amendment of the Senator from Minnesota [Mr. BALL] would have done, namely, to put into the hands of private parties the power to have injunctions issued against the exercise of the rights which they feel strongly about, such as the rights of people to talk with other citizens in a peaceful way about maintaining decent wage standards in a given community.

Mr. President, to give an individual, even though he be a farmer, with all

the merit he has, the power to use the private injunction in connection with this act, in addition to the power which the main bill gives by mandatorily requiring the regional attorney of the National Labor Relations Board to take such action, would be in line with the kind of practice and the sort of danger which the Senator from Oregon [Mr. MORSE] and the Senator from New York [Mr. IVES] and the Senator from Ohio [Mr. TAFT] and the Senator from New Jersey [Mr. SMITH] and the Senator from Montana [Mr. MURRAY] and other Senators condemned on the floor of the Senate with respect to the Ball amendment.

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

Mr. PEPPER. I yield.

Mr. AIKEN. What the Senator from Vermont is attempting to do is what the Committee on Labor attempted to do when it had the Case bill before it approximately a year ago. The Senator from Florida may recall that at that time I offered an amendment which would have covered perishable farm products only, and it was accepted by the committee. But on the floor of the Senate that amendment was eliminated from the bill. I felt at that time that because of the food shortage and for other reasons, the President would sign the bill if it went no further than that amendment. But, as I have said, when the bill reached the floor, the Senate decided to toughen it, just as some Senators are attempting to do now in the case of the pending bill.

The consequence at that time was that the Case bill was vetoed, the veto was subsequently sustained; and the result was that no legislation of that sort was placed on the statute books.

That is what I fear will happen in respect to the pending measure. I fear that if the Senate goes beyond reasonable limits, the President will be thoroughly justified in vetoing the bill, and will veto it, and the Congress will be justified in sustaining such a veto, and will sustain it.

The amendment I have suggested is merely another attempt to do what we tried to do last year. Our effort was not successful last year, and perhaps it will not be successful this year.

Mr. PEPPER. But, Mr. President, of course the Senator from Vermont is aware of the fact that the situation at which he aims his amendment is not ignored by the main bill, for in the main bill it is provided that the regional attorney or representative of the National Labor Relations Board, upon the filing of a complaint that such a practice is being engaged in, is mandatorily required to seek relief in the courts by way of temporary injunction, without notice. So the matter is not left without remedy in the main bill itself.

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

Mr. PEPPER. I yield.

Mr. WHERRY. I say to the distinguished Senator from Florida that the amendment now being offered by the distinguished Senator from Vermont—and of course I am in agreement with it, because of the principle involved—in degree is exactly what was offered by the Senator from Minnesota [Mr. BALL].

Mr. PEPPER. It seems to me so.

Mr. WHERRY. It is simply narrowed to the question of perishable goods.

Mr. PEPPER. That is correct.

Mr. WHERRY. The principle is the same. I submit to the Senator from Florida, in connection with the statement he made that we would all like to obtain legislation on the particular question, that what the Senator from Vermont is attempting to do could have been accomplished by the Ball amendment. That is why I voted for the Ball amendment, and I submit to the Senator from Florida whether it is not true that those who could have taken care of themselves with the Ball amendment on the books would have been hurt either way. It was the ideal legislation to give the relief the distinguished Senator from Vermont is asking for in the amendment. How could legislation be drafted to give the aid the Senator from Vermont is seeking now, in words simpler or less objectionable than those contained in the amendment of the Senator from Minnesota [Mr. BALL]?

Mr. PEPPER. Mr. President, I will say for the Senator from Florida that I do not accept the basic premise of the Senator from Minnesota or the Senator from Vermont, that it is necessary to have injunctive relief in any case. In fact, I oppose injunctive relief; in fact, I even oppose making the act we are considering the basis of a suit at law, as the Senator from Ohio suggests, because I think American citizens who are dissatisfied with wage conditions in a community, with the recognition of organizations of workers in a given area, have a right, as citizens, to go to another group of men and ask their cooperation in a common aim, a common objective. That is what is outlawed by the bill itself, and it is proposed to be made the subject of civil suit by the Senator from Ohio, and now the basis of an injunction by the Senator from Vermont.

I think farmers are also interested in certain basic rights of American citizens. They have a right to go to fellow farmers in a community and say, "Let us not patronize A because he is unfair to farmers." They have a perfect right to pass him by and go down the street and patronize merchant B. I think workers have the same right.

Mr. WHERRY. What is the farmer going to do who has to deliver milk in a metropolitan center, when he is stopped at the city limits and his truck is upset and he loses his milk? What relief has he?

Mr. PEPPER. If someone upsets his truck and spills his milk?

Mr. WHERRY. What is his relief—a suit for civil damages?

Mr. PEPPER. No; that is a criminal offense under local law, and under the Hobbs law, and whoever did it could be indicted, or made the subject of an information filed in a local court, or in a Federal court, and could be put in jail, if the jury found him guilty, or he might be put in the penitentiary.

Mr. WHERRY. I thank the Senator for that answer. That is exactly what the small man has to do, and the Senator well knows that in Florida the farmer who has had that experience is put to the test of employing a lawyer, going to court, and paying the expenses. If he gets no recovery, he loses. Why not give him the injunctive relief, as provided in the Ball amendment, and not compel him to go through a civil court in order to get relief in the way of damages?

Mr. PEPPER. In the first place, I think it is the general opinion that resort to the injunction in the settlement of labor disputes is dangerous practice. The Norris-LaGuardia Act condemned it, and if we liberalize that prohibition at all, it could be narrowed in the most severe way.

In the second place, while all of us respect the farmer, recognize his incomparable value to the country, and his special rights and interests, yet it is certainly not good public policy to say that the farmer can have legal damages which other people similarly injured cannot enjoy. That is not impartial administration of the law.

The Ball amendment would have given the right to use the injunction to the manufacturer who is hurt, to the businessman who is hurt, or to the farmer who is hurt. The Senate rejected that amendment. The Senator from Ohio said the Senate should reject it. Now the Senator from Vermont wants to give this remedy to the farmer but not give it to the manufacturer and to others who might sustain similar injuries.

As sympathetic as I am with what the Senator from Vermont is trying to accomplish, I believe that the right of criminal prosecution of the wrongdoer in the local courts and in the Federal courts—making it an unfair labor practice in the bill itself, making it the duty to a representative of the National Labor Relations Board to bring temporary injunctive action without notice—was reasonable.

Mr. WHERRY. In other words, what the distinguished Senator is saying is that the only relief the farmer has under the present statutes, or even under the Taft amendment, would be to go to the National Labor Relations Board and there depend upon their decision as to whether injunctive relief would lie.

Mr. PEPPER. No; Mr. President, he does not have to go to the Board under section 10 (1). He has to bring a complaint to the notice of the regional attorney.

Mr. WHERRY. Which means going to the Board, and he does not know whether the Board will be in my home town or Omaha or Fremont, Nebr. It might be in Kansas City, Mo., and there is a man with a load of milk which he cannot even get into Omaha, who has no relief except in the way of civil damages, which he has to prove in court.

The distinguished Senator knows, as well as I do, that the small farmer or the small businessman does not have the legal representation. He does not have the contacts. I know the distinguished Senator is not worrying about those who are perfectly able to take care of themselves. That is why the amendment does not hurt them any. But it is the small operators, the small businessman, the farmers, and those who have perishable goods, who should have some sort of relief other than money damages which

they may obtain at the end of a lawsuit in some court. It is true that a form of injunctive relief may be had upon the determination of some Government lawyer, but the Senator will agree with me that that process involves delay. It takes time, and by the time relief would come, I submit to the Senator, it would not be of benefit to the producers of farm products, who would obtain relief under the amendment of the Senator from Vermont.

Mr. PEPPER. I have no disposition to oppose with any acrimony or severity the amendment of the Senator from Vermont. I merely thought it was bad policy to pick out one class of our citizens, meritorious as they are, and deny relief to other people. But if the Senator feels that way about it, it is perfectly all right with me.

Mr. WHERRY. I want the RECORD to show that I agree with the Senator that it is class legislation, and that the principle involved in the amendment is identical with the principle of the Ball amendment. I voted for the Ball amendment. Those who can take care of themselves, and have the money, the big manufacturers and the big unions, can get along. It is the small people, like the farmers, who come in between cross-fires and need relief, who should be considered. I voted for the Ball amendment because it did establish a general principle. It did not include class legislation, but it did give relief to those I have been discussing, who need protection against the big operator, whether it be manufacturer or labor.

Mr. PEPPER. I am not sure but that the local citizen the Senator from Nebraska describes would have the right of injunctive relief in a local court. We are simply giving the right in the Federal court, but he still has local machinery of which he may avail himself to prevent irreparable damage, if he can make a showing. It seems to me this would bring the matter into Federal jurisdiction.

Mr. WHERRY. I agree that there are remedies in every State, but we are passing a Federal law, to give injunctive relief.

Mr. PEPPER. The Senator would probably find the circuit judge closer than the Federal judge in most States, and I suggest a man would have a complete and adequate remedy in the local courts.

Mr. MORSE. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. I yield.

Mr. MORSE. I think it is perfectly clear that the Senator from Vermont has proposed class legislation, and if we are to open up the bill in regard to giving protection in the type of cases to which he refers, then we might just as well go back to the Ball amendment and adopt the Ball amendment, and do away with the Norris-LaGuardia Act. If we adopt this amendment we should say directly that what we want to do now is to throw all these matters into the Federal courts, with all the problems created by having them handled in the Federal courts as they were prior to the Norris-LaGuardia Act.

The second point I want to make, and I think it a very important one—one to which I think the farmers should give heed—is that if the bill only could be enacted as it came from the committee, salutary precedents will be established very shortly after it is put into operation to the end of checking these union practices which do such injustice to the farmers. What is going to happen, as the committee bill is administered, if we succeed in making it the law of the land, is that the National Labor Relations Board will make it clear to unions, in the course of a very few months, that the type of practices to which the Senator from Vermont is objecting will not be tolerated. Any union that is found to be a party, directly or indirectly, to such practices, is going to find itself subject to the jurisdiction of the National Labor Relations Board. It is going to be made very clear that that sort of union conduct of which the Senator from Vermont complains will not be tolerated. If the union then proceeds to defy the National Relations Board, under our bill the Board will be required to go into the Federal courts to see to it that the union or its officials are brought to account for such conduct.

It is said that our bill does not have teeth. If a few union leaders were to be held in contempt for defiance of court decrees enforcing the decisions of the National Labor Relations Board, or for violation of injunctions, they will know just what teeth there are in the bill.

I think the thing that is being overlooked now in the attempt to get the Senate to pass class legislation, is that what is needed of course is to get a pattern of precedents laid down under the committee bill, which I am sure the National Labor Relations Board will lay down very quickly. Once they are established, I think farmers are going to find that, without regard to class legislation, a measure has been passed providing a procedure that will give them the remedies they need. I can think of a good many other employers or of a good many other industries that would like to have the type of special legislation that is now proposed by the Senator from Vermont for the benefit of producers of perishable goods. The goods may not be so perishable as farm products but the producers of them suffer loss in so-called "hot cargo" cases, too. Let us take for example the lumber industry. It is confronted with a great many "hot cargo" cases, but special legislation over and above the committee bill is not needed to meet the problem. I want to make the point that under the procedure provided for in the bill, the so-called "hot cargo" cases are very well handled. The same applies to other cases in which certain unions resort to the type of tactics to which the Senator from Vermont refers, and which I deplore as much as does the Senator. It was because of my opposition to those tactics that I proposed in the committee the procedure that is found in the committee bill on secondary boycotts and jurisdictional disputes.

If the Senator will indulge me, may I say further that I think all the discussion, the amendments that are now proposed, and the corrections that have been made here on the floor of the Senate to the pending amendment, show that here is a problem that ought to be referred for further study to the committee proposed in another section of the committee bill. I think the pending Taft amendment is a perfect example of hastily devised legislation. I think the problem involved in it ought to go back to committee. I think we ought to take the committee bill and stop muddying the water, so to speak, by adding more and more amendments to it.

I want to ask the Senator from Florida a question as to the possibility of additional legal difficulties developing because of the amendment, even as presently written. The Senator from Ohio has added, following the word "unlawful," certain language. I do not have the amendment before me.

Mr. TAFT. After the word "unlawful," there were inserted the words "for the purposes of this section only."

Mr. MORSE. The legal question I want to direct to the Senator from Florida is this: Does he think that by the use of the word "unlawful"—whether it is "for the purposes of this section only," or anything else—there is restored to the individual citizen the right to seek injunctive relief? Since the amendment does not go on to provide that, there is no intention on the part of the proponents of the amendment to prevent employers from seeking injunctions in secondary boycott cases, I am inclined to believe that a very good legal argument can be made—and it will certainly have to be litigated to final Supreme Court decision, it seems to me—that by the very use of the word "unlawful" in the amendment, unless it be further restricted, there is automatically restored to the employer injunctive relief. In other words, the Taft amendment indirectly repeals the Norris-LaGuardia Act insofar as the conduct of unions covered by the amendment is concerned.

Mr. PEPPER. Mr. President, I have already stated that I think the word "unlawful" is adapted to the criminal law, not to the civil law.

Mr. MORSE. I am not referring to the point dealing with conspiracy.

Mr. PEPPER. I understand that. It is an improper use of language in this section. The Senator from Oregon may be correct in his view that it will have the effect, or will probably have the effect of restoring to the individual the right to injunctive process, which was not true of the Ball amendment.

Mr. MORSE. I put this hypothetical point to the Senator from Florida. Let us assume a statute says that certain conduct shall be unlawful. It appears that a union is going to engage in that type of conduct, and is threatening to interfere with the shipment of my goods to market; in other words the union is threatening to commit acts that have been declared unlawful in the statute. Do I not have the right then to go into court and ask to have that conduct enjoined then and there on the ground that the statute, without in any way restricting my remedy to injunctive relief,

says that such conduct shall be unlawful. In other words, will not employers be able to go directly into court and receive injunctions under this amendment? If so then I wonder why the author of the amendment does not make that remedy perfectly clear in the amendment. I am sure many Senators would not vote for the amendment if they knew that there is a great legal probability that it will circumvent the Norris-LaGuardia Act in a very material respect.

Mr. PEPPER. There is no doubt of the injunctive power to restrain the commission of an unlawful act. One who might show damage from the unlawful act it seems to me might well be heard and might well have a case in the local courts.

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

Mr. PEPPER. I yield.

Mr. TAFT. I want to point out that there is no law against courts issuing injunctions. We are using a rather general term here. Of course, a court may always issue an injunction in connection with a lawsuit except as limited by the Norris-LaGuardia Act. That is the whole question. I really question whether the amendment of the Senator from Vermont accomplishes anything, because all it does is to give jurisdiction to the United States district court to enjoin the acts which result in the destruction of perishable goods. They already have jurisdiction so far as that is concerned, it seems to me; but they have jurisdiction subject to the provisions of the Norris-LaGuardia Act.

The real question at issue, when it comes to injunctions is, Do we suspend the Norris-LaGuardia Act or not? Under the Ball amendment, the Norris-LaGuardia Act would have been suspended. That is the whole question, as I see it. That is the reason I yielded my position, because the feeling, the sentiment against suspending the Norris-LaGuardia Act was so strong. But the question of whether courts have jurisdiction may be answered by saying they have jurisdiction still under the Norris-LaGuardia Act. They can issue injunctions in any labor dispute, but they have to comply with very strict provisions. I really do not think when the Senator from Vermont offers an amendment to give jurisdiction, without any reference to the Norris-LaGuardia Act that he is in any way changing the legal situation of those who are injured under those circumstances.

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

Mr. PEPPER. I yield.

Mr. AIKEN. The Senator from Vermont wishes to say that the purpose of his amendment must be clear. It is his expectation that the bill will go to a committee of conference, and the Senator from Ohio will be a member of that committee. So long as the purpose of my amendment is absolutely clear, whether the terminology is correct or not, the Senator from Vermont is convinced that the Senator from Ohio and other Senators will be able to find the proper wording to make the amendment effective.

As I previously stated, if anyone can find any other way of correcting this evil which labor unions themselves must have been aware of, I would welcome such a suggestion.

The Senator from Oregon [Mr. MORSE] has stated that if the Senate committee bill could be passed and become law—and I think it could become law if the Senate would be willing to accept it as it came from the committee and would adhere to such decision in conference—that probably it would work out as the Senator stated. It has become apparent here that the amendment offered by the Senator from Ohio is offered for the purpose of affording protection to a great many people, but I do not believe his amendment does protect the producer of perishable farm products, as it ought to. If the amendment of the Senator from Ohio is to be adopted I want some protection for the farmer to be adopted with it. That is the reason I offered my amendment to his amendment. If anyone can guarantee that the bill as it came from the Senate committee can become law I think that would probably be as just a law as we could work out, and, as the Senator from Oregon has said, through interpretations and so on and so forth, whatever the lawyers call them, it could be made into the most effective and just labor law that any country in the world has ever had.

Mr. MORSE. Mr. President, will the Senator from Florida permit me just one or two minutes?

Mr. PEPPER. Yes, I shall be glad to; if the Senator will allow me to make one observation first.

Mr. MORSE. I shall be very happy to do so.

Mr. PEPPER. The most effective way to prevent injury of the sort contemplated by the Senator from Vermont is for the workers on the farm and the workers in the factories to recognize that each has a common interest with the other; that they are all working toward the common good, and that they will respect each other's legitimate interests and objectives.

Mr. President, none of the laws we pass is going to be a substitute for the necessity of the worker and the farmer recognizing the common interest they have and working together for the individual as well as the public good.

Mr. AIKEN. Mr. President, I agree absolutely with what the Senator from Florida has said. The Senator from Florida knows as well as I know that millions and millions of dollars are spent annually to keep workers and farmers from realizing their interdependency.

Mr. PEPPER. The effort is made to separate them.

Mr. AIKEN. And until we have the realization on the part of both of their common interest, we are going to have each one striving for advantage for himself.

Mr. MORSE. Mr. President, with the indulgence of the Senator from Ohio [Mr. TAFT], I want to discuss his amendment very briefly from the standpoint of legislative intent, because I am very much of the opinion that because of the language to which I have referred, we are going to find in the future some interesting litigation over it. Therefore, I want to point out certain facts, and it will take me only a few minutes, I will say to the Senator from Florida.

Mr. PEPPER. I rose anyway to address myself to the principal amendment, the Taft amendment, and I will take my seat until the discussion on the Aiken amendment to the Taft amendment has been completed. Then I wish to address myself to the Taft amendment first.

Mr. MORSE. What I was pointing out, Mr. President, was that I think we need to take note of the fact that we are dealing with an amendment which in the first sentence provides:

> It shall be unlawful for the purposes of this section, in an industry or activity affecting commerce, for any labor organization to engage in, or to induce or to encourage—

Then the amendment proceeds to set out the terms in great detail, as we do in the committee bill. In fact as I read it, it is identical, as far as the definitive terms are concerned, with the committee bill on secondary boycotts and jurisdictional strikes. It provides:

> It shall be unlawful for any labor organization to engage in—

And if any labor organization engages in any of those practices, then the purpose of the amendment is to give to the employer or anyone damaged by such conduct, the right to sue for civil damages.

My legal contention is that if it makes certain conduct unlawful, then the individual employer does not have to wait until the damage accrues, but that there is inherent within his rights under the legal concept "unlawful," once we make it unlawful in this sense, the right to go into court and then and there secure an injunction. If that argument should be sustained by a court—and I am satisfied, Mr. President, that it is a sufficiently strong legal argument so as to make it necessary in the final analysis for a Supreme Court determination—the effect will be indirectly as to the type of conduct covered by the amendment, to repeal the Norris-LaGuardia Act.

So in my judgment it would not only be giving to the employer in this case the right to bring suit for civil damages, but if the employer sees the danger of those damages developing because of threatened conduct on the part of the labor organization to do any of the things provided for within this measure, he certainly ought to have the right, unless there is further restrictive language placed in the amendment, to go into a court and say "Stop this oncoming irreparable damage which I see pointed in my direction." Hence I think there are two things I should like to have cleared up.

First, I should like to know whether or not it is the intention and the contemplation of the Senator from Ohio [Mr. TAFT] to accomplish the purpose by the amendment of giving the employer such a remedy, because I think it is important to get that into the RECORD now for future court interpretation as to congressional intent.

My second point is that irrespective of what intent we may express here this afternoon, it still remains within the province of the court to determine whether a citizen under this section has

the right to secure injunctive relief unless we specifically, in language definite and certain, provide in the amendment that such a right shall not be given to him, but that the provisions of the Norris-LaGuardia Act shall prevail. That is not so stated in the amendment. In the absence of such words of limitation I think such an injunctive right will accrue.

The last word I want to say is again in reference to the amendment proposed by the Senator from Vermont [Mr. AIKEN]. I think we ought to wait to see how the procedure of the committee bill will work out in regard to checking the abuses of secondary boycotts and jurisdictional disputes. That is why, Mr. President, I repeat, I think the amendment ought to go back to committee. It should not be passed upon by the Senate this afternoon.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Vermont [Mr. AIKEN] to the amendment offered by the Senator from Ohio [Mr. TAFT].

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

The PRESIDENT pro tempore. The clerk will call the roll.

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

Aiken	Hawkes	Murray
Baldwin	Hayden	Myers
Ball	Hickenlooper	O'Conor
Brewster	Hill	O'Daniel
Bricker	Hoey	Overton
Bridges	Holland	Pepper
Brooks	Ives	Reed
Buck	Jenner	Revercomb
Bushfield	Johnson, Colo.	Robertson, Va.
Butler	Johnston, S. C.	Robertson, Wyo.
Byrd	Kem	Russell
Cain	Kilgore	Saltonstall
Capehart	Knowland	Smith
Capper	Langer	Sparkman
Connally	Lodge	Stewart
Cooper	Lucas	Taft
Cordon	McCarran	Taylor
Donnell	McCarthy	Thomas, Okla.
Downey	McClellan	Thomas, Utah
Dworshak	McFarland	Thye
Eastland	McGrath	Tydings
Ecton	McKeliar	Umstead
Ellender	McMahon	Vandenberg
Ferguson	Magnuson	Wagner
Flanders	Malone	Watkins
Fulbright	Martin	Wherry
George	Maybank	Wiley
Green	Millikin	Williams
Gurney	Moore	Wilson
Hatch	Morse	Young

The PRESIDENT pro tempore. Ninety Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AIKEN] to the amendment of the Senator from Ohio [Mr. TAFT] as modified.

Mr. FERGUSON. Mr. President, I wish to make a few remarks on the pending amendment.

From an examination of section 7 of the Norris-LaGuardia Act, I am of the opinion, after reading that section and reading the amendment, that the amendment cannot accomplish anything. Section 7 of the Norris-LaGuardia Act is not repealed or modified in any way. To add this amendment would not accomplish anything. For that reason I shall be compelled to vote against it in its present form.

Mr. TYDINGS. Mr. President, I should like to ask the author of the proposed amendment if the effect of it is not limited to farm produce only?

Mr. AIKEN. It is limited to perishable farm produce. The producers of other products have recourse to the National Labor Relations Board. But the Senator from Maryland knows that if a farmer on the Eastern Shore of Maryland starts out for New York with a truckload of strawberries and runs into a jurisdictional strike, he cannot come back to Washington and go before the National Labor Relations Board.

Mr. TYDINGS. Mr. President, will the Senator further yield?

Mr. AIKEN. Yes; I yield.

Mr. TYDINGS. For the reasons I am about to indicate I am opposing the amendment offered by the Senator from Vermont to the amendment of the Senator from Ohio. My purpose in rising was to suggest a question of fundamental right. If the Senator's approach to this problem is fair in the case of farmers, why would it not be fair likewise in the case of a furniture manufacturer who is taking a load of furniture from his plant to the city, or in the case of a lumber manufacturer who is taking a load of lumber from his mill to the city? In my State men in both categories have been held up. In my opinion, if what is sought to be reached by the amendment offered by the Senator involves a matter of fundamental right, it seems to me that we are getting into the field of class legislation if we say, "You shall not do this, provided there is involved such and such produce, but you may do it if it involves any other kind of produce." My point is that we should approach this matter on the basis of what is right and what is wrong.

If it is right for a farmer to take his produce from the Eastern Shore of Maryland or from the Senator's State to New York City without being interrupted by anyone, then it is equally right, if this is a free country, that a manufacturer of any other product should have the privilege of delivering his goods to a customer who has entered into an honest arrangement to buy those goods. I hope the Senator from Vermont will not limit his amendment, or, if it be limited, I hope the limitation will be voted down. We ought to guarantee to everyone in this country who abides by the law the chance to sell the goods he produces without the interference of anyone. If we do not do that there is no use passing the Greek-Turkish loans or anything else. We might as well go all the way overboard.

Mr. AIKEN. In regard to not limiting the amendment, the Senator from Vermont called attention to the fact that the Senate voted down the Ball amendment which provided for injunction applicable to everyone. There is a great deal of difference between a load of strawberries and a load of furniture.

Mr. TYDINGS. No; there is not.

Mr. AIKEN. Yes; there is.

Mr. TYDINGS. If I am delivering furniture to the Senator from Vermont and taking it along the public highway, no man in this Republic has a right to stop me and interfere with its delivery.

Mr. AIKEN. I am not speaking about taking it along the public highway. My amendment does not refer to taking it along the public highway. That matter was supposed to have been taken care of by the Hobbs bill which was passed last year. Here is the situation. When the farmers on the Eastern Shore grow a crop of strawberries, the berries become ripe when nature determines. They cannot be left in the field for perhaps a week. They must be loaded on trucks and taken to the city, where they must be unloaded and disposed of within 3 or 4 or 5 hours.

Mr. TYDINGS. I realize all that. That is an argument of expediency; it is not an argument of principle. It has not a shred of principle in it. The Senator simply says, "We are going to take care of one class of persons, and it will not apply to other persons because they have produced something which does not perish; they can afford to go to court and hire a lawyer and go to great expense in order to use the public highway."

If there is one thing in America that ought to be protected by this bill it is the right of a man to deliver the fruits of his own labor or business to the customer who wants to buy them, without the interference of anyone else on earth, so long as he abides by the law of his country.

It is a reflection on the governors and mayors of our 48 States that they have not sufficient courage to enforce the laws of their States. That is the reason we are dealing here with what should be dealt with on the local level. We should not have to consider this matter. I am astounded at the situation. I have a letter in my pocket—I shall not read it at this time—which touches on this very subject. The writer of it appeals to me to give him some assistance because the mayor of a certain town in the West has not sufficient courage to enforce the ordinances and laws of a great State.

Mr. AIKEN. That is true; and the Senator from Vermont has often wondered why people from all the States in the Union come to the Congress to ask the Federal Government at Washington to do things which they ought to be doing or asking their own State legislatures to do.

Mr. TYDINGS. And we are trying to do as little of it here as we can do and get by. Instead of meeting this problem with courage, face to face, we are trying to give a little relief to a certain class.

Mr. AIKEN. Does the Senator think the Federal Government should go into every town, city, and State and do the work properly belonging to the civil governments of the States?

Mr. TYDINGS. We should not pass laws which take local matters into the congressional purview. That is what we have been doing for the past 20 years, particularly. We have been taking over the local functions of the counties, the cities, and the States of America. Now we are in the mess which we ourselves

created, and we do not have sufficient courage to meet the results of our own handiwork. It is nothing else in the world than a lack of courage. There is not a man here who does not know in his heart that no one in this world has a right to stop me in the delivery of goods which I produce, so long as I abide by the laws of the several cities, counties, and States of America, and the national laws. We meet the question timidly instead of head-on. If we want to pass a labor bill, as my friend from Virginia [Mr. BYRD] said the other day, if the only way to get labor legislation is to elect a Republican administration, here is the place to start. If we are not going to start on the delivery of goods, let us cease all this bunk, because it is merely a sham and a pretense.

Mr. AIKEN. The amendment is to protect people who do not seem to be adequately protected anywhere else in the bill or in the amendment offered by the Senator from Ohio [Mr. TAFT], namely, the producer of perishable crops which will spoil within a few hours if they are not permitted to be unloaded at the terminal market.

Mr. TYDINGS. It does not make any difference whether the crops are perishable or imperishable. The principle is that a man has a right to take his goods down a public highway and deliver them to a customer in an honest, open, and aboveboard manner without the interference of any other person. Years ago the pirates of Tripoli attacked our ships when they were in the Mediterranean Sea. We fought a war with Tripoli so that the Tripolitan pirates would not interrupt the flow of American goods to an honest customer. Now in the United States Senate we are confronted with a case of piracy on the public highway. That is all it is. It is condoned by the Senate of the United States.

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

Mr. TYDINGS. I yield to the Senator from New Jersey.

Mr. HAWKES. I should like to say to the Senator from Maryland that I thoroughly subscribe to everything he has said.

Mr. TYDINGS. I thank the Senator.

Mr. HAWKES. I should like to say further to the Senator from Maryland that there are too many people in Congress and elsewhere listening to the voices of individuals who come to their offices. They forget that there are 20 or 30 or 40 workingmen back home for every one who puts pressure on us, and those back home ought to be unshackled and given back their right to proceed in the ordinary way to make a living. I think we should remember that the pressure put on by people who make a lot of noise does not represent the voice of the people who are endeavoring to make their living in the United States.

Mr. TYDINGS. Let me say to my friend from New Jersey—and I thank him for his support—that there may be some men in America who think it is good politics to vote for the amendment offered by the able Senator from Vermont. I should like to point out that perhaps someday some gentleman may make an issue of this situation and if the truth is told about it, he will not be satisfied with those who are on the other side.

I believe that the masses of the people of this country can see very little distinction between interrupting commerce on the public highway and going into a man's factory and mutilating his property or interfering with the production of anything he may be making inside the factory. It is tweedledee and tweedledum.

Mr. HAWKES. Mr. President, will the Senator yield to me briefly?

Mr. TYDINGS. I yield.

Mr. HAWKES. I simply wish to state the opinion which I have formed as a result of talking to many of the working people of the United States, when I have had a chance to talk to them at times when they have felt free to express their honest opinion. What they want is to be unshackled, and they expect us to do the job.

Mr. TYDINGS. Mr. President, let me say that if the amendment of the Senator from Vermont is left out of the bill, nothing in the bill will hurt labor. No laboring man will have any right taken away from him by the bill. No one will be hurt by collective bargaining. There is nothing in the bill that will hurt a laboring man. I do not care who says that the bill will hurt the laboring man; such a statement is not susceptible of proof.

Mr. HAWKES. Mr. President, the Senator from Maryland is not old enough to remember the position which many persons first took in regard to the Interstate Commerce Commission Act. I do not remember when it was enacted—in 1887, I believe—but I remember that for many years afterwards there was much talk to the effect that it would wreck the railroads. However, today the railroads could not get along without it.

If I did not feel that the pending labor bill, which we are about to pass, is in the definite interest of every working man and woman in the United States—not necessarily in the interest of the labor leaders, but in the interest of the working people—I would not vote for it, because I want the Congress to protect the real interests of the honest working people of our country.

Mr. TYDINGS. I agree with the Senator from New Jersey. Nothing in the bill interferes with honest collective bargaining or takes anything away from a workingman in America.

Mr. President, the interception of traffic on a highway is a crime. No one in the world has a right to do that in the United States. The governors of the 48 States and the mayors of the cities and towns and the county commissioners of the counties should see that traffic is not intercepted. But they will not do it, and now the question is before us; and it looks as if we in the Congress will not take care of it if we can find a half-way method of getting around it.

Mr. HICKENLOOPER. Mr. President, will the Senator yield to me?

Mr. TYDINGS. I yield.

Mr. HICKENLOOPER. I wish to congratulate the Senator from Maryland as vigorously as I can on his extremely sound discussion of the fundamental principles which should move this body into taking action in regard to human relations and industrial relations. The Senator from Maryland has gone further than that, and has announced the basic principles upon which our economic and social system should exist. Let me say to the Senator that if the amendment of the Senator from Vermont comes to a vote, I shall support it, because I supported the principle of the amendment previously offered by the Senator from Minnesota [Mr. BALL]. Had I voted against the amendment of the Senator from Minnesota, I could not in conscience support the amendment of the Senator from Vermont, because, as the Senator from Maryland has pointed out, it is class legislation; and I say frankly that if it is adopted, I think it will do an injustice to other persons who should be accorded the privilege the amendment provides.

Mr. TYDINGS. I thank the Senator.

Mr. HICKENLOOPER. I wish to say further to the Senator from Maryland that I think he will admit that the State of Iowa, which in part I represent, is at least as interested in agriculture and the well-being of the farmer as is any other State or section of the United States or, in fact, of the world. So, certainly I can state that I am in favor of whatever is for the best interests of the farmer.

But there is also the principle, which the Senator from Maryland has so aptly and thoroughly stated, that what is good for the farmer of my State is equally as necessary for the businessman and the processor and every other American citizen who is engaged in economic pursuits.

Mr. TYDINGS. That is true.

Mr. HICKENLOOPER. The Senator from Maryland has pointed out that in much of the debate the Senate has too often—and that is my judgment, too—treated its approach to certain problems on the basis of expediency and local pressure, and has disregarded and brushed aside the fundamentals which have to be preserved in the United States if our Nation is in the future to be a country of free enterprise and genius, as it has been in the past.

Mr. TYDINGS. I thank the Senator. Mr. President, are not we in a ridiculous situation? Here we are, the Senate of the United States, the greatest deliberative body in the world, and a component part of the Congress of a country that is the most powerful on the face of the earth; and we are about to say that if a man starts from point A, to go to point B with a load of strawberries, nobody in the world shall interfere with him from the time he puts his strawberries on his truck until he delivers them to point B; but if he puts two chairs and a second-hand sewing machine on his truck and attempts to leave point A to go to point B, then the law does not apply; he may be interrupted and stopped. That is the position taken by Members of this body, where the great, giant intellects of America are assembled for the welfare of 140,000,000 American people.

Mr. FERGUSON, Mr. REVERCOMB, and Mr. TAFT addressed the Chair.

Mr. TYDINGS. First I yield to the Senator from Michigan, and then I shall yield to the Senator from West Virginia, and thereafter I shall yield to the Senator from Ohio.

Mr. FERGUSON. Mr. President, being the first Senator to whom the Senator from Maryland has yielded, I wish to state that I heartily approve of what the able Senator from Maryland has said about the action of the Congress of the United States in entering upon matters with which the States and counties and local authorities are concerned. I wish to add my approval to what he has said to the effect that the local authorities are not doing the job they should do.

Mr. TYDINGS. That is correct.

Mr. FERGUSON. We cannot stress that point too much, because it is time for us to tell the people back home that all things cannot be done in Washington, that the criminal laws must be enforced at the local level. There was never a truer statement than the one the able Senator from Maryland has made with respect to the enforcement of criminal law at the local level.

If I thought this amendment would accomplish anything I would vote for it. But I do not believe it would accomplish a thing, because it would not change section 7 of the Norris-LaGuardia Act. Therefore, it would be idle to adopt the amendment.

We know that often it is idle to adopt an amendment, even though it would accomplish a desirable objective, because it is impossible to get the executive branch of the Government to enforce it after it is adopted and becomes a part of the law. But, in the present instance, I can not add my voice or vote in favor of an amendment which, if adopted, would not even constitute a provision of law which the executive branch of the Government could enforce or take action upon.

Mr. President, as I have stated, I desire to approve heartily what the able Senator from Maryland has said in relation to this matter.

Mr. TYDINGS. I thank the Senator. I yield now to the able Senator from West Virginia [Mr. REVERCOMB].

Mr. REVERCOMB. I thank the Senator from Maryland for yielding to me.

Disregarding the amendment of the Senator from Vermont for the moment, and referring to the principle which has been so ably discussed by the Senator from Maryland, namely, interference with commerce on the highways, the transportation of any article, whether it be perishable or durable, whether it be agricultural products or the products of factories, for my information, I address to the Senator from Maryland a question in regard to what is known as the Hobbs bill, Public Law 486, which was passed by the Congress and signed by the President, and is now upon the statute books. I read the following short provision:

> Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce by robbery or extortion, shall be guilty of a felony.

Mr. President, in regard to the matter of action by the Congress in respect to commerce moving from one State to another or between two points in the same State but, in that process, passing through another State, it seems to me that under the law now on the statute books, the Congress already has taken adequate action and has fixed a severe punishment, namely, a heavy fine or confinement in the penitentiary, to be applied to anyone who interferes with the transportation of goods along a highway. Some may say that applies only to robbery or extortion. The two terms are explicitly defined in the statute, and I wish to read those definitions:

> The term "robbery" means the unlawful taking or obtaining of personal property, from the person or in the presence of another, against his will, by means of actual or threatened force, or violence, or fear of injury, immediate or future, to his person or property, or property in his custody or possession, or the person or property of a relative or member of his family or anyone in his company at the time of the taking or obtaining.

That is robbery, as defined by the statute. The term "extortion" is defined in extenso:

> The term "extortion" means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right.

So that there is a law upon the statute books today with respect to the conveyance of goods, whether they be perishable, whether they be the products of agriculture, whether they come from the factories, of whatever nature or kind they may be, to protect anyone from interfering with their transportation.

What is "interference"? "Interference" means that a man is stopped against his consent, by threat, or even by anything that threatens injury not only to his person but to his property. That is covered by the law today. So I would say to the able Senator from Maryland that it seems to me, indeed, that our present statutes cover the case of the protection of property in the haulage of commerce between States.

Mr. TYDINGS. If the Senator would allow me to interject there, if the Senate should adopt the pending amendment, this being a later law than the one he has just expounded, it would seem to show that that law did not mean what we said it should mean.

Mr. REVERCOMB. Exactly so.

Mr. TAFT rose.

Mr. TYDINGS. It would seem to show that we meant that it should apply only to perishable goods, because of the premise of the Senator from West Virginia is sound, there would be no need for the amendment offered by the Senator from Vermont.

Mr. REVERCOMB. May I say at this point, that seems to be the correct conclusion. The only difference, if we go back to the amendment offered by the Senator from Vermont, is that he offers the relief of injunction in the case of perishable goods. I say that today there is upon the criminal statute books provisions for punishment—if punishment is a deterrent, and we have always believed it to be so—we have on our statute books the deterrent of punishment for interference with the transportation of any article.

Mr. TYDINGS. I yield to the Senator from Ohio, who rose a moment ago.

Mr. TAFT. I was going to make the point made by the Senator from West Virginia, but to suggest that we are dealing here not with direct violence; we are dealing with the checking of deliveries through secondary boycotts or jurisdictional strikes. We have already covered the case of the highway. The trouble is that the man drives up to the delivery point, and because the teamsters' union says he does not have a teamster's card, then the union in the plant, the unloaders, or longshoremen, or whatever they may be, will not unload his truck. That is what we are trying to reach in this case. We are dealing only with the one narrow phase of secondary boycotts and jurisdictional strikes. That is all I wanted to point out to the Senator. The violence question is covered by the Hobbs Act.

Mr. BALL. Mr. President——

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

Mr. BALL. The Senator from West Virginia was referring to the Hobbs Anti-racketeering Act, which was amended by the special statute passed last year. I had that checked up. It prohibits only extortion, robbery, or threats of force or violence which interfere. The Department of Justice to date has received 107 complaints of alleged violations. All of them were checked. Of the 107, 24 cases were referred to United States attorneys for possible prosecution. In 14 of the 24, the district attorneys refused prosecution on the ground that they did not have a case. In the other 10 cases, a decision has not yet been made. I may say that under the Hobbs Act it is necessary to prove force or violence or threats, and unfortunately that is not the way the shipments are stopped. It is by means of a secondary boycott, through economic pressure. The farmer simply is told, "O. K. If you do not go along with this, your stuff will not be unloaded when it finally gets to market."

Mr. REVERCOMB. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield next to the Senator from New Jersey, who arose some time ago.

Mr. REVERCOMB. I wonder if the Senator would yield to me for a comment on this particular point?

Mr. TYDINGS. I wish the Senator from West Virginia would let me yield to the Senator from New Jersey, because he himself wants to reply. There are many Senators seeking the floor, and the Senator from Maryland is doing the best he can to give every Senator a chance.

Mr. SMITH. Mr. President, I merely desire to say, as one of those who voted against the Ball amendment, that I am heartily in accord with what the Senator from Maryland has been saying. There is absolutely no distinction in principle, and I am not trying to distinguish between one case and the other.

Mr. TYDINGS. I thank the Senator. I should now like to conclude with a summation.

Mr. SMITH. May I finish my thought?

Mr. TYDINGS. Certainly.

Mr. SMITH. I intend to vote against the Aiken amendment, because in addressing myself to the Ball amendment this morning, I tried to point out that I think we provided the procedure for taking care of the cases covered in the amendment. In my opinion, the responsibility is definitely on the National Labor Relations Board to take care of the very outstanding cases that are being put into their hands now. I think they can afford relief promptly, if they are organized to do it, and they should be properly organized, or they will fail in discharging the responsibility we are placing on them. I think there is no distinction between the case raised by the Senator from Vermont and any other case. As the Senator from Maryland says, the principle is exactly the same.

Mr. McCLELLAN. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield to the Senator from Arkansas.

Mr. McCLELLAN. I wish to make just one point. As I understand the comment by the Senator from Vermont, the object is to cover perishable farm products. Suppose a farmer is carrying a load of corn, a load of oats, wheat, or cotton, and he cannot get them handled; the same principle is involved. Local authorities have been condemned for not meeting their responsibilities, and because they have not, the problem is now in the lap of Congress. If we fail, as the local authorities have failed and thus make it necessary for the issue to come before us, are not the American people fully justified in condemning the Congress as severely as Senators today are condemning the local authorities for not having the courage to pass a law that will meet the situation?

Mr. TYDINGS. I do not think I need answer the Senator's interrogation, because the logic answers itself.

In closing, I want to reiterate this one point: If there is any merit at all in adopting the pending amendment, it ought to be adopted without any qualification whatever. If it is sound that perishable goods shall not be interrupted while being transported on the highway, it is equally sound that other goods ought not to be interrupted in their transit on the highway. Simply putting perishable goods in a class by themselves, I say without any reflection on anyone here—for I do not intend any reflection—seems to me to be an expedient way of being on both sides of the same question. The issue presented to us is whether or not a thing is wrong; and if it is wrong, whether or not the remedy should apply to all phases of that wrong. We cannot segregate it. In my judgment, we ought to act one way or the other. We ought not to straddle.

I am indebted to the Senator from Arkansas for his illustration, because the farmer may think that his corn, his wheat, his oats, his cattle, his cotton, his soybeans, his flax, and all the other things which are transported along the highway, are implicit in the suggestion of perishable goods as covered in the amendment offered by the Senator from Vermont. The truth is that the farmer is not protected under the amendment. The truth of the matter is that only a few farmers are protected under this amendment; and if it is right to protect those few, we ought to protect them all, and all others who have goods to deliver.

Finally, there is not one single, solitary thing in the amendment of the Senator from Ohio, without the amendment of the Senator from Vermont, that hurts labor one bit; I care not who says it does. There is not a right taken away from labor we all have not already had taken away from us as individuals. Labor loses nothing, and gains much in order, peace, and a thriving country, if we can have the amendment of the Senator from Ohio, not weakened by the amendment offered by the Senator from Vermont. Although I would rather have the amendment as so amended than no amendment at all, I should rather have the group covered in the amendment to the amendment lifted out of the conflict of the wrongs and interference we have discussed than nothing at all. I am going to vote against the amendment of the Senator from Vermont, and then, if his amendment shall be voted down, vote for the Taft amendment in its original form.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Vermont [Mr. AIKEN] to the amendment offered by the Senator from Ohio [Mr. TAFT].

Mr. AIKEN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. WHERRY. I announce that the Senator from New Hampshire [Mr. TOBEY] is necessarily absent because of illness in his family.

The Senator from Maine [Mr. WHITE] is necessarily absent.

Mr. LUCAS. The Senator from Kentucky [Mr. BARKLEY] and the Senator from New Mexico [Mr. CHAVEZ] are unavoidably detained.

The Senator from Wyoming [Mr. O'MAHONEY] is absent on public business.

The result was announced—yeas 36, nays 54, as follows:

YEAS—36

Aiken	George	O'Daniel
Ball	Hickenlooper	Reed
Bricker	Holland	Robertson, Va.
Bushfield	Kem	Robertson, Wyo.
Butler	Langer	Russell
Byrd	McCarthy	Stewart
Capper	McClellan	Thye
Cordon	McKellar	Wherry
Dworshak	Martin	Wiley
Eastland	Maybank	Williams
Ecton	Murray	Wilson
Fulbright	O'Conor	Young

NAYS—54

Baldwin	Hayden	Moore
Brewster	Hill	Morse
Bridges	Hoey	Myers
Brooks	Ives	Overton
Buck	Jenner	Pepper
Cain	Johnson, Colo.	Revercomb
Capehart	Johnston, S. C.	Saltonstall
Connally	Kilgore	Smith
Cooper	Knowland	Sparkman
Donnell	Lodge	Taft
Downey	Lucas	Taylor
Ellender	McCarran	Thomas, Okla.
Ferguson	McFarland	Thomas, Utah
Flanders	McGrath	Tydings
Green	McMahon	Umstead
Gurney	Magnuson	Vandenberg
Hatch	Malone	Wagner
Hawkes	Millikin	Watkins

NOT VOTING—5

Barkley	O'Mahoney	White
Chavez	Tobey	

So Mr. AIKEN's amendment to the amendment offered by Mr. TAFT was rejected.

The PRESIDENT pro tempore. The questions recurs on agreeing to the amendment offered by the Senator from Ohio.

Mr. TAFT. On my amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PEPPER. Mr. President, I wish to address the Senate for about 5 minutes.

Mr. MORSE. Mr. President, I wish to know whether debate on the Taft amendment is closed.

The PRESIDENT pro tempore. No; debate is not closed on the amendment.

Mr. PEPPER. Mr. President, I wish to say just a word about the pending amendment. Senators will recall that the bill itself provides that there may be suits by or against labor unions in the Federal courts for breach of collective-bargaining agreements. The bill also provides that boycotts, as defined in the bill, and jurisdictional strikes, are unfair labor practices, and it makes it obligatory in case of a complaint being made that an unfair labor practice of this character has been committed, that the regional attorney or regional representative of the National Labor Relations Board shall apply to the courts for a temporary restraining order.

In addition to that, the Senator from Ohio proposes to make the basis of a substantive suit at law for damages what the bill in its principal capacity describes as an unfair labor practice. Whereas the bill seems to me to provide merely a procedural remedy in a Federal court, the Taft amendment proposes to confer a substantive right for a suit for damages in a Federal court, because it says:

> Whoever shall be injured in his business or property by reason of any violation of subsection (a) may sue therefor in any district court of the United States subject to the limitations and provisions of section 301 hereof—

And so on. In the next place, Mr. President, it confers jurisdiction on the Federal courts without regard to diversity of citizenship required in other Federal cases. In other words, if the injury is 15 cents, the amendment confers rights upon a party to bring suit in a Federal court, regardless of the fact that there may not be diversity of citizenship. That encourages litigation. It gives jurisdiction to the Federal courts, which violates all the rules we have at the present time relative to that jurisdiction. It tends to foment litigation and to get away from the adjustment of these disputes by procedures before the National Labor Relations Board or by arbitration agreements, or by machinery set up in the collective-bargaining contracts.

Mr. President, I therefore believe that the amendment is detrimental to the public interest and should not be adopted.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to place in the RECORD some remarks prepared by me on certain phases of the pending bill.

The PRESIDENT pro tempore. Without objection, the order is made.

The statement prepared by Mr. MAGNUSON is as follows:

STATEMENT BY MR. MAGNUSON IN OPPOSITION TO AMENDMENTS OUTLAWING UNION SECURITY CLAUSES AND PROHIBITING INDUSTRY-WIDE BARGAINING

I think most Members of the Congress are in accord that some legislative action in the field of labor-management relations is necessary to reduce industrial strife in the Nation. Wide divergence of opinion exists among us, however, as to the specific methods by which this objective can be achieved.

It is asserted that congressional action should be aimed at two major targets: First, protection of the rights of the individual worker as guaranteed in the Wagner Act and in the Constitution itself; and second, reduction of strikes and boycotts to protect the public interest.

As a Member of the United States Senate I feel a deep obligation to all the citizens of my State and of the country—citizens including both workers and employers—to analyze the proposals which are before us, to focus upon them all the pertinent facts at my command, and to vote upon these proposals in the light of the convictions developed by this process. Every Senator has, and I am sure feels, that same obligation.

I want to discuss now the first of the two major targets I mentioned, namely, protection of the rights of the individual worker as guaranteed in the Wagner Act and in the Constitution itself. There has been extended discussion both in and out of Congress concerning the need for protecting the worker's rights from infringement by the employer and from infringement by his union. The consensus of opinion in the Senate committee apparently was that the individual worker is adequately protected against infringement by the employer under the National Labor Relations Act. I judge this both from a perusal of the testimony presented to the committee and from the fact that there are no new proposals in the bill reported by the committee dealing with this phase of the subject. Most of the discussion and all of the pertinent proposals are allegedly aimed at protecting the rights of the individual worker from infringement by his own organization, from infringement by his union. I want to take a few minutes of the Senate's time to summarize my thinking on this question.

As I see it, there are two inseparable rights which the worker has, in a free society, in relation to the necessity of earning a living. The first is, the right to a job for which he is qualified and on which he is willing to work; the second is the right to receive from that job a wage that will permit him to provide a deecnt standard of living for himself and his family. If we're sincerely interested in protecting the rights of the worker, both rights must be protected—the right to a job and the right to a decent living wage on that job.

In the final analysis, the ability of the worker to obtain a job, for which he is qualified and on which he is willing to work, rests upon the number of jobs available in the particular industry he has chosen as a desirable occupation. The number of jobs available in any one industry, in turn, depends upon the importance of that industry in our national economy and upon the current health of our national economy. In 1932, with or without organized labor, there were approximately 10,000,000 people unable to exercise their right to a job, irrespective of their qualifications and their willingness to work. In those dark days the best carpenter in a community was unable to exercise his right to a job, because employers had no job available. The only time all workers qualified and willing to work are able to exercise their right to a job is when the Nation is enjoying full employment and full prosperity, and even then it is not possible for every worker to obtain the particular job he would like. This is brought about by imbalances which obtain as between the number of workers needed in a particular plant, office, or industry, and the number of workers who might desire a position in that particular plant, office, or industry. The President recognized this when he urged the Congress to consider such constructive measures as extension of social security, a full employment program, higher minimum wages, etc.

The proponents of the legislation which we now have under consideration assert that outlawing the closed shop, restricting organized workers in their efforts to write union-security provisions into their contracts, are designed to protect the right of the individual worker to obtain a job. Let's assume for a moment that in industry X there is a closed shop, and that currently the industry has all of the workers it requires. The individual worker who desires a job in that industry would be unable to exercise his so-called right whether there was a closed shop or not.

The only difference I can see is that if I am a worker seeking a job in that industry and there is a closed shop, I go to the employment office and am told that I should go to the union hall and join the union. The union leadership, which certainly knows the job status in that particular industry, tells me that the union membership is closed, tells me in effect there is no job available. If there were no closed shop in the industry the employment office would give me the answer, but the end result, so far as I as an individual worker am concerned, is the same. The demand for labor in that particular industry is simply not sufficient to provide a job for every individual who might wish to enter it. I reached the conclusion, therefore, that it is not a closed shop or a union shop or a maintenance of membership shop that denies me the right to work in industry X. It is, rather, the lack of jobs available in the industry which dictates the answer. In the final analysis, therefore, Congress can't protect the right of the individual worker to a job for which he is qualified and willing to work by outlawing the closed shop, the union shop, or any other union security provision. Congress can protect this right only through legislation which contributes constructively to full employment and general prosperity in the Nation.

A moment ago I said that if we're sincerely interested in protecting the rights of the individual worker, we must protect his right to a job, and his right to a decent wage on that job—and further, that the two are inseparable. Now, I want to discuss the second of these rights and examine the effects of this bill and proposed amendments upon the ability of the individual worker to achieve it.

The level of wages that can be obtained by the individual worker in free enterprise in this country, again, depends partially upon the economic health of industry in the Nation, but it also depends to a very significant degree upon his bargaining position. The individual worker, by himself, in our highly industrialized economy, does not enjoy a high degree of bargaining power. Standing alone he is relatively impotent in any individual effort to achieve a higher wage for himself in bargaining with his employer. It is only through the collective action made possible by unionization that the individual worker in industry has been able to achieve any significant increase in his standard of living.

I don't mean to intimate for one moment that the employers of this Nation are insensitive to the welfare of those they employ, but I do believe that, human nature being what it is, laudable drive on the part of the employer to reduce his costs—one of which is wages—and thereby increase his profits, is stronger in the majority of cases than the desire to lift the standard of living of his employees. By associating themselves for mutual aid and protection, employees, through collective bargaining, have been able to compensate partially for this incentive on the part of the free enterprisers of the country to lower costs by lowering or holding the line on wages.

The bargaining position of employees who have associated themselves for mutual benefit depends partially upon their own number and partially upon the leadership they select. In other words, their bargaining position depends upon their own economic strength, or to put it in the language of the press or the man on the street, the strength of their union. The closed shop, the union shop, and other forms of union security give the individual worker greater bargaining strength, because they strengthen the organization of which he is a member. To my mind, it follows, therefore, that those proposals now before us aimed at reducing the strength of the worker's organization will not assist him in protecting his right to reasonable wages, better working conditions, etc. On the contrary, they will have the effect of weakening his ability to exercise that right.

Too, there is a collateral effect which cannot be overlooked. The accumulative effort of workers bargaining collectively to raise their wages, which means to raise their purchasing power, assists in creating mass markets for the goods and services industry produces. Upon such mass markets depends industry's ability to provide more jobs, to permit more workers to exercise the first right I mentioned, namely, the right to a job for which the man is qualified and willing to work.

Based on what I have said, I have reached two conclusions: First, that those proposals now before us, alleged by their proponents as being necessary to protect the individual worker from infringement upon his rights by unions, actually destroy the very rights they are purportedly designed to protect, and second, that the proponents either have failed to think their proposals through to a logical conclusion or are interested not so much in protecting the worker from his own union as in shearing him of his bargaining strength by reducing the power of his labor organization.

I therefore find myself opposed to those amendments which outlaw union-security clauses and drastically limit the scope of industry bargaining.

I would be inclined to take a different position on this union-security issue were it not for the fact that the bill contains other provisions which protect the individual from coercive and capricious action by his labor organization. Before the union can bargain for a closed shop or a union shop or a maintenance of membership clause, a majority of the workers in the plant or office must authorize their representative to bargain with management for it. There must be an election on the issue by secret ballot. The authorization to bargain with management for a union-security clause may be withdrawn by a majority of the employees. In addition, the leadership of the union itself is made responsible to the will of the majority by providing for a secret ballot and supervised elections in questions of representation.

I wish to discuss briefly the amendment proposed by the distinguished Senator from Minnesota, which drastically restricts the scope of collective bargaining. I am opposed to this amendment because it places industry itself in a strait-jacket. Some industries and some unions would prefer to bargain on an area-wide, region-wide, or industry-wide basis. This proposal imposes a formula upon collective bargaining without regard to the past experience of the enterprises and industries affected. I have in my hand a letter which will illustrate this point. The letter was written to me jointly by the

Flour, Feed, and Cereal Employers' Association and the American Federation of Grain Processors in the Pacific Northwest, importuning me to vote against proposals to prohibit industry-wide bargaining. Remember this is management talking through its association and labor through its regional committee. I read from the letter:

SEATTLE, WASH., *April 23, 1947.*

The Honorable WARREN G. MAGNUSON,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MAGNUSON: This letter is being written as a joint communication of the Flour, Feed and Cereal Employers' Association, composed of flour and cereal manufacturing plants whose total capacity equals approximately 80 percent of the flour and cereal capacity in the States of Washington, Oregon, and Idaho, and the American Federation of Grain Processors and its affiliated local unions located within the States of Washington, Oregon and Idaho. The employees of the plants which are members of the Flour, Feed and Cereal Employers' Association are members of local unions affiliated with the American Federation of Grain Processors. The capacity of individual plants represented by the Employers' Association ranges from very small plants having a daily capacity of 400 hundredweight to large plants having a daily capacity of 12,000 hundredweight.

Since 1942 labor negotiations between the local unions and the members of the Association have been carried on on an area-wide basis. These negotiations have resulted in the establishment of fair wages and conditions of employment and have been conducive to industrial peace. We, therefore, are deeply concerned over the possibility that section 9 (f) (1) of H. R. 3020, Eightieth Congress, first session, which section contains prohibition against so-called industry-wide bargaining, may be enacted into law. In our opinion the enactment of this section would not be conducive to industrial peace in the flour and cereal manufacturing industry in the Pacific Northwest. On the contrary, based upon our past experience, it is believed that the enactment of this section will be a backward step and would in a large measure, nullify the progress heretofore made within this industry in respect to collective bargaining.

Because we feel so strongly on the matter, we take the liberty of outlining to you in some detail the history of labor negotiations within this industry.

The flour milling plants of the Pacific Northwest were organized by the unions from 1933 to 1935. From the period of initial organization through 1941 labor negotiations were carried on by the local unions and the management of individual plants. Negotiations at individual plant levels proved to be wholly inefficient and the relationship between the management of the plants and their employees was, on the whole, unstable. This instability was caused, in our opinion, by two primary factors:

1. Individual representatives of local unions attempted to outdo representatives of other locals to gain the favor of their individual members. This resulted in a rivalry between local unions and the making of unequal demands against individual plants which were in competition with each other.

2. From the industry point of view, each mill attempted to obtain union contracts more favorable to it than those obtained by its competitors.

As a result of these factors antagonism between the management of individual plants and the representatives of the local unions tended to become intensified, resulting in insecurity and mutual suspicion and distrust.

This situation resulted in labor disputes of such magnitude that in 1941 virtually every flour and cereal manufacturing plant in the Pacific Northwest was closed for a period of approximately 3 weeks. The precise issue causing the closing of the mills was not entirely clear. It was claimed by the unions that the employees were locked out. The management of the mills, however, contended with equal vigor that they were closed by strike. Despite the fact that the unions and management did not agree upon the immediate cause of the closure, both sides agreed that the dispute was brought about because of the mechanism of bargaining separately at plant levels.

This likewise was the conclusion of a joint commission of the United States Department of Labor and the Office of Production Management, which was convened to settle the dispute because of its magnitude and the urgent need of flour at the time After hearing the arguments of both the unions and management, the Commission made specific recommendations which resulted in the reopening of all plants. But the Commission went further than to settle the immediate dispute. It concluded that the States of Washington and Oregon constituted a single economic unit as far as flour and cereal manufacturing industry was concerned. With this fact in mind, and being cognizant of the suspicion and distrust caused by separate bargaining at plant levels, the Commission recommended that future negotiations be conducted by joint committees of employers and unions on an area-wide basis. The recommendations stated:

"Each side shall set up a wage negotiating committee representative of the industry as a whole in the States of Oregon and Washington, and these two committees shall jointly meet for the purpose of reaching a wage agreement."

The recommendation of the joint commission was accepted by both the unions and the employers on an experimental basis. Negotiations for 1942 and subsequent years have been carried on successfully on an area-wide basis in complete harmony. Indeed, since 1942 no labor dispute has occurred between the flour milling plants and the unions participating in the joint area negotiations, and none is anticipated in the future. In fact, area-wide bargaining, which was first tried on an experimental basis only, is now accepted with enthusiasm by both the management and the unions.

Area-wide bargaining in the milling industry in the Pacific Northwest has now advanced to the point where there is a single contract covering all major plants within the area. The area contract permits the execution of supplemental agreements between individual plants and local unions covering local plant problems, and a supplemental agreement is in effect at each plant. The contracting parties to the area agreement are the Flour, Feed, and Cereal Employers' Association, acting for and on behalf of itself and its members, and the Northwest Council of Grain Processors, acting for and on behalf of itself and all local unions within the States of Washington, Oregon, and Idaho which are affiliated with the American Federation of Grain Processors. Negotiations are actually carried on by committees representing both the contracting parties. The committee for the employers' association is composed of individuals representing each member, and the committee representing the northwest council is composed of representatives of each local union within the area. The negotiating committees, as such, have no power to enter into an agreement, but they do make recommendations to their respective organizations which are usually ratified and approved by them. However, before the contract is actually entered into it must be approved by a majority of the employers and by a majority of the membership of the local unions.

We point out in this connection that once the contract is approved and ratified by a majority of the membership of the local unions and by a majority of the members of the employers' association, both parties may enter into a binding agreement. It is not necessary for the unions to obtain the consent of their national or international offices. Thus the procedures used within this industry with respect to area-wide bargaining are extremely democratic. Area-wide bargaining, as carried on within this industry in this area, is wholly free from dictatorship, either on the part of management or on the part of the union. Accordingly, we believe that the usual arguments advanced against industry-wide bargaining are wholly inapplicable to the area-wide bargaining as practiced within the milling industry in the Pacific Northwest.

One of the unique features evolved by the industry, after 12 years experience, is the procedure used in settling grievances. Attempt is made to settle grievances at plant levels. Where this is impossible either side may immediately appeal to an area grievance committee composed of three members representing the unions and three members representing management. Provision is made for final decision by majority vote and for the appointment of an arbitrator if the vote is equally divided. Since this procedure has been perfected a large number of grievances have been presented to the committee. We think it is significant that it has not only been unnecessary to use an arbitrator but every grievance has been settled by a unanimous vote. This, we think, tends to solidify harmonious relations and is proof that labor relations when conducted upon a broad area basis can be constructive and, if properly safeguarded by democratic procedures, definitely in the public interest.

Our experience has been that too often where labor negotiations are conducted on an individual plant basis they are influenced by conflicting personalities and, accordingly, are destructive rather than constructive in regard to promoting industrial peace. On the other hand, it has been our experience that where negotiations are conducted on an area wide basis personalities and relatively minor problems fade into insignificance and the negotiations are conducted upon the basis of constructive principles. In our opinion area-wide bargaining eliminates inequality of bargaining and results in collective bargaining upon the basis of equality. It places heavy responsibilities on both the management and Union committees because of the number of workers and the magnitude of the interests involved. It has been our experience that this heavy responsibility has acted as a challenge to both sides, which has resulted in patience, respect, mutual understanding and statesmanship. These factors have combined to eliminate mutual mistrust and substitute, in place thereof, mutual trust, which in itself is a long step toward industrial peace. We think it is a fair statement of fact that both the unions and management are confident that if area-wide negotiations are continued and further perfected along the lines as presently practiced, the milling industry within the Pacific Northwest will continue to operate for many years to come without even the thought of closing any plant on account of labor disputes.

We have read with interest the statement appearing on pages 8 and 9 of the House committee report regarding industry-wide bargaining. We have also read the arguments of organizations opposed to industry-wide bargaining. Nowhere have we found any argument which contends that area-wide

bargaining as practiced in the Pacific Northwest is against the public interest. In our opinion the arguments in support of section 9 (f) (1) go no further than to say that industry-wide bargaining, as practiced in some industries, contains certain abuses. But this section goes further than to outlaw alleged abuses; it, in effect, declares area-wide bargaining, regardless of how practiced, to be illegal, per se. It is our sincere belief that the section as written is much too broad. We feel that Congress should give definite consideration to the advantages of area-wide bargaining as practiced by the milling industry in the Pacific Northwest. It is our considered opinion that section 9 (f) (1), if enacted into law, will, in a large measure, wipe out the constructive steps heretofore taken within the milling industry to achieve industrial peace; it will place the industry in the unstable condition which existed prior to 1941. It is, therefore, our sincere request that you will take all possible steps against passage of this section as now written.

Yours very truly,

FLOUR, FEED AND CEREAL EMPLOYERS' ASSOCIATION,
W. J. LAWRENCE,
Executive Secretary.

AMERICAN FEDERATION OF GRAIN PROCESSORS,
TED M. HOPKINS,
Regional Vice President.

No doubt there are many firms and employers' associations whose experience with area-wide or industry-wide bargaining would corroborate the experience set forth, so lucidly, in the letter I have just read.

Some problems can be handled more effectively by an administrative agency than by legislation. The question of industry-wide bargaining is such a problem. My own view is, that determination of the size and scope of the bargaining unit should be left in the hands of the National Labor Relations Board, as provided in the bill itself. The pattern of business and industrial operations in this Nation is highly complex. No simple formula can be written which will meet the day-to-day problems of industry in its bargaining with labor. Flexibility is mandatory in these negotiations—flexibility can be achieved through an administrative agency. It cannot be achieved by legislative action which leaves no leeway whatsoever for the exercise of administrative judgment.

There is one additional thought I should like to inject into this discussion. The development of labor organizations in this country has been an evolutionary process. This process was accelerated by passage of the Wagner Act. During the years since the Wagner Act became law this Nation has fought its way to victory through the greatest depression and war in the history of the world. As a Nation we have emerged from these world upheavals with the highest level of income, the greatest productive capacity, and the highest standard of living ever enjoyed by any people in the history of the world. All groups in the economy, including organized labor, contributed to this achievement.

Now, it is argued, labor has become too strong; labor has become too powerful. We must restore balance between the bargaining power of labor and the bargaining power of management. And it is proposed that we do this by writing into law, according to statements made on this floor by the distinguished chairman of the committee, some 20 separate provisions, all designed to chisel from under labor a part of the very foundation upon which the bargaining strength of its individual members must rest.

It is further asserted by proponents of this course of action that all these steps must be taken now—this week, this session—if we are to avert national calamity, national disaster. And this in face of the fact that the Nation today enjoys the best economic health in its long and glorious history—under a system of labor-management relations, may I remind you, which all these proposals are designed to correct.

Patience and moderation are great virtues. May I remind our Republican friends that Congress will be in session again next year. What is the emergency that demands that all of these 20 steps be taken now—today, this week, this session—at the risk of creating greater industrial strife, and greater imbalances between the bargaining position of labor and management, than we seek to correct.

I sincerely hope the majority of Senators will recognize that just as labor-management relations in this country have developed through the evolutionary process, so too, legislation governing those relations must develop by the same process. I doubt very much that the economy of this Nation will collapse, if we reject a part or even all of the 20 new provisions contained in this bill and related amendments.

In conclusion, I am opposed to the seven amendments which have been proposed to this bill and to those sections of the bill which drastically reduce the individual worker's ability to exercise his right to a job at wages which will sustain himself and his family on an American standard of living.

Mr. MORSE. Mr. President, I do not want to delay a vote on the pending amendment for any great length of time, but I intend to make my record against the amendment, because I think it is very important that attention be called in the closing minutes of the debate to what I think are two very serious legal weaknesses in the amendment. I think it is a great mistake for the Senate of the United States to adopt an amendment which contains what I consider to be very serious legal weaknesses. Earlier this afternoon I commented upon the first point I wish to make. I want to reiterate what I said. I want to point out that it is my judgment that the use of the word "unlawful" in the amendment, followed by a definition of the conduct that is to be declared unlawful, that conduct consisting of various types of secondary boycotts and jurisdictional disputes, will reestablish the right of the individual to seek an injunction to prevent the damage flowing from the conduct declared to be unlawful under the amendment, because there is nothing in the amendment by way of words of limitation that makes clear any intention that such a result shall not flow from the amendment. Thus the amendment repeals the Norris-LaGuardia Act as to the conduct covered by the amendment.

It is my position, Mr. President, that it is going to require a United States Supreme Court decision to determine the legal point I am raising. I say that if we provide in this amendment that certain conduct on the part of labor organizations shall be unlawful, and we permit individuals to bring suit to collect damage for injuries suffered from such conduct, they also thereby have the right to go into a Federal court and obtain an injunction as individuals prior to suffering that damage when they can show the court that such damage will flow from the conduct declared to be unlawful under the amendment, unless an injunction is issued to prevent its happening. If that is the interpretation that is made of the amendment by the courts—and I submit that it is more than probable; in fact, I think it is a better legal argument to argue that such a right becomes available to the individual under the amendment than to argue to the contrary—then we are restoring as to these secondary boycott and jurisdictional strike cases the right of the individual employer to obtain an injunction just as the Senator from Minnesota contemplated in his amendment which was defeated earlier this afternoon.

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

Mr. MORSE. Yes; I shall be glad to yield.

Mr. TAFT. I simply wanted to point out that there exists a right of injunction today. There is a right of injunction against mass picketing; there is a right of injunction in other labor disputes. The only question is whether it is subject to the provisions of the Norris-LaGuardia Act, which imposes a dozen different qualifications.

So far as the pending amendment is concerned, if it in any way indirectly authorizes an injunction, it would still be subject to all the provisions of the Norris-LaGuardia Act. The question here is not one of injunction. The Norris-LaGuardia Act does not say that no one shall obtain an injunction in labor disputes. It says no one shall obtain an injunction unless he complies with the terms of that act. The reason I was not willing to vote for the Ball amendment was that it sets aside the provisions of the Norris-LaGuardia Act. Whatever may be the fact as to what relief courts will give in civil suits for damages or otherwise, obviously, the amendment still remains subject to the Norris-LaGuardia Act. So I do not see the point of the Senator's objection to the amendment.

Mr. MORSE. I wish it were as obvious as the Senator from Ohio tries to make it appear to be by assertion, but the fact is that, as of now, secondary boycotts and jurisdictional disputes do not result in injunctions under the Norris-LaGuardia Act.

Mr. TAFT. Mr. President, will the Senator again yield?

Mr. MORSE. I yield.

Mr. TAFT. They do result in injunctions. Two or three injunctions have ben issued when persons have been able to comply with the terms of the Norris-LaGuardia Act, whenever violence is involved.

Mr. MORSE. Oh, whenever violence is involved, yes, but we do not have an amendment here which so defines the conduct that is to be made unlawful. It does not require violence in secondary boycotts and the jurisdictional disputes as a basis for the unlawful conduct prohibited by the amendment. The cases cited by the Senator from Ohio are not in point insofar as the effects of his amendment are concerned.

What the Senator is saying is that it shall be unlawful to participate in jurisdictional disputes or secondary boycotts when the result is to do damage to whoever suffers from cases of secondary boycott or jurisdictional disputes.

Mr. TAFT. And for the purpose of this section only.

Mr. MORSE. For the purpose of this section only.

Mr. TAFT. The purpose is to enable the bringing of civil suits for damages.

Mr. MORSE. It seems to me that there is implicit in the Senator's position the argument which the junior Senator from Oregon is making, namely, that once such conduct is declared to be unlawful and so defined in the amendment, ipso facto, the individual employer then has the right to obtain an injunction to prevent the damage from accruing, in regard to which he is given the right to sue for damages which otherwise might be suffered.

Mr. TAFT. I should say, if at all, only subject to all the proper restrictive provisions in the Norris-LaGuardia Act.

Mr. MORSE. I am pointing out that, in my judgment, the Senator automatically removes those restrictions when he says that "for the purposes of this section," this conduct shall be unlawful, and that in regard to such conduct the individual may sue for damages. If he can sue for damages, he certainly is entitled to protection by way of injunctive relief before the damage accrues.

Mr. TAFT. Let me say in reply to the Senator or anyone else who makes the same argument, that that is not the intention of the author of the amendment. It is not his belief as to the effect of it. It is not the advice of counsel to the committee. Under those circumstances, I do not believe that any court would construe the amendment along the lines suggested by the Senator from Oregon.

Mr. MORSE. I appreciate that statement from the Senator from Ohio. I sought it earlier in the afternoon. I am glad to have it now. Since I made my argument earlier in the afternoon, I, too, have received advice from high counsel in the Government. After discussing the legal problem with me, they reached exactly the same conclusion I have reached in regard to the legal effect of declaring such conduct unlawful. They agree that what will happen as a result of the inclusion of the language "unlawful" in the amendment is that as to the conduct covered by the amendment we would give the right to the individual employer to injunctive relief, and the Norris-LaGuardia Act would not apply.

The second legal objection which I wish to raise to the amendment goes to part (b) of the amendment. There is some very interesting language there to which I wish to invite the attention of the Senate:

> Whoever shall be injured in his business or property by reason of any violation of subsection (a) may sue therefor in any district court of the United States subject to the limitations and provisions of section 301 hereof.

The word to which I invite attention is the word "whoever." Take a look at the breadth of that language—

> Whoever shall be injured in his business or property—

Whoever shall suffer any injury shall have the right to sue therefor. It is difficult for me to understand how such broad language can be used in an amendment such as this, when we bear in mind the legal consequences of the language. In a moment I wish to talk in terms of a few hypothetical cases.

First, let me point out that under the Sherman Act, when the Supreme Court came to pass upon the meaning of the phrase "restraint of trade," it did not rule that any interference with trade resulted in restraint of trade. It did not take the position that any injury shown would result in a finding that the conduct of the party charged with acting in restraint of trade constituted restraint of trade. To the contrary, in the cases which I cited in my speech this morning, the Coronado cases, and particularly in the leather case, the decisions of Mr. Justice Taft, but even more particularly—and I wish to dwell on it for a moment—the decision of Mr. Justice Stone in the Apex Hosiery case shows that under the Sherman Act and under the Clayton Act, when the court was dealing with the question of treble damages, it limited to very narrow confines the conduct which could be interpreted as restraint of trade.

In the *Apex Hosiery case* (310 U. S. 469), decided in 1940, the court recognized the distinction between primary intent and objectives and the secondary inevitable intent present in every strike to limit or restrict production. If it is enough to look to the secondary intent to stop production, then, as the Supreme Court has consistently pointed out, every strike would be illegal.

Mark the language of Mr. Chief Justice Stone in the Apex Hosiery case. He said:

> Concededly the purpose of the strikers and their principal objective was to compel petitioners to yield to their demands for a union shop, but it is a matter of common knowledge and experience that the stoppage of a large manufacturing plant, which the strikers did intend, whose product is distributed generally to consumers throughout the country, would prevent its shipments in interstate commerce.
>
> * * * * *
>
> Underlying and implicit in all of them is recognition that the Sherman Act was not enacted to police interstate transportation, or to afford a remedy for wrongs, which are actionable under State law, and result from obstructions and conspiracies which fall short, both in their purpose and effect, of any form of market control of a commodity—

In other words, he was suggesting one test as to whether or not it was a restraint of trade—the test of whether the objective was to concentrate a control of the market—

> such as to "monopolize the supply, control its price, or discriminate between its would-be purchasers." These elements of restraint of trade are wholly lacking here: We only hold now, as we have previously held in both labor and nonlabor cases, that such restraints are not within the Sherman Act unless they are intended to have, or in fact have, the effect on the market on which the courts relied to establish violation in the second Coronado case.
>
> If, without such effect on the market, we were to hold that a local factory strike, stopping production and shipment of its product interstate, violates the Sherman law, practically every strike in modern industry would be brought within the jurisdiction of the Federal courts.

I cite these decisions in order to make this application of them: When the court was dealing with violations under the Sherman Act it limited the application to so-called primary injury, not secondary. But in this amendment we have language which says:

> Whoever shall be injured in his business or property by reason of any violation of subsection (a) may sue therefor in any district court of the United States subject to the limitations and provisions of section 301 hereof.

See what that language encompasses. Let us take a hypothetical case or two. Suppose that A operates a print shop. B is a union working for A. C is another union working for another employer. C carries on a secondary boycott against A's plant. As a result of that secondary boycott a thousand drug stores do not receive delivery of a certain issue of a popular magazine. Under the terms of this amendment, they bring a thousand lawsuits against the union, charging that they have suffered, let us assume for hypothetical purposes, a loss of $200 per store in profits from the sale of the magazines. That is one example in which it seems to me that under the language of the amendment we go into what amounts to a secondary injury rather than a primary injury. But I see nothing in this language which would stop the bringing of a multiplicity of suits against a union which lost its head and engaged in a boycott for a certain period.

Of course, as I said this morning, the result of this device is to litigate a union right out of existence if it makes a mistake. I say, furthermore, that the so-called punishment that would flow from this amendment in such cases is an unconscionable punishment. It is too harsh and will lead to labor strife, not labor peace.

I think this amendment ought to be sent back to committee and have its language worked over so that we shall not bring into the law a statute which will involve such a sweeping punishment upon the unions of the country when they make the type of mistake that some will undoubtedly make—because unions are composed of human beings.

I say to the Senator from Ohio that I seriously question whether he can find another statute that has such sweeping power as is given in this bill to bring suits when there are secondary injuries and not primary injuries. It is not limited to the so-called direct injury suffered by the employer who has relationships with a particular trade-union organization. It covers 140,000,000 American people, any one of whom, under this language, if he can show that he suffered any injury whatsoever from a secondary boycott or from a jurisdictional dispute, can come in with an action against the union and flood our courts with a multitude of litigation.

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

Mr. MORSE. I yield.

Mr. TAFT. The Senator asks for a parallel, and I can give him one. Under the Sherman Act the same question of boycott damage is subject to a suit for damages and attorneys' fees. In this case we simply provide for the amount

of the actual damages. But the parallel is exactly the same, only under the Sherman Act, if a group of businessmen put a small concern out of business, they are subject to a suit for damages. If a labor union does the same thing, why should it not be subject to a suit for damages?

Mr. MORSE. I say, with all respect, that if the Senator will read the opinion of his distinguished father in the Coronado case he could not reach that conclusion; and if he would read the decision of Justice Stone in the Apex case he could not reach that conclusion. They made it very plain that they were limiting liability to so-called primary injuries, and that the restraint of trade referred to under the statute had to be a restraint that affected the market. The Senator has not included in his amendment language which is restrictive or which is parallel to the narrow and restrictive interpretations of the Supreme Court under the Sherman and Clayton Acts. I want the RECORD to show that this afternoon, because I think the Senate, if it passes this amendment, will be passing an amendment without having a full appreciation of the legal consequences of the amendment. Thus, in conclusion, I ask the Senate to reject the amendment because of the undesirable legal consequences which will flow from its adoption.

I now turn my attention for a few minutes to an entirely different matter.

I have in my hand a copy of the May 1947 issue of the Republican News, which is supposed to be the official organ of the National Republican Committee. I note on one page that there is a full-page discussion under the heading "The rights of labor," and in large type at the bottom of the page "That's what the people ordered last November!" Then there is this interesting paragraph:

All of the rights listed above are guaranteed by the bill (H. R. 3020) passed by the House of Representatives pursuant to Republican promises during the 1946 campaign. The bill also insures free collective bargaining: protects the interests of the public and of management; and is designed to prevent recurrence of the production-paralyzing epidemic of industrial disputes stimulated by the intrusion of politics into labor-management relations.

It purports to set out the main provisions of the Hartley bill.

I think it is a fair interpretation to say that there is an attempt made by the editors of the Republican News to create the impression that the Hartley bill is the official Republican labor policy.

I think there is the further implication—the only inference that can be placed upon the article—that the provisions of the Hartley bill are what the Republican Party promised the voters last November. I want to record a categorical denial of any such inference or implication or representation, Mr. President. There are some Republicans who presented such a point of view and other Republicans who presented other points of view on labor in the last campaign. I think it is unfortunate that such an impression is given by the Republican News that this statement of labor principles represents the Republican labor program. Some of the votes in the Senate in recent days would certainly cause some doubts as to that.

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

Mr. MORSE. I yield.

Mr. LANGER. The Senator spoke in quite a number of States in the primaries and before the last general election, did he not?

Mr. MORSE. I think I spoke in approximately 15 States.

Mr. LANGER. Did the Senator make any such statement as that in speaking to the farmers?

Mr. MORSE. In speaking to the farmers I said that so far as I was concerned I would endeavor to make Republican policy, to the extend that I had any influence in the party, favor the type of labor program to be found in title I of the bill which came out of committee and which consists chiefly of my proposal for amendments to the Wagner Act.

Mr. LANGER. I want to say to the distinguished Senator from Oregon that promises such as he has referred to were never made by any Republican speaker in North Dakota.

Mr. MORSE. I was very careful to make no promises for the Republican Party, because I do not believe that individual Republican speakers should be going around the country stating what the Republican policy is on any issue. I think we ought to evolve Republican policy on the floor of the United States Senate and on the floor of the House of Representatives, and then go before the Republican voters of the country and ask them if they want to endorse that as the policy at election time by their ballots. It will be interesting also, when we get through with this labor legislation in this session, to see what the voters think of it in 1948.

The last comment I want to make on this matter is that I hold in my hand, also, Mr. President, another little sheet called the NAM News, of April 26, 1947, in which, under the heading "The worker's bill of rights, by Representative FRED A. HARTLEY, Jr.," I find verbatim the same language that I find in the Republican News article under the heading "The rights of labor." I am sure it is unnecessary for me to draw any inferences.

I ask to have both articles incorporated in the RECORD as a part of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Republican News for May 1947]

THE RIGHTS OF LABOR

1. The right to join with his fellow workers to select as their bargaining agent the union that they want, not the union that is forced upon them.

2. The right to get a job without joining any union.

3. The right to vote by secret ballot in a fair and free election on whether his employer and a union can make him join the union to keep his job.

4. The right to require the union that is his bargaining agent to represent him without discriminating against him in any way or for any reason, even if he is not a member of the union.

5. The right, with his fellow employees, to make demands of their own and to bargain about them through the leaders of their own local union without dictation by national and international officers and representatives and without regard to the demands of other employees upon other employers.

6. The right to keep on working and getting his pay in spite of sympathy strikes, jurisdictional disputes, illegal boycotts, and other disputes that do not involve him and his union or his employer.

7. The right to know what he is striking about before he is called out on strike, and to vote by secret ballot in a free and fair election on whether to strike or not after he has been told what his employer has offered him.

8. The right to express his opinion concerning union policies, union officers and candidates for union office, and to make and file charges against his employer, the union, or union officers, without suffering any penalty or discrimination.

9. The right to vote by secret ballot, without fear, in free and fair elections on any matter of union policy—how much dues he shall pay, what assessments the union can make him pay, what the union can spend the money for.

10. The right to vote by secret ballot in free and fair elections for his own choice of union officers.

11. The right to know how much money his union has, how much it pays its officers, and how much of the union's money the officers use for their expenses.

12. The right to refuse to pay the union for any kind of insurance that he does not want.

13. The right to stay a member of a union, without being suspended or expelled, except for (1) not paying dues; (2) disclosing confidential information of the union; (3) violating the union's contract; (4) being a Communist or fellow traveler; (5) being convicted of a felony, that is, of a serious crime; (6) engaging in disreputable conduct that reflects on the union.

14. The right to be free of threats to his family for doing things in connection with union matters that an employer or a union doesn't like.

15. The right to settle his own grievances with his employer.

16. The right, without fear of reprisal, to support any candidate for public office that he chooses and to decide for himself whether or not his money will be spent for political purposes.

17. The right to go to and from his work without being threatened or molested.

18. The right to have a fair hearing, before an impartial board, without cost to himself, whenever he believes that any employer or any union is depriving him of these rights.

All of the rights listed above are guaranteed by the bill (H. R. 3020) passed by the House of Representatives pursuant to Republican promises during the 1946 campaign. The bill also insures free collective bargaining; protects the interests of the public and of management; and is designed to prevent recurrence of the production-paralyzing epidemic of industrial disputes stimulated by the intrusion of politics into labor-management relations.

That's what the people ordered last November.

[From the NAM News of April 26, 1947]

THE WORKER'S BILL OF RIGHTS

(By Representative FRED A. HARTLEY, JR.)

Our bill of rights gives to each worker:

1. The right to join with his fellow workers to select a collective-bargaining agent of their own choosing; that is to say, one that is not forced on them.

2. The right to get a job without joining any union.

3. The right to vote by secret ballot in a fair and free election, the votes in which are openly counted, on whether his employer and a union can make him join the union to keep his job.

4. The right to require the union that is his bargaining agent to represent him without discriminating against him in any way or for any reason, even if he is not a member of the union.

5. The right with his fellow employees to make demands of their own, and to bargain about them through the leaders of their own local union, without dictation by national and international officers and representatives, and without regard to the demands of other employees upon other employers.

6 The right to keep on working and getting his pay without sympathy strikes, jurisdictional disputes, illegal boycotts, and other disputes that do not involve him and his union or his employer.

7. The right to know what he is striking about before he is called out on strike, and to vote by secret ballot in a free and fair election on whether to strike or not after he has been told what his employer has offered him.

8. The right to express his opinion concerning union policies, union officers, and candidates for union office, and to make and file charges against his employer, the union, or the union officers, without suffering any penalty or discrimination.

9. The right to vote by secret ballot, without fear in free and fair elections, on any matter of union policy—how much dues he shall pay, what assessments the union can make him pay, what the union can spend the money for.

10. The right to vote by secret ballot in free and fair elections for his own choice of union officers.

11. The right to know how much money his union has, how much it pays its officers, and how much of the union's money the officers use for their expenses.

12. The right to refuse to pay the union for any kind of insurance, welfare, or relief that he does not want.

13. The right to receive his pay in his pay envelope, without the employer and the union spending it for him, checking it off for union dues or for other purposes.

14. The right to stay a member of a union, without being suspended or expelled, except for (1) not paying dues, (2) disclosing confidential information of the union, (3) violating the union's contract, (4) being a Communist or fellow traveler, (5) being convicted of a felony, (6) engaging in disreputable conduct that reflects on the union.

15. The right to be free of threats to his family for doing things in connection with union matters that an employer or a union does not like.

16. The right to settle his own grievances with his employer.

17. The right without fear of reprisal, to support any candidate for public office that he chooses and to decide for himself whether or not his money will be spent for political purposes.

18. The right to go to and from his work without being threatened or molested.

19. The right to a union free of Communist domination and control, and one that is devoted to honest trade unionism and not class warfare and turmoil.

20. Every right to strike for any legitimate object that he has had under our laws for the last hundred years.

21. And finally, the right to have a fair hearing, before an impartial board, without cost to himself, whenever he believes that any employer or any union is depriving him of these rights.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Ohio, as modified. The yeas and nays have been ordered, and the clerk will call the roll.

Mr. LANGER. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

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

Aiken	Hawkes	Myers
Baldwin	Hayden	O'Conor
Ball	Hickenlooper	O'Daniel
Barkley	Hill	Overton
Brewster	Hoey	Pepper
Bricker	Holland	Reed
Bridges	Ives	Revercomb
Brooks	Jenner	Robertson, Va.
Buck	Johnson, Colo.	Robertson, Wyo.
Bushfield	Johnston, S. C.	Russell
Butler	Kem	Saltonstall
Byrd	Kilgore	Smith
Cain	Knowland	Sparkman
Capehart	Langer	Stewart
Capper	Lodge	Taft
Connally	Lucas	Taylor
Cooper	McCarran	Thomas, Okla.
Cordon	McCarthy	Thomas, Utah
Donnell	McClellan	Thye
Downey	McFarland	Tydings
Dworshak	McGrath	Umstead
Eastland	McKellar	Vandenberg
Ecton	McMahon	Wagner
Ellender	Magnuson	Watkins
Ferguson	Malone	Wherry
Flanders	Martin	Wiley
Fulbright	Maybank	Williams
George	Millikin	Wilson
Green	Moore	Young
Gurney	Morse	
Hatch	Murray	

The PRESIDENT pro tempore. Ninety-one Senators having answered to their names, a quorum is present.

The question is on agreeing to the modified amendment offered by the senior Senator from Ohio [Mr. TAFT], which will be stated.

The CHIEF CLERK. On page 54 after line 4, it is proposed to insert the following:

BOYCOTTS AND OTHER UNLAWFUL COMBINATIONS

SEC. 303. (a) It shall be unlawful, for the purposes of this section only, in an industry or activity affecting commerce, for any labor organization to engage in, or to induce or encourage the employees of any employer to engage in, a strike or a concerted refusal to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services in the course of their employment—

(1) for the purpose of forcing or requiring any employer or other person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person;

(2) for the purpose of forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9 (a) of the National Labor Relations Act;

(3) for the purpose of forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9 (a) of the National Labor Relations Act;

(4) for the purpose of forcing or requiring any employer to assign to a particular labor organization work tasks assigned by an employer to some other labor organization unless such employer is failing to conform to an order of certification of the National Labor Relations Board determining the bargaining representative for employees performing such work tasks. Nothing contained in this subsection shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under the National Labor Relations Act.

(b) Whoever shall be injured in his business or property by reason of any violation of subsection (a) may sue therefor in any district court of the United States subject to the limitations and provisions of section 301 hereof without respect to the amount in controversy, or in any other court having jurisdiction of the parties, and shall recover the damages by him sustained and the cost of the suit.

The PRESIDENT pro tempore. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. WHERRY. I announce that the Senator from Maine [Mr. WHITE] is necessarily absent and is paired with the Senator from Wyoming [Mr. O'MAHONEY]. If present and voting the Senator from Maine would vote "yea" and the Senator from Wyoming, if present, would vote "nay."

The Senator from New Hampshire [Mr. TOBEY], who is necessarily absent because of illness in his family, is paired with the Senator from New Mexico [Mr. CHAVEZ]. If present and voting the Senator from New Hampshire would vote "yea," and the Senator from New Mexico, if present, would vote "nay."

Mr. LUCAS. I announce that the Senator from Wyoming [Mr. O'MAHONEY], who is absent on public business, is paired on this vote with the Senator from Maine [Mr. WHITE]. If present, the Senator from Wyoming would vote "nay," and the Senator from Maine would vote "yea." On this vote the Senator from New Mexico [Mr. CHAVEZ], who is unavoidably detained, is paired with the Senator from New Hampshire [Mr. TOBEY]. If present, the Senator from New Mexico would vote "nay," and the Senator from New Hampshire would vote "yea."

The result was announced—yeas 65, nays 26, as follows:

YEAS—65

Baldwin	George	O'Daniel
Ball	Gurney	Overton
Brewster	Hawkes	Reed
Bricker	Hickenlooper	Revercomb
Bridges	Hoey	Robertson, Va.
Brooks	Holland	Robertson, Wyo.
Buck	Ives	Russell
Bushfield	Jenner	Saltonstall
Butler	Johnson, Colo.	Smith
Byrd	Kem	Stewart
Cain	Knowland	Taft
Capehart	Lodge	Thye
Capper	Lucas	Tydings
Cooper	McCarthy	Umstead
Cordon	McClellan	Vandenberg
Donnell	McKellar	Watkins
Dworshak	Malone	Wherry
Eastland	Martin	Wiley
Ecton	Maybank	Williams
Ferguson	Millikin	Wilson
Flanders	Moore	Young
Fulbright	O'Conor	

NAYS—26

Aiken	Johnston, S. C.	Murray
Barkley	Kilgore	Myers
Connally	Langer	Pepper
Downey	McCarran	Sparkman
Ellender	McFarland	Taylor
Green	McGrath	Thomas, Okla.
Hatch	McMahon	Thomas, Utah
Hayden	Magnuson	Wagner
Hill	Morse	

NOT VOTING—4

Chavez Tobey White
O'Mahoney

So Mr. TAFT's amendment, as modified, was agreed to.

Mr. WHERRY. Various Members of the Senate have made inquiry in reference to the announcement made yesterday by the senior Senator from Ohio [Mr. TAFT] that it would be the intention to have the Senate remain in session tonight until all amendments are disposed of. I repeat that announcement at this time.

Mr. BARKLEY. Mr. President, I wish to inquire of the Senator from Nebraska whether his announcement is to be interpreted as meaning that if all amendments are not disposed of during the early portion of the night, the Senate will be expected to continue in session all night.

Mr. WHERRY. I say to my distinguished colleague and friend that we shall be reasonable in regard to the matter. We expect to request the Senate to remain in session during the night as long as that can be done with comfort; but if some amendments are not disposed of after a reasonable time, no doubt a recess will be taken.

However, the intention is to have the Senate continue to consider the amendments until they are disposed of, and we hope it will be possible to do that without having a night session.

Mr. BARKLEY. In other words, if the amendments are disposed of before night, there will not be a night session; but if the amendments are not disposed of before night, there will be a night session?

Mr. WHERRY. That is correct.

Mr. TAFT. Mr. President, let me say that I see no reason why the amendments cannot be disposed of before 6 or 7 o'clock, if all Senators will get down to business and will do nothing but consider and discuss the amendments.

Mr. BARKLEY. Mr. President, I merely wish to state that there are some Senators, of whom I am one, who wish to discuss the bill itself in general, without reference to any particular amendment. Of course, it is not necessary to do that before the amendments are disposed of, and personally I have no desire to interfere with the disposition of the amendments in order to make a general speech on the bill.

Mr. TAFT. Mr. President, if all Senators who wish to make general speeches on the bill will adopt the attitude just expressed by the Senator from Kentucky, I think it will be possible to dispose of all amendments promptly today, and then to have the bill open for debate on Monday and Tuesday for as long as any Senator may wish to discuss the bill itself.

Mr. LUCAS. Mr. President, I wish to ask the Senator from Ohio how many amendments remain to be acted upon.

Mr. TAFT. There are approximately five or six. One or two of them will not be controversial at all. Perhaps several will require a yea-and-nay vote.

Mr. McKELLAR. Mr. President, I wish to ask the Senator in charge of the bill whether it is desired to have the Senate vote on the bill itself tonight.

Mr. TAFT. No; no effort will be made to have the Senate do that. There will be no vote on the bill tonight, so far as we are concerned.

Mr. McKELLAR. But it is the intention to have the amendments voted on tonight; is it?

Mr. TAFT. Yes; we hope to have the Senate vote on the amendments tonight.

Mr. MALONE. Mr. President, I offer an amendment to Senate bill 1126, and ask that it be read by the clerk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 12, line 23, after the word "agreement", it is proposed to insert the following: "*Provided further*, That, notwithstanding this act or any other statute of the United States, an employer shall be required to accept and establish a union shop if three-fourths of the employees of such employer have voted for the establishment of a union shop which for the purposes of this act is defined as a shop where employees, as a condition of continued employment, are required to join within 30 days following the beginning of employment the labor organization designated as the representative for collective bargaining of the employees as provided in section 9 (a) and authorized to enter into such an agreement in the most recent election held as provided in section 9 (e)."

Mr. MALONE. Mr. President, I ask unanimous consent to have printed in the RECORD an opinion on the constitutionality of the amendment which I have just offered.

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

CONSTITUTIONALITY OF AMENDMENT OF NATIONAL LABOR RELATIONS ACT TO PROVIDE FOR A UNION SHOP

Any amendment of the National Labor Relations Act, like the act itself, must be sustained, if at all, on the basis of the congressional power under article I, section 8, clause 3, to regulate interstate and foreign commerce. See *N. L. R. B.* v. *Jones & Laughlin Steel Corp.* ((1937) 301 U. S. 1); *Consolidated Edison Co.* v. *N. L. R. B.* ((1938) 305 U. S. 197). The Supreme Court has said repeatedly that this power is "complete in itself, may be exercised to its utmost extent, and acknowledges no limitations, other than are prescribed in the Constitution." *Gibbons* v. *Ogden* ((1824) 9 Wheat. 1); *Currin* v. *Wallace* ((1939) 306 U. S. 1); *U. S.* v. *Darby* ((1941) 312 U. S. 100). The congressional authority to protect interstate commerce thus is extremely broad. *Bowie* v. *Gonzalez* (C. C. A. 1, 1941; 117 F. (2d) 11). Congress may follow its own conception of public policy in imposing restrictions on commerce (*U. S.* v. *Darby*, supra), and the choice of means is within its discretion so long as there is no exercise of arbitrary power (*Currin* v. *Wallace*, supra). It may aim at particular difficulties thought imperative (*N. L. R. B.* v. *Jones & Laughlin Steel Corp.*, supra; *Florida Fruit & Produce, Inc.* v. *U. S.* (C. C. A. 5, 1941; 117 F. (2d) 506)), and the wisdom or policy of the choice is not one for the courts to question (*U. S.* v. *Darby*, supra; *N. L. R. B.* v. *Jones & Laughlin Steel Corp.*, supra.) Where some specific situation or area of conduct is deemed to have an injurious effect on labor relations and hence obstruct and interfere with the free flow of commerce, the congressional power may be exerted to correct the matter, and it is not necessary to show that such corrective measure will solve all problems giving rise to labor difficulties (*Overnight Motor Transportation Co., Inc.* v. *Missel* ((1942) 316 U. S. 572)). Accordingly, if Congress determined that the imposition of union shops, where the proposed elections so decide, would serve to improve labor relations and remove grounds of dissatisfaction among employees, that determination should be given decisive weight by the courts.

The proposed amendment does not interfere with the employer's free right to contract for employment with whom he pleases. Nor does it directly compel him to enter into any collective-bargaining agreement with the representative of the union shop. See *N. L. R. B.* v. *Jones & Laughlin Steel Corp.* ((1937) 301 U. S. 1). Insofar as it may compel him later to discharge those who become members of the union but who do not fulfill their union obligations, his freedom of contract is not unconstitutionally impaired. The liberty of contract guaranteed by the Constitution under the fifth amendment is not an absolute one, but is a freedom from arbitrary restraint rather than an immunity from reasonable regulation imposed in the interests of society. *Carleton Screw Products Co.* v. *Fleming* (C. C. A. 8th, 1942; 126 F. (2d) 537; certiorari denied, 317 U. S. 634). "Congress may constitutionally deny the liberty of contract to the extent of * * * regulating every contract which is reasonably calculated to affect injuriously the public interests * * * Congress may constitutionally regulate the making or performance of contracts where reasonably necessary to effect the purposes for which the National Government was created, such as the regulation of interstate commerce." *Carleton Screw Products Co.* v. *Fleming*, supra. The theory of the amendment is that free opportunity for negotiation with accredited representatives of employees, in situations where the employees themselves have evinced a desire to maintain uniform and full membership in the representative union, is likely to promote industrial peace and bring about the adjustments and agreements which the act otherwise does not directly compel. See *N. L. R. B.* v. *Jones & Laughlin Steel Corp.*, supra.

On the same basis, there seems to be no ground for contention that the proposed amendment in any other aspect constitutes a violation of due process of law under the fifth amendment. See *U. S.* v. *Darby* ((1941) 312 U. S. 100); *N. L. R. B.* v. *Jones & Laughlin Steel Corp.*, supra. With respect to the argument that the amendment denies the employer the equal protection of the laws, it can be answered that the fifth amendment directly imposes no such requirement on the Federal Government—as the fourteenth amendment does upon the States (*Currin* v. *Wallace*, supra; *Florida Fruit & Produce, Inc.*, v. *U. S.*, supra; *Carleton Screw Products Co.* v. *Fleming*, supra); and in any event all that is required is that no person or class shall be denied the same protection of the law enjoyed by other persons or classes in like circumstances *Carleton Screw Products Co.* v. *Fleming*, supra. The proposed amendment treats all employers on the same basis, and the fact that some employers may be compelled by election to acquiesce in a union shop where others may not, is not decisive.

In *Currin* v. *Wallace*, supra, the constitutionality of the Tobacco Inspection Act of August 23, 1935 (49 Stat. 731; 7 U. S. C. 511a-511q), was in question. This act authorized the Secretary of Agriculture to establish tobacco standards and designate those auction markets where tobacco bought and sold moved in interstate commerce, and provided that no tobacco should be bought or sold therein until inspected and certified by an authorized representative of the Secretary. It was specified, however, that the Secretary could not designate such a market unless

two-thirds of the growers, voting at a prescribed referendum, favored it. Since this meant that some markets would be regulated and others would not, the constitutionality of the act was challenged. The Court rejected this contention, saying:

"We have repeatedly said that the power given to Congress to regulate interstate and foreign commerce is 'complete in itself, may be exercised to its utmost extent, and acknowledges no limitations, other than are prescribed in the Constitution' (*Gibbons* v. *Ogden*, 9 Wheat. 1, 196). To hold that Congress in establishing its regulation is restricted to the making of uniform rules would be to impose a limitation which the Constitution does not prescribe. There is no requirement of uniformity in connection with the commerce power (art. I, sec. 8, par. 3) such as there is with respect to the power to lay duties, imposts, and excises (art. I, sec. 8, par. 1) (*Clark Distilling Co.* v. *Western Maryland R. Co.*, 242 U. S. 311, 327). Undoubtedly the exercise of the commerce power is subject to the fifth amendment (*Monongahela Navigation Co.* v. *United States*, 148 U. S. 312, 336; *United States* v. *Cress*, 243 U. S. 316, 326; *Louisville Bank* v. *Radford*, 295 U. S. 555, 589); but that amendment, unlike the fourteenth, has no equal-protection clause (*LaBelle Iron Works* v. *United States*, 256 U. S. 377, 392; *Steward Machine Co.* v. *Davis*, 301 U. S. 548, 584).

"If it be assumed that there might be discrimination of such an injurious character as to bring into operation the due process clause of the fifth amendment, that is a different matter from a contention that mere lack of uniformity in the exercise of the commerce power renders the action of Congress invalid For that contention we find no warrant. It is of the essence of the plenary power conferred that Congress may exercise its discretion in the use of the power. Congress may choose the commodities and places to which the regulation shall apply. Congress may consider and weigh relative situations and needs. Congress is not restricted by any technical requirement but may make limited applications and resort to tests so that it may have the benefit of experience in deciding upon the continuance or extension of a policy which under the Constitution it is free to adopt. As to such choices, the question is one of wisdom and not of power."

The fact that the proposed amendment may result in the regulation of intrastate activities is not fatal. (*N. L. R. B.* v. *Fairblatt* (1939), 306 U. S. 601; *U. S.* v. *Darby* (1941) 312 U. S. 100). And see discussion in *U. S.* v. *Southeastern Underwriters Ass'n* ((1944) 322 U. S. 533); *Polish Nat. Alliance of the U. S. of North America* v. *N. L. R. B.* ((1944) 322 U. S. 643). Nor is it material that various States may have enacted statutes regulating the union shop, for the exercise of State power in this respect cannot affect or limit the constitutional power of the Federal Government. (*Consolidated Edison Co.* v. *N. L. R. B.* (1938), 305 U. S. 197; *U. S.* v. *Darby*, supra).

Mr. MALONE. Mr. President, the bill as now written outlaws the closed shop; that is, it makes it illegal for an employer or the employees to agree to, or operate under, a closed-shop agreement. My amendment is intended to amend that part of the bill which provides for a union shop in lieu of the closed shop. Under this amendment, it is provided that an employer shall be required to accept a union shop if three-fourths of the employees of such employer, entitled to vote in an election conducted by the National Labor Relations Board through a secret ballot, vote for such union shop. The legislation presently provides that to establish a union as a bargaining unit a majority of the employees entitled to vote must cast their vote for such union under the auspices of the National Labor Relations Board, and then, and only then, they may negotiate with the employer through collective bargaining for a union shop.

In a union shop, as contrasted with a closed shop, the employer is entitled to hire anyone he chooses, whether he be a member of a union or not. For the purposes of this act, a "union shop" is defined as a shop where employees, as a condition of continued employment, are required to join within 30 days following the beginning of such employment the labor organization designated as the representative for collective bargaining of the employees, as provided in section 9 (a). As provided in the bill, the union may not prevent such employment, nor can it ask an employer to discharge such employee for any reason other than nonpayment of dues.

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

Mr. MALONE. I yield.

Mr. McCLELLAN. What effect would the Senator's amendment have in States having constitutional provisions prohibiting the closed shop?

Mr. MALONE. That, I suppose, would be settled through the courts the same as any other conflict in State and Federal jurisdiction. Under the pending bill, after the union shop is decided upon by a majority vote of the employees, an employer might prolong indefinitely the process of collective bargaining, during which time he could employ nonunion workers as jobs became available and, in that manner, the union could gradually be broken and made ineffective.

I am ready to vote for legislation which will regulate employees in the same way that employers are regulated. I shall not vote to destroy either one of them. That is my reason for offering the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Nevada.

Mr. REVERCOMB. Mr. President, I have read with interest the amendment as offered, which in effect provides that if three-fourths of the employees vote——

Mr. MALONE. It has been changed to three-fourths.

Mr. REVERCOMB. It has been changed, I understand, to three-fourths of the employees. It provides that if three-fourths of the employees vote to have a union shop, it shall thereafter and thereupon be compulsory to have a union shop. It is provided that the closed shop shall be outlawed completely. It cannot be made even the subject of negotiation.

It seems to me that in view of that, it is entirely fair that if three-fourths of those who work at a place desire a union shop—and we have recognized the union shop as valid, as a good thing in labor-management relations—that they should have it. Another thing that appeals to me is that we are removing an issue that may create great contention, if we should give to the men, by a three-fourths vote, a right to the union shop.

We speak of the pending legislation as having a prime purpose of ending disputes between workers and employers. One of the most definite and certain ways of doing that, in defining the rights of both sides, is to fix definitely what each may do. That, of course, removes the issue from dispute between the two sides.

Therefore, I want to say to the able Senator from Nevada that I intend to support his amendment. I think it fair, and I think it will remove from the stage of contention one great issue that might arise.

Mr. TAFT. Mr. President, the effort of this amendment is to force upon an employer a union shop, if three-fourths of the men want a union shop. We based our entire proceeding in the committee on the theory of free collective bargaining. That is to say, the whole theory of the Wagner Act, and every other provision we have had, is that the difficulties in labor shall be settled by free collective bargaining between employer and employees, free to bargain as they choose, within definite limitations.

In this case it is proposed to force on an employer a union shop when he does not want a union shop. I myself think the effort is not only unwise, but unconstitutional. I have an opinion from one of the special counsel of the committee, Mr. Gerard D. Reilly, who himself was a member of the National Labor Relations Board for some time, and for a long time was Solicitor of the Department of Labor, stating in his opinion that the proposal is unconstitutional. A contract cannot be forced on the employer which he does not want to make.

In any event, Mr. President, it seems to me the amendment offered by the Senator from Nevada represents one extreme. The Senator from Minnesota has proposed an amendment which absolutely outlaws the union shop altogether as being against public policy. The committee in effect is in the middle. We have taken the position that if such an agreement is reached, and if the men really want it—the only purpose of the vote is to be sure that the men really do want it, because it is something which affects their individual rights to a tremendous extent—if the men really want it and show that they want it by voting in an election, and the employer also wants it, or is willing to grant it, then there may be a union shop. But it seems to me that a legislative body seriously considering the complete outlawing of the union shop would be stepping completely to the opposite side of the whole position by suddenly saying that if a certain number of the men wanted it the employer must grant a union shop. So, Mr. President, I very much hope the amendment will be defeated.

Mr. President, I ask unanimous consent to have printed at this point in my remarks, the opinion by Gerard D. Reilly that the proposed amendment is unconstitutional.

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

MAY 8, 1947.

MEMORANDUM

To: Senator TAFT.
From: Gerard D. Reilly.
Re constitutionality of Malone amendment.

I have examined Senator MALONE'S proposed amendment to section 8 (a) (3) of the committee bill, S. 1126. It would amend not only the committee bill but the present section 8 (3) of the National Labor Relations Act by compelling an employer to agree to compulsory membership of all the employees in the bargaining unit if a majority of such employees voted for such an arrangement. In other words, it differs both from existing law and S. 1126 in that it no longer leaves the subject of compulsory union membership to collective bargaining but would make such a requirement mandatory upon the happening of a certain event, namely, the election under section 9 (e).

In my opinion, such an amendment is repugnant to the due-process clause of the fifth amendment.

In reaching this conclusion I did not find any authorities precisely in point, for apparently neither Congress nor any State has passed legislation of that character. The probable attitude of the Supreme Court, however, is indicated by two decisions. In the *Jones & Laughlin case* (301 U. S. 1) the validity of the National Labor Relations Act was assailed not only under the commerce clause but also under the due-process clause. In its brief the company, in support of its argument that there was an unlawful interference with the right of the company to manage its own business, urged the following view upon the Court:

"The power which it delegates to a majority of the employees to bind the minority is arbitrary and unfair and will necessarily lead to the suffocation of minorities and to the closed shop, forcing the employer to herd his employees into an organization which is not of their own choice. This will in turn seriously disturb the discipline and morale of the respondents and employees with obvious injury to them and to the respondents" (301 U. S. 1, at 21).

To this argument Chief Justice Hughes, speaking for the majority of the Court, replied:

"The act does not compel agreements between employers and employees. It does not compel any agreement whatever. It does not prevent the employer from refusing to make a collective contract and hiring individuals on whatever terms the employer may by unilateral action determine * * *. The theory of the act is that free opportunity for negotiation with accredited representatives of employees is likely to promote industrial peace and may bring about the adjustments and agreements which the act in itself does not attempt to compel" (301 U. S. 1, at 45).

The implication of this opinion of the Chief Justice is clear, namely, that if the act had compelled an employer to conform to certain standards, to which he did not wish to agree, it would have been contrary to the due-process clause.

Of course it may be argued that certain statutes do require an employer to agree to certain substantive shop conditions such as a 40-hour week or a minimum wage. But it must be remembered that these statutes operate only on the narrow ground that they bear a direct relationship to the health and welfare of the employees. It would be virtually impossible to demonstrate to a court that a worker's membership or nonmembership in a union bore some relationship to the promotion of health and morale.

The amendment might also be unconstitutional as infringing the rights of employees to earn a livelihood without having to conform to a discriminatory law.

In *Truax* v. *Raiche* (239 U. S. 33) the Supreme Court held that a State statute requiring employers to see to it that not less than 80 percent of their working force was composed of citizens was held repugnant to the rights given by the fourteenth amendment. In action brought by an alien employee to restrain his employer from discharging him under this statute, the Court said:

"It requires no argument to show that the right to work for a living in the common occupations of the community is of the very essential of the personal freedom and opportunity that it was the purpose of the amendment to secure" (239 U. S. 33, at 41).

The argument was also made in that case that a statute requiring an employer to give preference to citizens as against aliens was not unconstitutional, since an employer was free to agree if he saw fit to employ only citizens.

A similar argument might be raised in support of the proposed amendment, since the Wagner Act now permits an employer to agree to hire only union men if he sees fit. But this argument carried no weight with the Court. Mr. Justice Hughes said:

"The fact that the employment is at the will of the parties does not make it one at the will of others. The employee has manifest interest in the freedom of the employer to exercise his judgment without illegal interference or compulsions."

Some support for the proposed amendment might be found in the fact that certain statutes which do limit an employer's discretion in some respect, for example, statutes outlawing the "yellow dog" contract, statutes like the Wagner Act which forbid an employer to discriminate in hire or tenure on the ground of union membership, and statutes forbidding racial or religious discrimination, have either been sustained or are widely regarded as being valid. It is not believed that these statutes are any real analogy of the proposed amendment, since what it proposes is not a restraint upon discrimination but rather a mandate to discriminate against a certain class, namely, such minority employees as do not wish to join the union. It is true that the committee bill proposes to prevent an employer from requiring union membership unless a majority of its employees so vote. If the committee bill also proposed that where a majority of the employees voted against the union shop it would become mandatory upon an employer to discharge all the union men in the bargaining unit, there would be a parallel to the proposed amendment. For the reasons I have stated, however, I am inclined to think that either type of proposal would be unconstitutional.

In considering this question I studied Mr. Oglebay's memorandum—which I am aware reaches a conclusion at variance with mine. It should be noted, however, that most of the authorities which he cites deal with the power of Congress under the commerce clause to regulate labor relations in industries affecting commerce. I do not question the existence of the commerce power but emphasize the fact that the exercise of this power is subject to the due process clause of the fifth amendment. Mr. Oglebay is correct in stating that this amendment, unlike the fourteenth amendment, does not contain an equal protection clause, but as the court stated in one of the very cases which he quoted at length (*Currin* v. *Wallace* (306 U. S 1)):

"If it be assumed that there might be discrimination of such unjust character as to bring into operation of the due process clause of the fifth amendment that is a different matter from a contention that mere lack of uniformity in the exercise of the commerce power renders the action of Congress invalid."

One of the other principal authorities upon which Mr. Oglebay relies, the Jones and Laughlin case, supra, affords no support for what he states (see p. 2 of Oglebay's memorandum) is the theory of the amendment, namely, "that free opportunity for negotiation with accredited representatives of employees not citizens where the employees themselves have evinced a desire to maintain uniform and full membership in the representative union, is likely to promote industrial peace and to bring about the adjustments and agreements which the act otherwise does not directly compel." It is true that some of this language was taken from the court's opinion in that case, but since the very purpose of this amendment is to deny "free opportunity for negotiation" and to make the union shop mandatory the decision is an authority for the very converse of the proposition for which it is cited.

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

Mr. TAFT. I yield.

Mr. MALONE. Two opinions have been submitted for the record on this subject. I read briefly from the one I submitted for the record. It says:

The proposed amendment does not interfere with the employer's free right to contract for employment with whom he pleases. Nor does it directly compel him to enter into any collective-bargaining agreement with the representative of the union shop.

Then a number of decisions are cited in support of the statement.

There is a grave difference of opinion with respect to this subject. The bill, however, takes care of that situation. I read on page 59 of the bill as follows:

SEPARABILITY

SEC. 503. If any provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this act, or the application of such provision to any other persons or circumstances than those to which it is held shall not be affected thereby.

Therefore I think we need not spend time in debating the question when there can be no serious harm done in either case.

I would say that it is my personal opinion, speaking as one Senator out of 95, as the Senate is at present constituted, that the proposal to outlaw the union shop has never been seriously considered by a majority of this body. Some serious difference of opinion may develop as to whether there is a chance to outlaw the closed shop when the final vote comes. By outlawing the closed shop, we would close the avenues of bargaining concerning something which the unions and the employers have always had, and which has never been questioned. Whatever we do, we should not close the door entirely, nor should we place the power in the hands of either one side or the other definitely to close that door and "break" the other party to any proposed agreements.

So I say that the present practice, in my opinion, should be modified. The bill provides that it is an unfair labor practice not to bargain collectively, but

it has been proved that two parties can bargain collectively for some time without reaching any agreement. And if an agreement is not reached by reason of the reluctance of either party, then the union means nothing, that is, to the union itself. It is provided by the bill in the case of the union shop, the employer may employ anyone he sees fit, regardless of whether he is a union member or not. To this I subscribe, if properly safeguarded, for the reason that there has been severe criticism throughout the Nation that unions have prevented the employment of qualified men. Adoption of my amendment would solve that problem and answer that great criticism. Unions know they have been criticized for such action. But by such employees becoming members within a stated time after such employment, the union is preserved and the bargaining power is also preserved.

Mr. TAFT. Mr. President, I want to call attention to one remark made by the late President of the United States, Mr. Franklin D. Roosevelt. He said that in his opinion the United States Government would never compel a man to join a union in order to work. He made that remark in reference to the captive coal mines, and it seems to me that what he said was sound. What is now proposed is that the Government of the United States shall say to the individual, "If you want to work when three-fourths of the employees of the factory want a union shop, you must join the union." It seems to me that goes further in the way of compulsion on the employee than anything we have ever done in the United States.

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

Mr. TAFT. I yield.

Mr. REVERCOMB. The Senator has brought out a very interesting point. I do not want to compel anyone to join a union against his own wishes, but the very bill which the Senator sponsors, which was reported from the committee, provides that upon a majority vote—not a two-thirds vote, as provided in the amendment offered by the Senator from Nevada, but upon a majority vote of the workers—there shall be a union shop. If the terms of the bill itself provide that a union shop shall be established upon the basis of a majority vote, so that the employees must be members of the union, how can an amendment be criticized which provides that a union shop shall be established upon a three-fourths vote?

Mr. TAFT. Of course in the one case it is by agreement between the employer that he wants to employ only union men, and the union. But the pending bill does not force the union shop in any case. The point the late President Roosevelt made was exactly the point I am making. He said that while the individual industries may work out a closed shop arrangement, and that will be effective, in his opinion the United States Government should never force a closed shop on any industry and any union which does not want it. So that the whole question is whether we are going to abandon collective bargaining altogether and step in ourselves and say that under certain circumstances there must be a closed shop in a particular industry.

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

Mr. TAFT. I yield.

Mr. EASTLAND. I should like to know what in the Senator's judgment would be the effect of the amendment on the State statutes forbidding the closed shop?

Mr. TAFT. Unless some special provision was made I think it would nullify State statutes.

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

Mr. TAFT. I yield.

Mr. REVERCOMB. The amendment of the Senator from Nevada, as I understand, does not use the term "closed shop."

Mr. TAFT. I used the term inadvertently. Of course the ordinary closed shop in the United States is a union shop, not a closed shop. There are not a great many closed shops. There are a great many union shops, and they are usually referred to as "closed shops," in a loose way.

Mr. REVERCOMB. Mr. President, will the Senator yield further?

Mr. TAFT. I yield.

Mr. REVERCOMB. The Senator from Ohio himself very ably, earlier in the debate, drew a distinction between a closed shop and a union shop. I am glad to hear the Senator from Ohio say that he inadvertently used the term "closed shop." The bill itself declares that a closed shop is against public policy and that a contract cannot even be made for a closed shop.

Mr. TAFT. That is correct.

Mr. REVERCOMB. That is not interfered with by the amendment offered by the Senator from Nevada. His amendment simply provides, and I think it is entirely sound, that if three-fourths of the employees desire a union shop—and a union shop is recognized upon a majority vote in the bill as it is now written—that they shall have it. If I may say it again, by providing for such a decision by the employees we will remove one of the greatest causes of contention between the employer and the employees. Such a provision will not interfere with collective bargaining. Once the men vote to have their union shop, they proceed then with collective bargaining upon another issue. It seems to me that if we are to have peaceful relations the most definite way is to define the rights of both sides and to remove from contention most of the issues which may arise.

As I previously stated, the amendment of the able Senator from Nevada appeals to me as one which would remove a great contention in collective bargaining between the employer and the employees; and it would not do a wrong to the employer when it permits the employees, through a three-fourths vote, to say, "We want a union shop."

Mr. TAFT. Of course, the adoption of this amendment would nullify every provision in the bill with respect to the union shop, and our effort to limit the abuses of the union shop. In my opinion, the effect of this amendment would be ultimately to force a union shop on every industry in the United States. Those interested in the union shop could propagandize and wait until finally they got three-fourths of the votes. Even though the other fourth were most violently opposed to it, there would be a union shop permanently. Once a union shop is established it is practically permanent. I would far rather say nothing about the union shop in the entire bill than to adopt the amendment of the Senator from Nevada. I think it would completely nullify everything we have done with reference to the union shop.

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

Mr. TAFT. I yield.

Mr. MALONE. The Senator has very ably explained his position. However, I take issue with him when he says that if this amendment were adopted it would mean a closed shop, in the accepted definition of the closed shop.

Mr. TAFT. I have inadvertently used the expression "closed shop." Every time I have used it I should have said "union shop."

Mr. MALONE. We are making it unlawful for the employer to agree with the employees on a closed shop.

Diverting at this point, if the Senator will permit me further to comment, many employers, especially in the newspaper business, like the closed shop. Many editors in my State like the closed shop, because when they ask for a certain type of worker they can obtain a qualified worker without any further conversation.

I will not object to the outlawing of the closed shop if provision is made for the preservation of the collective-bargaining power through the union shop.

The point on which I heartily disagree with the Senator from Ohio is this: When we leave the question open for bargaining—and naturally there is no reason for leaving it open unless it is thought that some employers would not want it—I do not know the employees in the Senator's State, but in my area they will still get the union shop, even though we shall again have strikes, picket lines, rioting, and everything else we have gone through in the past 10 or 15 years. Men will quit their jobs and walk out when refused the union shop under this legislation and they will ultimately get the union shop. So long as we know that they will ultimately get it, as the able Senator from West Virginia [Mr. REVERCOMB] has so ably said, why not eliminate that particular bone of contention and concentrate on things which we think are necessary subject for collective bargaining, namely, wages, working conditions, and other important matters?

Mr. TAFT. If we adopt the Senator's philosophy, we might as well say, "If they want a certain wage, let them have it." The Senator goes so far as to say, "If it is a subject of possible dispute let the Government settle it by compulsory arbitration or in some other way." The amendment is absolutely contrary to the whole theory of the bill. The bill is based upon free agreement between the employer and the employee. The moment we depart from that theory and say, "Here is something which the Govern-

ment is going to decide, and if the Government decides it you must accept its decision whether you wish to do so or not," we destroy the whole philosophy of collective bargaining, and the theory of the bill, and of the Wagner Act, which preceded it.

Mr. MALONE. If we go far enough to say to free people in America, including both employees and employers, "If you want a closed shop you cannot have it," I agree with the Senator that we should go one step further and provide a fair opportunity for a fair substitute in which necessary protection and collective bargaining power can be provided and preserved.

I point out to the able Senator that what he is doing is simply trading the closed shop for an opportunity to bargain for something which, from the employees' standpoint, never could be a satisfactory substitute. But I am willing to vote for it if a proper substitute through the union shop can be provided, because I think it will remove the criticism that qualified workers have in the past been prevented from obtaining jobs. But under the present legislation we simply provide that the employer may hire anyone he wishes to hire and could continuously feed nonunion employees into a plant and gradually get rid of union employees, such as when a union man quit his job, or there was reason for letting him go, the new employee would not need to join the union. In a very short time there would be no union. So I repeat what I said when I offered the amendment, that I will vote for any just regulation of unions and corporations alike, but I will not vote to destroy either.

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

Mr. TAFT. I yield.

Mr. McCLELLAN. Would the amendment, if adopted, have the effect of removing the union-shop question from the realm of collective bargaining if three-fourths of the employees of an industry or business voted for a union shop?

Mr. TAFT. Yes; it would have that effect.

Mr. McCLELLAN. It would take it out of the realm of collective bargaining?

Mr. TAFT. Yes.

Mr. McCLELLAN. In other words, by this amendment we would be saying that if three-fourths of the employees vote for a union shop, the employer would no longer have anything to say about it. We would force him to accept the decision.

Mr. TAFT. That is correct.

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

Mr. TAFT. I yield to the Senator from Nevada.

Mr. MALONE. Will the Senator from Arkansas repeat the last statement he made?

Mr. TAFT. The Senator from Arkansas merely stated the effect of the amendment. Under those circumstances the employer must accept the union-shop agreement, and the Congress of the United States would compel him to do so.

Mr. MALONE. That is the provision. We have prohibited any agreement with respect to a closed shop. While the employer would be entitled to hire anyone under the union shop whether he was a union member or not, the union would be preserved by reason of the employee joining the union within a stated time. Further, it is provided in the bill that the only ground on which the union can demand the discharge of an employee is that he has been expelled from the union for nonpayment of dues.

I should like to point out that in any election under the NLRB it would be pretty difficult to get the votes of 75 percent of the employees eligible to vote. We all realize that if we had to elect a President of the United States by a majority of the people who have reached the voting age, there would rarely be such a majority. Perhaps only three-fourths of those eligible to register take the trouble to register, and less than three-fourths of those registered take the trouble to vote. Many of the workers employed at a plant would never vote. We are trying to preserve a bargaining unit. We are substituting one form of bargaining unit under this amendment, the union shop, for another common form, the closed shop; which is made illegal under the present bill.

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

Mr. TAFT. I yield.

Mr. McCLELLAN. Is it the interpretation of the Senator from Nevada that every employee is included when he says "the employees of the employer"? Does that mean three-fourths of the employees voting at an election, or does it mean three-fourths of all the employees?

Mr. MALONE. Three-fourths of all the employees eligible to vote, not just the majority attending a meeting or the majority of those voting.

Mr. McCLELLAN. The amendment says three-fourths of the employees of any employer, which might be interpreted either one way or the other.

Mr. MALONE. It means all the employees eligible to vote, which is defined as all of the employees in that particular business or industry.

Mr. TAFT. Mr. President, if the amendment were adopted it would have to be rather extensively revised. The union shop is not defined. No one knows what it is. We did not use the term in the bill. Moreover, we would probably have to say three-fourths of the employees covered by the appropriate bargaining unit, rather than the employees of a single employer.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. MALONE].

Mr. REVERCOMB. Mr. President, will the Senator yield to me?

Mr. TAFT. Yes; I yield.

Mr. REVERCOMB. It seems to me, as a practical matter, that if three-fourths of the employees of a plant want a union shop they will either get a union shop or there will be a serious dispute and labor clash. Why not provide, if three-fourths of them want it, that they may have a union shop, and remove the issue completely between employer and employees? That is the feature of the amendment which appeals to me.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Nevada. [Putting the question.]

The amendment was rejected.

Mr. IVES. Mr. President, I offer an amendment which has been lying on the desks of the Members of the Senate, and I ask to have it stated and considered at this time.

The PRESIDENT pro tempore. The amendment offered by the Senator from New York will be stated.

The CHIEF CLERK. On page 17, line 22, after the comma, it is proposed to insert "and simultaneously therewith notifies any State or Territorial agency established to mediate and conciliate disputes within the State or Territory where the dispute occurred,".

Mr. IVES. Mr. President, I merely want to point out to the Senate that that language should be inserted because it was inadvertently omitted when the bill was being prepared. It is perfectly obvious that it was the intent and purpose to connect the language suggested with the section of the bill which provides that employers or employees shall serve notice 60 days before the expiration of a contract if there is going to be any change; and such notice has to be served upon the National Mediation Service proposed to be established under the bill.

My amendment provides, as will be noted, that in connection with sending notice or sending any information on the subject, the same information or notice must be sent to the appropriate State agency. There are, I think, 37 States in the United States at the present time which have agencies of this kind, mediation services of one kind or another. This is done purely in order to protect the State agencies and in order not to bypass them by action of the Federal Government.

Mr. TAFT. Mr. President, the amendment is entirely satisfactory to me.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New York [Mr. IVES].

The amendment was agreed to.

Mr. McCARTHY. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. On page 13, line 6, after the word "than", it is proposed to insert the following: "(1) being a member of the Communist Party or actively and consistently promoting or supporting the policies, teachings, and doctrines of the Communist Party, or advocating, or being a member of any organization that advocates, the overthrow of the United States Government by force or other illegal or unconstitutional methods, or (2)."

And on page 14, line 13, after the word "than", it is proposed to insert the following: "(1) being a member of the Communist Party or actively and consistently promoting or supporting the policies, teachings, and doctrines of the Communist Party, or advocating, or being a member of any organization that advocates, the overthrow of the United States

Government by force or other illegal or unconstitutional methods, or (2)."

Mr. LANGER. Mr. President, has the amendment been printed?

Mr. McCARTHY. No; it has not.

Mr. LANGER. I ask unanimous consent that the amendment be read the second time.

The PRESIDENT pro tempore. Without objection, the clerk will restate the amendment.

Mr. McCARTHY. Mr. President, if I may briefly explain it, it may not be necessary to have it read again.

Mr. LANGER. Very well.

Mr. McCARTHY. This amendment was urged by a delegation of labor leaders, men who are interested in the rank and file of labor. They pointed out that the bill as presently written takes from union labor organizations a right which they now have, and one which I believe we did not intend to take from them under the bill as presently written. If a labor organization operating in a union shop expels a member for Communist activities or for being an active member of the Communist Party, and if then the leaders of the union desire to go to the management and say, "Will you discharge this man?" this bill would make it impossible for the union to make such a request, although the man had been expelled from the union because of his subversive and communistic tendencies.

Mr. TAFT. Will the Senator yield?

Mr. McCARTHY. I yield.

Mr. TAFT. Would not any employer fire a man if he was a Communist? Why do we have to force the employer to do it? The labor union fires a man because he is a Communist. All this language says is that the labor union shall not go to the employer and compel him to fire that man. If they call attention to the fact that he is a Communist, would not the employer fire him anyway? Can we not rely on the employers to get rid of Communists without saying that they shall not be coerced by labor unions?

Mr. McCARTHY. Let us see if the Senator and I agree on what the bill presently provides.

The amendment provides that a labor leader may go to management and say, "We have expelled this man because he is an active member of the Communist Party and has strong subversive tendencies." The labor leader can ask management to discharge that member of the Communist Party. Management does not have to discharge him, but in effect it says that the amendment provides that labor leaders may go to management and say, "We expelled this man from the union because he is a member of the Communist Party, and we suggest that you discharge him." The mere fact that they go to management and point out why they expelled the man from the union would be an unfair labor practice. I cannot conceive why the bill should so provide. May I ask the Senator from Ohio if he so understands that provision of the bill.

Mr. TAFT. I think the Senator states the provision of the bill correctly. The only questions I raise are two. In the first place, is it necessary to compel employers to fire Communists? Can we not trust the employers to do it without writing into the bill a specific clause requiring them to do it? In the second place, we think it is difficult, if not almost impossible, to find out whether a man is a member of the Communist Party. When we refer to him as one who is actively or consistently supporting or promoting or teaching the doctrines of the Communist Party, or the overthrow of the United States Government by force, the difficulty of proving the case is so great that it seems to me in the last analysis we are better off to let unions fire people because they are Communists, or they think they are, and to let employers do so, without having the proposed law take a hand in the matter.

Mr. McCARTHY. The Senator speaks of the difficulty of identifying members of the Communist Party. This morning a delegation of Communists called upon two Members of Congress from Wisconsin, Representative KERSTEN and Representative BROPHY, and in a conference with newspapermen they openly stated that if and when we have any trouble or engage in a war with Russia they will be on Russia's side. Let me say that if I were a labor leader or head of a union and those men were in my union I would try to expel them. The bill would prevent me from going to management and saying: We have two men who are disloyal to this country. We do not think they have any right to work on the job. Will you not fire them?

Mr. TAFT. What difference would that make?

Mr. McCARTHY. Let me finish. My suggested amendment will not force management to discharge them. It merely says that if the labor leader wants to go to management and ask that they be discharged he is not violating the law by making the request.

Mr. TAFT. I do not feel very strongly on the subject. There is a provision in the House bill that no union shall even be recognized by the National Labor Relations Board if any officer of it is a member of the Communist Party or actively engaged in working for it. That is certainly a matter of substance. I think if a union fires a man because he is a Communist the employer is probably going to fire him anyway, without the necessity of changing the law regarding the matter. I do not greatly object to the amendment or oppose its adoption. It would not make much difference to me, one way or the other. But I think it is unnecessary.

Mr. McCARTHY. Mr. President, I am inclined to agree with the Senator from Ohio that perhaps management would discharge a man who had been expelled from a union because of communistic activities. But yesterday a delegation of honest, sincere labor leaders called on me, and they were very much disturbed about this matter. They felt that the bill as presently written would make it more difficult for them to clean up their unions and get rid of the Communist elements.

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

Mr. McCARTHY. I yield.

Mr. McCLELLAN. I am very much interested in what the Senator has said about having a delegation of labor leaders visit him and ask for legislation which would enable them to clean house. For myself, I wish to say that I believe it is true that most labor unions want to get rid of the communistic elements and of Communist domination; but under existing law they find it most difficult to do so. For that reason, as the Senator from Ohio has said, the House bill contains a provision prohibiting the certification for bargaining purposes of unions whose officers are Communists or are engaged in Communist activities.

Let me say that I wish to offer that section of the House bill as an amendment to this bill, because I believe that the rank and file of American labor are truly American—Americans first and Americans all the way. I believe that while we are enacting legislation on this subject we should give our moral support, with legal sanction back of it, to prohibiting Communists from taking over labor unions, and I believe we should do so by prohibiting the certification for bargaining purposes of labor unions which are dominated by Communists. Such action on our part will give encouragement to the rank and file of labor organizations in America to fight that insidious influence, which is not only dangerous to labor organizations, but is dangerous to the security of our Nation as a whole.

Mr. MAGNUSON. Mr. President, will the Senator yield to me?

Mr. McCARTHY. I yield.

Mr. MAGNUSON. I wish to ask the Senator a question, but I desire to preface it by saying that I am not quite clear what the Senator's definition of "Communism" is. For instance, in my State there is a Communist Party. I have never run for an election without having a Communist Party opponent. The Communist Party in my State does not receive many votes, but that party takes part in the elections, and it is a legal party and it has a right to have its name on the ballot.

Under the amendment, I assume that a man running for election on the Communist ticket would be classed as a member of the Communist Party. Such persons register as Communists; and under the provisions of this amendment, I assume that a member of that political party would be classed as a Communist. There are probably 2,000 or 3,000 of them who vote in the State of Washington, out of a million votes which are cast in any election there.

I wish to ask the the Senator whether such a man would be covered by the provisions of the amendment; or does the Senator mean that it would only apply to those who advocate the overthrow of the Government by force or those who are disloyal to our Government?

Mr. McCARTHY. It would include the 2,000 or 3,000 members of the Communist Party in the Senator's State of Washington.

Mr. MAGNUSON. Would it include them, regardless of whether the party was legal?

Mr. McCARTHY. What does the Senator mean by "legal"? Does he refer to the fact that the party can have its name on the ballot?

Mr. MAGNUSON. It is a legal party in the United States.

Mr. McCARTHY. I do not think the Communist Party is ever legal. It may be legal to have the name "Communist" on a ballot.

Mr. MAGNUSON. Mr. President, will the Senator further yield to me?

The PRESIDING OFFICER (Mr. IVES in the chair). Does the Senator from Wisconsin yield further to the Senator from Washington?

Mr. McCARTHY. I yield.

Mr. MAGNUSON. Let me state that they say they are American Communists.

Mr. McCARTHY. It is well known that the Communist Party consists of two important elements. There is an element which is above ground, which openly adopts the name "Communist Party." Then there is an underground organization, sometimes a group of 5 men or a group of 3 men, who have the specific job of learning how to engage in sabotage and espionage in case of war. They engage in underground operations. The men who openly adopt the name "Communist Party" are the administrative nerve center. My thought is that regardless of whether a man belongs to the above-ground organization, which is the less dangerous branch of it, or whether he belongs to the underground organization, which is much more difficult to identify, he still should have no part in a union.

Mr. MAGNUSON. I agree with the Senator in principle; but in this matter we get into a difficult constitutional question. If a man who is a resident of a State in which the Communist Party is registered for voting purposes registers as a Communist or files for election to office as a Communist, will that be sufficient to bar him, under the Senator's amendment?

Mr. McCARTHY. I am not speaking of a bar. The amendment will not force management to discharge him; it will not force a union to expel him from union membership. My amendment merely maintains the status quo, so far as that is concerned Today a labor leader can go to management and say, "I have 3 or 4 Communists in this union. We are expelling them, and we would like to have you discharge those men."

As the bill now stands, that could not be done without violating the law, if the bill should be enacted into law. Senators understand that today management is not forced to discharge such men, and under my amendment management would not be forced to discharge them. My amendment would merely permit a union leader to go to management and ask management to discharge such men

Mr. MAGNUSON. I appreciate that. My point is that in stating by law under what circumstances a man shall be classified as a Communist, it is necessary to go further than to refer to the fact that he has registered in an election as a Communist, which he can legally do in many States.

Under the Senator's amendment, would it be necessary to prove that a man belonged to an organization which had some disloyal tendencies, so far as our Government is concerned; or would it be sufficient to show that he had filed on the Communist ticket in an election?

Mr. McCARTHY. If he registers as a member of the Communist Party, that will be sufficient proof.

Mr. MAGNUSON. It is a legal question, and it has been raised before now. The fact remains that in some places there are Communist Party members. There is a crew of them downtown in Washington, D. C.

Mr. McCARTHY. Yes; and a delegation of them called on a Member of the Senate today.

Mr. MAGNUSON. Under the amendment, would it be sufficient to show that a man was a member of an American political party using the name "Communist"?

Mr. McCARTHY. It would.

In order that there may be no misunderstanding about my amendment, let me say that it is not intended to force any union to expel from membership a member of the Communist Party, unless it sees fit to do so. Neither will my amendment force an employer to discharge such a person.

Mr. BALL. Mr. President, if the Senator will yield to me, let me say that I am sorry to say he is misstating the effect of the amendment. If there is a closed shop and if the union expels a member on the ground that he is a Communist or a Communist sympathizer, the union can compel the employer to discharge that employee. That can be done today.

Mr. McCARTHY. That is correct. I was more concerned with the provision on page 14 in regard to what shall be an unfair labor practice. However, the Senator from Minnesota is absolutely correct.

Mr. LANGER. Mr. President, I desire to read the provision which the amendment would insert, on page 13, in line 6, to which the Senator has referred. The amendment reads as follows:

> Being a member of the Communist Party—

That is all that will have to be shown.

As the Senator from Washington has said, in a great many States the Communist Party is a legal party.

This amendment provides:

> Being a member of the Communist Party, or actively and consistently promoting or supporting the policies, teachings, and doctrines of the Communist Party, or advocating, or being a member of any organization that advocates, the overthrow of the United States Government by force or other illegal or unconstitutional methods.

I submit, Mr. President, that under the wording of the amendment, the mere fact that a citizen joined that party in the State of Washington, or in any other State where there is a legal Communist Party, as he would have a legal right to do in those States, would subject him to being discriminated against, in violation of the Constitution of the United States of America.

Mr. McCARTHY. Mr. President, I submit that any man who joins the Communist Party, knowing that the Communist Party is dedicated to the overthrow of our Government by force, is guilty of treason the minute he joins the party, regardless of whether or not the State allows the Communist Party to be on the ballot.

Mr. MAGNUSON. Mr. President, will the Senator from Wisconsin yield?

Mr. McCARTHY. I yield.

Mr. MAGNUSON. The Senator added, "if they advocate the overthrow of the Government by force." That was the definition of communism. But I do not know about the people to whom I have been referring. They say they do not do that. They say they are a legal American party. The Senator and I, of course, know what is behind it; nevertheless, as the Senator from North Dakota points out, this is a serious constitutional question, on which the courts have ruled many times.

Mr. McCARTHY. Do the Senator from Washington and the junior Senator from Wisconsin agree that the Communist Party is dedicated to the overthrow of our Government by force? There is no doubt of that, is there?

Mr. MAGNUSON. I could not say that about the people to whom I have been referring. They say they are not. I do not know. They claim they are not. The group about whom I have been talking say they are not. I have my own personal opinion about the matter. Nevertheless, as the Senator from North Dakota points out, they say, "We are the American Communist Party. We do not believe in the overthrow of the American Government."

Mr. TYDINGS. Mr. President, will the Senator from Wisconsin yield?

Mr. McCARTHY. I yield to the Senator from Maryland.

Mr. TYDINGS. I wish to make a suggestion to the Senator from Wisconsin. I think all Members of the Senate would like to do what we can to put up the bars in the way of communism, but I suggest to the Senator that as his amendment is worded, it probably will not always hit the target he has in mind. For example, the wording of the amendment is "being a member of the Communist Party." Of course, it probably would be possible to establish whether a man were or were not a member of the Communist Party. The amendment then proceeds, "or actively and consistently promoting or supporting the policies, teachings, and doctrines of the Communist Party." When we get down to the determination of what someone says, as to whether a man is promoting the policies of the Communist Party, we often run into a twilight zone, and the examination might turn into a witch hunt.

For example, I imagine that the Communist Party believes in some parts of the Declaration of Independence—for instance, that "all men are created equal." There are many things in the Communist doctrine, not all of them, but there may be many in its printed doctrine, which are also American doctrine. There are many things in the Communist doctrine which are absolutely abhorrent to our idea of democracy. But the point is that if we bar a man from holding office because he is promoting or supporting the policies, teachings, and doctrines of the Communist Party, without defining what those teachings and policies are, we are getting into a zone where, in my opinion, the execution of

what the Senator has in mind, which is a desirable objective, might not be possible.

Mr. McCARTHY. Mr. President——

Mr. TYDINGS. I suggest, before I conclude, that if the Senator would simply bar Communists, if he would leave out the witch-hunting idea, which sometimes is pursued, and quite often causes abuses which I know he does not have in mind—if he would bar Communists only, persons known to be Communists, persons who can be proved to be Communists, I think he would strengthen his amendment. When he goes over into the field of what are the teachings which promote the Communist doctrine, almost every educator in America will differ as to just what those teachings are and are not, and he will be in a field which will bring on a great deal of turmoil. I make that suggestion. The Senator has thought more about the matter than have I, but that is the way I react to the suggestion at the moment.

Mr. McCARTHY. My amendment would grant the labor unions nothing which today they do not have.

Mr. TYDINGS. That is correct.

Mr. McCARTHY. A labor union in a union shop, a closed shop, can expel members for being members of the Communist Party, and if they are expelled, management must discharge them.

We are not talking about giving the labor unions something in addition, we are not talking about any additional bar. All we are saying is that we will not restrict the labor unions in this one field more than they have been restricted in the past.

Let me suggest some language to the Senator from Maryland and see if he has any objection to it.

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

Mr. McCARTHY. I yield.

Mr. TYDINGS. I would expel a man if he were a Communist, but I would not expel a man who is said to be teaching something that is communistic, because it might subject to criticism in the minds of serious people one who might be a good American, a good Democrat, or a good Republican.

Mr. McCARTHY. Would the Senator object to this language, referring to the fourth line from the last, "being a member of any organization that advocates the overthrow of the United States Government by force or other illegal or unconstitutional methods"?

Mr. TYDINGS. Taking out the part about supporting the policies, teachings, and doctrines of communism, which is a wide field in determining what is communism and what is not?

Mr. McCARTHY. In other words, if the amendment read "being a Communist"——

Mr. TYDINGS. "Being a member of the Communist Party."

Mr. McCARTHY. Would the Senator leave that in?

Mr. TYDINGS. I would leave that in, and stop about there.

Mr. McCARTHY. So that it would read, "being a member of the Communist Party," and strike out "or actively and consistently promoting or supporting the policies, teachings, and doctrines of the Communist Party," and proceed "or being a member of any organization that advocates the overthrow of the United States Government."

Mr. TYDINGS. Let me call the Senator's attention to a suppositious situation. Suppose I am a foreman in a plant and do not like one of the workmen, and let us suppose for the moment I am not as fair as I should be. One of the easiest things I could do would be to accuse that fellow of being a Communist, and say that he had made certain statements at some time. There is a twilight zone. The man might not be a Communist at all, but he would be laid open to persecution, human nature being what it is. But if it is provided he can be expelled if he is a Communist, and it can be shown he is a member of the Communist Party—which in most cases could be pretty conclusively presumed—the amendment would be strengthened in its simplicity. When it is widened, the Senator takes in a field of possible abuses which I know he does not wish to enter.

Mr. McCARTHY. Would this meet the Senator's approval, "being a member of the Communist Party, or being a member of any organization that advocates the overthrow of the United States Government by force or other illegal or unconstitutional methods"? That would avoid allowing the Communist Party to change its name.

Mr. TYDINGS. I certainly think that would improve the amendment; and perhaps if it were adopted, it could be worked over in conference by the able Senator from Ohio and others who will be conferees. But as I see it now, it would be improved greatly if the amendment were confined to the points the Senator just mentioned.

Mr. McCARTHY. Mr. President, I ask unanimous consent that my amendment be changed to read as follows, after "(1)", namely, "being a member of the Communist Party, or being a member of any organization that advocates the overthrow of the United States Government by force or other illegal or unconstitutional methods, or (2)." That can be changed, so far as inserting it on pages 13 and 14 is concerned.

Mr. LANGER. Mr. President, will the Senator from Wisconsin yield?

Mr. McCARTHY. I yield.

Mr. LANGER. I should like to ask the distinguished Senator whether a man might not be a member of the Communist Party in the State of Washington and have an entirely different program from that of the Communist Party in, say, the State of Wisconsin, if there is one in that State? In other words, it is like the Democratic Party or the Republican Party. In the State of Washington the Democratic Party meets and adopts a program and planks which may be entirely different in that State from what they are in the State of New York, for example. In North Dakota we might have a set of principles in the Republican Party entirely different from those in the State of Ohio.

I remember that in the Republican Convention held in the city of Cleveland the then senior Senator from Wisconsin, the late Robert M. La Follette, Sr., rose and read his 32 planks. He was called an anarchist, he was called everything, except Communist, that name being unknown at that time. The only State that joined the distinguished Senator from Wisconsin at that time was the State of North Dakota. I might add that, out of those 32 planks, 31 since that time have been adopted by the Republican National Committee at different national conventions. So I think the Senator is treading on very dangerous ground.

Mr. McCARTHY. I point out to the Senator that the Communist Party cannot be considered in the same way that the Democratic Party and the Republican Party are considered. It is not a political party; it is a way of life; it is a religion.

I want it kept in mind that I am not seeking to place any additional ban on the Communist Party through this amendment. It is not proposed to take away from a labor union the right which it has today to expel from a union shop members of the Communist Party. Today, if they expel a man for being a member of the Communist Party, he is discharged. That situation should not be upset.

I recently received a delegation of labor leaders, fine men, who are deeply concerned with not having the Communist Party take over their labor union, as several of the unions in my State have been taken over by Communists. They tell me that if the pending bill is passed in its present form, without this amendment, the labor unions will be hampered and hamstrung, and it will be impossible for leaders to clean up the unions. I believe that is true.

Mr. LANGER. If the Senator will yield further, I think the best way to illustrate what I say about a political party in one State having a different platform from the same party in another State is by referring to letter I have been receiving. I have received at least many scores of letters saying that the Senator from Ohio [Mr. TAFT] is a Socialist, because he is advocating the housing bill with the assistance of the Senator from New York [Mr. WAGNER] and the Senator from Louisiana [Mr. ELLENDER]. I am sorry I do not have those letters with me. I have at least 75 or 100 of them, coming to me from the State of North Dakota, which I shall be glad to show to the Senator from Wisconsin.

Mr. McCARTHY. The Senator from North Dakota thinks the Senator from Ohio is not a Socialist?

Mr. TYDINGS. Mr. President, if the Senator will yield, I am afraid our distinguished and able friend from Ohio is going to be elected by unanimous consent as President of the United States, because I have heard him called a reactionary, and now I hear him called a Communist, or a Socialist. Certainly if he gets all those parties for him, he will have an enormous vote. I do not think the Senator from North Dakota ought to give him quite all the votes; he ought to leave a few for us Democrats.

Mr. LANGER. If the Senator from Ohio succeeds in obtaining passage of the housing bill, I will say to the Senator the chances are that he will get a tre-

mendously large liberal vote. At least, I hope so. [Laughter.]

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

Mr. McCARTHY. I yield.

Mr. MAGNUSON. I will say to the Senator from Wisconsin, I agree with his objective, but I believe it would be much better if he were to define Communists as those who believe in communism, or the overthrow of government by force or illegal means, instead of using the expression "a member of the Communist Party," which is difficult to define. As a matter of fact, there may be a great many well-meaning people who are members of the so-called American Communist Party, which is legal in many States, who are not necessarily Communists. As a matter of fact, I do not think a real Communist would go to a polling place and ask for a Communist ballot.

Mr. McCARTHY. If I may interrupt the Senator, I am afraid we do not agree exactly on what constitutes the Communist Party. In the first place, there can be no question that the Communist Party in the United States is getting its orders from Moscow, by way of Paris. There is no question that the Communist Party in this country consists of two important elements, the most dangerous of which is the underground element. Many of those men go to Moscow today, to attend schools of sabotage and espionage. Secondly, the overground organization, which is referred to by the Senator as legal, is the administrative nerve center of the underground organization.

I feel that the honest labor unions of this country that want to eliminate men of that type from their organizations should not be restricted. If the amendment is not adopted it will mean that we are imposing an additional restriction on labor that will serve to protect the Communist Party. I do not want to take more of the time of the Senate.

Mr. MAGNUSON. Mr. President, I agree with the statement made by the Senator from Wisconsin, but I am thinking about the difficulty of writing definitions. The Senator and I may hold certain opinions. Party platforms are required to be published in my State. With respect to the American Communist Party, the one that is supposedly legal, and that is American only in the sense that it is located geographically within America, its platform does not advocate any of the principles which are thought of as constituting Russian communism. Many of its adherents may be true Communists, but that is a matter calling for proof.

Mr. McCARTHY. We need not prove it. There is today a Communist convention in Washington. This morning at 10 o'clock a delegation of those Communists called upon two Members of Congress from Wisconsin, and stated publicly that if there were a war with Russia they would side with Russia, they would not side with America. They are attending a Communist meeting.

Mr. MAGNUSON. With men of that type, of course, proof could be obtained easily.

Mr. McCARTHY. When one joins the Communist Party, he subscribes to that line of thought.

Mr. MAGNUSON. I think that the Senator ought to advocate a bill outlawing the Communist Party in America.

Mr. McCARTHY. All I am advocating is that no additional restraints be placed upon honest labor unions, which today have the right to clean up their labor organizations by throwing out Communists. I know whereof I speak, because in my own State there are labor organizations that have been taken over. A Communist minority has taken over a complete labor organization, and has served as a tremendously disrupting force. If this amendment is not adopted, we are in effect saying to the honest labor leaders, "We are going to hamstring you and restrict you in cleaning up your labor organization."

Mr. MAGNUSON. In other words, the Senator's amendment is permissive rather than mandatory?

Mr. McCARTHY. All the amendment does is to preserve the status quo.

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

Mr. McCARTHY. I yield; but first let me say that we have about four or five amendments either to adopt or reject, and I do not want to take up more of the time of the Senate.

Mr. AIKEN. I was merely going to say that if one advocates the overthrow of our Government by force, or if one puts the aims and desires of another country ahead of those of the United States, while living here as a citizen, as I understand the law, such a person is guilty of treason; and I submit that throwing him out of a labor union is hardly a fit punishment for the crime. Is it not a fact that we have laws which inflict very severe punishment upon one who advocates the overthrow of the Government by force, or who owes allegiance to a foreign country instead of the country of which he claims to be a citizen?

Mr. McCARTHY. The Senator completely overlooks the purpose of my amendment. Before the bill is passed, a labor union can expel Communists from the labor organization; and in a union shop those men will also be discharged by the employer. All that is intended by the amendment is that after the labor bill is passed, the same situation shall exist. If the labor bill is passed without my amendment, it will unquestionably be much more difficult for labor leaders to clean up their labor unions; and some of them want to do that, I can assure Senators.

Mr. AIKEN. I do not know about that, but what prompted me to rise was the statement that persons were advocating the overthrow of the United States Government by force. It seems to me that expulsion from a labor union is hardly fit punishment in such a case.

Mr. McCARTHY. I agree with the Senator on that.

Mr. BALL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. BALL. I should like the floor in my own right.

Mr. McCARTHY. Mr. President, I yield the floor.

Mr. BALL. Mr. President, I oppose the amendment. I share the extreme dislike of the Senator from Wisconsin for the Communist Party and for all Communists. I do not think any Senator dislikes them, or hates them, I may say, any more than I do. They are out to wreck the American system, although again I say it may be impossible to prove it against them. But the whole philosophy of the pending bill, and particularly of the provisions dealing with the union shop, is to protect the individual's right to work.

The only basis on which he can be expelled from the union and thereby lose his job, his employer being compelled to fire him, is that he refuses to pay initiation fees and regular dues, or engages in unionism at the wrong time. I might add, Mr. President, that under the committee bill a union is perfectly free to expel any Communist or Communist sympathizer, or any Republican or Democrat. The union retains complete control over its own membership and the standards of the union; but it cannot compel an employer to discharge anybody, or deprive him of his right to earn a living, on any grounds other than nonpayment of dues.

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

Mr. BALL. I yield.

Mr. MORSE. It is also true, is it not, that not only can the union expel him from the union because he is a Communist, but the employee having been expelled from the union, the employer is perfectly free to fire him from the job?

Mr. BALL. That is absolutely correct. The employer is perfectly free, if he thinks the individual has a disruptive influence in the shop, to fire him, and I assume a great many employers would. Unfortunately, we have a few employers who themselves are fellow travelers, and I think they would not.

Mr. MORSE. I think the Senator from Minnesota is making a very important point which needs to be emphasized, that the union can throw an individual out, and once the union throws him out the employer can throw him out.

Mr. BALL. That is true. Mr. President, I shall always support the complete control by the union of its own membership. I think that is fundamental. I agree that the only way to handle Communist infiltration in a union is to kick the Communists out, but I do not think the Government of this country should go one step further and say that when an individual is thrown out of the union on that ground, he no longer has the right to earn a living in that particular job. That seems to me to be adopting exactly the same kind of ruthless tactics in liquidating opposition that the Communists use wherever they secure control, as for example, in Yugoslavia and Poland. Even in some of the union shops which the Communists control here in the United States, they expel from the union anyone who disagrees with their particular philosophy, and cause him to be fired by the employer. In Yugoslavia, from reports I have heard, the Communists constitute a small minority of the people, but they have complete control of the economy of the country, and if one wants to live and eat he must go along with the Communists.

Mr. President, I do not believe that a free society can effectively fight communism and totalitarianism by adopting totalitarian tactics; in other words, that the end justifies the means. I think we are making a fundamental mistake and violating the basic philosophy of the bill if we should adopt the amendment.

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

Mr. BALL. I yield.

Mr. McCARTHY. Forgetting for the time being the amendment which I propose on page 13, and turning to page 14, the Senator and I will both agree that up till the time the bill is passed a labor leader can go to an employer and say, "John Jones is a Communist. If we expel him from the union we would like to have you discharge him." Regardless of whether it is a union shop or not, as of today that situation exists. Am I correct?

Mr. BALL. Yes; that is correct.

Mr. McCARTHY. Can the Senator see any reason whatsoever for making it an unfair labor practice for a labor leader to go to the employer and say "John Jones is a Communist. I would like to have you discharge him"? I am referring only to page 14.

Mr. BALL. I do not know how that amendment can be placed in the bill without in effect violating the principle which underlies the provision of the bill which it amends. There is nothing in the provision to prevent the union from informing the employer that, "We have expelled So and So because he is a Communist or because he has advocated communistic doctrine. We leave it up to the employer then to do what he wants to." But if we permit a union to persuade, or attempt to persuade—and in union parlance, persuasion sometimes becomes pretty strong——

Mr. McCARTHY. I assume we will both agree that, referring to page 14, if a union leader went to an employer and said, "We have expelled John Jones because he is a Communist and advocates the overthrow of this Government by force," if we stop right there some court, under the provision outlined on page 14, may say, "You are trying to influence the employer."

Mr. BALL. Oh, no; the language is "to persuade or attempt to persuade an employer to discriminate against an employee." If they would simply say, "We have expelled Mr. X from the union because we are convinced that he is a Communist or a 'fellow traveler'," I do not think that would by any stretch of the imagination or law be construed as a violation of the subsection.

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

Mr. BALL. Yes.

Mr. McCARTHY. In view of the fact that as of today the union has a right to try and clean its ranks of Communists and has a right to go to the employer and ask the employer to discharge a man who is a Communist, I cannot conceive of any reason why we should in this bill place a restriction upon the unions. Why should we not at least say to them, "You can do tomorrow what you are doing today"? I refer to page 13 of the bill.

Mr. BALL. We are stopping the unions in this bill from doing many things they do today. They can, and have, expelled members from unions for speaking up in meetings, for opposing the leadership, for working too hard, for refusing to pay a political assessment, for refusing to buy lottery tickets—an incident of the latter kind occurring in Missouri recently. We are stopping them from doing all that. If we are going to preserve the individual's right to work, subject only to the requirement that where a union shop prevails he must pay dues to the union, we cannot broaden the language without injuring the rights of the individual.

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

Mr. BALL. I yield.

Mr. FLANDERS. There is a question in my mind which I think the Senator from Minnesota has partly answered. Simply put, it is this: Is it going to be any harder under the bill for a union to clean house of communism than it is now?

Mr. BALL. Not a bit.

Mr. FLANDERS. That, I think, is what we want to know.

Mr. BALL. The union retains complete control of its membership.

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

Mr. BALL. I yield.

Mr. McCARTHY. I do not think the Senator meant to say that. As of today the union leader can go to management and say, "Will you discharge this man who is a member of the Communist Party?" If we adopt my amendment he will be able, if the bill becomes law, to do tomorrow what he can do as of today in a union or a closed shop.

Mr. BALL. That is not the question the Senator from Vermont asked. The Senator from Vermont asked if the union would not be, under the committee bill, completely free to expel Communists from the union and clean house? The union would be completely free to do so.

Mr. FLANDERS. I might say further that I think the employer could take a strong hint.

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

Mr. BALL. I yield.

Mr. COOPER. I agree with the Senator's philosophy, but let me ask a question. If the amendment offered by the Senator from Wisconsin were adopted, would there be danger that it might be the means whereby union leaders, who wish to rid themselves of certain members would allege the ground that they were Communists, when in reality there were other grounds upon which they desired to remove them?

Mr. BALL. I think there is always that danger, I will say to the Senator from Kentucky. The number of Communists who will admit that they are Communists is relatively small, and in most cases the union proceeds on evidence that they go along the party line. As a matter of fact, it is a recognized technique of the real Communist sometimes to accuse an honest liberal or a member of a fighting opposition of being a Communist and get rid of him in that way. That has been done even in the Federal Government.

Mr. President, the Senator from Arkansas [Mr. McCLELLAN] has proposed another amendment dealing with this issue which I think stands upon entirely different ground, because he proposes that the NLRB shall not certify any union which has as officers known Communists. That is an entirely different sort of case, because the National Labor Relations Act in itself, by policy of government, confers on unions certain rights, and obviously in that case there is sounder justification for saying that the leadership of the unions should not be such as completely to contradict the whole philosophy and policy of the Government. I think there is a much sounder basis for taking that kind of action than in giving the union under this provision the power to deprive of the right to earn a living anyone whom they choose to call a Communist.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. McCARTHY], as modified. The modified amendment will be stated.

The LEGISLATIVE CLERK. On page 13, line 6, after the word "than" it is proposed to insert the following: "(1) Being a member of the Communist Party, or advocating, or being a member of any organization that advocates, the overthrow of the United States Government by force or other illegal or unconstitutional methods, or (2)."

On page 14, line 13, after the word "than", to insert the following: "(1) Being a member of the Communist Party, or advocating or being a member of any organization that advocates, the overthrow of the United States Government by force or other illegal or unconstitutional methods, or (2)."

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the Senator from Wisconsin [Mr. McCARTHY].

Mr. McCARTHY. I ask for the yeas and nays.

The yeas and nays were not ordered.

The amendment, as modified, was rejected.

Mr. BALL. Mr. President, on behalf of the Senator from Virginia [Mr. BYRD] and myself, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Minnesota for himself and the Senator from Virginia [Mr. BYRD] will be stated.

The CHIEF CLERK. On page 12, beginning with the colon in line 7, it is proposed to strike out down through and including the period in line 14 on page 13, and insert in lieu thereof a semicolon.

On page 14, beginning with the word "on" in line 13, it is proposed to strike out down through and including the word "raised" in line 19.

On page 22, beginning with line 7, it is proposed to strike out down through and including line 7 on page 23.

On page 23, line 8, it is proposed to strike out "(f)" and insert in lieu thereof "(e)."

On page 24, line 22, it is proposed to strike out "(g)" and insert in lieu thereof "(f)."

Mr. BALL. Mr. President, I expect to ask for a yea-and-nay vote on this amendment. I shall not take much time to explain it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Aiken	Hatch	Murray
Baldwin	Hawkes	Myers
Ball	Hayden	O'Conor
Barkley	Hickenlooper	O'Daniel
Brewster	Hill	Overton
Bricker	Hoey	Pepper
Bridges	Holland	Reed
Brooks	Ives	Revercomb
Buck	Jenner	Robertson, Va.
Bushfield	Johnson, Colo.	Robertson, Wyo.
Butler	Johnston, S. C.	Russell
Byrd	Kem	Saltonstall
Cain	Kilgore	Smith
Capehart	Knowland	Sparkman
Capper	Langer	Stewart
Chavez	Lodge	Taft
Connally	Lucas	Taylor
Cooper	McCarran	Thomas, Okla.
Cordon	McCarthy	Thomas, Utah
Donnell	McClellan	Thye
Downey	McFarland	Tydings
Dworshak	McGrath	Umstead
Eastland	McKellar	Vandenberg
Ecton	McMahon	Wagner
Ellender	Magnuson	Watkins
Ferguson	Malone	Wherry
Flanders	Martin	Wiley
Fulbright	Maybank	Williams
George	Millikin	Wilson
Green	Moore	Young
Gurney	Morse	

The PRESIDING OFFICER. Ninety-two Senators have answered to their names. A quorum is present.

Mr. BALL. Mr. President, I shall take only a few minutes to explain the amendment which I have offered. It strikes out completely the provision beginning in line 7 on page 12, going down through line 13 on page 14, and legalizes contracts making membership in unions a condition of employment. Without that proviso, under the terms of the Wagner Act itself, it was an unfair practice for employers to prohibit any kind of a contract making membership in unions a condition of employment. The rest of the amendment simply strikes out, after the word "terminated", in line 13, page 14, the remainder of subsection (2), so that it would be an unfair practice for a union to persuade or attempt to persuade an employer to discriminate against an employee to whom membership in such organization has been denied or terminated.

The other part of it strikes out, on page 22, subsection (e) of section 9, which is the subsection providing for NLRB-conducted elections to determine whether the union is to be authorized to negotiate for a union shop or maintenance of membership.

Incidentally, Mr. President, those elections generally cost from 50 cents to $1 a voter, and under this section every union that now has a union shop provision—and there are about 7,000,000 employees covered by them—will have to get an election authorization to negotiate a new contract containing those terms. I should estimate that the cost of conducting those elections will probably run into several million dollars.

I agree that the committee bill eliminates the closed shop completely and takes care of the worst abuses of the union shop in maintenance of membership, in that it prevents a union from taking away a man's job and the right to work by expelling him from the union on any grounds other than failure to pay his dues.

Most of the abuses of the closed shop with which we are all familiar have been in cases where members have been expelled because of their political ideas, because they were opposed to the leadership, or in some cases, because they had the temerity to work too hard on their job, and for other reasons of that kind. The unions not only expelled them but required the employers to fire them, and they thereby had lost their right, which I think is a pretty fundamental right, in a free society to earn a living for themselves and their families.

Mr. President, it seems to me that with the passage of the Wagner Act which prohibits employers from discriminating against union members the only sound and valid reason for this undemocratic and unliberal requirement is that in order to work and earn a living in his chosen occupation, if there happens to be a union-shop contract, the individual must, regardless of his own convictions, join the union and pay dues to it. It seems that the only valid excuse for that was the antiunion tactics of employers in America a few decades ago. I say that the reason for that disappeared when the National Labor Relations Act was passed, because employers now are prohibited from discriminating, just as we have outlawed the yellow-dog contract by which an employer sought to make nonmembership in a union a condition of employment. We should now, in order to protect the freedom and the rights of the individual, take the same step and outlaw contracts which make membership in a union a condition of employment. Unions in the United States enjoy a number of special privileges and immunities under the law, on the theory that they are voluntary associations of workingmen.

Mr. President, what is voluntary about compulsory membership? On what kind of a democratic principle, as we understand it, will we give the right to a bare majority of employees in a given bargaining unit to negotiate a contract with the employer which will force 49 percent of the employees in that unit, against their will, into an organization? It seems to me that the bill, as it stands, takes the position that all the unions and union leaders in this country are interested in is collecting dues from members. I think there are probably quite a few union leaders who are primarily interested in how many dues they can collect, but I think that is not true of the best and soundest leadership in the labor movement in America. I believe they are interested primarily in serving the working people of this country and are doing a good job with the compulsory membership which has been provided by law in some 13 or 14 States by the State legislatures. The labor movement in this country will be much better off if leaders appeal to the membership by the democratic method of persuasion and argument and debate and not by the shabby bread-and-butter compulsion method by saying "Your job depends on this."

Mr. President, it seems to me under the language of the committee bill, that it would be possible for a union to suspend their voting privileges as a disciplinary measure as to over half of the employees of a given unit, and yet force them to continue to pay dues. I do not see anything in the committee bill as it stands that would prevent that kind of a practice. I do not think many unions would do it. But I am afraid there are a few that would jump at the chance to retain control of the funds, with only a small percentage of the union membership permitted to have full voting rights and to control their policy.

In conclusion let me say that the right to work and earn a living is not one of the rights enumerated in the Constitution. I think the founding fathers did not specifically mention it, because they knew that that right is so fundamental to any kind of political freedom or civic rights that it did not really need to be spelled out in the Constitution. I think that whenever we abridge or compromise that right we are departing from fundamental American principles. We are adopting to a degree the totalitarian philosophy that a particular little group is entitled to and should have the right and privilege of dictating the terms and conditions under which all others should operate. That essentially is the philosophy behind the closed shop and the union shop today. It is often a militant minority which decides the policies of the union. When the union wants the legal right to dictate to all the rest of the employees the terms and conditions under which they shall work they levy a tax, in effect, upon their earnings, which, in my opinion, is a sovereign right which should be reserved only to government.

Mr. President, I ask for the yeas and nays on the amendment.

Mr. TAFT. Mr. President, this amendment, as I understand, proposes completely to abolish the union shop. I recognize the strength of the argument made in that behalf by the Senator from Minnesota. We considered the arguments very carefully in the committee and I myself came to the conclusion that since there had been for such a long time so many union shops in the United States, since in many trades it was entirely customary and had worked satisfactorily, I at least was not willing to go to the extent of abolishing the possibility of a union-shop contract. It seemed to me that we should meet the problem of dealing with the abuses which had appeared. That is what the committee bill does.

Incidentally, it abolishes the closed shop, insofar as that means that only members of the union can be employed. That is the hiring-hall proposition. But the bill permits the union shop, which is the customary form of employment in the United States. If a majority of the employees are in favor of the union shop, the bill will permit the union shop; but the bill requires a majority of the employees to vote that they are in favor of having a union shop, so that it will be

definitely known that they are in favor of it, rather than that the union leaders are simply asking for it, so as to have more power over the members of the union and over all the employees.

In the bill we say that the employee must join the union within 30 days after he is employed.

We say that if at that time the union will not admit the employee as a member of the union, on the same terms and conditions as those on which any other member of the union is admitted to it nevertheless the employer can continue to employ that man. That provision takes care of arbitrary rules on the part of unions. It takes care of cases similar to one in New York in which 10 men were fired because the union made a rule that it would not permit anyone to continue in membership unless he was the son of a man already working in that plant and a member of that union.

There are also many abuses in connection with the firing of men. We further provide in the bill that if a man is fired by the union for some reason other than nonpayment of dues, the employer does not have to discharge him. The abuse at which that provision is aimed is the usual type of abuse, and is the only type of abuse testified to. We have taken care of that in the committee bill.

We had testimony regarding the case of a union member who saw a shop steward knock down a foreman; and the union member was subpenaed to testify in court in the assault case. He testified truthfully that he saw the shop steward take the offensive and knock down the foreman. Thereupon, the union said that such testimony was contrary to good union practice, even though the union member had been subpenaed and was under oath to testify to the truth; and the union discharged him from union membership, and the employer had to discharge him, under the existing closed-shop contract.

In a case of that sort, the committee bill provides that the employer does not have to fire the employee. The union can discharge him from union membership if it wishes to do so, but the employer does not have to discharge him from employment.

My own philosophy is that we have to decree either an open shop or an open union. The committee decreed an open union. I believe that will permit the continuation of existing relationships, and will not violently tear apart a great many long-existing relationships and make trouble in the labor movement; and yet at the same time it will meet the abuses which exist.

So I think it would be a mistake to go to the extreme of absolutely outlawing a contract which provides for a union shop, requiring all employees to join the union, if that arrangement meets with the approval of the employer and meets with the approval of a majority of the employees and is embodied in a written contract.

Mr. McCLELLAN. Mr. President, will the Senator yield to me?

Mr. TAFT. I yield.

Mr. McCLELLAN. I should like to have some clarification regarding the bill. As I understand the bill which has been reported by the committee, if a majority of the employees want to have a union shop, and vote accordingly, then their bargaining representatives have a right to bargain for a union shop; but it will not be compulsory on the employer, will it, to agree to have a union shop merely because a majority of the employees vote for a union shop?

Mr. TAFT. No; it will be subject to free collective bargaining.

Mr. McCLELLAN. The matter will be left open to bargaining?

Mr. TAFT. Yes. The amendment of the Senator from Nevada [Mr. MALONE] which was rejected earlier this afternoon, would have made it compulsory for the employer to accept the union shop in such cases.

Mr. McCLELLAN. That is a distinction which I wish to have clearly made. The amendment which was rejected would have made the union shop compulsory on the employer if three-fourths of the employees had voted to have a union shop; but I understand that as the bill now stands, the matter will be left open to free collective bargaining.

Mr. TAFT. Yes.

Mr. President, I intend to vote against the amendment now before the Senate.

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

Mr. TAFT. I yield.

Mr. DONNELL. I wish to ask a question of the Senator. Under the bill as it is now written, an agreement providing that an employer would not employ anyone who was not already a member of the union would be invalid, would it not?

Mr. TAFT. That is correct. I think the most direct case of that sort is to be found in the maritime industry on the Pacific coast. The testimony was that a provision similar to the one the Senator from Missouri has referred to led to a condition on the ships engaged in the Alaskan run, where there was no discipline whatever; a man might be discharged for action contrary to good discipline, but in a few days he might be back in the hiring hall, and then the shipping line might be compelled to employ him again. Of course, under such an arrangement a man could not even get a job unless the union admitted him to union membership. The bill will make such a contract illegal.

Mr. DONNELL. I should like to ask another question. If it is improper and invalid to say to an employer that he cannot agree that he will employ only persons who already are members of a union, is there any difference in principle between that situation and one in which the employer makes an agreement that he will not employ anyone who does not join a union within 30 days after he commences employment?

Mr. TAFT. Probably there is no difference in constitutional principle, but there is a great difference in economic principle. In the first place, if an employer can only employ union members, there is no freedom of labor; under those conditions a man cannot get a job unless he is a member of the union.

Under our provision in the committee bill, the closed shop is abolished, and a man can get a job with an employer and can continue in that job if, in effect, he joins the union and pays the union dues. In such case there is a fluidity of labor which is very important in the United States. Otherwise, the unions would be frozen tight shut, and apprenticeship could be restricted to such an extent that thereafter no one could join a union without the consent of the union. That would make it impossible for newcomers to obtain employment, because the employer could employ only those who were union members.

It also seems clear that, under the provisions of the committee bill, a man who is looking for work will be much more able to obtain employment and much less subject to the orders of the union than he would be if we permitted an absolute closed-shop agreement.

Mr. DONNELL. Is it not true that if it is deemed unduly restrictive for an employer to agree that he will not employ a man unless the man is already a member of the union it is equally restrictive upon the rights of the employee to provide that the employer can make an agreement by which he will not employ a man unless the man joins an organization which perhaps he may not wish to join?

Mr. TAFT. I do not think I can go any further than to say that so far as the so-called legal principle of constitutional right is concerned, there is no distinction between the two cases, but as a practical matter the one system has led to very serious abuses and the other system has not led to such serious abuses. In this bill we are trying to be strictly practical and to meet the actual problems which have arisen, and not to go into the broader fields of the rights of particular persons.

Mr. DONNELL. However, it seems to me that from the standpoint of the individual employee, it is just as harmful to say that he cannot get a job unless he agrees that he will join a union within 30 days after he gets the job, as it is to say that he cannot get the job unless he already belongs to a union. I see no difference in principle, except in one instance the man will have 30 days more in which to join the union.

Mr. TAFT. The great difference is that in the first instance a man can get a job without joining the union or asking favors of the union, and once he has the job he can continue in it for 30 days, and during that time the employer will have an opportunity to ascertain whether he is a capable employee. The fact that the employee will have to pay dues to the union seems to me to be much less important. The important thing is that the man will have the job. That indicates the difference between the two situations.

Mr. DONNELL. I do not regard the payment of dues as the important point, at all. It seems to me that the important point is that in the situation which will exist under the bill as it now stands, a man will not be able to hold a job, under a contract of the sort we have discussed, unless within 30 days after he takes the job he joins a union, although he may not wish to join it at all. It seems to me that in that case the same restriction is placed upon the rights of the individual as in the case of an em-

ployer who is prevented from hiring the man in the first place unless he is already a member of the union.

Mr. TAFT. Mr. President, while I think of it, I should like to say that the rule adopted by the committee is substantially the rule now in effect in Canada. Apparently by a decision of the justices of the Supreme Court of Canada in an arbitration case, the present rule in Canada is that there can be a closed shop or a union shop, and the union does not have to admit an employee who applies for union membership, but the employee must, nevertheless, pay dues, even though he does not join the union.

If he pays the dues without joining the union, he has the right to be employed. That, in effect, is a kind of a tax, if you please, for union support, if the union is the recognized bargaining agent for all the men, but there is no constitutional way by which we can do that in the United States.

Mr. DONNELL. Mr. President, will the Senator yield for one further observation?

Mr. THYE. Will the Senator from Ohio yield for one question?

Mr. TAFT. I may say that the argument made for the union shop, and against abolishing the closed shop, is that if there is not a closed shop those not in the union will get a free ride, that the union does the work, gets the wages raised, then the man who does not pay dues rides along freely without any expense to himself. Under the Canadian rule, and under the rule of the committee, we pretty well take care of that argument. There is not much argument left.

I yield to the Senator from Minnesota.

Mr. THYE. Mr. President, I rise for the purpose of setting forth my own views and endeavoring to clear up the question of the union shop and the closed shop. Insofar as the senior Senator from Missouri was referring to it, the main objection, and the only objection I have to the closed shop, is that if the employer were to find someone with considerable aptitude for the particular line of business in which the employer is engaged, he could not hire him without first going to the union, have the union accept the man, and then put him on the roll.

I wish to say to the Senator from Missouri that under the present provision in the bill the employer can hire any man from any walk of life, but after he has been in the plant 30 days he must become a qualified member of the union in order to remain on the pay roll.

Mr. DONNELL. Mr. President, the word "must" is the word which I think is decisive. It means that there is no longer a freedom of choice on the part of the employee. The provision that there may be a contract by which an employer will contract that he will not engage anyone unless the individual joins a union within 30 days after the engagement, is subject, in my judgment, to exactly the same logical objection as is the provision in the contract that he will not hire a man unless he first belongs to a union.

It is true that the employer has a greater ability to hire under the union-shop arrangement than under the closed-shop arrangement, but so far as the standpoint of the employee himself is concerned, he is confronted in the one case by a situation in which he cannot get a job unless he first belongs to a union, and that is prohibited under the bill; yet he is confronted, under the bill as it exists with the provision that he cannot retain a job after he once gets it unless he joins an organization within 30 days. He may not want to join the organization, he may not subscribe to its principles, he may not subscribe to its methods, but the word "must," which the distinguished Senator from Minnesota has used, applies nevertheless with respect to him. It is compulsion in both cases; first, compulsion on the employee that he must first belong to the union before he can be employed; it is compulsion, in the second instance, in that he must join the organization within 30 days.

It seems to me that from the standpoint of liberty, so far as the individual is concerned, each one of these involves a compulsion which is wrongful to the theory of the free right of contract.

Mr. FLANDERS. Mr. President, will the Senator from Missouri yield?

Mr. DONNELL. I yield.

Mr. FLANDERS. I should like to suggest to the Senator from Missouri that there is involved not merely the word "must," on which he has so eloquently animadverted, there is also involved the word "can." Under the union shop, as distinguished from the closed shop, a man "can" get into the union, to which extent his freedom is enlarged.

Mr. DONNELL. To the extent that he must get into the union, his freedom is still restricted.

SEVERAL SENATORS. Vote! Vote!

Mr. HAWKES. Mr. President, I have not taken up much time, and I intend to say a few words now even if Senators are calling for a vote.

The Senator from Missouri [Mr. DONNELL] is, in my opinion, absolutely correct when he states that the freedoms of the individual are interfered with when it is made necessary for a workman to join a union 30 days after he is employed—perhaps not to the same extent as telling him he cannot have a job unless he belongs to a union, but the difference is purely a matter of degree. My understanding of the principles of the Constitution of the United States and the meaning of individual freedom corresponds with the opinion expressed by the Senator from Missouri. There is no more inherent or sacred right in this world than the right to work when and where one chooses to work, when and where one can find employment that is satisfactory to him, whether he chooses to belong to a union or does not so choose. To my mind, that is fundamental.

I am aware that the amendment of the Senator from Minnesota [Mr. BALL] will be rejected. I do not think we have grown up yet; the amendment will be defeated because we do not understand what we are doing, and the labor leaders are not telling us what the American workingman wants.

I should like to say that there are too many people in Congress and elsewhere listening to the voices of individuals who come to their offices. They forget that there are 20 or 30 or 40 workingmen back home for every one who puts pressure on us, and those back home ought to be unshackled and given back their right to proceed in the ordinary way to make a living. I think we should remember that the pressure put on by people who make a lot of noise does not represent the voice of the people who are endeavoring to make their living in the United States.

I predict that in less than 10 years making themselves heard in the offices millions of working people will be of Senators and Representatives. They will not be slow to make it known that they do not want anyone to force them into a union or force them out of a union, or have the right to dominate their lives in connection with working and earning a living.

I know it is not too popular, at the moment, to stand up and tell the truth, but some of the ablest labor leaders in the world state they do not believe in the closed shop; that they do not believe in forcing a man to stay in a union and pay dues. They even go so far as to say that they do not believe the labor unions can amount to what every decent American wants them to be until the time comes when every man in a union has the right to refuse to pay dues and still remain in his employment, if he does not like the leadership and the course of the leadership. That is the only means the workingmen have of getting rid of rotten labor leaders, namely, the power to resign without losing their jobs and their right to make a living.

A few years ago—I should say about 7 or 8 years ago—there came to this country the president of the Railway Clerks Union of England. If I remember correctly, his name was Brown. His union had a membership of 90,000, which is a union of considerable size for England. He made a speech in Philadelphia in which he said he was very strongly opposed to the closed shop because, in his opinion, it destroyed the rights of the individual members of the organization to better conditions and improve the quality of leadership. He said, "Unless the members of my union have the power to resign without losing their jobs, they cannot effectively protest against my poor leadership." He further said, "I believe the future welfare of the working people lies in having good, intelligent, law-abiding leadership."

About 6 years ago, I was told by Mr. Alexander Whitney himself, that a large group of railway employees met in convention in Cleveland about 1916 and a resolution was presented to the convention which in simple terms provided that no one should be permitted to work on a railroad unless he became a member of one of the railroad brotherhoods. The president of the organization was present, and before there was a chance for adoption of the resolution he stepped to the front of the platform and said, "I ask the gentleman who has made the motion to withdraw it, because I consider it inimical to the best interests of the men working on the railroads. The American people do not want the closed shop.

They do not want anything forced on anyone. I ask that the motion be withdrawn, or, in the event of its not being withdrawn, I ask for its defeat, because, in my opinion, our great objective in the railroad brotherhoods should be to make our unions so good, and make them deliver so much of value to the membership, that we will not have to force men to join, but they will join because they want to become members and receive the benefits."

I am merely repeating to the Senators what Alexander Whitney, who is well known to them and to me, a man I have known for a number of years, told me himself. He is old enough to have been at the convention, and he recited what happened. The resolution providing that no one could work on a railroad unless he belonged to one of the unions was withdrawn.

Mr. President, in my opinion the practical problem has not been touched upon at all. If any Senator thinks for one minute that in a union plant a man can have his employer keep him at work after he has been expelled from the union, he is sadly mistaken. Such an employee goes home at night, and he may return in the morning, but he is worried every minute while in his home. Some in the union will find a way to force him by fear to resign.

I have received hundreds of letters on this subject. I received a letter from the wife of a man who worked in my plant for 27 years, and this is what she said:

DEAR MR. HAWKES: I hope you won't hold it against my husband, John, because he has joined the labor union.

I will not mention the name of the union, because I do not wish to discriminate.

He has joined it because he is working on the midnight shift at your plant, and they have been putting pressure on him here at the house, and making threats that if he did not join the union his face would not look the same in a few days as it does now. My daughter and I cannot sleep, because he has to walk a mile along the Passaic River Road on the way home, and we can never sleep until he gets home. So we are the ones who have asked him to join this union, and he has only done so because of that condition.

Mr. President, that illustrates the situation that exists in the United States, and it is going to continue, to the detriment of all the millions of fine working men and women in the United States. And do not forget that there are millions of working men and women who want the right to organize, and are entitled to it; who want the right to bargain collectively; who want to have decent, living wages, to which they are entitled; and who want the right to strike lawfully. I do not say that most of them want the right to shut down public utilities and other activities which are vital to the welfare and the health and the lives of the people, but in some unions certain leaders do want even that right. The workers want to be relieved of dictatorship in the ranks of the labor leadership, and they do not want dictatorship in the United States Government.

I repeat, I think the Senator from Missouri [Mr. DONNELL] has expressed some very wonderful words of wisdom.

I shall vote for the amendment offered by the Senator from Minnesota, and I shall undoubtedly vote for the bill on final passage. There should be understanding enough and courage enough to cause men to be willing to vote for principles even though it might mean they would not be returned to office. Such courage in the people's representatives is needed to cure the ills of the country. "Jim" Farley, former head of the Democratic Party, made a wonderful statement at a luncheon in the Office of the Secretary of the Senate about 2 years ago. There were 28 Democrats and 2 Republicans present. The Senator from New Hampshire [Mr. BRIDGES] and I were the only Republicans in attendance. Mr. Farley said:

You Senators have been voting politically for a number of years, but the great fundamental principles of the United States of America are now at stake, and we have got to preserve them, we have got to be courageous if we are going to save them, and keep the United States a great, successful Nation of freemen.

He said further:

Gentlemen, you have got to begin voting differently from now on, even if it means that some of you do not come back to the United States Senate.

Those are words upon which every Senator in this chamber can well afford to reflect.

Mr. President, I love this country so much more than I love my seat here in the Senate that I am going to stand for what I believe to be right so long as I am a Member of the United States Senate.

Again I compliment the Senator from Missouri; he is positively right. This great America cannot go on unless all Americans are made free to work when and where they can find work, and where they choose to work, whether they elect to belong or not to belong to a union and pay dues or any special form of tribute.

Anyone who believes that the feeling against the closed shop is confined to those who are outside the ranks of the working class is greatly mistaken, I can assure the Senators. A gentleman I know recently spoke to 1,281 workers, most of whom belonged to a certain union. He spoke of the closed shop and the question of the workers being able to resign or not being able to resign from the union. After he spoke on that subject, the entire 1,281 workers rose to their feet and cheered and whistled for a full minute.

So, Mr. President, the resistance to the closed shop and the destruction of individual freedom in connection with the right to work is not confined to Senators or industrial leaders or the so-called people in the upper brackets.

Remember the little chart I sent to every Member of Congress, which showed that in the year 1943, $390,000,000 were taken out of the pockets of the working people of the United States and went into the coffers of the labor unions. That is all right if the money is used legitimately for the benefit of the members, but it was more than twice as much as all the money collected by all the business organizations in the United States, every chamber of commerce, the National Association of Manufacturers, and all the business organizations that are continually brought into the discussions upon this floor. That is why those in the Senate galleries, every time a conservative amendment was voted down, broke into applause in violation of the rules of the Senate. Think of the labor unions sending 20 bus loads of representatives from the little State of New Jersey to put pressure behind their contentions concerning the pending legislation, keeping their representatives here in Washington 3 days, and paying their bills. We figured what it must have cost to do that, and estimated the cost at over $25,000. And that was from just one State.

If we are sincere, if we love this country, and want to save it, let us decide that we are going to vote to sustain the inherent, sacred right of every man and woman in America to work and earn a living, and not to have to doff his hat and get on his knees and beg some union labor leader for a right that belongs to him. If this great Congress does not make it safe for every man and woman in the country to go down the street from his home to his place of work, to go into the factory, and while at work feel assured that nothing harmful to him will be done in the factory, and that he will not be working day after day under fear, intimidation, and threat; if we do not make it safe for him to go home along the streets of this great country of ours without any fear; if we do not make it safe for him to be in his home, and insure the safety of every member of his family while he and they are out in the evening—if we do not do that, Senators, very soon we shall have to say good-by to the great free-enterprise system of America, which is the foundation of our free life and all that makes the American system of free men.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. BALL].

Mr. O'DANIEL. Mr. President, I do not intend to speak very long against the closed shop, because I have spoken long and loud on this subject before in the Senate Chamber. I was against the closed shop when I came here in August 1941. I found very little support here at that time, but the support has been gaining in numbers and volume, and especially, since the 5th day of last November. I doubt whether there is enough support in the Senate at the present time to pass legislation that will outlaw the labor-leader racketeer and return our Government to the United States Congress instead of the labor-leader racketeers, who operate on orders from Moscow. When Senators are talking about the closed shop, they are talking about the very heart and soul of the control of our American form of government, because it is the closed shop which siphons off from the taxpayers and the honest laboring people of the country, hundreds of millions of dollars. This is done for the specific purpose of

defeating the reelection of any Member of Congress who opposes the labor-leader racketeers, and for the political purposes of using this money that is gained by virtue of the closed shop to elect to the Senate and to the House of Representatives men who will do the bidding of the labor-leader racketeers.

As I have often said before, I am a friend of the laboring man. I was born in poverty. My parents were both hard-working people. I have performed much hard manual labor myself. My sympathies are with the laboring people.

Mr. President, when Senators talk about "labor" in connection with the pending legislation, they are not talking about the laboring people; they are talking about a racket, a racket that has built up the labor-leader racketeers of the country until they are more powerful than our Government itself.

I am opposed to the labor-leader racketeer. I am opposed to the closed shop. I believe in collective bargaining. I believe in unions. We have a great many unions whose members are absolutely sound. But the labor unions that are causing the trouble in this country are not the class of which I just spoke. The labor unions that are causing the trouble are the big monopolistic labor unions that are dominated by Communists on orders from Moscow. If Senators do not believe it, let us get into war with Russia, and see how quickly the factories of this country will close down. The Moscow liberals closed our factories down in the recent war and kept them closed until the day Hitler sent his mighty war machine against his pal Joey and thus placed Russia on the side of the Allies.

It was not until then did our Moscow liberals and our big labor bosses cease their sabotaging. It was then they began to scream for full production and a no-strike program.

In the meantime our boys were drilling with wooden guns, and this very Capitol was guarded by dummy wooden cannons. When the American worker was given a chance, he began to produce and he never stopped producing until he had built the greatest war machine the world has ever seen. Unshackle our honest workers and they will break the back of world-planned scarcity in short order.

I do not want to impugn the motives of any Senator on the floor. I have explicit confidence in every Senator, but I want to say that the impression is abroad in the land that the only reason we have supported the National Labor Relations Act and turned everything over to the labor racketeers is because of the fear on the part of certain Senators that they would be defeated for reelection, unless they gave all-out support to the big labor bosses. Certain very good Senators who formerly sat here are not in the Senate any longer, because they were defeated by the tools of Communist labor leader racketeers, who are operating on the vast sums of money, the millions of dollars, that they have extracted from the pockets of the poor working people. The situation is a political one. I heard one of the ablest Senators who ever graced this body, at least in my opinion he was one of the ablest Senators since I have been a Member of this body, the late Honorable Josiah Bailey, who on the floor of the Senate said that Congress had violated the Constitution of the United States which places upon it the power to lay and collect taxes. That power is vested in the Congress by the Constitution. According to the late Honorable Josiah W. Bailey Congress transferred that power to lay and collect taxes from the Congress of the United States to the labor leader racketeers. That power was vested in the labor racketeering leaders by permitting them to say that no man could work unless he had a permit card issued to him by them or their henchmen. Furthermore he had to pay any price the racketeers wanted to charge him for that permit card. That applied not only to private industry, but to Government jobs as well. This great Government of ours made it impossible for a free born American citizen, the father of boys fighting overseas for their country and needing war materials, to go into a Government-operated and owned plant and secure a job in which he could help build the trucks, the guns, the munitions, those boys needed in the war without paying tribute to labor czars. As a result of that transferrence of powers to the labor racketeers many of our boys died, and the blood of those boys is upon the heads of the Members of Congress of the United States.

That, Mr. President, is how far Congress has gone in transferring power to lay and collect taxes to a group of citizens in this country.

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

Mr. O'DANIEL. Yes; I am glad to yield to the Senator from Iowa.

Mr. HICKENLOOPER. I may say in connection with the Senator's reference to the abrogation in favor of labor organizations of the right to collect taxes, which I think he has very aptly put, he might extend his observation a little further and say that we have abrogated to a certain degree the right to assess fines, forfeitures, and penalties which have ordinarily and consistently in this country been the province of organized government, and today, through labor organizations, without trial, without proof, but usually upon either a whim or order, members of certain organizations can be assessed fines under penalty of expulsion, and such fines can be arbitrarily assessed by whimsical action taken by certain leaders. So we have not only abrogated to a certain extent the right to collect taxes, but we have passed on the right to assess fines and forfeitures.

Mr. O'DANIEL. I thank the able Senator from Iowa for that observation. I am glad to have such observation from attorneys in this body, men who have studied the law and know what it means. Their words have much weight, as did the words which were spoken by that great statesman, the late Senator Bailey, of North Carolina.

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

Mr. O'DANIEL. I yield.

Mr. HAWKES. I should like to make a brief statement, because I am sure the Senator from Texas does not want to leave the thought that because a man does his duty in voting on this subject he will be defeated at the polls. Perhaps some Members of Congress were defeated at the polls at the last election for that reason. But I am certain that the Senator from Texas will agree with me that there is no need for a Member of Congress being defeated at the polls simply because he does his duty as he sees it in voting for what he believes is to the best interest of the working people of the United States.

Mr. O'DANIEL. I agree with what the Senator from New Jersey has said. I prefaced my remarks by the statement that I did not wish to impugn the motives of any Member of this body. But I do say that the unions themselves have advertised over the length and breadth of this Nation that they will defeat certain Senators solely because the Senators have voted against labor leader racketeers.

Mr. HAWKES. Mr. President, will the Senator yield once more?

Mr. O'DANIEL. I yield.

Mr. HAWKES. I want to bring out my point. I know the Senator made the statement he has just referred to. The point I want to bring out is that if we do our duty and the people of the United States do their duty, and in doing that duty in connection with labor legislation we are never animated by bitterness or hatred or desire to injure anyone, but only to benefit the working people of the United States—if we get that message over, there are 20 votes back home for every 1 that may be controlled by labor leaders who threaten us—if we get our message over and do our duty. Does the Senator agree with the statement that the labor leaders' threats will be idle threats?

Mr. O'DANIEL. I agree with that statement. Even if that were not true, I still believe it is the duty of every Senator to vote his convictions on the floor of the Senate, regardless of what the outcome may be at the next election.

Mr. HAWKES. I agree with the Senator, but it is a fine thing to know that we do not have to destroy ourselves by voting our convictions. That is the point I am trying to make.

Mr. O'DANIEL. I think the Senator is absolutely correct. I think the vast majority of the people of the United States believe in the form of our American free government. Does anyone wish to say that under our American form of free government every American citizen should be deprived by law of his right to accept a job if it is offered to him at a satisfactory wage? That is what has been done however. American citizens have been prevented from accepting work at a lawful vocation which is offered to them, at a salary which they want to accept. But no, they cannot do it, because Congress has enacted legislation which bars free American citizens from exercising their freedom, from using their God-given right to work. I think this august body, the greatest legislative body

on the face of the earth, has fallen below its usual high standard when its Members sit here and argue and debate day after day concerning the rights of the labor unions, the rights of industry, and forget altogether the rights of the individual citizen, forget altogether the man who is doing the work. Members of the Senate simply talk and argue and try to fix the terms of the bill so it will be acceptable to the labor leader racketeers and to industry, but forget about the man in the overalls, forget about the man who has to earn a living for himself and his family. We permit the union to charge the worker anything the big labor bosses want to charge him, and he must pay it, or get out of the union and not be allowed to work. I am against such a condition. I think we should get around to the point after a while when we give some consideration to the rights and freedom of the American citizens, and not look to these bloc votes of this organized racket.

Mr. President, I have kept bills, similar to the one we are now discussing, before the Senate ever since I have been a Member. I had an amendment which I sent to the desk, and which I intended to bring up. I do not know whether the amendment offered by the Senator from Minnesota [Mr. BALL] covers exactly what is contained in my amendment, but after listening to what the Senator from Minnesota has had to say I think his amendment is a very beneficial one, and I intend to vote for it. I shall vote for it.

During the war when we debated about abolishing the closed shop many persons said to me, "Lay off of that thing. Do not try to abolish the closed shop during the war, because the union racketeers are bigger than the Government, and they will cause a great deal of trouble if an attempt is made to abolish the closed shop. Wait until the war is over." Well, the war has been over now for 2 years. Why should we wait longer? An amendment is before us. Why not vote for the amendment and add it to the bill? Give the American people a little touch of freedom. Give them something to be proud of. Vote for the amendment.

The PRESIDING OFFICER (Mr. IVES in the chair). The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. BALL]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER (when his name was called). I have a pair with the senior Senator from Virginia [Mr. BYRD]. If he were present and voting he would vote "yea." If I were at liberty to vote I would vote "nay."

Mr. SPARKMAN (when his name was called). I have a pair with the junior Senator from Virginia [Mr. ROBERTSON]. If he were present and voting he would vote "yea." If I were at liberty to vote I would vote "nay."

The roll call was concluded.

Mr. WHERRY. I announce that the senior Senator from Michigan [Mr. VANDENBERG] is unavoidably detained. If he were present and voting he would vote "nay."

The Senator from New Hampshire [Mr. TOBEY] is necessarily absent because of illness in his family.

The Senator from Kansas [Mr. REED] has a general pair with the Senator from New York [Mr. WAGNER]. The Senator from Kansas is necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is unavoidably absent on business of the Senate.

The Senator from South Dakota [Mr. BUSHFIELD] and the Senator from Kansas [Mr. CAPPER] are unavoidably detained.

Mr. LUCAS. I announce that the Senator from Georgia [Mr. GEORGE], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

The Senator from Wyoming [Mr. O'MAHONEY], who is absent on public business, would vote "nay" on this question if present.

I announce also that the Senator from New York [Mr. WAGNER], who is necessarily absent, has a general pair with the Senator from Kansas [Mr. REED]. If present, the Senator from New York would vote "nay."

The Senator from Utah [Mr. THOMAS] is unavoidably detained. If present, he would vote "nay" on this question.

The result was announced—yeas 21, nays 57, as follows:

YEAS—21

Ball	Hawkes	Overton
Bricker	Hickenlooper	Robertson, Wyo.
Buck	Kem	Stewart
Butler	McClellan	Wherry
Donnell	McKellar	Wiley
Eastland	Moore	Williams
Gurney	O'Daniel	Wilson

NAYS—57

Aiken	Hayden	Malone
Baldwin	Hill	Martin
Barkley	Hoey	Maybank
Brewster	Holland	Millikin
Brooks	Ives	Morse
Cain	Jenner	Murray
Capehart	Johnson, Colo.	Myers
Chavez	Johnston, S. C.	O'Conor
Connally	Kilgore	Pepper
Cooper	Knowland	Revercomb
Cordon	Langer	Russell
Downey	Lodge	Saltonstall
Dworshak	Lucas	Smith
Ecton	McCarran	Taft
Ferguson	McCarthy	Taylor
Flanders	McFarland	Thye
Fulbright	McGrath	Umstead
Green	McMahon	Watkins
Hatch	Magnuson	Young

NOT VOTING—17

Bridges	O'Mahoney	Tobey
Bushfield	Reed	Tydings
Byrd	Robertson, Va	Vandenberg
Capper	Sparkman	Wagner
Ellender	Thomas, Okla.	White
George	Thomas, Utah	

So the amendment offered by Mr. BALL on behalf of himself and Mr. BYRD was rejected.

Mr. WHERRY. Mr. President, I submit for the consideration of the Senate a suggested unanimous-consent agreement upon the final passage of the bill.

The PRESIDING OFFICER (Mr. CAIN in the chair). The clerk will read the suggested unanimous-consent agreement.

The Chief Clerk read as follows:

Ordered, That on the calendar day of Monday, May 12, 1947, at the hour of 6 p. m., the Senate proceed to the consideration of House bill 3020, the Labor Management Relations Act, 1947; that it be considered as amended by striking out all after the enacting clause and inserting in lieu thereof the text of Senate bill 1126, the Federal Labor Relations Act of 1947, as amended; that the third reading of the bill as amended be considered as ordered; and that a vote be immediately taken thereafter on the final passage of the said House bill as amended.

Ordered further, That of the time for debate on said day, the proponents of the bill shall be allowed 2½ hours and the opponents 4½ hours, to be controlled, respectively, by the Senator from Ohio, Mr. TAFT, and the Senator from Utah, Mr. THOMAS.

Mr. WHERRY. Mr. President, I ask the membership of the Senate to consider this unanimous-consent request which is on the final passage of the bill. It provides that a vote shall be taken at 6 o'clock on Monday evening, it being understood that the Senate will convene at 11 o'clock in the morning, and that the time shall be divided so that the proponents of the bill will have 2½ hours and the opponents of the bill will have 4½ hours. I believe that that would take care of the speeches of those who expect to make speeches, so far as time is concerned.

I feel confident that we will pass on all the amendments this evening and may have a third reading of the bill tonight, and then recess until Monday, to meet at 11 o'clock, a. m., and, under the proposed agreement, a vote should be taken at 6 o'clock Monday evening on the passage of the bill.

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

Mr. WHERRY. I shall be glad to yield to the Senator from Illinois.

Mr. LUCAS. The Senator from Kentucky is absent. It would be agreeable with him, I am sure, and so far as I am concerned, it is agreeable to me. I have no objection to the unanimous-consent arrangement.

Mr. WHERRY. I wish to say that while the distinguished minority leader did not authorize me to speak for him, I asked him today if he would accept the unanimous-consent agreement and he said he would.

Mr. LUCAS. If I correctly understand, the Senator from Kentucky desires some time on the bill.

Mr. WHERRY. The arrangement is that the opponents shall have 4½ hours, and their time is to be in charge of the Senator from Utah [Mr. THOMAS]. I am quite satisfied that there will be no difficulty in arranging whatever time the distinguished Senator from Kentucky would like to have in presenting his arguments for or against the bill.

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

Mr. WHERRY. I yield.

Mr. LANGER. Has the distinguished Senator any objection to fixing the time for the vote at or before 6 o'clock?

Mr. WHERRY. I should be glad to do that, but we are trying to make sure that the opponents shall have sufficient time to make speeches against the bill.

Mr. LUCAS. Mr. President, I should have to object to such an arrangement.

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

Mr. WHERRY. I yield to the Senator from Florida.

Mr. PEPPER. The acting majority leader has been gracious and considerate, as he has been all through the debate, and it is with the greatest reluctance that I must object. I am sure I also speak for other Senators who are unable to agree to a vote on Monday. To the fixing of any time thereafter we have no objection whatever. If it can be worked out for Tuesday or any other time other than Monday, so far as I am concerned, it will be satisfactory. Some other Senators who are vitally interested will have no objection.

The Senator will recognize that the bill has been an uncertain quantity up until the end of the day. A good many Senators have not known how they would vote on the final passage, because they did not know what kind of a bill it would be. But by the end of today—and I believe the Senator will agree that we have not delayed action on the amendments—we will know what kind of a bill we shall have to vote on, on its final passage.

Mr. WHERRY. I thank the distinguished Senator from Florida for his observations. I feel that ample time should be given for debate on the bill. I thought 2½ hours for the proponents and 4½ hours for the opponents would be enough inducement to the distinguished Senator to agree to the unanimous-consent arrangement.

Mr. PEPPER. I am exceedingly sorry that I am not able to agree to the proposed unanimous-consent agreement.

Mr. WHERRY. I am sorry that the distinguished Senator from Florida feels that he cannot accept the unanimous-consent agreement to vote at 6 o'clock on Monday.

I have also prepared another unanimous-consent agreement. I hope the Senate will not think that I am a mule trader. I know the Senate would like to get to a vote if possible. The only thing to do is to sound it out and see what is the sentiment of the Senate. There is no criticism of anyone intended.

Mr. LUCAS. What is the next unanimous-consent agreement?

Mr. WHERRY. I send it to the desk.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent request agreement.

The Chief Clerk read as follows:

Ordered, That on the calendar day of Tuesday, May 13, 1947, at the hour of 2 p. m., the Senate proceed to the consideration of House bill 3020, the Labor Management Relations Act, 1947; that it be considered as amended by striking out all after the enacting clause and inserting in lieu thereof the text of Senate bill 1126, the Federal Labor Relations Act of 1947, as amended; that the third reading of the bill as amended be considered as ordered, and that a vote be immediately taken thereafter on the final passage of the said House bill as amended.

Ordered further, That the time intervening on said day between the meeting of the Senate and the said hour of 2 p. m. be equally divided between the proponents and the opponents of the bill, to be controlled, respectively, by the Senator from Ohio [Mr. TAFT] and the Senator from Utah [Mr. THOMAS].

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

Mr. WHERRY. I yield.

Mr. LUCAS. Is the date next Tuesday?

Mr. WHERRY. Tuesday, the 13th.

Mr. LUCAS. Is there any objection to stating whether the Senator has another proposal to submit?

Mr. WHERRY. If the Senator will ask me that a little later, I shall be glad to answer him.

Mr. LUCAS. I hope the Senate will agree to vote. It has been delayed long enough.

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

Mr. WHERRY. I yield to the Senator from Louisiana.

Mr. OVERTON. As I understand, the proposal now is to vote at 2 o'clock on Tuesday?

Mr. WHERRY. That is correct.

Mr. OVERTON. Is that standard time or daylight-saving time?

Mr. WHERRY. We will vote at 2 o'clock according to the clock here.

Mr. OVERTON. Can the Senator advise the Senate whether that clock is going to be changed to daylight time?

Mr. WHERRY. I personally voted as did the Senator from Louisiana. I hope the time will be 2 o'clock, "God's time," as I think the Senator said. Whether the time will be advanced or not I am not sure, but the time will be according to the clock when 2 o'clock arrives.

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

Mr. WHERRY. I yield.

Mr. MURRAY. Would this agreement bar the presenting of further amendments between now and that time? I have in mind offering an amendment in the nature of a substitute. I think I shall have it ready to be filed on Monday. I can file it tonight.

Mr. WHERRY. Mr. President, the proposed agreement provides for a vote on the final passage of the bill, and if we take a recess from tonight until Monday, we shall have Monday and Tuesday in which to take action.

I suppose a Senator can make a motion at any time until the final passage of the bill; but under the proposed agreement, when we vote at 2 o'clock, we shall vote on the final passage of the bill.

Mr. MURRAY. It seems to me, Mr. President, that such a limitation of time would prevent a proper presentation of the substitute. It seems to me we should have a little more time.

Mr. TAFT. Mr. President, will the Senator yield to me?

Mr. WHERRY. Let me inquire whether the Senator from Montana has concluded his remarks.

Mr. MURRAY. I was saying that I think the proposed time limit would prevent a proper presentation of the amendment in the nature of a substitute. It seems to me we should have more time in which to present it.

Mr. President, this bill has been materially changed on the floor of the Senate. If the bill had been brought in from the committee and had been voted on as it was reported by the committee, it could have been passed long ago. But many very important and serious amendments have been added to the bill while it has been under discussion on the floor of the Senate. So the bill now before us is entirely different from the bill which was reported by the committee. It seems to me we should have time to present a substitute and have it properly explained and debated.

Mr. TAFT. Mr. President, will the Senator yield to me?

Mr. WHERRY. I yield.

Mr. TAFT. I had hoped that tonight it would be possible for the Senate to take final action on all the amendments and to have the third reading of the bill, so as to bar the offering of further amendments.

Am I to understand that at this late date, after 2 weeks of debate, the Senator from Montana proposes to offer a complete substitute for this bill—a substitute which no other Senator has yet seen?

Mr. MURRAY. Mr. President, it is not such a surprise as all that because we have discussed it in the committee, and the important thing to do is to have the Senate pass a bill which can be enacted, not a bill which will fail of final enactment.

It seems to me that the Senator from Ohio understands very well the position which was taken by the minority members of the committee who signed the minority views. If the passage of some bill on the subject is desired, we are in favor of a bill which will be sound and which will do some good instead of a bill which will raise resentment and bitterness and will destroy in large degree the labor relations which have been established in this country.

The amendment in the nature of a substitute will carry out all the recommendations of the President, and, in addition, will provide other amendments to the National Labor Relations Act—amendments which I think will be helpful and will clarify some of the problems connected with the criticisms which have been made.

Mr. TAFT. It has been perfectly possible to prepare such a substitute at any time during the last 3 weeks. The Senator from Montana signed the minority views opposing the committee bill. It would make no difference what amendments were adopted to the committee bill; a substitute could have been proposed at any time, embodying the recommendations the Senator now has in mind.

I cannot fail to regard the offering of a substitute at this late date as anything other than a dilatory motion to delay action on the bill.

Mr. MURRAY. Mr. President, I think that is an unfair statement. The Senator from Ohio knows that we have been engaged on the bill every day during several weeks, and our time has been fully occupied with discussions of the bill and the amendments which have been presented from time to time to the bill. I think the Senator will concede that it would have been utterly impossible for

us to write an entirely new bill during the time when we have been required to be on the floor of the Senate for the discussion of the bill reported by the committee and the amendments which have been offered. The bill now goes entirely beyond what the President has recommended; and I think the substitute would be entirely sound.

Mr. TAFT. Mr. President, if that course is pursued, I think I would be justified in moving to lay the substitute on the table as soon as the Senator finishes presenting it. Whether I shall do that, I do not know; but the procedure the Senator has proposed is the most extraordinary procedure I have ever seen proposed in the Senate of the United States in connection with the discussion or handling of a bill.

Mr. MURRAY. Mr. President, if the Senator will yield to me, I send to the desk an amendment in the nature of a substitute, and ask that it be printed and lie on the table.

Mr. WHERRY. Mr. President, before that is done, I wish to have a decision reached in regard to the proposed unanimous-consent agreement.

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. WHERRY. I yield.

Mr. HATCH. I merely wish to express the hope that the Senator from Ohio will not follow the course he has just announced; namely, to move to lay on the table the substitute, and not to give any Senator an opportunity to discuss it or consider it. Throughout the entire course of this debate, Mr. President, the amendments which have been offered and have been discussed have come from the other side of the aisle; and so far as I know, no Senator on this side of the aisle has questioned the right of any Senator on that side to propose any motion or any amendment or any substitute which he desired to propose.

Mr. President, I regard it as rather bad taste at this time, when a Democratic Senator rises and has the temerity to offer an amendment in the nature of a substitute, to threaten to make a motion to lay the substitute on the table.

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

Mr. WHERRY. I am glad to yield.

Mr. TAFT. Let me say that 3 days ago, and also yesterday, we announced our hope that it would be possible to conclude action on all the amendments tonight. No objection was made, and we have proceeded all day on the theory that the Senate would proceed with the amendments tonight and would stay in session until action on the amendments was finished. No suggestion was made that there would be offered for the bill a complete substitute which would open up the consideration of every point in regard to the labor legislation discussion which has already been before the Senate. Those are the circumstances under which I made the statement. Incidentally, I did not announce a course; I said I thought I would be justified in doing that.

Mr. HATCH. Mr. President, if the Senator from Nebraska will yield once more to me, I wish to say to the Senator from Ohio that I have not been in the confidence of my colleagues who are proposing the substitute. I had no information from them that they desired or intended to propose the substitute. Like the Senator from Ohio, I was completely in the dark, except I happened to read the newspapers, and for the past several days the press of the country has carried the statement that a substitute proposal would be made. Therefore I do not think it is a matter of any great or overwhelming surprise to anyone.

Mr. LUCAS. Mr. President, will the Senator yield to me?

Mr. WHERRY. I am glad to yield to the distinguished Senator from Illinois.

Mr. LUCAS. A moment ago I more or less concurred in what the able Senator from Nebraska said with respect to an early vote upon the pending labor bill. I, too, knew nothing about the substitute which is proposed to be offered by the able Senator from Montana. But if a substitute is to be offered, certainly it should be given every opportunity for debate on the floor of the Senate. As the Senator has said, after all, the Senate has been debating this bill for several weeks, and the amendments which have been considered, of course, have been offered to the bill as reported by the committee. Until all action on amendments to that bill is completed and until the Senate knows where it stands with respect to the amendments which already have been offered, it would be utterly impossible for any Senator to offer a substitute bill.

Therefore, I think the Senator from Ohio does not take the proper attitude when he says that the moment that an amendment in the nature of a substitute for the bill is offered and the moment that the Senator from Montana concludes his remarks upon that amendment in the nature of a substitute, he, the Senator from Ohio, will move that the amendment in the nature of a substitute be laid on the table. I do not believe that would be cricket, as we understand it in the Senate of the United States.

If that attitude were adopted, Mr. President, I would not agree to any unanimous-consent agreement, even though I suggested a moment ago that I would agree; because, after all, this is a rather serious matter, and many Senators have their own views and their own attitudes with regard to these questions. If the Senator from Montana desires to offer a substitute bill, he should have the right to offer it, and it should be debated on the floor of the Senate, without any question.

Mr. PEPPER. Mr. President, I am sure the Senator from Ohio committed an inadvertence when he stated that the Senator from Montana had joined with the Senator from Utah and the Senator from Florida in saying that he opposed the whole bill and everything that pertains to the subject of the bill, because he surely could not have overlooked what was said by authority of their written minority views, which was filed in the Senate about the time the majority report was filed, in which those three Senators stated they favored everything recommended by President Truman to the Congress in his message. In addition to that, on pages 40 and 41 there were enumerated 6 or 8 or 10 various provisions of the bill under the heading "Chapter V. Acceptable provisions of the bill," which those Senators said they would accept, and they commended the majority for including them in the majority bill.

It has been a matter of consideration here for days as to whether there should be separate amendments offered to objectionable parts of the bill, or whether there should be presented a concise and succinct substitute embodying an affirmative approach to the problem. I do not know of one Senator on this side of the aisle who has offered a single amendment to the bill. The whole time has been consumed on amendments offered by Senators on the majority side, and by members of the majority in the committee. Day after day amendments have been debated. There are Senators on this floor who have changed their minds, I have understood, since the bill has been under consideration, and have determined to vote against the bill because they saw amendments adopted to the original bill reported by the committee which made them determine to oppose the bill as it was then presented to the Senate.

Finally, because the Senator from Montana and a number of other Senators on this side of the aisle have finally decided that it would be best to present a milder bill than the one now before the Senate, a bill they thought might secure the approval of the President and of the country, and result in some legislation being adopted, they should not be castigated as being engaged in dilatory tactics. I am sure the Senator from Ohio did not really mean to say that those Senators in their minority views had affirmed their opposition to everything that pertained to legislation on the subject of the bill.

Mr. TAFT. I meant to say exactly what I said.

Mr. PEPPER. Then the Senator was wrong.

Mr. TAFT. The Senators filed minority views which, in effect, opposed everything in the bill. As a matter of courtesy to the Senate, if Senators intended to present a substitute bill, they should have presented it and had it printed so that we would have had some opportunity to vote on it today, inasmuch as Senators knew we were going to try to finish the amendments.

Mr. MURRAY. Mr. President, I should like to ask the Senator from Ohio if he does not realize that it would be impossible for us to determine what substitute bill could be offered until after the amendments which have been under consideration the last several days had been accepted or rejected.

Mr. TAFT. Mr. President, I cannot see what possible bearing the question of whether the amendments were adopted or not has on the preparation of a substitute bill.

Mr. WHERRY. Mr. President, one of the finest things I will always remember about the distinguished minority leader, the Senator from Kentucky [Mr. BARK-

LEY], who was the majority leader for many years after I came to the Senate, was that he could always pour oil on the troubled waters, and come up smiling when he failed to accomplish what he wanted done.

I think that we will not press the unanimous-consent request further this evening. We are taking up valuable time we might spend on the consideration of the amendments. So, Mr. President, the unanimous-consent request not having been granted, we will proceed with the amendments as they are brought up.

Mr. STEWART. Mr. President, the Senator from Nebraska has indicated that he is about to leave the floor, and I wish to ask him a question. Is it the purpose of the Senator to have a session tomorrow?

Mr. WHERRY. The purpose is not to have a session tomorrow.

Mr. TAFT. I would have asked for a session tomorrow, but the distinguished Senator from Kentucky [Mr. BARKLEY], the minority leader, has left the city to make a speech at Bowdoin College, in Maine at the request of the distinguished Senator from Maine [Mr. WHITE], the majority leader, and requested that we not have a session tomorrow or have any votes, while he was away.

Mr. WHERRY. I suggest that we now proceed in as orderly a manner as possible, every Senator remaining in the Chamber, to take up the amendments.

Mr. McCLELLAN. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 16, at the end of line 20, it is proposed to strike out the period and insert a colon and the following: "*Provided*, That no language or provision of this section is intended to nor shall it be construed or administered so as to abridge or interfere with the right of either employers or employees to freedom of speech as guaranteed by the first amendment to the Constitution of the United States."

Mr. McCLELLAN. Mr. President, the purpose of the amendment is to attempt to say what I think every Member of Congress should truly mean, and that is no contravention of the Constitution. This amendment deals with one of the fundamentals of liberty, that is, freedom of speech.

In the bill that has passed the House, as well as in the Senate committee bill, the one pending before us, an effort has been made more or less to limit and define what restrictions shall be placed on freedom of expression as between employers and employees, what speech should be regarded as an unfair labor practice. The House bill provides that it will not be an unfair labor practice to express "any views, argument, or opinion, or the dissemination thereof, whether in written, printed, graphic, or visual form, if it does not by its own terms threaten force or economic reprisal."

In other words, under the terms of the House text, unless the written or spoken words, by its terms, carry a threat of force or economic reprisal, then it would not constitute an unfair labor practice.

Under the Senate committe bill it is provided that—

> The Board shall not base any finding of unfair-labor practice upon any statement of views or arguments, either written or oral, if such statement contains under all the circumstances no threat, express or implied, of reprisal or force, or offer, express or implied, of benefit.

I am concerned about that language, Mr. President. I would like to see it strengthened. The language of the present law, the National Labor Relations Act, has been so distorted by court decisions and by administrative decisions that freedom of speech has definitely been abridged and denied to many of our citizens.

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

Mr. McCLELLAN. I am glad to yield.

Mr. FERGUSON. I was wondering how this amendment would change the law. The highest law of the land, namely, the Constitution, is being cited in this amendment. If the same court is to construe this law which has been construing the Constitution, how can any change be effective?

Mr. McCLELLAN. Mr. President, we may never get any change, but I would like in this bill, to emphasize the fact that it is not the intent of Congress and of the Senate by this legislation to in any way abridge freedom of speech, and that in my judgment has been the result and the consequence of court decision and administrative decision in the past with respect to the present law. I call attention to the fact that the present law was not so restrictive as are the provisions that I have referred to in the two measures.

Mr. MORSE, Mr. TAFT, and Mr. FERGUSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Arkansas yield; and if so, to whom?

Mr. McCLELLAN. I yield first to the Senator from Oregon.

Mr. MORSE. I want to say to the Senator from Arkansas that I am in complete agreement with the Senator from Michigan. We had in one of the committee prints language similar to that proposed by the Senator from Arkansas, but it was decided, as I recall unanimously, that it was unnecessary; because, of course, it would be impossible to enact any law that could possibly be sustained, if it involved a violation of the first amendment of the Constitution of the United States. But so far as I am concerned—and I think it will be found that other members of the committee share this view—I am perfectly willing to accept this amendment, if the Senator from Arkansas wishes to have it inserted in the bill.

Mr. McCLELLAN. I appreciate the statement by the Senator from Oregon, and I will say to him that I do not wish to delete any language of the bill as it stands at present, but I would like to have this provision incorporated in the new law. Whether the court knows it or not, whether administrative officers will know it or not, every other citizen with common understanding and who can read the language will know that it was not the intent of Congress to deprive any citizen, either employer or employee, of a right guaranteed under the Constitution.

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

Mr. McCLELLAN. Yes; I will gladly yield.

Mr. TAFT. I should be very glad, so far as I am concerned, to accept the proposal of the Senator. There will need to be negotiation and conference on the two provisions of the House and Senate bills, anyway. I think the Senator's suggestion is deserving of every consideration. If the Senator is willing, I think we might vote on the amendment.

Mr. HICKENLOOPER. Mr. President, I wondered if the Senator from Arkansas might feel that while the language he proposes in the amendment may be in the Constitution and may have been declared by the founders, it is possible it may have been overlooked from time to time by the Supreme Court, and he would just like to punch up their memory?

Mr. McCLELLAN. I thank the Senator. Permit me to say that I think this will reinforce the other language that is now in either the House or Senate bills, and it ought to have, at least, both a moral and legal persuasion and influence on the courts and on the administrative officers to not strain the construction of the language so as to permit administration by rule, by order, or by decision, or otherwise, that would actually infringe upon the liberty of speech guaranteed by the Constitution.

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

Mr. McCLELLAN. I yield.

Mr. HICKENLOOPER. I congratulate the Senator upon his vigor in restating some of the fundamentals of American freedom and American personal liberty. I will say that I fear from time to time, in my own mind, that they are too often forgotten in the rush and press of kaleidoscopic things.

Mr. McCLELLAN. I will say to the Senator that often the courts and administrative officers undertake to declare the intent of Congress with respect to legislation, and I am trying to say now by this amendment that it is not the intent of Congress to infringe on the freedom of speech guaranteed by the Constitution, and that we do not want this section either interpreted or administered so as to do so.

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

Mr. McCLELLAN. I yield to the Senator from Ohio.

Mr. TAFT. I suggest a vote on the amendment.

Mr. McCLELLAN. I should be perfectly willing, Mr. President. I was merely emphasizing my views with respect to the matter.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arkansas.

The amendment was agreed to.

Mr. McCLELLAN. Mr. President, I send to the desk another amendment, which I offer.

The PRESIDING OFFICER. The clerk will state the amendment submitted by the Senator from Arkansas.

The CHIEF CLERK. It is proposed, on page 25, between lines 9 and 10, to insert the following:

(h) No labor organization shall be certified as the representative of the employees if one or more of its national or international officers, or one or more of the officers of the organization designated on the ballot taken under subsection (c), is or ever has been a member of the Communist Party or by reason of active and consistent promotion or support of the policies, teachings, and doctrines of the Communist Party can reasonably be regarded as being a member of or affiliated with such party, or believes in, or is or ever has been a member of or supports any organization that believes in or teaches, the overthrow of the United States Government by force or by any illegal or unconstitutional methods.

Mr. McCLELLAN. I shall not consume much time with respect to this amendment, which is lifted from a section of the House bill. The House bill, as passed some days ago.

Mr. President, I think, as I said earlier this afternoon, that most of American labor, a great majority of union membership, are definitely fine American citizens, whose patriotism, loyalty, and devotion to country can no more be questioned than can that of any Member of this body. But, Mr. President, often, as Senators heard the plea made here this afternoon by the Senator from Wisconsin, a small minority of Communists are able to infiltrate into these organizations, and by the processes under which they operate they are able to rise, and they have risen, in some unions to official positions. Therefore, those who are really Communists are not loyal to our country. If they rise to positions of power as officers in labor organizations, then, with the law that we enact, investing certain powers in labor organizations, such as the power of collective bargaining, and other powers and rights that we have legislated and invested in them, we are simply placing the power and authority and the sanction of law behind men who are in those positions, giving them authority to bargain collectively, to deal with management of industry, and thus wield a greater influence in the economic and political life of the Nation. We are simply giving authority to people who are not loyal to our Government, who will use that power as Communists have demonstrated in the past they will use it, for the purpose of subversive work and for undermining the very fundamentals upon which this Government rests.

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

Mr. McCLELLAN. I yield.

Mr. FERGUSON. I want to perface my remarks by saying that no one is more opposed to communism than I am, but I want to ask some questions, for I am wondering how this kind of provision could be effectively enforced. I have always belived that when Congress passes a law it should be susceptible of effective enforcement. As I read the amendment, if a man had ever been a Communist he never could become an officer of a union, even though he had purged himself and had decided he had been wrong when he became a Communist. He could never become an officer of a union even though he had become a loyal American citizen.

My next point is that if he were a Communist, or had the attributes the amendment mentions, and could not hold office in a union, how would such a law be enforced? Would the Board be compelled to determine whether or not each officer of a union was or was not a Communist?

Mr. McCLELLAN. I do not think the Board would be compelled to make a determination respecting each one, but where the issue was raised, where there was a challenge, then I think it would be the duty of the Board to make a determination.

Mr. FERGUSON. How would such a matter be brought before the Board? What would be the procedure to bring the question before the Board? I find nothing in the amendment respecting how the question should be brought before the Board.

Mr. McCLELLAN. I think the Board could inquire into the matter upon its own volition. I do not think it would be necessary for the Board to inquire into the case of every officer, of course, but it would be like barring a Communist from working for the Government; when it was discovered that an individual was a Communist, of course, he could be discharged. The Board is going to inquire into many issues which will be presented to it, such as many questions coming up respecting elections, respecting the proper collective bargaining agency, and other pertinent matters arising from administration of the law.

Mr. FERGUSON. Mr. President, will the Senator yield for another question?

Mr. McCLELLAN. I yield.

Mr. FERGUSON. I am entirely in sympathy with the Senator's position respecting employment of Communists by the Government. I am opposed to them being employed by government. The only difficulty is that we have never enforced the rule against Communists. We have not put them out. We ought to start in government first. The amendment, however, goes a little further than that. It does not say that the man cannot hold the position. It says:

No labor organization shall be certified as the representative of the employees if one or more of its national or international officers, or one or more of the officers of the organization designated on the ballot taken under subsection (c), is or ever has been a member of the Communist Party or by reason of active and consistent promotion or support of the policies and doctrine of the Communist Party—

And so forth. In other words, the Board could not certify any labor organization if one of its officers was a Communist. Is that correct?

Mr. McCLELLAN. Yes.

Mr. FERGUSON. Suppose, however, the certification were made. The certification then would be bad, would be void, if it turned out later that one of the officers was a Communist at the time the union was certified. Is that not correct?

Mr. McCLELLAN. I think that is true. I think it ought to be bad. That is what we are trying to provide, that it shall be bad. That is why I want to prohibit it, because it is bad.

Mr. President, if we mean to keep our country truly American, I do not believe we should tolerate conditions with respect to communism which now exist. We ought not to expect a union to clean house of communism in its ranks when the Government itself by law recognizes Communist-dominated organizations, unions whose officers are Communists, and permit them to be certified as collective-bargaining agents.

Mr. FERGUSON. Mr. President, if some way could be conceived legally whereby a court determination could be had, whereby the right of trial were granted, the right to make a defense, and a court determination then be had whether an individual charged with being a Communist was in fact a Communist, or came within the designation set forth in the words of the amendments, then I say such would be a proper remedy. After he had been found guilty of being a Communist then a judgment could be entered prohibiting such an individual being an officer of a labor union and if he became such an officer, the union could be forbidden to act. But should we go so far as to say that a man who had ever had communistic tendencies, or who ever had been a Communist, should never be able to redeem himself and become a good American citizen. I think that in America even the worst Communist ought to have the right to become an American citizen if he will eliminate from his heart and soul his Communist beliefs and activities. The trouble with the amendment is that such things are not provided for.

Mr. McCLELLAN. I appreciate the Senator's views. In the House committee, the provision was offered as a committee amendment to the House bill. After it was offered as a committee amendment the words "or ever has been" were added to it by amendment. Those words appear in two places in the amendment. There was considerable debate respecting the amendment to the amendment adding the words "or ever has been," when it was offered in the House. I find from the record that the vote in the House, on a division in the Committee of the Whole, was 153 for the amendment and 10 against. That overwhelming vote does not mean that the provision is sound or wise or that it does not go too far. I simply mention how the House of Representatives felt about it.

I agree with the Senator from Michigan. I dislike to condemn a man irrevocably if he has honestly repented. I would be very skeptical, however, in any case where a man had been a member of the Communist Party and a known Communist, and had followed that course very long, if he undertook to tell me later he had reformed. I do not say he could not reform. I do not say I never would have faith in him. But I would want more proof than simply his profession of reformation.

Mr. FERGUSON. I agree with the Senator. I would be very suspicious that such an individual had reformed. Still

I should like to hold out for him the hope that he could redeem himself and become a worthy citizen, even though he had been an unworthy one. I feel that we should not pass a bill which would not hold out such a hope. We ought to hold out some hope that if an individual did change he could become a worthy citizen and perform all the duties of a worthy citizen.

Mr. McCLELLAN. I agree with the Senator from Michigan.

Mr. President, I modify the amendment I have offered, in line 5, on page 1, by striking out the words "or ever has been," and on page 2, line 2, by striking out the words "or ever has been."

On page 1, line 7, after the word "policies" I should like to strike out the word "teachings" and the comma.

Mr. President, with these modifications I feel that the amendment ought to be adopted. I realize that if it is not adopted the conferees, of course, could finally incorporate it in the bill. With the modifications I have now made in the amendment as it passed in the House bill, if the amendment is now agreed to there will be a provision in the law prohibiting the National Labor Relations Board from certifying as a bargaining agency any union or organization headed by a Communist. If the bill finally becomes law, this provision will be a part of the law. I believe that it ought to be a part of the law. I believe that the great majority of laboring men and women of this country, if they could be here tonight and express themselves, would want the aid of the Congress in helping them to rid their organizations of Communistic influence, an influence which often they are unable to cope with or fight against effectively under the laws as they now are.

I should like very much to see this amendment agreed to as modified.

The PRESIDING OFFICER. Does the Senator from Arkansas desire to have his amendment read as modified?

Mr. McCLELLAN. Yes, Mr. President.

The PRESIDING OFFICER. The amendment, as modified, will be stated.

The CHIEF CLERK. On page 25, between lines 9 and 10, it is proposed to insert the following:

(h) No labor organization shall be certified as the representative of the employees if one or more of its national or international officers, or one or more of the officers of the organization designated on the ballot taken under subsection (c), is a member of the Communist Party or by reason of active and consistent promotion or support of the policies and doctrines of the Communist Party can reasonably be regarded as being a member of or affiliated with such party, or believes in, or is a member of or supports any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the Senator from Arkansas [Mr. McCLELLAN]. [Putting the question.]

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Aiken	Hawkes	Morse
Baldwin	Hayden	Murray
Ball	Hickenlooper	Myers
Barkley	Hill	O'Conor
Brewster	Hoey	O'Daniel
Bricker	Holland	Overton
Brooks	Ives	Pepper
Buck	Jenner	Revercomb
Butler	Johnson, Colo.	Robertson, Wyo
Cain	Johnston, S. C.	Russell
Capehart	Kem	Saltonstall
Capper	Kilgore	Smith
Chavez	Knowland	Sparkman
Connally	Langer	Stewart
Cooper	Lodge	Taft
Cordon	Lucas	Taylor
Donnell	McCarran	Thomas, Okla.
Downey	McCarthy	Thomas, Utah
Dworshak	McClellan	Thye
Eastland	McFarland	Tydings
Ecton	McGrath	Umstead
Ellender	McKellar	Watkins
Ferguson	McMahon	Wherry
Flanders	Magnuson	Wiley
Fulbright	Malone	Williams
George	Martin	Wilson
Green	Maybank	Young
Gurney	Millikin	
Hatch	Moore	

The PRESIDING OFFICER. Eighty-five Senators having answered to their names, a quorum is present.

The question before the Senate is on the amendment offered by the Senator from Arkansas [Mr. McCLELLAN], as modified. [Putting the question.]

Mr. LANGER. Mr. President, I ask for a division.

On a division, the amendment was agreed to.

Mr. O'DANIEL. Mr. President, on behalf of the Senator from Mississippi [Mr. EASTLAND] and myself, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

That title IV of the Servicemen's Readjustment Act of 1944 (relating to employment of veterans, is amended by inserting at the end thereof a new section reading as follows:

"SEC. 608. No veteran (discharged or released from the armed forces under honorable conditions) shall be denied employment because of membership or nonmembership in or affiliation or nonaffiliation with or resignation from a labor union, or because of refusal to join or affiliate with a labor union; nor shall any corporation or individual or association of any kind enter into any contract, written or oral, to exclude from employment any veterans who are members or nonmembers of a labor union or veterans who refuse to join a labor union, or because of resignation from a labor union; nor shall any veteran against his will be compelled to pay dues to any labor organization as a prerequisite to or condition of employment. The rights of any veteran under this section may be enforced, upon his petition, by mandatory injunction or other suitable process by the district court of the United States (including the District Court of the United States for the District of Columbia) for the district in which the alleged violation or threatened violation of such rights occurred, or in which the veteran resides, and for such purpose process of the court may be served at any place in the United States."

Mr. O'DANIEL. Mr. President, I have received many letters from veterans in my State complaining that when they apply for jobs they are not given a job nor an opportunity to earn a living without first paying a fee to some labor union. Some of these letters indicate that the veterans thought that while they were fighting for the freedom of American citizens they were defending freedom and liberty for themselves and their families, but now they think that inasmuch as they cannot even get a job by which to earn a living for their families, without paying tribute to someone else, they did not win the war.

This amendment simply relieves all honorably discharged veterans from having to pay for the privilege of getting a job.

I do not intend to take any more time of the Senate to explain this amendment, because it is as simple as it can be.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. O'DANIEL].

Mr. TAFT. Mr. President——

Mr. O'DANIEL. Mr. President, I desire to ask for the yeas and nays on the question of agreeing to the amendment.

Mr. TAFT. Mr. President, I do not see how we can possibly write a special closed-shop provision for veterans. I take it that is what the amendment would do. It seems to me we have dealt fully with the closed shop in the debate on the bill itself and in the debate on the Ball amendment and on the amendment of the Senator from Nevada. I do not believe we should adopt the amendment now proposed.

The PRESIDING OFFICER (Mr. IVES in the chair). The question is on agreeing to the amendment of the Senator from Texas. [Putting the question.]

Mr. O'DANIEL. I ask for a division.

On a division, the amendment was rejected.

Mr. O'DANIEL. Mr. President, I ask for the yeas and nays on the amendment.

Mr. TAFT. Mr. President, a point of order——

The PRESIDING OFFICER. It is too late to request the yeas and nays; a division has been had.

Mr. O'DANIEL. Mr. President, I send to the desk an amendment which I now offer on behalf of myself and the Senator from Mississippi [Mr. EASTLAND], and I ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following new sections:

SEC. —. It shall be unlawful for any person by the use of force or violence, or threat of the use of force or violence, to prevent or to attempt to prevent any person from engaging in any lawful vocation.

SEC. —. It shall be unlawful for any person acting in concert with one or more other persons to assemble at or near any place where a labor dispute exists and by the use of force or violence, or threat of the use of force or violence, prevent or attempt to prevent any person from engaging in any lawful vocation, or for any person to promote, encourage, or aid any such assemblage at which such force or violence, or threat thereof, is so used. As used in this section, the term

"labor dispute" shall have the meaning assigned to it in section 2 (9) of the National Labor Relations Act.

SEC. —. Any person who violates any provision of this act shall, upon conviction thereof, be imprisoned for not less than 1 year nor more than 2 years.

SEC. —. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of the act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

Mr. O'DANIEL. Mr. President, this amendment is what is known in Texas as the antiviolence bill. We enacted it in Texas just before I came to the Senate, while I was Governor of Texas; and I brought the bill with me when I came here, and introduced it on the first day I was in the Senate. I have kept it before the Senate ever since, and have had the Senate vote on it at various times since then. It simply makes it a felony for anyone—either an employee, an employer, an outsider, or anyone else—to use force or violence or to threaten to use force or violence.

We have indicated that we would like to eliminate force and violence throughout the world, thus it appears to me that we might begin by eliminating it here at home.

Therefore, I ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas, on behalf of himself and the Senator from Mississippi [Mr. EASTLAND].

Mr. TAFT. Mr. President, it seems to me that in the first part of the amendment which was adopted we take care of the unfair labor practice covered by this amendment. We do so by providing that it shall be an unfair labor practice for a union to coerce or attempt to coerce or use threats of force against any member who desires to work.

Mr. President, the wording of this amendment seems to me rather broad:

It shall be unlawful for any person by the use of force or violence, or threat of the use of force or violence, to prevent or to attempt to prevent any person from engaging in any lawful vocation.

I do not believe any draftsman of criminal law or any person who was charged with the enforcement of criminal law would use such broad language.

Furthermore, I do not understand the effect of such a provision. As I understand the present situation, the penalty has been removed. So it seems to me the amendment would do no more than provide that such action would be an unfair labor practice which would be very much along the lines of what we worked out carefully in the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas for himself and the Senator from Mississippi. [Putting the question.]

Mr. O'DANIEL. I ask for a division.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MURRAY obtained the floor.

Mr. TAYLOR. Mr. President, will the Senator yield to me?

Mr. MURRAY. I yield.

Mr. TAYLOR. I send to the desk an amendment, which I offer and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 51, line 15, after the word "employer", it is proposed to insert a comma and the following: "and/or shall take a secret ballot of the voting stockholders of each such employer (or if any such employer is an unincorporated association or partnership, of the members of such association or partnership) on the question of whether they wish to accept the final offer of settlement made by the employees of such employer or their representatives."

Mr. TAYLOR. Mr. President under sections 206 to 210 of the bill, the Attorney General, the various district courts, the Federal Mediation Service, the President of the United States, and the Congress would all be participating in the handling of labor disputes.

I believe that the handling of labor disputes should be concentrated in a single agency. Diffusion of responsibility would confuse the handling of these important matters, and would complicate, confuse, and delay settlement.

I sincerely question the wisdom of injecting the Attorney General, a prosecuting attorney, into a labor dispute. I feel that this action in itself would irritate existing labor-management relations, and would prove to be harmful rather than helpful in the peaceful solution of the controversy.

Section 209 (b), which provides for the secret ballot to be taken by the National Labor Relations Board to determine whether the employees wish to accept the final offer of settlement made by the employer, is, to me, particularly objectionable. It carries the suggestion or implication that in all cases the employees, or those who represent the employees, are the adamant parties and always in the wrong. In all justice and in all fairness, if the National Labor Relations Board is to be required to present a proposition to the employees, I feel that the Board should be required to present the union's proposal to the shareholders of a company or a corporation.

The United States Conciliation Service, experienced in the field of labor-management relations, has on numerous occasions been confronted with the situation where a union proposal, rejected by a representative of the corporation or perhaps an attorney from the outside representing the corporation, might have very well been declared acceptable by the shareholders of the company or corporation, had the union's proposal been presented in the true light for their consideration and acceptance. This amendment is for the purpose of correcting the basic defect in section 209 (b).

In other words, Mr. President, the amendment simply requires that inasmuch as they are asked to take a vote of the entire membership of the union, to ascertain whether they will accept the last offer of the employer, they shall be asked to contact all the shareholders, to ascertain whether they are willing to accept the last offer of the union. I think that would only be fair.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Idaho [Mr. TAYLOR].

The amendment was rejected.

Mr. MURRAY. Mr. President, I send to the desk an amendment in the nature of a substitute intended to be proposed to the pending bill on behalf of myself, the Senator from Utah [Mr. THOMAS], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Rhode Island [Mr. GREEN], the Senator from West Virginia [Mr. KILGORE], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Washington [Mr. MAGNUSON], the Senator from Pennsylvania [Mr. MYERS], the Senator from Idaho [Mr. TAYLOR], the Senator from Rhode Island [Mr. MCGRATH], and the Senator from Florida [Mr. PEPPER].

The PRESIDING OFFICER. Does the Senator desire to have the amendment read by the clerk?

Mr. MURRAY. No, Mr. President; but I should like to have it printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, the amendment will be printed in the RECORD without reading.

There being no objection, the amendment proposed by Mr. MURRAY for himself and other Senators was ordered to be printed in the RECORD, as follows:

TITLE I—MEDIATION OF LABOR DISPUTES AFFECTING COMMERCE

SEC. 101. It is the policy of the United States that—

(a) sound and stable industrial peace and the advancement of the general welfare, health, and safety of the Nation and of the best interests of employers and employees can most satisfactorily be secured by the settlement of issues between employers and employees through the processes of conference and collective bargaining between employers and the representatives of their employees;

(b) the settlement of issues between employers and employees through collective bargaining may be advanced by making available full and adequate governmental facilities for conciliation, mediation and voluntary arbitration to aid and encourage employers and the representatives of their employees to reach and maintain agreements concerning rates of pay, hours, and working conditions, and to make all reasonable efforts to settle their differences by mutual agreement reached through conferences and collective bargaining or by such methods as may be provided for in any applicable agreement for the settlement of disputes; and

(c) certain controversies which arise between parties to collective-bargaining agreements may be avoided or minimized by making available full and adequate governmental facilities for furnishing assistance to employers and the representatives of their employees in formulating for inclusion within such agreements provision for adequate notice of any proposed changes in the terms of such agreements, for the final adjustment of grievances or questions regarding the application or interpretation of such agreements, and other provisions designed to prevent the subsequent arising of such controversies.

SEC. 102. (a) It shall be the duty of the United States Conciliation Service established pursuant to section 8 of the act entitled "An act to create a Department of Labor," approved March 4, 1913 (hereinafter referred to as the "Conciliation Service"), in order to carry out the above policy and prevent or minimize interruptions of the free flow of commerce growing out of labor disputes, to assist parties to labor disputes in industries affecting commerce to settle such disputes through conciliation and mediation.

(b) The Secretary of Labor may, in his discretion, proffer the services of the Conciliation Service in any labor dispute in any industry affecting commerce, either upon his own motion or upon the request of one or more of the parties to the dispute, whenever in his judgment such dispute threatens to cause a substantial interruption to commerce. The Director and the Service are directed to avoid attempting to mediate disputes which would have only a minor effect on interstate commerce if State or other conciliation services are available to the parties. Whenever the Secretary of Labor does proffer its services in any such dispute, it shall be the duty of the Conciliation Service promptly to put itself in communication with the parties and to use its best efforts, by mediation and conciliation, to bring them to agreement.

(c) If the Conciliation Service is not able to bring the parties to agreement by mediation or conciliation within a reasonable time, it shall seek to induce the parties voluntarily to submit the controversy to arbitration: *Provided*, That the failure or refusal of either party to agree to arbitration shall not be deemed to be a violation of any duty or obligation imposed by this act. Upon the request of the parties to the dispute the Conciliation Service shall cooperate with the parties in formulating an agreement for the arbitration of the dispute, in selecting an arbitrator or arbitrators, and in making such other arrangements and in taking such other action as may be necessary to provide for the arbitration of the dispute. When any labor dispute in an industry affecting commerce is submitted to arbitration pursuant to the suggestion of the Conciliation Service under this subsection, the Conciliation Service, at the request of the parties to the arbitration proceeding, shall pay so much of the compensation of the arbitrator or arbitrators and of the cost of reporting and preparing the transcript of the proceedings as does not exceed $500 in the aggregate in any one case. Any member of the Conciliation Service and any officer or employee of the Conciliation Service designated by the Conciliation Service is authorized to take acknowledgments of agreements to arbitrate.

(d) The Conciliation Service is authorized to furnish to employers, employees, and other public and private agencies, information concerning the practicability and desirability of establishing suitable agencies and methods to aid in the settlement of labor disputes by mediation, conciliation, arbitration, and other peaceful means, whether or not such disputes are in industries affecting commerce; and the Conciliation Service is further authorized, upon request, to furnish assistance in establishing and administering such agencies and methods and in the conciliation and mediation and arbitration of such disputes, subject to the provisions of subsection (c) of this section with respect to payment of the costs of arbitration by the Conciliation Service.

SEC. 103. (a) Disputes in any industry affecting commerce between an employee or group of employees or their representatives, and an employer or employers or their representatives, growing out of the interpretation or application of any collective-bargaining agreement concerning rates of pay, hours, or conditions of employment, including cases pending and unadjusted on the date of approval of this act, shall be determined in accordance with the procedure provided in such agreement for the disposition of such disputes. Where there is no agreement concerning procedure with respect to such disputes or where the agreement does not provide for final and binding arbitration of such disputes, and the parties fail to reach an adjustment in accordance with the procedure provided for in the agreement, any such dispute may be referred by petition of the parties or either party to the Director of the United States Conciliation Service.

(b) The Director of the United States Conciliation Service, or his authorized representative, shall thereupon offer, with the consent of the parties, to attempt to conciliate the dispute. If either party refuses to accept such offer, or if after acceptance conciliation shall be unsuccessful, the Director, or his authorized representative, shall make available to the parties a roster of arbitrators from which the parties shall designate one or more, but not more than three, arbitrators to arbitrate the dispute. In the event the parties are unable to agree upon a selection of an arbitrator or arbitrators from such roster the Director shall designate an arbitrator or arbitrators who shall arbitrate the dispute.

(c) In any case arising under this act in which an agreement between the parties provides for final and binding arbitration by one or more arbitrators and the parties, or the arbitrators appointed by the parties, are unable to agree upon the designation of one or more arbitrators, the Director of the United States Conciliation Service shall, upon the request of either party, designate an arbitrator or arbitrators, as the case may be, to arbitrate the dispute.

(d) In any case in which an arbitrator is designated by the Director of the United States Conciliation Service, the parties shall be given a hearing upon not less than 5 days' notice, at which they shall be accorded full opportunity to be heard and to present their case in person, by counsel, or by such other representative as they may respectively elect.

(e) All testimony before any arbitrator designated by the Director of the United States Conciliation Service shall be given under oath or affirmation, and any arbitrator thus designated shall have the power to administer oaths and affirmations, examine witnesses and receive evidence, and to require the attendance of witnesses and the production of such books, papers, contracts, agreements, and other data as may be deemed material to the dispute. Such attendance of witnesses and production of evidence may be required from any place in the United States, or Territory or possession thereof, and the arbitrator may, for that purpose, request the clerk of the district court of the United States for the district wherein said arbitration is being conducted to issue any necessary subpenas, and, upon such request, the said clerk or his duly authorized deputy shall be, and hereby is, authorized, and it shall be his duty to issue any such subpena. In the event of the failure of any such person to comply with any such subpena, or in the event of the contumacy of any witness appearing before such arbitrator, the said arbitrator may invoke the aid of the United States courts to compel witnesses to attend and testify and to produce such books, papers, contracts, agreements, and documents to the same extent and under the same conditions and penalties as provided for in the act to regulate commerce approved February 4, 1887, and the amendments thereto. Any witness appearing before such arbitrator or arbitrators shall receive the same fees and mileage as witnesses in the United States court, to be paid by the party securing the subpena.

(f) The arbitrator or arbitrators shall furnish a certified copy of the award to the parties to the dispute and shall transmit the original and two copies thereof to the Secretary of Labor to be included in the file required to be maintained pursuant to section 401 (a) of this act.

(g) Any difference arising between the parties as to the meaning or application of the provisions of the award made by the arbitrator, or arbitrators, pursuant to the provisions of this act, shall be referred for a ruling to the arbitrator or arbitrators who rendered the award; and such ruling when certified in the same manner, and transmitted in the same fashion as provided in subsection (f) of this section, shall be a part of and have the same force and effect as the original award.

(h) The award shall be final and conclusive on the parties as to the merits and facts of the dispute submitted to arbitration, unless within 10 days after the award is made a petition to impeach the award, on the grounds hereinafter set forth, shall be filed with the clerk of the district court of the United States in the district wherein the dispute arose. A party desiring to enforce such award after such 10-day period has expired may file with the clerk of such district court a certified copy of the award and the court shall thereupon have jurisdiction to enforce the award in the same manner as a judgment entered in such court.

(i) Petitions for the impeachment of any award so filed shall be entertained by the court only on one or more of the following grounds:

(1) An arbitrator rendering the award was guilty of fraud or corruption; or (2) a party to the arbitration practiced fraud or corruption, which fraud or corruption affected the result of the arbitration: *Provided, however*, That no petition on the ground that an award is invalid for uncertainty shall be entertained, and in such case the proper remedy shall be the resubmission of the award to the arbitrator or arbitrators for interpretation: *Provided further*, That each such award, when contested as herein provided, shall be construed liberally, with a view to favoring its validity, and no award shall be set aside for trivial irregularity or clerical error, going only to form and not to substance.

(j) At the expiration of 10 days from the decision of the district court upon the petition filed as aforesaid, final judgment shall be entered by the court in accordance with said decision, unless during said 10 days either party shall appeal therefrom to the circuit court of appeals of the United States or the Court of Appeals of the District of Columbia. In such case only such portion of the record shall be transmitted to the appellate court as is necessary to the proper understanding and consideration of the questions of law presented by said petition and to be decided.

(k) The determination of the appellate court upon the questions submitted to it pursuant to subsection (j) of this section shall be final, and when certified by the clerk thereof to the district court from whose decision the petition was filed, judgment pursuant thereto shall thereupon be entered by said district court.

(l) If the petitioner's contentions are sustained, judgment shall be entered setting aside the award in whole or, if the parties so agree, in part; but in such case the parties may agree upon a judgment to be entered disposing of the subject matter in controversy, which judgment when entered shall have the same force and effect as judgment entered upon an award.

(m) In any case in which an arbitration is had pursuant to subsection (b) of this section, the cost of arbitration shall be borne by the party against whom the award is made, or where the award is not made against any party, in such manner as the arbitrator shall determine, subject to the provisions

of section 103 (c) of this title with respect to payment of such costs by the Conciliation Service.

SEC. 104. The Secretary of Labor, through the Conciliation Service, is authorized to propose to the parties to any labor dispute which threatens a substantial interruption of operations in an industry basic to the national economy that an impartial emergency board of inquiry be appointed to investigate and report to the Secretary of Labor its findings of fact and recommendations with respect to the dispute, and to appoint such a board where the parties have agreed thereto or, in his discretion, when the parties so request. Any emergency board appointed pursuant to this section shall submit its report and recommendations, if any, to the Secretary within 30 days after the appointment of the board, except that this time may be extended by agreement of the parties with the approval of the Secretary. The Secretary shall publish the report and recommendations of any board so appointed.

SEC. 105. (a) There is hereby created in the Department of Labor a committee to be known as the Labor-Management Advisory Committee (hereinafter called the "Committee"), composed of not less than two nor more than five representatives of labor, and a like number of representatives of management, who shall be appointed by the Secretary of Labor from lists of nominees submitted to him by national labor and management associations. Members of the Committee shall receive compensation at the rate of $50 a day for each day actually spent on the business of the Committee, together with necessary travel and subsistence expenses, or per diem allowance in lieu thereof, in accordance with applicable provisions of law. The Director of the Conciliation Service shall serve as Chairman of the Committee.

(b) A vacancy in the Committee shall not impair the authority of the remaining members to perform the functions of the Committee and two-thirds of the Committee shall at all times constitute a quorum for the transaction of business.

(c) The Committee may, from time to time, adopt, amend, and rescind such rules and regulations as may be necessary for the performance of its functions.

(d) The Committee shall meet at such times and places as may be designated by the Chairman upon reasonable notice to the members thereof, and in addition at such times and places as may be designated in appropriate regulations prescribed by the Committee, but in any event not less often than once a month.

(e) The Committee shall make an annual report to Congress, through the Secretary of Labor, of its activities and the state of industrial relations in the United States.

SEC. 106. The functions of the Committee shall be—

(a) to advise with the Secretary of Labor and the Director of the Conciliation Service upon major questions of policy and administration affecting the work of the Service;

(b) to prepare and maintain rosters of leading representatives of labor and management, who may be called upon from time to time by the Director of the Conciliation Service to serve on tripartite panels in individual cases;

(c) to conduct regional, area, State, local, or industry-wide conferences with leading representatives of management and labor, Federal, State, and local officials or interested civic groups and organizations, for the purpose of promoting voluntary collective bargaining and encouraging management and labor to develop methods and procedures to facilitate the settlement of disputes between them;

(d) to keep itself currently informed as to the state of industrial relations throughout the United States.

SEC. 107. The Secretary of Labor shall appoint such regional, State, local, or other labor-management advisory committees as may be necessary or appropriate in the administration of this act. The membership of such committees shall consist of equal numbers of labor and management representatives, chosen by the Secretary from lists of nominees submitted by the National Committee, and a public member, who shall be chairman, appointed by the Secretary. Members of such regional, State, local, or other committees shall serve without compensation, but shall receive necessary travel and subsistence expenses or per diem allowance in lieu thereof at a rate not exceeding $50 per day when actually engaged in the work of such committees. Such committees shall have authority to adopt, amend, or rescind such rules and regulations, not inconsistent with the regulations of the National Committee, as may be necessary to the performance of their functions.

SEC. 108. Nothing contained in this title shall be applicable to any employer or employee subject to the Railway Labor Act, as amended.

SEC. 109. When used in this title—

(a) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country;

(b) The term "industry affecting commerce" means any industry or activity in commerce or in which a labor dispute would burden or obstruct, or tend to burden or obstruct, commerce or the free flow of commerce;

(c) The term "labor dispute" includes any disagreement, or any dispute, concerning terms, tenure, or conditions of employment, regardless of whether the contestants or disputants stand in the proximate relation of employer and employee;

(d) The term "employer" includes any person acting in the interest of an employer, directly or indirectly, but shall not include the United States, or any State or political subdivision thereof, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization;

(e) The term "employee" shall include any employee, and shall not be limited to the employees of a particular employer, and except as otherwise specifically provided in this act shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, within the meaning of section 8 of the National Labor Relations Act and who has not obtained any other regular and substantially equivalent employment, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse.

(f) The term "representative" includes any individual or labor organization;

(g) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(h) The term "person" includes any employer, employee, employee representative, or labor organization.

TITLE II—AMENDMENT OF NATIONAL LABOR RELATIONS ACT

The National Labor Relations Act (49 Stat. 449) is amended as follows:

SEC. 201. (a) Paragraph (1) of section 2 of such act is amended to read as follows:

"(1) The term "person" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers."

(b) Paragraph (2) of such section is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That for the purposes of section 9 (b) hereof, the term 'employer' shall not include a group of employers except where such employers have associated themselves together for the purposes of collective bargaining."

(c) Subsection (3) of section 2 is amended by changing the period at the end thereof to a comma and adding the words "or any employee subject to the Railway Labor Act."

(d) Section 2 is amended by adding at the end thereof a new subsection "(12)" to read as follows:

"(12) The term 'supervisor' means any individual having authority, in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or to adjust their grievances, or effectively to recommend such action if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment."

SEC. 202. (a) Paragraph (1) of section 8 of such act is amended by inserting before the period at the end of such paragraph a colon and the following: "*Provided*, That the Board shall not base any finding of unfair labor practice upon any statement of views or arguments, either written or oral, if such statement contains under all the circumstances no threat, express or implied, of reprisal or force, or offer, express or implied, of benefits."

(b) Paragraph (2) of section 8 of such act is amended by inserting before the period at the end thereof a comma and the following: "or from adopting nondiscriminatory rules forbidding union activity by employees on company time and property which interferes with the business of the employer."

(c) Paragraph (4) of such subsection is amended by inserting before the word "testimony" the words "statements or."

(d) Subsection (5) of section 8 of the National Labor Relations Act is amended by changing the period at the end thereof to a comma and adding the following: "*Provided*, That it shall be a defense in any proceeding based on any charge that an employer has refused to bargain collectively with a representative of supervisory employees that such representative is a labor organization which (a) represents nonsupervisory as well as supervisory employees, or (b) is affiliated with or subject to the control of a labor organization representing nonsupervisory employees."

(e) Section 8 is further amended by inserting after the section number the letter (a), and by adding at the end thereof the following new subsection:

"(b) It shall be an unfair-labor practice for a labor organization or its agents—

"(1) to restrain or coerce an employer in the selection of his representatives for the purposes of collective bargaining;

"(2) to expel any employee from membership in any labor organization holding a contract with his employer which requires membership in such labor organization as a condition of employment, because such employee has engaged in activity on behalf of another labor organization at a time when a question concerning representation may appropriately be raised; or to persuade or

attempt to persuade his employer to discriminate against such employee;

"(3) whenever the Board, pursuant to section 9 (c) of this act, has certified any person or labor organization (not established, maintained, or assisted by any action defined in the act as an unfair labor practice) as representative of employees, by strike, boycott, or other concerted activity or threat thereof, to induce or require or attempt to induce or require the employer of such employees to recognize or bargain collectively with any person or labor organization other than such certified representative in violation of his duty under the act to bargain exclusively with such certified representative."

SEC. 203. (a) Subsection (a) of section 9 of such act is amended by inserting before the period at the end thereof a comma and the following: "and to adjust such grievances without the intervention of the bargaining representative, if after notification such representative does not indicate a desire to participate in such adjustment."

(b) Subsection (c) of such section is amended by adding at the end thereof the following: "Any party in interest, including an employer, may request such an investigation. The Board shall not proceed on the request of an employer unless it appears (1) that one or more persons or labor organizations have made a claim to be recognized as the representative within the meaning of subsection (a), and (2) where a labor organization has been recognized by contract as the exclusive bargaining representative, that there is a bona fide doubt that such labor organization is the representative within the meaning of subsection (a) and the request is filed with the Board at least 30 days prior to the expiration of such contract."

(c) Subsection (c) of section 9 of the National Labor Relations Act is amended by changing the period at the end of the first sentence to a comma and inserting the following: "except that where the Board, upon objection by the employer involved in any representation proceeding to the certification of a labor organization as bargaining representative of supervisory employees, and after investigation, finds that such organization (a) represents nonsupervisory as well as supervisory employees, or (b) is affiliated with or subject to the control of a labor organization representing nonsupervisory employees, the Board shall not certify such organization as bargaining representative of the supervisory employees of such employer."

SEC. 204. (a) Subsection (a) of section 10 of such act is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That the Board is empowered, by agreement with any agency of any State or Territory, to concede to such agency jurisdiction over any cases arising in industries not basic to the national economy even though such cases may involve labor disputes affecting commerce."

(b) Section 10 is amended by adding at the end thereof a new subsection (j) to read as follows:

"(j) An order of the Board shall become final within 60 days after issuance, unless a petition to review such order has been sooner filed in an appropriate circuit court of appeals, but the Board may thereafter modify or set aside its order as provided in subsection (d) of this section, or may, in its discretion, extend the time within which such order shall become final."

TITLE III—UNJUSTIFIABLE SECONDARY BOYCOTTS AND JURISDICTIONAL DISPUTES

SEC. 301. Work stoppages caused by jurisdictional disputes concerning the allotment of work tasks, and secondary boycotts having as their objectives the furtherance of jurisdictional disputes, cause burdens and obstructions to commerce which are not justified by the purposes and ends which such actions are designed to promote. It is accordingly declared to be the policy of the United States to eliminate the burdens and obstructions to interstate and foreign commerce caused by secondary boycotts when used to further jurisdictional disputes and by work stoppages caused by jurisdictional disputes concerning the allotment of work tasks.

SEC. 302. When used in this title—

(a) The terms "person," "employer," "employee," "labor organization," "commerce," "affecting commerce," and "National Labor Relations Board" shall have the same meaning as in section 2 of the National Labor Relations Act (49 Stat. 449), as amended.

(b) The term "secondary boycott" means a concerted refusal of employees of one employer to produce, manufacture, transport, distribute, or otherwise work on the articles, materials, goods, or commodities manufactured, produced, or distributed by another employer.

(c) The term "jurisdictional dispute" means—

(1) a dispute between two or more labor organizations (not established, maintained, or assisted by any action defined in the National Labor Relations Act, as amended, as an unfair labor practice) concerning the representation of employees for the purpose of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment; or

(2) a dispute between two or more labor organizations (not established, maintained, or assisted by any action defined in the National Labor Relations Act, as amended, as an unfair labor practice) as to the right to perform particular work tasks for particular employers.

SEC. 303. (a) It shall be unlawful for any person to induce employees to engage in a secondary boycott to further a jurisdictional dispute affecting commerce.

(b) It shall be unlawful for any labor organization involved in a jurisdictional dispute as defined in section 302 (c) (2) of this title, affecting commerce, to attempt, by means of a concerted refusal to produce, manufacture, process, distribute, or otherwise work on the goods, articles, or commodities manufactured, produced, or distributed by the employer involved in such dispute, to require such employer to allot such work tasks to it.

SEC. 304. (a) Violation of the provisions of this title shall be deemed to be an unfair labor practice within the meaning of the National Labor Relations Act, as amended. The National Labor Relations Board shall have exclusive jurisdiction in accordance with and subject to the provisions of subsections (b) through (i) of section 10 of the National Labor Relations Act and subsection (a) of this section, to prevent any persons from engaging in any such unfair labor practice affecting commerce.

(b) Whenever it is charged that any person has violated the provisions of section 303 (b) of this title, the National Labor Relations Board is authorized and directed to hear and determine the dispute out of which such unfair labor practice is alleged to have arisen or to appoint an arbitrator to hear and determine such dispute, unless, within 30 days after notice that such charge has been filed, the parties to the dispute submit to the Board satisfactory evidence that they have adjusted, or agreed upon methods for the voluntary adjustment of, the dispute. At any time after the expiration of such 30 days and prior to the issuance of a final order or award, if the Board finds that it is in the public interest, the parties may voluntarily adjust or agree upon methods for adjustment of the dispute. Upon voluntary adjustment in accordance with these provisions, or upon compliance by the parties with the decision of the Board, or the award of the arbitrator, the charge shall be dismissed. The award of the arbitrator shall be deemed a final order of the Board, within the meaning of section 10 of the National Labor Relations Act.

SEC. 305. Nothing in this title shall be construed so as to (1) interfere with, impede, or diminish in any way the right to strike except as otherwise herein specifically provided; (2) require an individual to render labor or service without his consent; or (3) interfere with the right of employees to engage in secondary boycotts for purposes other than those specified in section 303 of this title.

TITLE IV—PUBLIC INFORMATION CONCERNING COLLECTIVE-BARGAINING AGREEMENTS, LABOR UNIONS, AND EMPLOYERS' ASSOCIATIONS

SEC. 401. (a) For the guidance and information of interested representatives of employers, employees, and the general public, employers engaged in any industry affecting commerce who are parties to collective labor agreements shall file with the Secretary of Labor no later than 30 days after the execution of such documents, (1) copies of all such collective-bargaining agreements, (2) copies of arbitration awards in labor disputes to which such employers have been parties, and (3) all agreements to which such employers are parties, reached as a result of mediation, conciliation, or arbitration. The Secretary of Labor shall maintain a file of such agreements and awards, and such file shall be open to inspection under appropriate conditions prescribed by him.

(b) The Bureau of Labor Statistics in the Department of Labor shall be equipped and is authorized to furnish upon request of the United States Conciliation Service or employers, employees, or their representatives, any information developed from the file of collective-bargaining agreements or awards submitted to the Secretary of Labor, and such additional generalized data and factual information as may aid in the settlement of any labor dispute: *Provided*, That nothing herein shall require the Bureau of Labor Statistics to furnish any specific data or factual information submitted to the Bureau in confidence.

SEC. 402. (a) Section 54 of the Internal Revenue Code (53 Stat. 28 as amended by 58 Stat. 21; 26 U. S. C., sec. 54) is hereby amended by adding at the end thereof a new subsection as follows:

"(g) Every labor organization representing employees in an industry affecting commerce and every organization or association of employers in any such industry shall file, together with the return required to be filed pursuant to subsection (f) of this section, a separate statement, in such form as may be prescribed by the Commissioner with the approval of the Secretary, showing—

"(1) the name of such organization and the address of its principal place of business;

"(2) the names, titles, compensation, and allowances of its three principal officers and of any of its other officers or agents whose aggregate compensation and allowances for the year as to which such statement is filed exceeded $5,000;

"(3) the manner in which the officers and agents referred to in clause (2) hereof were elected, appointed, or otherwise selected;

"(4) the initiation fee or fees which new members are required to pay on becoming members of such organization;

"(5) the regular dues or fees which members are required to pay in order to remain members in good standing in such organization;

"(6) in the case of a labor organization, the names and addresses of all employers with whom such organization has collective-bargaining agreements in effect at any time during the period covered by such statement; and

"(7) in the case of an employers' association, the names and addresses of all labor organizations with which any of its members has collective-bargaining agreements at any time during the period covered by such statement."

(b) Violation of the provisions of subsection (a) of this section shall be a misdemeanor punishable by a fine of not less than $50 nor more than $100. The district courts of the United States shall have jurisdiction to enforce these provisions.

(c) Statements filed with the Bureau of Internal Revenue pursuant to subsection (a) of this section shall be available for public inspection at such times and places and under such reasonable conditions as may be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury.

TITLE V—CREATION OF TEMPORARY COMMISSION TO INVESTIGATE CAUSES OF LABOR DISPUTES

SEC. 501. There is hereby created a Temporary Labor Relations Commission (hereinafter referred to as the "Commission"), to be composed of (1) six Members of the Senate, to be appointed by the President of the Senate; (2) six Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and (3) eight members, representing the public, management, and labor, to be appointed by the President of the United States. One of the members shall be designated by the President as Chairman of the Commission. Vacancies in the membership of the Commission shall not impair its powers to exercise its functions and shall be filled in the same manner as in the case of original appointments. Members of the Commission appointed by the President shall receive compensation at the rate of $50 for each day actually spent by them in the work of the Commission, together with their necessary travel and other expenses, or a per diem allowance in lieu thereof.

SEC. 502. (a) The Commission shall make a thorough study and investigation into the underlying causes of disputes between labor and management, including union and employer policies and practices, economic and other factors, methods and procedures for carrying out the collective-bargaining process, Government policies, present and proposed legislation affecting such disputes, and the measures by which such disputes may be minimized or eliminated in order to safeguard the public interest, including, particularly, voluntary and cooperative measures between labor and management which can be promoted or facilitated by the Federal Government. In making such study and investigation the Commission shall place particular emphasis upon the special and unique problem of Nation-wide strikes in essential industries affecting the public interest with a view to recommending a method to settle or prevent such strikes without endangering our general democratic freedoms.

(b) The Commission shall also study and investigate the desirability of further legislation concerning the health and safety of employees engaged in industries that are essentially hazardous, with a view to the prevention of accidents and the improvement of health and sanitary conditions connected with such industries.

(c) The Commission shall also study and investigate the feasibility of the establishment of a uniform voluntary system of welfare funds for the benefit of ill, disabled, or age employees and their families, with a view to the enactment of legislation to assist in the promotion and encouragement of such a program.

(d) The Commission shall confer and consult with responsible leaders of both organized labor and industry and shall seek, as far as compatible with their own judgment, to recommend legislation that will eliminate all reasonable objections of either labor or industry.

SEC. 503. (a) The Commission is authorized, without regard to the civil-service laws and the Classification Act of 1923, as amended, to employ and fix the compensation of such officers and employees as it deems necessary for the performance of its functions. The Commission may make such expenditures as may be necessary for performing its functions.

(b) The Commission may, with the consent of the head of the department or agency concerned, utilize the facilities, services, and personnel of other agencies or departments of the Government, and may cooperate with and utilize the services of other public and private agencies.

SEC. 504. For the purpose of this act the Commission, or any member of the Commission designated by it, shall be entitled to exercise the same powers and rights as are conferred upon the Securities and Exchange Commission by subsection (c) of section 18 of the act of August 26, 1935 (49 Stat. 831); and the provisions of subsections (d) and (e) of such section shall be applicable to all persons summoned by subpena or otherwise to attend and testify or to produce books, papers, correspondence, memoranda, contracts, agreements, or other records and documents before the Commission.

SEC. 505. (a) On or before January 5, 1948, the Commission shall submit to the President, for transmission by him to the Congress, a preliminary report, together with such recommendations for legislation and such other recommendations as the Commission deems appropriate; and shall submit such further reports, and recommendations from time to time, to the President, for transmission by him to the Congress, as the Commission deems appropriate.

(b) Upon the submission of its final report to the President, which shall be on or before April 15, 1948, the Commission shall cease to exist and its records and property shall be transferred to the Secretary of Labor.

SEC. 506. There are hereby authorized to be appropriated such sums as may be necessary for carrying out the purposes of this title.

TITLE VI—MISCELLANEOUS

SEC. 601. Notwithstanding the provisions of any State or Federal law, no Federal district court shall dismiss or otherwise refuse to entertain any action based on a complaint of breach of a collective-bargaining agreement solely by reason of the fact that one of the parties thereto is an unincorporated labor organization incapable under applicable State law of suing or being sued in its common name where all other conditions prescribed by law for establishing the jurisdiction of such court over the parties and the action have been satisfied.

SEC. 602. Nothing in this act shall be construed so as to interfere with, impede, or diminish the right to strike except as specifically provided herein, or the right of individuals to quit work, or to require any individual to render service or labor without his consent.

SEC. 603. Nothing contained in this act shall be applicable to any employer or employees subject to the Railway Labor Act, as amended.

SEC. 604. If any provision of this act, or the application of any such provision to any person or circumstances, is held invalid, the remainder of this act or the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 605. This bill may be cited as the Federal Labor-Management Relations Act of 1947.

Mr. MURRAY obtained the floor.

Mr. HATCH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from New Mexico?

Mr. MURRAY. I yield.

Mr. HATCH. Is the Senator to proceed this evening with his explanation of the proposed substitute?

Mr. MURRAY. I intend to give an explanation of the proposed substitute.

Mr. HATCH. Will the Senator yield to me for a moment so that I may continue the observation that was made earlier in the day, and with all good intent, about the threat, if I may so call it, or the promise, of the Senator from Ohio to move to lay on the table the substitute offered by the Senator from Montana. Earlier in the day I expressed my opposition to such a motion, and voiced the hope that the Senator from Ohio would not pursue his thought.

Mr. President, I wish to make the suggestion that the strength of the United States Senate throughout the years has been based on the fact that Senators did have the right to speak freely and as long as they chose on any particular subject. Never has any rule, such as is commonly referred to as a gag rule, been applied in the Senate of the United States, regardless of which party was in power.

Since the present session began several motions to table have been made on legislative proposals. In recent years the motion to table has been used on motions to reconsider until it has practically destroyed the efficacy of the motion to reconsider, although the rule which gives any Senator, provided he has voted in the affirmative, 2 days' time to move to reconsider, was made for the purpose of assuring that right, lest a mistake had occurred in what had been done, or an error of some kind had been made. But the practice now of moving to table motions to reconsider has practically destroyed and nullified the motion to reconsider.

Mr. President, I rise now only to express the hope that no party in power, regardless of which one it is, will so far forget the rights of the minority as to use the power of moving to table for the purpose of cutting off legitimate and honest debate, for let that happen—and I am speaking a warning, not in regard to the present situation, but for all time to come—let any party adopt that practice, as it has already been followed too much in this session, and the right of free and unlimited debate will be destroyed in the only body in all the world today that entertains that right.

I am prompted by the very seriousness of the occasion and the gravity of the suggestion to make this statement, and to express the hope that no Senator will use the power of moving to table for the purpose of gagging the minority, and cutting off legitimate and honest debate.

Mr. MURRAY. Mr. President, repeatedly during the course of debate upon

Senate bill 1126 my colleagues and I have pointedly and, I believe, validly, criticized the value of the pending bill as a means of preventing labor-management conflicts and attaining equal justice for the American worker and the American employer. We have taken the well-considered position that this bill will weaken or wreck the sound principles of labor law established gradually during many years of constructive experience. We have predicted accurately, I think, that many of its features will breed confusion and conflict. They would disrupt established and equitable customs and practices of labor and management. They would impose totally unwarranted barriers to the fruitful growth of fair, effective and, above all, free and peaceful collective bargaining, at a most critical time in our national history, when unrestricted production is essential to continuing prosperity.

Mr. President, I wish to state that it has never been our position that all the provisions of S. 1126 are unsound or unwise. Many of them are sound and constructive. Others, with very slight modifications, could likewise constitute a useful contribution to our national laws on industrial relations. Some, in our opinion, actually do not go far enough. And it is our belief that these exceptionally valuable recommendations should not be ignored merely because they are overwhelmingly outbalanced by the destructive features of the measure. Rather than that tragic, yet very likely result, they should be combined with a sound and effective labor program for the Congress and for the Federal Government. To this end, my distinguished colleagues and I are presenting in this substitute the details of such a constructive program in place of the present provisions of the pending bill. I do not claim that this substitute is a cure-all. I doubt that any such thing exists. It is, however, an effective program based on existing studies requiring immediate action, and at the same time provides for a temporary commission to find the complete legislative answer to all the problems we are considering.

Briefly, the pending bill is composed of three principal titles relating to mediation of disputes, to amendments to the National Labor Relations Act, and to what may be termed "unjustifiable secondary boycotts and jurisdictional disputes." Three additional titles would cover miscellaneous matters which can be explained most effectively by a description of their contents.

TITLE I—MEDIATION

Title I relates to mediation machinery for the settlement of labor disputes affecting interstate commerce. Instead of establishing a new independent Federal mediation service for mediation of labor disputes, as provided by S. 1126, the substitute would reaffirm and strengthen the United States Conciliation Service as it now functions under the Secretary of Labor. This would avoid the administratively impossible separation of functions which is proposed by the present bill.

In this regard I wish to make clear that, aside from special cases relating to national health or safety, the proposed Federal Mediation Service which would be created by S. 1126 would have no new or additional powers in addition to those now carried out by the Conciliation Service. Not only do we believe that better administration will result from keeping all mediation and conciliation activities under one head—with cabinet rank—but, in addition it is our conviction that the pending bill fails to give this branch of Government sufficient powers.

ATTACK ON CONCILIATION SERVICE UNWARRANTED

The only argument I have heard for an independent Conciliation Service was based upon the statutory function of the Secretary of Labor to promote the welfare of wage earners. The gist of the complaint was that the Secretary could not impartially intervene in an industrial dispute where his sole statutory function is to protect the interests of labor. This is not only inaccurate as a matter of fact, but it completely ignores the statutory source of the Secretary's mediation powers.

Since 1913 the Secretary of Labor has been empowered to act as a mediator in industrial disputes, not in the interests of wage earners, but—and I quote from the statute—"in the interest of industrial peace." If the Secretary were to intercede in favor of one side as against the other it would be the antithesis of mediation. It would be anything but conciliation. And it certainly could not be in the interest of industrial peace. In fact, it would undoubtedly stimulate rather than solve the conflict. It would be a clear breach of the duty imposed upon him by law.

At no time have I heard it charged that the Secretary of Labor has failed to carry out his statutory duties as an impartial mediator. To the contrary, all the evidence points to the eminent success with which this obligation has been carried out with fairness to all parties concerned in the public interest, and for the high purpose of reducing the burdens which industrial disputes impose upon the American people.

We must remember that the war gave a tremendous impetus to the growth of labor organizations in plants and industries where none existed before. During most of the war period labor and management in these industries were dealing with each other under strict Government controls. Wage increases were severely restricted, and any serious disputes were resolved by Government order after a full hearing. Free collective bargaining became a thing of the past for all unions and all employers. Indeed, collective bargaining was virtually unknown in the newly organized plants where the first lessons were learned under rigorous governmental supervision.

After the defeat of Japan, management and labor were on their own for the first time in more than 3 years. No agency of Government could tell them what to do. They had to learn how to use this new-found or rediscovered freedom to bargain with each other, and the immediate result was a rash of strikes producing an undeniable obstacle to orderly conversion from war to peace with continued national prosperity.

Faced with a problem of serious proportions the Secretary of Labor reorganized and strengthened his Conciliation Service. In doing this he actively sought the support and advice of all groups representing management and labor. Largely as the result of this advice and with the enthusiastic cooperation of industry, there has been created a smoothly functioning program within the Department of Labor today. More than 13,000 disputes have been settled by this new organization in the past year. In more than 90 percent of the cases in which mediation was accepted before a strike occurred, the Service settled the matter without a work stoppage. These accomplishments were achieved in spite of the strong demand for cost of living wage increases and in spite of unfamiliarity with the experience of collective bargaining.

Mr. President, I believe that this is a remarkable record. I am convinced that we would be acting contrary to the wishes of management and labor and contrary to the public interest if we were to destroy this organization now. We would be committing a colossal blunder to meddle legislatively with this smoothly functioning Service of the executive branch of our Government. It appears to me to be the height of common sense in this case to leave well enough alone.

Mr. President, that seems to be the opinion of the press of the country generally. I have two editorials, one from the Washington Star of Friday, April 25, discussing this matter along the lines that I have been speaking, and another editorial from the Washington Post of April 26, also discussing the same subject, and approving the provisions of the bill. I ask unanimous consent, Mr. President, that these two editorials may be printed in the RECORD at the conclusion of my remarks.

There being no objection, the two editorials were ordered to be printed in the RECORD.

(See exhibits A and B.)

NO NEED FOR INDEPENDENT MEDIATION SERVICE

Mr. MURRAY. Yet the pending bill would create a new cleavage within the executive branch between agencies which deal actively in industrial relations. In addition to the Department of Labor, the National Mediation Board, the National Labor Relations Board and, in some respects, the Federal Security Agency, we would have under this bill another new agency, the Federal Mediation Service, with independent right to take uncoordinated action in what is perhaps the most vital aspect of this broad problem. In effect we would be ordering the President to consult with an officer of secondary rank instead of his duly chosen Cabinet adviser on questions of industrial peace.

Mr. President, we cannot continue to seek a solution of our problems by the arbitrary creation of new agencies. Every precept of good government has

painfully taught us the pitfalls which await such a step. We would again be splitting authority and responsibility between unrelated agencies, creating confusion and misunderstanding, endorsing the privilege of each officer to proceed without consultation in pursuit of his own policies and ultimately placing an unjustified and unnecessary burden of detail and decision upon the Chief Executive.

CONCILIATION SERVICE STRENGTHENED

Because we cannot subscribe to this unwise and disruptive action, the substitute bill continues the United States Conciliation Service as it now stands. In so doing we support the constructive suggestion of the President set forth in his state of the Union message of January 6, 1947, and we deplore the present failure of the bill to recognize this recommendation which was so wisely made.

VALUABLE MEDIATION FEATURES OF S. 1126 RETAINED

At the same time, however, we frankly recognize the advantages of S. 1126 in spelling out with greater statutory detail the duties and functions of the Conciliation Service and emphasizing the desirability of voluntary resort to the services of this agency on the part of employers and employees. We also endorse and incorporate in the substitute bill those provisions of S. 1126 which would ease the problem of arbitration by permitting payment of the first $500 in costs from the public treasury. And, as an alternative equivalent to creating a new national labor-management panel, which would have identical powers with the existing labor-management advisory committee of the Conciliation Service, we propose to achieve the same result by giving official statutory status to that committee, thereby continuing the existing successful pattern. We would, however, strengthen its powers over those of the panel by permitting it to offer advice upon its own motion instead of waiting for a request of the Director.

ARBITRATION OF DISPUTES ARISING FROM EXISTING AGREEMENTS

All of these proposals of S. 1126 we accept with grateful acknowledgment of their worth-while contribution. But in respect to arbitration of existing agreements we do not believe that the present bill goes far enough. As the bill now stands it would not provide any additional machinery for the peaceful solution of disputes concerning the interpretation of existing agreements. I think that this was an important oversight upon the part of the committee. I fail to see any substantial reason why the public should suffer from the inability of the parties to agree as to the meaning or application of contract clauses which they have voluntarily adopted. This was recognized by the President in his state of the Union message, which urged that means be found whereby such unsettled disputes may be referred by either party to final and binding arbitration.

The substitute bill therefore provides by section 103 that in disputes over the interpretation of existing agreements in industries affecting interstate commerce, the parties must resort to arbitration if the dispute be not settled by mediation. Of course this established procedure would not apply—nor would it be necessary—where the contract provides for arbitration. In all other cases, however, the Director of the Conciliation Service would be required to make available a roster of arbitrators from which the parties must choose at least one but not more than three. The Director would make the choice upon failure of the parties to agree, and, in the case where arbitrators cannot be chosen pursuant to an arbitration agreement, the Director would have a similar duty to make the designation.

The section provides effective procedures for deciding each case. Hearings must be held, testimony must be taken under oath, subpena powers enforceable in the Federal courts are conferred upon the arbitrators, and the decision would be final and binding upon the parties, subject to challenge within 10 days in the Federal courts, solely on the grounds of fraud or corruption.

I submit, Mr. President, that this proposal is an effective contribution to the labor law of this country. It will obliterate the so-called wild-cat strike by fair procedures holding unions and employers to the obligations and responsibilities which they have assumed in solemnly agreeing to carry out their contracts. It will protect the innocent public from the incalculable damage, delays, and inconveniences which such unnecessary stoppages may cause. We recommend this proposal for earnest consideration. We are convinced of its basic justice warranting enactment into law.

TREATMENT OF DISPUTES NOT SETTLED BY MEDIATION

We must reject, however, the provisions of S. 1126, section 203 (c), which would require the submission of any labor dispute to the President upon the failure of the parties to accept arbitration suggested by the Director of the Mediation Service. The Director of the Conciliation Service makes a frequent practice of suggesting arbitration in appropriate cases today. Frequently these suggestions are turned down by the parties, and continued negotiation results in satisfactory settlements. Sometimes arbitration is suggested at several points during negotiations, and ultimately it may be accepted. If the Director knew that the refusal of his suggestion would automatically result in sending the case to the President, I am sure that he would be loath to make any such suggestion except in the most serious cases warranting attention by the highest officers of the Government. The resort to arbitration—a desirable objective—would actually be discouraged. And, in this regard, we cannot ignore the tendency of parties to seek the highest tribunal at the outset by refusing to submit their case to a logical and orderly process of determination.

If the Director of the Conciliation Service—or of the Mediation Service—were to continue his present practices relating to arbitration, the President would undoubtedly be swamped by so many cases that he would be forced to refer them to some other body for consideration. Logically this body would be the Department of Labor, or the Secretary of Labor, or some fact-finding board established by the President for each case. Thus the dispute would be returned to a staff level without any practical accomplishment.

Related to the problem of referring disputes to the President is that of providing for governmental action in so-called emergency situations where a strike may involve the national health or safety. S. 1126, sections 206–210, would provide an elaborate procedure for handling such disputes: First, boards of inquiry must be appointed; second, the Attorney General may obtain an injunction in the Federal courts; third, the mediation service would continue to seek a settlement; fourth, a continued failure to reach an agreement would again result in further boards of inquiry; fifth, the National Labor Relations Board must conduct a strike vote; sixth, the Attorney General must move to discharge the injunction; seventh, a report must be made to the President; eighth, the President must transmit the report and his recommendations to the Congress for appropriate action.

Thus we have eight separate required steps in this kind of a dispute, involving action by the Mediation Service, boards of inquiry, the Attorney General, the Federal courts, the National Labor Relations Board, President, and the Congress. Aside from any other consideration, I cannot imagine a more cumbersome or confusing program for governmental action. I cannot escape the conclusion that all labor disputes should be handled by one central agency.

I realize that the problem presented when a national emergency is involved is a most serious and complicated one. I cannot forget, however, that the certainty of an injunction against a strike will induce the employer to prolong the dispute without fear of economic loss and that the Government would abandon impartiality to throw its weight upon the employer's side of the bargaining table. There may be a solution to such a strike, but I am convinced that the majority has not found it, and I do not believe that we can confidently proceed with any proposal on this subject now in the absence of a more complete investigation.

Mr. HATCH. Mr. President——

The PRESIDING OFFICER (Mr. WATKINS in the chair). Does the Senator from Montana yield to the Senator from New Mexico?

Mr. MURRAY. I yield.

Mr. HATCH. Does the substitute measure which the Senator from Montana is proposing contain any provision whatever to regulate Nation-wide strikes?

Mr. MURRAY. Yes. Of course it strengthens the existing Mediation and Conciliation Service, but it merely retains it as it is now in the Department of Labor. The pending bill proposes to set up the Service as a separate, independent agency.

Mr. HATCH. I understand that, but what does the substitute measure which

the Senator is sponsoring do with these extraordinary cases where the health and safety of the whole Nation is involved? Does it have any provisions respecting such cases?

Mr. MURRAY. It provides the various procedures which have been in effect right along, and makes it possible for the President to step in when a very critical situation develops, when the strike will threaten the national health and welfare, as the President has done in the past.

Mr. HATCH. Does the substitute measure give the President any power in any such instances?

Mr. MURRAY. Yes; the same power that he now has.

Mr. HATCH. But no new power?

Mr. MURRAY. No new power.

Mr. HATCH. Nothing is added whatever to the President's power by the Senator's substitute measure?

Mr. MURRAY. No. I think no new power is necessary. We have been faced with a very serious situation because of the ending of the war and the difficult conditions which have developed as the result of the rise in prices, which have tended to engender labor disputes. But I am satisfied that this difficult period will soon pass away and that normal conditions will again return. I do not see the need for enacting legislation which may be too far-reaching and which, in the end, may do more damage than good.

Mr. HATCH. Mr. President, will the Senator yield further?

Mr. MURRAY. I yield.

Mr. HATCH. I did not mean to discuss the merits of any proposal whatsoever. I was trying to find out what the Senator's substitute measure contained. If he now will be good enough to answer, I should like to ask a further question. For instance, when the Smith-Connally Act expires and the power contained under that act no longer exists, is there anything in the Senator's substitute measure which attempts to take the place of the act which expires or to supply the deficiency?

Mr. MURRAY. I expect to come to that point later in my remarks. We are talking now merely of the Conciliation Service, and the main feature of my substitute measure is to leave that Conciliation Service where it is now, and where the best-informed individuals, those who have given study to the subject of labor relations, feel it ought to be.

Mr. HATCH. But the Senator does intend to discuss later the matter I mentioned?

Mr. MURRAY. Yes.

Mr. HATCH. I will not interrupt the Senator further at this time.

Mr. MURRAY. Mr. President, turning to the other devices which would be required in these emergency disputes, I can see little advantage in strike votes or in mandatory and repeated action by boards of inquiry. Our experience under the Smith-Connally Act has shown the futility of the strike vote as a means of securing settlement. I do not believe there was a single instance when those votes prevented a strike during the war. Even if the votes are limited to cases affecting national health and safety—terms largely left to the discretionary interpretation of the Attorney General—the administrative burden might again cripple the National Labor Relations Board as it actually has done in the past. I must remind the Senate that this would occur at a time when the Board would be vested with additional important functions. We might again be forced to cut out the strike vote by the unsatisfactory method of limiting appropriations as was done by the Seventy-ninth Congress.

Boards of inquiry, or special fact-finding boards, certainly have a place in the settlement of disputes regardless of whether the national health or safety would be affected. The exact point at which they become useful varies, however, with the particular case. Certainly they are valueless in the early stages of a dispute when they may completely block negotiation. Whether or not two separate inquiries are necessary again will depend on the particular case. The use of the boards is important mainly to seek a reasonable ground for agreement and reliably to inform public opinion of the issues and the equities for the purpose of inducing a fair and speedy settlement. It is a question for expert judgment as to when these stages are reached. Most assuredly these boards are unnecessary for the purpose of keeping a public official informed so that he may properly exercise his functions in regard to the dispute. Indeed, I question seriously whether so cumbersome a method of obtaining information would ever be relied upon as a practical matter. Other equally reliable and immediately effective methods are too readily available for this purpose. We have therefore concluded that the appointment of these boards should be discretionary in the appointing officer and not mandatory as provided by S. 1126.

Since we can agree neither with the device of reporting to the President when arbitration has been rejected nor with the required procedures of S. 1126 for handling emergency disputes, we propose that the most effective present step is to authorize the Secretary of Labor to create temporary emergency boards of inquiry whenever he believes a report will aid in a settlement. Any further steps which may appear necessary in emergencies can be left appropriately for the consideration of the temporary labor commission proposed in title IV of the substitute bill.

TITLE II. AMENDMENTS TO NATIONAL LABOR RELATIONS ACT

Title II of the substitute bill gives consideration to amendment of the National Labor Relations Act. Our purpose is the same as that professed for the amendments proposed by Senate bill 1126, that is, to strengthen the existing provisions in the light of more than 10 years of experience in their administration and to "equalize" the effect of the act by proscribing unfair labor practices for labor organizations as well as employers. In the substitute bill we have provided for a true equalization, however, whereas S. 1126 would harmfully weight the act against labor. Nonetheless we have found agreement with many helpful features of the reported amendments and we have put them in the bill. At the same time we have discarded those features which we feel are punitive or excessively severe.

PROHIBITION OF INVOLUNTARY INDUSTRY-WIDE BARGAINING

We have adopted, for instance, an amendment to the definition of employer contained in section 2 of the act, so as to include a group of employers only where they have associated themselves for collective bargaining. This is substantially the same as S. 1126 and would prevent the Board from forcing an unwilling employer to bargain through an association.

We are unalterably opposed, however, to prohibiting industry-wide collective bargaining as proposed by the Hartley bill passed in the House. We also gladly aided in defeating the amendment suggested by the senior Senator from Minnesota. These provisions would in effect prevent both employers and unions from voluntarily using their combined knowledge and skill to secure necessary stabilization of wage conditions except on a local scale within strictly limited areas. Now it seems to me that industry-wide bargaining does not produce strikes but rather that strikes usually result from a break-down in the bargaining process regardless of the area concerned. We cannot, therefore, attain industrial peace by limiting the bargaining unit in this fashion. Indeed we may increase unrest by exposing employers to individual campaigns by unions thereby forcing adherence to what may be unfair demands while the competitors of the employer continue to produce at lower labor costs.

A corresponding harmful effect would be to deprive unions of their power to protect themselves from the competition of low-wage areas and low-wage employers. Moreover, the prohibition would hopelessly complicate the wage structure and the bargaining tasks in companies with many plants in scattered localities. And it must be remembered that we would be forcing the renegotiation of contracts now providing a successful charter of operations in many industries for millions of workers—splitting asunder the uniform standards achieved over a long period through this very useful process. We cannot, therefore, permit such a useless attack upon what appears to be a beneficial system both for employers and employees.

SUPERVISORY EMPLOYEES

We must also disagree with provisions of S. 1126 which would exclude supervisory employees from the Labor Relations Act. We must willingly acknowledge in the light of the decisions of the Board and of the courts that bargaining by organizations of supervisory employees presents a delicate question for expert treatment and solution. We cannot submit to the proposal of S. 1126 to place completely independent organizations of supervisors outside the law. These workers have the same right to organize as other wage earners. They should be given a similar protection in the exercise of these rights. At the same time, they must be held to the same degree of responsibility in dealing with employers.

I can see no virtue in singling out these workers and herding them into a ghetto

where they become fair game for every recriminatory device developed by non-union-minded employers during a century of industrial strife. And it would be equally unthinkable to deny employers protection from otherwise lawless forages which may understandably occur in the course of the inevitable struggle of these groups for economic security and self-protection. We therefore propose to deprive supervisory employees of their status under the act only where the circumstances present a real possibility of collusion with organizations of nonsupervisory employees. For this purpose we have denied such organizations the protection of the act where they also represent rank-and-file workers or where they are affiliated with or controlled by organizations of such workers.

EMPLOYER'S RIGHT TO FREE SPEECH AND OTHER FEATURES PERFECTING PRESENT PROVISIONS OF THE ACT

On the other hand, we wholeheartedly endorse the excellent protection afforded by S. 1126 to the right of employers to freedom of speech in matters of employee relations so long as the circumstances do not present elements of coercion. In fact, section 202 (a) of the substitute bill follows verbatim the language which has been used for this purpose in the reported bill.

We also concur in so much of the proposed amendment contained in section 9 (c) (1) which would permit employers to request certification of bargaining representatives whenever an unrecognized union claims the right to represent employees—or whenever the employer is confronted by competing unions both seeking the right to represent the same employees. We regard as ill-advised, however, the further step of permitting the employer to challenge the representation of certified unions at any time. We take this position on the grounds that this may well impair the stability of collective-bargaining relations and provoke damaging delays in the bargaining process productive of industrial strife. Accordingly section 203 (b) of the substitute bill guarantees to employers the right to ask for certification in the two instances which I have mentioned and leaves to appropriate rules or regulations of the Board the question of recertification of organizations already certified, provided that there is a bona fide doubt as to representation and the request is made at least 30 days before the contract expires. These restrictions will prevent unfairness and at the same time will permit a reasonable stability in employer-employee relations.

To correct a present deficiency of the statute in its protection of employees, we have undertaken by section 202 (c) of the substitute bill to make it an unfair labor practice to discriminate against an employee because he files statements with the Board. This problem is not at present covered, and I believe that the justice of this provision carries such obvious appeal that there can be no controversy in the mind of any reasonable man concerning its acceptability.

In further protection of the rights of employees and to insulate employers from possible charges of unfair bargaining practices, we have by section 203 clarified the right of individuals or groups to settle and adjust grievances under section 9 (a) of the act whenever the bargaining agent, although given the opportunity to participate, nonetheless does not indicate a desire to take part in the adjustment. This is in substantial agreement with similar amendments proposed by S. 1126 which present desirable grievance procedures for these special classes of cases.

Another provision of the substitute bill not found in S. 1126 but reflecting the present procedures of the Board and insuring their continued application, is an amendment to section 8 of the act to protect the legality of nondiscriminatory plant regulations of union activity on company time and property. This will permanently protect the employer in his undoubted prerogative to dispose of his employee's time during working hours.

UNFAIR LABOR PRACTICES BY UNIONS AND THEIR OFFICIALS

Before discussing the major remaining amendments dealing with unfair labor practices by unions and their officials, I wish to point out at this time that in our opinion the act, as it would be amended by the changes which I have already discussed, will impose fair and adequate duties upon employers for the protection of employees. We therefore do not seek further to change the obligations of employers—nor do we seek to deprive employees of the privileges which these obligations undoubtedly confer.

On the other hand, S. 1126 would weaken and restrict by repeated amendment the provisions of section 8 which prescribe unfair labor practices of the employer. It would deprive employees of hard-won legislative gains and would actually result in greater inequalities under the semblance of putting both parties upon an equal statutory plane. These provisions are punitive and disruptive in character and I wish again to express our opposition to them.

We cannot support, for instance, the blanket prohibition of closed-shop contracts. These agreements now cover many hundreds of thousands of workers in industries, many of which are famous for their stable industrial relations, such as the glass, textile, and garment industries. Nor can we accede to rigorous limitation of union security agreements to a rigid type of union shop pattern as proposed by S. 1126. The necessity for supervising elections in these cases throw upon the Board a serious and totally unnecessary administrative burden. The provision making employers the sole judge of whether the employee has been rejected by the union for unjustifiable reasons, thereby entitling him to remain employed even when he is no longer a union member will undoubtedly encourage vicious antiunion activities within a plant supposedly stabilized by a union-shop contract.

Then there is also the related provision of section 9 (c) (2) of the amendments proposed by S. 1126 which would effectively weaken the duty of employers to refrain from dominating unions under section 8. This provision would require the Board to place upon ballots for election of representatives independent unions which have been ordered disestablished because they have been found to have been company dominated. This would be mandatory even though a cease-and-desist order had been issued the day before the election. In my opinion nothing would do more to revive the company union or to place the employer legitimately on both sides of the bargaining table without fear of committing an unfair labor practice under section 8.

Regarding unfair labor practices by unions or their agents, we find no disagreement with provisions prohibiting coercion of employers in their choice of collective bargaining representatives, and we agree that the phrase "interfering with" as deleted on motion of the junior Senator from New York [Mr. IVES] from S. 1126 would harmfully prevent the legitimate efforts of unions to attain or preserve effective bargaining on a company-wide or industry-wide basis. Since we are opposed to restrictions upon the bargaining area we have also deleted these words from a similar restraint proposed by section 202 (e) of the substitute bill.

We are not opposed to prohibiting the expulsion of the employee from the union or prohibiting the union from persuading the employer to discriminate against the union member where, under a closed-shop contract, he nonetheless aids competing unions in the plant. Here the union would otherwise be assured of perpetual tenure under a security agreement. There is no need, however, for protecting employees from coercion where the security agreement does not exist. The usual legal remedies—both criminal and civil—in our opinion provide adequate relief for unwarranted interference by unions under all other circumstances. We would therefore restrict the impact of the amendments contained in section 8 (b) (2), as proposed by S. 1126, to instances where the security agreement is in effect between the parties.

The requirement of S. 1126 that unions bargain collectively is an unnecessary feature which has not been adopted by the substitute bill. It is a well-known historical fact that strife and disintegration have not resulted from the refusal of unions to bargain. In fact, their very existence is dependent upon the bargaining process. Management, on the other hand, secure in reliance upon unquestioned economic superiority, has time and again sought to impose its own terms or to crush the union by refusing to bargain. The provision, moreover, would carry the implication that unions may not resort to the use of economic force but instead must settle all differences by negotiations in which the threat of strike would have no part. This is emphasized by the redefinition of collective bargaining under section 8 (d), as added by S. 1126 to include an obligation to refrain from striking for a period of 60 days after notice, subject to loss of the status of employee under the act. As we have stated repeatedly in the past—regarding the Case bill and other labor measures before the Congress—this is an unfair punitive device. The

employee would be made an economic pariah deprived of his means of livelihood whereas the employer would be met solely by a cease-and-desist order for a similar infraction. We have concluded that the union would enter any negotiations under an irreparable disadvantage imposed by a duty to bargain collectively and we therefore cannot agree to this provision of the bill.

Mr. WHERRY. Mr. President, will the Senator yield for a quorum call in order that we may propose another unanimous-consent agreement?

Mr. MURRAY. I yield for that purpose.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	Morse
Baldwin	Hayden	Murray
Ball	Hickenlooper	Myers
Barkley	Hill	O'Conor
Brewster	Hoey	O'Daniel
Bricker	Holland	Overton
Brooks	Ives	Pepper
Buck	Jenner	Revercomb
Butler	Johnson, Colo.	Robertson, Wyo.
Cain	Johnston, S. C.	Russell
Capehart	Kem	Saltonstall
Capper	Kilgore	Smith
Chavez	Knowland	Sparkman
Connally	Langer	Stewart
Cooper	Lodge	Taft
Cordon	Lucas	Taylor
Donnell	McCarran	Thomas, Okla.
Downey	McCarthy	Thomas, Utah
Dworshak	McClellan	Thye
Eastland	McFarland	Tydings
Ecton	McGrath	Umstead
Ellender	McKellar	Watkins
Ferguson	McMahon	Wherry
Flanders	Magnuson	Wiley
Fulbright	Malone	Williams
George	Martin	Wilson
Green	Maybank	Young
Gurney	Millikin	
Hatch	Moore	

The PRESIDING OFFICER (Mr. IVES in the chair). Eighty-five Senators have answered to their names. A quorum is present.

Mr. WHERRY. Mr. President, after conferring with a number of Senators who are in charge of the bill for the proponents, as well as Senators in charge for the opponents, and also Senators interested in amendments, I submit for the consideration of the Senate a proposed unanimous consent agreement for a vote upon the amendments and final passage of the bill. I send the proposed order to the desk and ask that it be read.

The PRESIDING OFFICER. The proposed agreement will be read.

The Chief Clerk read as follows:

Ordered, That on the calendar day of Tuesday, May 13, 1947, at the hour of 2 p. m., the Senate proceed, without further debate, to vote upon any amendment that may be pending, or that may thereafter be proposed, either of a perfecting nature or as a substitute, to Senate bill 1126, the Federal Labor Relations Act of 1947, after which the third reading of the bill shall be considered as ordered; thereafter no further debate on the bill shall be in order.

Ordered further That on the calendar day of Friday, May 16, 1947, at the hour of 11 a. m., the Senate proceed to the consideration of House bill 3020, the Labor Management Relations Act, 1947; that the bill be considered as amended by striking out all after the enacting clause and inserting in lieu thereof the text of Senate bill 1126 as amended; that the third reading of the House bill as amended be considered as ordered; and that a vote be immediately taken upon the final passage of the said bill as amended.

Ordered further, That on the calendar day of Tuesday, May 13, immediately after Senate bill 1126 has been ordered to be read a third time, the Senate proceed to the consideration of the joint resolution (H. J. Res. 153) providing for relief assistance to the people of countries devastated by war.

Mr. WHERRY. Mr. President, let me explain the proposed order. On Tuesday, May 13, 1947, at 2 p. m., it is proposed to vote on all amendments to the bill or substitutes for the bill. Debate will be concluded at 2 o'clock p. m. on Tuesday the 13th, and there will be a vote with no further debate.

Then it is proposed that we proceed with other business.

The last part of the order is to take up the European relief loan and any other business which may be transacted between Tuesday at 2 o'clock p. m. and Friday, May 16, at 11 o'clock a. m. At 11 o'clock on Friday we proposed to proceed to vote upon the final passage of the bill, without further delay.

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

Mr. WHERRY. I yield.

Mr. CAPEHART. Why is it proposed to go from 2 o'clock on Tuesday until 11 o'clock on Friday?

Mr. WHERRY. Because that is the only time there is any prospect of obtaining a vote upon final passage of the bill.

Mr. CAPEHART. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

ADMINISTRATIVE AMENDMENTS TO THE NATIONAL LABOR RELATIONS ACT

Mr. MURRAY. Mr. President, other provisions of S. 1126 relating to matters of administration of the National Labor Relations Act similarly have very unfortunate implications. The language of section 10 of the act, making the Board's remedy exclusive, has been inexplicably deleted without apparent cause. The 6 months' statute of limitations placed by section 10 (b) upon unfair labor practice complaints gives unjust assistance to employers or unions which commit those types of practices which are easily concealed and difficult to detect. The language of section 10 (j) permitting the Board to obtain temporary injunctive relief upon issuance of complaint has never been necessary and may bring undue pressure upon the Board to seek premature resort to the courts. The mandatory requirement of section 10 (l) of resort to court injunction prior to hearing in every case where complaint is filed charging unfair boycotts or jurisdictional disputes is a poorly concealed effort to bypass the Board and to evade the very purposes for which the Norris-LaGuardia Act was established. None of these provisions can be called sound or constructive and they have no part in an orderly revision of our present legal structure. The substitute bill does, however, accept and embody by section 204 the sound suggestion of S. 1126 permitting the Board, by agreement, to relinquish jurisdiction over minor cases to appropriate State agencies having effective jurisdiction over the subject matter. This clause will avoid troublesome conflicts which have arisen in the past.

SECONDARY BOYCOTTS AND JURISDICTIONAL STRIKES

The repeated failure of the sponsors of S. 1126 to recognize the distinction between legitimate and unjustified boycotts or between jurisdictional disputes and traditionally recognized use of economic force to organize a competing plant, constitutes one of the most serious objections to this bill. We have constantly taken the position that a refusal to handle nonunion goods produced within a reasonable area of economic competition is a legitimate union activity. We have been completely unable to perceive the unexplainable position of the majority that the union employees in one plant cannot boycott nonunion goods from another plant for the purpose of securing collective-bargaining recognition even where the nonunion employer is guilty of unfair-labor practices. As stated by the President "the appropriate goal is legislation which prohibits secondary boycotts in pursuance of unjustifiable objectives but does not impair the union's right to preserve its own existence and the gains made in genuine collective bargaining." I am therefore perfectly willing to concede that strikes or boycotts are completely unjustified where their purpose is to secure recognition of a union other than the certified collective-bargaining representatives, thereby inducing an unfair-labor practice, or where they arise from disputes between competing unions over a division of work tasks in the plant of a particular employer.

These union activities inflict incalculable harm upon the fair-dealing, law-abiding union employer and I believe they should be subject to cease and desist orders of the Board and of the courts upon application of the Board. The substitute bill would therefore confine the broad provisions of S. 1126. By title III it would prescribe unfair labor practices only in these two instances of untenable activity, and, regarding jurisdictional disputes, would permit exclusive Board action only where the Board fails to find that the parties have failed peacefully to adjust their differences.

I do not say categorically that there cannot be other circumstances in which it may be desirable to regulate strikes or boycotts. It is very possible that a full investigation may disclose other necessary legislation in this regard, and the deliberations of a temporary commission investigating this field may reveal such a necessity. I do not propose at this time, however, to go beyond the area within which we have certain knowledge of abuse. Above all I cannot countenance any effort to open the doors of the Federal courts to wholesale injunction against these activities in the face of the Norris-LaGuardia Act and to the crippling imposition of antitrust laws upon the direct economic action by organized workers in protection of their common right to earn a living.

PUBLIC INFORMATION CONCERNING COLLECTIVE AGREEMENTS AND LABOR ORGANIZATION MISCELLANEOUS

We can find no general fault with those provisions of S. 1126 which would require the Secretary of Labor to keep on file and make public collective-bargaining agreements and to make available nonconfidential data collected by the Bureau of Labor Statistics. Accordingly, we have included these provisions within title IV of the substitute bill.

Companion provisions of S. 1126 which require unions to file certain information subject to public inspection are equally acceptable. Most of this information is now either filed with the Bureau of Internal Revenue under the tax laws or constitutes matter of general public knowledge made available by the unions themselves. The substitute bill would, however, cause this information to be filed with and made public by the Commissioner of Internal Revenue in order to avoid duplication of effort and the tremendously increased costs of maintaining these files, which would otherwise be imposed upon the Department of Labor.

We of the minority do not see the wisdom of permitting suits in the Federal courts concerning the violation of collective-bargaining agreements regardless of the amount involved or of the constitutional requirement of diversity of citizenship. It is clear that the Federal courts are already open to these suits where the present Federal requirements are met, and we object to burdening them with a host of petty litigation not heretofore countenanced in any way. The State courts are adequate for the purposes of these petty suits. We have nonetheless found that there is a present inability of Federal courts to permit union assets to be reached easily in the few States where the application of State procedural laws prevent suits against unincorporated associations. For this reason section 601 would grant jurisdiction in otherwise justiciable contract actions where suit is brought by or against a union in its common name.

CONCLUSION

Mr. President, I regard the program contained in this substitute bill as the soundest and most effective method of reforming our national laws on labor relations. It avoids such harsh and unrealistic measures as those restricting the normal development of welfare funds. It permits the voluntary use of industry-wide bargaining and resort to legitimate boycotts in furtherance of sound union objectives. It would strengthen the excellent mediation machinery of the Federal Government without imposing experimentally novel and administratively grotesque structures and devices to the utter confusion of management, labor, and the Government itself. This act possesses all the teeth that any law of this kind needs in order to achieve the industrial peace which has appeared so important to us in our discussion of this subject.

Moreover, this substitute is consistent with the recommendations of President Truman in his state of the Union message delivered to us last January. It is sure to receive a ready acceptance at the White House, whereas the present bill—already severe—is being laden with damaging amendments, and will have to run the gantlet of a conference on a much more stringent House measure which would warrant an immediate veto.

I repeat, Mr. President, this substitute is not a complete answer to every labor problem, but it is the best answer this Senate can give at the present time. Some problems, seemingly pressing or insoluble, will undoubtedly work themselves out in the absence of legislation. Others may eventually require wise consideration and control by appropriate laws. I do not believe, however, that we can devise an adequate remedy at any time to every national ache and pain. Nonetheless, I feel that it is the duty of the Congress to investigate every symptom and to lay bare every fact which may reveal the cause and cure of industrial disputes.

I therefore urge that we seriously consider the creation of a Temporary Joint Commission To Investigate Causes of Labor Disputes, to be created in accordance with the recommendations of the President, as provided under title V of the substitute bill, and to be composed of 12 members equally appointed from both Houses of Congress and of 8 representatives of management, labor, and the public, to be appointed by the President. This Commission would have full subpena powers to aid in its duties. It would be directed to make a preliminary report at the next session of Congress, on January 5, 1948; and it would have to submit a final report not later than April 15, 1948, presenting the results of its findings and its recommendations for further legislation.

In that way—and only in that way—shall we be fulfilling our obligations to the American people, with due regard for the rights and interests of all.

EXHIBIT A

[From the Washington Star of April 25, 1947]

CONCILIATION SERVICE

One provision of the House and the Senate labor bills which deserves more careful consideration than it seems to have received is that which takes the Conciliation Service out of the Department of Labor and sets it up as an independent agency.

The reasons for this move are obscure. One theory seems to be that since the Department of Labor is charged with the duty of representing labor, a subordinate agency of the Department cannot function fairly in a mediatory role. Another argument is that the present set-up brings the Government into labor disputes in a partisan role.

Actually, however, no evidence has been produced to show that the Conciliation Service has functioned either as a prolabor or as a political agency. On the contrary, there is much testimony on the record from spokesmen for management and labor that the Service as currently constituted has functioned impartially and effectively. One of the few recommendations upon which the President's labor-management conference of 1946 could agree called for "reorganization of the United States Conciliation Service to the end that it will be established as an effective and completely impartial agency within the Department." The reorganization of the Service within the Department has taken place, its effectiveness is attested by the settlement of more than 13,000 disputes last year, and there is no complaint of partiality. So why take it out of the Labor Department?

Another proposed change which deserves more scrutiny is the provision for a 60-day waiting period before a labor contract can be abrogated. At best, the usefulness of this is dubious, and many experienced negotiators believe that it actually makes more difficult the adjustment of disputes. In any event, it is a point which should get more attention during the Senate debate than it has received in committee.

A final point, but an important one, has to do with funds for this agency. The Conciliation Service has been doing a good job. But Congress now is considering a reduction in its funds and a complete revamping of its organizational structure. With the prospects for future industrial harmony being none too good, the legislators would be well advised to look a little more carefully before they take this leap.

EXHIBIT B

[From the Washington Post of April 26, 1947]

SENATE LABOR BILL

As debate on the Taft bill got under way in the Senate yesterday, its superiority over the labor reform bill passed by the House was generally conceded. The Senate Committee on Labor and Public Welfare was less impetuous than was the House. It brought in a bill dealing with a great many phases of labor-management relations, but it didn't try to sweep into one measure every suggestion that had been made to it. The comparative modesty of the bill is further illustrated by its provision for a joint committee on labor-management relations to conduct a thorough study of this momentous subject.

In short, the Senate recognizes that it is better to correct the most glaring defects in the present law and take another look at the problem next year when the results of the first wave of reforms can be more effectively appraised.

This seems to us to reflect much better judgment than was evident in the all-out impetuous gesture of the House. There is no occasion for cracking down. There is an occasion for enactment of reasonable and just legislation that will curb the grave abuse of power by many labor groups in recent years. We hope that the Senate will act with determination, but also with wisdom and a mature sense of restraint. That, in our view, is the essence of the democratic method.

Unquestionably the Senate bill could be improved in many respects. It seems to us a mistake to lift the Conciliation Service, whatever it may be called, out of the Department of Labor. Work toward the settlement of industrial disputes is perhaps the foremost function of the Department. If Congress continues to chip off segments of the Department, it will no longer have a raison d'etre. Nor does the bill go as far as we think it should in strengthening the important conciliation function. The conciliators ought to have a chance to settle disputes affecting interstate commerce before and not after strikes are called. We should much prefer the Committee for Economic Development's plan of postponing strikes for a brief period while the conciliators are at work. Nevertheless, this section of the bill is on the credit side, except that it tends to splinter the Labor Department.

Some notable advantages may be seen in the Senate plan to reorganize the National Labor Relations Board. The Taft bill would give the NLRB seven members instead of three, making possible two panels consisting of three or more members to speed up the disposition of cases. Even more important is the listing of unfair labor practices on the part of unions. This should have been done, of course, when the act was originally passed. One of the reasons why sentiment for labor reform now tends to run to extremes is the long-standing bias of the law in its special regard for the rights of some and total disregard for the rights of others.

Without assuming to approve this entire section of a technical bill, we applaud the determination of both Houses of Congress to restore this balance.

Something must also be done to give the Government power to deal with strikes that imperil the national safety or welfare. We do not think, however, that the Senate Committee has done much better than the House in handling this delicate problem. It would permit such strikes to be halted by injunction upon request of the Attorney General after he has had an investigation made by a board of inquiry. An injunction might remain in effect 60 days and the Board in that period could subject the parties to the pressures of publicity. An election would finally be held, if no settlement were otherwise effected, in which the employees would be asked if they wished to accept the last offer of their employers. Then the injunction would be discharged and the President would report the whole proceedings to Congress. Surely the Senate can do better than this in creating a protective device that will save our economy from paralysis and at the same time be fair to employees and employers alike. We hope that the Senate will subject the bill to the same rigid scrutiny that it gave the Greek-aid bill, with the single purpose of effecting improvements without weakening any of the safeguards now recognized as being essential to make collective bargaining work.

Mr. PEPPER. Mr. President, I think the Senator from Montana has given a rather comprehensive and clear explanation of the provisions of the substitute and of the distinctions between it and the bill reported by the committee.

The substitute was sent to the desk only a short time ago. Of course, Senators have had no opportunity to examine it or to attend in large numbers to hear the remarks of the Senator from Montana.

Therefore, I wonder whether it would be inappropriate to suggest the reasonableness of having the matter go over until the Senate resumes its session at 11 o'clock on Monday, at which time debate on the substitute or upon the committee bill may be resumed. I should like to address the Senate at that time upon the subject.

I wish to repeat what I said a while ago, that I personally think the debate upon the substitute and the bill should run certainly through Monday. At any time after Monday, beginning with the session on Tuesday, I personally shall be ready to vote on the substitute or on any amendments or upon the question of the final passage of the bill. I think it not unwise or unreasonable that the Senate debate at least through Monday, or have the privilege of debate at least through Monday, the substitute or any other possible amendments to the bill itself. Neither the proponents nor the opponents of the main bill have had any appreciable time to address themselves to the bill as a whole or to the substitute as a whole, which in an affirmative way present alternative approaches to the problem.

So, Mr. President, at this time of the night I see no necessity for detaining the Senate, when Senators have not had an opportunity to read the substitute or to hear the explanation which has been made of it. So I wonder whether the acting majority leader will be disposed to move that the Senate take a recess until Monday. If so, and if it is consistent with the pleasure of the majority leader and of the Senate, I should like to address myself to the substitute and to the bill, beginning with the session on Monday.

Mr. WHERRY. Mr. President, I am quite sure in my own mind that the suggestion made by the able Senator from Florida is fair. I think the substitute should be debated, and I think we should look it over.

In view of the request which has been made and in view of the inability to obtain a unanimous-consent agreement in regard to the time for voting, if agreeable to the Senate I should like now to suggest that the Senate take a recess until Monday at 11 a. m.

Mr. GEORGE. Mr. President, let me say that I hope the Senate will take a recess at this time, and that the substitute will be printed.

I had not expected to speak on this subject; but in view of the form into which I think this proposed labor legislation is shaping itself, I shall desire to speak after the Senator from Florida and other Senators who may wish to speak are heard from, because I do not think it worth while for the Senate to pass a labor bill which will mean absolutely nothing to the American people.

ADDITIONAL BILLS INTRODUCED

Additional bills were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

(Mr. AIKEN introduced Senate bill 1263, for the relief of fire district No. 1 of the town of Colchester, Vt., which was referred to the Committee on the Judiciary and appears under a separate heading.)

By Mr. REVERCOMB:

S. 1264. A bill to extend the time within which alien fiancées or fiancés of members of the armed forces may be admitted into the United States; to the Committee on the Judiciary.

FIRE DISTRICT NO. 1, COLCHESTER, VT.

Mr. AIKEN. Mr. President, at the request of the Prudential Committee of Fire District No. 1, of the town of Colchester, Vt., I ask unanimous consent to introduce for appropriate reference a bill. I request that an explanatory statement I have prepared be printed in the RECORD.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred, and without objection, the statement presented by the Senator from Vermont will be presented in the RECORD.

There being no objection, the bill (S. 1263) for the relief of fire district No. 1 of the town of Colchester, Vt., introduced by Mr. AIKEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

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

STATEMENT BY SENATOR AIKEN

In 1941 the fire district was in the process of building a new sewer line as a WPA project. At the same time the Army was seeking new sewerage facilities necessitated by the expansion of Fort Ethan Allen, which borders upon the fire district. The Army and the fire district entered into an agreement whereby the Army was to take over and complete the sewer line for the district in consideration of the district's allowing the Army to tap onto and use the sewer. In this agreement the Army reserved the right to repair and did in fact repair one break in 1943.

In the latter part of the same year other breaks occurred which the Army would not repair. The district subsequently made the repairs, at a cost of $10,562.07. For this expenditure the district was reimbursed by the Congress by Private Law 473, Seventy-eighth Congress, approved December 13, 1944.

Again in 1946 breaks occurred in the sewer which were repaired by the district. The total cost was $30,190.16 and it is the purpose of this bill to reimburse the district for this sum.

The Army has heretofore admitted that these numerous breaks were caused by the failure to use proper construction methods originally.

I have consulted with the Office of the Legislative Counsel and they have informed me that, in their opinion, this bill is not banned by the Legislative Reorganization Act of 1946, inasmuch as this claim arises from the contract between the Army and the fire district and therefore is not cognizable under the Federal Tort Claims Act.

RECESS TO MONDAY

Mr. WHERRY. I now move that the Senate take a recess until Monday next, at 11 o'clock a. m.

The motion was agreed to; and (at 8 o'clock and 55 minutes p. m.) the Senate took a recess until Monday, May 12, 1947, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES

FRIDAY, MAY 9, 1947

The House met at 10 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Saviour of the world, as we tread the aisles of life, make us one with our fellow men—one in faith, one in sacrifice, and one in endurance. As Thou dost teach us the larger meaning of human life, make us humbly glad to live in these challenging times; may we not shun, but glory, in the pain which provides the elements of victory, thus making the wrath of man to praise Thee.

Do Thou bless our Speaker and the Congress. In these hours of honest striving, enable them to fulfill their highest aims, that contentment may abound with industry and that all may be brought within the circle of peace and happy hearthstones. O fashion all lives, from the humblest to the chiefest, putting virtue above success and devotion to our Lord above every other loyalty. Use us in enriching the lives of others and by our ministry bring them to the heights. In the name of Him who said to all men: "Our Father." Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the

House is requested, a bill of the House of the following title:

H. R. 1098. An act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapaho Tribes of the Wind River Reservation.

EXTENSION OF REMARKS

Mr. CANFIELD asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Paterson (N. J.) Evening News.

GREEK-TURKISH AID

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

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

There was no objection.

Mr. LEFEVRE. Mr. Speaker, right after President Truman delivered his message to the Congress, asking aid for both Turkey and Greece, I realized that this would be the most important and far-reaching problem we in the Congress would be asked to decide this session. For this reason I immediately brought this matter to the attention of my constituents through my next news letter. In that letter I tried to give an unbiased opinion and asked for comments from those who had studied the problem. The letters that followed that request were very encouraging. I was pleased to learn that many of my people had already given serious thought to this drastic change in our foreign policy. The majority of my constituents favored our giving aid, but a large percentage felt that the United Nations should not be bypassed.

As the debate on this bill continues, many feel that the United Nations, imperfect as it is, must be given the opportunity to determine what is the best procedure. From the beginning I have supported the United Nations organization, hoping that this representative group would become so strong and effective we might forever be assured of everlasting peace. Millions all over the world, I am sure, have that same hope. Let us not be ready to throw the United Nations out of the window until we have given it a real test and a fair trial. However, if it is proved during the debate that action is imperative and that the United Nations cannot at this time take care of this proposition, I feel I shall vote for the bill because I believe its passage is essential for our national security. As a nation, we cannot afford to sit back and rest on our laurels. This is a world problem, and as the leading nation in this world, we have our responsibilities. We, as a nation, have talked of preserving liberty, of promoting democracy and freedom. History has proved that we cannot sit back and accomplish these things. Personally, I do not believe the passage of this bill means war. Quite to the contrary, I believe it expresses the willingness on the part of our great country to fight totalitarianism, and this fact will stamp out the threats calculated to destroy liberty.

HAS UNCLE SAM FORGOTTEN OUR OLD FOLKS?

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

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

There was no objection.

Mr. ANGELL. Mr. Speaker, we are now considering opening the Public Treasury to send $400,000,000 overseas, much of which, according to plan, is to be used for developing the resources, economy, and for relief of the peoples of foreign lands, some of whom did not join with us in the recent war. The United States since the war's end has made available for world aid $21,058,422,818, as follows:

Contributions:	
UN	$29,289,349
UNRRA	2,700,000,000
World Bank	3,175,000,000
World Fund	2,750,000,000
Lend-lease	2,163,000,000
Other advances:	
Surplus property	1,148,000,000
Loans to Great Britain, Philippines	4,390,000,000
War Department grants	1,771,926,293
Export-Import Bank	2,931,209,176
Total	21,058,422,818

Would it not be good judgment while considering this huge expenditure for the Congress to grant some relief to the old folks here in America as well? There are in excess of 10,000,000 American citizens over the age of 60 years, many of them in want and distress, yet the Congress has denied their appeals down through the years for some relief. Many of them receive a stipend of old-age assistance of less than $10 per month and the average is a little more than $25 a month, while living costs are mounting skyward. I urge consideration of H. R. 16 now while these funds are still available to give some ray of hope to our old folks at home. Let us bring the bill out on the floor for a debate and passage.

GREEK-TURKISH AID

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

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

There was no objection.

Mr. McGREGOR. Mr. Speaker, the people of my district want to stop communism and want to give reasonable aid to the peoples of Europe. I have not participated in the debate of H. R. 2616, known as the loan to Greece and Turkey, as I felt certain others here were more qualified to speak on the subject. So for 3 days I have sat and listened, and have come to the definite conclusion that this undertaking, which would give $400,000,000, including an unknown amount of military aid to Turkey and Greece, is the first step in a program which would eventually become world-wide in scope. Further, I am convinced that this administration is again starting on an over-all plan to extend aid, both financial and military, to Great Britain, France, Italy, Germany, Austria, China, Korea, Iraq, Arabia, Iran, and possibly some other countries, including Russia. We are again starting to use American dollars and soldiers to settle the political and domestic quarrels of a foreign nation, which is contrary to American tradition.

In my opinion this contemplated program will cost ten to fifteen billion dollars, and might possibly lead to war. I recall what Mr. Churchill, former Prime Minister of Great Britain, said before the Second World War, and I quote: "Give us the implements and we will do the job."

Certainly this program is open to criticism. Government officials are not taking the people into their confidence. Why does our State Department not tell the true and full picture of where this program might lead? The people will have to contribute every dollar, and if the worst should come—if war should develop as a result of the clash of ideologies—the people would have to do the fighting, the suffering, and the dying.

Mr. Speaker, each Member of Congress has an obligation to support his conscience and his own convictions, and some of us, at least, have a deep conviction that this bill, H. R. 2616, the loan to Greece and Turkey, is going to lead us right down the road to bread lines, bankruptcy, or to war all over the world.

EXTENSION OF REMARKS

Mr. LARCADE asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the New Orleans Times-Picayune.

Mr. DEANE asked and was given permission to extend his remarks in the RECORD and include an editorial.

OUR NEW FOREIGN POLICY

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

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

There was no objection.

Mr. PFEIFER. Mr. Speaker, the message of President Truman to Congress on March 12, 1947, promulgated a new American foreign policy, in proposing to extend financial and military aid to Greece and Turkey, and to asume new political responsibilities in the Mediterranean area.

This new step imposes upon us, as American citizens, a grave responsibility and because of our special interest and knowledge of the conditions in the Near East, I would like to present certain important facts for the serious consideration of our Government, and point out the far-reaching implications of the proposed new foreign policy in the Near East.

We saved the world from Hitlerism at a cost of $300,000,000,000 plus the loss of hundreds of thousands of lives of our American youth. Now we are asked to save the world from communism at a cost that can neither be estimated nor predicated. This first request of $400,000,000 is only the beginning. It means that President Truman's new foreign policy will also mean that Uncle Sam ac-

cepts the role of world policeman; that from now on he will have to furnish the military might required to stop trouble wherever and whenever it arises in any corner of the world. It will mean that he has taken over the responsibilities and obligations that we had hoped a strong United Nations organization would assume and carry.

During the last days of World War II conflict we had appeased Russia and permitted her to disseminate propaganda throughout eastern Europe, Greece, and Italy, thus dominating the greater part of that section of the world. Her power was felt in Italy and aided materially through UNRRA, startling the world with its 2,250,000 votes in the last election.

Let us not forget that this work was carried on in Italy before the very eyes of our military government, the very entrances to their offices were placarded with "Vote Communista." No attempt was made then, nor since, in behalf of Italy, to ward off this communistic trend. Why now the cry to save Greece and Turkey? Is it to save England's face or the oil fields of Iran and Iraq for the rich promoters? How much easier it would have been to help Italy after she became a cobelligerent, with her problems of reconstruction and rehabilitation, rather than now by the cry, "Help Greece and Turkey to save Italy."

The proposed Italian peace treaty, which is before the Senate today, is a drastic one and should not be ratified. If ratified in its present form, Italy will be rendered helpless before her Communist dominated neighbor Yugoslavia, whose dictator, Tito, is a Charlie McCarthy of Stalin.

Thus the provisions of the Italian peace treaty, that the United States has agreed to, go absolutely contrary to President Truman's announced foreign policy in connection with aid to Greece and Turkey. On the one hand we strengthen Stalin's hands by weakening Italy, and on the other hand we propose to strengthen Greece and Turkey in order to block Tito and Stalin. Does this make sense? Can Uncle Sam ride with the hounds and run with the hare at one and the same time?

Communism cannot be fought with bullets. To defeat communism you must prevent hunger and starvation. You must feed them, shelter them, and clothe them. Have we done this for the people of Italy? If we had the votes in their last election would have been 2,250 instead of 2,250,000 Communist votes.

If America is sincere in fighting communism, why then did she, through the action of her representatives to the United Nations, vote not to recognize Franco? Why does she still give aid to the communistic forces in the Far East?

I believe America can enhance her prestige and win the admiration and respect of the people everywhere only by championing the cause of justice and decency.

Wake up, America. Watch your step. You might be sowing the seeds of World War III.

CALL OF THE HOUSE

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

The SPEAKER. Obviously a quorum is not present.

Mr. HALLECK. 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. 53]

Allen, Ill.	Gregory	Preston
Battle	Hand	Reed, Ill.
Bell	Harness, Ind.	Rivers
Bland	Hart	Sabath
Bonner	Hartley	St. George
Bramblett	Hinshaw	Sasscer
Bulwinkle	Holifield	Scott, Hugh D., Jr.
Camp	Horan	Simpson, Pa.
Celler	Jensen	Smith, Maine
Chapman	Johnson, Ind.	Smith, Ohio
Clements	Kennedy	Somers
Cox	Keogh	Stanley
Crosser	McDowell	Taylor
Curtis	McGarvey	Thomas, N. J.
D'Alesandro	Macy	Thomason
Davis, Tenn.	Maloney	Vinson
Dawson, Ill.	Mansfield, Tex.	West
Dingell	Meade, Ky.	Wilson, Ind.
Dirksen	Miller, Calif.	Wolcott
Ellsworth	Miller, Nebr.	Wolverton
Fellows	Mitchell	Wood
Fisher	Morrison	Worley
Fuller	Norrell	Zimmerman
Gifford	O'Hara	
Gossett	Owens	
Grant, Ind.	Ploeser	

The SPEAKER. On this roll call 352 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ANNOUNCEMENT

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute for the purpose of making an announcement.

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

There was no objection.

Mr. HALLECK. Mr. Speaker, many Members have asked me about the program in respect to the consideration of this bill and final action thereon. So, I have asked for this minute in order to announce for the information of the Members that the consideration of the bill will continue through the day. If it is not finally concluded this evening, consideration will continue on tomorrow. However, it is hoped that there will be sufficient and ample time for discussion of all matters in connection with the bill and amendments during the day so that action can be concluded this evening.

CONGRESS WILL HONOR THEM

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

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

There was no objection.

Mr. VURSELL. Mr. Speaker, that the ideals of American youth are still secure and sound foundation material upon which the future of the American Government may rest with confidence was demonstrated here Tuesday when Dick Smith, Virginia Marakle, Ruth Pigott, and Virginia Lanham, four Western High School students of Washington stopped their ears against the godless ideology of communism that was being preached to them in a lecture and got up and marched out of the school building as a fitting rebuke to the speaker, a Mrs. Lewis, the Russian-born wife of a former American envoy.

The spirit of Paul Revere was exemplified, and their patriotic action will arouse millions of Americans throughout our land to the dangerous inroads communism is making into our schools and colleges. Here is a story the press and the motion-picture industry of the Nation should spread before all the people. It will help to clean the Communist cells and rat nests out of our institutions of learning.

Congress, the representatives of the people, will honor these four fine young people in a fitting ceremony Tuesday afternon at 5 o'clock in the Ways and Means Committee room. It is said that Speaker MARTIN and other congressional leaders will eulogize their actions.

EXTENSION OF REMARKS

Mr. STRATTON (at the request of Mr. ARENDS) was given permission to extend his remarks in the RECORD and include an editorial.

Mr. DAVIS of Georgia asked and was given permission to extend his remarks in the RECORD.

Mr. KNUTSON asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. RICH asked and was given permission to extend his remarks in the RECORD and include an article entitled "In the Nation," by Arthur Krock.

Mr. BECKWORTH asked and was given permission to extend his remarks in the RECORD and include a short article.

Mr. POTTS asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Tablet.

Mr. McDONOUGH asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Los Angeles Daily News.

Mr. WEICHEL asked and was given permission to extend his remarks in the RECORD and include newspaper items.

Mr. JONES of Washington asked and was given permission to extend his remarks in the Record and include a copy of a letter from a constituent to the gentleman from Minnesota [Mr. JUDD].

Mr. JOHNSON of Texas asked and was given permission to extend his remarks in the RECORD and include an address Our Stake in Greece, delivered by Mr. Paul A. Porter before the Chicago Council on Foreign Relations.

Mr. DONOHUE asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. BROOKS asked and was given permission to extend his remarks in the RECORD and include two telegrams from officials of the city of Shreveport.

Mr. HARRIS asked and was given permission to extend his remarks in the RECORD and include an editorial on the agricultural program.

Mr. HESELTON asked and was given permission to extend his remarks in the RECORD and include a telegram he received from, and a telegram he sent to, the North Adams Chamber of Commerce.

ASSISTANCE TO GREECE AND TURKEY

Mr. EATON. 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. 2616) to provide for assistance to Greece and Turkey.

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. 2616, with Mr. CASE of South Dakota in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday there were pending an amendment offered by the gentleman from South Dakota [Mr. MUNDT] and an amendment to that amendment offered by the gentleman from Minnesota [Mr. JUDD].

Mr. RANKIN. Mr. Chairman, I ask unanimous consent that the amendments be again reported.

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

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. MUNDT: Page 2, line 11, after the words "in an advisory capacity only", strike out the semicolon, insert a comma and add the following: "*Provided, however*, That not more than 100 such personnel are to be utilized in either country at one time under the terms of this act without further authorization from Congress."

Amendment offered by Mr. JUDD to the amendment offered by Mr. MUNDT: Strike out the figure "100" and insert the figure "200."

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

Mr. Chairman, this is the third day that the House has spent in the consideration of this legislation. If we go over to tomorrow, many of our Members would be forced to be away. I sincerely hope, and I believe it is the hope of us all, that we can get through this bill today with plenty of time for all the discussion of the bill that is necessary.

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

Mr. EATON. I yield to the gentleman with pleasure.

Mr. RICH. It seems to me this is one of the most important pieces of legislation that has ever come before the Congress. If, in order to get a vote on this bill today, they are going to try to rush it through, the Nation will suffer irreparable damage I think you should continue this for a week or a month if necessary. I do not think you ought to try to close it today. It ought to continue until the American people know what is happening.

Mr. EATON. Mr. Chairman, I agree with the gentleman that this is very important legislation, but I believe that the intelligence is so high in this body that we ought to be able to solve the problem in 4 days. So far as I am concerned, I am willing to go on until the end of time.

Mr. MERROW. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. BUSBEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from New Hampshire yield for a parliamentary inquiry?

Mr. MERROW. I do not yield for that purpose, Mr. Chairman.

Mr. Chairman, I want the people of my district and the people of the country to know that I am vigorously supporting this legislation without crippling amendments because of its political, strategic, and, if you please, especially because of its military aspects.

I wonder what we are afraid of. The security of the United States is at stake. There are no longer any frontiers. Our interests are global. What has happened during the past few years? Mr. Stalin and his associates have expanded as rapidly as possible. They have spread communism wherever and whenever possible. They have organized Communist Parties in every country where it is possible to organize them, including our own. They have not kept their solemn agreements, including Potsdam, Yalta, and the Atlantic Charter. They have not lived up to the spirit of the United Nations.

Furthermore, in reference to Greece, Moscow-controlled Communists are ready to take over. In connection with Turkey, Russia has demanded bases on the Dardanelles. From the activities of Russia it is apparent that the Soviet Union is on the road to world domination.

I would like to know how much longer this country is going to be insulted by those who are in control of the Soviet Government before we are willing to take firm action. How much longer do both sides of our face have to be slapped before we are willing to take a stand?

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

Mr. MERROW. I yield briefly to the gentleman.

Mr. RANKIN. Would not this amendment or either of them be an appeasement of Russia and tie the hands of our administration?

Mr. MERROW. Exactly. I am glad the gentleman has made this observation. We tried appeasement through the 1930's. We tried to appease Hitler, and we failed. Since the end of World War II we have been trying to appease Soviet Russia, and we have completely failed. In addition, the Russians have deadlocked every conference, and now they hope that we will become weary with exhaustion and finally begin to make compromises on principles.

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

Mr. MERROW. I yield.

Mr. RANKIN. The outside limit of this amendment is 200 men. Russia has more spies than that in this country now.

Mr. MERROW. Exactly. She has the largest land army in the world. I wonder if it is not possible for us to learn from the all too recent bitter lesson of history. When Mr. Hitler invaded the Rhineland, many said it was no concern of ours. We were not willing to do anything about it. We insisted that we would keep out of European difficulties. I say, if we had had the Truman doctrine then, a doctrine which I hope will become the American doctrine, we probably would have avoided World War II. This is recent history. Within the last few years we have seen history repeating itself.

We are attempting to limit the number of military men we are to send to Greece and Turkey. Whatever number is necessary to send in order to stop the Russian march to world domination ought to be sent. We ought to take an immediate stand.

The alternative to action in the Mediterranean area is too horrible and too awful to contemplate. If Turkey falls, as has been said again and again, then the eastern Mediterranean will go and finally the Mediterranean will become a Soviet lake. All of Europe will be under the control of Russia. This will mean trouble and we will not have the time for preparation we had in World War II. There will be no England or France to give us time to get ready. One of the best things we can do in this country is to establish and keep a strong Army and a strong Navy. Yesterday I was glad to hear someone make a plea for a strong air force. I have often said we should maintain air supremacy at all costs. I believe that firm and resolute action now will save millions of American lives in the future.

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

Mr. MERROW. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes in order to answer the gentleman's questions.

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire [Mr. MERROW]?

There was no objection.

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

Mr. MERROW. I yield.

Mr. SMITH of Wisconsin. I agree absolutely with the gentleman's statement with reference to appeasement. However, would it not be much more forthright for us to ask for mobilization of our forces now?

Mr. MERROW. That may be; and if you are willing to do that, why should you oppose this bill and advocate crippling amendments?

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. MERROW. I yield.

Mr. AUGUST H. ANDRESEN. I assume the gentleman would also favor the proposition of stopping any shipment of essential materials to Russia or any country dominated by Russia?

Mr. MERROW. Well, the gentleman may be talking about the recent lend-lease agreement, which is another subject. We entered into solemn agreements.

Mr. AUGUST H. ANDRESEN. Certainly, the gentleman has stated that Russia has broken every agreement she has made with our country.

Mr. MERROW. That is right.

Mr. AUGUST H. ANDRESEN. And still the gentleman wants us to go through with the other agreement.

Mr. MERROW. I did not state that I wished to go through with the agreements. I think they should be carefully considered and if it is necessary to stop communism, we should stop shipments.

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

Mr. MERROW. I yield.

Mr. RICH. If we are to try to stop communism in Greece and Turkey, why do we not go out to the Uline Arena where there are 400 of them right now in our own city?

Mr. MERROW. All right. I am willing to stop communism in the United States, but that is no argument against action to halt the march of Russia to world domination. If Europe falls and the Mediterranean and oil of the Persian Gulf is cut off, the United States is in peril.

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

Mr. MERROW. I yield.

Mr. HOFFMAN. The substance of your remarks, as I understand them, is you think that war with Russia is inevitable. If you believe that, why do you not ask for a declaration of war?

Mr. MERROW. I do not think it is inevitable, but I think the passage of this measure will undoubtedly prevent war with Russia.

Mr. HOFFMAN. You are starting it now.

Mr. MERROW. If Russia thinks this is a declaration of war, then let her make the most of it.

Mr. HOFFMAN. Yes. That is what you want.

The CHAIRMAN. The time of the gentleman from New Hampshire has again expired.

Mr. BUSBEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BUSBEY. Mr. Chairman, toward the close of debate yesterday, according to page 4820 of the RECORD, there are 14 of us who, I thought, were going to be given time to speak on this amendment. I just mention that, because I hope we will not be shut off in this move to hurry this bill through. Are those 14 men still to be recognized?

The CHAIRMAN. The gentleman does not state a parliamentary inquiry. However, the Chair will state that no request was submitted. The request was withdrawn.

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

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield for an inquiry on the matter of procedure?

Mr. FULTON. I certainly will.

Mr. HOFFMAN. Mr. Chairman, the chairman of the committee stated this morning that he hoped we would finish this bill today. He also said he would like to have an opportunity for those who have not yet been heard to be heard; yet the first move when we started the debate was for a member of the committee to ask for two additional minutes. Now another member of the committee is recognized. I am very glad to hear him, but I am wondering if Members other than members of the committee are going to be heard. I will ask the chairman of the committee to answer my question.

Mr. EATON. That, I think, rests on the initiative of the Members themselves who want to be heard. I decline to accept responsibility for parceling out the time.

Mr. HOFFMAN. But under the rule, the Chairman perforce must recognize members of the committee first.

Mr. EATON. The chairman of the committee did not make the rules and declines to accept responsibility for them.

Mr. HOFFMAN. No; but he does have some restriction, I suppose, over the members of the committee.

Mr. FULTON. Mr. Chairman, how much of my time has been consumed?

The CHAIRMAN. One minute of the gentleman's time has been consumed.

Mr. FULTON. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

Mr. HOFFMAN. Mr. Chairman, unless some other Members of the House are going to be recognized other than members of the committee, I will have to object to future requests of this nature.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his time for two additional minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania will be recognized for the balance of his 5 minutes and for two additional minutes.

Mr. FULTON. Mr. Chairman, I hope to nail down these two amendments that have been submitted to tie the hands of the American Government and to keep our representatives from exercising good administrative sense either now or in the future under the future circumstances as they arise.

Why do I say I am against these amendments? Because they say to the world—and they are sponsored by very fine members of our Foreign Affairs Committee—that they tie the hands of America. Why not include in the amendments a similar provision that would bind Joe Stalin's hands? If they would modify the amendments and say that they are going to bind Joseph Stalin just as they are going to bind the Secretary of War, the Secretary of the Navy and the Secretary of State and the President, then I, too, would be for the amendments.

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

Mr. FULTON. I yield to the distinguished gentleman from Tennessee.

Mr. JENNINGS. It seems to me like an invitation to Joe Stalin to come and get us. In effect it says: "Come and get us. We are over here helpless, innocuous, inane; come and get us."

Mr. FULTON. That is a very fine statement, Judge.

It was the gentleman from Connecticut [Mr. LODGE], who said on yesterday:

> It seems to me that this amendment is just one more illustration of the thought a great many people have, that if we only tie our own hands we are safe.

Maybe we had better be talking about someone else's hands rather than trying to emasculate our own foreign policy.

I am against the amendment offered by the gentleman from Minnesota [Mr. JUDD] and against the amendment offered by the gentleman from South Dakota [Mr. MUNDT], for another reason: The numbers 100 and 200 suggested by each of these men in their respective amendments have no relationship to actuality, they have no relationship to any reason. They are numbers just taken out of the air because they said: "Well, Secretary Patterson estimated 10 to 40." The gentleman from South Dakota said "I will double it," and then the gentleman from Minnesota came along and said: "I will double Mr. MUNDT's figure." Now, if you are just going to reach around and pick figures out of the air you are going to tie the handcuffs on yourselves without knowing their size.

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

Mr. FULTON. I yield.

Mr. JUDD. Will the gentleman read the language on page 4 of the committee report, in the paragraph headed "Kind of military assistance proposed." The committee made this official statement to the Congress and the world:

> Testimony of Government witnesses indicates that the military mission to Greece would probably not exceed 40, and the naval mission would probably be less. In the case of Turkey it is expected that the missions would not be larger.

Is that picked out of thin air?

Mr. FULTON. All right; then why did the gentleman say "200"? Why did not the gentleman stay closer to 40?

Mr. JUDD. I was allowing for emergencies that might arise. I do not, as I said yesterday, want to limit in the slightest degree the United States. But the Congress which has the responsibility under the Constitution for declaring war ought to make clear to the country in the bill itself what the limitations are that the Congress of the United States is placing on the military of the United States in line with what the committee states in its official report is its understanding of those limitations.

Mr. FULTON. The trouble with the gentleman's estimate is that he is only taking into consideration little emergencies. He is not taking the big ones into consideration.

If we will notice the reason for putting these amendments in, and if we will look at them the way the gentlemen themselves look at them we may get an idea. For instance, the gentleman from South Dakota [Mr. MUNDT] said in committee:

> I think it would be very comforting to the American public to have this limit.

The gentleman has forgotten that it will be comforting to Joe Stalin and a lot of people over there too.

The gentleman from Minnesota [Mr. JUDD] says:

> I think we could pick up a great many votes here in the House of Representatives if we were all assured and voted for these amendments.

I disagree with the gentleman from Minnesota on that and will not change

this bill to pick up votes. We take it the way it is or leave it. We have to look the problem straight in the face and not avoid it by amendment. We better meet the issue and not try to hang a little sweetmeat on the bill to attract votes. I am not here to attract votes.

It has been brought out by the gentleman from Minnesota [Mr. JUDD] that the Secretary said one thing. However, the Secretary came back to an executive session and said he had made a mistake. The gentleman from California [Mr. JACKSON], a member of our committee, very ably brought that out when he said yesterday that the Secretary stated in the second hearing it would be most unwise to tie the hands of his Department and the Navy Department in reference to this point.

The gentlewoman from Ohio [Mrs. BOLTON] said she is for these amendments because the purpose of the proposal, as she sees it, is not troops but it is economy.

People do want to economize. May I say that if you are trying to guess far ahead on economy in the future in a world such as we have today, you better try to do some real guessing.

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

Mr. FULTON. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

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

Mr. VORYS. Mr. Chairman, I object.

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

Mr. Chairman, I hope that I shall not burden you again by my suggestions in regard to this bill, and I think I shall not, but it lies deeply in my heart the thing that we are considering at this time, and I felt impelled to say what I have said and now feel impelled to speak again. The difference between you and me is simply this: I am not alarmed like you who are supporting this bill are. Christianity has been a religion in this world for about 2,000 years, yet less than half of the people of the world have accepted it. No philosophy, whether true or untrue, is going to sweep this world like you say it will. Communism is not going to make the inroads that you say it will.

I respect your sincerity; I know you are honest, honorable, and upright men and women; I know you are capable men and women; I know you want to do the right thing; but, in my judgment, you are doing the wrong thing. My judgment is that you are filled with fear and hysteria that has been superinduced by publicity to the point where you have lost your heads and you are going to do an unseemly thing because of all this propaganda. Now, that is my judgment.

Mr. Chairman, I have had some experiences in my own life that have taught me some things.

For instance, I was a kid 18 years old and I enlisted as a soldier in the First World War. I fought in half a dozen of the bloodiest battles ever fought in that World War. They told us most every day in the newspapers that the Germans were cutting the arms off of Belgian children, crucifying Canadian soldiers, pitching up children and catching them on their bayonets. I got over there and found that none of that was true.

Now, ladies and gentlemen of this Committee, I call your attention to the fact that when people become alarmed, when they become scared, when they become so zealous about a situation, they always overstate the case, and the case here is being overstated, I tell you. Logic teaches me that communism cannot defeat democracy. If we will just sit steady in the boat and serve our people well in this great country of ours, if we will give them the service they are entitled to, we will stop communism in its tracks. It cannot get anywhere in the world.

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

Mr. MORRIS. I yield to the gentleman from Texas.

Mr. POAGE. I understood the gentleman to say that he has no fear of Russian expansion in this area. If so, if there is no desire on the part of Russia to move into this area, what difference will it make how many people we have over there? Whom will we harm? Whom will we offend? If Russia has no expansionist desires, how are you going to offend anybody by sending these people over there?

Mr. MORRIS. I did not say that Russia has no expansionist desires. Of course they have expansionist desires. But my point is, they cannot expand like you say they can. We will resist them. The people of the other nations will resist them and the world will resist them.

Mr. POAGE. Does the gentleman means that the 200 will resist them and that the 200 will be adequate to inspire those people to stand up against the largest army in the world? Or had we not better tell those people we are going to back them up? Is not that what this is for? We are telling them we are backing them up with all we have.

Mr. MORRIS. Give me time to answer the question, if you please. I want to retain in the power of this Congress the right to declare war, and if we send them over there, with unlimited power, and do not reserve the constitutional right to declare war, we do not know what kind of an incident is going to happen, and they could send an army over there and we would be helpless, and we may be catapulted into a war, with the hatred that so many seem to have in their hearts, with the desire that we seem to have, and I am sorry to say, my friends, but the desire we seem to have, as is exemplified here every day, is to practically run the world. That is the program we are getting into. I know our purpose is noble; of course it is. I know we are going in for a noble purpose, but we went into the First World War with a noble purpose. We were going over there to make the world safe for democracy. We were going over there to fight a war to end all wars, and I fought as hard as anybody could fight, and it is worse now than it was then.

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

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

Mr. Chairman, we are today considering what kind of assistance we propose to give to two countries that have asked us for help in stemming the tide of influences that is being brought to bear upon them by outside forces. We heard in the committee many things of deep interest, with which many of us were already conversant. Most of us were in agreement with the administration, that it is imperative for us to do something for these countries.

As the bill is written, what we propose is not military action. We do not propose under this bill to replace the garrison troops the British have. We have been asked for assistance in training; we propose to give assistance in training. The fact that the Secretary of War, in the beginning, said that under 50 men were all that would be needed and that he later on apparently told the committee that it would be unwise to make such a limitation seems to me to present us with a very real problem.

For myself, I should like to see this House amend this bill in some fashion to make it very clear that what we propose to send over there is a training mission and not combat troops. From my own personal knowledge of the situation, I feel that any show of armed troops at this time would very likely bring upon the world something which neither Russia nor the United States anticipates or wants. I should be exceedingly reluctant to believe that we do not have the courage to make it very clear that we do not propose that kind of action. If there ever was a moment in history that needs restraint, it is this moment. I would urge upon this House the need for great wisdom and great restraint in the action it takes at this time.

Naturally, there are going to be many interests that are going to try to bring pressure upon the War Department and the Navy Department to send troops to guard whatever is done there. I am very reluctant to have us permit ourselves the temptation of armed forces. I should like to see a very clear definition of what it is that we propose to do. It is very apparent from the discussion on the floor that the Members are not clear as to the intent and purpose in this bill, and certainly, if the Members are confused, we cannot expect the people to be clear in their minds as to what we really expect to do. For myself, I do not see this as the moment or the occasion for military troops, and I should prefer to see some such statement in the text. I do see it very much the occasion for specialists of every sort and kind, including the military, that there may be a rebirth of hope in the hearts of all the sorely-tried, freedom-loving people of the world.

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

Mr. Chairman, I think we all agree with the very able remarks just made by the gentlewoman from Ohio [Mrs. BOLTON]. Certainly under the language of the bill, it is very clear that what she so ably stated is the intention of the Congress and of our Government.

I again read the language in the bill, and I think it is the strongest language the committee could put in other than

something along the lines of either one of the two pending amendments, which I think it would be unwise to adopt. The bill says, "By detailing a limited number of members of the military services." "Limited" is a word of restriction. It is further restricted by saying that those sent over there can act only in an advisory capacity, and "advisory" certainly is a restrictive condition or stipulation.

I listened with great interest to the remarks of my very sincere and conscientious friend the gentleman from Oklahoma [Mr. MORRIS], and as I listened to him the thought came to my mind that we are living in a very practical world. His remarks and utterances might well be followed if this were not a rapidly changing world and if conditions were not so disturbed as they are today and if a powerful nation were not challenging the civilization and way of life that the people of other nations believe in. His remarks carry me to a dream world. I share his hopes, but I cannot come to the same conclusions as he does in view of the world conditions as they exist today.

My only interest, like the interest of every other Member of the House, is the national interest of the United States. I say it is in our national interest not to let this wave envelop country after country until it envelops all of Europe. If it ever reaches that point, it will overrun all of Asia and thus actually reach our shores.

My friend from Oklahoma disregards the fact that that advancing wave does not permit the people to exercise their free will in the selection of their government, that small groups are supported directly or indirectly, who then obtain control of the government by any means possible. When control is taken over then the decent elements who resist are either driven underground or are liquidated by the means and processes that are followed by the totalitarian ruler of today.

There is a spirit behind it—a spirit of aggression and viciousness. I picked up the newspapers of only this morning. What do we find as evidence of that spirit? We find an attack on the report of former Governor Stassen by Isvestia, by the Soviet press. That constitutes an attack on the American press. The purpose of that is not to spread propaganda in the United States because it would not have any effect except to increase our resentment. The purpose of that is to spread propaganda in other countries that are watching what is taking place between Moscow and Washington, and who are reacting to our failure to do something. The purpose of it is to spread propaganda throughout the world.

What else do we find? We also find Major General Draper in a speech today charging that the Soviet State Corporation now holds a total of between 30 percent and 40 percent of German industry in the Russian-occupied zone. That brings up the very question of the Austrian peace and why it failed. The Russians wanted to sap Austria's economic strength and thus prevent Austria from becoming a free and independent nation. They were willing to give them freedom in name only, but they would not give them the means to maintain that freedom. That is why it was a failure. They have also sapped the juice out of the lemon of the Russian zone in Germany and now they want to go into the American and British zones and sap the juice out of the lemon in those two zones. But they are not going to do it. They want to communize all of Germany. That is what is happening. But it is not happening through or by the free will of the people.

They charged us recently with having our agents in Turkey in civilian dress. The same charge was also made against the British. Isvestia made that charge. What about their agents in the United States who are American citizens? What about their agents in other countries who are citizens of that country, working in Italy and all of the other nations where people are in distress, and where a small organized group can work more effectively than they can in our country?

I picked up the New York Times only this morning and I find that Gromyko asked the United Nations to reopen the Greek case. On what ground? In a letter he made clear that he was asking to open the Greek controversy because of the decision of the Council and its investigating committee to keep a subsidiary inquiry board in the area to maintain watch on border flare-ups. That is the objection he makes and which appears in this morning's newspapers. He is going to try to reopen the Greek case, as far as the mission of inquiry is concerned, and to protest against the subcommittee continuing inquiry.

That is what we are up against—the state of aggression and a challenging spirit of a vicious nature. We have to appreciate that fact in the consideration of this bill.

I hope that this amendment and other amendments that will be offered will be defeated and the excellent bill of the committee will come out of the committee and be passed by the House.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. McCORMACK] has expired.

Mr. SMITH of Wisconsin. Mr. Chairman, I move to strike out the last two words, and I ask unanimous consent to proceed for two additional minutes.

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

There was no objection.

Mr. SMITH of Wisconsin. Mr. Chairman, on Monday when I spoke at the time the rule was under consideration, I called attention to what was bound to happen to our economy in the event this legislation was adopted. Now the cat is out of the bag.

I want to call your attention to an article that appears in this morning's paper, an address by Under Secretary of State Dean Acheson, at Cleveland, Miss., last night. He gives you a preview of what is going to happen. I want to read for the RECORD an article which appears in today's paper, the Washington Post:

> To carry out an effective policy of relief and reconstruction implementing the Truman doctrine first promulgated in the plan to assist Greece and Turkey, he declared that there must be an extension of Government control over domestic sale, transportation, and export of such commodities as wheat, coal, and steel.

Yet Members of this House have stood on this floor and demanded that prices come down. The President himself is appealing to the businessmen over this Nation to reduce prices. Again we have further evidence of New Deal inconsistency. How long can the country take this kind of leadership?

I continue, and I refer to point 5 set out in this accompanying article:

> In order to carry out an economical and effective policy of relief and reconstruction, the United States is going to need the extension by Congress of certain executive powers over the domestic sale, transportation, and exportation of certain commodities over which Presidential war powers control is due to expire June 30.

"It is wheat and coal and steel that are urgently required to stave off economic collapse, not just dollar credits," Acheson said.

Now, mark you well this statement:

> Power to assign priorities on transportation is needed, including legislation to insure "efficient use of all shipping."

And he goes on to point out the necessity for continued control over our economy. We talk about veterans' housing, we talk about eliminating these restrictions which today are tying up our economy, yet the Secretary of State comes out with this plea for continued controls. I believe his foot slipped or else the release of his article was badly timed. He thought this bill was going to be passed yesterday, and hence he could come out and make this statement today.

The fat is now in the fire, Mr. Chairman, and so far as the economic impact of this legislation is concerned, you hogtie the American economy from now on by passing this legislation. We should have seen that very situation long ago. There are tremendous implications in this matter.

We do not have to be partisan at all; we can approach this matter from the standpoint of America. Is there anything wrong with that? Is there anything wrong in protecting our people under this legislation. Indeed not.

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

Mr. SMITH of Wisconsin. I yield.

Mr. MERROW. I thank the gentleman. I just want to ask the gentleman a brief question. If the Acheson program which the gentleman has read, is necessary to win the peace, which, unfortunately, has been slipping through our fingers ever since the war ended, will it not be worth while?

Mr. SMITH of Wisconsin. My God! We have not won the peace in 2 years. Yesterday was the second anniversary of VE-day, and we are still struggling for peace and getting nowhere. Now we are going to extend our activities to other parts of the world.

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

Mr. SMITH of Wisconsin. I yield.

Mr. HOFFMAN. The gentleman from New Hampshire not more than 15 minutes ago said that if this policy led to war that Joe Stalin could make the most of it. How can we expect to win the peace by making war? Is that a sound

position? That is what he is talking about.

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

Mr. SMITH of Wisconsin. I yield.

Mr. BENDER. This policy has been sold to America, sold by a bunch of dictators in a bureaucratic State Department. The gentleman from Georgia [Mr. Cox] named it rightly when he named it a military bill. That is exactly what it is, and that is exactly what we are talking about here.

Mr. SMITH of Wisconsin. We should thank the Under Secretary for his honest and forthright statement last night. Now certainly we know what is going to happen, and this 2 years after VE-day when we are praying for peace. What a commentary on our efforts in behalf of those who served in this last war! We are today, Mr. Chairman, about to take a step to declare war; and, secondly, you are going to take a step to tie up our economy from now on under Government controls from which we can never, never recover, because the program calls for a worldwide OPA, and under this bill we are going to set one up in Greece.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield.

Mr. O'KONSKI. And in those 2 years this Congress had piddled away $18,000,000,000 trying to buy the peace. Now we are going to buy with $400,000,000 that which could not be bought with $18,000,000,000.

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

Mr. SMITH of Wisconsin. I yield.

Mr. MACKINNON. What is holding up the peace? Russia, is it not?

Mr. SMITH of Wisconsin. At least we were guilty in part, because we made it possible for Russia to get to the position which she now occupies. She would not have attained it had it not been for American aid; so we are a party.

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

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

Mr. Chairman, throughout this debate one of the keynotes of the isolationist argument in opposition to the pending bill has been that if the United States wants to check the spread of communism throughout the world the place to begin is here at home.

In reply, I want to say that the only sure way to make the American democracy safe against threats of encroachment by totalitarian ideologies is to produce a social order which will provide greater benefits for all of our people than can be offered by any other form of government.

Today other nations which call themselves democracies are attempting to substitute mass social security for individual liberty, and are boasting that their governments take better care of all the people than we do in America. The only danger to the American way of life today, Mr. Chairman, lies in the remote possibility that the protagonists of these alien dictatorships may succeed in persuading the rank and file of the American people that this boasted superiority is real. To me, such an eventuality is inconceivable.

But, Mr. Chairman, modern American liberals must demand an adequate system of social security as a permanent bulwark for our individual liberties, and must fight ceaselessly to achieve this goal. Upon the success of this program the fate of the American democracy may well depend.

I assert that no government is a real democracy which denies civil liberties and suppresses individual freedom by a sovereign dictatorship. I have been deeply concerned many times, Mr. Chairman, by utterances here on the floor of Congress which sought to restrict civil liberties in America, but these were merely the expressions of individuals with a warped conception of the American way of life. The Constitution is the supreme law of our land, and the Bill of Rights in that Constitution is the greatest charter of democracy which this world has ever known.

Patrick Henry dramatized the American concept of democracy in a single phrase: "Give me liberty or give me death."

The problems which confront this troubled world today in its efforts to devise a stable plan for peace in Europe are not new. Indeed, almost identical problems with respect to Greece, Russia, and Turkey were perplexing American statesmen more than a century ago, as evidenced in the state papers of John Quincy Adams, Thomas Jefferson, James Madison, and Marquis de Lafayette.

The thing of greatest importance which is new in world affairs today is the historic change in American foreign policy. Twice in the last three decades the soil of Europe has been drenched with American blood. After the First World War, despite the decisive part our armed forces had played in the defeat of Germany, the Congress of the United States refused to join the League of Nations, which had been created by President Wilson. At that time a majority of the American people, including the present speaker, supported our congressional leaders in adhering to the policy of George Washington and declining to participate in "entangling foreign alliances."

Rendered internationally impotent by the abstention of America, the League of Nations degenerated into a mere debating society, whose futile efforts to preserve world peace soon became the objects of open scorn by the military dictators who sprang into power in the bankrupt areas of Europe. A famous American Senator, now dead, told me of a conversation he had with Mussolini soon after the Fascist leader seized control of the Government of Italy.

"What do you think of the League of Nations?" the Senator inquired.

Mussolini's reply was a roar of laughter.

The German and Italian dictators, emboldened by their belief that America would never interfere with their ambitions, proceeded with their program of world conquest. They enlisted the support of Japan. Great Britain attempted a policy of appeasement. The result was World War II and finally Pearl Harbor.

Then the die was cast with respect to our foreign policy in the future. The American people determined with invincible unanimity that never again would this Nation refuse responsibility for maintaining the peace of the world.

We invaded Africa and Europe. Italy collapsed. Germany was completely crushed. Japan surrendered.

But for the intervention of our armed forces, the outcome of the war would have been totally different. Russia would inevitably have been subjugated by the Axis attack. England could not long have survived. All of continental Europe would have remained under Nazi domination. Japan would have completed her conquest of Asia, Australia, and the islands of the Pacific, including the Philippines.

And today this country and the entire Western Hemisphere would be in imminent danger of attack by the mad enemies of democracy if, indeed, the attack were not already under way.

Having twice conquered the greatest threats in all history to the democratic way of life, America is now irrevocably committed to the maintenance of peace throughout the world by whatever means are necessary. Failure in this commitment is unthinkable. It would be a betrayal of our countless hero dead who gave up their lives on battlefields in all parts of the earth in the sacred belief that they were making peace possible for future generations of mankind everywhere.

It is well that those heroic dead cannot envision the tragic situation which exists around the so-called peace tables of today. America has tried to keep faith with them. America has taken the lead in organizing the United Nations, and has pledged its tremendous financial, economic, and military resources in an effort to make that organization an effective instrument of peace. America has not sought to acquire any conquered lands for commercial or political exploitation. On the contrary, immediately after the end of the war America restored the Philippines to complete independence. Our only territorial acquisitions when the final peace treaties are signed will be minor islands in the Pacific which are virtually valueless except for our future national defense.

But American efforts to establish a permanent and stable peace have been constantly obstructed by certain of our allies in the late war who, but for our military aid and financial and economic support, would now be enslaved by the Nazi tyrants. Despite the fact that we rescued them from certain national destruction, these erstwhile allies have maintained an atitude of hostility toward us in all of the peace negotiations. They have openly resented our assumption of any responsibility for the reconstruction of Europe—a responsibility which we cannot and will not relinquish. Their policy appears to be basically anti-American.

They have striven deliberately to make it impossible for us to cooperate with them, except on their own terms—terms which, in many instances, the American conscience cannot accept.

They ignore the fact that while the war was in progress they eagerly subscribed to our declaration that we were all engaged in a common fight to make

the world safe for democracy. Now that the war is over—won for them by our arms and our blood and our material aid—they repudiate our democracy and set themselves up as the sole arbiters of real democratic government.

At the same time, Mr. Chairman, I confess that there are various aspects of the pending proposal which I regard with deep misgivings. The United Nations represents the first great attempt in all history—an American attempt—to establish a world democracy. We must be ever mindful of the fact that not all of the nations which are embraced in this new federation are themselves democratic, and we must endeavor in every proper way to treat their opinions on world problems with deference and respect. We have a right to insist that they treat our opinions in the same manner.

I deplore the fact that our leaders of State did not see fit at first to submit the question of aid to Greece and Turkey to the United Nations. Their explanation is twofold, that the United Nations is not yet able to finance such an undertaking, and that the proposal would be foredoomed to a veto because its frank purpose is to check Communist aggression in the Middle East.

It seems to me, Mr. Chairman, that the paramount problem in the United Nations and in the whole scheme of foreign affairs today is to establish a practical working relationship between the United States and Russia. We should employ every honorable means to achieve this objective. Our diplomatic representatives say this cannot be accomplished by a policy of supine appeasement on our part, and in this position they are supported by the tragic lessons of recent history and by the overwhelming preponderance of American public opinion. But I hope, Mr. Chairman, that the United Nations will be preserved and strengthened by American leadership in a mutual effort on the part of all the member states to understand and respect each other's aims and aspirations.

Perhaps the greatest deterrent to such mutual understanding and respect is the traditional secrecy of statecraft. In this regard, Mr. Chairman, we cannot hold ourselves blameless. The American people today are uncertain and perplexed as to the ultimate results of this unprecedented participation in the affairs of Europe. Confessedly, this is true even among the Members of Congress. We have been given little factual information about what we are called upon to do. The urgent admonitions of our State Department have been largely arbitrary in their form and essence. We have been told simply that the program before us is indispensable and of the highest order of urgency. An equally terse assurance that the adoption of this program will reduce the likelihood of war in the future completes the sum and substance of the information now available to us.

Enemies of the program charge that its real object is to guarantee military protection to private American oil interests in Saudi Arabia. Although it is true that oil reserves in America have been reduced to an extent which is dangerous to our national defense, measured by the requirements of the recent war, this would not seem to be a plausible reason for such a departure from our historic foreign policy. The development of atomic energy for economic and industrial uses, which cannot long be delayed, may soon relegate oil to a position of secondary importance among our national needs.

I shall vote for this measure because I know that the peace of the world depends upon strong leadership by the United States of America, and that the only way our leadership can be made strong is to back it up with the support of an overwhelming majority of the American people. Our people know that the policies of isolationism and appeasement were tragic failures after the first World War. Today they are determined to chart a new course for this Nation in the affairs of the world.

Mr. REED of New York. Mr. Chairman, I move to strike out the last two words and I ask unanimous consent to proceed for 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

Mr. REED of New York. Mr. Chairman, I shall vote against this bill. It is my opinion, based on reliable information, that H. R. 2616 is the most sordid bill that has come before the House of Representatives since I have been a Member of this distinguished body. The proposal in this bill, when the real purpose of it is considered, is an insult to the people of Greece, a country that has contributed so much to civilization. Greece had a glorious history many centuries before our country was discovered. The greatest asset Greece has today is the spirit of her people, a spirit so heroic that any nation in these modern times might well and profitably emulate. You who plan to vote $400,000,000 under the pretense that it will save Greece from communism will neither add to her strength nor save her independence. It will not strengthen the character of Greece to make her a ward of the United States. Greece with her centuries of rich and noble traditions and her contribution to civilization can far better rely upon these to save her than to relinquish such a rich heritage to become the victim of a sordid commercial transaction masquerading under a proposed loan to save Greece from communism. Have the Communists been removed from our Government, from the United States, from South America? How long have they flourished here, had schools of communism, children's camps under the very nose of those who urge that our military be sent to Greece to prevent the growth of this Godless cult there? The presence of hundreds of Communists in the gallery of the House of Representatives of the United States of America during the debate on the Greek question presented a burlesque show instead of an effort to get rid of communism.

I say without fear of successful contradiction that it will be the spirit of Greece that will save her and make her independent.

This is not a relief bill for the starving in Greece. It is a gift of $400,000,000 sponsored by those who wish to provide dollars to foreign countries to enable them to buy our exports. It means that our taxpayers are to furnish money to foreign governments or their agencies with which to purchase our products. I am sure that the people in every country on the globe will be quite willing to buy our exports just so long as our taxpayers furnish the money through gifts, loans, and credits with which to do so. The foreign black-market operators will be the chief beneficiaries of all future loans, gifts, and credits made available to them by the taxpayers of the United States.

I doubt if there is a Member of Congress who has not been urged by his constituents to cut the expenditures of Government and to thus make tax relief possible.

The Appropriations Committee has been working night and day to meet the demand of the citizens for the elimination of waste and extravagance in Government; also as a consequence a substantial reduction in the Federal budget. Yet, in the face of this effort to lift the burden of taxation by cutting expenditures of a swollen bureaucracy, the Congress yields to the demand of a few powerful exporters for a continuation of the program of having our taxpayers provide foreign nations with gifts, loans, and credits to buy the goods and service of these exporters.

It may be that 140,000,000 persons in the United States wish to take on the burden of furnishing money to the rest of the world to maintain them and their standing armies, but I doubt if such will be the mature judgment of our citizens when they know all the facts.

Congress has been asked to save, but can it do so if through propaganda the public is whipped into a lather of frenzy in favor of pouring countless billions of dollars of our money into the hands of foreign nations? I again quote from the National City Bank letter of April 1947:

The accompanying table summarizes American governmental credits authorized and utilized, showing that more than $5,500,000,000 was still unused December 31, 1946:

Status of United States credits

[In millions of dollars]

	Credits authorized	Utilized by December 1946	Unutilized as of December 1946
Export-Import Bank credits	$2,300	$1,100	$1,200
Surplus property credits	1,100	800	300
Lend-lease "pipe line" credits	1,400	1,200	200
Ship-sales credits	200		
Loan to Great Britain	3,750	600	[1] 3,150
Philippine credits:			
Individual war damage claims	[2] 400		
Restoration of public property	[2] 125		
RFC loan	75		
Total	9,350	3,700	5,650

[1] Another $500,000,000 has been withdrawn since.
[2] Authorized but not appropriated.

Source: Export-Import Bank (third semi-annual report), Survey of Current Business, January 1947 and Foreign Commerce Weekly, Feb. 1, 1947.

If we want to weaken and destroy communism, why ship steel and other

war supplies to Russia, and also feel obligated to furnish more lend-lease to her? This type of appeasement was the main tenet of the Roosevelt program in dealing with Japan. The tragedy of Pearl Harbor was the answer to the unwise policy of arming a potential enemy as well as the result of building up exports in an effort to justify the free-trade-agreement policy of the New Deal.

In the monthly letter on economic conditions sent out by the National Bank of New York under date of April 1947, reference is made to the outlook on exports:

OUTLOOK FOR EXPORTS

The President's message to Congress March 12, making a declaration of foreign policy which is epochal in its importance and urging expenditures of $400,000,000 over the next 15 months to aid Greece and Turkey, has intensified interest in the export prospect and in the influence of exports on the domestic situation. The heart of the President's statement is in the following sentence: "I believe that it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures." The possible implications of this policy are so broad that they cannot be assessed in advance of events, and any effort to translate them into a schedule of foreign loans or expenditures would be widely speculative. The one thing certain is that they indicate expansion of loans and gifts beyond the limits earlier intended.

Also within a few weeks we have had the President's request for the appropriation of $350,000,000 to finance relief in certain countries, and Mr. Hoover's report on relief requirements in Germany and Austria. All these in conjunction have raised expectations as to the volume of exports and the resulting inflationary pressure on prices. At the same time, however, reports of tightening import controls and diminishing dollar resources in many countries have prompted questions of the opposite kind, creating doubts as to whether the unprecedented foreign demand for American goods can continue.

The outlook for exports concerns everyone. Directly and indirectly, exports last year were a very large factor in the business of this country. Foreign demand for industrial products intensified the pressure on our industries. Exports of farm products, which exceeded $3,000,000,000, were a great influence, lifting farm prices and farm income, and prosperity in the farming sections was one of the supports of domestic trade. Everyone should know that without the dollars accumulated by foreign countries during the war and the loans and gifts made since the end of the war our export surplus in 1946 could not have been financed. When credits contract and dollar balances are drawn down the export balance will have to shrink, and our foreign sales will be limited more nearly to what foreign customers can pay for out of sales to us.

It must not be forgotten that our national debt is still reported as $259,000,000,000 when it is in fact more than six hundred billions. The words of Benjamin Disraeli, the great Prime Minister of England, when he sought to caution his fellow colleagues and his countrymen of impending danger, are applicable at this time in our history:

It may be vain now in the midnight of their intoxication to tell them there will be an awakening of bitterness.

It may be idle now in the springtime of their economic frenzy to warn them that there will be an ebb of trouble. But the dark and inevitable hour will arrive; then when their spirit is inflected by misfortune they will recur to those principles which made England great.

Those who never lose an opportunity to pay lip service to Thomas Jefferson, ignore the wise policy in dealing with our international relations. Let me quote:

We surely cannot deny to any nation that right whereon our Government is founded, that everyone may govern itself according to whatever forms it pleases, and change those forms at its own will; and that it may transact its business with foreign nations through whatever organ it thinks proper, whether king, convention, assembly, committee, president, or anything else it may choose. The will of the nation is the only thing essential to be regarded.

The arrogance of those who assume infallibility in foreign affairs even to the extent of proposing to set up the type of government which they feel will be best for a foreign country, such as Greece with her glorious contribution to civilization is a brazen affront to a noble race. The pseudo experts on foreign affairs, under the leadership of Harold Laski, if unrestrained will eventually bring down the hatred of every sovereign nation against the United States. The New York Times, July 28, 1945, quotes Harold Laski as saying: "The period of nonintervention is over." A great American statesman, John Bassett Moore, writing on the subject of nonintervention as the cornerstone of our national policy said this:

This term was used inclusively in a twofold sense. It expressed, in the first place, nonintervention in the internal affairs of other nations. In this sense, while betokening the revolutionary origin of the Government * * * it was also intended reciprocity to concede to other nations the right to determine their form of government and otherwise to manage their domestic concerns, each for itself and in its own way. In the second place, it embraced nonparticipation in the political arrangements between other governments, and above all, strict absention from any part in the political arrangements of Europe.

As recent as November 27, 1943, pages 384–388 of the Department of State Bulletin, appears this statement by Assistant Secretary of State A. A. Berle:

Nor have we any intention to scrap the well-settled policy of nonintervention in the affairs of other states. The policy of nonintervention in other people's affairs is and must be the first principle of sound doctrine. Unless this is the settled practice of nations, there may be no principles of sovereign equality among peace-loving states and probably no permanent peace at all.

I remind my colleagues that in the face of this it is proposed under this bill to intervene in the domestic affairs of Greece and also to intervene with our military.

Now the scene in our foreign relations has shifted. President Truman in his message to Congress March 12, 1947, said:

I believe that it is must be the policy of the United States to support free peoples who are resisting subjection by armed minorities or by outside pressures.

It is no wonder that the National City Bank of New York, in its letter of April 1947 in referring to the $400,000,000 for Greece and the President's message commented that it "has intensified interest in the export prospects and the influence of exports in the domestic situation."

Just how long the taxpayers of this country will wish to forego the solution of their home problems to finance exports is a question. It is a policy which if continued will bring disaster both here and abroad. The international financial commitments during the next 15 months will, if no more commitments are made, total $7,443,100,000. This sum ought to be spelled out lest its significance as a tax load on our citizens be underestimated: it means seven billion, four hundred forty-three million, one hundred thousand dollars. It all resolves itself to this: that inasmuch as the foreign countries cannot pay us in goods and services exported to them, our taxpayers pay our exporters for the goods and services for the benefit of the foreign people. Our exporters profit and so do the foreign black-market operators, all at the expense of our taxpayers. This shell game will go on until the people of the United States become aware of the danger of such financial folly and stop it; or suffer and permit the program to continue until the inevitable financial crash results. I for one refuse to be a party to this scheme of financing the whole world.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to proceed for three additional minutes.

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

There was no objection.

Mr. RANKIN. Mr. Chairman, I am not here to question the sincerity of the distinguished gentleman from New York [Mr. REED] or that of the distinguished gentleman from Wisconsin [Mr. SMITH]. But if everything they say is true, then these amendments should be voted down.

Why should we take this step, why should we pass this bill, and then tie the hands of the administration? Have you forgotten Pearl Harbor? Do you know what brought about that disgraceful and humiliating disaster at Pearl Harbor? It was the appeasement of Japan which enabled the Japs to come 5,000 miles across the Pacific Ocean and administer the greatest humiliation that this country has ever known.

I was in Hawaii in 1937. I protested then against the weakness of our Air Force at that time. I said then that Hawaii was unprotected because of the weakness of our Air Force. The head of the Air Forces came to me and said, "I could put my arms around you. You are the one man who has told the truth about our Air Forces here."

If we are going into this program these two amendments should both be defeated. Communism is making war on the United States now. Every Communist in America is, wittingly or unwittingly, an agent of a foreign power. They are striving to undermine and destroy this Government.

Last night the head of the Communist Party, William Z. Foster, came to Washington, after just coming back from

Moscow, and compared Harry Truman, the President of the United States, with Adolf Hitler. We had representatives of the Committee on Un-American Activities there, and, of course the FBI had agents there to find out what was going on.

They tell these young men that communism is a glorious movement toward democracy. There is no more democracy—and I am quoting the words of a former Ambassador to Russia—there is no more democracy in a Communist country than there is in the penitentiary of Mississippi, Ohio, New Jersey, or any other State.

These young men are being deceived. I see they call themselves and are advertised as "the Communist war veterans."

They are being deceived and misled by the most dangerous influence, the most dangerous element, that ever undertook to undermine and destroy the American way of life and to wreck the Government of the United States. God grant that they may see the error of their ways.

Do not forget that Benedict Arnold was a great hero at Saratoga. He was a hero in Canada. But he later turned against his country and became one of the most hated traitors the world has ever known.

Has it ever occurred to you that Alcibiades and Socrates fought side by side through a Grecian war against a foreign power? I believe they were messmates in the Grecian Army.

But after the war was over Alcibiades is said to have stopped up his ears and fled from the presence of Socrates for fear that he would grow old listening to his eloquence. He joined the enemies of Greece and caused the downfall of his country.

There is no such thing as a Communist American. They are enemies of the United States. They are out to undermine and destroy this Government. They are out to undermine and destroy the American way of life. Their program has for its purpose the destruction of Christianity in every country under the shining sun. If we adopt these amendments, we say to Russia, "We will further appease you by binding ourselves not to send more than a certain number of men, or planes no matter what you may do to us."

What the witness before the committee recommended were mere suggestions, not limitations. As I understand it, they did not ask that a limitation be written into the bill.

I cannot understand how any man, whether he is for this bill or opposed to it—and I recognize the honesty of men who disagree with me—I cannot see how any man who is opposed to this legislation can vote for either one of these amendments, because I think it would be encouragement for Russia to keep on sending her spies to this country and her agents attacking Americans as they did in Yugoslavia.

We have had the best minds we could get before the Committee on Un-American Activities. We had the best witnesses we could find, and we had our investigators on the trail of those Russian spies who were finally caught and exposed by the Canadian Government. What were they doing? Pretending to be friendly to the United States while our representatives were giving way to them, they were working to undermine and destroy this country. I am one Member who would vote today to send every Communist Ambassador or Minister, out of the United States and say to them, "Unless you are willing to go back and give your people an opportunity to express themselves in an honest election, to select their own government, you need not come back here, a wolf in sheep's clothing."

Every single one of them, every single minister or Ambassador who represents a Communist country in America is virtually a spy in our midst. So, if we are going to pass this bill, let us not tie the hands of the Administration with these paralyzing amendments.

I agree that we must clean house at home—clean house and fumigate in every department of this Government. I am not saying anything to you that I will not say to Harry Truman, the President of the United States. We are at the crossroads of civilization. We are at the crossroads, if you please, of history. I do not know whether this is the proper movement or not, but I do know that unless America begins to assert herself and stop appeasing criminal Communists who are trying to destroy America and everything for which America stands, your children and mine will pay the penalty.

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

Mr. RANKIN. I yield.

Mr. MATHEWS. Would the gentleman clarify for the members of this Committee the word in section 3 of this bill, "limited", as applied to the number of members of the military services of the United States? What does that mean?

Mr. RANKIN. Well, it means what it has always meant. That is the same word that you and I studied back in the fifth grade.

Mr. MATHEWS. May I ask the gentleman this question: How can it mean what it always has meant when it actually means "unlimited"?

Mr. RANKIN. If the gentleman wants to turn it upside down, he can make it mean what he pleases. But my understanding is that these amendments would place a limit that would entirely hamper the President in protecting this country in case of attack.

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. RANKIN] has expired.

Mr. JUDD. Mr. Chairman, it is obvious that there is a very confused situation here. I hope that we can clarify it by offering a substitute amendment.

Mr. Chairman, I ask unanimous consent to withdraw my amendment to the amendment of the gentleman from South Dakota.

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

There was no objection.

Mr. JUDD. Mr. Chairman, I offer a substitute amendment.

The CHAIRMAN. The gentleman from Minnesota by unanimous consent has withdrawn his amendment to the amendment. The Clerk will report the substitute offered for the amendment of the gentleman from South Dakota.

Mr. FORAND. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FORAND. Can two substitutes be pending at the same time?

The CHAIRMAN. No; but in this case we have only one amendment pending, that offered by the gentleman from South Dakota. The amendment to the amendment has been withdrawn and a substitute for the amendment has been offered.

The Clerk read as follows:

Amendment offered by Mr. JUDD as a substitute for the amendment offered by Mr. MUNDT: On page 2, line 11, after the word "only" and before the semicolon, insert a comma and the words: "And not to include armed organized military units to serve as occupational or combat troops."

Mr. JUDD. Mr. Chairman, this amendment is simple and clear. Objections have been raised to placing a limitation on the number of military personnel to be sent to Greece and Turkey under this act.

This amendment changes the quantitative limitation to a qualitative limitation. It really is not an additional limitation, it is rather a clarification of the limitation already in the bill, which now provides that we may send military personnel in an advisory capacity only. To make sure exactly what is meant, my substitute amendment merely states, "And not to include armed organized military units to serve as occupational or combat troops."

It does not exclude Army engineers, it does not exclude technicians, or Sanitary Corps; all it excludes is armed organized American military units. They may not be sent to serve as occupational or combat troops.

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

Mr. JUDD. I yield to the gentleman from South Dakota.

Mr. MUNDT. I am in hearty accord with the purposes of the gentleman's substitute. I am perfectly willing to accept it because it achieves the objectives that we had in mind, and it writes into the legislation the intent of the committee report.

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

Mr. JUDD. I yield to the chairman of the Committee on Foreign Affairs.

Mr. EATON. I wish to say that I am very happy to have this solution offered. I am wondering if the gentleman from New York [Mr. BLOOM] and the other Members on his side of the aisle are in accord with it?

Mr. JUDD. I may say that this does not really alter the bill. It merely clarifies the obvious confusion that exists in the minds of a great many. I cannot see how it weakens the bill. It merely makes official what it is we intend to do.

Mr. BLOOM. Under the circumstances, as far as I am concerned, I will have no objection.

Mr. EATON. Then, Mr. Chairman, I think we can vote on this and get rid of it.

Mr. Chairman, I move that all debate on this amendment close at this time.

The regular order was demanded.

The CHAIRMAN. The regular order is that the gentleman from New Jersey has moved that all debate on this amendment do now close.

Mr. SMITH of Wisconsin. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Wisconsin. I would like to know, an amendment having been offered, if we are going to be denied the right to talk about it?

The CHAIRMAN. That is not a parliamentary inquiry. The situation is within the control of the Committee.

Mr. BUSBEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BUSBEY. Is this not in violation with the agreement that was made last night with the chairman of the Foreign Affairs Committee?

The CHAIRMAN. That, of course, is not a parliamentary inquiry. The situation is within the control of the committee.

Mr. SMITH of Wisconsin. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Wisconsin. The country should know that the gag is in operation in this House.

Mr. BOGGS of Louisiana. Mr. Chairman, I demand the regular order.

Mr. EATON. Mr. Chairman, this amendment provides for exactly the same thing that these gentlemen have been fighting for. If they want it withdrawn and want to talk about it I will withdraw my motion.

The CHAIRMAN. Without objection, the gentleman may withdraw his motion.

There was no objection.

Mr. EATON. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 15 minutes.

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

Mr. HOFFMAN. Mr. Chairman, reserving the right to object, I would like to know whether or not this substitute is one of those sweetmeats that the gentleman from Pennsylvania [Mr. FULTON] was talking about?

Mr. EATON. I am not an authority on sweetmeats.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. BUSBEY].

Mr. BUSBEY. Mr. Chairman, the gentlewoman from Ohio [Mrs. BOLTON] read a quotation the other day from one of Daniel Webster's speeches. I should also like to read a quotation from Daniel Webster on January 26, 1830, when he said:

> When the mariner has been tossed for many days in thick weather and on an unknown sea, he naturally avails himself of the first pause in the storm, the earliest glance of the sun, to take his latitude and ascertain how far the elements have driven him from his true course. Let us imitate this prudence and before we float farther on the waves of this debate, refer to the point from which we departed, that we may at least be able to conjecture where we now are.

Mr. Chairman, that advice could very well be followed by the committee. We should take all the time necessary to debate this bill and all amendments thereto because it will be the most important bill this Congress will consider.

The gentleman from Wisconsin [Mr. SMITH] quoted from the Washington Post a statement in which Dean Acheson said:

> There must be an extension of government over domestic sale, transportation and export of such commodities as wheat, coal, and steel.

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

Mr. BUSBEY. I yield to the gentleman from Nebraska.

Mr. BUFFETT. It was the Republican Party that went to the people of this country last fall and said they were going to end regimentation and were elected on that basis, was it not?

Mr. BUSBEY. I thank the gentleman from Nebraska for that contribution, and I was just leading up to that point. I have a clipping from the New York Times of April 27, 1946, wherein Dean Acheson is reported as follows:

> FEDERAL SEIZURE OF NEEDED GRAIN URGED BY ACHESON—ACTING SECRETARY SAYS MORE DRASTIC ACTION IS CALLED FOR TO MEET COMMITMENTS ABROAD—FOOD RATIONING FAVORED—AGRICULTURE DEPARTMENT ENDS LOANS ON CORN IN MOVE TO FREE 2,457,000 BUSHELS
>
> WASHINGTON, April 26.—Much more drastic action is necessary if the Government is to get wheat off the farm and on its way to the famine areas of the world, Dean Acheson, Acting Secretary of State, asserted today.
>
> Emphasizing that he was expressing his personal views, Mr. Acheson told a news conference that the Government should go out and take the wheat and flour it needed to meet foreign commitments.

Gentlemen of the Republican Party, if you pass this bill you are going back on the campaign slogan on which you were elected, "Haven't you had enough." This bill if passed will do more to bring back regimentation and rationing quicker than anything you could do. If you pass this bill, it will be a means of starting a flood of propaganda to pass excessive appropriations for the Army and the Navy thereby wrecking our chances to cut the budget substantially and reduce the heavy burden of taxes for the people. If you pass this bill, I am fearful this so-called military mission that will go into Greece and Turkey will create an incident. Did you ever stop to think that we never go to war until an incident is created? Every country fights a defensive war. It was the sinking of the *Maine* that created the incident that led us into the Spanish-American War. The sinking of the *Lusitania* had a great deal to do with leading us into World War I and the incident at Pearl Harbor led us immediately into World War II, and as soon as this military mission authorized by this bill creates an incident in Greece or Turkey, we are in World War III.

I think the majority of the Members of this Committee are for straightforward-above-the-table dealing. This bill is a subterfuge that might well take us into World War III. Should an incident occur, the tension of the people of our country would demand that we declare war.

Yes; this has far-reaching implications, and we should ponder well before we make our final vote on this bill.

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

The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, as he does so often, the gentleman from Mississippi again today gave us a statement condemning communism. I too condemn communism. He spoke in favor of Christianity. I try to be a Christian. I do not believe that the gentleman can find anyone in this House who favors communism. I do not believe that he can find anyone who has not at least the desire, whatever may be his practice, to be a Christian. So, I ask, what of it and what do we propose to do about it?

In what is here said, neither the ability, the fairness, nor the patriotism of anyone is questioned. This Government, as I understand—was founded upon the principles that the individual had a right to worship in the manner in which he desired and that the people should have the right to be free and independent, to choose their own form of government.

Accepting those principles, where do we get with this bill? It is a bill to do what? The debate has shown that it is a bill to fight communism by, if necessary, waging war. I know I will be criticized when I ask: What business is it of ours if the people of Russia want to be Communists? I ask you in all fairness, what business is it of ours?

I do not like communism; I would like to see it ended; but if we are consistent, if we are logical, if we are willing to concede to other peoples the same right which we claim for ourselves to follow this or that theory of government, this or that form of religion, how can we send either our boys or our money to tell the people of Russia, of Turkey, Greece, or any other country, as long as they remain over there and do not endanger our safety, that communism or any other form of religion or political policy shall not be carried by missionaries or by the sword into some other country?

Are we consistent? We do not fight communism in South America; we have not fought it here at home. For 12 years I have been in this House, lived here in Washington, and I recall that the administration in power had Communists sleeping in the White House, gave them jobs in the Government, and by this means and that, by grants of

power and by grants of money, Communists were encouraged in this country and praised when they smeared good Americans. So why is it that all at once—now—all at once we turn our backs on the principle that every people shall be free to choose their own religion and their own form of government, and we say that by the sword, by war, we are going to spread Christianity. The Crusaders tried that, as the gentleman mentioned just the other day, and they did not succeed. That is not what is back of this bill, is it? Oh, no. This is a so-called bipartisan bill which will mean an act of war.

What about the Monroe Doctrine? Ever since the days of President Monroe we have said to the whole wide world that because our national security and welfare depended upon it, no nation should interfere with the government of the people of any country in the Western Hemisphere.

Now what do we say? We say we are going to stick our nose into the affairs of every country abroad, that we are going to stop communism and we are going to stop Russia at the Turkish and the Greek borders, at their frontiers. Suppose Russia said to us she was going to stop our influence in Mexico and in South America, what would we say? We would say, "Get out." We would say, "We must defend ourselves." We would declare war.

Later I will quote from the testimony of the Secretary of War before the Committee on Expenditures given the other day, which shows that the remedy for this country, that the safety of this country, depends only on making ourselves strong and then attending to our own business. His testimony shows that isolationism, if you like to call it that—I prefer to be called an isolationist or a nationalist, rather than a bipartisan or an internationalist, even though that brings the false charge of disloyalty—will keep us out of war and permit other nations, if they are so determined, to fight it out among themselves.

Believing that my first duty is to my country—I think that when we take on the burden of policing the whole world we are taking on just too big a job, and that, instead of doing something to preserve our country, we are writing the causes of its ruin in the pages of history.

Listen to the following questions to and the answers of Secretary of War, Mr. Patterson. At a hearing of the House Committee on Expenditures in the Executive Departments, which was considering H. R. 2319, which provides for the unification of the armed forces, held on the 29th of April, the following occurred:

The CHAIRMAN. There is one more question. You say in this statement:

"The maintenance of the future peace of the world will depend on the attitude and policies of the United States in world affairs, and also upon the measure of strength which the United States continues in the future to maintain in order to lend vitality to those policies."

Is there anything more to be added to that?

Secretary PATTERSON. Those are my convictions.

The CHAIRMAN. Just how do you arrive at the conclusion that the peace of the world depends on what we do?

Secretary PATTERSON. Well, I believe that this country is one of the leading powers, if not the leading power, in the world today, that our influence in the direction of peace, if it is backed up by the power to enforce peace, can be decisive.

The CHAIRMAN. What you mean is, if we become powerful enough, we are acting as master policemen and no one else will dare start a war?

Secretary PATTERSON. I think that if we have adequate military strength, no nation will dare attack us or will commence a major war anywhere. I believe that.

The CHAIRMAN. That is to say, we become boss policemen.

Secretary PATTERSON. Our powers have never been exercised in any offensive way. I think the whole world knows that the intentions of the United States are peaceful and not aggressive, and we are not trying to build empires or embark on a course of imperialism.

The CHAIRMAN. I was not talking about that, about our intentions, at all. What I was suggesting was that what you were saying was that if we become powerful enough so that the other nations, or no other nation would dare start a war, that not only would they not venture to attack us but as between themselves they would not start a fight because we would stand in the background ready, as Teddy said, with a big stick. That is what you are saying is it not?

Secretary PATTERSON. Practically so. I think it has been well proved in the last 30 years that a major war anywhere in the world results finally in a world war, involving all of the civilized world.

The CHAIRMAN. And while we started neither one and perhaps had nothing to do with the starting of either one, in both we came in, to end it?

Secretary PATTERSON. We were drawn in, yes, sir.

The CHAIRMAN. Well, drawn in then; and our power, the United States power, decided it?

Secretary PATTERSON. Yes, sir; althought we had nothing to do with the causes, directly at any rate, we were drawn, and our power proved decisive.

The CHAIRMAN. Now, to repeat what was said before, your thought is now that if we will go ahead and arm and become strong enough, then, not only will they let us alone because of our size and strength, but they will not venture to fight among themselves if we let it be known that we are going to step in and quiet the quarrel?

Secretary PATTERSON. Your first conclusion, that they will not attack us, I think to be inescapable.

If the Secretary of War, Mr. Patterson, knows what he is talking about, and I assume he does, where is the need for this bill?

From his testimony, it seems to be the opinion of the Secretary—and I agree with that thought—that, if this country uses its resources to build up our armed services, no nation, no group of nations, will have the hardihood to attack us. Nor is it probable that any other nation will make war on another nation if it be of the opinion that, if its quarrel is unjust, the United States might step into the picture and settle the issue.

In any event it is clear that the way to stay out of war is to quit interfering in the affairs of other nations, backing up the wars started by other nations.

Instead of always becoming involved in controversies between other nations which do not directly concern us, why not once at least exhibit confidence in our own strength, in our own ability to protect ourselves?

For years, we have been deceived and proceeded on the delusion that our national existence and safety depended upon the British navy. That idea has been exploded. It has been demonstrated that the British Government depends for its security upon the United States.

All we need to do, according to the Secretary of War, to preserve the peace of the world is to continue to be, as Churchill said we were, the strongest Nation in all the world.

I am in favor of that program, but from there on out I disagree with the internationalists; I disagree with the Secretary of War. My contention is that, instead of acting as the boss policeman of the world, going hither and yon and attempting to knock together the heads of other nations in order to make them agree on a policy which we think advisable, if they are determined to fight among themselves, if world powers are to continue through the years as they have down through the centuries to fight over which nation is to control the Dardanelles, then let those nations fight it out. It is now evident that, had we let Hitler and Stalin exhaust each other, there would now be less need for assistance from us.

In what may be here said neither the ability, the good intentions, the patriotism, nor the consistency of any individual is questioned.

Ever since the days of President Monroe we have insisted that we would not tolerate any interference with or coercion of the policy of any nation in the Western Hemisphere by any nation in the Old World.

A sound reason for that policy was that we did not want and would not permit in the Western Hemisphere the existence of any power which might threaten our own security and future welfare.

That doctrine was founded upon the principle that self-preservation is the first concern of every individual and of every nation.

Our Government is founded upon the principle that every people have the inherent right to choose their own form of government, their own form of religion, worship as they may choose.

Logic, fairness, and consistency compel the conclusion that, asserting those rights for ourselves in this hemisphere, it is presumptuous for us to deny a like right to any nation across the seas.

We have long boasted that we are not an imperialistic nation; that we desire no territory; that we have no thought of aggression. If that be true, then the only excuse, the only reason, if you prefer, for our present action of attempting to confine Russia and communism within circumscribed limits is that unless we follow such course, our own national security is endangered.

It is here emphatically asserted that neither at the moment nor in the immediate future is our national security endangered. The propaganda asserting that it is and that the present move to send financial and military aid to Greece

and Turkey is one dictated by the necessity of preventing future aggression is a fraud.

The United States of America today is in no danger from any foreign power. Our danger—and it is a very real one—is that we have turned our backs upon the policies and the practices which made us what we are.

It is conceded that we are today, in every sense of the word, the most powerful nation in all the world. The very fact that the proponents of this measure call upon us to aid stricken nations is proof of our military and our productive power.

The fact that Russia was compelled, when Hitler invaded her, to call upon us for, and was only saved through, our help is evidence of her inability to wage war against us.

The fact—and it is a fact—that those who are behind this move favored contributing, and we as a Nation have contributed, billions of dollars and millions of tons of supplies to Russia is further evidence that she is in no position to successfully assail us.

Grant that her desire is world conquest; she lacks the ability to do that job and fools indeed must we be if we continue, if that be our conviction, to supply her with the means necessary to accomplish that purpose.

Every sane individual knows that we cannot, either through our dollars or our armed forces, establish Christianity throughout the world. The Crusaders tried that centuries ago. Is anyone so foolish as to think that, through another war or a dozen wars, we can destroy the Mohammedan faith, the religion of India, or the communism of Russia?

If it be the thought of the proponents of this measure that either through the expenditure of dollars or by the sword we should tell the people of middle Europe or of any other country what political theory, what form of religion, they should adopt, then we are denying to them the benefit of the principles established when our forefathers founded our Republic.

Communism, however detestable it may be, is but the whipping boy in the present situation.

We have made no worth-while effort to fight communism in South America. Here at home, in the Capital City, communism has been sheltered and nurtured and made to grow. Communism and the apostles of communism have been on the Federal pay roll and time and again over the last 10 years have received public encouragement from the administration in power.

We made no complaint, as was pointed out so eloquently and so logically by the gentleman from Wisconsin [Mr. O'KONSKI], to stop communism in Finland or in half a dozen other countries.

The truth of the matter is that the present move is but a part of the plan to preserve the British Empire, to keep open its lifeline to the east. And, may I add, a part of a political policy to maintain in power internationalists and those who pride themselves first upon being bipartisan in foreign affairs; who have finally, through their own conceit, arrived at the conclusion that it is well—at least for them—to be bipartisan in domestic affairs.

If bipartisanship, either at home or abroad, is sound national policy, why two parties? Why Republicans?

For 14 years, the people, led astray and softened, first by excessive prosperity and easy living, then confronted by the necessity of facing a few years of hard work and thrift, have deluded themselves with the idea that they could get something—perhaps all they wanted—for nothing; that they could take from those who had and distribute to those who did not have.

Then last November came the awakening, when the people said in no unmistakable manner that they had had enough.

But, ever since January 1, they have been getting more of the same.

Two distinguished politicians and statesmen, the gentleman from New York, Mr. Dewey, and the gentleman from New York and Indiana, Mr. Willkie, thought they could ride into office by promising just a little bigger and better give-away policy. They shouted "me too." Today, their cry is being adopted by others.

Here in Congress, day after day and week after week, in domestic affairs, we have been told that we must go along because the bureaucrats or the President had inaugurated the policy.

In foreign affairs, we have been told and are being told that because some individual, either the former President or the present President or some member of the State Department, has made certain commitments, has pledged us to certain obligations, which none had the right to make or to give, the Congress and the individual Members of the Congress will be disloyal if they do not follow through. Emphatically do I deny the validity of any such argument.

The former President did not have, nor has the present President, the power or the authority to dictate the policy of our country either here or abroad.

True, the President is given certain authority with reference to foreign policy, but he is powerless to implement that policy, to make it effective, without money, and upon Congress is placed the responsibility of making or withholding appropriations.

The President has no right, in formulating foreign policy, to involve us in war, and if he makes promises or does things which of necessity lead to that end, he is acting without authority, for the Constitution also provides that Congress and only Congress, can declare war, make appropriations for war.

If this Congress has reached the conclusion that it must follow and uphold every thought of the Chief Executive, of the Secretary of State, or, if you please, of a bipartisan group of internationalists in the other body, then the House might just as well adjourn, or perhaps resign, go home, and save the taxpayers' money.

No individual in this House would start on a journey without counting his resources, determining his ability to get to his destination. Yet nowhere in this debate, so far as I have been able to learn, has anyone ever offered an inventory showing what our resources, either in money, material, or men, may be. No one, as the gentleman from Colorado [Mr. CHENOWETH] so ably pointed out in debating this rule, has told us where we were going, how far we were going, what we were to spend, or the purpose of this expedition.

To me it means, unless Russia is bluffed and backs down, a third world war.

It may be, as the distinguished international Republican statesman in the other body said when the organization of the United Nations was being discussed, that it is a "great adventure."

Yes, our foreign policy is a great adventure and a most uncertain one. And it may be a disastrous one. It is certain that it calls for an unreasonable expenditure of our national resources.

On another occasion, the same distinguished Member of the other body said that lend-lease was a great speculation.

Since when should the national resources of a nation, the lives of its youth, be placed on the gambler's table, even though that table be an international one?

This debate has demonstrated that the bill before us is not a measure designed to promote peace.

From its proponents at first came the forced reluctant admission that its terms were so stated as to permit military aid. As the debate has gone on, the bill's supporters have been forced by the logic of the argument to admit that it is a war measure.

The gentleman from Georgia [Mr. Cox] frankly stated that the bill was a war measure; that it was designed to give military aid to Greece and to Turkey and, as we all know, that is an act of war and will so be understood by Russia.

If Russia is in a position to pick up the challenge, this bill means war. The gentleman from Georgia repeated his statement that that is what it meant and stated that he supported it.

Why not be honest with our people? Why not, if this House desires to commit us to a policy which is an invitation to war, to give the administration authority to commit an act of war, why not, I repeat, have the courage to so declare? Why attempt to avoid the condemnation which an open declaration of war would bring down upon us from the American people by the passage of this bill?

I have said nothing about our ability to take on the burden of maintaining peace throughout the world by the use of armed forces. I have said nothing about our ability to pay the veterans of the third world war and their dependents the benefits to which they will be entitled at the end of that war.

I have said nothing about the impairment of our national resources through the waging of a third world war, for I realize that the internationalists, the bipartisan politicians, have control of the agencies of propaganda; that they are determined to continue the New Deal program of wasting, and of spending, of regimentation, of dictatorial government, and that any argument directed toward common sense measures, toward first considering and acting for the welfare of our own country, would be futile.

The politicians, the internationalists, the war mongers, those who profit from war, are once more in the saddle, and all that we can do is to protest and to cast our votes in the interests of our country.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Chairman, I have only 2 minutes and I take this time simply to assure those who might have come in since the agreement was reached so you will know that we have worked out, after about 24 hours, may I say, a satisfactory solution to this problem which, it seems to me, brings the bill definitely back to its original objective. Let us keep that clearly in mind. Some very extravagant statements are being made in this debate. We are not declaring war on anybody; we are not sending an invasion force to Europe to line up along the borders of Russia with pistols and bayonets; we are simply trying to aid Greece and to aid Turkey to reestablish themselves, to maintain their economy, and we are doing it through a military and economic aid of an advisory and constructive nature.

This amendment, the point the gentleman from Minnesota [Mr. JUDD] and I have been working on yesterday and again today, makes additionally clear what the bill has as its original objective; that is, it does not send occupational troops, does not send organized, armed troops over there, but limits it to an advisory capacity as the bill proposes now on line 11 of page 2 and as the Secretary of War stated it is going to be and as the Secretary of State and the President have insisted. The Judd substitute gets it back to the point where perhaps more of you can support it in good conscience and let the people back home know what the bill is, because there is always a chance that in the heat of debate folks are going to get the wrong impression about a bill of this type. Perhaps this substitute amendment is unnecessary repetition of the limitations already in the bill, especially because the clearcut statements by committee members today and yesterday nailing down the real purposes and scope of this bill. In all events I now agree it is an improvement over my earlier suggestion to set up a numerical limitation.

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

Mr. MUNDT. I yield.

Mr. BLOOM. Does not the gentleman agree with the statement that we are going in there at their own suggestion and invitation and that we are not voluntarily going in?

Mr. MUNDT. That is exactly correct. The suggestion comes from them; from Greece and from Turkey.

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

Mr. MUNDT. I yield.

Mr. JARMAN. Does the gentleman recall any testimony before the committee, either in open or executive sessions, to the effect that there was any intention to go in on a military basis or any basis other than an advisory one?

Mr. MUNDT. None whatsoever. We should keep that clearly in mind. That is already in the bill; the Judd proposal would again reiterate it. We are making it clear to Russia, as we are making it clear to the people of America, that we are not sending occupational forces over there, and we increase our stature with other nations of the world when they know that we are proceeding in a traditional American manner to uphold the hands of free men in another area of the world.

There is nothing new in American history about that sort of thing. We are doing it because we recognize that the menace of communism is at their door and that it is heading in our direction. The Russians are going to look at the size of the vote by which we affirm this Presidential program to discontinue appeasement of Russia. The thing that they will look at is not the numbers of the men that we have in Greece or Turkey but they will consider what they know so well—our vast industrial capacity; the attitude of the free men of America; our vast reservoir of good will and friendship among free peoples the world over; our fleet and our Army; our atom bomb and our machine tools.

We do not have to worry that we are going in any way to injure the strength of our voice against communism by adopting the amendment which the committee has accepted.

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

Mr. Chairman, I am unable to embrace the doctrine that God is not averse to deceit when committed in a holy cause. If the pending resolution is not military in character, then it is a cheat and a swindle. It is, of course, military; and, because of that fact, I favor its adoption; and because of that fact, no restraint should be laid upon those who will administer it.

It ought to be easy for this House to realize that a storm is upon the sea. The old ship of state is in peril, and we who man it should fight both wind and tide that now concurrently run against us.

Speak of it as you may, the pending amendment is an appeasement of the forces that we wish to restrain.

The CHAIRMAN. The time of the gentleman from Georgia has expired. All time has expired.

The question is on the substitute amendment offered by the gentleman from Minnesota [Mr. JUDD] for the amendment offered by the gentleman from South Dakota [Mr. MUNDT].

The question was taken; and the Chair being in doubt, on a division there were—ayes 59, noes 99.

Mr. JUDD. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. JUDD and Mr. COX to act as tellers.

The committee again divided; and the tellers reported that there were—ayes 70, noes 122.

So the amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from South Dakota [Mr. MUNDT].

The amendment was rejected.

Mr. PHILLIPS of Tennessee. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PHILLIPS of Tennessee: On page 2, line 5, after the word "paragraph", insert "*Provided*, That in the assignment of civilian personnel to Greece or Turkey to administer the purposes of this act, preference shall be given to ex-service men and women."

Mr. PHILLIPS of Tennessee. Mr. Chairman, I offer this amendment on behalf of the ex-service men and women in America. Many of them have inquired what we propose to do in their behalf in this bill.

This amendment does not in any way interfere with the proper administration of this gift to Turkey and Greece; it simply gives a priority or preference to veterans.

I speak as one not unfamiliar with the hardships and bloodshed of war. We have heard a lot today and in days gone by from men who have had the courage to sit across mahogany tables and plan wars. But now is the opportunity for Members of this Congress to do something for the service men and women who have actually fought these wars.

I have met a number of nurses who having served in World War II would like to have the opportunity to further their service, if it is to be on the battlefields of Greece and Turkey. I met a number of Waves and Wacs who gave their time and effort in order that some able-bodied soldier might go to the field of battle. I met and talked to a number of GI's and ex-servicemen, both officers and enlisted personnel, who came home to find that their job was gone, that the world has truly moved on and now they have no employment. There are many well qualified ex-service men and women in my congressional district who are unemployed. They would like to have an opportunity to go over and serve their country in this way. We promised these men and women we would do something for them. Our Congress made that promise.

I do not think there is any serious opposition to an amendment of this kind. I have talked to a number of Members on both sides of the aisle and they seem to think it is a good proposition.

Mr. Chairman, before we go too far into this matter, may I say that this is a sad hour indeed. The cloak of secrecy has been placed around this whole thing. All of the issues have not been aired and brought to light. The internationalists have sold the American people a bill of goods.

Why do you not tell the people that this is a military bill and that you are proposing to plunge this country into war? Why do you not tell the people all of the facts? Personally, I do not like to vote for something unless I know what I am voting for. Why have we in times gone by spent days and days in hearing testimony, bringing in great volumes of it and presenting it to this Congress? Now, we are being requested to make the most important decision, admittedly so by the proponents, that this Congress has ever been asked to make. Within a few hours or a few

committee hearings you bring it in here and ask us to pass upon the matter.

Mr. Chairman, I have the greatest respect for the learning and ability of all these gentlemen, but I do say that as the days come and go if we vote for this we will see controls again, we will see the shackles of economic slavery placed upon the people of our country again, we will see the very same thing happen that we tried to undo.

Mr. Chairman, we talk about lowering the price of commodities and we talk about doing something with reference to the high cost of living. The facts are, and the Committee on Agriculture will tell you, this country is not self-supporting from an agricultural standpoint.

Mr. Chairman, I shall vote against the Greek and Turkey gift because I am convinced that it is not in our national interest. We are in no position to undertake to finance every nation in Europe, Asia, and China, and that is exactly what this policy will lead to. We have been importing agricultural products to supply our own tables, and it would occur to me that it is now time to begin to look after our own people. We cannot afford to continue to ship large quantities of food and commodities across the seas. Such a policy will make us poor and at the mercy of strong powers that might arise. Millions of people are now feeling the direct affects of the high cost of living. We cannot have a lowering in the cost of living and at the same time continue to export both food and commodities to all parts of the world.

I fear that our action here today will lead down the road to a third world war. We are projecting ourselves into the complicated political affairs and internal affairs of Greece and Turkey. We are taking sides with a faction of the population in these respective nations. Some claim that we are only sending a military mission of some 100 or 200 men to administer the food and supplies provided for by this so-called assistance to Greece and Turkey bill. Four hundred million dollars is a lot of money, but that amount of money cannot stop communistic aggression in Greece or Turkey. In order properly to make Greece and Turkey our first line of defense it would require probably billions of dollars to build the necessary military installations, including air strips, pill boxes, improvement of docks, exporting of the necessary mechanized equipment, the installation of communication centers, the supplying of food, the equipping of a number of divisions of trained men that would actually be necessary properly to fortify Greece and Turkey. I think what we are doing here today is a serious matter, and I sincerely trust that we have not taken a step that may well lead to the repetition of past experiences. I am afraid that another world war would destroy liberty at home and abroad. In my humble judgment, the matter of assistance to Greece and Turkey should have been handled by the United Nations.

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

Mr. EATON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

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

There was no objection.

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

Mr. FULTON. Mr. Chairman, this amendment seeks to give the veterans a preference of employment in an isolated case where we are going to undertake a particular project in two countries. I do not believe that the American veterans of this last war or any other war in which this country has engaged want any further privileges over the average citizen in this country. We veterans have been well taken care of by the American Congress and the American people and are grateful. That is the first point.

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

Mr. FULTON. I yield to the gentleman from West Virginia.

Mr. SNYDER. Is it not true that under our general law now the veterans get preference without this special provision in this legislation?

Mr. FULTON. That was my second point. Under the general law already existing, under civil service, the veterans are adequately taken care of, and I do not believe that we should start the practice of hanging this veterans' preference on every bill that comes up here.

Mr. PHILLIPS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Tennessee.

Mr. PHILLIPS of Tennessee. The gentleman has suggested that the veterans were well satisfied and being well taken care of. If the gentleman will just travel around over the country—and I assume the gentleman is a veteran—and look around a little and listen to the men talk, he may change that opinion. Further, what is wrong with placing a provision in here that will give the boys that fought for freedom along with you, and fought for all of us, and fought for our country this privilege? Why not give them an opportunity? Why not nail it down by this amendment so that they can be taken care of? What is wrong with that?

Mr. FULTON. I disagree. I had yielded at length to the successor of my good friend, Carroll Reece, and I feel I cannot yield any longer.

I might say that the veterans who are returning want to be citizens first and veterans second, and that we do not want always to be asking for special privileges. We feel when we have been given protection under a general act, and when we have been given very generous treatment by this Congress, that there can be little complaint.

The CHAIRMAN. The Chair recognizes the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Chairman, I do not care for 2 minutes.

The CHAIRMAN. If no one else is seeking recognition, the Chair will put the question.

The question is on the amendment offered by the gentleman from Tennessee [Mr. PHILLIPS].

The amendment was rejected.

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

The Clerk read as follows:

Amendment offered by Mr. BENDER:

On page 1, line 5, after the word "furnish", insert "nonmilitary."

On page 1, line 7, after the semicolon, insert "and."

On page 2, line 8, strike out the semicolon and insert in lieu thereof a period.

On page 2, line 9, strike out all down to the end of section 1.

Mr. BENDER. Mr. Chairman, the intent of this amendment is to eliminate from this bill all of its military provisions. For years in America the Beautiful, as long as I can remember, we have been singing in our churches, "In the Cross of Christ I glory towering o'er the wrecks of time." One thing is sure, this legislation will increase the wreckage, but if this legislation is Christian doctrine then I do not know what the Christion Church stands for or represents. I can imagine how our people will feel seeing Uncle Sam arm in arm with Greek and Turkish monarchists marching down the pike and singing, "Onward, Christian Soldiers."

Mr. Chairman, wholesale hypocrisy has been practiced on the American people by the administration in the presenting of this bill for an international military alliance in the name of relief. Most of the newspapers, many of the radio commentators, and all of the State Department bureaucrats have used the word "relief." This, as I believe every person in the House recognizes, and as the able gentleman from Georgia [Mr. COX] has stated, is a complete, deliberate act of wholesale misrepresentation. It is a scandal on the morality and the political ethics of the Truman administration that it should have engaged in this monstrous misrepresentation concerning the nature of the present bill before us. The sham, the pretense, the tears, the public vulgarity accompanying this monstrosity reflects on the intent of the administration.

Mr. Chairman, perhaps some Member of the House feels that these are strong words. Some Members of the House who oppose this bill have been accused of demagogy by exactly those people who in a complete spirit of Machiavellian demagogy have attempted to sell this insane military alliance to the American people under the pretext that it was giving food to the hungry and clothes to the naked.

Mr. Chairman, former President Herbert Hoover, in speaking to a group of Members of the House a couple of months ago, stated that $60,000,000 would adequately take care of all of the relief needs of Greece in the next year. Herbert Hoover was sent abroad by President Truman to determine the relief needs. This was his answer.

Mr. Chairman, many of us in the House deeply appreciate the heroic sacrifices of the Greek people in the last war. If any people in the world deserve generosity and gratitude from America, it is the Greek people. They need food, they need clothes, they need economic help. I, for one, am more than ready to extend such help. Therefore, Mr. Chairman, in order that the genuine desires of the American people to assist the Greek peo-

ple shall not become a pawn in the hands of power-mad State Department bureaucrats, I am offering this amendment which, when it strikes from this bill all of its military aspects, will make of the present bill a genuine, bona fide, 100-percent relief bill—pure and simple.

Turkey needs no relief. It is fat, and is fat on the traitorous war profits which it squeezed from us and from its dealings with Hitler Germany. It needs no relief and no proponent of this measure has ever dared to suggest that it needs relief.

Mr. Chairman, the British for 2 years have organized, financed, and waged a merciless civil war against the great majority of the Greek people. They have taken American money to pay for their civil war, and they have used our supplies and UNRRA relief in the past to bolster up their criminal attack on the democratic rights and liberties of the Greek patriots now fighting in the mountains of Greece.

Food for the rich aristocracy of Athens and bullets for the machine guns with which to attack the democratic peasantry of Greece is not my idea of a relief bill. Long ago, in 1776, we separated ourselves from the ruthless policies of British imperialism. It would be the height of folly for us to employ on a world scale their ruthless tactics of civil war against the poor and relief for the rich.

Mr. Speaker, the House should repudiate the monstrous misrepresentation generated by our State Department. It should repudiate the arrogant hypocrisy under which this proposal has been offered to the American people. We should make this bill a genuine relief measure. We should strike from this bill every element regarding the military. I urge that the House in all good conscience and good faith adopt the amendment which I am offering to eliminate all the military features from this bill.

Mr. EATON. Mr. Chairman, we are making some progress now. I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

Mr. SMITH of Ohio. Mr. Chairman, reserving the right to object, it is early in the day and I think we ought to have a little more time to speak on this bill.

I plead with the chairman of the Committee on Foreign Affairs not to press his request.

Mr. EATON. The distinguished majority leader, the gentleman from Indiana [Mr. HALLECK], suggests that I ask that debate on this amendment close in 20 minutes.

The CHAIRMAN. The gentleman from New Jersey asks that all debate on this amendment close in 20 minutes.

Is there objection to the request of the gentleman from New Jersey?

Mr. SMITH of Wisconsin. Mr. Chairman, reserving the right to object, I do so merely to ask the chairman this question.

I trust this is not evidence of an inclination to cut off debate because that is the thing we have been pleading for. What if it is going to take another day?

Mr. EATON. The gentleman's trust is well placed.

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

Mr. SMITH of Ohio. I object, Mr. Chairman.

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

Mr. Chairman, I am apparently one of the insane Machiavellians that my friend from Ohio [Mr. BENDER] has referred to in smearing all those who feel that this bill should pass.

You remember Bert Williams' song, "You don't need to know how much you know in order to know how little you know."

I have been to Greece and Turkey. I have recently talked to the elected representatives of 23 countries in Cairo. I realize that I do not know all about this. I have talked off the record with our ambassadors to Greece and Turkey and our military men here and in those countries. I realize I do not know all about this problem. But I know a great deal more about this and the threat to our own security which is involved than does my colleague who criticizes with wild and reckless generalities those who support this measure.

The pending amendment would take out the military advice and the military equipment which is proposed in this bill to give these two countries a chance to defend themselves against Soviet attacks. This amendment would make this a nice economic bill so that these countries could build themselves into richer prizes for Soviet aggression. This amendment makes this into a Henry Wallace bill. Wallace is the individual who is so anxious to furnish economic help over there but no military help of any kind so that these two countries may become richer and juicier Soviet prizes. I do not think the House wants to adopt the Henry Wallace program by adopting this amendment.

Therefore, Mr. Chairman, I urge that the amendment be defeated.

Mr. BUCK. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, ever since this proposal for this sort of aid to Greece and Turkey was brought to our attention by the President, I have been alarmed and worried by its implications. I have sought the advice of the people of the district I represent and the generous response has been gratifyingly thorough and thoughtful. I have, of course, studied the committee report and the debate.

Mr. Chairman, the situation in which we find ourselves in our consideration of this bill reminds me of the situation which confronted an early settler in the central part of New York State. He was a prosperous settler, the most prosperous in the entire area. Within his stockade, which lay in the center of his cultivated fields, he maintained a fine supply of arms and ammunition. It was a limited supply because all supplies were limited, but it was, nevertheless, sufficiently adequate to deter the savage Iroquois Indians from making a direct attack upon his settlement. This did not prevent the Iroquois, however, from commencing to threaten and harass the friendly and less warlike Mohicans who lived in the settlement's near vicinity. The settler knew that if these friendly Indians were destroyed, his danger at the hands of the Iroquois would be greater. He did not have enough guns and ammunition to arm all the friendly Mohicans but he reached the conclusion that it would be worth while to make a show of arming a few of them to demonstrate to the Iroquois that he meant business. His aim was to protect both his friends and himself. He also reached the conclusion that if this show of force failed, he would not leave himself defenseless by making panic distribution of the great bulk of his arms and ammunition. Instead, if and when an all-out attack by the Iroquois compelled him to retire into his stockade, he would still be strong and ready with food and guns and bullets and gunpowder.

Mr. Chairman, I support this bill to aid Greece and Turkey. Beyond that, however, and for my part, I will oppose spreading our resources and our arms and our ammunition with such a free hand and in so many directions that we will be unable to withstand the Iroquois if and when they attack.

Mr. COTTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire [Mr. COTTON]?

There was no objection.

Mr. COTTON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio which, if adopted, deprives the bill of all military significance and makes it purely a relief measure.

This amendment lays bare the real issue involved in this bill which has been largely evaded during the 3-day debate. Why should we camouflage and sugarcoat the decision which is before us? Let us face it squarely. This bill is a measure for military defense of the United States, and all for which the United States stands in the world today. That is why I am for it.

One by one the outposts of freedom have been engulfed by the onrushing tide of a world power which recognizes nothing but force and which intends to dominate the entire world. If Greece and Turkey, keys to the Near East, are so engulfed, the loss of Europe, Asia, and Africa is inevitable. The President of the United States in joint convention, has solemnly informed us that we, and we alone, can stem this tide. He has informed the Congress that a crumbling and bankrupt British Empire is no longer able to act, and that the United Nations organization, torn with dissension and restricted in its powers by its own charter, cannot meet this situation. His statement in this respect in corroborated by Warren Austin, delegate to the United Nations, and by Senator VANDENBERG who has inserted safeguards in the measure now before us to make sure that we shall not violate our obligation to that organization. The President has formally declared our policy to us and to the

world and calls upon Congress to support him. How can we do otherwise?

We have the bitter lessons of two wars to guide us. We failed to act when Hitler invaded the Rhineland, when the Nazis overpowered Czechoslovakia, and when Japan entered China. As a result, we expended thousands of lives and billions of dollars to gain beachheads in north Africa, Normandy, and on the islands of the Pacific. Shall we weakly surrender all that we have gained at such tremendous cost?

The vote which we cast today is more important than any that will be cast in this or perhaps any other session of Congress. The eyes of the world are upon this Chamber. The enemies of freedom, both foreign and domestic, are watching us. To be sure, if we embark upon the course that this bill provides we may ultimately face war, but if we reject that course we shall certainly face war or lose our liberties. Every school child knows the words of the great Virginian who made the first speech in our history against appeasement:

> What is it that the gentlemen wish? * * * Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God!

We, as a nation, cannot escape our manifest destiny which is to defend freedom at home and abroad. A vote against this bill is a vote for that policy of isolationism and appeasement which has twice led us down the road to war.

I repeat that this bill, while it properly carries relief to the sufferers of Greece, is fundamentally a measure for the military defense of this country. I shall vote for it.

Mr. LEMKE. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota [Mr. LEMKE]?

There was no objection.

Mr. LEMKE. Mr. Chairman, our Uncle Sam has gone delinquent. He is in his second childhood. He has deserted beautiful Miss Columbia and her 140,000,000 sons and daughters. He has become an international philanderer. He is chasing red, pink, green, and off-colored skirts all over the world. He is squandering the wealth that Miss Columbia and her 140,000,000 sons and daughters have created.

The time has come that we appoint a guardian to protect him from his folly, and prevent him from squandering the substance of our Nation—from giving away to gold diggers that which belongs to Miss Columbia and her sons and daughters—that which belongs to unborn generations.

I know of no better guardian than a Republican candidate for President in 1948, who believes in America first, last and all the time, with justice to all nations, whether they be the so-called 52 peace-loving nations—should be aggressors—or our vanquished foes. One who believes in the Stars and Stripes rather than in a mongrel flag. A candidate who knows enough to know that the One Worlders have been deflated. A candidate that has not, and will not, hob-nob with the former pal of Hitler, Joe Stalin.

I am sorry that such a candidate—such a guardian—is not yet in sight. I also know that 80 percent of the American people are getting sick and tired of our Uncle's behavior, and demand such a candidate. They know that our Uncle is the easy prey of the global gold diggers—that he is denuding our Nation. They know that he is leading us into another undeclared war.

I, too, realize that this is a momentous decision. But it need not be, if we remember that our first duty is to our own Nation. It is an easy decision, unless we knock-kneedly follow a few misguided, silver-topped octogenarians in both chambers of this Capitol.

The Republican Party was kept out of the White House for 16 years because it had no positive program—because its candidates were "me-too" followers of the One Worlders—globetrotters. The Democrats met a disastrous rebuke last November 5 because they too blindly followed blind leaders.

The time has come for both parties to again adopt the policy of our forefathers, and avoid globetrotting and foreign entanglements. The time has come for my Democratic friends to adopt the doctrines of Thomas Jefferson. The time has come for my Republican friends to adopt the doctrines of Abraham Lincoln. When that day comes, it will be a glorious day for the United States of America.

As I listened the other day to the gentleman from Georgia [Mr. COX], I was impressed with his dreadful earnestness, and astonished at his fallacious argument. It was the same old story—arm other nations, and they will protect us—will save us from war. How does the gentleman know on which side the Greeks or Turks will be in the next conflict? Does he not know that an armament race always has, and always will end in war?

Since when have we become so cowardly that we have to arm other nations to do our fighting—Hessians. I deny that that is essential, or for the best interest of our Nation or for the peace of the world. It means war.

Whenever the day comes that love for our country and patriotism falls so low, that this kind of chicanery is necessary, then the Republic that you and I have cherished and loved—the Republic that the world has looked to as a model of justice and decency to all nations—will be dead. Then, we will have surrendered all that is sacred and good to the human race.

Let us no longer be blind followers of deceptive slogans. We were deceived and led into World War I by false slogans. Then it was, "He kept us out of war," "Too proud to fight," "America first," and then "Benevolent belligerency," "A little group of willful men," "War to end all wars," and, "Make the world safe for democracy." Time has proven the dishonesty of all those slogans.

In World War II it was "Raise the arms embargo and save our boys," "Give us the tools and we will do the fighting—lend-lease," "The four freedoms," and then "I say again and again and again your sons will not be sent to foreign battlefields." Time has proven these slogans false. There are no four freedoms and our boys did the fighting.

Whatever difficulties we face today are of our own making. We went to bed with the former pal of Hitler and we are reaping the reward. Our Presidents and leaders were outgeneraled at Teheran, Yalta, and Potsdam. In place of looking for more entanglements the time has come for Congress to repudiate Yalta, Teheran, Potsdam, and all the other commitments that are not in keeping with decency and honesty among the nations.

History repeats itself. So does war. So do slogans. We are now being deceived into World War III. Now we are told that we—less than 7 percent of the world's population and owing twice as much as the rest of the world together—must become a permanent, international Santa Claus. We are told that we must not only feed the world but that we must arm and set nation against nation. That we must arm Greece and Turkey and set them against Hitler's former pal, more recently our pal.

In his special message to Congress the President short-circuited the UN—the angel of peace that concealed the truth and sanctioned the liquidation of Lithuania, Latvia, Estonia, part of Poland, and part of Finland by the former pal of Hitler. The President insists that we accept reneging British commitments and assume guardianship of Greece, Turkey, and other nations. He says we must do this in order to head off communism—to save Britain from Russia.

In his armament race, in his power politics, the President is following the unfortunate footsteps of the former President. He is entering an undeclared war. All this could have been avoided if at Potsdam he had repudiated Yalta and taken a firm stand by telling Stalin to get back into his own country where he belongs and stay there.

Again, at about the time that the President asked for the $400,000,000 to arm Greece and Turkey against communism, our Government was turning over 650 artillery shell pressers and other implements of war to Russia as reparations. These were from the part of Germany that we occupy. The German war plants were dismantled and shipped to Russia. With one hand we arm Russia and with the other we are asked to equip the Greeks and Turks to combat her. The time has come to wake up. There is danger ahead.

Mr. GARY. Mr. Chairman, I rise in opposition to the pro forma amendment.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes.

Mr. SMITH of Wisconsin. Mr. Chairman, I make the point of order a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and twenty-nine Members are present, a quorum.

The Chair recognizes the gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Chairman, the newspapers during the last few days have told us of the celebration throughout

Soviet Russia of "Soviet Radio Day." The Soviet radio throughout Russia and in broadcasts to other countries has been telling the world that the Soviet radio is "objective because it has nothing to hide" and has been assailing the American radio as a part of the "reactionary press." The Soviet radio has even attacked the Voice of America and I would like to read a part of a broadcast which the Russians sent over the air in four languages in Europe.

This broadcast is the second recognition the Russians have officially given to the Voice of the United States of America which has been broadcasting the news of the United States to the Soviet Union. Ilya Ehrenberg, the noted Soviet propagandist, previously has told us that the Voice of America is being heard in Soviet Russia. This new broadcast confirms the fact that many Russians are hearing the Voice of America and that apparently Russia is worried that they will hear more truth than they receive from Soviet newspapers and over the Soviet radio.

Here is what this Russian radio broadcast said:

When the famous Russian savant Alexander Popov discovered the method to transmit sound over a distance, he had visions of enriching humanity by the most perfect means of communication, expanding the viewpoints of the people who were afforded the possibility to transmit their thoughts and feelings from one end of the earth to the other with the speed of light. However, every one of humanity's great accomplishments can be twisted, and the world mass now repeatedly witnessed this. The German radio was in the hands of Goebbels for a few years, and there began the demoralization of the German people, a source of misinformation, a propagandist for war, murder, and robbery, and of race theories hostile to humanity.

To hear the same motives in a more democratized version, one has but to tune in on the New York wave lengths. There we hear propaganda for the need to create American * * *. Throughout the world we hear imperialistic plans for the conquest of strategic positions in the Near East and the Levant; hysterical appeals for a crusade against communism, against socialism, and labor unions; in general, against any progressive democratic movement, slanderous fabrications about countries of the new democracy, etc., etc.

Some people accuse the Soviet people that they are too sensitive about such reports. But the fact is that in * * * our Socialist country there is no room for the dissemination of slander and falsification. This arouses aversion on our part simply because we are decent. The Soviet information is objective because it has nothing to hide. With us there are no monopolist groups which pay good salaries for falsifications.

Facts in themselves are objective, but there is not one radio station nor newspaper in the world which in reporting these facts does not express a certain standpoint. The point is, Whose standpoint? Soviet radios throughout the world express the true and sincere opinion of the entire Soviet * * * of the powerful and peace-loving people that is prepared to collaborate with all to create a democratic peace. But in countries where everything is figured in dollars, where the radio is a source of income to the instigators of a new * * * there the radio is not the expression of the people, but that of those 60 or 100 or 200 families who control the radio stations.

This broadcast is only one of many recent Soviet broadcasts in a campaign of false and malicious information about the United States over the air waves of the world.

Since March 12, when President Truman proposed the $400,000,000 loan to Greece and Turkey, the Soviet radio has been systematically attacking what they call the "atom" and "dollar" diplomacy of "imperialist capitalists" to take over Turkey and Greece.

This campaign reached its climax during the past week when the Soviet radio began broadcasting the attack of their newspaper Izvestia on Secretary Marshall's speech on the Moscow Conference. On Soviet Radio Day this attack was broadcast in 19 transmissions in 12 languages throughout Europe and the Near East—the greatest concentrated attack the Soviet radio has ever made on a statement of the President or the Secretary of State of the United States. The Soviet broadcasts went to Greece, Turkey, and the Arabic countries which the Voice of America does not now reach. It is highly important that we make every effort to tell the American story in this highly important region.

Mr. JENKINS of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the debate on this bill, commonly known as the loan to Greece and Turkey, has been in the most part earnest and sincere and of a very high order. The debate has reflected the fact that the membership is much concerned about what is the proper course to take. This is in all sincerity a very important bill because it calls for a complete departure in governmental policy. I want to emphasize this statement that this is a complete departure in governmental policy and further that it is tremendously important. It is appallingly important. I hope that whatever action the House takes on this proposed legislation will ultimately prove to be for the best interest of our country and future generations.

Much has been said on the floor of this House and through the press suggesting that this question is much the same as the question which confronted our country when we enunciated the Monroe Doctrine. I fail to see any similarity between this problem and the problems which confronted us in President Monroe's time. In fact the situation seems to be diametrically different. At that time we were laying the foundations of America. We said then, in effect, that any attempt by an European nation to gain dominion in America would be considered by us as an unfriendly act and would be opposed to the limit of our resources. In other words, we were then protecting ourselves. We were, in effect, removing ourselves away from all European aggression. We purposely assumed a defensive attitude. I think that any attempt at this time to establish a so-called Truman doctrine and claim for it the merits of the Monroe Doctrine is simply an effort to enhance the political stature of Mr. Truman. The course sought to be established by this bill is in every respect a course toward imperialism. It is a course that promises to lead us into foreign entanglements and not away from them.

Many of the Members who have spoken on this floor in advocacy of this legislation have frankly admitted that we are starting on a new course. We are not following a course of defending America for the protection of Americans but we are following a course which its advocates say is one that takes liberty to the peoples of other countries and other continents. This may be true but as yet I am not convinced that it is the right course. Personally, I think that this proposed course is of such tremendous importance that we should give it more consideration than has been given to it. When we enter upon this course we will find ourselves moving inevitably toward a one world. I think that the leaders of our country are not justified in moving so aggressively on this course. The people of the country have not been thoroughly advised with reference to the tremendous changes which this course is bound to bring us from a national and an international standpoint.

Personally, I do not think that the time has come when this great country of ours should throw itself into any movement that has for its ultimate purpose a one-world government. The fact that there is so much honest uncertainty in the minds of so many Members of Congress is proof to me that we are today embarking upon a course, the end of which we cannot safely foresee. The situation to my mind is not so imminent as to demand this action at this time.

The President in the speech he made at Waco, Tex., on March 6, took unto himself much more authority and power than rightfully belong to the Presidency. The President has no right to commit our people to a course which carries with it such momentous consequences. I should like to ask where, under our theory of government, does the President have a right to commit the American people to this course of action. In his speech at Waco, he said:

At this particular time, the whole world is concentrating much of its thought and energy on attaining the objectives of peace and freedom. These objectives are bound up completely with a third objective—reestablishment of world trade. In fact the three—peace, freedom, and world trade—are inseparable.

I agree with the President when he says that the whole world is anxious for peace and freedom. But I do not agree that peace and freedom and world trade are inseparable. In fact I claim that in all the history of our country freedom has been the cardinal purpose of our country and that we cherished this purpose as fervently and even more fervently in war than in peace. Freedom is one thing and peace is another and world trade is quite another. They are all desirable but not inseparable. We would be justified to go to war for freedom's sake but not for the sake of world trade.

When the President says, "Our foreign relations, political and economic, are indivisible, we cannot say that we are willing to cooperate in the one field and are unwilling to cooperate in the other," he

takes unto himself more authority than belongs to the office of the Presidency. In fact he attempts to commit our great Nation to a policy upon which our people have never publicly spoken. We have fought wars in defense of our political relationships but not in defense of our trade relationships. Furthermore, if our people have ever spoken on this subject, their voice has been recorded exactly opposite to the position which the President takes. We have always maintained that as far as our relationships with foreign countries are concerned, our political relationship is one thing and our economic relationship is something else. He attempts to sound forth a new policy which is not a recognized American policy.

The American emissaries at the Economic Conference in Geneva which is now in session are encountering stubborn obstacles in their efforts to foist this program upon the world. The opposition which they are encountering is a natural opposition. They are in Geneva representing a Nation in which a free economy has always been maintained and in which private industry and freedom of action have been the dominating and controlling forces. They are now attempting to deal and bargain with representatives of some nations whose economy is now largely state-controlled and with some nations that are controlled by communistic dictatorships. In other words, the representatives of the countries with whom we are dealing can speak with the authority of a dictator and can make trades without regard to the people of their respective countries while our representatives must consult with the people whom they represent. Our representatives represent a free people while many of the other representatives speak for the state or the dictator who is above the people.

The attempt of the President to speak for America is nothing more or less than an attempt on the part of the New Deal leadership to continue the practices of President Roosevelt as he went about the world committing our country to courses of action without having consulted the people or their elected representatives. When it was so plain that the most unsophisticated of our people knew that we would have trouble with Russia after the war why did not President Roosevelt in some of his many secret conferences anticipate what is happening today and guard against it? I have always maintained that the countries whose peoples were of the same racial extractions and of the same religious philosophies and the same political philosophies as ours should have joined together in the fluxing processes of the last war. They should have been encouraged to stand together against the communistic and pagan and anti-Christian and anti-human freedom countries of eastern Europe.

Likewise, the President in his message to Congress on March 12 assumed to commit our country to courses of action which the American people have not approved. As I have already stated, the President has no inherent right to commit our country to courses of action unless the same have been well recognized courses and unless the people have accepted them or unless the country is in imminent danger.

I quote from the President's message:

> I therefore ask the Congress to provide authority for assistance to Greece and Turkey in the amount of $400,000,000 for the period ending June 30, 1948. In requesting these funds, I have taken into consideration the maximum amount of relief assistance which would be furnished to Greece out of the $350,000,000 which I recently requested that the Congress authorize for the prevention of starvation and suffering in countries devastated by the war.
>
> In addition to funds, I ask the Congress to authorize the detail of American civilian and military personnel to Greece and Turkey, at the request of those countries, to assist in the tasks of reconstruction, and for the purpose of supervising the use of such financial and material assistance as may be furnished. I recommend that authority also be provided for the instruction and training of selected Greek and Turkish personnel.
>
> Finally, I ask that the Congress provide authority which will permit the speediest and most effective use, in terms of needed commodities, supplies, and equipment, of such funds as may be authorized.
>
> If further funds, or further authority, should be needed for purposes indicated in this message, I shall not hesitate to bring the situation before the Congress. On this subject the executive and legislative branches of the Government must work together.

In this message the President says:

> In addition to funds, I ask the Congress to authorize the detail of American civilians and military personnel to Greece and Turkey.

I maintain that the President went entirely too far in attempting to commit our country to a new course which is entirely contrary to the foreign philosophy that we have heretofore followed. Never before in the history of our country has a President attempted to embark our country on a course of military aggrandizement or military imperialism. When we pass this legislation, we are doing it at the behest of the President and in an attempt to follow the course which I maintain that he has improperly charted for us. If this bill is passed as it is, as many Members who have already spoken on this matter have said, it is just the beginning. The President in the remarks that I have already quoted makes the solemn announcement as follows:

> If further funds or further authority should be needed for purposes indicated in this message, I shall not hesitate to bring the situation before the Congress.

My colleagues, this action that we are about to take is the first step in the third world war. The President's language can mean nothing else. This appropriation of $400,000,000 is a military appropriation, and nothing else.

I maintain that the country is not ready for a declaration of war, and I shall not vote for a measure which is virtually a declaration of war. I maintain that the situation is not so imminent as to require this action.

I am sorry that our State Department does not have the confidence of the American people. I only wish it did have. That it does not have is due to its failure to be forthright in its dealing with the people. If we had a strong Department of State in which the American people had confidence and if we had an Executive who was recognized as a leader of thought in his own right, and if these two great departments of the Government, after the approval of the military and naval authorities of the Government, would bring us the information that any foreign country was surely and certainly planning military opposition that would threaten the rights and safety of our great country, I would then, as I have done in the last several years, vote to support them in such a program. But since the situation is entirely different, I feel it my duty not to cast a vote that from all indications will lead us into war.

In this connection, and in all seriousness, let me ask, Why is it that the United Nations organization has not been called upon to lend its good offices in an effort to compose and resolve these differences? Of all the nations in the world that should recognize the United Nations, it is the United States of America. We were more responsible for its establishment than any other country and we pay more for its maintenance than any other country. No one of those who have spoken that I have heard has claimed that the United Nations could not have jurisdiction in this case. It may be that it is not a case to come within the jurisdiction of the United Nations, but surely when the United Nations was set up it was contemplated that that organization would have such jurisdiction as would permit it to consider whatever issues this problem raises. But so long as there are Communists holding high places in our Government, and so long as persons in high places in the Government such as was the case in the Roosevelt administration, who knowingly associate and collaborate with well-known communistic persons and groups, I do not feel like taking steps that will surely involve us in war. Let us put our house in order first. Then let us encourage those peoples who subscribe to our political and social philosophies and then let us make ourselves strong in a military and naval way and while we are doing this let us call upon the United Nations organization to protect Greece and Turkey from the insidious encroachments of Soviet Russia through her infiltrations of communism and other sinister philosophies and practices which upset the internal peace and prosperity of Greece and Turkey. When and if all these efforts fail we can then appeal to the arbitrament of war.

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

Mr. Chairman, in listening to the remarks concerning the Greek-Turkish loan, as recommended to Congress by the President, it seems to me there can be one open door to the course of action to be taken. The program is being discussed throughout the length and breadth of our land and in foreign countries as well. It becomes now the immediate problem of the Members of Congress, after thorough investigation, discussion, and debate, to decide which policy this country will follow. No Member or group of men can foresee the far-reaching effects and ultimate outcome the action will have.

There are in this country a great number of intelligent Americans representing every walk of economic and political life, who have a firm belief in democracy and in its survival. We, in the United States, live under the oldest written Constitution in the world. We have a tradition of freedom. Despite occasional irrationalities, the dislike of servility and regimentation is deeply ingrained in the American character. To exercise free speech, free choice, free government, is one of America's chief contributions to the world. This tradition of freedom constitutes a backbone that refuses to crumble before authority. The strength of this democracy of freedom is that the United States must remain firm and true to its purpose. The true American feels that what is best in his own democracy will be best for men in all other countries seeking like ideals. There is nothing we want for ourselves that we do not want, ultimately, for the rest of the world.

We know the philosophy of Russia and the policy that follows the infiltration of ideologies into smaller countries, with the ultimate objective to incorporate through revolt and revolution or by conquest. This policy was followed by Hitler during his leadership in Germany.

Now, as we are faced with these nations which have suffered the ravages of war and are now in a state of unrest and fear of being pressed into submission by an aggressor nation, it seems to me, that America must take a firm stand in its foreign policy and discontinue the policy of appeasement. Appeasement leads only to more appeasement until we should soon find our backs to the wall and our leadership as a Nation completely wrested from us. The consequences are not hard to imagine.

To accept a do-nothing policy puts democracy under a handicap. We cannot continue a great democracy by giving ourselves up as individuals to selfishness and physical comfort and be blind to the desperate need of others. The very foundation of the American ideal of a better and richer life for all is that others, in varying degrees, may share it.

There are two alternatives for our action toward Greece and Turkey. One is lending aid, thereby furnishing the help needed to retain their freedom. The other, to serve notice to them that we are not concerned with their problem, thus leaving them in their vain struggle against aggression.

Let us stop and ask ourselves this question: "Is peace the supreme end of foreign policy or is the survival of nations in independence and security a greater end than peace?" Through the creation of the United Nations organization we have hope that these problems will eventually be settled, but we are all aware that at this period in its development and progress, it is still unable to cope with this responsibility. Therefore, I do not concede that we are bypassing the United Nations. The Greek-Turkish loan is a direct appeal to the United States.

Although included in this are funds for military aid, I do not feel that this action will lead to war, but will lend more to bringing about a lasting peace, in that these smaller nations will be put in a better position financially and morally to oppose the pressure being brought upon them.

No great power can be indifferent to any of the other great powers. It must take a position in regard to all of them. There are two great powers left in the world. America is at the crossroads as to whether we accept or reject the world leadership in the ideals of our democracy of freedom. If we accept it, we must take a firm and positive stand on foreign policy, the object being not only to provide security against war but also to organize a peace which will prevent war. We want a foreign policy so strong and so dependable that there is no way of challenging it.

To preserve civilization, we must be ready to give the world more than we get. The nation or the individual who looks for the tangible returns and quick profits will be the very one who will come back empty handed. We must have faith in God and confidence in those nations who accept our aid, that freedom, security, and peace may be achieved.

Consequently, it is my personal conviction that I must support this legislation.

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last three words.

On the issue before us, I take my position beside Senator HARRY F. BYRD, the outstanding patriot from Virginia. Possibly the forces back of the pending bill know that it would take us into war, and intend that it should. In that case, we may be sure the necessary incident to start the conflagration will appear in due time.

On the other hand, it may be that those responsible for bringing this measure before Congress are not deliberately maneuvering the United States into war but believe the action they are asking Congress to take will somehow spare the United States from another holocaust. If this be the case, the United States would be placing itself in the precarious position of possibly losing what power it possesses to prevent war. The Greeks and Turks might provide incidents of their own, in which event they—not we—would make the great decision. Is the United States placing its destiny in the hands of the Greeks and Turks?

What will the Turks get out of the war, if this eventuates, and what will be the spoils of Greece? Is anyone so naive as to believe they would deign to farm out their homelands to be used as a war base without some promise of territorial expansion? Was there not once a far-flung and powerful Ottoman Empire? Are we to presume that this fact does not still linger in the minds of the Turks?

First, the United States used of its resources to enthrone Hitler in power. Then at a fearful financial, material, and moral cost we knocked him off his high pedestal, but put something just as bad and possibly worse in his place. Now the Congress is being importuned and inveigled to inaugurate a scheme to shear Hitler's successor of his power.

Having accomplished that—more likely than not at an additional terrific cost of blood and physical and moral resources—and possibly the enthronement of the Turk in power, will the United States then be obliged to continue the cycle of destroying and reestablishing empires by abolishing our latest creation? Where will it all end? God alone knows.

Mr. BENDER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and thirty-five Members are present, a quorum.

Mr. VORYS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. KERSTEN].

Mr. KERSTEN of Wisconsin. Mr. Chairman, in the brief time allotted to me I should like to say something about an incident that very much affected me this morning. Over in my office about an hour ago a group of Communists called upon me, and I imagine other gentlemen have had the same experience in the last day or so. They wanted very much to know how I was going to vote on this Greece-Turkey bill. They were very much against it, of course. I told them to their teeth that I was going to vote for it. I further asked these gentlemen, and I had to put the question six or seven times before I got a straight answer, in the event of a conflict of interests between the Government of the United States and the Government of Russia, which Government would they, as the Communist Party of the United States, support. Their final answer was that they would support the Government of Russia against the United States.

That is the American Communist Party for you. Mr. Lenin, on numerous occasions, and Mr. Stalin, following him, frequently have stated the world-wide ambitions of communism. Let us make no mistake about their purposes. They have exemplified those purposes by the countries surrounding Russia today.

Gentlemen who oppose this measure state that they do so because of the economy of America and that they do not wish to deplete the resources of the United States. Let me ask those gentlemen: Are they willing to let Russia expand over the rest of the world? Are they willing to adopt a head-in-the-sand policy and permit Russia to take over the trade routes of the world? If Russia does that, what will be the result? There will result a competition between the United States and the Russian-dominated world wherein Russia, having a slave economy with ten to fifteen or perhaps more million people in slave camps working for the Russian economy, will compete with the United States. Where, then, will our economy end up? It will end up competing with the totalitarian world. Those gentlemen who talk of economy and protecting the economy of the United States—are they willing to let Russia take over the economy of the world? If that is the situation, then we

will have to become somewhat totalitarian ourselves to compete with slave labor and the average of $1.08 an hour that American labor now earns will be reduced by at least half as a result of competing with 15,000,000 slaves.

Mr. GOFF. Mr. Chairman, I rise in opposition to the amendment which would strike all military aid from this bill.

Mr. Chairman, I can think of no greater mistake than the attempt to strike all military aid from this bill which calls for assistance to Greece and Turkey. Actually, as we all know, this legislation cannot be justified merely as relief for these two countries. The American people are entitled to know that we entertain no illusions that the assistance we are to render is other than basically military and strategic in character. However strong may be the need for civilian and economic help to indomitable Greece, it has been clearly demonstrated that Turkey neither needs nor expects anything but a bolstering of her out-of-date military machine. In the case of Greece, we will surely lose the chief fruit of our investment if we do not couple such economic help as we are prepared to give with advice in reorganizing and strengthening her army and by furnishing arms and munitions. Military aid is thus the heart of the entire program for both countries.

I think our experience in practicing sweet gentleness and forbearance that led up to two wars ought to demonstrate the futility of temporizing with dictators. An estimable gentleman by the name of Chamberlain found that being polite is not always the most effective way to deal with bullies.

Mr. RANKIN. Mr. Chairman, if the gentleman will yield, we also found that being polite to the Japanese in Hawaii did not pay.

Mr. GOFF. I thank the gentleman.

We will be adopting a halfway measure if we strike the military-aid provision out of this bill. When you are dealing with bears you have to speak in growls, the only language that a bear can understand.

It seems to me the fundamental issue before us is whether we are prepared to stop this program of infiltration and aggression. We ought to make this action strong enough for Stalin to understand that we are prepared to go the limit in preventing Greece and Turkey from being taken over as have been the whole list of smaller countries on the borders of Russia. I was not impressed the other day with the argument that because we had stood by and permitted the gobbling up of Finland, Poland, Yugoslavia, Bulgaria, and other countries that we should not now protect Greece and Turkey. Whatever mistakes may have been made in yielding to Stalin at Yalta and Teheran, I thought Secretary Byrnes, fortified by bipartisan support at home, had stopped backing away and announced there would be no further compromise on the principles for which we had poured out American lives and treasure. We have done a lot of talking about freedom for small nations and their right to self-determination. Now is the time to show the world we meant what we said. What the Russians respect most is a firm stand and a strong hand. These will come nearer to prevention of war with them than any policy of appeasement. We did not free Europe from the Nazis just to let the Communists move in. That would be throwing away the sacrifices we have already made.

We should have had our understanding with Russia, without any compromise of principles, when her back was against the wall, and when she called on us for help. Any concession or show of weakness on our part now will permit her to grow in strength and make the inevitable show-down all the more difficult for us when finally it comes.

After serving in two wars, I have had my fill, but surely we must realize that temporizing is not the way to stop aggressors. The people of Russia are entitled to have any type of government they want, but they must not force it on us or on the rest of the world. I, too, have looked over Hiroshima and Nagasaki. Stalin should understand that we are not agreeing to withhold anything if he persists in his present course, and that is the reason I voted against the amendment on atomic weapons submitted by the gentlewoman from California. I do not propose that we repeat the mistake of Britain which sent Chamberlain over to stop Hitler with an umbrella.

The CHAIRMAN. The gentleman from Ohio [Mr. RAMEY] is recognized.

Mr. RAMEY. Mr. Chairman, it has been said that everybody's mind has been made up and the debate means nothing; that each one has made up his mind. I do not concur. I will state frankly that I am grateful for the work of the Foreign Affairs Committee. We who do not concur in their conclusions nevertheless respect their sincerity and industry. I want to commend especially the work of Mrs. BOLTON and Mr. VORYS, of our own State of Ohio.

During the 4-day debate my opinion is that the outstanding address has been made by the gentleman from Oklahoma [Mr. MORRIS]. He is a member of the opposite party and I have never met the honorable gentleman. However, he gave a message which we must heed when in substance he said: "Let us avoid hysteria. By all means let there be no speeches for applause and, at the time of voting, let us know that emotionalism shall not have the right-of-way." Let me state frankly that self-will shall not guide my vote.

If Dr. JUDD's amendment had been agreed to, I would have supported the bill. If the present amendment or any amendment is offered and carried which will remove us from being an aggressive power-politics nation which could change this greatest of all peaceful nations into a nation asking for war, I could support this measure. I could support it if it meant that our tractors in Greece which are now rusting would be put to work, that there would be a chance for a better world and not an opportunity for hysteria to lead us into war mindedness and war madness.

War is not imminent, neither is peace imminent. Through hysteria, we are now building up a straw man at which to shoot, thus allowing "patriotism to become the refuge of a scoundrel." I do not mean that the person so shouting is purposely a scoundrel but when hysteria instead of sound reasoning guides power propaganda talk, he involuntarily becomes one unintentionally. I shall have an open mind but there have been no facts presented to show the need which has been expressed through emotionalism.

There was a time when people called others vulgar or profane names. Now, we politely call everyone with whom we do not agree, a Communist, a Fascist, a Nazi, an isolationist, an internationalist, a New Dealer, a conservative Republican, or a reactionary Democrat. These words are also the product of hysteria. There is not a gentleman in either of the great parties on the floor of this House whom I do not respect and whom I would brand with any of these names. I do not always respect the judgment of some, but I would not charge these names to any one on the floor of the House.

The history of communism we know and we know of its start in Russia. We know of the start of fascism in Italy and of nazism in Germany. All were created when the people surrendered their freedom to their government for things and by so surrendering they not only lost their freedom but failed to obtain things. We breed communism, fascism, and nazism when we surrender the sovereignty of the individual to the control of government authority. A great many think those who vote for this measure are isolationists, isolating a group of countries against another asking for war. I do not impugn their motives. There are others who maintain everyone who loves the United States of America is an isolationist. Neither do I concur in this view. We only become isolationists in mind when we refuse to recognize the viewpoint of another. Isolationism is mental. Even though counterfeit ghost-writers are able to attach these slanderous names to persons, let us not personalize any of these names to the colleague with whose views we do not agree.

My appeal is, let us be sane. Let us not be self-willed in this hour of decision. Let us listen to the "still, small voice" instead of that self-will and be guided by the "still, small voice" in this critical hour.

I thank the gentleman from Oklahoma for his remarks.

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

The question recurs on the amendment offered by the gentleman from Ohio [Mr. BENDER].

The amendment was rejected.

Mr. BENDER. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. BENDER:

On page 1, lines 5 and 6, strike out "and Turkey."

On page 1, line 6, strike out "Their governments" and insert in lieu thereof "its government."

On page 1, line 9, strike out "those countries" and insert in lieu thereof "such country."

On page 2, line 6, strike out "or Turkey."

On page 2, lines 10 and 11, strike out "those countries" and insert in lieu thereof "such country."

On page 2, line 18, strike out "those countries" and insert in lieu thereof "such country."

On page 2, line 20, strike out "countries" and insert in lieu thereof "country."

On page 3, line 12, strike out "or of Turkey."

On page 3, line 13, strike out "countries" and insert in lieu thereof "country."

On page 3, line 16, strike out "countries" and insert in lieu thereof "country."

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes in support of his amendment.

Mr. EATON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

Mr. POAGE. Mr. Chairman, does that means that the committee will have the last 5 minutes or is that in addition to 5 minutes for the committee?

Mr. EATON. The committee does not want any time on this amendment.

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

There was no objection.

Mr. BENDER. Mr. Chairman, President Truman has asked us to form a military alliance with a nation whose record in the art of international double-cross is without parallel in the annals of history. This nation, for a thousand years, has persecuted Christians and Jews. It is without free elections, it denies freedom of the press, it is ruled by a ruthless military dictatorship. There is no argument, Mr. Chairman, of any kind—political, economic, or ethical—which does not argue against the inclusion of Turkey within this proposed bill.

Mr. Chairman, would any Member of the House invite a thief into his home to protect his property? Is there anybody who would hire a bandit to protect his wealth? Is there anybody who would pay a military dictator in order to guarantee his civil rights and his civil liberties? Is there anybody in the House who can conscientiously point to any ground whatsoever for putting our national security into the hands of the present Turkish Government? How in God's name can American national security be entrusted to a government which on the record has broken every single international commitment it ever made?

Mr. Chairman, in 1926 Turkey and several other powers signed the Montreux Convention, under which armed control of the Dardanelles was returned to Turkey. Mr. Chairman, do the Members of the House know that Winston Churchill denounced in the bitterest possible terms in the House of Commons the open, flagrant violation of the Montreux Convention by the Turkish Government during the last war? Do the Members know that Anthony Eden, Foreign Minister of Britain, likewise denounced the violation of this convention? Do all of us know that the United States Government, Russia, and Britain are committed to review and revise the Montreux Convention governing the Dardanelles? Mr. Chairman, if all of us know these simple facts which are a matter of record, why does our State Department propose to guarantee continued Turkish military control of the Dardanelles? They go further, Mr. Chairman. In this bill, what in effect they propose is an enduring and continuing military alliance with Turkey. And where, Mr. Chairman, does this military alliance end? In this bill, we are asked to pay a first installment on a mercenary army. Will we be asked next year for another one hundred and fifty or two-hundred and fifty millions of dollars for Turkish armaments in the years 1949, 1950, 1951? This policy, Mr. Chairman, of hiring mercenary armies was employed against the American people in 1776 by the British, and now we propose to repeat on a world scale the age-old errors of British imperialism—measures whose immorality and whose utter viciousness I cannot adequately describe.

Mr. Chairman, never in the history of the world has a policy of hiring foreign mercenaries in any way contributed to the national security of a country. Let us put that on the record, Mr. Chairman. Can any Member of the House cite an instance in the history of the world in which the national security of a country was properly and adequately maintained by the hiring of mercenary troops of another foreign nation? Washington and Jefferson and Madison knew and understood the immorality and colossal stupidity of such insane policies.

Never in American history, Mr. Chairman, have we proposed to establish our national security on the basis of foreign mercenary armies and an international system of mercenary alliances. This policy has been conceived in corruption and disguised in the robes of hypocrisy. It is a fatal policy—it is a policy of war and world power politics. It is a policy which no American voter has ever cast his vote for. The American people oppose it. The House of Representatives, in all good conscience and good faith, should agree to the amendment which I herewith introduce.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, to adopt the pending amendment would, of course, be equivalent to adopting the amendment which the gentleman from Ohio offered yesterday when he moved to strike out the enacting clause. To strike out aid to Turkey would be but to invite immediate action on the part of the Soviet Union and to place Greece in an utterly untenable position, and it would simply place us in a position where we would be certainly involved in war. If you want to guarantee involvement of this country in foreign wars you can do it no more effectively than to adopt this amendment.

The amendment offered by the gentleman from Ohio says: "Turn over the Dardanelles, turn over the most strategic point in all the eastern part of the world to the Soviet Union." I say turn over because they have demanded it. They have already sent their demands to Turkey and said: "We must put our armies in your territory and take control of the Dardanelles."

If America says to the world that we are not interested, then the Turks must give in. What else can they do? What would you do if you were in their position? Turkey is a country of about 18,000,000 people with more than 800,000 now under arms and they have been under arms for years. That constitutes a burden that no civilized people can long endure. Of course, Russia knows that. She therefore proposes to keep Turkey under arms until such time as Turkey's economy has collapsed by the weight of the burden of this great armament, then Russia will move in and take what it wants unless we show clearly that we will resist with all our resources.

This amendment is a direct invitation to Russia to invade Turkey. How long could Greece last if the Dardanelles fall? Those of you who have not thought this thing out, look at the map. With a Russian army on the Bosphorus and on the Dardanelles, and a Russian navy coming through these passages into the Aegean Sea, how long do you think that Greece could stand?

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

Mr. POAGE. I yield to my friend from Ohio.

Mr. VORYS. The gentleman has flown over the Bosphorus and the Dardanelles only 3 weeks ago and has talked with our own military attaché. I suggest that the gentleman knows what he is talking about.

Mr. POAGE. Mr. Chairman, I do not claim that I am an expert. Maybe I stayed 1 day too long to be an expert and 1 day too short to write a book, but we did see the physical aspects of some of these problems and we did have the opportunity to talk with the American military attaché in Turkey as well as with many of the officials of Turkey. We talked also to newspapermen, we talked to American educators, we talked to all we could find. I am convinced if there is one place on this earth that is anticommunistic it is Turkey today. If there is any nation in the world that will resist Russian aggression it is Turkey. If there is one place where the Communists have made no inroads it is Turkey and not the United States. Turkey presents a more solid opposition to Russian aggressor than we do right here. We have our apologists for Russia, some of them sitting around here today. We have them in every part of this country. But not so in Turkey. The Turks have lived next door to Russia for generations and have been the victims of Russian aggression in the past. I am thoroughly convinced that those people in Turkey, if given any assurance that the United States will back them up with the needed supplies and with an air force, will fight to the death and resist Russian or any other aggression.

With the kind of army that Turkey has and with the spirit that Turkey has, I am convinced, as are our military men, that Turkey can withstand any pressure that is put on her; that Turkey can and will keep an invasion from coming in through these mountains in the northeast and that they can keep an invasion from coming in across those fortifications north and west of Istanbul, some of which we actually saw. They simply must have the assurance that we are with them. To tell Turkey that we would not

help her would be but to make any effective Turkish resistance impossible, and to make Russian invasion a certainty. Surely no American on this floor fails to realize that, whether this bill is passed or not, a Russian invasion of Turkey means war for the United States. The only way to avoid war is to prevent such an invasion. That is what this bill tries to prevent. It tries to prevent it first by showing the Turkish people that if they resist aggression, they will not fight alone or in vain, and second, by convincing the Russian rulers that an attack on Turkey means war with the United States. Those of us who support this bill believe that by making the fact of serious consequences perfectly plain in advance, we will probably prevent any overt act.

This amendment does none of the things we want. It leaves us committed in Greece, but invites Russia to outflank Greece. It says in effect that we will fight but not until we have been placed in a much less favorable position than the one we now occupy. It says that rather than defend Greece while we have the aid of a powerful Turkish Army fighting for their own homes, that we must wait until Turkey is overrun and then we must try to defend Greece after all reasonable defense is past.

My friends, if we are going to kill this bill and turn the world over to the Soviet Union, let us do it frankly in the open. Do not try to do by indirection what we refused to do directly only yesterday.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BENDER].

The amendment was rejected.

The CHAIRMAN. Are there any further amendments to section 2? If not, the Clerk will read.

The Clerk read as follows:

SEC. 2. (a) Sums from advances by the Reconstruction Finance Corporation under section 4 (a) and from the appropriations made under authority of section 4 (b) may be allocated for any of the purposes of this act, and any necessary expenses related thereto, to any department, agency, or independent establishment of the Government. Any amount so allocated shall be available as advancement or reimbursement, and shall be credited, at the option of the department, agency, or independent establishment concerned, to appropriate appropriations, funds, or accounts existing or established by it for the purpose.

(b) Whenever the President requires payment in advance by the government of Greece or of Turkey for assistance to be furnished to such countries in accordance with this act, such payments when made shall be credited to accounts for such countries established for the purpose. Sums from such accounts shall be allocated to the departments, agencies, or independent establishments of the Government which furnish the assistance for which payment is received, in the same manner, and shall be available and credited in the same manner, as allocations made under subsection (a) of this section. Any portion of such allocation not used as reimbursement shall remain available until expended.

(c) Whenever any portion of an allocation under subsection (a) or subsection (b) is used as reimbursement, the amount of reimbursement shall be available for entering into contracts and other uses during the fiscal year in which the reimbursement is received and the ensuing fiscal year. Where the head of any department, agency, or independent establishment of the Government determines that replacement of any article transferred pursuant to paragraph (4) (A) of section 1 is not necessary, any funds received in payment therefor shall be covered into the Treasury as miscellaneous receipts.

(d) (1) Payment in advance by the government of Greece or of Turkey shall be required by the President for any articles or services furnished to such country under paragraph (4) (A) of section 1 if they are not paid for from funds advanced by the Reconstruction Finance Corporation under section 4 (a) or from funds appropriated under authority of section 4 (b).

(2) No department, agency, or independent establishment of the Government shall furnish any articles or services under paragraph (4) (A) of section 1 to either Greece or Turkey, unless it receives advancements or reimbursements therefor out of allocations under subsection (a) or (b) of this section.

With the following committee amendments:

Page 3, line 3, after the comma, strike out the balance of the line down to and including the comma on line 4.

Page 3, line 10, strike out "by it."

Page 3, line 15, strike out "accounts for such countries established for the purpose" and insert, "such countries in accounts established for the purpose."

The committee amendments were agreed to.

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

The Clerk read as follows:

Amendment offered by Mr. CRAWFORD: On page 4, line 22, after the period, add a new section:

"SEC. 3a. There is hereby created the Foreign Funds Control Commission, which shall be an independent agency of Government directly responsible to the Congress.

"The Commission shall consist of three members—a Director, the Comptroller General, and the Secretary of the Treasury.

"The Director shall be appointed by the President and confirmed by the Senate for a term of 5 years and shall serve until his successor has qualified. The Director's salary shall be $15,000 annually. He shall be a natural-born citizen of the United States. He shall have had a broad experience in the administration of Government funds and without previous prominent affiliation with any major political party.

"The Commission is hereby directed to administer all funds hereafter granted by the Treasury of the United States or previous grants if directed by the Congress to foreign countries, their nationals and agencies of whatever kind or nature.

"The work of the Commission shall be organized under no less than three general divisions (1) the executive under the supervision of the Director, (2) audit and accounting under the supervision of the Comptroller General, and (3) investigation under the supervision of the Intelligence Branch of the Treasury.

"The Director is hereby authorized to engage such personnel, to acquire such office equipment, accounting records, printed matter, and office supplies as may be required to effectuate the purposes of this act.

"The Director shall have the assistance of other Government departments such as the Department of Commerce, Bureau of Mines and Mining, Bureau of Fisheries, State, War, Navy, and Treasury on matters generally coming within the scope of the respective department's functions and to the end that the best expert advice obtainable may be at the service of the Commission in administering the funds so granted; and it shall be the duty of the said agencies to cooperate in every practical manner possible.

"The main office of the Commission shall be located in Washington, D. C. Field offices shall be established and operated in whatever country is given a grant and shall be maintained in operation in that country for whatever time may be required to properly administer the funds so granted.

"The Commission shall submit quarterly reports of its administration to the Congress which shall be published for the general information of the taxpayers and bond buyers of the United States."

Mr. EATON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. EATON. Mr. Chairman, the legislation the gentleman proposes is very important and very fundamental legislation, but it ought to come before the committee in a special bill. I make the point of order that it is not germane to the present bill.

The CHAIRMAN. Does the gentleman from Michigan desire to be heard on the point of order?

Mr. CRAWFORD. No, Mr. Chairman; I do not. This is in the interest of the taxpayers and the bond buyers of the United States. It is to protect their funds. If the committee does not care to consider the amendment, I have nothing else to offer.

The CHAIRMAN. The Chair is ready to rule.

The amendment offered by the gentleman from Michigan proposes to create a Foreign Funds Control Commission, to be an independent agency of the Government and to have control not merely over the funds proposed to be authorized by the pending legislation but over funds that might be made available under other legislation. Consequently the Chair sustains the point of order and rules that the amendment is not germane.

Are there further amendments to section 2? If not, the Clerk will read.

The Clerk read as follows:

SEC. 3. As a condition precedent to the receipt of any assistance pursuant to this act, the government requesting such assistance shall agree (a) to permit free access of United States Government officials for the purpose of observing whether such assistance is utilized effectively and in accordance with the undertakings of the recipient government; (b) to permit representatives of the press and radio of the United States to observe freely and to report fully regarding the utilization of such assistance; (c) not to transfer, without the consent of the President of the United States, title to or possession of any article or information transferred pursuant to this act not to permit, without such consent, the use of any such article or the use or disclosure of any such information by or to anyone not an officer, employee, or agent of the recipient government; and (d) to make such provisions as may be required by the President of the United States for the security of any article, service, or information received pursuant to this act.

With the following committee amendment:

Page 5, line 12, strike out "and."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 5, line 15, after the semicolon insert "and (e) not to use any part of the proceeds of any loan, credit, grant, or other form of financial aid rendered pursuant to this act for the making of any payment on account of the principal or interest on any loan made to such government by any other foreign government; and (f) to give full and continuous publicity within such country as to the purpose, source, character, scope, amounts, and progress of United States economic assistance carried on therein pursuant to this act."

Mr. MANSFIELD of Montana. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. MANSFIELD of Montana to the committee amendment: On page 5, line 20, after the semicolon insert the following: "and (f) nor shall any of the loans, credits, or grants be used for the payment, allowance, and maintenance of any army foreign to that country."

Mr. MANSFIELD of Montana. Mr. Chairman, it has been a real education during the last 3 days to see how this bill is being handled in the House. I thought yesterday when the gentleman from New York [Mr. JAVITS] offered his very valuable amendment that it would be adopted, but the reception it received was very much the opposite. I thought today when the gentleman from Minnesota [Mr. JUDD] and the gentleman from South Dakota [Mr. MUNDT] offered their amendments that because of their validity and worth-whileness they would be accepted by the House, but they likewise received very little support.

I do not know how much support this amendment will get. I am not going to take the full time allotted to me under the rules of debate because I think the amendment explains itself quite clearly.

You will note in the preceding part of the section before this amendment goes in that it states as follows:

As a further condition precedent to the receipt of any loan, credit, grant, or other form of financial aid under paragraph (1) of section 1 the government requesting such aid shall agree not to use any part of the proceeds thereof for the making of any payment on account of the principal or interest on any loan made to such government by any other foreign government.

That is the committee amendment, and I think it is very worth while. But I would like to see added to it the amendment which is now before the House and which reads as follows:

nor shall any of the loans, credits, or grants be used for the payment, allowance, or maintenance of any army foreign to that country.

In explanation, we have been told that the British brigade would have to leave Greece because Britain could not maintain the cost of continuing that force there. I do not want to see American funds used for further maintenance of the British brigade in Greece, and, furthermore, I do not want to see the funds which will be allocated under this act used for bringing in a mercenary army. Furthermore, I do not want to see the funds which will very likely be appropriated under this authorization used to transfer or maintain any mercenary armies which are on the loose at the present time. I refer specifically in that regard to the Polish legions under General Anders, which at the present time have no country of their own to which to turn and which have been used in various capacities in various instances prior to this date. I think that explains the amendment sufficiently.

I hope the House will see fit to adopt it.

Mr. EATON. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 10 minutes.

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

There was no objection.

Mr. FULTON. Mr. Chairman, I rise in opposition to this amendment.

This amendment is one of those attempts to build a wall piecemeal all around a big area. If we try to put a universal negative in here by little specific instances, we will never get through handling this bill.

Of course, we are not going to have our administrators over there throwing the money down sewers. We are not going to have them putting the money in other countries than Greece and Turkey or their agencies, so you do not need such amendments, if you credit our representatives with sane common sense. Our administrators are there to help Greece and Turkey. They are not there to help any other power or maintain or pay for the army of that power.

It has been mentioned in the debate about the number of British troops in Greece. As one from the Foreign Affairs Committee who has some knowledge of the matter, I would like to explain shortly the situation with reference to the troops in Greece, and also the situation with respect to outside troops in Turkey.

The gentleman from South Dakota [Mr. MUNDT], on page 4819 of the RECORD, said this:

I say in answer to that that the British say their troops are over there solely in an advisory capacity, yet they have 10,000 of them there. I suppose they are advising the people to maintain law and order.

Actually what has happened in the case of Britain in Greece is this, they do have on security duty about 10,000 troops, which is one brigade. We ourselves have one division of troops for the city of Trieste. We are going to have an American contingent of 5,000 troops composed of the Blue Devil Brigade of the Eighty-eighth Division under Maj. Gen. Bryant S. Moore, who are to be there on a long-time basis when the treaties are ratified with the former belligerent countries of Italy, Hungary, Rumania, and Bulgaria. The ratifications of these various treaties of the Four Powers, the United States, Britain, Russia, and France, are now under consideration by the United States Senate.

The treaty provisions propose and bind the signatories, that within 90 days after the ratification of those treaties by the Four Powers the United States, Britain, and Russia will all simultaneously withdraw those troops which they have in these four countries. The treaties do not apply to Greece, because Greece is not one of these treaty countries.

The situation in Greece has been handled by Britain in this fashion: Britain by statement of internal policy has said to the world that they would remove those troops from Greece at the time that Russia moves her troops out of Yugoslavia, Hungary, and Bulgaria. She has done that as a unilateral action ahead of time, as a voluntary action to show Russia that she will come out of the nontreaty country, Greece, at the same time that Russia moves her troops out of the treaty countries. I think that is a fair and a sane action to take; and, as you know, it was done voluntarily.

The British brigade went to Greece in 1944 at the time of the ELAS insurrection, when everyone admits it was necessary to restore public order, on the liberation of Greece. Then it was necessary because the German troops had departed and that left a vacuum so that somebody from the Allied side had to assist the people of Greece to fill it. Under the arrangement made by Roosevelt at Yalta the British were the ones to maintain order in the lower end of the Balkan Peninsula, Greece. So it was entirely in accord with the foreign policy of both Britain and the United States to have those troops there.

Britain has already put those troops at this present minute on a retirement basis and is waiting to remove them. They have no active duties in the present leftist trouble at the present time.

On the other hand, Britain has an economic civilian mission there and a police civilian mission. The economic mission has been doing just about the same thing that we intend to do in aiding Greece toward stabilizing its finances. The police mission is recruited from metropolitan police from the city of London. London bobbies are now assisting in keeping order. In Greece in addition to these, the British have a military advisory mission; and that is the sort of thing that we intend to do on the military side here. The British at present cannot afford to go further and alone keep the military mission there in an advisory capacity when they cannot furnish aid on the many projects necessary to help Greece rise to the level of the society of our democracies. We must not forget the British are our friends and have assumed to this date a heavy obligation in Greece to help her back on her feet, so she can stand as a friendly partner in the democratic world.

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

The question is on the amendment offered by the gentleman from Montana to the committee amendment.

The amendment to the committee amendment was rejected.

Mr. MANSFIELD of Montana. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. MANSFIELD of Montana to the committee amendment: On

page 5, line 24, after section 3 insert "And (h) shall agree to undertake within 6 months and after the enactment thereof a bona fide effort through taxation to support its own national reconstruction, rehabilitation, and economy; and such Government shall further undertake within such period to graduate the rates of any taxes imposed by such Government upon the income of its nationals in such a manner as to insure that the appropriate burden of taxation is borne by those taxpayers with the greatest ability to pay. The quarterly report required by section 7 shall also include a statement of the progress of such Government in effectuating the provisions of this paragraph."

The CHAIRMAN. The question is on the amendment to the committee amendment.

Mr. MANSFIELD of Montana. Mr. Chairman, I desire recognition.

The CHAIRMAN. The gentleman cannot be recognized. The unanimous-consent agreement entered into heretofore was that all time on the amendment pending and all amendments thereto close in 10 minutes. The time has already expired.

Mr. MANSFIELD of Montana. Mr. Chairman, is the Chair sure that request was to amendments to the amendment or just a particular amendment?

The CHAIRMAN. It was to the amendment pending and all amendments thereto.

Mr. MUNDT. Mr. Chairman, I ask unanimous consent that the gentleman may have 5 minutes to explain his amendment and that there be allotted 5 minutes in reply.

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

Mr. JARMAN. Mr. Chairman, reserving the right to object, and I shall not object, but I indulge the hope that this may not be considered a precedent and in order to materialize that hope I may say that I must object to any similar unanimous consent request hereafter.

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

There was no objection.

Mr. MANSFIELD of Montana. Mr. Chairman, I am deeply grateful to the committee for allowing me this time. I am somewhat shocked at the speed at which we are trying to get through with section 3 after we had spent so much time on section 1 of this bill.

Mr. Chairman, this particular amendment is not my amendment. It was the amendment offered by Senator LODGE in the other body in committee but not reported out. It was also considered by the Committee on Foreign Affairs and was voted down. However, I feel it is an excellent amendment, because it will give the Greeks and the Turks a chance to revamp their tax structure and to assume some share of responsibility in their own rehabilitation and reconstruction.

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

Mr. MANSFIELD of Montana. I yield to the distinguished gentleman from New Jersey.

Mr. EATON. Does the gentleman recall this amendment was thoroughly discussed in the committee and voted down?

Mr. MANSFIELD of Montana. The gentleman is absolutely correct and I have already made that statement to the Committee here. However, I feel that we should not go into Greece and Turkey with this $400,000,000 and expect these governments to do nothing in return. We know from what the gentleman from Washington [Mr. JACKSON] told us yesterday about the tax and income situation as far as the Greek shipping interests are concerned and how little they pay to maintain their own government, and we all know from recent reports and correspondence as well as stories which appeared in the New York Times and the New York Herald Tribune, and even in some Washiington papers, that the people having the money in these countries are not the ones who are paying the taxes toward their country's development.

I feel that we should make it mandatory in some way through some sort of agreement so that the Greeks and Turks will be able to do their part in rehabilitating and reconstructing their own country. I do not feel that we should assume the entire burden. I feel they should help themselves as much as they can.

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

Mr. MANSFIELD of Montana. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Does the gentleman recall that Senator LODGE when he was advised this might embarrass the United States Government and also make it look as if we were taking too much of a part in the internal affairs of a foreign country voluntarily withdrew the amendment and did not submit it?

Mr. MANSFIELD of Montana. That is right. I believe I mentioned that in the course of my remarks. However, I think that this is a good amendment; that we should help these people to help themselves, and that we should not, if at all possible, bear the entire burden.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Montana. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. Is it not a fact that there is no income tax in Greece at the present time?

Mr. MANSFIELD of Montana. There is no income tax, at least as far as the people who can well afford to pay it are concerned.

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

Mr. COOLEY. Mr. Chairman, I rise in opposition to the amendment. Members have complained that this legislation constitutes an intervention into the internal affairs of Greece and Turkey. While I do not agree that the legislation as now written is an intervention into the internal affairs of the nations involved, I do insist that this amendment will have just that effect. This is an attempt actually to write the tax laws of Greece here on the floor of this House of the United States Congress. Certainly nothing could be more clearly an act of intervention. The amendment should be overwhelmingly defeated.

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

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. POAGE. The gentleman who is now speaking was recently in Turkey and Greece, and the gentleman and I were members of the same delegation which visited those countries. Did we not find that the greatest effort which was being made to thwart our efforts was over the Russian radio, which was beaming its propaganda into Turkey every day, in an effort to build up sentiment against the United States by telling those people that America was undertaking to run their government and to conduct their domestic affairs. That is exactly the Russian line of propaganda, is it not?

Mr. COOLEY. The gentleman is right.

Mr. POAGE. And if we write this provision into this bill we will be writing into legislation just what Russia has been telling them over the radio everyday.

Mr. COOLEY. I agree with the gentleman.

Mr. MANSFIELD of Montana. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Montana.

Mr. MANSFIELD of Montana. I would like to point out for the benefit of the gentleman from Texas that Great Britain and Greece have entered into such an agreement, and if Great Britain and Greece can do it, I do not see why we cannot.

Mr. COOLEY. If the matter can be settled by agreement and without legislation, there would appear to be no necessity for the gentleman's amendment.

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

Mr. COOLEY. I yield to the gentleman from Alabama.

Mr. JARMAN. One of the main criticisms of this legislation which I have heard is that it would be an intervention in the affairs of Greece and Turkey. Certainly, should this amendment be passed, as I understand it, the Congress will cause itself to be guilty of passing legislation which would be intervening into the internal affairs of those countries.

Mr. COOLEY. I agree with the gentleman's statement. The opponents of this bill seem to oppose it merely because they regard it as an intervention. As I have said, the bill as written is not an intervention into the internal affairs of either Greece or Turkey, but this amendment would very definitely constitute an intervention. Certainly, we will not attempt to direct the affairs of either Greece or Turkey by the enactment of law here in the United States Congress.

Mr. MANSFIELD of Montana. Will the gentleman deny that in a certain sense we are intervening in the affairs of Greece and Turkey at this time, if this bill goes through?

Mr. COOLEY. I certainly do deny it. During the conference which we held in both Greece and Turkey, Senator BARKLEY and other members of our delegation sought to ascertain whether or not there was any apprehension on the part of the people of Greece or Turkey concerning the motives and purposes of the American Government, in connec-

tion with the contemplated loans. The answer to each question propounded by members of our delegation was invariably to the effect that the people of Greece and Turkey were familiar with American history; that they knew that there was nothing in the history of our country which would justify the belief that we were about to embark upon a program of imperialism, or that we would attempt in any way to dominate or to direct the internal affairs of either Greece or Turkey, and each of the persons with whom we conferred agreed that they were perfectly willing to accept such regulation, supervision, and advice in the administration of these loans as our Government desired to make or deemed necessary.

Mr. POAGE. Mr. Chairman, if the gentleman will yield further, is it not true that much of the opposition to this bill yesterday was based on the theory that the Greek Government was a totalitarian government? The gentleman who is speaking was in Greece. Did he not see with his own eyes positive evidence that that very Government was more tolerant with those who hold other opinion than some of the opponents of this bill who want to enforce their own ideas of government on other people regardless of the wishes those people freely expressed at the ballot box? Here is a newspaper we bought on the streets of Athens, a Communist newspaper, with a picture on the front page. The picture is the only thing I can read, but I recognize it is a picture of Marshal Stalin. Those who could read the article told me it was pure Russian propaganda from start to finish. We bought it on the streets of Athens. It was circulating perfectly freely. And, if the gentleman will yield further, is it not true that the Greek Government allows freedom of action, freedom of speech, right now? At the same time the very people who most loudly protest against us trying to help put the Greek people on their feet offer as an excuse the alleged fact that the Greek Government is a dictatorship. I think democracy involves allowing other people the same right to decide for themselves how they will run their own affairs. I think that from that angle the Greek Government is doing a better job of democracy than some of our own self-styled liberals. In what part of the U. S. S. R. or in what Russian-controlled country could you find the kind of freedom and liberty for minority views that you and I saw in Greece?

Mr. COOLEY. I think the gentleman is correct. I do not believe this paper could be published in that country if it had a totalitarian government.

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

Mr. COOLEY. I yield to the eloquent gentleman from Oklahoma.

Mr. MORRIS. Does the gentleman not know that the committee report itself on page 2 states that we are going to tell them what kind of taxes to levy and what kind of imports and exports they shall have?

Mr. COOLEY. I do not agree with that statement at all.

May I say in conclusion that the Greek Government has been in power for only a few short months. The report referred to yesterday by the gentleman from New York [Mr. MARCANTONIO] was only filed in the month of March 1947, and that contemplates a long-range program for the country of Greece.

The CHAIRMAN. The time of the gentleman from North Carolina has expired. All time has expired.

The question is on the amendment offered by the gentleman from Montana [Mr. MANSFIELD] to the committee amendment.

The amendment to the committee amendment was rejected.

Mr. DAVIS of Georgia. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Georgia to the committee amendment: On page 5, line 17, strike out "financial."

Mr. EATON. Mr. Chairman, the committee will accept that amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia to the committee amendment.

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

Mrs. DOUGLAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. DOUGLAS: To close section 3 on page 5, line 24, insert the following additional clause:

"(g) that the Greek Government declare a general amnesty for political prisoners, and within 1 year after assistance by the United States has been made available, the Greek Government will cause to be held a free election, the conduct and results of which shall be supervised by a commission appointed for the purpose, by the General Assembly of the United Nations; or, if the President advises the Congress that the United Nations is unwilling or unable to appoint such commission, then under the supervision of an American commission, composed of five members, appointed by the President and confirmed by the Senate."

Mrs. DOUGLAS. Mr. Chairman, we propose to extend aid to Greece, and I heartily approve of that.

We must be very sure that this aid will produce democratic and sound economic results.

Despite the hundreds of millions of dollars poured into Greece since the end of the war by Great Britain and the United States, Greece is still in a state of political chaos and economic desperation.

Official British, American, and United Nations reports clearly point to the reasons for this failure; namely, the incompetence, corruption, and oppression which exists in the present Greek Government.

Terror exists in Greece today—economic and political terror. Terrorism from the extreme right is as oppressive as terrorism from the extreme left.

Arthur Krock, in his column of April 1, 1947, in the New York Times, endorses completely the following statement made to him by an observer in Greece:

In one 3-day period, after the United States said it would assume political responsibility, the Greek Government arrested about 600 persons in Athens, mostly professionals—doctors, lawyers, etc.—and sent them away, frankly declaring there was no longer any need to exercise restraint. There is no doubt that the loudest shouters in support of the United States are Athens' 3,000 wealthiest citizens whom the Government continues to protect against any direct taxation and who, with their gold pounds, hardly realize there is any inflation.

This observer concluded with the statement that as much as he detests communism, he would "go to the mountains" if he were a citizen of Greece.

Current reports made by observers now in Greece bolster this testimony. Members of the House will find them in the RECORD.

Great Britain failed in her efforts to aid Greece.

We must not fail.

In our opposition to communism, we must not make the mistake of backing the remnants of corrupt and decaying systems. This is the sure formula for failure. This is the sure formula that will breed communism. Failure to succeed in Greece will seriously undermine the challenging foreign policy which we are undertaking.

There is only one way to succeed. We must make it clear to the oppressed people of Greece that we are in profound sympathy with their legitimate aspiration for economic reform and social rehabilitation and that we propose to see that United States aid is used to create channels for the free political expression of those aspirations.

Stephen K. Bailey, who was the Chief of Balkan Intelligence for the OSS, has this to say:

Anyone who views communism in the Balkans as the result of simple Russian machinations is overlooking the centuries of poverty and aristocratic corruption which have characterized those countries. * * *

A peaceful resolution of the impasse in Greece depends upon two things: Convincing Russia that any military expansion will be met by force; using every means at our disposal to hasten long-overdue economic and social reforms. * * *

* * * We must search out those political leaders who until now have been crushed between the millstones of reaction and communism and give them power.

It was said yesterday by the gentleman from New York [Mr. WADSWORTH] that when we defend liberty for others we defend our own liberty. I agree fully, with all my heart and mind, if the liberty we defend for others is the same liberty we cherish for ourselves; and I am ready to defend that liberty abroad as well as at home, not just with $400,000,000, which guarantees nothing but a beginning, but with billions of dollars.

That is evidently not the sentiment of this Congress, or it would have passed the International Children's Fund before this and it would not have gutted the relief bill, the crippling of which will invite communism in Italy, Hungary, Austria, and Poland.

If we are going to be instrumental in the development of a democratic world it is going to cost us something in terms of hard cash and generous treatment to the impoverished and miserable people of this earth.

My amendment is in line with statements made by the Secretary of State

and evidence presented before our committee.

I offer an amendment which requires as a condition precedent to giving aid to Greece that the Greek Government declare a general amnesty for political prisoners and agree to hold a free election within 1 year after assistance has first been made available. Such a procedure must appeal to the people of the United States as well as to the people of Greece since it embodies fully the democratic process which it is the stated purpose of this bill to defend. Whatever may have been urged against the former King of Greece, it is indubitably clear that the present King, without a trace of Greek blood in his veins, married to a German princess, notorious for her Nazi activities and sympathies during the war, may well be thoroughly unpopular and unacceptable to the Greek people.

The record of the present King is such that even the British Foreign Office, we are reliably informed, has grave misgivings about his fitness to serve as the ruler of Greece in such critical times.

A free election by the Greek people would, of course, not directly resolve the issue as to the continuation of the monarchy or the future of King Paul. On the other hand, it would enable the Greek people to elect representatives who would presumably fully express prevailing political convictions. If these representatives should in turn, decide that the welfare of their country demands constitutional reforms, they would be empowered to take the necessary steps. You will agree, I am sure, that this is the way we want to see things done and that if it is our sincere desire to bring about and support a democratic government in Greece, we must shape our own assistance so as to contribute most effectively to that end.

To assure a thoroughly free election, my amendment directs the President to request the United Nations to appoint a commission to supervise the election. Since I recognize that for various reasons the United Nations may be unable, or possibly unwilling, to undertake the commitment, the President is directed, if such be the case, to inform the Congress of the fact and to appoint a five-man American commission to supervise the election.

In order further to assure Congressional participation in this course of action, my amendment proposes that if an American commission is appointed, it be subject to confirmation by the Senate. I have allowed for a leeway period preceding the election of 1 year after assistance is first made available to Greece on the ground that in that period relief operations will have reduced tension among the Greek people, restored a measure of calm and thereby contributed to an atmosphere in which a truly free election may be held. Furthermore, during that same period of time the United Nations will have the opportunity to decide whether it chooses to assume the responsibility of appointing a supervisory commission.

Mr. EATON. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 3 minutes.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I dislike to bob up so frequently, but it seems to me that this is a tremendously important amendment, and I feel that it should be opposed and defeated. The author of the amendment, unfortunately, did not discuss the first part of it, which in itself is quite important. The effect of the first part of the amendment is to declare an amnesty for political prisoners. Does that mean that the author of the amendment would like to open up the jails of Greece and turn out the criminals and guerrillas, so that they can overthrow the government? Apparently this is clearly the purpose of the amendment.

Shall we by this amendment attempt to direct Greece to hold another election? I wonder if the author of the amendment and those who will support it would be willing for Congress to pass laws directing Yugoslavia and all of the other countries which are puppets of Soviet Russia, and in which elections been held to hold other elections, to be supervised as contemplated by the gentleman's amendment. Frankly, I feel that elections in Yugoslavia and in other countries which have been overrun by communism should hold new, free and unfettered elections, but I certainly question the wisdom of an act of Congress directing that such elections be held. This is an unreasonable proposition and I certainly hope that it will not be seriously considered by this Committee.

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

Mr. COOLEY. I yield.

Mr. VORYS. I recently talked in Cairo to Greek Republicans who opposed the monarchy, and they said they hoped that an election would not be held too soon, because if an election were held too soon the danger would be that the only choice would be between a monarchy and communism, whereas if sufficient time elapsed, there could be then a real choice between a republic, which they supported, and a monarchy.

Mrs. DOUGLAS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. Of course, I yield.

Mrs. DOUGLAS. I would like to ask the gentleman from Ohio [Mr. VORYS] does he feel that 1 year is a reasonable length of time?

Mr. VORYS. I think Greece knows more about that than we do.

Mr. COOLEY. We have general elections in this country every 4 years and we seem to get along all right. When another election will be held in Greece, perhaps, is not so important, but the importance of this proposition is shall the American Congress direct or require, either directly or indirectly, the holding of an election in the far-away country of Greece, in which country we are told that more than 85 percent of the people even now approve the Government in existence there. Maybe the great powers should have supervised elections in other countries, and had they done so I venture to say that the situation in many of the countries of Europe would be quite different from what it is today.

I insist that this amendment should be defeated, and by an overwhelming vote, to the end that Greece and Turkey and all other countries of the world will clearly and definitely know that America does not intend to interfere with the internal affairs of other nations, or attempt to dominate or direct the domestic affairs of other nations by remote control. We either believe in this bill or we do not believe in it. We are either for it or against it. We either want to follow Truman and Marshall and Vandenberg, and all of the other leaders of America, including our distinguished representative to the United Nations Organization, Senator Austin, or we want to follow the primrose path of weakness, which leads to conflict and bloodshed.

I hope that this amendment will be defeated.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentlewoman from California [Mrs. DOUGLAS].

The amendment was rejected.

Mr. HUBER. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to revise and extend my remarks.

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

There was no objection.

Mr. HUBER. Mr. Chairman, several days ago I stated on this floor—and I repeat now—that if we allowed political expediency to determine our vote on this measure we would all vote against it.

This morning five Communist veterans from my district called upon me and they asked my why I, as one who in the past had to some extent believed in the principles of Henry Wallace, could possibly support the Truman doctrine. I told them I could support the Truman doctrine because I had been given the great privilege of traveling through many of these countries that have been mentioned. I had the opportunity of being in Moscow, and, following that, in eastern and central countries—Iran, Iraq, Palestine, Turkey, and Greece. I was not wined and dined at the cocktail bars of the diplomats, but I talked to the average people—to the little people. Everywhere I went I found that in every country they were fearful of Russia and fearful of the future. I told those veterans that was one of the reasons I would vote for the Truman doctrine. I told them I would vote for it because I believed we were going to insure freedom to our part of the world—to this country—where I can walk out of the door and stand on the steps of the Capitol of the United States and say whatever I choose to say about the President of the United States, about the Chief of Staff, the Secretary of State, or anyone else.

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

Mr. HUBER. I yield.

Mr. RANKIN. That aggregation of so-called Communist veterans was simply a mission from Moscow.

Mr. HUBER. Well, I do not know what the mission was, but I know that they asked me as vets of this war if I knew what they had been fighting for. I said it was not only those who fought in World War II; it was those who fought in World War I, the Spanish-American War, the Civil War, and the Revolutionary War, to preserve the heritage that has been won for us at so great a cost. I did not have the privilege of serving in this war but I have stood by the graves of those who died, and have a true appreciation for the sacrifice they made. There is a great obligation on us.

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

Mr. HUBER. I yield.

Mr. JARMAN. It occurred to me to suggest also that that misison from Moscow, to which the gentleman from Mississippi referred, came here and had their communistic convention, or whatever it was that met yesterday, with the ridiculous idea that they could influence the House of Representatives of the United States in its vote on this measure.

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

Mr. HUBER. I yield.

Mr. RANKIN. Last night the principal speech was made by the leading Communist, William Z. Foster, who just got back from Moscow.

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

Mr. HUBER. I may as well. I yield.

Mr. COX. Does the gentleman find any significance in the fact that the young Members of this House who bear the scars of World War II upon their bodies are generally for this bill?

Mr. HUBER. I believe the overwhelming number of veterans who have served in all the wars in which this country has engaged are and should be overwhelmingly in support of this bill.

Mr. JACKSON of California. Mr. Chairman, will the gentleman yield?

Mr. HUBER. I yield.

Mr. JACKSON of California. Along the same line brought out by the gentleman from Georgia—and he has focused attention to a point I was going to make, one which I think the membership of this House can well consider—the vast majority of men who know war more recently than a great number of the Members of this House are for this bill because they feel that we do have to take a stand and they know that when you are speaking to a power which knows only the language of force you have got to answer with force yourself.

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

Mr. HUBER. I yield.

Mr. MUNDT. I merely wish to suggest that perhaps the gentleman from Alabama was not quite right after all when he said that the Communists had the ridiculous idea that they could influence votes in this House by holding their convention here. I believe that by their opposition to this bill they have induced a lot of Members to support it who now realize where the strength of the opposition comes from.

Mr. JARMAN. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended for an additional 5 minutes if he desires.

The CHAIRMAN. The time of the gentleman has not yet expired.

Mr. JARMAN. I still ask unanimous consent that his time may be extended 5 minutes.

Mr. HUBER. I appreciate the interest shown in my remarks.

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

Mr. HUBER. I yield.

Mr. HOLIFIELD. I would suggest that the gentleman spend his additional 5 minutes in explaining why these questions cannot be handled through the United Nations.

Mr. HUBER. I may say to the gentleman from California that if he will explain why Russia cannot handle similar matters through the United Nations then I will be satisfied. This thing is not one-sided.

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

Mr. HUBER. I yield.

Mr. JUDD. I am sure everybody in the House fully realizes and deeply regrets that so many of the countries of the world, especially those devastated by the war, are disrupted and distraught, and their governments are in bad condition; no one pretends that the Greek Government is as good or as democratic as we wish; but is this not our situation, that the choice in Greece is not between the present Greek Government and something better, it is between the present Greek Government and something infinitely worse?

Which will be better for the Greeks, for us to help the government chosen by themselves maintain the nation's independence, while helping it to work toward more democracy and more efficiency and less corruption or, on the other hand, to abandon Greece to the control of a foreign power which has never yet given any people under its heel any chance whatsoever to develop democracy? Is not that our real choice, between the present Greek Government and something worse, not between the present government and something better?

Mr. HUBER. There is much truth in what the gentleman says. But we must not condemn all the young ex-soldiers who came down with this group. They are looking for a better way of life. Do not condemn them too hastily. If they could be assured of security in the future it would go a long way in changing their outlook toward our great form of government which guarantees freedom of speech, freedom of the press, or the right of the people peacefully to assemble and to petition the government for a redress of grievances.

By unanimous consent the pro forma amendments were withdrawn.

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

Mr. Chairman, the question I asked the gentleman from Ohio was evaded and to some extent turned back to me; and, of course, I am not going to try to use my 5 minutes to show how this could be taken up through procedures which are set forth in the United Nations Charter. I know the Members of this House are familiar with them, and I believe many of them seriously considering this matter realize that such a problem could be handled through the procedures and methods set up in the United Nations Charter.

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

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

Mr. JAVITS. Will the gentleman agree with me that everything could be done by the President under the United Nations Charter if he but would? In other words, we would not need any congressional action if he would but do it that way.

Mr. HOLIFIELD. That is correct. He has the power to ask Mr. Austin to initiate the matter either through the Security Council or the General Assembly.

Mr. Chairman, at the proper time I shall move to recommit this bill, in case I am recognized by the Chairman of the Committee, to the Committee on Foreign Affairs, with instructions to report the same back with the following amendment, and I want to take this time to read the amendment briefly and to explain briefly what it means:

Strike out all after the enacting clause and insert in lieu thereof:

"SECTION 1. It is the sense of Congress that the President of the United States through the appropriate representative of the United States shall initiate in the Security Council of the United Nations and in other appropriate bodies of the United Nations proposals designed to ensure the security and national integrity of Greece and Turkey, and to resolve any related problems in the Near East and Middle East areas which are endangering the peace.

"SEC. 2. There is hereby authorized to be appropriated to the President a sum not exceeding $100,000,000 for the purpose of relief and rehabilitation of the Greek economy. The President may expend funds appropriated pursuant to this provision through existing agencies of the Federal Government and through transfer of such amounts as he deems appropriate to the Government of Greece and the Secretary General of the United Nations for expenditure by them. Such funds shall be expended for the purchase and other provision of supplies for the civilian economy of Greece, including incidental administrative, transportation, technical, and other necessary services, but no part of such money shall be used for the provision of military supplies or services."

Very briefly, I first ask to recommit the present bill. Second, it instructs the President to initiate through the appropriate representative of the United States, in the Security Council of the United Nations and in other appropriate bodies of the United Nations, proposals designed to insure the security and national integrity of Greece and Turkey and to resolve any related problems in the Near East and middle eastern areas which are endangering the peace.

As the Members of this body know, the Palestine question is now in the hands of the United Nations. To a certain extent a portion of the Greek situation is in the hands of the Balkan Commission. There is nothing involving Turkey at the present time, as far as the United Nations is concerned. But the

Dardanelles is a problem which will remain regardless of whether this bill passes or not. When the $100,000,000 which goes to Turkey is expended, the problem of the Dardanelles, and the problem of the distribution of oil in Iran and Syria and other places will still remain and, Mr. Chairman, we will have to appropriate other hundreds of millions of dollars because the problems will still be there. That is why I say you cannot solve the problem of Greece and Turkey without solving the related problems which are contiguous and related thereto.

Third. An appropriation of $100,000,000 is made to Greece immediately for the purpose of relief and rehabilitation in Greece. I supported the $350,000,000 relief bill, and I opposed the Jonkman amendment that cut that amount because I felt at that time it cut down too much the need for relief in Greece.

The expenditure of this fund is for the civilian economy, and the reason I set the figure at $100,000,000 is because the Food and Agricultural Organization which was embodied and created by the United Nations recommended $100,000,000. That is why I set it at that amount. This cuts down the amount of this bill from $400,000,000 to $100,000,000 to comply with the FAO recommendation.

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

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

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

Mr. BUCK. Mr. Chairman, I object.

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent to proceed for 1 minute.

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

There was no objection.

Mr HOLIFIELD. Mr. Chairman, it prohibits an expenditure for military purposes and it provides that at the President's discretion such part of this fund as necessary may be transferred to the Greek Government or the Secretary-General of the United Nations for supervision in the expenditure of money in Greece.

Mr. Chairman, I trust that when this motion to recommit is offered we will have enough support on the motion to show that we still have some faith in the United Nations and that we are not completely ignoring the existence of such body

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

Mr. BOGGS of Louisiana. Mr. Chairman I move to strike out the last word.

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

Mr. BOGGS of Louisiana. Gladly.

Mr. EATON. Mr. Chairman, I ask unanimous consent that all debate on this section close with this address.

Mr. BROWN of Ohio. Mr. Chairman, reserving the right to object, how many amendments are pending on this section for which unanimous consent has been asked to close debate upon?

The CHAIRMAN. The Clerk advises the Chair that there are no amendments pending on the desk on this section.

Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BOGGS of Louisiana. Mr. Chairman, when the President of the United States on March 12 delivered his now historic message on aid to Greece and Turkey the occasion marked a significant turning point in America's foreign policy. In the words of the President:

> One of the principal objectives of the foreign policy of the United States is the creation of conditions in which we and other nations will be able to work out a way of life free from coercion. This was a fundamental issue in the wars with Germany and Japan. Our victory was won over countries which sought to impose their will and their way of life upon other nations. * * *
>
> I believe that it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures.

Stated another way, the President of the United States, in the name of the people of the United States, on that day before the Congress abandoned, once and for all, the ineffectual and costly isolationist policy of the past—a policy which directly contributed to the devastating wars that the world has witnessed within this generation.

The issue in Greece and Turkey is identical with the one which prevailed when Japan marched into Manchuria, when Italy took Ethiopia, and when Hitler violated all of the treaties of his government, and by force, by threats of force, and by his Nazi fifth columns, conquered much of Europe without firing a shot.

The issue may be put by way of a simple question. Shall we face up to our responsibilities throughout this one world or shall we adopt a 1947 variety of appeasement and isolationism which must sooner or later bring about a Third World War that so many are already calling inevitable?

If we follow a course of appeasement, if we decide that what happens in the rest of the world is of no concern to us, then the Communist rulers in the Kremlin, just as the madman in Berlin of 1939, will decide that the western democracies are weak, and can be conquered by the same techniques of propaganda and boring from within as employed by Hitler. If, on the other hand, we meet our responsibilities and let the world understand that we will not shrink from them, the freemen everywhere will be encouraged and the voice of our great and powerful Nation, spoken in behalf of democracy and freedom will be heard in every corner of the world and the march toward communistic totalitarianism will be halted.

The need is urgent. The time is short. Greece and Turkey are vital. They command the Near East, Africa, and Asia. If they fall to the Russian fifth column from within, then before long, all of the world outside our hemisphere may be within the orbit of the iron curtain. If their position is held, most of western Europe will be saved, and constructive measures, such as the establishment of a United States of Europe, will make possible the economic rehabilitation of that continent. Such action should assure the continuation of world peace by convincing Moscow that our policy is one of justice, backed by all the strength and might of this great Nation.

Those who argue that we are bypassing the United Nations are either begging the question or opposing our policy by indirection because they know that we are confronted with acute internal situations in Greece and Turkey which cannot be handled at this time by the United Nations. They are also deliberately ignoring the fact that Russia has a veto power in that assembly which she would not hesitate to use.

America now faces the same challenge that it faced in 1914 and in the 1930's. If it follows the course of coming to the aid of stricken peoples and abandons isolationism and appeasement, the tragic and bloody history of 1917 and 1941 will not be repeated. If it follows the opposite course, a third blood bath may soon be upon us.

Let us be frank about this matter.

Are we willing for the iron curtain to be extended to the shores of the Atlantic, through all of the continent of Europe, through the Near East, and possibly throughout Asia and Africa?

Have we forgotten the bloody, dismal struggle which so recently engulfed mankind? Do hundreds of thousands of young Americans lie in hallowed ground and other thousands suffer in hospitals and institutions so that we might substitute Red dictatorship for black dictatorship? Shall we repeat in Greece and in Turkey and in western Europe the solemn tragedy of Estonia, Lithuania, Latvia, Albania, Rumania, Hungary, Bulgaria, Poland, and Yugoslavia; or shall we use the moral power of this Nation for the cause of freedom? Freedom is an ancient word. It first gained its magnificence in the land of the Hellenes. To many of us who have lived under the blessed sun of the United States, it may seem like an academic word; but in those bleak nations behind the iron curtain, it is still the most glorious word in the minds of men. And yet, the issue involved here is just that simple. It is whether freedom survives on this earth, or whether some strange ideology, which proclaims freedom but practices tyranny, which talks about the rights of man but foists a brutal, soulless system of collectivism upon the minds and hearts of men, and which employs cruelties heretofore unknown to mankind shall prevail. For my own part, it is my firm belief that there can be no compromise with communism. That is the issue. If we compromise now, if we throw Greece and the nations of Europe into the waiting, willing arms of Red fascism, then we will face a third world war more horrible and more devastating than the one that this world has so recently experienced. If we fail in this duty, then we may as well withdraw our armies of occupation from Europe. We may as well remain away from the conference tables and prepare for the holocaust.

I read with interest Mr. Stalin's interview with Mr. Stassen. He talked about cooperation and said that our countries could live together in peace. I fervently

hope that they can. But certainly Mr. Stalin would be more impressive if his deeds spoke out rather than his words.

The philosophy to which he subscribes, denies the validity of covenants, the validity of morals, the validity of religion. How then can western civilization trust his assertions? He talks about freedom, when in his nation and in the nations that are dominated by communism there are more slaves than have ever existed in the entire recorded history of this world.

To compromise with communism is to compromise with an essential evil. It is no more possible than to compromise with cancer or tuberculosis.

The debate, however, has pointed up the need for something more than a negative policy in Europe. While we must oppose Russian expansion and while we must fight communism on every front, we also must put forward a positive program of democracy. The objections voiced to the extension of aid to Greece and Turkey have come from many thoughtful Americans who are justly worried about our precarious fiscal structure and who realize that dollars alone will not solve the problems of Europe.

These thoughtful Americans are properly concerned over our tremendous national debt. They show where we have already spent billions in England and France and throughout the world, and communism marches on. There must be some other way. Otherwise we will bankrupt America.

There is an alternative that has stirred the minds of men for many centuries. It is to be found in a federated western Europe. A resolution "that the Congress hereby favors the creation of a United States of Europe within the framework of the United Nations" is now pending in this body and in the Senate. That resolution has received support from the overwhelming majority of Americans, representing all political groups, from the press, and in public forums. Recently a group of 81 of the Nation's outstanding leaders in business, finance, religion and education, and journalism endorsed the plan as the answer to the recurrent problem of Europe. It is not a new plan. It has been supported for many years by great statesmen of Europe. Today its principal champions are Winston Churchill, Prime Minister Smuts, John Foster Dulles, Walter Lippmann, Prime Minister Attlee, and many others. George Washington once wrote to General Lafayette:

> We have sowed seeds of liberty and union that will spring up everywhere on earth, and one day, taking its pattern from the United States of America, there will be founded the United States of Europe.

The great French writer, Victor Hugo, prophesied:

> The day will come when these two huge unions, the United States of America and the United States of Europe, will face and greet each other across the Atlantic—when they will exchange their goods, their commerce, their industry, their arts, their genius, to civilize the globe, to fertilize deserts, to improve creation under the eyes of the Creator, and to assure the greatest benefit for all by combining these forces: the brotherhood of man and the might of God.

That day is at hand.

The Greek loan must be made, because as I have pointed out, we cannot compromise further. But at best it is serving only as an oxygen tent for the patient. Similar loans have been made to France, England, and to the Netherlands, and the condition of our ex-enemies does not need recounting at this time.

Greece is vital, but western Europe is even more vital, and now is the time, with Europe prostrate, for the ancient ideal of federation to bear fruit. As one writer has said, "What was once an ideal is now a necessity."

In the words of Winston Churchill:

> And what is the plight to which Europe has been reduced? Some of the small states have, indeed, made a good recovery, but over wide areas a vast quivering mass of tormented, hungry, careworn, and bewildered human beings gaze on the ruins of their cities and scan the dark horizon for the approach of some new peril, tyranny, or terror.
>
> They may still return. There is a remedy which, if it were generally and spontaneously adopted by the great majority of people in the many lands, would as if by a miracle, transform the whole scene and would in a few years make all Europe, or the greater part of it, as free and as happy as Switzerland is today.
>
> What is this sovereign remedy?
>
> We must build a kind of United States of Europe.

America cannot bring about the United States of Europe, but by the adoption of the resolution now before the Congress the forces at work everywhere in western Europe will be immeasurably strengthened and those who hesitate now because of the opposition to Soviet Russia will be given the courage and the support to move forward.

Mr. Chairman, I have listened carefully to the debate on this measure for 3 days. I have opposed every amendment which has been offered to the committee bill. I shall continue to oppose amendments. I shall oppose the amendment which the gentleman from California contemplates offering.

The committee has done a masterful job in framing this legislation and the issues have been clearly presented to this body. Everyone here fully understands that. As the distinguished gentleman from New York [Mr. WADSWORTH], and our great minority leader [Mr. RAYBURN] pointed out on day before yesterday, the comparison existing between 1914 and 1939-41 is too serious to overlook, and all thoughtful Americans realize that we must no longer adopt a policy of appeasement.

I listened with interest this morning while one gentleman said, "Of what concern is it to us what happens in eastern Europe or what happens in Russia?" My mind went back to my first term here in this Congress in 1941 when we were debating lend-lease, and I heard those same words, and those same gentlemen making the identical assertions. After Hitler had conquered most of Europe, and when the British Isles were holding out all alone, those same gentlemen stood in the well of the House and said, "What concern is it to us what Hitler does in Europe?" Then, all of a sudden bombs fell on Pearl Harbor and it was of direct concern to every American. That is the same challenge that we face today, and we had better not make any mistake about it.

But, I want to take this time to point out what I believe is possibly an alternative to the direction we are headed. Many years ago the statesmen of Europe recognized the fact that as long as Europe was disunited, as long as we had countless little nationalities and countless little nations in Europe, we were bound to have these interminable wars and interminable struggles. Recognizing this recurrent situation, some months ago, in conjunction with some of my colleagues in the Senate, I introduced a resolution in this House favoring the creation of a United States of Europe within the framework of the United Nations. I am certain that many Members of the House have noted the overwhelming approval with which that resolution has been met by the press, in public forums, in educational, and in civic circles of this country. I am happy to say that that movement now has a tremendous momentum, and today the Moscow Conference having failed and our effort of cooperation with Russia having completely failed, we must have an alternative.

I say to the Members of the House, if they will give serious consideration and serious thought to the age-old ideal of a united western Europe, together in trade, together in commerce, and together in government, the 200,000,000 people of western Europe will be the answer to this problem, and I believe we will have some hope for peace on this earth; but as long as we maintain all of these separate entities, as long as we try to create artificial barriers in Europe, they are bound to overflow into our own Nation and we are bound to go into another and a more bloody world war.

I ask you to read when you have time the words of Winston Churchill, of John Foster Dulles, of Prime Minister Attlee, and the expressions of 81 prominent Americans which recently appeared in the press, representing every shade of political opinion in the United States, recommending and endorsing the Federation of Europe. If you will read those expressions, and if you will study them, we as Americans may find an alternative to the grave and chaotic problem of Europe.

The Clerk read as follows:

> SEC. 4. (a) Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation shall be made pursuant to subsection (b) of this section, to make advances, not to exceed in the aggregate $100,000,000, to carry out the provisions of this act, in such manner and in such amounts as the President shall determine.
>
> (b) There is hereby authorized to be appropriated to the President not to exceed $400,000,000 to carry out the provisions of this act. From appropriations made under this authority there shall be repaid to the

Reconstruction Finance Corporation the advances made by it under subsection (a) of this section.

Mr. SMITH of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Wisconsin:

On page 6, line 1, strike out all of subsection (a) of section 4.

And on line 8 strike out the letter "(b)" indicating a subsection and on line 9 substitute the figure "200,000,000" for "400,000,000," and after the period on line 10 strike out all of the following sentence, and substitute a new sentence as follows: "Out of the funds provided herein the President is authorized to supply such financial assistance as may be requested by the United Nations to further the objectives of this legislation, but in no event shall it exceed $5,000,000."

Mr. SMITH of Wisconsin. Mr. Chairman, in view of the nature of the amendment I have offered, I ask unanimous consent to proceed for five additional minutes.

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

There was no objection.

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

Mr. SMITH of Wisconsin. I yield to the gentleman from New Jersey.

Mr. EATON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes, this not to include the 10 minutes already allotted to the gentleman from Wisconsin. I make this suggestion at the request of the majority leader.

Mr. CHENOWETH. Mr. Chairman, reserving the right to object, would it not be better to hear what the gentleman says concerning his amendment, so that we can see if any Member wants to discuss it?

The CHAIRMAN. Does the gentleman object at this time?

Mr. CHENOWETH. I object, Mr. Chairman.

Mr. SMITH of Wisconsin. Mr. Chairman, you will note if you have a copy of the bill before you that I am striking out all of subsection (a) because it is a request to advance $100,000,000 without going before the Committee on Appropriations.

I see no reason why there is need for such quick action. I believe that the Department of State should justify the need for that sum of money before the Committee on Appropriations. There is nothing in the record, as I recall it, wherein there was a showing of such need. It seems to me, therefore, that if we are going to pass this legislation, let us be businesslike about it. Certainly, there is no justification for this provision to be in the bill.

I go on to the next part of my amendment, cutting down the amount from $400,000,000 to $200,000,000. I am wondering if Members of the House realize that so far as the record is concerned, Turkey, which is covered by this bill, has never made a request to this Government for any money. If I am wrong, I want the members of the Committee to tell me so. $125,000,000 is provided in this bill for Turkey. I trust that the members of the Committee who want to ask questions will wait until I complete my statement.

So far as I can find, all we have concerning aid to Turkey is the statement in the report on page 3, as follows:

The situation in Turkey differs substantially, but she has found it necessary during recent months to apply to the United States for financial aid.

That is the statement made by the committee. What does Mr. Acheson say? The only testimony is this:

Today the Turkish economy is no longer able to carry the full load required for its national defense.

But in the statement on the same page Mr. Acheson does not say that there was a request for aid, and if he did I submit that that would be a self-serving declaration and a statement in support of his own position.

The report is very clear, however, so far as the Greek Government is concerned. On March 3 the Greek Government actually asked for this assistance. I could not find in these heavy secret documents that we have, 6 or 8 inches thick, anything to show that the Turkish Government has asked for this aid. As a matter of fact, they did not ask it or need it. Turkey wants arms and not money.

I say there should be before this House something in writing to show that the Turkish Government wants this money. I submit the record does not indicate that, and if it does then I have missed it and I will stand corrected if the evidence can be produced.

Mr. JARMAN. Mr. Chairman, I have it right here.

Mr. SMITH of Wisconsin. I hope the gentleman will wait until I complete my statement.

Mr. JARMAN. You ask for it and then you do not want it.

The CHAIRMAN. The gentleman declines to yield.

Mr. SMITH of Wisconsin. In the latter part of this amendment I provide that the President would be authorized to advance out of this authorization $5,000,000 to assist in carrying out the objectives of this legislation. If there is Russian aggression, let us find it out. Let us find out through the United Nations organization. We have heard a great deal about isolationism. I wonder, in all this by-passing of the United Nations, who are the isolationists.

I want to call attention to a matter which I think is highly important because I believe it indicates that even as far as Greece is concerned, they can go to the International Bank and get this money. I am referring to the CONGRESSIONAL RECORD of May 7, page 4719, to an address delivered by the gentleman from Connecticut [Mr. PATTERSON]:

A reading of section C of part 4 of the charter of the International Bank proves conclusively that this United Nations agency can be used to help the people of Greece. It says, and I quote, "If a member suffers from an acute exchange stringency, so that the service of any loan contracted by that member or guaranteed by it or by one of its agencies cannot be provided in the stipulated manner, the member concerned may apply to the bank for a relaxation of the conditions of payment." This certainly applies to Greece today as it seems to me.

The very first chapter of the bank's charter is even more specific in its application to Greece today. It says under section B the resource shall be used "for the purpose of facilitating the restoration and reconstruction of the economy of members whose metropolitan territories have suffered great devastation from enemy occupation or hostilities. The bank, in determining the conditions and terms of loans made to such members, shall pay special regard to lightening the financial burden and expediting the completion of such restoration and reconstruction."

There you have it. It is all laid out. The International Bank can take charge of this matter, so why should we in all our largesse volunteer to hand out this money which our taxpayers are striving so hard to pay each year? We as Republicans, under the program outlined, have promised tax reduction and debt reduction and all that goes with it. Under no circumstances can we be justified in making not a loan but a gift of more than $200,000,000.

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

Mr. SMITH of Wisconsin. I yield.

Mr. KNUTSON. Dean Acheson delivered an address last evening in place of the President, and he advocates rehabilitating the whole world. After we have bled ourselves white, who will there be to give us a blood transfusion?

Mr. SMITH of Wisconsin. The question answers itself, it seems to me. Of course, we will face economic ruin and we are on the verge of it today.

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

Mr. SMITH of Wisconsin. I yield.

Mr. JARMAN. I simply ask the gentleman to yield to produce the evidence he asked for a moment ago. I believe the gentleman made the statement that if there was any evidence that Turkey had requested this assistance, he would like some member of the committee to produce it. It is found on page 13, where I inquired of Under Secretary Acheson, as follows:

In other words, as I understand it, everything proposed to be done in this bill has been definitely requested by the countries concerned?

Secretary ACHESON. That is true.

Mr. SMITH of Wisconsin. Is that the best evidence the gentleman offers? It is a self-serving declaration. I say it is not the best evidence.

Mr. JARMAN. That may not be the best evidence but it is most excellent evidence.

Mr. SMITH of Wisconsin. Not for me.

Mr. JARMAN. The gentleman asked for it and when he gets it he does not want it.

Mr. SMITH of Wisconsin. You know as a lawyer that is not the best evidence. Produce a copy of a letter from the Turkish Government. That is what I am asking for. There is a copy of the Greek request in the confidential report prepared for the committee by the State Department.

Mr. JARMAN. If the gentleman wishes further evidence——

Mr. SMITH of Wisconsin. I am asking you to produce it and you cannot.

Mr. JARMAN. The difference is I have confidence in the President and other officials of my country whereas the gentleman does not.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. SMITH] has expired.

Mr. EATON. Mr. Chairman, I desire to renew the unanimous-consent request suggested by the majority leader, that all debate on this amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey [Mr. EATON]?

Mr. CHENOWETH. Mr. Chairman, reserving the right to object, I should like to ascertain how many seek recognition.

The CHAIRMAN. The Chair sees five Members indicating they desire time.

Mr. EATON. Then, Mr. Chairman, I modify my request and make it 20 minutes.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

Is there objection?

There was no objection.

The CHAIRMAN. The Chair will recognize the following Members who indicated a desire to be heard: Messrs. MACKINNON, VORYS, CHENOWETH, MILLER of Connecticut, and JARMAN.

Mr. VORYS. Mr. Chairman, may the committee members be heard last?

The CHAIRMAN. The gentleman from Ohio will be recognized last.

The gentleman from Minnesota [Mr. MACKINNON] is recognized for 5 minutes.

Mr. MACKINNON. Mr. Chairman, on yesterday one of the illustrious Members of this House said that when you hear one person you have heard one-half of the story. That is not true on this issue, for when you have heard one person on this issue you have heard only one-third of the story. You have three views on this issue.

One group believes that the national interest of the United States is involved and they support the bill. There are two groups in opposition. First, the isolationists oppose it. Secondly, in opposition you have that group whose foreign policy has been such that they have not actively opposed the foreign policy of the Soviet Government and they have opposed the foreign policy of the United States. It is very easy to pick that group out. You know what their position was on lend-lease. They were demanding that Russia get more lend-lease. You know what their position was on the second front. For several years they demanded an immediate second front in Europe regardless of the inability of our country to prosecute effective military operations.

THE PARTY LINE

The party line that they have now developed on this particular bill is they say that they oppose military aid, favor relief to starving children, and then they say, "Besides, the United States cannot afford to give this relief in any amount." That argument is completely dishonest, because in one breath they say, "I favor partial relief," and in the next breath they say "I favor no relief." That is the party line argument on this bill today. To merely state it is sufficient. Its inconsistency is its own answer.

IDEAS VERSUS FORCE

One of the arguments that has been made, that seems to have some force with a number of people, is that you cannot stop ideas by force. Their inference is that communism is an idea and hence it cannot be stopped by force.

But I say communism has no force as an idea. Communism has never been accepted by any country of the world except by force. Does any person—and I will yield the floor to anyone who has an answer on this one—can any person in this House tell us today of any nation in recorded history that ever voluntarily accepted communism? No person rises to suggest that there ever was such a nation—and I agree that there never was. Communism has never been voluntarily accepted by any country. It needs force to impose it and it needs force to continue it.

There is no question that when you run into force you have to make your position clear, and that is what this bill does. We are opposing communism.

UNFINISHED BUSINESS

In closing I want to say that I regard this program as unfinished business arising out of our involvement in the war. It is nothing more than we did after the last war. We stayed until conditions were stabilized. For the same purpose today we are in Germany, we are in Austria, and we are in Italy. In those countries we are presently seeking to bring stability to their economy. They were our enemies a short time back. Should we not also seek to maintain a stable government for our friends who ask our aid? They were our allies in the war and are our friends now. I submit that they are entitled to our help now as much as our former enemies.

THE GREEK ELECTION

Some criticize the Greek Government. You can criticize almost any foreign government—in comparison with ours. But the Greek Government was elected by the Greek people in what our observers state was a free election. The statistics show that of 1,900,000 eligible voters, 87 percent voted and 68.3 percent favored the present Government. This leaves 31.7 percent opposed. In other words the vote was 2 to 1 for the present Government.

That is a more substantial popular majority than any President of the United States ever received in recorded history. No person can truthfully say that the Government in Greece does not have the popular support of the Greek people.

USE THE UNITED NATIONS

Some say we should use the United Nations. I agree with that proposal and the bill contains ample provisions for the use of the United Nations if that body wishes to assume jurisdiction, but we have already seen the power of the veto in Russia's hand to delay effective action on this very issue.

RUSSIAN VETO

Russia vetoed the initial attempt to investigate the Greek border dispute. Subsequently the investigation was only authorized when Russia refrained from voting. Do we want to permit the Soviet to use such dilatory tactics? That is their game. Everyone knows it. The veto power gives them the authority to delay action—and they use it. This issue in Greece and Turkey involves internal stability. Thus it is not a proper case for the United Nations. It does not involve international issues with respect to those countries. By the very charter of the United Nations they have no jurisdiction. Our delegate from the United States has pointed out that this bill does not bypass the UN. I agree with that analysis of the problem.

THE ISSUE

The issue in this bill is clear. Are we going to appease Russia; are we going to jump through the hoop at the Soviet wish? We only intervened in Europe in World War II after the most constant demands from Russia. They demanded arms, munitions, and a second front. We finally opened the second front and the war was soon over. Now the Soviet line is to say, "Get out now, leave Europe to us." To this demand I say we did not intervene in Europe to permit Communists, Fascists, or other groups alien to their own country, to have free reign to aggressively overrun the remnants of European civilization. By our position as victors we owe a duty to the world to restore stable governments before we pull out. Let us all support this bill to do that for Greece and Turkey—our allies.

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

The Chair recognizes the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER of Connecticut. Mr. Chairman, it is unfortunate in the closing hours of this debate that has been going on for four days that some Members' patriotism so runs away with them that they have to charge those who honestly and conscientiously oppose this bill as following what is referred to as the "party line." I am not at all disturbed about anybody questioning my Americanism or my patriotism. I do want to ask one question and I hope before the debate closes someone on the committee or in the House will answer it for me.

I listened this morning to the distinguished gentleman from Massachusetts [Mr. MCCORMACK] speak of the wave of communism sweeping over Turkey and over Greece, then across the Mediterranean over Italy and over France, and so on, possibly over the Atlantic to the United States. I concede that it is certainly a threat and that all this world is threatened with the spread of communism. Assuming all that to be true, will some member of this committee explain to me why, to deal with such an important problem, in view of our participation in the United Nations and our promise to the American people, we were going to deal in association with the other nations of the world, that we

should embark on this lone-wolf program on our own.

Some may say that other nations cannot contribute their share in money toward this effort to stop the spread of communism into Turkey and Greece. If they cannot appropriate $100,000,000 or $400,000,000, if they would appropriate a quarter of a million dollars to this program and associate themselves with this Government, I would feel much happier about it and I could then support this whole program. But I do not want to see the United States Government embark on this program with no assurance, certainly no assurance has been given us throughout this debate, that the program has the support, at least the moral support, of other nations associated with us in the United Nations. If they cannot furnish financial support they certainly can make known their support in other ways. I wish that somebody could show me how we can do this job so much better alone than with the help and cooperation of other nations.

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

Mr. MILLER of Connecticut. I yield to the gentleman from New Jersey.

Mr. MATHEWS. Is it not true, sir, that when we approve this action we are taking, it means that any other nation may take any action it sees fit so long as it says it is carrying out the purposes of the United Nations?

Mr. MILLER of Connecticut. We are formulating our own program and carrying it on alone, so far as I am able to find out.

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

Mr. MILLER of Connecticut. I yield to the gentleman from Ohio.

Mr. VORYS. I want to remind the gentleman what the United Nations representative of the United States, Senator Austin said:

> In my opinion, the United States program of aid to Greece and Turkey does not bypass the United Nations.

Mr. MILLER of Connecticut. I heard that statement read and I may say it does not answer my question. I have not said anything about bypassing the United Nations. I am asking why other nations that are in the United Nations cannot cooperate in this program. I heard the statement read by the chairman of the committee yesterday and I have great respect for Senator Austin.

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

Mr. MILLER of Connecticut. I yield to the gentleman from New York.

Mr. MARCANTONIO. In all fairness, the House should be reminded also of what the Secretary-General of the United Nations said on this subject.

Mr. MILLER of Connecticut. Yes. I go back to my question which was: "Why do the proponents of this bill think that the United States acting alone can do the job better than it could be done in cooperation with other nations?

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

The Chair recognizes the gentleman from Alabama [Mr. JARMAN].

Mr. JARMAN. Mr. Chairman, the author of this amendment, as I understood him a moment ago, stated that Turkey had not applied for this assistance and challenged anyone to prove otherwise. I thought I did so by quoting the Under Secretary of State of the United States, who at the time was Acting Secretary of State. I do not know whether he is a Democrat or a Republican, just as I do not know what General Marshall's politics is; but he is the Under Secretary of State of the United States and, for my part, I am willing to take his word on a matter with the responsibility for which he is charged and on a matter about which he naturally knows more than could any Member of this body. Furthermore, he is an exceptionally able official to whom I heard one of our best Members refer during this debate as the man who had the most alert and most brilliant mind with which he has come in contact.

However, I find, after my colloquy with the gentleman—for whom I have a very high regard, but who I think should be more careful with his challenges and his statements—that the President of the United States in his message made the same statement, and I say to you, my colleagues, I care not who the President of the United States be, whether he be Democrat or Republican, I am willing to take his word on a matter such as this, and I quote from the President's message:

> Since the war Turkey has sought financial assistance from Great Britain and the United States for the purpose of effecting modernization necessary for the maintenance of its national integrity.

Now, for my part, Mr. Chairman, and my colleagues, I am perfectly willing to believe those two officials of this Government and not be pin prickey and issue challenges about whether they are telling the truth or not.

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

Mr. JARMAN. I yield to the gentleman from Pennsylvania, an able member of our committee.

Mr. FULTON. The gentleman from Wisconsin said he searched the committee report and looked through it carefully and could not find it. He must have missed page 1, because there Mr. Acheson says that at various times during recent months the Turkish Government has applied to the United States for financial aid. And, there is no quibbling about that.

Mr. JARMAN. Indeed, there is not. I thank the distinguished gentleman, and I read to the gentleman the Under Secretary's reply to my question, in which he reiterated that fact.

Now I gladly yield to the gentleman from Wisconsin.

Mr. SMITH of Wisconsin. I want to again ask both of you gentlemen, who are lawyers, if you would accept that as proof in a court of law?

Mr. JARMAN. Absolutely. I would accept the statement of my President and my Under Secretary of State as proof.

Mr. SMITH of Wisconsin. That sounds fine, but that still is not proof. That is a self-serving declaration.

Mr. JARMAN. Are we in a court of law here?

Mr. SMITH of Wisconsin. You might be.

Mr. JARMAN. Is this a court of law?

Mr. SMITH of Wisconsin. It is anything that you make it.

Mr. JARMAN. Yes, and we have established it without reference to the precedents of the courts, too. We do not have to go to courts to get precedents. We have them of our own.

Mr. SMITH of Wisconsin. The challenge is still open to produce the proof. Turkey has never asked for this loan, in my opinion.

Mr. JARMAN. I repeat, I have confidence in my President, whether he be a Democrat or not, and should the gentleman on the other side ever be so fortunate as to have a President I would have confidence in him, whoever he be.

Mr. SMITH of Wisconsin. That is the gentleman's privilege.

Mr. FULTON. Mr. Chairman, if the gentleman will yield further, I think the gentleman from Wisconsin, having challenged both of us as lawyers, has gotten himself a little outside in saying that opinion evidence is admissible.

The CHAIRMAN. The Chair recognizes the gentleman from Colorado [Mr. CHENOWETH].

(Mr. CHENOWETH asked and was given permission to revise and extend his remarks).

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

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

Mr. MARCANTONIO. I think on this issue of whether or not Turkey made a request we should read the President's message delivered at the joint session of Congress. With respect to Greece he specifically states that Greece has asked for this assistance. You do not find any language as strong as that with respect to Turkey in the President's message.

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Wisconsin [Mr. SMITH]. I wish to commend him for the splendid and brilliant leadership he has exercised in handling the opposition to this legislation.

It appears that Turkey has asked for no assistance. I understand that Turkey has no financial crisis like Greece. Unless the purpose of this bill is entirely military, I cannot conceive how any Member of this House can vote to send money to Turkey.

We are told, however, we should support this bill because it has the approval of the President and the Secretary of State. Our leaders have made some tragic mistakes. They have formulated policies which even the proponents of this bill admit have been unwise and unsound. Surely we must make an important decision like this for ourselves.

Largely because of pursuing wrong policies this country became involved in World War II, which cost the lives of 300,000 American boys. The debate today reminds me very much of the discussion of the lend-lease bill in 1941, which was represented as a peace meas-

ure. We soon discovered it was a step toward war. We won the war, but now we are again disillusioned; after defeating our enemies we are now told there is a new threat to our security. This measure is a subterfuge and a bald-faced deception. The title implies this is a bill which authorizes aid to Greece and Turkey. You know, and I know, it is purely a military move. Yet we are being told we must continue to follow leaders whose blundering policies have precipitated the situation in which we find ourselves today. Our first responsibility is to the people we represent. It is my opinion the overwhelming sentiment of this country is opposed to this legislation in its present form.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. CHENOWETH. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. This is the same leadership that in the last 2 years has spent $18,000,000,000 to promote communism, and is financing communism.

Mr. CHENOWETH. The gentleman is absolutely right. We are still shipping supplies and materials to Russia. It is impossible to reconcile these conflicting positions. I have never understood the influence which has enabled communistic Russia to obtain unlimited amounts of equipment and machinery from the United States.

Mr. Chairman, let us look for a moment at this bill. It states that it provides for assistance to Greece and Turkey. However, I think the mask has now been drawn aside. The intent of the bill is clear. You have seen the amendments, limiting the military personnel to 100, or 200, voted down. Those sponsoring this bill vigorously opposed any military limitations.

It is proposed to send members of our military forces, but we are assured they will act in an advisory capacity only. I submit there is no precedent for such a step and that it now appears obvious from admissions made on the floor by those in charge of the bill that our military operations will not be restricted to advice only. A motion to recommit this bill to the Committee on Armed Forces would be very proper.

Mr. Chairman, I have before me an article written by Mr. Palmer Hoyt, Jr., Denver Post correspondent, who made a recent tour of Greece. He urges us to help Greece rebuild, and not to fight a war. I wish to read a few lines of this report on Greece, as the observations made by Mr. Hoyt are very pertinent to the bill we have before us. He says:

> The United States can compete successfully with communism in Europe. It can compete successfully with communism elsewhere, too, but in order to do this the Government must adopt a positive policy of aid to countries whose economy has been threatened by the war or its aftermaths.
>
> The Greek-Turkish aid bill is a case in point. Right now it is important that these countries receive financial aid. Greece, especially, has need of food and clothing for its people. It needs money to rebuild a shattered economy.
>
> But the Greek-Turkish aid bill is being talked about, in Athens and America, in terms of military supplies and money to support the army in its fight against what the rightist Greek Government at least, calls a Communist threat.
>
> It is true that communism threatens Greece. Nevertheless, the point of attack should not be through the Greek Army, fighting Communist and non-Communist guerrillas in the hills. If the American grant is to be successful the attack must come through the country's economy.
>
> When the army uses funds to wage war, a lot more houses and roads and people are destroyed. The survivors find conditions difficult. Then they are easy prey to totalitarianism—Communist or otherwise.

I agree with Mr. Hoyt, and I submit we are making the wrong approach to this whole matter. We want to rebuild Greece, and not destroy her. As Mr. Smith has pointed out, the International Bank has been set up to aid countries like Greece. I feel certain satisfactory arrangements could be made to obtain the credit she needs.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Chairman, further commenting on whether Turkey requested aid, in the questionnaire found on page 366 of the hearings appears this statement from the State Department:

> In order to prevent a deterioration of the Turkish economic situation, which might weaken the country and compromise its position, Turkey has requested American financial assistance which the President proposes that we grant.

Under Secretary Acheson, at the very start of the hearings, said—see page 1:

> At various times during recent months the Turkish Government has applied to the United States for financial aid.

Apparently the opposition feels that if a country asks a whole lot of times that does not count as a request, but if a country asks once that counts as a request.

I am one of those who opposed the way the evidence was brought before us on the relief bill a few weeks ago. We were not told what the money was to be spent for and where. Possibly as a result of the protest that many of us made the secret document furnished the first day of the hearings on this bill was thrown open, and detailed information has been given in the hearings as to how they propose to use this money, not only for military purposes, but to rehabilitate the economy of Greece.

The military part is $100,000,000 for Turkey, only part of which is to be for arms and ammunition, and $150,000,000 for Greece, only a third of which is to be for arms and ammunition. The other $150,000,000, and you can see the details on page 3 of the report, is composed of $20,000,000 for agriculture, $50,000,000 for reconstruction—and the items are noted—and $80,000,000 for consumer goods.

I have here a 1,000-drachma note that I got in Greece. I may say that I got it legally. At that time there were 5,000 drachmas to the dollar at the legal rate of exchange. Here is a 10,000-drachma bill. The 10,000 drachma bill is worth 2 bucks legally, $1.25 on the black market. The 1,000 drachma one is worth 20 cents legally, 12½ cents on the black market. The exchange varies so rapidly over there in the skyrocketing inflation that is going on that it is hard to keep track of your money.

It cost me 8,000 drachmas to buy 6 post cards and the Embassy driver got 375,000 drachmas a month. One of the things that must be done to stabilize Greece is with reference to their exchange. That is a part of this bill.

Another part is provisions for physical rehabilitation of their economy.

Another part of it is to furnish Greece military assistance, advice, and supplies, so that Greece can drive the Communist-supported guerrillas out and maintain her integrity.

This is a very ambitious program. It is going to be difficult to accomplish. It has its risks, not only possible military risks, but the risk that the economic program may fail. We increase the risks by cutting the program heavily at the start.

This is only an authorization bill, and the appropriations will be checked carefully by our appropriations committee. I suggest it would not be wise to cut this authorization now and I hope the amendment is defeated.

The CHAIRMAN. The time of the gentleman from Ohio has expired. All time has expired.

The question is on the amendment offered by the gentleman from Wisconsin [Mr. SMITH].

The question was taken; and on a division (demanded by Mr. SMITH of Wisconsin) there were—ayes 49, noes 121.

So the amendment was rejected.

Mr. KERSTEN of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. KERSTEN of Wisconsin: On page 6, after line 13, add a new subsection (4) (c):
>
> "That forthwith and immediately upon the taking effect of this act the Government of the United States and all agencies thereof shall cease and desist from sending any materials, granting any credits, paying any moneys or anything of value whatsoever, either under lease-lend commitments or otherwise, to the government or governments of any country or countries that in the opinion of the President of the United States are threatening, or during the life of this act do threaten, directly or indirectly, the integrity or sovereignty of Greece and Turkey."

Mr. EATON. Mr. Chairman, while this amendment sets forth a policy which many of us are strongly in favor of, I am sorry to say I must raise a point of order that it is not germane to this bill.

The CHAIRMAN. Does the gentleman from Wisconsin desire to be heard on the point of order?

Mr. KERSTEN of Wisconsin. Mr. Chairman. I believe this amendment is germane. I think it is highly necessary that we indicate in this very act wherein we propose to assist Greece and Turkey in resisting aggression, that we also indicate very clearly by the same token that we do not wish to send anything over there to any countries that are threatening or endangering the very countries we are attempting to assist. I think it is germane.

The CHAIRMAN (Mr. CASE of South Dakota). The Chair is ready to rule.

The Chair invites the gentleman's attention to the fact that the amendment proposes that the Government shall cease and desist from sending any materials, granting any credits, paying any moneys or anything of value whatsoever either under lease-lend commitments or otherwise, to the government or governments of any country or countries, and so forth. In that respect it would in effect place limitations upon existing law and go far beyond the scope of this bill and is neither germane to the bill nor to the section to which it is offered.

Mr. KERSTEN of Wisconsin. Mr. Chairman, it is limited to those countries that threaten Greece or Turkey. It does not pertain to the entire lend-lease program. It is only to those countries that threaten the integrity of Greece or Turkey.

The CHAIRMAN. The Chair has taken note of that but believes that that in no wise counteracts the point which the Chair has made.

The Chair sustains the point of order.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

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

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, the discussion of this bill has constantly revolved around the subject of communism. The specter of aggression by the U. S. S. R. is the one great fear-impelling shadow that has overwhelmed this Congress in a wave of hysteria. The implication of isolationism or pro-Russia has been cast upon the opponents of the Truman doctrine. I refuse to accept the implication of being isolationist or pro-Russian.

I am fighting today for what I believe to be the best interest of the American people. I am fighting today for the principles embodied in the United Nations Charter. What is the basic principle? It is found in article I:

> To take effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.

Notice the phrase "to take effective collective measures for the removal of threats to the peace and for suppression of acts of aggression." Collective, not individual. Multilateral, not unilateral. Upon this great principle the League of Nations was formed. Because this principle was not followed the League disintegrated when Japan started aggressive action on Manchuria.

We have another chance to make an international organization work for international peace. An improved organization whose procedures and methods were improved over those of the League. Again it is based on "collective" investigation, consideration, and action against aggression.

The United States took a leading part in the formation of the United Nations. It is our own making. We are its strength. Our faith and confidence in it is its lifeblood.

We have been told that the United Nations is too weak to handle the Greek-Turkey case. We have been told that it is impotent.

It was not too weak when the sovereignty of Iran was violated by the actual presence of Russian soldiers. The Security Council acted and the Russian Army withdrew from Iran.

It was not too weak when the Lebanon-Syria crisis occurred. The Security Council acted and the British and French soldiers obeyed its edict.

In the complaint against Indonesia by the Ukarainian Republic, the Council considered the charges but they voted against investigation. In the case of the Poland complaint that Spain was a threat to the peace, Russia exercised her veto. The Security Council thereupon formally returned the complaint to the General Assembly. The General Assembly, after due consideration, unanimously decided to drop the matter.

Let me point out here that the veto by the parties directly concerned is permitted upon certain serious charges which involve the use or threat to use military personnel. However, in the case of appeals for investigation, the parties involved do not have the right to use the veto.

Why then do we not follow the four precedents of multilateral consideration within the framework of the United Nations?

Is it because we are afraid of the decision United Nations might reach?

Is it because we are embarked on a course of unilateral, military, imperialism which is in contradiction to the principles of the Charter?

Has the virus of world empire entered the veins of our democracy?

Are we ready to junk the United Nations by denying it the chance to grow with its responsibilities? These questions must be answered in the light of moral and spiritual values, or we stand convicted of violating our pledges to the United Nations principles.

Mr. EATON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. EATON. Are there any amendments pending to section 4?

The CHAIRMAN. There are no amendments at the desk.

Mr. EATON. Then I ask unanimous consent that all debate on this section do now close.

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

There was no objection.

The Clerk read as follows:

> SEC. 5. The President may from time to time prescribe such rules and regulations as may be necessary and proper to carry out any of the provisions of this act; and he may exercise any power or authority conferred upon him pursuant to this act through such department, agency, independent establishment, or officer of the Government as he shall direct.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

> Committee amendment: Page 6, line 21, insert at the end of the section the following:
>
> "The President is directed to withdraw any or all aid authorized herein under any of the following circumstances:
>
> "(1) If requested by the Government of Greece or Turkey, respectively, representing a majority of the people of either such nation;
>
> "(2) If the President is officially notified by the United Nations that the Security Council finds (with respect to which finding the United States waives the exercise of any veto) or that the General Assembly finds that action taken or assistance furnished by the United Nations makes the continuance of such assistance unnecessary or undesirable;
>
> "(3) If the President finds that any purposes of the act have been substantially accomplished by the action of any other intergovernmental organizations or finds that the purposes of the act are incapable of satisfactory accomplishment; and
>
> "(4) If the President finds that any of the assurances given pursuant to section 3 are not being carried out."

Mr. JAVITS. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

> Amendment offered by Mr. JAVITS: Page 7, line 14, after paragraph 4 insert:
>
> "5. If the President finds that the government of any country receiving assistance hereunder is not representative of a majority of the people of such country or is not taking the governmental and economic measures essential to the reconstruction of such country."

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes on his amendment.

Mr. JAVITS. Mr. Chairman, I should like to qualify this amendment on the technical phases first. It consists of two parts. It states first that the President shall withdraw assistance to any country if he finds that the government in that country does not represent a majority of the people in it. And I draw the attention of the members of the committee to the first proviso of the Vandenberg amendment, which says that if requested by the Government of Greece or Turkey respectively representing a majority of the people of either such nation, the President is directed to withdraw assistance from any such country. So that we have written right into the bill the necessity that the President shall make that kind of a finding before he responds to any request to withdraw assistance to any such nation. All I say is that the President withdraw even if he is not asked to withdraw, if he finds that the government of the country assisted does not represent a majority of the people of that country.

The second part of my amendment requires that the government of any nation assisted is itself taking every governmental and economic measure necessary for its own reconstruction. In other words, it is doing everything possible to help itself. I call the attention of members of the committee to the fact that this particular provision was written into the relief bill by us in the Foreign Affairs Committee. The situation,

therefore, is as follows: When the money devoted to Greece's relief, which will be fifty or sixty million dollars, is used up, our own administrators over there will be no longer bound by the provisions which we have in the relief bill unless we write that into this bill, too.

Why have I proposed this amendment? I am a member of the committee and I do not want to delay the debate, but I feel in good conscience, and bespeaking the minds of Members of this House who are in the middle of the road—not those on the extreme right or those on the extreme left—just the sober people who are worried about the implications of this legislation, that this amendment is essential. Why?

We have to remember two things about it: One thing that worries us who are of the middle-of-the-road point of view is that this legislation should not be a signal to any extremist to the effect we are going to have a political witch hunt in this country, or a wave of reaction imperiling civil liberties in the United States. I think too much of our own devotion to the Bill of Rights in the Constitution to place the greatest stress on that, and I for one will be eternally vigilant on this floor to fight as I have fought for the civil rights of all, regardless of whether I may disagree with them. Therefore I feel it is enough to make that point at this time. But the second point does hinge a lot on this amendment. We must notify these people overseas, these people in Greece, that it is not our intention to shore up governments which leave a great deal to be desired as the Government of Greece itself does, and our own President said so and the witnessess have said so. We have got to let those people in Greece know that it is not our intention to support a reactionary government and shore it up, that we are not telling them they have to take this government or else they will not get this money. We have to let them know that they have freedom of action and that the only government we intend to deal with is one that represents a majority of the Greek people. That is not telling them how to run their internal affairs or anything else. That is just plain, decent being an American.

Mr. Chairman, may I emphasize this further fact: Let us get away from the idea that this program is antianybody, that it tends to stop anybody. All we are trying to do is fill a vacuum. There is a vacuum in the world. It is the vacuum of despair, it is the vacuum of an unreconstructed, devastated world. Into that vacuum may pour an extremist philosophy, the philosophy of communism. All we say is that we will fill that vacuum and that we want to let the decent judgment of the majority of the people of every country determine how they are to live and be governed. That is all my amendment seeks.

After I was in Greece in December 1946 I came back here and reported to this House that the guerrilla fighters were not a lot of long-haired people running around fighting for communism; but that they were a decent people, desperate over the political and economic situation of Greece; that there had not been less extremism and punishment of the common people in Greece from the "Chite" bands of the right than there had been from extremists on the left.

This is an amendment of common decency. It seeks only to give these peoplement the right of self-determination and that we in the United States shall back the demands of a majority of the people with our own faith in the love of freedom and justice of the Greek people.

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

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

Mr. KEATING. May I inquire whether this amendment was offered in committee or not?

Mr. JAVITS. I am glad the gentleman makes that inquiry. In the committee I offered an amendment which was generally along the lines of the amendment offered by the gentlewoman from California [Mrs. DOUGLAS] about elections and democratic government, but I could not work out the language which would give a certain leeway that hers did not have. The particular thought in this amendment was not offered to the committee.

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

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

Mr. Chairman, as I understand it, the amendment proposed by the gentleman from New York permits the President to discontinue the proposed aid in the event he finds that the Government of Greece is not representative of the people.

Mr. JAVITS. I am glad to confirm the gentleman's impression.

Mr. RICHARDS. Mr. Chairman, if that is the case it is an unnecessary amendment because the President already has been given that discretionary power in the bill as it is. In the enacting clause of the bill you will find these words:

> The President may from time to time when he deems it in the interest of the United States furnish assistance to Greece and Turkey, upon request of their Governments, and upon terms and conditions determined by him.

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

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

Mr. JAVITS. May I make the point which I made previously, and reiterate it, that this is assurance to the Greek people that we are not giving this relief or assistance only if they keep this government. This is serving notice on them that in case it represents a majority of them, whether it is this one or another one, we will help them and that the important feature is in getting that message across from the people of the United States as represented by this Congress to the people of Greece.

Mr. RICHARDS. In reply to the gentleman I will say that a great deal of assurance has been given the Greek people in the other provisions of this bill, and I think it would be unwise to clutter up the bill further with his amendment.

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

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

Mr. RANKIN. The main object of this bill is to protect the people of the United States, at any rate.

Mr. SMITH of Wisconsin. Mr. Chairman, I rise to inquire as to the exact parliamentary situation at this time.

The CHAIRMAN. The parliamentary situation is that a committee amendment is pending to which the gentleman from New York has offered an amendment on his own behalf.

Mr. MUNDT. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York [Mr. JAVITS], and I support it for two reasons. In the first place, as the gentleman from South Carolina has pointed out, there is now language in the bill which at least hints at the fact that this legislation is supposed to do the thing that the Javits amendment spells out specifically, and that is to give the President the authority to discontinue this relief if he finds that the Government in Greece or Turkey is not representative of the majority of the people. The Javits amendment simply expands that hint to a mandate.

It is our desire in this legislation not alone to stop communism and military aggression at the borders of Russia, but to help create conditions which will be resistant to the growth of communism from the standpoint of the infiltrating methods of the agents sent out from Moscow. If conditions are unjust and if conditions are unfair we find a fertile field then for the growth of communism. This kind of an amendment in the first place, therefore, gives assurance to the people of Greece, many of whom believe in a republican system of government such as we have over here, rather than in either a monarchy or a communistic dictatorship; it gives them assurance that the intention of the Congress and America is to see that our advice and our counsel and our aid is directed to the end that gradually and steadily there will be better recognition of human rights in Greece and Turkey.

In the second place. I like his amendment because it does in a rational and reasonable way the thing which the Smith amendment proposed to do in a very abrupt manner. I voted against the amendment offered by the gentleman from Wisconsin [Mr. SMITH] to reduce this from $400,000,000 to $200,000,000, because we have no evidence whatsoever to indicate that $200,000,000 will do the job. On the other hand, this proposes that the President can withdraw this aid should he find that the governments of either country are failing to take the necessary economic and commercial steps to underwrite their own economy. It is along the same line in that connection as the Mansfield amendment. It is encouragement for them to develop a just and equitable tax system. It is encouragement for them to assume more and more the burden of their own economy and their own government. It is an indication that we do not expect to continue indefinitely and forever a program of financing and supporting these foreign governments which now find themselves up against a dire emergency. And it encourages both Greece and Turkey to broaden the base

of popular support for and participation in their governments.

So, it seems to me that this amendment is constructive. Certainly it is not a crippling amendment. This amendment will indicate, in the first place, that we are urging those countries to work toward the American concept of government and freedom and, in the second place, we are serving notice that they must take steps on their own volition to improve their internal conditions and to maintain their own security, because while we are stepping into this breach as an emergency, we are not underwriting these countries as a program to go on ad infinitum.

If this legislation is to help promote peace and stability in the world it must be followed rapidly with the development of some such sort of comprehensive, consistent, clear-cut, constructive program of relationships between the United States and Russia as the one I outlined as objectives in my talk the opening day of this debate. This legislation can hold the line for a time but it cannot solve the prodigious problems which now perplex and bedevil the world. By the same token, if this legislation is to achieve the maximum dividends for Greece and Turkey it should be so administered as to make both countries self-supporting as soon as possible and so as to enable them to move steadily and smoothly in the direction of governmental set-ups which are more and more to be found in the hands of an increasingly large number of people in both countries. The Javits amendment in my opinion will help achieve this result and I have worked with him at some length on his proposal.

Just as it is the hope of Congress that the whole problem confronting Greece and Turkey may gradually be turned over to the United Nations for administration and assistance so, too, it is our hope that in both countries their respective governments may become more and more representative of all the people and that they will increasingly protect and defend the human rights and the individual liberties of all their people.

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

Mr. Chairman, I simply want to ask the gentleman from New York who offered this amendment a question. I may misunderstand his amendment, but, as I understand it, if, after the United States of America put in, say, 90 percent of this money, the President came to the conclusion that the existing government did not represent at that time a majority of the Greek people, would we just walk out and leave everything we put in there in the hands of a government which did not represent the majority of the people?

Mr. JAVITS. We are giving the President that amount of discretion, and we assume that he is keeping check on it and will keep check on it constantly as we go along, while the 90 percent is going in and before the additional 10 percent goes in, as the gentleman states.

Mr. MATHEWS. That is exactly the situation I have put up to the gentleman. If after the 90 percent is in the President determines that the government does not represent the majority of the people, and we should do what the gentleman sets forth in his amendment, then we leave the 90 percent that we put in in the hands of a government which does not then represent the majority of the people.

Mr. JAVITS. May I point out to the gentleman that that is just the problem this amendment is designed to meet.

Mr. MATHEWS. It seems to me that is just the problem it creates.

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

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

Mr. CRAWFORD. On page 6 the President is directed to withdraw if the President is officially notified by the United Nations that the Security Council finds or the General Assembly finds that action taken or assistance furnished by the United Nations makes the continuance of such assistance unnecessary or undesirable. You may have put in 99.74 percent of the $400,000,000, but the Council or somebody else can then say, "It is undesirable; step out." If you ever had a screwball proposition submitted to you in your life, this is the perfection of one.

Mr. MATHEWS. I agree with the gentleman from Michigan. It has been said on this floor that this policy is absolutely necessary to the security of this country. We have gone around the United Nations for that purpose. Are we now going to say that regardless of the essential necessity for that policy for our security we will abandon it the minute the United Nations tells us to?

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

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

Mr. KUNKEL. How are you going to make a silk purse out of a sow's ear? No matter how you amend this bill it still is the United States reinforcing the Truman doctrine, which is the permanent global policy of interfering everywhere in the world.

Mr. MATHEWS. I agree with the gentleman from Pennsylvania.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. MATHEWS. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. May I say to the gentleman from Michigan that he left out one very important sentence in the paragraph he read, that is, that we cannot save our faces by using the Russian policy of "I veto."

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

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

Mr. JAVITS. I should like to make it very plain that the statement of the gentleman from Michigan has no application whatever to my amendment. It refers to the committee amendment, which will come up later. My amendment does not deal with the text which the gentleman from Michigan read.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. JAVITS] to the committee amendment.

The question was taken; and on a division (demanded by Mr. JAVITS) there were—ayes 6, noes 104.

So the amendment to the committee amendment was rejected.

Mr. SMITH of Wisconsin. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Wisconsin to the committee amendment:

On page 7, strike out all of the language after the figure "(2)" down to and including the semicolon and substitute the following:

"(a) As a condition precedent to the rendering of any assistance pursuant to this act, the President is directed to refer the question of Communist aggression to the United Nations organization;

"(b) If the President finds that the United Nations has failed to act within 60 days after the enactment hereof, he is directed to carry out the provisions of this bill."

Mr. JARMAN. Mr. Chairman, a point of order. I make the point of order that the amendment is out of order because there is no reference in this bill to Communist aggression.

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. SMITH] desire to be heard on the point of order?

Mr. SMITH of Wisconsin. Mr. Chairman, it seems ridiculous to me, although I may be caught in a parliamentary situation, that we have legislation based upon the request of the President of the United States, who says this aid to Greece and Turkey is necessary because of Communist aggression, and that my amendment which goes to that situation should be ruled out of order. My amendment goes to the point of asking that this matter, if there is such a thing as Communist aggression afoot, be referred to the United Nations, the organization set up to accomplish the very thing that the President complains of. I will have to confess, so far as the wording of the bill is concerned, there is perhaps no reference to it. I would like, however, to ask unanimous consent to strike out from my amendment under subsection (a) the words "Communist aggression" so that it would read

As a condition precedent to the rendering of any assistance pursuant to this act, the President is directed to refer the question to the United Nations organization.

The CHAIRMAN. The Chair will put the request of the gentleman from Wisconsin [Mr. SMITH] to modify his amendment by striking out the words "Communist aggression."

Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The CHAIRMAN. Does the gentleman from Alabama care to withdraw the point of order?

Mr. JARMAN. I gladly withdraw the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is withdrawn.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the amendment be again reported, as modified.

The CHAIRMAN. Without objection, the Clerk will report the amendment as modified.

There being no objection, the Clerk read as follows:

Amendment offered by Mr. SMITH of Wisconsin to the amendment:

On page 7, strike out all of the language after the figure "2" down to and including the semicolon and substitute the following:

"(a) As a condition precedent to the rendering of any assistance pursuant to this act, the President is directed to refer the question to the United Nations organization.

"(b) If the President finds that the United Nations has failed to act within 60 days from the enactment hereof, he is directed to carry out the provisions of this bill."

The CHAIRMAN. The gentleman from Wisconsin is recognized.

Mr. SMITH of Wisconsin. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point.

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

There was no objection.

THE TRUMAN DOCTRINE UNDRESSED

Mr. SMITH of Wisconsin. Mr. Chairman, we have listened to hours of debate on this bill.

We do not need more words. What we need is light.

And I have it. Here is a fresh piece of evidence, the first new light on the question in many hours.

It is a book called The Struggle for the World, by one of the intellectual stepfathers of the Truman doctrine.

You must read it. It will curl your hair. This volume is a dead give-away. It tells us what the real Truman doctrine is, and where it will lead us.

It is a veritable Mein Kampf.

When you have read it carefully, you will be horrified about the picture it gives us of the Truman doctrine in its final and expected form, even though the President may not realize it.

It says that the United States is the most powerful Nation in the world, and should therefore plan to conquer the world. It says we have the atom bomb, and should therefore send it crashing on the cities of the world to assert our claim for world empire and world domination.

It says, and many of the Members of this House are familiar with the sound of these words, that we cannot escape war with Russia.

Here are no pious phrases pandering to the humanitarian sentiments of the American public. No tears about aid for poor little Greece and Turkey. Here is the outline, in all its naked horrors.

Now you may interrupt at this point that the book was not written by Harry Truman. But it was written by a New York professor, one of those intellectuals whom we have seen so much of since 1933.

The author of this book, James Burnham, it is true, is not a member of the President's official family. But he is hailed as one of the prophets of Trumanism.

On a recent evening he spoke over a network of 262 stations of the American Broadcasting Company in defense of this doctrine. His publishers, in paid advertisements in the New York Times, claim that this book has been most influential in establishing our foreign policy.

Step by step the moves on the road to empire which he recommends in this book are being taken by the administration. And even if he does not have a room in the White House, his public and radio sponsorship of the Greek-Turkish bill has never been disavowed by the administration for which, to all intents and purposes, he speaks.

Now, let us get on with the analysis. Here is your new Truman doctrine. Here is the poison at its source.

The essence of Burnham's book is: The line is drawn. And you have your choice. You can help the Russians build their empire. Or you can build an American Empire. Either way. There is no other out. And either way, it is war. Which side are you fighting on?

What a fallacious pair of alternatives. What a trumped-up choice.

Secretary Marshall recently said that even though the situation is not encouraging he still believes we can reach an agreement with Stalin. I do not know, but that is what Marshall said.

But to get back to the evidence, Mr. Burnham says we must force England and the dominions into our grasp. India will be kept in chains. Spain will be freed from the forces now dominating its Government. China will be propped up, bailed out, and bottle-fed.

And get this: "The strategic plan must be, it would seem, to strike an immediate, paralyzing blow with atomic weapons at the Caucasian oil fields, Moscow, and a dozen or more of the chief Soviet and Soviet-controlled cities and industrial concentrations." That is on page 243 of this book.

Think of that. The very blueprints for an aggressive war of the type we just paid 250,000 lives to curb. But this time it is us. And this time, instead of the Wehrmacht, we have the atom bomb.

May God have mercy on us!

And here is more on page 177—four direct quotes:

"1. It would have to be recognized that peace is not and cannot be the objective of foreign policy.

"2. What tag ends still remain of the doctrine of 'the equality of nations' would have to be discarded. The United States would have to be prepared to make an open bid for world political leadership.

"3. Similarly, the doctrine of 'nonintervention in the internal affairs of other nations'—already little more than a verbal shell—would have to be discarded altogether.

"4. The United States would have to accept the need for world-wide propaganda as an arm of policy that cannot be dispensed with in the modern world."

Gentlemen, it is not just rhetoric, when I speak in shocked awe of the possibilities outlined in this book.

It is rather an expression of fear at what is happening to us. Are we too being corrupted by our power? Has God been too good to us?

Will we abuse the trust and bountiful blessings He has given us, and turn ourselves into a warrior Nation?

Does America want to become the dreaded scourge of the peoples of the world?

Who is it that does not scan the sky now for our bombers? Or who is it that does not quail at the thoughts of our rockets?

Gentlemen, the Truman doctrine evidenced in the Greek-Turkish aid bill is an immoral proposition, advanced chiefly on the assumption that we can get away with it.

It is unworthy of us, and the high position which destiny has handed us.

If we will, we can be friends and leaders of the world. If we would, then we must disown this Truman policy lock, stock, and barrel.

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

Mr. SMITH of Wisconsin. I yield.

Mr. DONDERO. Does the gentleman's amendment in substance turn this matter over to the United Nations?

Mr. SMITH of Wisconsin. It does, and it remains in the hands of the United Nations for a period of 60 days. If there is no action by that organization the President is authorized to proceed under this legislation.

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

Mr. SMITH of Wisconsin. I yield.

Mr. CRAWFORD. In other words, it gives the United Nations an opportunity to act before we spend the money?

Mr. SMITH of Wisconsin. That is right.

Mr. CRAWFORD. And before we become so deeply involved?

Mr. SMITH of Wisconsin. Before we open the door. Absolutely.

Mr. CRAWFORD. Instead of going ahead with all of these plans and then giving the United Nations a chance to throw us out if it desires to do so?

Mr. SMITH of Wisconsin. That is right.

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

Mr. SMITH of Wisconsin. I yield.

Mr. BLOOM. You say the United Nations should act. By that term, if the United Nations should start to do something within the 60 days and they do not finally conclude their deliberations, they can continue and continue and continue, because it is not final action you are looking at. It is merely that they can start action.

Mr. SMITH of Wisconsin. My answer to that is that we will assume those who have charge of such matters will not allow such a situation to arise. They are prudent men.

Mr. Chairman, I regret very much that this attitude of hurry and rush is evident. I know the Preakness race is on tomorrow but I am sure there is time tomorrow to get to that.

There has been in my mind for a long time a question as to just what kind of an organization we have set up in the United Nations. I am sure that as you read your mail and you read the daily press you know that the mothers and fathers of this country are concerned about whether or not we are going to bypass the United Nations, because when you vote down this amendment, or any amendment whereby you refuse to recognize the United Nations, you might just as well build on John D. Rockefeller's

estate in New York a mausoleum to the memory of the United Nations. Nothing more nor less. I am amazed at those in this body today who have had something to do with bringing this baby into existence and see them repudiate their previous action. We see today only a lip service to the United Nations.

I think it is begging the question when you say it is foolish to take this matter to the United Nations because it cannot act. Sixty days is not a long time. It is true that the President on March 12 said that there was a terrific crisis existing, but nothing much has happened, has there? So, I say it seems to me that we can well afford to stop, look, and listen at this point and give the United Nations a vote of confidence, because if you do not, tonight over the radio and the telegraph will go to all parts of the world the statement that the United States has backed out of the United Nations.

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

Mr. SMITH of Wisconsin. Mr. Chairman, I yield back the balance of my time.

Mr. BLOOM. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. EATON. Mr. Chairman, may we have some decision on the time to be consumed on this amendment?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from New Jersey for a unanimous consent request?

Mr. BLOOM. I yield.

Mr. EATON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

Mr. CRAWFORD. Mr. Chairman, reserving the right to object, I shall have to object unless the chairman of the committee revises his request.

Mr. EATON. Mr. Chairman, I withdraw my request until we can get a little clearer picture of the situation.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. BLOOM. Mr. Chairman, I yield to the gentleman from Mississippi.

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

The CHAIRMAN. The gentleman from New York yields back the balance of his time.

The gentleman from Mississippi is recognized for 5 minutes.

Mr. BLOOM. Mr. Chairman, I did not yield back the balance of my time; I gave the privilege of using my time to the gentleman from Mississippi, because if I yield back the balance of my time I would not have any left for myself.

Mr. COLMER. Mr. Chairman, as one who has long advocated an abandonment of the policy of appeasing Russia, and who has given much serious deliberation and study to this question of stopping that aggressor by providing assistance to Greece and Turkey in their effort to combat communism, I must cast my vote for this bill.

The issue confronting the Congress and the country is, in my judgment, most momentous and far reaching in its implications. There have been few, if any, of more transcending importance before the people of the United States since the unfortunate fratricidal strife known as the Civil War. And yet it is a very simple issue, for there are few intelligent people in the world today who would still attempt to deny that the Soviet Russian Government, under the domination of Generalissimo Stalin and his little band of advisers, constituting the Politburo, is a totalitarian and despotic government, bent upon territorial and idealistic world expansion. Moreover, it must be apparent to students of current world affairs that the little, but strategic countries of Greece and Turkey are the immediate objective of that policy. The immediate question, therefore, is whether these small countries shall be added to the list of such countries as Rumania, Yugoslavia, Poland, Hungary, and Czechoslovakia, who have been taken within the communistic orbit over their impotent protest.

In the fall of 1945, as chairman of the Postwar Economic Policy Committee of the House of Representatives in the Seventy-eighth and Seventy-ninth Congresses, it was my privilege, together with a half dozen of my 17 colleagues comprising that committee, to make a 2-month, on-the-spot study of the economic and political conditions in 13 European countries. We then interviewed the rulers and the outstanding national figures in all of those countries, including Generalissimo Stalin himself. It was the firm and unanimous conviction of our committee, after a completion of that study, that there is no substantial difference in either the Russian system, as it exists today under Stalin, and the German system, as it existed immediately prior to World War II under Hitler. The individual had about as much freedom under one as he has under the other.

The Allies, under the then leadership of Great Britain, had a glorious opportunity to stop Hitler, when in wanton disregard of existing treaties by a process of infiltration and intrigue, he violated the sacred rights of other countries, but instead, the democracies under that leadership tried the policy of appeasement. And under the Chamberlain umbrella policy, Hitler then began his mad march, subjugating and enveloping country after country.

History has a way of repeating itself. Today in a world situation not dissimilar to that, President Truman, with the able counsel and backing of that great soldier and statesman, Gen. George C. Marshall, our Secretary of State, together with the advice and assistance of such able statesmen and real Americans as VANDENBERG, of Michigan; CONNALLY, of Texas; and EATON, of New Jersey, has embarked upon a firm policy of cessation of appeasement; stopping the aggressor; and preventing the further spread of communism. The first step in this program is this $400,000,000 loan to Greece and Turkey.

Since I am sure that we are all agreed that something must be done to stop the aggressor lest we have a repetition of that gory strife known as World War II, what alternative is advanced? What do the opponents of the President's plan have to offer? Do they propose to continue the policy of Russian appeasement so strenuously advocated by Mr. Henry Wallace? Or, in the alternative, do they propose that we should sit idly by and permit the Russian policy of waging a war of nerves, of obstruction and infiltration, until it is too late?

The only alternative so far advanced has been that this whole matter should be referred to the United Nations. Can anyone seriously contend that such a policy could be effective? Is it not perfectly apparent to all that Russia would exercise her right of veto and the Greek-Turkish assistance would be hopelessly shelved even as every other serious proposal made by the United States, Great Britain, or France has been obstructed and barred from realization? To advocate the referring of this matter to the United Nations is simply equivalent to saying that one is against the necessary assistance to these two small countries to prevent their being taken into the Russian sphere.

The civilized world today, as a result of the recent global strife, is in a state of moral, economic, and political unrest. The Soviet Government of Russia is capitalizing on that situation. Russia wants war no more than we want war. She is not prepared for war. Her rulers are taking advantage of the weakened condition of England and France and of our known and fervent desire for peace to expand and grab everything she can short of war.

Mr. Chairman, no one dislikes the idea of adding to our already staggering national debt by foreign loans more than I do. As a matter of fact, for the past year and a half I have insisted that our own economy be given first consideration. Only last week in this House I voted against the $350,000,000 foreign-relief bill. But, like you and other representatives of the people here today, I am confronted with a duty to perform. We are all agreed that we cannot afford to retreat. We cannot have another Munich. The Commander in Chief, who speaks for our foreign policy, has told the world that this was the way to stop the dictator, Stalin, and the further spread of communism. If we turn him down here today, it will mean that Russia will take that as her license to continue her onward move, even as Hitler took the retreat at Munich as his license to proceed. So, as much as I dislike the idea of this foreign loan, I feel in duty bound to vote for it. In other words, I feel that any other policy would be unfair to the millions of our young veterans who risked their all to win the war. What is the risk of the loss of a few million dollars more invested in the objective of winning the peace when we spent countless billions to win the war? What will we have gained by the expenditure of these billions of dollars of American resources and the loss of so many precious lives in that war if we now permit the setting up of another dictator in the place of the one we destroyed?

Mr. Chairman, just a few months after the Battle of the Bulge, and while I was on the mission to which I earlier referred, I visited an American cemetery in a clearing of a forest on the outskirts of Luxemburg. There I witnessed a

scene that has been intensely imprinted upon my mind. Hundreds of German prisoners of war were being utilized to set in order a large cemetery in which were buried several thousand of our gallant American soldiers who sacrificed their lives in that battle to stop the last German drive. They were busily setting up thousands of tiny white crosses to mark the last resting place of these heroic boys. As we approach the final argument on this legislation I feel that I must keep the faith with them. I have no other alternative.

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

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

Mr. Chairman, I rise in opposition to this amendment. I doubt if anyone in this House has worked harder through the years for an effective world organization to establish and maintain peace than I have. Although from a stanchly Republican family, I cast the first vote of my life for the Democratic Party in 1920—for Cox, and the only vote I ever cast for Franklin D. Roosevelt—because I thought the most important issue then was the League of Nations.

After 19 years as a surgeon I gave up the security and deep satisfactions of my profession to enter public life because it did not make sense to spend one's life bringing children into the world, nursing them through all sorts of difficult illnesses, bringing them to clean eager manhood, and then sending them out to be killed. Nothing we accomplish domestically can endure if we have a war every 25 years.

I became convinced that the only way to keep the United States out of war is to make sure there is no war for her to get into; that the only major war we can keep out of in this shrunken world is the war that isn't.

I could see no way to prevent world wars except by getting some sort of world organization which would be able to work out just and reasonably satisfactory settlements of disputes between nations before situations deteriorate to the place where men see no other way out than by going to war. It must be able to deal with wars as with fires, put them out before they get going in such a way that our own house is endangered and we cannot in self-defense stay out.

All my adult life I have worked harder for such a world organization than for any other single cause. I think I can claim to be interested in the United Nations.

When the United Nations Charter was adopted I was unhappy about some of its provisions, especially the veto, and said so. In a speech on a Nation-wide broadcast, reported in the CONGRESSIONAL RECORD for June 29, 1945, almost 2 years ago, when the San Francisco conference had just ended, I urged that we enter the organization because it seemed to me "Our choice is not between this and something better, but between this and nothing, which is worse." I further said:

> While I do not believe the Charter is as bad as some people would have you think, I also do not believe it is as good as some others portray it to be in their concern to make sure our country will participate this time. I deplore that over-enthusiasm, because it will almost certainly lead to over-disillusionment, producing three isolationists where only one grew before.

I warned repeatedly against overselling the United Nations in its present form.

I think the confusion and dismay we are in today is largely the result of that over-selling. The American people believed all they were told by the propagandists and naturally came to think that the United Nations in its present form was set up to handle situations like the internal disorders in Greece and so they come and say, "Turn it over to the United Nations. Let it do its stuff."

They do not realize the tragic fact that the UN is not set up to deal with this kind of an internal situation. It was authorized to deal with troubles between nations, but not to deal with troubles within a nation. In fact it is specifically forbidden in its own Charter to deal with a situation such as exists in Greece. Article II, paragraph 7, says:

> Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present Charter * * *.

It was set up to deal with old-fashioned military aggression from outside a nation. Many indulged in the wishful thinking that after we disposed of Hitler and Japan, there would be no more aggressors. And then its first big test comes on aggression by one of its own Big Five, working by infiltration from within another member nation. The organization was not set up to deal with such aggression from within. To ask the United Nations to take over the problem of restoring internal order and peace in Greece so reconstruction can begin there is to ask it to violate its own Charter.

Secondly, everyone knows it does not have as yet the tools with which to do the job, the money, or the men.

Thirdly, action by it against the Communist insurrectionists in Greece would be blocked by the Russian veto even if the organization had the authority in its Charter, and the tools.

What happens to a bird which is pulled out of the nest and called upon to fly before it has feathers? And especially if one wing is tied down, as the UN is by the Russian veto.

I regretted the veto arrangement because it was a monkey wrench carefully placed in the UN machinery in such a way that it could block the turning of a single wheel, beyond discussion, if one of the Big Five so desired.

I said in June 1945:

> This Charter with all its inadequacies does provide machinery by which I think the nations can settle peaceably the conflicts that exist now and those that will inevitably arise. It is workable if there is the will and good will to make it work.

Mr. Chairman, the record proves that all the major nations, save one, do have the will and good will to make it work, but that the one nation does not.

President Truman at San Francisco rightly said the Charter was only a first step. But Russia has insisted on blocking the necessary next steps. Let us not have our people fooled any longer. Let us frankly recognize that as long as one Big Five nation does not have the will or even the willingness to let the machinery work, then the machinery, no matter how good it looks, is useless for such a crisis as we face today—until the monkey wrench is removed.

We all remember vividly the last time that the former President of the United States, President Roosevelt, spoke from this floor. He was just back from Yalta. He told us frankly he did not like some of the compromises he had agreed to. But he said they seemed necessary in order to achieve two most important objectives. One was the assurance that Poland would have the chance to become "strong, independent, and prosperous"; the other was that Russia would come along into the United Nations. He apparently assumed that if she came in she would come in for the same reasons we did—to help solve world problems. History proves how tragically he was betrayed or out-traded on both counts.

Perhaps you remember the magazine articles written about the Teheran Conference by Ernest Lindley and Forest Davis, with President Roosevelt's blessing. They described his so-called grand design—getting Russia into the United Nations. Yielding to her on matters of principle, pledges, and territory—for example, Poland's—was considered justifiable as a temporary expedient, if it succeeded in getting Russia to join up. Well, she joined up, but not to help develop a workable organization—rather to make sure that it did not work. That, in my judgment, is the climactic tragedy of President Roosevelt's life—the tragedy of Europe's life, the tragedy of the world's hope that it would get a United Nations that could deal with situations like that within Greece. It ought to have been able to, but the plain fact is that it is not.

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

Mr. CHELF. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for five additional minutes.

Mr. CRAWFORD. Mr. Chairman, reserving the right to object, and I do not intend to object, but I serve notice on the House now I will object from here on unless time is extended so that we will have a chance to debate. That means all requests.

Mr. BROWN of Ohio. Mr. Chairman, futher reserving the right to object, I am wondering whether, as soon as the gentleman concludes, a motion will be made to limit debate. If so, then I think some of the rest of us ought to be given a little time, too.

Mr. EATON. Mr. Chairman, I am very reluctantly forced to object to yielding additional time even to a member of my committee.

Mr. JUDD. If you want the United Nations to succeed, as I do, then do not pass the pending amendment and torpedo it by asking it, in violation of its own Charter, to take full responsibility

for something it simply cannot accomplish in its present form. Rather, let us do soberly and well the job before us while helping develop and strengthen the United Nations until, please God, it can be improved so as to make it capable of enacting, interpreting, and enforcing world law for relations between nations.

Mr. BROWN of Ohio. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I listened with a great deal of interest to the statement made by the gentleman from Minnesota [Mr. JUDD]. Evidently it is his desire that we rush in, as a Nation, where angels fear to tread.

I would be impressed with the argument the gentleman has made about the United Nations being weak, and unable to do anything in support of the very purposes for which that organization was created, to wit, to preserve the peace of the world and to protect the territorial and political integrity of the smaller nations of the world, were it not for the fact that just a little over a year ago in a very similar situation, when Russia actually had troops within Iran, one of the countries you will be sending money to within the next 6 months—remember my prediction. The Iranian Government appealed to the United Nations and that organization so marshalled the forces of world opinion that Russia was compelled to withdraw her troops.

I say again, how much better it would be if we keep the pledges, if we would live up to the solemn covenants we made at San Francisco and move to meet this Greek-Turkish problem as a member of the United Nations. I know and you know that we would pay most of the cost and furnish most of the men, we would give the great part of the support to the United Nations for its efforts to preserve peace, but we would at least be operating under the cloak and authority of the United Nations, and would show, by our action, that we actually believe in the things we have preached—sincere cooperation with the other nations of the world.

Yes; I have heard a great deal of talk on this floor in the last few days about isolationists and internationalists. I will tell you who are the isolationists in this House today. They are those men and women who are, by their support of this legislation, about to destroy the United Nations. Oh, you talk about covering up. Remember that you are going to destroy the United Nations and its usefulness when you bypass it, and that is exactly what you are doing by this bill.

I was a nationalist, if you want to call me that. I believe that we should have made an honest try to stay out of the last war. I did everything within my power to keep America at honorable peace with the rest of the world. Then, after the war was over I was sold the idea, by some of these men who talked about peace measures prior to the last war, that we had to cooperate on an international basis, and that we had to support the United Nations. To my astonishment, when this legislation is presented to the House these very same gentlemen are running right out on the very same promise and pledge they were able to get me to make, and in support of which I cast my vote for the Fulbright resolution, and for every bit of enabling legislation to make the United Nations work.

I think history will tell us who are the internationalists, who are the ones who want to cooperate with the rest of the world against aggression and to preserve the peace, and who are actually now the isolationists. These isolationists are now saying to all civilization, "We will not cooperate with the United Nations. We will not cooperate with the other nations of the world. Instead, we are demanding that America go it alone. We do not want the help of any other nation."

Undoubtedly those who are now the isolationists have the votes to pass this bill, but remember, by the passage of this enactment you are driving a dagger into the very heart of the United Nations. You are destroying the very organization which has been, and is, the one great hope of the world for peace.

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

Mr. Chairman, in order that the Committee may not be misled, I cannot refrain from calling attention to the fact that there are no Russian troops either in Greece or in Turkey, as was the case in Iran. I cannot refrain either from expressing greater confidence in the membership of this body that that evidently entertained by the gentleman from Ohio who just spoke. If I understood him correctly, he said that the isolationists are those who wish to destroy the United Nations.

Mr. Chairman, I cannot refrain from challenging the statement that there is any Member of this body who wishes to destroy the United Nations. I simply do not believe that. My confidence in them is such that I cannot bring myself to agree with that.

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

Mr. JARMAN. I gladly yield to the gentleman.

Mr. LODGE. Is it not true that if we give the United Nations something that it cannot do we will probably destroy the United Nations?

Mr. JARMAN. The gentleman is not only eminently correct but that is probably the best, the surest, and most positive way to destroy it.

Mr. COX. Mr Chairman, will the gentleman yield to me for an observation?

Mr. JARMAN. I gladly yield to the gentleman from Georgia.

Mr. COX. In spite of the statement made by my distinguished friend, the gentleman from Ohio, it is impossible for me to believe that he favors our imposing a limitation upon our right to exercise the law of self-defense when the safety of the Nation is imperiled to make it contingent upon the consent of some international power.

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

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

Mr. RICH. Why is it that we are here now trying to take the initiative as a nation individually, single-handed, and alone, without going out to these countries that you have tried to band together, such as the Par American Union, for example, or some other foreign nation, and ask their aid and assistance to join with us now to do the job you are trying to do. No; we want to do it alone; we want America to go over there and take charge of Europe. I say when you do that you will wreck our country.

Mr. JARMAN. May I answer the gentleman's question by inquiring whether he was in favor of the extension of UNRRA the last time it was voted on?

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

Mr. JARMAN. I yield to the gentleman.

Mr. JUDD. Was not the essence of the Iranian situation this: The issue there was between two countries—Russia and Iran. The United Nations had jurisdiction. It could operate, and it did.

Now, we are dealing with a situation not between two countries, but within one country, Greece, which is a totally different situation. The United Nations does not have similar jurisdiction.

Mr. JARMAN. The gentleman is correct, and he will also recall that the Russian troops were already in Iran.

Mr. JUDD. Yes. May I say a further word? President Roosevelt put all our chips on the gamble that if he could get Russia to come along into the United Nations, she would join for the same reason we joined, namely to help solve world problems. Now, it is tragically clear that she came in not to get solutions to problems but to block solutions. We face the hard realization that her purpose in joining was not to make the United Nations work but to do everything possible to keep it from working. To ask it now, stymied as it is from within, to take over this problem would be to sound its death knell.

Mr. JARMAN. The gentleman, who is one of the ablest Members of the House, is eminently correct.

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

Mr. JARMAN. I gladly yield to the gentleman from Wisconsin.

Mr. SMITH of Wisconsin. May I say to my distinguished friend that I fear the apologies for this action today will be heard for a long, long time.

Mr. JARMAN. Does the gentleman mean his action?

Mr. SMITH of Wisconsin. No; I mean the action of those who will bypass the United Nations by voting down this amendment.

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

Mr. JARMAN. I gladly yield to the gentleman from Oklahoma who has not had enough time to speak.

Mr. MORRIS. I know it is a little distasteful for a new Member to speak, but I think we should speak what is in our hearts.

Mr. JARMAN. I yielded to the gentleman to ask a question.

Mr. MORRIS. I am going to ask a question. You referred to the fact that I had spoken. I spoke from my heart and for my country, sir; the best I knew how.

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

Mr. CARSON. Mr. Chairman, the House, in my opinion, is considering the most important matter that will face the Eightieth Congress. This, I believe, is the most important decision that ever confronted me.

The sudden and alarming deterioration of the affairs of the world at large and in Europe particularly requires us in the interest of national safety, and in the cause of world peace, to review the entire international situation in order to clarify our position and determine the best use we can make of our great, but not unlimited, resources.

We must assume our responsibilities which this deterioration has forced upon us. We must carefully define those responsibilities and decide for what purpose they are being undertaken. We must determine where we can do the most good and how we can protect and enhance those principles for which we recently fought. God grant us sustained determination and guidance to use our talents well. May our actions help solve the greatest objective of mankind—peace—not by force but with freedom, remembering always that the more virtue we have the fewer treaties we shall need.

The President has definitely committed our Nation to all-out diplomatic action. In other words, the honor and prestige of our Nation is at stake. It will take all our wisdom and skill to fill this new role, into which we are virtually being forced, in the great American tradition.

The formation of a sound and efficient military policy which will provide effective support of our foreign policy and at the same time promote efficient and reasonable economy is indeed a difficult task.

In the debate this week we heard cries of imperialism. I am proud of the record of our great country. We have never been the aggressor but have always been the protector. A year and a half ago we had incomparably the greatest military machine that the world had ever seen—in the air, on the land, on the sea, and under the sea. If we had a single ounce of imperialism in our souls, a single design on Russia, we could have imposed our will on her, or on anyone else, for that matter. What we did with our great military forces is a matter of history.

Then we hear again that we could afford to disarm because we have the atomic bomb. Let us look again at our record. We told Russia that we would give her all the atomic secrets, conditioned only that any use she made of atomic energy must be under the control and full inspection of a real International Commission. This, to my mind, was the most outstanding, the most far-reaching proposal any strong, sovereign, victorious nation ever made in all history.

Russia can have the atomic bomb under exactly the same conditions as we ourselves have it. We have done everything we could, and perhaps more than we should, to try to show our friendship and good will toward Russia. To our great disappointment, our relations have grown steadily worse.

This is not a contest for supremacy, but a contest between two different ideologies. The eyes of the entire world are upon us. We are not only determining whether the people of the world shall have a chance to go the way of freedom but are determining whether we ourselves are to be a safe, solvent, and free people.

Millions and millions of men and women who love freedom will fight and die for it, if they have hope. We can give them that hope and can inspire them to hold fast to their religious beliefs.

In supporting this measure I have relied upon the protection of a divine providence that our sacred honor and our beliefs shall not perish from the earth, and that we shall be instrumental in establishing unity and human freedom throughout the world.

Mr. H. CARL ANDERSEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

Mr H. CARL ANDERSEN. Mr. Chairman, for 4 days I have listened very carefully to the debate upon the President's proposal to expend $400,000,000 and give military and naval advice to Greece and Turkey in an effort to preserve their independence of Russia. We are embarking upon a new and dangerous foreign policy of intervention in behalf of weak nations and the preservation of their liberties.

When the President first came before the joint session of Congress on March 12, and asked that Congress make this most important decision since the declaration of war, there came to me the thought, "Just how far shall we go? Shall we commit ourselves to the stupendous task of stopping the expansion of communistic Russia throughout Europe?"

Every day since then I have studied this problem from every possible angle. Many of us here, I know, have prayed for knowledge to do what is right in this hour of decision.

I personally have been much disturbed since VE-day 2 years ago over the domination by Russia of a dozen small nations formerly independent and now satellite states of Stalin. There seems to be very little hope that Finland and Poland will again be free or that these dozen nations will ever emerge from behind that iron curtain of darkness, despair, and communism where freedom of speech and of worship is not permitted.

The debate here for 4 days has convinced me that the United Nations organization is not able to assure Greece and Turkey their continued freedom from the ever grasping claws of the Russian Bear, intent upon aggression. I am also convinced that this debate has proven that the United States is the only power capable of stopping Communist Russia in its creeping expansion throughout Europe. The conclusion has been forced upon me reluctantly, Mr. Chairman, that it is our duty, whether we like to face it or not, to stop further encroachment by Russia upon weaker nations.

As has been stated here often, if Greece and Turkey go communistic, it will be but a matter of time before that blight will fall upon Italy, Switzerland, and France. What then can we expect to happen to honest little Finland's neighbors, Sweden, Norway, Denmark, Holland, and Belgium, not to speak of Great Britain. It seems to me there is but one answer and that leads us to the question, Can we afford to let this happen? My answer is "No," not even if it costs us billions of dollars to prevent it.

Yes; frankly, it may be that intervention in Greece and Turkey will lead to war. Just as frankly, we do know that, if we do not intervene and do not help the small nations of Europe keep out of the clutches of Russia, war is sure to come, 5 years from now perhaps, 10 years, who knows when.

I hope and pray that the passage of this legislation, coupled with a hard-fisted nonappeasement foreign policy, will prevent World War III. It is with that hope and prayer that I am today voting, as are most of you, for this bill. God alone knows whether we are doing right or wrong.

Mrs. NORTON. Mr. Chairman, I move to strike out the last seven words.

Mr. Chairman, I have listened to this debate for 3 days, and to say the least, it is a bit confusing and full of contradictions. Many issues have been brought into the discussion that do not properly belong and certainly have no bearing on appropriating $400,000,000 to aid Greece and Turkey to survive as free and independent nations. The position is taken in the bill that we have a responsibility to maintain peace and we believe that our own country will suffer whenever totalitarian regimes are imposed on free people. With this position I am in complete agreement. I intend to vote for the bill and against any crippling amendments. First, because the President of the United States in his message to Congress made clear to me that this aid is necessary to implement the position we have taken to establish freedom throughout the world. Second, because the President has been supported in his request by the Secretary of State, by a former President of the United States, by our top men in the United Nations, and by many commissions and individuals who have made an objective study of the question. They are the people who are in position to know much more than we are, and I am satisfied that in following their considered judgment and reports I am on safe ground. And last, but by no means least, if I needed to be persuaded, I would find much comfort in the fact that most of the opposition to this bill is furnished by Members who before 1941 opposed every effort we attempted to prepare for a war that everybody should have known was inevitable if we were to remain a free people. Not until we were attacked by Japan did they realize that the United States was next on Mr. Hitler's list of countries to be conquered. It was a small group in the Congress during those frightening days that really had the courage to do the right thing. We succeeded then and we shall succeed today because real Americans usually see straight, even though we may have many differences of opinion. Let us by our big vote here today prove that America can be depended upon when the choice is, as

between great strength and courage, to do the right thing or appeasement which could easily lead to destruction.

It took billions of dollars to win the war, much time and a tremendous amount of sorrow and suffering. We cannot change these facts. Let us be realistic.

It will take many more billions and probably much more suffering before a just and lasting peace is secured; but we cannot falter now, we must go on. With the help of God and an informed courageous people we shall reach the greater goal, and that goal is a just and lasting peace throughout the world.

Mr. JENSEN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, in my replies to the few letters I have received both for and against this Greek-Turkey aid, loan or gift bill, I have answered by saying, "This is the sort of a decision which tries one's very soul," without committing myself one way or another, for the very good reason that up to until yesterday I had not fully made up my mind as to how I should vote on this bill with all its far-reaching implications.

I have now come to the very definite conclusion that if this bill, as now written, finally becomes law it will not give relief to the suffering people for which it is intended, nor will it tend to frighten the Communists out of Greece and Turkey, or any other country, but to the contrary by sending military personnel to Greece and Turkey, it will, in my studied opinion, cause internal revolution there, which will really put us to the acid test of full military intervention, and possibly start World War III, or else be obliged to back out with our faces red, and be the laughing stock to the rest of the world, especially in the eyes of Stalin and the Communists both over there and right here within our own shores.

The administration in power has given aid and comfort to the Communists both here and abroad for many years just to garner their support and votes, and are still doing it, as is evidenced by the fact that our Attorney General still gives only lip service to the law which requires him to rid from Government employ any person belonging to any organization which advocates the destruction of the American form of government by force and violence, as is the purpose of the Communists. And if we are obliged to back out of Greece and Turkey, the Communists here will gloat and be even bolder and become more powerful.

I say, we in America had best clean our own house of the destructive forces within our own shores before we attempt to force them out of other countries far across the sea. And in my humble opinion we will fail miserably if we make this weak attempt to drive the Communists out of Greece and Turkey.

In addition to the danger I have so far pointed out, I again want to remind you, my colleagues of this House of Representatives, that there is a limit to our ability to pay and pay and pay. And if we pass this bill in addition to all the other gifts, loans, and so forth, we will be called upon to make to the other countries now forming in line with their hands out to Uncle Sam, if this bill is made law, to say nothing about the thirty to forty billions of dollars required to pay the running expenses of our own Government, how in heaven's name can we avoid national bankruptcy when we look squarely at the whole picture? Surely such a condition will soon confront us unless we stop this spending spree now.

In one of Lenin's last speeches, he said:

> We will force America to spend herself into bankruptcy, then we will take her over.

Mr. Chairman, if we permit this spending spree to go on much longer, then just as surely as we live, Lenin's prediction will come true. God forbid that we should be so stupid. What will the good people of the world profit, even if we do succeed in driving Communists out of Greece and Turkey, if at the same time we extinguish the only lamp of liberty in the world, America?

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

Mr. Chairman, the amendment that is pending, offered by the gentleman from Wisconsin [Mr. SMITH], imposing, if adopted, a condition precedent to this bill going into operation, I hope, will be defeated, as has been other amendments. The adoption of this amendment would for all practical purposes defeat the bill that we have under consideration. It has been pointed out by myself, the gentleman from Minnesota [Mr. JUDD], and other Members, that this bill does not bypass the United Nations. I was amazed at the argument made by my distinguished friend the gentleman from Ohio [Mr. BROWN] to the effect that he now is an internationalist. The gentleman pleads guilty now to being an internationalist. But based upon the evidence that I know in relation to him, and insofar as I can arrive at a judgment on this evidence and his confession, I think the confession of guilt is under legislative duress, and because of that, if I were sitting as a judge, I would rule it out as inadmissible and find the gentleman from Ohio [Mr. BROWN] not guilty of being an internationalist.

Mr. Chairman, so far as I am concerned, there is only one question that concerns me on all legislation of this kind, as well as the legislation which preceded Pearl Harbor and during the war—that is, what course of action at a particular time is for the national interest of my own country? I recognize that Members may have honest disagreement on this question. So far as I am concerned, Greece will be taken over by the Communists of that country unless we take affirmative action, and, after being taken over, the Government of Greece, like other countries that we are aware of, will become a satellite of the Soviet Union. I am satisfied that if we sit idly by and do nothing in our own national interest Italy will be the next country. We know that France is already fighting with its back to the wall. I am satisfied that if Italy goes, or if France goes, the Mediterranean goes with it. That will mean all of Europe. That also means that international communism or Red fascism will envelop all of Europe.

Mr. Chairman, I take the position that such will not be for the national interest of the United States. What are we going to do—sit idly by, adopt the negative attitude, and see country after country taken over by default? Russia does not have to act. Russia has it groups working in every country. They are backed by the spirit and indirectly by the forces of Soviet Russia. They operate upon discontent, through fear, through any means—lawful or unlawful—or a combination of both—to attain their ends. They have their representatives and agents in each country to get control of the government of a country and then, once having control, use repressive and vicious measures upon the decent elements of such countries, and, if necessary, to liquidate them.

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

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

Mr. BLOOM. What Russia is doing, as the gentleman said, cannot, according to the United Nations Charter, be brought to the attention of the United Nations.

Mr. McCORMACK. Exactly. Russia says, "We are not doing it as a nation," and, theoretically, from a legalistic point of view, they are correct, but from the practical angle everyone on the floor of this House knows what is going on.

Let me ask this question: Suppose we do nothing, what do you think will happen to Greece? Is it likely within the near future that they will be taken over by the Communists within Greece, assisted by Yugoslavia, Albania, and back of it the Balkans that are now under the control of the Soviet Union, and the Soviet Union itself?

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

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

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

There was no objection.

Mr. McCORMACK. If that happens, will that be in the national interest of the United States, is the next question? All right. Suppose Greece goes. Does any Member in this body think that Italy, already under pressure, and the only nation outside the iron curtain that is compelled to have a coalition government today, with Communist members in its cabinet, can survive? If Italy goes, will that be for the national interest of the United States?

Now, I respect the views of those who disagree with my reasoning, but that is the way my mind operates. If we do nothing, it is only a matter of time when Greece will go, and I say as an American that will not be for the national interest of my country. Then a month or 2 or 3 months from now, pressure on Italy will become intensified, and if Italy goes, I say as an American that this will not be for the national interest of my country,

and it is on that ground that I take my position.

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

Mr. CRAWFORD. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Wisconsin.

Mr. Chairman, I feel that it is in order to again quote Shakespeare who in one of his plays, one of his characters, the King, in speaking of the conditions of the Government in Denmark, observed that, "The people muddied, thick and unwholesome in their thoughts and whispers."

I think you can take the debate on this bill, and analyze it studiously and carefully and come to the conclusion that the American people are muddied in their thinking, and especially the Congress of the United States is muddied in its thinking. We have the "four freedoms," the Atlantic Charter, the Declaration of the United Nations, the United Nations organization, Bretton Woods, all of the side agreements which have been mentioned numerous times in this debate, the British loan agreement, and the International Trade Organization in which we set forth the aims and objectives of the people of the United States in cooperation with other nations and with respect to international relations. We certainly put faith in the United Nations organization, and yet this very day we have from the Under Secretary of State, Mr. Acheson, the five-point program to implement the so-called Truman doctrine, which, as set forth in this debate, shows that it cuts directly across the face of these other international agreements to which I have referred. And in Dean Acheson's statement he points out that, "We must take whatever action is possible immediately," irrespective of what the United Nations organization may desire to do or what it has the power to do.

I am familiar with the debate which occurred in the other body with respect to subparagraph 2 on page 7 of this bill, and if the argument presented by the gentleman from Minnesota [Mr. JUDD] is accepted for argumentative purposes or otherwise, if the United Nations organization is not in position to assume responsibility on this issue, then will some member of the committee in his own time tell us why on earth the language, lines 1 to 7 on page 7, is in this bill? Why do we propose to turn over the destiny of the United Nations as affected by the communistic doctrine and philosophy and aggression and approach when we say in the language of this bill that the President is directed to withdraw any or all aid authorized herein if the Security Council or the General Assembly finds that this aid is undesirable in these two countries?

In that language you give the United Nations the power to stop your program. That is exactly what you do. If the United Nations has no power to act, as stated under the Smith amendment, what is this language doing in the bill? Our people on this floor have a right to be confused with respect to this debate and this presentation, and the people out through the country have a right to be confused.

Here during the first 3 months of this year we exported on the basis of an average annual performance nearly $15,000,000,000 worth of goods from this country. It outclasses anything we ever did in peacetime other than during the period we were shoving lend-lease goods out to the world. Yet one of the five points listed by Dean Acheson is:

1. Vast increase in American exports to narrow the financial gap between—

Between what?—

what the world needs and what it can pay for.

One of the five points is to shove the substance of this country out to the four corners of the earth. It squares absolutely with Lenin's proposal to whittle us down. Whatever the American people want they may have, but I shall not support this bill because I do not believe it is what the people want. Their secondary reaction to this proposal when its full force and effect falls upon them will be most interesting.

If the United Nations is to have the say as to what we shall do, it should be said before we spend the $400,000,000 and further involve ourselves.

Mr. EATON. Mr. Chairman, we have had a very illuminating discussion here. I should like to raise the question now as to closing this debate. I wonder how many there are who want to speak. I had the very unpleasant duty of objecting when a very eminent and able member of my committee wanted to add to his 5 minutes, because I wanted everybody to have a fair show. I should like to say about three sentences myself on this subject before we get through. How many now want to further illuminate us on this section?

The CHAIRMAN. The Chair counts 14 Members on their feet. Does the gentleman care to submit a unanimous-consent request?

Mr. EATON. I will take my seat with an earnest plea for mercy.

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

Mr. EATON. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Why does not the gentleman try to get an agreement as to a time to close all debate on the bill, say a quarter past 5, and let those who are standing be recognized in that time.

Mr. EATON. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 35 minutes.

Mr. SADOWSKI. I object, Mr. Chairman.

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

Mr. Chairman, I rise in opposition to the amendment supported by the gentleman from Wisconsin and would like to reason with the Committee briefly about some of the fundamental decisions we are about to make on the final roll call vote.

Like the gentleman from Massachusetts [Mr. McCORMACK] I feel the time has come to focus our attention not only on what we propose to do in this legislation but on the conditions which would prevail throughout the world should we fail to act favorably on this legislation at this time. We dare not overlook the fearful alternatives which we now confront.

Ever since the war America has been suffering from the lack of a consistent and comprehensive foreign policy and program. Perhaps that was an inevitable consequence growing out of the great conflict, but more probably it is the direct result of the Roosevelt era of appeasing communism. But in all events we find ourselves, on the one hand, spending billions of dollars and maintaining vast armies abroad for the purpose of averting war, for the purpose of stopping the forces of dictatorship from arising in Europe. For the past 2 years, at the same time that we have been doing that, we have been appeasing abysmally another great dictatorial force—the Communist forces of Moscow.

Since March 12, for the first time we are beginning to fashion a consistent foreign policy, comprehensive and clear-cut and understandable, whereby while we do maintain armies abroad and spend billions of dollars in Japan, Korea, Austria, and Germany to hold down the forces which we defeated—the forces of dictatorship—we also propose now to stop similar dictatorial forces from aggressing further down toward the Mediterranean into Greece and Turkey. We now at long last propose to prevent Stalin from doing that which we have prevented Hitler from achieving. So for the first time in many years we are acting consistently.

I submit that those who oppose this legislation today should present something as consistent as the program offered by those of us who favor this legislation, even though we favor it reluctantly and as the least evil of the alarming alternatives which have been forced upon us all.

We present a program from our committee now based on consistency to resist these forces of evil wherever they raise their heads and to set up barriers against them. If you do not think we should do that, if you talk in terms of economy or terms of isolationism or terms of anything else which require you now to oppose this legislation, to be consistent then you should submit legislation or proposals to the Congress and your countrymen asking us to withdraw our Army from Germany and Austria; to withdraw our army of occupation from Japan and withdraw our army of occupation from Korea because why should we keep hundreds of thousands of men there and spend billions of dollars if we are going to permit the floodwaters of the Red torrent of Russian dictatorship to sweep down through Greece and Turkey, Iran and Iraq, Italy and Europe and then eventually down through South America to our own American shores?

I think that we all have the responsibility of being consistent in this action. I submit this situation to you. Not one Member of Congress that I know of has arisen to protest against the fact that we have 5,000 American soldiers now in

Trieste for the specific and identical purpose that we are now proposing to extend $400,000,000 of aid to Turkey and Greece.

The only conceivable reason our money, men, and materials are in Trieste is to keep the Russian Communists out. There is no other reason. Nobody protests that. But what good will it do to keep the Russian forces out of Trieste if we are going to hang the welcome sign up by defeating the proposal now before us and let them come into Italy and Turkey and Greece.

You should be consistent in any position you now assume. If you believe America should withdraw entirely to its shores, that we should pull back our armies of occupation that we should to put up the white flag of surrender to the red flag of communism all over the world, well, at least a program of consistency can be built along that line. Personally, I cannot support such a complete surrender of everything for which World War II was fought. However I cannot follow the line of reasoning of those who say it is within the realm of consistency to spend money and materials and send occupying armies of men in some of the countries of the world to stop the forces of aggression, and then refuse to give any aid whatsoever at a place where every military leader in America tells us the danger is greatest at the present time. So I urge you to defeat this amendment and to support the legislation. We owe it to our armies of occupation abroad either to back them up or bring them home.

The CHAIRMAN. The time of the gentleman from South Dakota [Mr. MUNDT], has expired.

Mr. O'KONSKI. Mr. Chairman, I move to strike out the last 10 words.

Following out the program of consistency that was so eminently described by the gentleman from South Dakota [Mr. MUNDT] I would like to talk a little myself about consistency. Picture the position in which we find ourselves throughout the world today and before the people of America and the people the world over. Here we are, arguing over a $400,000,000 appropriation authorization to stop communism in Greece and Turkey. In other words, by this act we are virtually telling the Greeks and Turks what they shall do with their problem of Communism. While we as Members of Congress are arguing and trying to tell Greece and Turkey what they should do with communism, right in the very House that we are debating that issue we have in the galleries from 100 to 200 Communists, right in the United States of America, listening to us. Last night they had a convention of 500 Communists in the city of Washington, talking on how they are going to take over Washington, D. C., when they have their first mayorality election. Here we sanction and we approve of the activities of the Communists in our shores. Now we are going to spend $400,000,000 to tell the Greeks and Turks what to do with their Communists. We are going to ask them to outlaw the Communist Party; to imprison and disarm and to shoot every Communist that exists in Greece and in Turkey. We are going to ask them to do what, as Members of Congress, we do not have the courage to do right in the United States.

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

Mr. O'KONSKI. Yes; I yield.

Mr. MACKINNON. The Communists oppose this bill and you oppose the bill. Now, you are not a Communist.

Mr. O'KONSKI. No; and I am not a Stassenite, either.

Mr. MACKINNON. You cannot both be right, can you?

Mr. O'KONSKI. I will say this to the distinguished gentleman from New York [Mr. MARCANTONIO]: He and I have voted in opposite directions for the last hundred votes that have been cast. This is the first time we are together; but those who are accusing me of voting with him at this time have nothing to say about the 100 times that they voted with the gentleman from New York [Mr. MARCANTONIO] in the past. I think the gentleman from New York [Mr. MARCANTONIO] is right once, for the first time out of a hundred, and I am going to follow him.

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

Mr. O'KONSKI. I yield.

Mr. BENDER. And they do not make any point of the fact that you are voting along with HARRY BYRD? They make no point of that at all? They try to conceal that fact.

Mr. O'KONSKI. Well, I vote my own vote. I do not care how anybody else votes. Anyway, we are going to tell the Greeks and the Turks how to treat the Communists when we have them running free right here within our own country and doing absolutely nothing about it. What we do not have the courage to do we are going to ask the Greeks and the Turks to do. Is that consistency?

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. Yes; I yield.

Mr. JOHNSON of Oklahoma. I know you are anti-Communist. The very thing you mention about this meeting in Washington last night has me bothered, as it has you.

The gentleman from Wisconsin well knows that if this group that met here last night were doing here what they are doing in Greece, if they were armed guerrilla bands trying to overthrow this Government, there could be but one result. The gentleman does not doubt for 1 minute what action this Congress would take. In other words, we are faced with just a little different situation here in trying to handle this problem in this country than is the Government in Greece. The problem in Greece is that the guerrillas are actually trying by force of arms to overthrow the Government.

I say to the gentleman that if these hundred Communists in the gallery, 150 or 300 who may have been here today, were actively engaged in trying to overthrow the Government, he knows what the answer would be. The two situations are not the same.

Mr. O'KONSKI. Mr. Chairman, I yield to the gentleman from New York, having mentioned his name.

Mr. MARCANTONIO. I simply wanted to say that I am overwhelmed by this attention. The gentleman says sometimes there are a hundred with me or a hundred against me; and at last the gentleman is with me. I do not know what is going on any more.

Mr. O'KONSKI. The gentleman from New York is right for the first time in a hundred votes and I am going along with him.

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

Mr. BARRETT. Mr. Chairman, I rise in opposition to the pro forma amendment.

At the outset let me state that I am ready to vote relief funds for the distressed people of Greece and for the unfortunate people of other lands. But, Mr. Chairman, that is not the question here involved.

Without a question of a doubt, history will record that the proposal here today is the most significant event in our foreign policy since the Declaration of Independence. It may exceed—it may well transcend—in importance our declaration of war in 1917 and in 1941. In each of those wars we had allies. But here today we are out on our own. If we delve through the fog and mist of the uncertainies of today, it seems to me that we can find a yardstick that will dictate our proper course of action.

The British Empire endeavored to maintain peace for over a century. Today it stands exhausted at home. Segments of that once great Empire are breaking away. It seems to me that before we embark on a course of unilateral action, we should know just where we are going. If we go into Greece and into Turkey today then, most certainly, we shall be obliged to go into Korea, into India and into many other countries throughout the world. Russia will see to that. The decision in that regard will be Russia's and not our own.

Let us see what the world situation is. Only three countries are on a balanced budget—Canada and this country in the Western Hemisphere and South Africa. Inflation is the most important single curse affecting the vast majority of nations. Of course we must alleviate human suffering, but we also owe a duty to this country to see that when we help an impoverished world we do not endanger the financial security of the United States. The gentleman from Ohio spoke of the radical inflation in Greece, but I am fearful that the action here today will increase the possibility of radical inflation here in America. Therefore, it seems to me, Mr. Chairman, that before we undertake this responsibility we should endeavor to obtain the cooperation of all peace-loving peoples of the world not presently within Soviet domination.

We can use the power and force of the United Nations to mobilize the people of the world against aggression and at the same time we can insist that they join us in a fight against inflation and by that action we can achieve a measure of financial stability throughout the world.

The United Nations already has a commission operating in Greece. The ques-

tion of assistance to Greece and Turkey should come before the United Nations pursuant to the direct mandate of its charter. Some people contend the United Nations is not strong enough to assume this responsibility. But if that be true, let us take the steps to make it strong. If this issue is submitted to the United Nations, then we will force a showdown with Russia in that body. As for me, I believe that Russia will back down when confronted with the combined opposition of the people of the world outside the confines of its own and its satellite states.

The people of America want us to take such steps as will make the United Nations stronger and stronger and not to impair its standing in the world. I submit, Mr. Chairman, if the United Nations assumes jurisdiction of this question and resolves it in the proper way, then and then only will we be on the road to world peace. If this amendment is not adopted, I shall be constrained to vote against this resolution.

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

Mr. EATON. Mr. Chairman, I move that all debate on the committee amendment and the Smith amendment to the committee amendment do now close.

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 135, noes 21.

So the motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. SMITH] to the committee amendment.

The question was taken; and on a division (demanded by Mr. SMITH of Wisconsin) there were—ayes 65, noes 137.

So the amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 7, after line 14, insert:

"SEC. 6. Assistance to any country under this act may, unless sooner terminated by the President, be terminated by concurrent resolution by the two Houses of the Congress."

Mr. KEEFE. Mr. Chairman, I move to strike out the last word and I ask unanimous consent to proceed for five additional minutes.

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

Mr. EATON. Mr. Chairman, I had to object to one of the members of the committee requesting additional time, and I hated terribly to do it. I object.

Mr. KEEFE. I want to thank the distinguished chairman of the committee, to whom I have listened now for four solid days, with the other members of his committee.

Mr. Chairman, I perhaps will not be able to say in the 5 minutes what I would like to say, but I want to make my position perfectly clear on this bill. I do wish that the distinguished gentleman from Massachusetts, who formerly was the majority leader, and the distinguished gentleman from New York [Mr. BLOOM], and a lot of these people who are talking so glibly today, had been making the some kind of speeches 4, 5, 6, and 7 years ago that they are making today. Why, it was heresy to even use the word "communism" in the well of this House just a few years ago when the great appeaser was in the White House appeasing Communist Russia. We all know what brought about this position that faces us today. I predicted it in a speech which I was pleased to make on the floor of this House on the 30th of January 1941. Let me quote therefrom:

What are the war aims of the democracies in the present struggle? It is said by Lord Halifax that the British aims are to win the war and to crush Hitler. It is said by others that this is a war between conflicting ideologies, totalitarianism on the one hand and human liberty protected by democratic institutions of government on the other.

If that is true, I ask you in all seriousness what difference is there between Hitler and Stalin?

I asked that question in 1941. I asked you then, "Who would rule in the world in the event Hitler was crushed? Under what sovereignties will these people live?" And I got no answer. You said, "We are going to keep out of war; we are going to live at peace." I voted as my conscience dictated at that time for the thing that I thought would keep this country out of war. I have no apologies to make. I was designated as an isolationist because I took the same course that prior to the election of 1940 the President of the United States took, and which both parties wrote in their platforms. But the advice which I gave at that time and which others gave, went unheeded. When we took the course that we did take, the foreign policy of this Nation then was determined. I supported it with every vote from that time on.

Now we are faced with another situation, and we are not told what is going to eventuate. But what should be my position now? Can we turn back? No. The President has announced the foreign policy of the United States and has done so in these most critical times. What should I do as an American? With American troops scattered all over the world, in Germany, Italy, Austria, Japan, Korea, and other places, and with the forces of Stalin facing us in every place, shall we withdraw? Shall we turn tail? My colleagues, it is too late. What is the alternative? The opposition have failed utterly to present any alternative except to refer the matter to the United Nations. This is a hopeless gesture at this time, with Russia holding the veto power.

What can I do as an American? Must I only carp and criticize? We are involved all over the world, whether we like it or whether we do not.

Time will not permit the discussion of the things which I have considered prayerfully at home, alone, that impel me now to take the position that I must reluctantly take. I can see no other course. The alternative is too terrible to contemplate.

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

Mr. KEEFE. Will the chairman give me some more time now?

Mr. EATON. The chairman has no power to give time, but I will withdraw my objection, because I think this is a speech that really means something.

Mr. COX. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin be permitted to proceed for five additional minutes.

Mr. BREHM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BREHM. Must not the gentleman from New Jersey ask unanimous consent to withdraw his former objection?

The CHAIRMAN. That matter is not before the Committee. What is before the Committee is the request of the gentleman from Georgia that the time of the gentleman from Wisconsin be extended 5 minutes. Is there objection?

There was no objection.

Mr. KEEFE. Mr. Chairman, I very deeply appreciate the magnanimity of the chairman of the committee, who objected to my request for five additional minutes until he found out that I was speaking in favor of his bill. I think the unfairness in the distribution and allocation of time that has prevailed in the discussion of this bill is now perfectly clear and perfectly plain. However, that shall not change my vote on this bill, because I must vote as a Member of Congress and as an American as I see it in the interest of my country. To me it would be unthinkable now, in view of what has transpired in the Senate, and in the address of the President to this Congress, to send the word out to the world, "The people of the United States are not united, they are divided, and we have at last succeeded in dividing them," the very thing that Mr. Stalin would like to see done.

Now, may I ask you to see this. They say that the Stalinites want to bankrupt this Nation. They say that the spending of this money is a step in that direction. Is it? I note that the Reds are all for killing this bill. The "pinks" are all against this bill. If they were going to bankrupt the Nation by that means, I should think they would all be for it. I may interject here that many splendid Members of Congress intend to vote against it. They are honest and courageous and I do not challenge their attitudes.

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

Mr. KEEFE. I yield to the gentleman from South Dakota.

Mr. MUNDT. The gentleman has arrived at his decision on this very serious problem by almost exactly the same rather tortured mental processes that I went through as a member of the committee in hearing the testimony and in arriving at the same conclusion. I wonder if the gentleman would agree with me on this, that we face the alternative that, if we vote this legislation down, this country and this world face the very definite probability that the Russians, chained as they are, and moving in fast

in periods of stress and unrest, will step into Greece and Turkey and we will be confronted with fait accompli.

Mr. KEEFE. May I say to the gentleman that in my opinion the Russians can go into Greece and Turkey any time they want to. What is there to stop them? We were told by the President that this thing was of such vital importance that we had to act by the 31st of March. I could almost see the Russians going down with their divisions from the Balkan area into Greece at that time.

Let me tell you that they are over there just as they are here and just as they are in Italy. They are there with their ideas and ideals, and you cannot stop that by building a wall of bullets or guns, regardless of what anybody says.

Let me tell you of what I am advised. I am advised that Italy is all ready to go communistic and all they are waiting for is for us to hand them $500,000,000 or $600,000,000 as a loan before they announce it. I understand that France is all ready to go communistic, and all they are waiting for is a $700,000,000 or $800,000,000 gift from us.

Let us not be foolish about this situation. But, still, with all that knowledge, I am going to vote for this bill because I, as one Member of Congress, went out throughout this Nation and condemned the administration because of its appeasement of Russia. I demanded that it announce a foreign policy. The administration has done so, and I hope to God they carry it out. Let us send word to Stalin that we do not intend to appease any longer.

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

On March 12, 1947, President Truman appeared before a joint session of the Senate and House of Representatives and delivered a message wherein he recommended the legislation we are now considering, to wit: House bill 2616. He concluded with these words:

> This is a serious course upon which we embark.
>
> I would not recommend it except that the alternative is much more serious.

The President realized that by the request he was advocating not merely assistance to the people of Greece so that they might have the necessities of life and be saved from starvation, but that he was also advocating relief of a military character and that we were in reality bolstering with American arms and personnel the military strength of Greece and Turkey.

A member of the Foreign Affairs Committee, which reported out this legislation for consideration by the House, recognized the military character of the same when he moved before the Rules Committee to transfer the matter to the Armed Services Committee for its attention.

The majority of our people do not object to the granting of relief, as such, to the people of Greece. Only the other day we passed House Joint Resolution 153 appropriating $200,000,000 for relief assistance to the people of countries devastated by war and Greece has been allocated $50,000,000 thereof. The Greek Army, described by the President as small and ill-equipped, has absorbed about $44,000,000 worth of equipment, some of it second-hand lend-lease. UNRRA's contributions, totaling approximately $360,000,000, have been poured into Greece and we paid 73 percent of that amount. Greece has also been extended a loan credit of $25,000,000. I understand that Britain has spent $150,000,000 on the Greek Army and has canceled $160,000,000 owed her for maintaining 16,000 British troops there and for other purposes. All this has been done in the past for Greece and yet, like China, she seems to be economically worse off than when we started.

Since the President's message on March 12, I have received many letters from constituents at home in which they express alarm over the bypassing of the United Nations and claim that by this action we reduce that great organization to the role of a glorified debating society. Many were persons who only a short time ago had worked so enthusiastically for the adoption of the United Nations and nad come to the conclusion that in it lay the hope for future world peace. I am frank to say that I have given the question of the legality of unilateral action by the United States very serious consideration. My research led me to the conclusion that by adoption of the United Nations Charter, all nations recognized that the maintenance of international peace and security was the responsibility of the United Nations collectively; that no nation should act unilaterally; that the Security Council had exclusive jurisdiction with respect to this matter and, as a matter of fact, is actually exercising the same at the present time.

It is stated by the President in his message, however, that the action contemplated gives effect to the principle of the Charter of the United Nations and does not bypass it or violate any of its provisions. Senators VANDENBERG and CONNALLY, two statesmen who played a very important role in the formation of the United Nations also have gone on record to the same effect.

The Honorable Warren R. Austin, United States representative at the seat of the United Nations in the Security Council itself, in his address to the delegation on March 28, 1947, in explaining the action requested, also stated that the proposed program of assistance would in fact be a most essential act in giving effect to the principles of the Charter of the United Nations and that it is directly related to the act of the United States in creating a commission of investigation in Greece. On May 8, Mr. Austin addressed a letter to the chairman of the Foreign Affairs Committee, which was read in the House in which he reiterated that this action does not bypass the United Nations; on the contrary, it would be a most essential act in support of it and would advance the building of collective security under the United Nations.

The Honorable Dean Acheson, Under Secretary of State, in his testimony before the Foreign Affairs Committee, also discounts the claim that the United Nations is being bypassed and indicates that it is not equipped to handle this matter, and that the action taken is in conjunction with that body. He said in part:

> The situation of Greece and Turkey confronts us with only two alternatives. We can either grant aid to those countries or we can deny that aid. There is no possibility of putting the responsibility for extending the aid for Greece and Turkey as asked from the United States on some other nation or upon the United States. This becomes clear when we consider the specific problems that confront Greece today. Greece has charged before the Security Council that armed bands operate within her territory are partly supplied, trained, and given refuge in Yugoslavia, Bulgaria, and Albania, and that these bands are moving back and forth across the borders. Greece has asked the United Nations for help in dealing with this situation and the Security Council has appointed a commission which is at the present moment investigating the Greek charges on the spot. It is expected that this commission will begin writing this report early in April and that report should be ready shortly thereafter. We hope and believe the United Nations action in this matter will result in the cessation of disturbances along Greece's northern borders. Such a result would be a most vital contribution to the situation in Greece and make possible the task of stabilization and rehabilitation. It would not be a substitute for the assistance which Greece has asked from the United States. More is needed to deal with internal disorder and economic break-down.
>
> The second problem confronting the Greek Government is the need for supplies and funds to enable it to cope with its internal difficulties, namely, the restoration of order in the country and the averting of economic collapse. The United Nations Relief and Rehabilitation Administration and the British Government have been helping Greece with these particular problems, and the present crisis has arisen because those two supports must be withdrawn.
>
> To whom was Greece to turn? The Food and Agriculture Organization of the United Nations, which recently sent a mission to Greece, recommended that the Greek Government request the Economic and Social Council of the United Nations and the United States and the United Kingdom to extend aid to it in securing funds for the continuation of essential food and other imports to cover the period after UNRRA's withdrawal, until expanding exports, international development loans and expanding production should enable Greece to balance its international accounts.
>
> If Greece had applied to the United Nations or any of its related organizations, the essential element of time would have been lost and the end result would have been the same. The funds would have to come primarily from the United States. The United Nations does not of itself possess funds. The Economic and Social Council is an advisory body that recommends economic, financial, and social action to member states. The International Bank, which is just now completing its organization, is set up primarily to make self-liquidating loans for long-term reconstruction purposes. It has not yet made any loans whatsoever. The Economic Commission for Europe is still in its early organization stage.
>
> It may be that at some future time the United Nations will be organized and equipped so as to render emergency aid to member states of the kind now needed in Greece and Turkey. But, as the President said, the United Nations and its related organizations are not now in position to extend help of the kind that is required. Even if some organ of the United Nations should decide to recommend assistance to Greece and Turkey, it would have eventually to turn primarily to the United States for funds and supplies and technical assistance.

It therefore seems to be the opinion of those who should know, that the present proposed action is certainly not taken in opposition to the United Nations, but in cooperation with it, and our American representative so reported to the United Nations and apparently satisfied the members in this respect.

Whatever may be the situation from a technical, legal standpoint, the legislation proposed provides for the termination of this program if the President is officially notified by the United Nations that the Security Council finds—with respect to which finding the United States waives the exercise of any veto—or that the General Assembly finds that the action taken or assistance furnished by the United Nations makes the continuation of such assistance unnecessary or undesirable.

Are we justified in taking the course recommended, which, in the minds of many, may lead us to the third world war?

In determining this question, no one can overlook the opinion of Gen. George Marshall, Secretary of State, who is recognized by all as one of the greatest military generals in history and who has just returned from the Moscow Conference, and who, while debate on this vital issue was going on, sent to the chairman of the Foreign Affairs Committee a letter which was read and made a part of the record, in which he said, in part, as follows:

> My strong conviction that the immediate passage of this bill is a matter of the greatest urgency was made even more positive by the recent meeting at Moscow. * * * I fully endorse the committee's conclusion that the bill pending before the House will enable the United States in this crisis to support the United Nations by pursuing a positive policy in behalf of Greece and Turkey. I am convinced that it will be in our own interest and in the interest of world peace. I hope that the bill will be enacted as expeditiously as possible.

It may well be that it is anybody's guess as to what will happen in the event this legislation is enacted. While I do not wish to be facetious concerning such a serious matter, we may be in the position of the Connecticut farmer who, when asked by a city traveler how to get to the next town, told him that he could take the road to the left, then turn right, and go on a few miles, and he would get there. Or he could turn right and then go left for a few miles and eventually arrive there also, but that whichever road he took he would probably wish he had taken the other.

In my opinion, the present Secretary of State is amply qualified to make an intelligent forecast as to what will be the future. If his opinion is wrong, it will be just too bad for all of us, but I have come to the conclusion that I could take no step to prevent our present Secretary of State from carrying out the program he has so earnestly recommended. I realize that this proposal would seem to be a departure from our historic foreign policy, but after all this is a new world and unlike years gone by. In this atomic age, man's frontier is not the Rhine, but his own doorstep.

It must be conceded that the United Nations is not as strong as some people wish it were, or as some feel that it actually is. At its meetings, there seem to be continual controversy and bickering and failure to come to a meeting of the minds. This is not unexpected for it took many, many years for our own Federal Constitution to arrive to the point where it functioned efficiently and even now our Supreme Court has divided five to four more than once in its interpretation of the same. Certainly the money would have to come from the United States and not from the United Nations for according to the Secretary of State, Greece cannot qualify for a loan from the World Bank as it is not a good credit risk, nor from the Export-Import Bank, for the same reason.

I believe it should be understood, however, that by this action we are not committing ourselves to embark in endeavoring to stamp out communism in all other countries of the world. The Under Secretary of State, in his testimony before the committee, states that we are not, and that each request in the future will be considered on its merits and that it cannot be construed that this Government would undertake such action in any other country identical, or even closely similar, to Greece and Turkey. We may have some difficulty, however, in carrying out this announced policy without embarrassment to ourselves and a charge of discrimination made at a later date.

One compelling reason why I will cast my vote for the pending legislation is the fact that the program is an accomplished fact already in the minds of the people of the world. Failure to pass this bill at this time would be interpreted as an abandonment of free people everywhere to whatever fate may befall them. The President by his action and the Senate by its majority support have left us with little choice except to go forth. It is a difficult but now, apparently, a necessary course that we pursue. Favorable action on this legislation has been stated to be the lesser of two evils. It has been brought about and is the direct result of a policy heretofore pursued by our Chief Executive and his predecessor toward Russia; the situation of necessity was some years in the making and is certainly not a problem created by the Congress.

Let the world understand that we pursue no imperialistic program. We are not intermeddlers, but are granting assistance at the urgent request of the countries presently under consideration. We ask for nothing. We give and sacrifice in order that we may take steps which, in the minds of those who should know, will guarantee safety, security, and peace on American soil and, equally important, make for a condition of peace elsewhere.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the pro forma amendment.

"TIME LIMIT"

The "time limit" or "urgency theme," is a fallacious one.

First. The British precipitated this so-called "urgency theme" by their abrupt announcement of withdrawal from Greece of aid and troops on March 31. Did our State Department have any advance information on the date of probable British withdrawal?

If they did have advance information, it should have been conveyed to Congress and the American people.

If they did not have information or premonition as to this important decision of Great Britain, then I say they stand convicted of stupidity beyond justification.

Second. The President on March 12 gave his message and stressed the emergency which would occur on March 31. He asked for legislation to enable the United States to replace Britain in Greece at the time of her withdrawal.

The legislation was not passed by March 31 nor by April 30, and yet no crisis has occurred. Russia has not marched across the border of Turkey, nor has Tito marched into Greece.

Starvation, guerrilla fighting—yes, Communist organization continues to exist as it has for the past 25 years in Greece. But no change of government has occurred and no attempt at outside aggression or internal military coup has occurred.

What has been more important in the intervening weeks, Turkey has not appealed to the United Nations with a specific claim against an aggressor nation. The appeal of Greece is under UN consideration and we are obligated by the Charter to await the report of the Balkan Commission before interfering further. What is the hurry? Why the rush act? Unless an aggressive action against Greece or Turkey is taken soon, the "urgency" theme is going to have a red face.

The "time limit" rush act has been overplayed. The United Nation's procedure could have been used and can still be used.

Food and rehabilitation funds can continue to be furnished on a bilateral or unilateral basis in harmony with the principles of the United Nations. Such funds and foods can be administered as recommended by the FAO Commission of the United Nations or by an international regional commission as provided for in the Charter.

Let me assure you my friends, that if the will to use the United Nations was there, a way can easily be found.

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

Mr. Chairman and Members of the Committee, I do not know whether I am going to illuminate the chairman of the Committee on Foreign Affairs or anybody else here or whether I will receive illumination. But be that as it may, illumination is what is needed here.

Now, the old red herring has certainly taken a terrible beating here for the last 3 days. I am not ready to join with all of my friends here to give so much credit to the Communists.

If I know a little bit about history, I do know that after the First World War the people of the world—not the Communists but the people of the world—got rid of the Hohenzollern gang, got rid of the Hapsburg bunch, got rid of the czars of Russia, and they got rid of the Ottoman sultans. After this World War the people of the world—not the Communists but the people of the world—said "We have had enough of Madame Lupescu and King Carol and Prince Umberto and King Emanuel and King Peter and King

George and all the rest of that gang of royalists." Those are the people of the world speaking, not the Communists.

Now, here is the Congress of the United States of America jumping into this fight against royalists and monarchs and going into this Balkan mess, to oppose the people. I do not know whether we are diving in head first or tail first, but I think we are going to get our tails burned. We are jumping into this Balkan mess to do what? When everybody is getting rid of kings and queens and princes and dukes and noblemen and landed aristocracy, we are going there to give these Royalists guns and bayonets and bullets. To do what? To kill Russians? No. To kill whom? To kill Greeks and Macedonians. That is what we are giving them these guns for, and you know it, and that is what they are going to do with them. They are going to kill their own people. Today, throughout the Balkans, there is no nation more hated and stinks worse than the British, because of their lousy policies. So we, the United States, will be hated and we will smell just as badly in a short time.

I asked the gentleman from Illinois [Mr. DIRKSEN] 4 days ago, at the beginning of this debate, this simple question: "Are Macedonians Greeks?"

He said: "You know, my friend gets me into an ethnological discussion where I am not too well at home, and I would therefore find some difficulty answering the question."

He had a big chart here, standing here like a professor, showing us all about that Balkan situation. He knew all about it. I asked a simple question, "Are Macedonians Greeks?" and he could not answer it. I think we ought to amend this bill to cease further consideration for 1 year, and hire a couple of professors to come here and give us some lessons in history and teach us something about the Balkans before we jump into this mess. Macedonians are not Greeks. They are Slavs. The Macedonians were under Turkish rule for 500 years. The Turks tried to make Mohammedans and Turks out of them. They could not do it. After the Balkan wars that part of Macedonia was awarded to Greece. It had not been Greece before that. Now, all of a sudden it has become Greece, since 1912, but are you sure that the Macedonians want to be Greeks? Can you make Greeks out of Macedonians? Then, what are you trying to do? You want to send these guns over there to these kings and queens and princes to kill these Macedonians. For what? Did they not fight with us in both World Wars? Did not those Macedonians hate the Turks because of the persecution that they underwent? Did they not hate the Germans and the Italians, and did they not fight with us in both World Wars? And now what is the pay-off? The United States is going to give guns and bayonets to the kings of Greece to kill off Macedonians. For what?

The people cry for bread and we give them bullets. The people cry for freedom and we give them bondage.

For 2 years, the British with their armies, have tried to stuff the Royalists down the throats of the people. They could not do it. Now we step into these discarded British Tory boots and we shall reap the hatred and animosity of a people who have always been our friends. I stand for relief and economic assistance to Greece. I oppose militarism anywhere.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. SADOWSKI] has expired.

Mr. KELLEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. KELLEY. Mr. Chairman, I dislike this bill. I dislike the necessity for it. But aid and assistance to the people of Greece in the matter of food, clothing, and shelter, and the means to provide these by way of farm machinery, manufacturing plants, and reconstruction of railroads, are so imperative that the shortcomings of the bill must necessarily be overlooked.

The provision in the bill for military equipment is to me quite contrary to our ideas of a peaceful world, but we must rely on the integrity and good judgment of the President in the handling of these funds. I am sure that the President of the United States would in no sense allot funds for military purposes unless they were of the most urgent and impelling kind. I am sure of this; and, since he is charged with the direction of the foreign policy of this country and has called the attention of the Congress to the dire need of the people of Greece and Turkey, to their poverty and lack of facilities for producing the goods which they need, the Congress cannot turn its back upon this request or refuse to uphold the hand of the President. After all, there is too much poverty and suffering in this world for us to ignore the fact that we are the richest Nation and can provide these goods without the least injury to ourselves. Late statistics prove this; and, if we are to promote in the peoples of the world an interest and desire for our form of Government, particularly on the humanitarian side, then we are obligated to aid in the rehabilitation of these impoverished people.

Mr. EATON. Mr. Chairman, there are four amendments pending. I therefore ask unanimous consent that all debate close in 25 minutes, leaving 5 minutes for each of those amendments and 5 minutes to close. I do that at the request of the majority leader.

The CHAIRMAN. The Clerk advises the Chair that the amendments are at the conclusion of the bill.

The question now is on the committee amendment creating a new section 6.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 6. The President shall submit to the Congress quarterly reports of expenditures and activities under authority of this act.

With the following committee amendment:

Page 7, line 18, strike out "6" and insert "7."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 7, line 19, after the word "activities", insert "which shall include uses of funds by the recipient Governments."

The committee amendment was agreed to.

Mr. SABATH. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

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

There was no objection.

MY CONSCIENCE PREVENTS ME FROM VOTING FOR THIS BILL

Mr. SABATH. Mr. Chairman, it is claimed that this $400,000,000 appropriation is for the purpose of stopping communism all over the world. Naturally, all the great economic royalists and war profiteers, here and everywhere, with all the force and influence at their command, are advocating this dangerous course and are pushing us into it.

Their attitude is no different from that of the financial leaders and industrialists and munitions makers of Germany who, under the pretense of fighting communism, supported Hitler and the Nazi cause and plunged the whole world into holocaust.

BRITAIN UNLOADING BURDENS ON US

If I believed for one moment that our country—my country—were in actual danger, or even that our legitimate interests are threatened by Russia by this overpublicized and overbuilt fear of communism sweeping the Western World, I should vote for this gift, and for additional billions beside, even though I cannot feel that Turkey is entitled to any consideration on her merits, and believing as I do that this bill merely enables the British to unload on us their burdens and responsibilities of empire.

The inhumane cries of danger from Russia, danger from anywhere except the threat of a new fascism, from those who seem chiefly interested in strengthening the undemocratic governments already existing or trying to reestablish themselves, sound feeble and badly inspired to me.

Outstanding military experts have testified that the destruction wrought by the Nazis in Russia is so great that Russia could not conceivably make war for at least 10 years, assuming that she desired to.

CONCENTRATE ON FRIENDSHIP

Rather than this constant preoccupation with the danger from Russia, we should concentrate on the assurances given by Stalin both to General Marshall and to former Governor Stassen. Before we rush to arms to destroy Russia while she is helpless, we should examine these professions of friendship and cooperation with friendly eyes, and look for the good instead of the bad—not forgetting security, but for the sake of security.

So far as we can learn, Russia has punctiliously observed covenants agreed to during wartime when neither Great

Britain nor the United States has been so careful.

Remember that Russian troops began to march against Japan exactly 3 months after VE-day, in accordance with the Yalta agreement. According to newspaper reports, Russia has kept out of north China, although President Roosevelt's assurance to China that British warships would not enter Chinese ports was broken. Russian troops have left Iran; but British troops are still in Greece, and still in Palestine.

Russia made no objection to our trusteeship of the Pacific islands. She has yielded repeatedly in the Danube Basin. Russia proposed disarmament immediately after the end of the war.

DOES NOT CONDONE RUSSIAN ERRORS

Do not mistake me. I make no excuses for those things which Russia has done, and done deliberately, to outrage the western powers. I am not an admirer of a police state. I do not condone press censorship. I do not forgive aggressive action against smaller countries.

But none of the things we dislike about Russia can excuse the bullying attitude, the military aggressiveness, or the fantastic fear that have seized England and the United States. I repeat again and again and again, that the way to keep fascism and communism out of America is to make our own democracy work, and we cannot do that by suppression, by bribes, by concentration camps or bayonets or atom bombs, nor by a third world war. It is clear to me from the arguments advanced that this bill is actually to protect the British Empire's lifeline and to back up the Anglo-American oil trusts who have got their fingers on the largest oil reserves left in one geographical area.

GREECE AND TURKEY NOT DEMOCRACIES

When Under Secretary Acheson, who has been the Acting Secretary of State during General Marshall's absence in Moscow, says that Greece and Turkey are democracies he is just talking bunk.

Neither of these countries is a democracy in our sense of the word, any more than Russia is.

I am equally skeptical about the so-called Communists in northern Greece, or Aegean Macedonia, as it is called. There may be and probably are Communists among those guerrilla bands; there may be and probably are liberal democratic patriots who cannot stomach the fascistic monarchy imposed by the British, nor the virtual occupation of Greece by the British, however disguised it may be.

But the fact is that the majority of the guerrilla bands in Aegean Macedonia are freedom-loving Christian Slavs whose one burning desire is now, as it has been since the Ottoman Empire was first squeezed back from the Balkans, to be able to unite with their blood brothers in those parts of Macedonia which lie in Bulgaria and Yugoslavia. Time after time we have announced our adherence to the principle of self-determination of small nations; why do we refuse to recognize the rights of the Macedonians?

UN FORCE FOR PEACE

I believe that the United Nations can be a powerful force for world peace and stability. I believed in the League of Nations in the same way. The United States insured failure of the League when the Republicans made it a political issue and kept the United States out of the League. I am fearful that favorable action on this bill will have the same effect on the United Nations, because we are bypassing the world organization which should do this job.

Unfortunately, we have public men and certain newspapers and radio commentators constantly injecting poison into the minds of the people by distorting and obscuring the facts, and sometimes by sheer invention and prevarication. Many sincere, well-meaning men and women in America have had their minds so prejudiced by this unending stream of propaganda that they now believe the lies.

Yes; these distortionists are emulating the tactics of Hitler, who said that no matter how big the lie, if it is repeated often enough it will be believed.

Fourteen years ago, when Hitler came to power, Great Britain tacitly sanctioned Hitler's rearming by failing to prevent occupation of the Ruhr and by making no effective protest against the growing militarism of the Nazi government. Likewise, Great Britain failed to support the other powers in the effort to check Japan and Italy and Spain.

It was disclosed at that time that in this country we had many Nazis and Japanese whose activities were questionable.

I succeeded then in obtaining passage of a resolution setting up a committee to investigate subversive and treasonable activities, which, under the leadership of the gentleman from Massachusetts [Mr. McCORMACK] brought many hidden vermin to light.

These activities did not cease, however, and I succeeded in bringing about passage of another resolution. Investigation was undertaken under the chairmanship of Mr. Dies. When the committee became permanent first the gentleman from Georgia [Mr. WOOD] and now the gentleman from New Jersey [Mr. THOMAS] occupied the chair.

That committee, with an efficient and hard-working investigative staff and all the money at its command that it needed, and with the active help and cooperation of the gentleman from Mississippi, and of the Federal Bureau of Investigation still has not succeeded in bringing about conviction of any Communist or alleged Communists of attempting to overthrow the Government by force, or of traitorous or seditious activities, though a number of Nazi sympathizers have been convicted on various counts, or are still awaiting trial, all of them through the investigative activities of executive agencies.

STRUGGLE IS BETWEEN DEMOCRACY AND ISMS

The reason is that we have but a handful of Americans parading as Communists, most of them without any understanding of what they are saying, and none of them with any reason or justification for their beliefs. We have no room and no need in this country for communism or Communists.

Once more I repeat: The struggle in America is not between communism and Nazi-fascism, but between American democratic ideals and every kind of foreign and authoritarian ism.

We have in this country the best standard of living, the highest degree of personal freedom, the finest schools, and the greatest productive capacity of any nation. Our task is to make sure that we spread the benefits of those blessings as far as possible, in the interest of the masses and of the public welfare.

I feel that the people promoting the current Red scare know this, and are deliberately pumping up this exaggerated fear of communism in order to cloak their own efforts to destroy American democracy.

Many of the gentlemen who spoke on this bill let the cat out of the bag when they said the purpose of those who advocate this policy is to keep the Dardanelles as they are, and to quarantine the Near East oil fields.

The appeal of huge profits with little personal risk is universal, and our international cartelists are working smoothly to skim the cream for themselves at the expense of the common people everywhere.

AMERICAN PEOPLE WILL PAY BILL

It seems to me that the American people will pay the bill—certainly in sweat and dollars, perhaps in lives and suffering—and the British Empire will reap the profit, if any. Skillfully the British have maneuvered us into a position where they have made themselves appear to be the arbiters between the United States and Russia by forcing us to front for them. They are determined to save the Empire at our expense.

This $400,000,000 advance is only a small beginning. Next year, when this is gone, there will be more money to be appropriated. Even though we are rich and strong and prosperous, we cannot withstand such drains on our resources indefinitely. While we are debating this bill, there are other appeals pending from Korea, from France, from Italy, from China, and again from Great Britain. There will be more because many of the nations are bankrupt morally as well as financially.

Who is manipulating this country we all love to such an end? We know the background of John Foster Dulles, the Republican adviser to the State Department, with his close connections to the Nazi banking and industrial interests. But what of Mr. Acheson? Does his law firm—Covington, Burling, Rublee, Acheson, and Shorb—have no foreign clients? Has he resigned utterly and in fact from that firm or is he still guided and influenced by their international accounts and clients?

There are many matters of wonder in this entire policy. This bill is being forced on the country by the State Department on the pretext that we must keep Russia from overrunning and dominating Greece and Turkey by having our military advisers in those countries and by building up their defenses.

Yet our own military experts agree that if Russia really wanted to overrun those countries we could not pour enough men and arms in there to hold the Russians back, even if there had never been a Hiroshima.

In this morning's newspaper I read that Under Secretary of State Acheson asserts that we must start rebuilding Germany and Japan. At the same time he insists upon passage of this relief bill for the victims of those who were responsible for bringing on the greatest war of all time, costing us $400,000,000,000 and 300,000 lives and 700,000 casualties, destroying altogether nearly 20,000,000 lives. For those favors, Mr. Acheson says, we must now start making them strong again. For what? To start another world war?

DEAD LINE HAS PASSED

We were told with the voice of doom that April 1 was the dead line. Well, this is the 9th day of May, and l . anything happened in Greece or Turkey? If Russia really had any desire to march into those countries, she had plenty of time. If things were as desperate as painted, our frontier on the Aegean was pretty thinly guarded for almost 6 weeks.

On the other hand, we are about to authorize the appropriation of $400,000,000 with which to punish those who fought on our side, who suffered far more in loss of lives and property and resources than we did, at the hands of the Germans and the Japs, for whom Mr. Acheson says we must now rebuild.

Rebuild for whom? For the cartels and the international traders who supported the wars of Hitler and the Japanese war lords?

It is unthinkable.

WHY MUST WE REBUILD GERMANY AND JAPAN?

Only 2 days ago we observed the second anniversary of VE-day, when the Nazi empire crashed utterly and left Germany prostrate, without a government, after 6 years of annihilating warfare.

We have not yet brought home the bodies of our brave men who fell in Europe, in the Pacific, in north Africa, because of Germany and Japan.

The ruined cities of Europe are not yet rebuilt; the people have not enough food or clothes or shelter; General Clay announces that if necessary he will use our troops to force Germans to give up their hoarded stocks of food so that all can share equally.

Yet, Mr. Acheson can say we must—I repeat, he said "must"—"push ahead with the reconstruction" of Germany and Japan.

I feel that we should pause and take stock.

I regret personally that my conscience cannot permit me to support this bill; that I fear it will weaken the United Nations; that I fear it will hurt rather than help the cause of world peace and economic stability.

If we strengthen, not weaken; if we build up, not tear down; if we affirm, not deny, the principle and the fact of the United Nations, the 51 signatory powers will be in far better position together to stop Russia, if need be, than the United States and the disintegrating British Empire by themselves.

Mr. MANSFIELD of Montana. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. MANSFIELD of Montana:

"SEC. 8. In adopting this act the Congress expresses its approval of and reliance upon the statement made by the Secretary of State on February 14, 1947, with reference to Greece, and in particular the hope therein expressed on behalf of the Government of the United States for the political cooperation of all loyal Greek parties for a dynamic program in Greece of amnesty coupled with the disarming of illegal bands, just and vigorous tax reforms, modernization of the civil service, realistic financial controls, and even-handed disposition of justice."

The CHAIRMAN. The gentleman from Montana is recognized for 5 minutes.

Mr. MANSFIELD of Montana. Mr. Chairman——

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

Mr. MANSFIELD of Montana. Mr. Chairman, will this be taken out of my time?

The CHAIRMAN. If the gentleman yields it will be taken out of his time.

Mr. MANSFIELD of Montana. Then, Mr. Chairman, I decline to yield.

Mr. JARMAN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MARCANTONIO. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MARCANTONIO. The gentleman from Montana declined to yield. The gentleman from Montana was recognized and he refused to yield. I submit the point of order comes too late.

The CHAIRMAN. There were various gentlemen seeking recognition.

The gentleman from Alabama will state his point of order.

Mr. JARMAN. Mr. Chairman, I make the point of order against the amendment on the ground that it is not germane to the bill.

The CHAIRMAN. Does the gentleman from Montana desire to be heard on the point of order?

Mr. MANSFIELD of Montana. I do.

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. MANSFIELD of Montana. Mr. Chairman, I maintain that the point of order comes too late. I had been recognized for 5 minutes and I had refused to yield.

The CHAIRMAN. Does the gentleman from Alabama care to be heard on the point of order?

Mr. JARMAN. No; I do not care to be heard.

The CHAIRMAN. The Chair is prepared to rule.

The Chair has examined the amendment offered by the gentleman from Montana. It seems to be a statement of policy which is related entirely to the extension of aid to Greece provided under the act.

The Chair overrules the point of order.

The gentleman from Montana will proceed.

Mr. MANSFIELD of Montana. Mr. Chairman, on February 14, 1947, the Secretary of State made the following statement at his press conference:

STATEMENT BY SECRETARY MARSHALL ON REFORMS IN GREECE

I have been asked by several correspondents for the views of the Department on the recent broadening of the Greek Government, which I now understand is representative, from a party point of view, of almost 90 percent of the members of Parliament. We welcome this move as an indication that responsible Greek leaders are aware of the urgent necessity of subordinating narrow or personal interests to the greater ideal of national reconstruction.

We are all deeply concerned with the welfare of Greece and with the restoration in that country of economic and political stability, destroyed during the war by the occupation forces of the enemy whose deliberate aim was to leave Greece economically ruined, and by aggravating internal factionalism, to paralyze the Greek body politic. Greece's long history of devotion to liberty and democratic ideals entitles her to the sympathy and respect of the world. It is to the interest of the United States and of all the United Nations that Greece be assisted to maintain her independence and territorial integrity. However, no amount of assistance can prove effective or of lasting benefit unless the Greek people themselves are prepared to work together resolutely for their own salvation.

The road to recovery is a difficult one, calling for the same unity and mutual confidence required for resistance to armed attack. No country divided against itself can hope to solve problems which are national in scope and which affect all citizens and not merely those of one particular political belief. Economic health can be restored only by a comprehensive program in which the whole Greek people participate and to which all make their appropriate contributions. Law-abiding citizens whose main desire is to be allowed to live and work in peace can offer little help to their country as long as they are intimidated by armed extremists of whatever political complexion.

This Government hopes that the recent broadening of the Greek Government is a sign that the Greek people are turning away from the past and forgetting bygone differences, are beginning to face the future with confidence and in substantial unity. It also hopes that this recent development is merely a first step in the direction of the broadest political cooperation of all loyal Greek parties and that partisan differences will be submerged in a dynamic program of amnesty coupled with the disarming of illegal bands, just and rigorous tax reforms, modernization of the civil service, realistic financial controls, and the even-handed dispensation of justice.

That press release was dated February 14, 1947, and fully explains my amendment. You will note that this amendment contains the exact words of Secretary Marshall, and as it contains his sentiments and my own on this very important matter, I urge the Committee to adopt it.

Mr. VORYS. Mr. Chairman, at the suggestion of the majority leadership which is anxious to conclude action on this bill today, I move that all debate on the bill and all amendments thereto close at 6 o'clock.

Mr. SADOWSKI. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SADOWSKI. Can the time be divided so that those who have not had an

opportunity to speak on this bill may do so? I have waited here 4 days to say something, and have not been able to, while some have spoken on the bill a dozen times.

The CHAIRMAN. The question is on the motion offered by the gentleman from Ohio.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana [Mr. MANSFIELD].

The question was taken; and on a division (demanded by Mr. MANSFIELD of Montana) there were—ayes, 18, noes 128.

So the amendment was rejected.

Mr. SMITH of Kansas. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. SMITH of Kansas. Mr. Chairman, like all thoughtful Americans, I know what the people back home are thinking about—thinking of the future of America.

Their boys—their neighbors' boys—came home from the war not many months ago. They wanted to relax—enjoy their return. They wanted peace and quiet—to visit with their neighbors—to work, to plant, to harvest, to listen to the radio for entertainment—to enjoy the quiet and peaceful way of life and to just enjoy all the wonderful advantages we have in America. Oh yes, they knew we had irritations—the OPA, railroad strikes, coal strikes—but through it all they knew and I knew that these hindrances would pass away—and we would all enjoy our bountiful America after years of strife and agony—of not knowing what the next day would bring in the way of sorrow.

We believed in a fanciful United Nations to stop all aggression in the world. No more wars. Earnestly they prayed for all of this. They knew there was no totalitarian regime in this country to cause them to fear arrest, torture, and a concentration camp. But now after months of waiting—what do we see approaching—Russia with its communistic doctrine.

The Communist doctrine ridicules as hypocrisy the Christian concepts of charity, virtue, monogamous marriage, and home life. Lenin instituted a postcard divorce and remarriage law. All a man had to do was drop a post card in the mail stating he had ceased to live with one woman and was living with another. This morally irresponsible way of life is against every one of the world's leading religions—all of which teach the sanctity of marriage. Communists regard the home and family life as evils to be abolished. The young are to be provided with institutional rearing. The Communists constantly trample underfoot the press, the radio—poking fun at our Christian American way of life and advocate the Marxian system of Godless pagan principles. They are out to destroy America—free enterprise, profit system, and rights of individuals to own anything. Their way would be rationed, centralized, all for the state policy.

The American Council of Christian Churches has adopted a strong resolution calling upon the church people of America to stand solidly against any further appeasement of Russia. They declare the Christian doctrines are now challenged by aggressive communism.

Many loudly proclaim liberalism but most of the liberalism of a lot of societies is nothing more or less than counterfeit communism.

The Greek proposal is simply to my mind an action for the defense of our country. From every cemetery in Europe and in the Pacific, where sleep our American comrades, comes a reminder of our pledge—that war must not come again. We tried appeasement after World War I. Today Russia feels secure—that we are too occupied with domestic friction—our isolationist background—an indifferent attitude to do anything about her aggressive foreign policy.

I know the full import of this stand. Russian domination means revolution by Communists to gain power. Police and firing squads to wipe out opposition—and requisition of all valuable factories and goods to be taken to Russia. Russian countries are areas of poverty.

The United States offers a stabilized peace—a build-up of the countries—that believe in the Bill of Rights.

By contrast, Russia offers these things:

First. Revolution in all countries for Communists to gain control.

Second. An international police to advise on terror and liquidation of opponents.

Third. Requisition of factories and supplies to build up Russia.

Fourth. Russian-dominated countries will be poverty areas.

Russia has sought and has gained strategic victories by maneuvering her fifth columns and political weapons against weak countries.

From the Baltic to the Adriatic, behind the iron curtain, lie all the capitals of central and eastern Europe. Warsaw, Berlin, Prague, Vienna, Budapest, Belgrade, Bucharest, and Sofia and their millions are under the control of communism. Athens, the birthplace of democracy, alone is not under communistic power.

In peace as in war, the only strategy that succeeds is an offensive one.

Oh! You say we cannot fight communism with bombs—I agree, but you can fight an idea with a better idea—if you back up your idea with planning and money.

You cannot use the United Nations because Russia has the veto power. She has consistently used this veto power for everything we proposed. Does anyone think she would not use it in the Greek-Turkey question?

The United States must assume the leadership and expect to rally all other peace-loving people who believe in a bill of rights, to our side.

The basic trouble is that Russia, like all dictator nations in the past, thinks appeasement is weakness. Communism is the only force in the world today that threatens peace.

To sum it all up, our action in Greece and Turkey is an action to build them up, not an action to take over the British interests. It is just an action for defense of American people and will prevent World War III.

The alternative of not aiding Greece and Turkey is far more serious than aiding them.

I believe communism to be the enemy of true democracy and all religion, the outspoken foe of all freedom, and in fact the headquarters of the greatest slave market the world has ever known.

What is pressing in on Greece is not a few mountain rebels, but Russian communism. This terrific force is trying to break through as a further step toward setting up world communism.

After two world wars in our generation, we should know by now that you cannot stop aggression by appeasement.

I again repeat—Russia will not stop. She uses the same tactics as Hitler, preaching appeasement, lulling her enemies into a sense of security—and then devouring them.

Do not forget this—some think communism is a political party. It is far more than that. it is a way of life; and remember, Joe Stalin said last spring, "Communism and capitalism cannot survive in the same world. Capitalism must be destroyed."

In case of doubt on any question, I will always be on the side of what I believe to be for the best interests of our country, and alongside of this I am convinced no nation can be strong except in the strength of God or safe except in His defense.

I shall vote for aid to Greece and Turkey.

Mr. MACY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. MACY. Mr. Chairman, it is not without misgivings that I support this measure which is, in my opinion, a doubtful stopgap against the flood of European statism.

The best we can hope for from a governmental panacea of this sort is the retarding of out and out statism in countries where many assert that statism is inevitable unless our free enterprise system is proven workable outside our own borders in a modern economic age.

Mr. HAYS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

AMERICA'S MORAL LEADERSHIP WILL BE HELPED, NOT HURT, BY THE EXTENSION OF AID TO GREECE AND TURKEY

Mr. HAYS. Mr. Chairman, two objections have been repeatedly urged against this bill: First, that America's moral leadership will be damaged and, second, that the program authorized by

the measure would expose us to startling new dangers.

Now, let us look at this charge that moral principles are involved. The hearings are deficient in this respect. A number of witnesses representing various organizations appeared before the committee to plead that any display of force to protect the independence of Greece and Turkey would impair our moral position in the world.

In the debate today opponents have asserted that the bill would bypass the United Nations and would hurt our influence in the world. They invoke the principles of moral leadership. The implication is that use of force is incompatible with a strong moral position. They speak of the rule of law as if it can be maintained without an enforcing power. The hope of a long reign of peace is indeed the United Nations, but that hope will never be realized until an adequate force is at the disposal of that great agency. It should be a latent force, but it must be available just as the police force is available for the execution of judgments in the domestic courts of this land. No one can seriously contend that the United Nations is so equipped today.

Some of the voices raised in protest against the use of force to put down disorder and to protect the independence of Greece and Turkey would inveigh against any force at all, even that exerted by a multilateral agency devoted to the peace. Underlying this point of view is the false assumption that force is used only by violators of the peace. Brigands use force, peaceful men must not behave like that. But police must use guns, too. I am not arguing here for military activity by the United States in the affected area except to the very limited extent outlined by the bill. I am arguing only that the strengthening of these two nations whose peace and sovereignty is threatened is not only justified in the light of our own national-security needs but is an act of international morality. It would be immoral not to exert ourselves in defense of our institutions and our ideals. If we were setting ourselves against the policies and aims of the United Nations the arguments of those who speak of moral leadership would have validity but Mr. Warren Austin's message to the Congress dispels any semblance of support for that contention.

I think I know what is in the minds of the opponents and I appreciate their earnest and sincere espousal of a cause. They should not be dismissed with the reply that they may have their moral claims, that we will be practical. To be sure ours is the practical way but it is also the stronger position morally. It is unfortunate that the banners of idealism were seized by groups whose record before Pearl Harbor and afterward reflected an unwillingness to defend our beliefs.

Do we believe in liberty? Do we believe in international decency and in respect for the rights of small nations? Do we believe in the standards of national morality that have made America stand out? Do we believe enough in these things to sacrifice for them? That is the issue and to decide that issue on the basis of using our resources for defending a strategic area in the world is to exhibit moral leadership.

The other objection is that the action contemplated by the bill would lead us into dangers—conceivably, it would. It is only because the other alternative is even more dangerous that we should accept this course. Surely the preceding speakers have been convincing on that point. The dilemma is not pleasant. The bill involves heavy expenditures at a time when we all wish to spare our burdened people. It is only because the dangers of inaction are greater and are certainly more imminent that we should approve this bill.

Our world is full of dangers and perhaps it will continue to be a dangerous world till the youngest among us are old men. We cannot escape danger. The colored preacher who lived down our way was right. He was asked if he had prepared his people for the dangers of the atomic bomb and his reply was, "No, I have not. I figure that we are always here at a very great risk."

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

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

Mr. CARROLL. I yield to the gentleman from Ohio.

Mr. VORYS. Mr. Chairman, I ask unanimous consent that all Members desiring to extend their remarks may do so at this point in the RECORD.

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

There was no objection.

GIVING TO BOTH SIDES

Mr. WEICHEL. Mr. Chairman, while the House is debating the present bill of money to Greece for the supposed purpose of stopping the spread of communism throughout the world, at the same time, and while the debates are going on to give this money, our Government is actually sending millions of dollars of goods and machinery to Russia. Only this week there are locomotives going from my district direct to Russia and in addition machinery for mining. And in the New York Times of Wednesday, May 7, the State Department is now making arrangements to exchange 50 Russian scientists so that Russia might have full and complete scientific information as to what is going on in this country. By what kind of reasoning can the State Department ask for hundreds of millions of dollars to stop the spread of communism and at the same time give to Russia untold millions of dollars of heavy durable goods in the way of railway equipment, farming machinery, and mining machinery and invite 50 Russian scientists to come to this country to have the benefit of our scientific achievements.

Mr. LANDIS. Mr. Chairman, it is admitted that the proposed loan for Greece and Turkey is for a military adventure aimed at stopping Communist aggression.

It is needless for me to say that I now and always have opposed communism or any attempt to force any kind of a totalitarian form of government upon our people. I have never hesitated to speak against Communist aggression and call attention to the menace of that foreign ideology. I have spent many hours trying to bring to the attention of my people what communism would do to this country. However, I am voting against this loan for I believe that the immediate situation in Greece, and similar problems in the Middle East and elsewhere, are definitely in the realm of the United Nations responsibility and not that of the United States or any other one country alone.

Approval of this loan will lead to similar demands from many other countries. Korea, China, India, Iran, Iraq, and others will contend they are endangered by Communist aggression and request aid from this country. Demands will come thick and fast. I believe it is of far more importance that we first try to set our own house in order by combatting communism here at home. Instead of authorizing huge gift-loans for foreign countries I believe we should give first consideration to providing adequate hospitalization and medical care for our disabled veterans and better welfare benefits for our elder citizens.

No one knows how much the new foreign policy we are embarking upon will cost, or when that cost will end. No one knows how many other countries will demand aid of us to stop the spread of communism. No one knows whether the enactment of this policy will result in war or in peace. No one knows whether this is the best way or the worst way to accomplish our desired purpose of bringing peace, liberty, and freedom to the peoples of the world.

If this new proposed foreign policy is to cost the fifteen to thirty billion dollars many estimate it will, if we are to continue to furnish the food, the clothing, the machinery, and the equipment the world demands, there is a strong possibility we shall so weaken ourselves here at home as to fall an easy prey to those Communists within our own country who are attempting to destroy our representative form of government.

During this debate, our able colleague, Representative REED of New York, inserted in the RECORD a printed article stating that Lenin, godfather of communism, boldly declared: "We shall oblige America to spend herself into destruction." The endless schemes of planners to spend the American Republic toward destruction are without end. Is it only a coincidence that this mad spending fits perfectly into the well-known and diabolical Communist objective to bankrupt us? Where will this proposal to pour money into every trouble spot in Europe end?

From a humanitarian standpoint we should be willing to aid starving people abroad with our surplus food and supplies, but we cannot continue to consistently finance the rest of the world without eventually bankrupting our own country.

If we really want to aid the peace movement we should pass House Resolution 73 which abolishes compulsory military training throughout the world.

Mr. DINGELL. Mr. Chairman, the matter of Greek-Turkish assistance, now before us, can properly and promptly be resolved if you will ask yourselves these few pertinent questions:

Are you for or against communistic encroachment upon the world?

Are you for democracy's survival or against it?

Are you of normal vision or myopic?

Are you sincere or hypocritic?

Are you debating or just gassing?

Are you thinking or just guessing?

Are you saving or wasting precious time?

Are you talking cash or conversation?

Are you talking sense or nonsense?

Are you putting up or shutting up?

Are you serious or just demagoging?

Are you saving or wasting?

Are you penny-wise or pound-foolish?

It is as simple as all that.

Mr. HULL. Mr. Chairman, for many weeks, the Congress has been reviewing appropriation bills for every domestic purpose. Discharges of millions of employees have been demanded, and to the extent of at least a million of such employees have been released. The activities of departments have been and still are being curtailed. Projects which have been under way have been abandoned, and others forbidden. Even now, in appropriation bills still to be considered, threats are made regarding appropriations to expand the Rural Electrification program, which has become so essential to agricultural progress in all parts of the country. Other activities for the benefit of agriculture likewise are being condemned. The reclamation policy also is to be crippled and denied the loans through which expansion would be possible.

There is scarcely a program or policy relating to domestic affairs which will escape the ban as the fiscal measures are brought in. The Federal budget is to be balanced and a reduction of income taxes brought about. Not in many years have so many proposals for economy in Government been proposed. Many of them are likely to become effective. Even the school-lunch funds, which have been so valuable to millions of school pupils, are under consideration for curtailment or abandonment. The many thousand young pupils in the day schools for Indians may be put on the list of the hungry, as well as the destitute, if the will of the advocates of economy is to prevail.

Hours might be spent in barely enumerating the items which it is proposed to pare down to the limit.

All this is necessary in the views of some proponents of economy. Our huge national debt is pointed to with shivers of fear. Our country is said to be in a sorry plight, and worse may come. Our economic stability is so seriously threatened, according to some, that only by the most drastic measures can it be saved. The prospect of an early commercial and industrial depression which will affect town and country alike, is emphasized among the dangers said to be imminent.

While all these dismal predictions are being made as to the fiscal situation, Congress is being urged to provide most expansive and extravagant appropriations to foreign countries, amounting to billions of dollars in the next year, with a continuance of the policy of extravagance indefinitely in the future. When considering domestic appropriations, the need of keeping America strong is declared. When pressure is applied from foreign capitals, we are asked to reverse our attitude and permit our country to become exhausted and possibly made bankrupt in an attempt to stabilize the economy of all other countries.

In our own affairs, every request for appropriations is carefully scanned. Every proposal must be justified in detail. In foreign loans and grants, the most meager information is acted upon, and not even investigation and supervision of expenditures is required.

At present, according to the Committee on Foreign Affairs, the requests actually under consideration by Congress for the assistance of foreign countries amount to $1,995,000,000—nearly $2,000,000,000. The same committee compiles a list of estimated expenditures of such loans and grants which far exceeds the requests. Its total is placed at $3,643,000,000. That total does not include expenditures for our armed forces in occupied countries abroad.

The bill before Congress for assistance to Greece and Turkey is only one of the many which will come up for action. It provides $400,000,000 for its purposes.

Of that, $11,000,000 are proposed to be expended on the railways of Greece. There is not a word in the committee report as to how such a figure has been arrived at, nor as to how many private fortunes will be restored; not a word as to the foreign stockholders in such railways. Out of thin air, comes the estimate. No provision is made for a just and complete accounting of the moneys spent.

For the Greek Army it is proposed to expend $150,000,000. After VE-day, our Army had to exceed $10,000,000,000 of surplus war commodities abroad. It was sold or given away to various governments. Who is to furnish the additional supplies for the Greek Army? Are they to be bought in our own country, to the further profit of our munition makers, or sold by the nations which obtained such immense supplies from our surplus commodities practically abandoned to them under lend-lease or otherwise.

Similar questions might be asked regarding the $20,000,000 for agricultural rehabilitation, and $50,000,000 for reconstruction. How much of the $80,000,000 for consumer goods will go for the poor and destitute, instead of for commodities less essential. Over $50,000,000 now are available under other appropriations for the direct relief of the destitute of Greece, and other funds are available from UNRRA. This bill and the committee report do not give any assurance that the poor of Greece will be cared for. Our experience under the distribution of foodstuffs by UNRRA was so deplorable that even the facts about it are unobtainable. Why should Congress blindly vote away $400,000,000 without even the possibility of knowing for what it will be spent, who will get it, and who will make exorbitant profits at home or abroad because of such congressional indefiniteness in the measure under consideration.

For Turkey, an even $100,000,000 are provided, mainly for the armies of that country to be expended by the Government of Turkey. Not a line provides for any accounting, any explanation of how it is to be spent, nor where and to whom.

This step toward sending out more billions of money to foreign lands for uncontrolled spending is justified by some as necessary to fight communism and stop the expansion of Russian power in Europe. However commendable such a purpose may be, will this measure prove effective? Is it the first step toward another World War, as some seem to fear? The vast majority of our people are opposed to communism in our own country, and to its spread in Europe. They are as strongly opposed to Russian domination which in the remotest degree threatens the security of our country at home or abroad. But will this measure bring any assurance that it will prove effective?

Have we not had our own experience in Yugoslavia, where Marshal Tito's military dictatorship wheedled over $600,000,000 from our post-war relief program? That dictator built up his army and his political gang with the funds. He now is an associate in any plans for Russian aggression, and spread of communism. The poor and destitute of his land received almost nothing. The funds were spent to build up a totalitarian dictatorship whose existence has became an additional threat to Greece. Because of it, this measure is deemed necessary. Our generosity has been turned against us by Tito and his gangsters.

Days have been spent in debating this measure in the House. Minor amendments have been appended in the other House. It remains incomplete for our own protection and for the purpose for which it is proposed. Before Congress sends more funds abroad, it should make a full and complete investigation as to what has been done with the billions already spent. It should safeguard any further appropriation against wanton waste, extravagance, and squandering which has characterized all our endeavors to win peace for the world by huge sums from our own treasury.

Mr. LEONARD W. HALL. Mr. Chairman, it has been fully evident throughout this debate, that we have all been gaging the risks that are potentially inherent in this measure. There are some who do not see the necessity of intervening in any situation anywhere beyond our boundaries. Some would not intervene here in Greece and Turkey but would step in somewhere else.

For my own part, I have come to the considered conclusion that it is time to draw the line—now.

It is time to give the bipartisan foreign policy of the United States force and effect now.

It is time to say "Thus far and no farther" to Communist leadership and design. So far, Communist policy has

done nothing but push and shove to expand its frontiers.

Unchecked, Soviet leadership will inevitably challenge the world and, therefore, challenge our own American security and interests.

The threat of communism in the Greece-Turkey area must be halted. Today, in Greece, we are witness to communism ruthlesly pushing its way through the creation of strife and turmoil, poverty, hunger, through the desperations of a stricken people.

If we are concretely, realistically, to champion the rights of freedom, we must help sustain those things freedom means. Without our helping hand, through the practical aid that this bill would afford, there is no other outlook in this now blighted area of the world except of human subjugation, human degradation, and political chaos. Communism is on the march, communism that fattens on poverty and the desperate discouragements of human beings; communism that counts on such situations for its acceptance that contrives and connives at conditions where a stricken people, in order to live, will exchange freedom, self-respect, human dignity, for a minimum of protection and existence.

It is unfortunate that the United Nations today are not in a position to undertake directly to prevent Communist aggression in this near eastern area and to help in the rehabilitation and strengthening of Greece and Turkey. Certainly, if the United Nations today were not powerless to act—and we all know why it cannot act—it would be its objective, as it is ours, to aid in the rehabilitation of this area.

We all know the strategic importance of Greece and Turkey in world geography. Control of them means control of the "underbelly of Europe." It means control of the Mediterranean; it means control of the Dardanelles; it means flanking pressure on all the borders of the Mediterranean area.

If communism moves in, it will have a strong strategic position from which to maneuver and to mount pressure campaigns on southern Europe, Asia Minor, north Africa, and eventually South America.

Knowing as we do the history of Soviet actions and policy, I simply cannot bring myself to believe that Communist leaders would be reluctant to seize this opportunity, should we provide it by failing to give support to Greece and Turkey.

It is not enough to think in terms of the world today. It is not enough, also, to rest on our own power and strength as we know it today. The world will move on and we are under the heavy obligation to leave nothing undone at any time to strengthen our present and future security position.

We should not be willing to gamble the future of the United States for the sake of attempting to save the sums of money represented in this Greece-Turkey aid proposal. It is an investment that I feel we should make, both for our future security and to help achieve lasting world peace.

If Communist leaders want peace, a simple matter of aid to Greece and Turkey will not break it. If they are bent on war, no amount of appeasement can stop it.

The choice, then, is not in our hands. We have no choice but to take our stand, with that of other peace-loving nations, at key points of the world, and take it now while we still can fashion and influence the things to come.

Mr. ROBERTSON. Mr. Chairman, I have followed the debates on the Greek-Turkish loan with intense feeling. The issues are complex and clouded by many excellent bursts of oratory and fine speeches, but under the maze of arguments a true and strong undercurrent flows. The basic issue, as I see it, is the defense of the United States.

The great majority of the Members of this Congress are utterly opposed to the ideology and practice of communism. The defense of this continent and the world from the imposition of Communist government and rule calls for varied plans and courses to follow.

This particular piece of legislation sets forth one of these plans in strong language. It serves notice upon the Russian Government that the United States is still willing to make sacrifices to attain the goals for which its sons have fought. It is a complete reversal of the heretofore prominent approach of appeasement, which so miserably failed against Hitler, and is so miserably failing against Stalin. Appeasement has always been the approach of the democratic countries, where man has faith in his fellow man, where war is abhorred at almost any price. But there are some things which no freedom-loving man will endure, and when appeasement fails time after time, war stalks the world.

Today we are called upon to act to end the period of appeasement of Communist rule. It has been eloquently argued that this is a commitment toward war. But it has been equally well argued that this is the better calculated risk. It is better to call a bluff when you know the strength of your opponent's hand than to wait until he has gained strength by effectively manipulating his bluffs over a period of years.

The people of the United States have showed almost unanimous accord in supporting the trend to be positive in our dealings with Russia. When the Honorable James F. Byrnes was Secretary of State he was lauded for his efforts to be firm with Russia. Secretary Marshall has been praised for continuing and strengthening this stand. Today Secretary Marshall and the President are asking for our support of a positive program to oppose the spread of communism into the free countries of the world.

If we let them down here, as the representatives of the people of this great Nation, we are giving Stalin and his puppets the green light. Theodore Roosevelt urged that the United States speak softly, but carry a big stick. Secretary Marshall is asking for a big stick. Shall we give it to him, or shall we tell him to continue his fight with words without the true support of the Nation? The basic problem is one of defense of this Nation from Communist aggression. Viewing the problem in this light, I feel that the Greek-Turkish loan merits my vote.

Mr. PLUMLEY. Mr. Chairman, such prolonged debate on the vital question before us as that to which we have listened in all probability will not change a single vote.

I do not propose to discuss the matter at any length, because, in the first place as I have said before, I reiterate, the time for talk has passed. We face today the heavy responsibility of bringing peace to a war torn world. The unsettled conditions which make this problem so difficult of solution are familiar to us all. They present a real challenge to our generation; one which we cannot ignore nor fail to meet. The course which we chart during the coming months will determine whether the world is to march forward into an era of lasting peace or merely snatch a fitful breather before plunging headlong into another war.

The framework for peace is, in the main, being designed by two great nations—our own and Russia. The struggle for its design goes on apace. Anxious eyes follow every move of these principal contenders, seeking to determine the shape of the final outcome. The attitude and statements of our representatives to the United Nations and to the peace conferences are being analyzed in the light of the actions we are taking here at home.

As Delegate Warren Austin has repeatedly said, the proposed aid to Greece and Turkey does not bypass the United Nations, but is and would be a most necessary and contributing support to the United Nations Charter.

We need to act promptly, in the interest of international peace and to attune our military policy to the requirements of our foreign policy. We should move without further delay to strengthen our hand at the peace table by enacting the proposed legislation. Time is of the essence. Unless we stop talking and go to doing something in our own interest we will wake up again to find we have done too little too late. Can we learn nothing from experience?

In my judgment the passage of the act before us will prevent, it will not provoke, war. So I shall vote for it and against all crippling amendments.

Mr. BURKE. Mr. Chairman, this legislation, it seems to me, involves four over-all broad considerations:

1. THE SPREAD OF COMMUNISM WITH ITS DENIAL OF WESTERN CHRISTIAN CIVILIZATION

This is not the first time the East has challenged the the West. Attila and his Huns were turned back at Chalons in the fifth century. The Mohammedans were turned back at Tours in the ninth century. Both movements reached France and were there stopped.

In the sixteenth century, the Turks drove to the middle of Europe. They have gradually retreated under pressure to the Dardanelles and have remained at the Bosporus because of their international value in guarding this ancient strategic bridge between Europe and Asia.

The world is big enough for its peoples if properly oriented. They have terrible times keeping settled down. Between ambitious, selfish, and power-drunk leaders and the people imagining vain things, there are political eruptions here

and there at times engulfing the whole planet. The age of the aggressor may not be over; but nations and peoples that selfishly throw their weight around are no more to be tolerated. Communism has ample space in eastern Europe and Asia to work out its destiny.

2. THE FEAR OF WORLD WAR III

This can never be prevented by placing our country in a "sitting duck" position. America should have a positive, affirmative, foreign policy. The nations of the earth should know, without the peradventure of a doubt, where we stand and what we stand for. They should feel the full pressure of our implementation of that policy. Let us never be a saber rattler nor a pollyanna appeaser. Unskilled diplomacy follows these bankrupt policies. Both of them invite war. America should stand for justice and freedom, fair and mutually reciprocal economic relations, religious and social education leading to practical ways of peace, and a spirit of good will without complacency to all peoples. All peoples and nations have their points of interest.

3. THE BYPASSING OF THE UNITED NATIONS

I have been an advocate of a League of or a United Nations since the days of Elihu Root, William Howard Taft, and Woodrow Wilson. I still believe in a World Court and the development of international law. The United Nations can never act as an executive force until it has a police force. The nations have not gotten around to this yet. Some day they will. Atomic energy and modern implements of war may drive them to it before they can be educated to the ways of peace. Otherwise many may prepare to go the way of Babylon, Athens, Rome, and Angkor. I do not think this bill bypasses the United Nations in practical effect. It is unfortunate that the action proposed in this bill has not grown too vigorously out of its Council and Assembly, but it apparently could not. On the other hand, I have not liked some implications involved in the early approach to this legislation. I hope they prove unfounded, and that the implementation of this legislation will be placed on the highest level of moral, social, and patriotic consideration.

4. THE EXPENDITURE OF $400,000,000

I would like to save that, too. We could well use it here at home. But if it forestalls a third world war, it will be well spent. If the communistic forces in eastern and central Europe want peace, our action will not provoke war. If they want war, this action may prevent it.

Mr. TWYMAN. Mr. Chairman, the proponents of this bill saw fit to divide among themselves the majority of the time to be devoted to this debate. At first I did not like the idea, as I felt that those who were opposed to this bill should have equal time. However, it is just as well because the more the advocates of President Truman's measure talk, the easier it becomes for Members of Congress to vote against this bill. The smoke screen is lifting. We are seeing this thing more realistically. The proposal first started out on the claim that it would stop communism. It is seen now that it will not stop communism and was never so intended. One gentleman was very frank when he said, "The resolution is military in character and for that reason and that alone I give it my wholehearted support." Another gentleman said, "I do not know much about the detail of its import, nevertheless, I am convinced that it is for the best interests of our country that it be adopted."

It is slowly becoming quite apparent that the stopping of communism and the spreading of freedom are phrases that should not be used in this discussion. The figure $400,000,000 should be erased and a blank left in its stead, because it is admitted by proponents and opponents of this bill that this is liable to cost us between fifteen and twenty billion dollars. The most energetic advocate for this proposal guarantees nothing and assures nothing.

What we are going to do if we do anything is to protect a lot of international interests, and they are not necessarily American interests in the Near East. Why not be frank about it? Why deceive ourselves as to what the true object is? The real advocates for this bill are the big international interests. I have no quarrel with the international interests. If they want to protect their properties I hardly blame them, but they are not going to protect them with American boys and American dollars. We have just emerged from a very weakening World War. We are just digging ourselves out from all of the restrictions that go with a war and a Commander in Chief. To engage upon this hazardous venture would mean the return of price controls, rent controls, the impossibility of even considering corrective labor legislation, or reducing the budget or cutting taxes, or any of the things that we set out to do so bravely when this Congress first met. I shudder when I think of the possibility of the passage of this measure.

When the President spoke to this body at a joint session on March 12 we were told that this was an urgent matter that must be completed by the 31st of March. The 31st of March has come and gone, and this is no more urgent now than it was then. If it ever becomes necessary for us to take such a dangerous step, we can always do so. Delay will result one way only, and that is to make America strong. The best safeguard against communism or any other false ideology is a strong United States. I am beginning to believe that the urgency that existed before March 31 was for the purpose of making a show of strength when General Marshall went to Moscow. If that was the case, it is no longer necessary, because General Marshall is back home. The outcome of his visit to the Kremlin is fairly well known. If we really want to show our strength to Russia we will in the future insist that any future conference of an international nature involving the United States should be held in the city of Washington. This should be the meeting place and not the Kremlin.

To those of you who may be in doubt as to how to vote on this bill I urge you to vote against it.

Mr. DAWSON of Utah. Mr. Chairman, in supporting H. R. 2616, the Greek-Turkish loan, I am doing it with a conviction that we are obligated to uphold Secretary of State Marshall who has made a last minute appeal to the House for passage of the bill. I still have some doubts about the advisability of this action, but feel that we must resolve these doubts in favor of the bill when a man in a position of Marshall has asked such cooperation.

Russia, it seems, has most respected us when we have been firm with her. This bill is a definite move in the direction of a firm policy toward her.

The situation today resembles a similar one before World War II. One of the saddest stories of that war was the way we treated Finland, the only nation who honored her debts with us to the last. Yet, theoretically she was our enemy. Why? War makes some strange bedfellows. Because of being allied with Russia we had to treat Finland, who had ruthlessly been previously overrun by Russia, as an enemy. Finland naturally fell in line with Germany as her only source of redress. If I were a leader of that hapless country, I may have voted to do as she did.

Russia had a treaty with Germany before she was attacked by the hordes of Hitler. It was doubtful which way she was going until Germany struck. Furthermore, previous to this as the German armies pushed through Poland, the Russians stepped in. Why, to help Poland? No. For her own selfish interests, in taking sections of Poland which she now retains.

What has Russia done with the three little Baltic countries, Latvia, Estonia, and Lithuania? She claimed to take them during the war into protective custody, but I notice that she is still protecting them. At least, from the Soviet's way of thinking.

And so it will be with Greece and Turkey if the United States does not actually assist them.

I have heard some say this aid is in violation to our Monroe Doctrine, but it is not. Greece and Turkey have asked for this assistance. The passage of this bill is a continuation of an international policy of ours for half a century or more. On their invitation, aid was sent Cuba and the Philippines in 1898. Had it not been for American intervention following the Boxer uprising in China in 1900, that nation was heading for vassalage or partition, but John Hay, American Secretary of State, stubbornly insisted on the open-door policy.

Of course Russia and her sympathizers are against this bill. That is proof to me that her plan is to gradually allow these countries to weaken, even she appears to participate in it, and then take them over as she has done with others, one country after another.

If this bill is defeated now, it will be taken as a vote of confidence to Russia, and a signal to the world that we are again going to take the position of isolation which we were accused of before World War II.

It is my belief that in every country where communism now dominates, except Russia, it is where a strongly organized minority have taken over the Government by force.

Some have claimed that passage of this bill will bypass the United Nations, but that is not true. For months Greece has asked for assistance from that body, but due to Russia's clever plan of hindering action, nothing has been done thus far.

Senator VANDENBERG's amendment to this bill permits the Security Council of the United Nations the right to defer United States assistance by a majority vote, and we waive our veto.

I have confidence in democracy and the American way of life. This bill to aid Greece and Turkey is a step to continue its principles and prevent the spread of communism, the greatest threat on earth to democracy today.

Mr. JENISON. Mr. Chairman, as the House has debated through three long days this properly controversial measure to grant $400,000,000 of the American taxpayers' money to the Greek and Turkish Governments, almost every point of contention has been reviewed, and many has been repeated, as speaker after speaker came to the well of this House to express approval or disapproval of the so-called Truman policy.

I have wondered if I had any reason to rise to speak beyond the desire to give emphasis by repetition of the able remarks by colleagues who feel as I do in this matter. It has occurred to me that perhaps there are a few thoughts I might add in justice to the constituents I have the honor to represent. May I preface my remarks, however, with the observation that I face this issue convinced there is no division of opinion on either side of the aisle or within the ranks of either party as to our motive in this legislation. We are as one in seeking to pursue the course best calculated to preserve for this Nation the honored institutions of a free people devoted to the cause of liberty at home. We are as one in our desire to extend a helping hand toward people elsewhere similarly devoted to free institutions and equally willing to pay the price of liberty. And, finally, we are as one in our firm determination to take the course best calculated to protect our own land and our own people from the threat of destruction from any source, internal or external.

I submit, therefore, that our only point of difference is whether the legislation proposed will accomplish its purpose. I contend it will not. I contend it will not bring us added protection abroad. I contend it will not shore up the forces of freedom abroad. I contend it will not implement the cause of peace so dearly won. Rather it will add new fuel to which the spark of world conflagration might be applied at any moment with consequences too catastrophic for the human mind to grasp.

The sum of $400,000,000 will not buy continued peace abroad. If appeasement is to be shunned, then the attempt to settle the problems of the world with American dollars is to be shunned for it is nothing more than a financial Munich.

Even the proponents of this legislation hesitate to say these dollars will do the job. There is an implication amounting to admission that more will be necessary—and more, and more, and more. Where will it stop and where will it end? It will stop with the complete financial collapse of the only world power left today with a hope of solvency and it can end only in an America reduced to the helpless, hapless level of the lands and the people we seek to help.

Proponents have argued that we must not put a price tag on liberty. They remind us that this Congress has voted billions without question to battle the forces of aggression and to crush the threat to our land and our people. Of course you voted those funds, and properly so. We were at war and our enemies were at our very doors. But Mr. Chairman, may I emphasize with all the power at my command that we are now at peace. The shooting war is over. Now it is time to think in terms of a peacetime economy. Now it is time to think in terms of statesmanship calculated to preserve that peace rather than to talk, as so many have talked in this very spot, of a World War III. Now is the time to bend our energies and direct our action toward preserving our victory in peace. Now is the time to count costs and calculate risks with deliberation free from the hysteria rampant in the world since Hitler's legions first marched against the world.

Mr. Chairman, I submit that if we will permit deliberation to replace hysteria, if we will permit facts to replace wishful thinking we will be forced to the inescapable conclusion that we cannot dissipate our resources around the world and remain the great hope of the world for the preservation of self-government, individual liberty, and the dignity of the individual. If we are to divert $400,000,000 to Greece and Turkey, if we are to divert other and perhaps even greater sums to other nations, if we are to saddle the American taxpayer with the task and the cost of policing the world, we will find our own land impoverished financially and physically. Here is the real threat to our security. Here is the real hope of the great force now arrayed as opposed to our way of life. An America dissipated of its resources will be vulnerable to the very forces we seek to guard ourselves against. A strong America, a solvent America, a sound America need fear no one.

May I make one point further by way of a partial answer, at least, to the implication that those Members of this House privileged to serve in World War II, are convinced of the wisdom of the course proposed by this bill? I will not undertake to speak for others, but may I say as one of them that there is a certain tragic familiarity in the step we now propose to take. We hear once again the cries of emergency, the shouts of threats from abroad, the requests of other nations for American dollars and American supplies, military and otherwise. We are going to send a military mission, if you please. Where—and when—and under what circumstances have we heard all that before? We know where it took us before. What reason now prevails to indicate it will take us on an opposite course in the future? No, my colleagues, the veterans of World War II, privileged, are not as one in urging that we retrace those tragic steps. I am sure they are as one in urging that we avoid the mistakes of the past, that we weigh with due deliberation our course for the future.

Ours is the solemn responsibility of choosing the course. For my part, I will rest my faith on American strength at home, not on American dollars abroad.

Mr. FLETCHER. Mr. Chairman, on March 15, 1947, after President Truman had addressed the joint session of the Senate and House of Representatives, I released to the press the following statement:

> The United States should give prompt aid to Greece and Turkey in my opinion. However, I emphatically differ with President Truman and the Department of State in the manner in which aid should be given. They would continue to follow a foreign policy of a unilateral course of action which will ultimately lead us down the primrose path to imperialism and World War III. I believe in collective security of the United Nations and have not been in sympathy with the recent course of our foreign policy. The world had a right to expect something better of us after our foreign policy declaration of the Atlantic Charter and the "four freedoms." During the congressional campaign of 1946, I made numerous talks throughout San Diego County on "America at the Crossroads," and pointed out that at Yalta and Tehran we had already departed from our former announced foreign policy of the Four Freedoms.
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> The only hope for world peace and mutual respect among nations rests within the framework of the United Nations. Aid to Greece and Turkey should be given by us through this channel. All other nations should at least be given a chance to give in the same manner that the British Government has already voted $36,000,000 to Greece.
>
> Only through this collective security of the United Nations can sufficient moral and military force be massed to protect the freedom-loving nations of the world from agressor nations.

Since I released the above statement the bill, H. R. 2616, to provide for assistance to Greece and Turkey has been reported by the Foreign Affairs Committee to the House of Representatives with the recommendation that it do pass.

I have not changed my views from those I formerly expressed, and still believe that we should give prompt aid to Greece and Turkey as urged by President Truman, Secretary Marshall, and our other diplomatic and military leaders who have available top secret information not made known to the public. However, I have continued to insist that the only hope for world peace and mutual respect among nations rests within the framework of the United Nations. With this thought in mind, the Senator Vandenberg amendment has become a most important part of the bill. In this amendment the President is directed to withdraw any or all aid authorized by the bill if the President is officially notified by the United Nations that the Security Council finds—with respect to which finding the United States waives the exercise of any veto—or that the General Assembly finds that action taken or assistance furnished by the United Nations makes the continuance of such assistance unnecessary or undesirable.

Warren R. Austin, United States delegate to the United Nations, stated that in his opinion the United States program as planned in the bill, H. R. 2616, for aid to Greece and Turkey, does not bypass

the United Nations, and on the contrary, he stated he believed the passage of the bill would support the United Nations Charter and would advance the building of collective security under the United Nations. I also hold this viewpoint and intend to vote for this bill, which, in my opinion, is for the best interests of all Americans.

Mr. POWELL. Mr. Chairman, the proposal of President Truman with regard to Greece and Turkey confronts the United States with one of the gravest questions in its history.

Acceptance of that proposal involves complete reversal of our long standing policy in foreign affairs. It involves intervention and participation in and responsibility for the internal affairs of other nations. It involves an economic drain on the people of this country which, from a relatively small beginning, may proceed to an extent which no one can now foresee. More than that, it involves employment of the military power of the United States—again apparently on a small initial scale but again also with no predictable limits. It projects this country directly into the complexes of both Europe and the Middle East under circumstances which may well lead to war.

It has not been established why it is to the vital interest of the United States to take this step. Nor, if it can be conceded that the vital interest of our country is actually affected, has there been any revelation of the facts in this situation that make hasty action imperative.

All that the Congress or the people have been given is the President's assertion that the vital interest of the United States is involved and that immediate action is essential. And the President's address is much more remarkable for its vagueness and resort to generalities than for any light it has shed on the reasons for making it.

As a matter of plain common sense, however serious the straits of Greece and Turkey, they cannot become too much worse in the time that will be required for the open and thorough discussion of this situation which alone can give the American people the opportunity to know what they are being asked to do, what the material cost will be, and what commitments of other natures are to be made in their name.

It is the plain duty of Members of Congress to prevent hasty action—to insist that all the facts are made known—to see that these facts are laid before the people in understandable terms—and finally, to take action in the light of the facts and the expressed will of the people.

Members of Congress can serve no good purpose by premature and ill-considered statements of opinion. Such as "we must uphold the hands of the President." Certainly, our history gives abundant evidence that Presidents can make mistakes. The welfare of the country is always a consideration of far greater moment than support of the President in either national or international affairs.

Twice in a single generation our country has become involved in the wars of others. In each case, the American people endured the suffering and sacrifice of war for lofty ideals. In neither case have they seen those ideals realized. On the contrary, this country emerged from each war weaker than it entered, and after each war the world in general was in a worse condition than before. We lost men and wealth, we exhausted irreplaceable natural resources, and we bred conditions that caused widespread dissatisfaction and doubt among the American people concerning their principles of government and way of life.

Intrinsically, we are a weaker Nation today than ever before in our history. We appear strong only by contrast with a prostrate world. In this weakened condition are we now to embark on a new adventure about which we know nothing, but which may lead, first, to war and, second, to the final demoralization of the world and the disappearance of the slightest hope for an orderly society?

The two world wars caused the virtual destruction of the great British Empire Is that not a sufficient example to make us pause before starting down a road which may lead to the same end?

The President said:

> There is no other country (except the United States) to which democratic Greece can turn.

What does this statement mean? That no other country cares anything about Greece as a democratic country? That no other country cares enough to help alleviate the physical want of her people? Or that no other country has the resources to extend aid?

Under any interpretation, the implication of the President's words are far reaching. There are 2,000,000,000 people in this world. Out of this number can the 140,000,000 people who comprise our Nation be the only ones who can assume the burdens of weaker countries? Is it a practical possibility? If so, can we do it, or even attempt to do it without destroying ourselves?

The President said:

> The United States contributed $341,000,000,000 toward winning World War II. This is an investment in world freedom and world peace.

Where is the freedom and where is the peace? Is the world we have today the kind of a return on "investment" that justifies the beginning of a new outpouring of funds?

The President said:

> The assistance that I am recommending for Greece and Turkey amounts to little more than one-tenth of 1 percent of this investment.

Does the President or anyone else think for a moment that the amount he proposes will be the whole amount? Obviously, $400,000,000 will be only the start. It will be followed by other millions and billions in those countries and in other countries which, with Greece and Turkey as precedents, will make claims on our generosity.

The President said:

> The very existence of the Greek state is today threatened by the terrorist activities of several thousand armed men, led by Communists.

If a government is so weak that it cannot cope with several thousand armed men under any leadership, there is reason to conclude: First, that if many of the people of the country do not actually sympathize with the several thousand, they at least do not care much one way or the other and, second, there is little that an outside power can do to aid such a government.

If we take this action in Greece, we will in effect say to Russia, "We are opposed to communism and intend to help the governments of Greece and Turkey oppose it." Under the circumstances, is not Russia likely to reply, "You are free to do that, but if you do, we will take measures of our own to support communism." It must be remembered that Russia has many means, short of war, to foster the spread of communism; many more, in fact, than we have to oppose it. Unpalatable as the idea may be, we must also realize that many people in countries throughout the world look with favor on communism and regard it as a superior form of government. In our own country, we have a Communist movement which is far from large, yet there is little we can do to halt its acceptance by some of our people. You cannot stop a political growth any more than you can stop a religious growth—particularly by use of force. And the adventure in Greece, whatever its other aspects, is basically a use of force.

At Tehran, Yalta, and Potsdam, commitments were made for the American people without their knowledge or consent. Secrecy was excused by those who indulged in it on the ground that it was essential to war security. Yet there is little doubt today that those secret deals, in which a few men around a table played with the destiny of nations, were important causes of the world's present condition. There is no excuse now, not even a lame one, for asking the American people to move blindfolded and in haste into a situation of most serious consequence. Certainly, the time has come to end secret diplomacy.

The urgency, the need for haste which the President so strongly emphasized has an artificial quality. It smacks of the "rush act" of the high-powered salesman. Britain accepted Greece as a responsibility during and after the war. Admitting that Britain's economic condition is unhealthy, why does it suddenly become absolutely impossible for her to continue that responsibility beyond the outside date of March 31—just 19 days after the President's address? Would Britain collapse if she stayed in Greece until April 30 or May 31? Or was an almost immediate date selected to force Americans to act before they could think?

Although it has been mentioned only in passing, the thing of paramount importance in this entire matter to the United States and her people is the interest of the United States, not only the immediate interest but also long-range interest. Certainly if it is not in the interest of this country to take a step, then there can be no other good reason for it in Greece, Europe, the Middle East or elsewhere. With its present huge debt

and the other weakening influences of the War, the United States should regard any commitment with caution. This caution should be doubled and redoubled in the face of a step as grave as that into Greece with all the implications of a continuing economic drain if not the actual threat of another war. Might not the United States best contribution to the world be the rebuilding of her own strength so that she can in fact remain the strongest bulwark of free government?

These questions should be resolved before we take an action which may prove to be a costly gamble. Today, the American people do not have the information on which to base either support or rejection of the President's proposal. Congress alone has the power, and it must exercise that power, to see that the people get the facts, all the facts.

We urge that Congress decisively reject the President's request for $400,000,000 to be expended on supplies and equipment for the Greek and Turkish armies and on economic aid and for authority to send military and civilian personnel to these countries to train their armies and supervise the expenditure of funds.

Of the utmost gravity in itself, this request is the more menacing because, as is evident to all, it marks only the initial move in a new course of action on which this Nation is now asked to embark.

That course is a complete negation of the American tradition in the field of foreign affairs. True to the lofty principles of the Declaration of Independence upon which our Nation was founded, it has been our historic position to abstain from interfering in the internal affairs of other peoples and to extend our sympathetic understanding to their struggles for the establishment of forms of government conforming to their needs and desires. President Truman now urges Congress to scrap this great tradition and to commit American dollars, American arms, and American military technique to bolster up tottering reactionary regimes in every corner of the globe which, but for our intervention, could not withstand the opposition of their own people.

President Truman's proposal is equally a reversal of the solemn commitments which our Nation has entered into with its allies and made to the people of the world. Under the leadership of President Roosevelt and with the full support of the American people, our Nation shaped a one-world foreign policy. In concert with our allies and in consonance with that policy, we established the United Nations as the instrument for the realization of man's hope for a world of peace and security based upon friendship and collaboration of all nations.

President Truman now urges the Congress to scuttle this policy, bypass the United Nations and take unilateral action in pursuit of a program of aggressive American interventionism. His proposal reverses the firm policy of friendship with the Soviet Union inaugurated by his great predecessor, betrays the wartime alliance which resulted in victory over the enemies of mankind, ignores the Soviet contribution to that victory and all that it meant in terms of saving American lives. It presents a great and friendly nation in the guise of a menacing enemy to be blocked at all costs.

The consequences of this policy could only be to undermine the whole structure of the United Nations, divide the world into two hostile camps and destroy the very foundations upon which the nations of the world are attempting to build a stable and an enduring peace.

Such a policy will be disastrous to the economic well-being and the national security of the American people. It will require the maintenance of an enormous military establishment and render illusory the hope for speedy universal disarmamant and relief from the crushing burden of military expenditures. It will require the appropriation of increasingly larger sums for expenditures abroad. These will never be repaid since they will not be devoted to productive purposes.

Such a policy will inevitably consolidate the democratic forces of the world into a solid block of opposition to us and turn the reservoir of good will, upon which Wendell Willkie found America could draw, into a source of enmity and hatred. Such a policy, far from protecting our national security, will be its greatest menace, since it sows the seeds of international dissension and conflict which can only lead to war.

Since President Truman's proposal holds these consequences of gravest import to our national welfare, it is necessary that the reasons he urges for its justification to be subjected to searching and critical examination.

THE PROBLEM OF GREECE

The President bases his request for aid to Greece on an urgent appeal for assistance from the Greek Government, citing its poverty, its cruel devastation by the Germans, and internal strife as the reasons for its plight. He accuses a militant minority of exploiting these conditions to bring Greece to its present chaotic state. He asks for supplies to help the Greek armies repress this minority—composed of the very resistance forces whose heroic struggle against the invaders contributed so greatly to allied victory.

No one denies the present tragedy of the Greek people nor their need for assistance. But let us face the facts as to where the responsibility lies.

It was not the British who liberated Greece. The liberation was accomplished by Greek patriots, 2,000,000 of whom were organized into the EAM, the Greek Liberation Front, and ELAS, its military arm. Milton Bracker, New York Times correspondent, reported from Greece on October 6, 1944:

> It is apparent that the entire visible population here and, most notably, the clergy, are on the side of the EAM and the ELAS.

Other reporters confirmed that EAM included all the democratic forces in Greece, with the Communists making up only some 10 percent. After liberation EAM agreed, under British pressure and in the interests of unity, to support the Greek Government in exile and its weakling Premier, George Papandreau. When the latter took repressive measures against EAM and went back on his pledges to remove the quislings and collaborationists from power, the Greek people organized a peaceful demonstration to protest Papandreau's violations of their democratic rights.

The British-supported police fired on the unarmed crowd. So began the war on the Greek people that was later carried on under Churchill's leadership by British soldiers, tanks, planes, and the Royal Navy. Thousand of Greek patriots were murdered and driven into the hills. British tanks paved the way for the restoration of the Greek monarchy, and for a succession of inept and corrupt regimes that have continued a reign of violence and repression, failed to take any effective reconstruction measures and reduced Greece to its present state of misery.

President Truman puts the plea for aid to Greece on the ground that it must have this assistance "if it is to become a self-supporting and self-respecting democracy." He calls upon the United States to take over the role of Britain in supplying aid.

We submit that the policies of Britain have meant the destruction of Greek democracy and that aid from the United States of the kind President Truman has outlined will serve only to continue that policy, will make the Greek Government more effective in stamping out opposition, and will be of no avail in rendering Greece self-supporting.

President Truman excuses his failure to place the matter before the United Nations and its related organizations on the grounds that the situation is urgent and that they are not in a position to extend the help required.

To bypass the United Nations and take unilateral action on a vital policy of this character is to undermine the basic instrument of world cooperation on which our only hope of future security depends. If we are so concerned with the sufferings of Greece and other countries, why did we scuttle the UNRRA program? Why did we refuse to help set up a new fund for rehabilitation? Why did we oppose the Soviet request to bring up the Greek issue in the United Nations a year ago? Why do we now rush into action without even waiting for the findings of the United Nations Commission investigating conditions on the spot? The United States does not want economic aid to Greece to be extended through an international agency. President Truman insists on arrogating that function to the United States alone.

THE GREEK ELECTIONS

President Truman, acknowledging that the Greek Government is not perfect, insists on the representative nature of the Greek Parliament, and says that foreign observers considered the elections fair.

An Allied mission did, to be sure, whitewash the election results. Chicago Sun and PM Correspondent W. M. Fodor reported that its members were unfamiliar with Greece, saw little of the countryside and drew their information largely from Royalist circles in Athens. An examination of press reports before and during the elections of March 31 last, and the plebiscite of September 1, reveals that a wave of violence and murders preceded the elections.

Not only Leftist, but Centrist groups demanded postponement of the March 31 election date on the ground that fair elections were impossible under such disordered internal conditions. Ten cabinet ministers quit their posts in protest over the early date of the elections, but Britain and the United States insisted there be no postponement. Left wing groups boycotted the elections and official government figures, reported by the UP, the AP, and all the major correspondents, showed that over 50 percent of the electorate failed to vote. In addition, it was generally conceded that the registration lists were padded with dead men, and that the Populist—pro-Royalist—vote was swollen by "repeaters." How could the slight majority of the votes won under such conditions by the Populists possibly be considered a true and free expression of the people's will?

The plebiscite on the restoration of the monarchy which was held September 1, was similarly preceded by a wave of terror, assassinations and jailings. British troops were in the country, American warships steamed into Greek ports. Under such conditions the fact that some 65 to 70 percent of the voters presumably cast their ballots for the King's return likewise cannot be considered the freely expressed will of the majority of the people. The actual plebiscite results are unknown since the government issued at different times contrary sets of figures.

The nature of the monarchy we are now asked to support, was reported on shortly after the plebiscite by several American correspondents, who took a 7-day jeep trip from Athens to the Yugoslav and Hungarian frontiers.

The New York Herald Tribune of September 16 headlined Seymour Freidin's story "Reporter finds reign of terror rife in Greece, says monarchists belittle democracy in crushing all foes of their regime." Wrote Freidin:

> The fury and hysteria attendant upon the Greek Government's campaign to efface opposition to the restoration of the monarchy are cutting entire communities off from food, wrecking the UNRRA antimalaria program and consigning thousands of innocent women and children to exile or prison * * * the word "democracy" is becoming synonymous with death and slavery.

And on September 15:

> The prevalent sentiment among officials in the region is that all nonmonarchists are per se Communists. The officials say they will hunt them down and exterminate them. * * * The Government, moreover, has sanctioned the activities of at least two large bandit groups.

Robert Conway, of the New York Daily News, reported:

> The Greek Government's Army and gendarmes are waging a pitiless war on scores of thousands of women and children in a desperate effort to halt a growing rebellion and wipe out not only Communists but all democratic, liberal, and republican elements. This correspondent is compelled to state that the supporters of King George II are now staging a total civil warfare of the cruelest and most inhuman sort.

Shall America give dollars and supplies to enable the Greek Army to carry on this work?

TURKEY NOW NEEDS OUR SUPPORT

The President found it necessary to put the question of aid to Turkey in somewhat blunter terms. For Turkey was not ravaged by war. On the contrary, Turkey not only refused aid to the United Nations but under the cloak of neutrality, sold vital war materials such as chrome to Germany, and permitted German and Italian warships entry into the Black Sea to fight our Soviet allies. Moreover, there can be no pretense that the Government of Turkey is democratic. The President therefore bases his plea for aid to her on the alleged necessity of defending her national integrity, and preserving order in the Middle East. To these ends we are asked to help maintain her army of a million men since Britain is no longer in a position to do so.

Let us speak plainly. Against whom are we to maintain Turkey's national integrity? The Soviet Union? The Soviet Union is not threatening the national integrity of Turkey nor of any country of the Middle East. The Soviet Union is deeply and justifiably concerned with her own security in the Straits, and has requested that this be assured through appropriate international agreements. Is this an unreasonable request? If we are concerned with maintaining control over the Panama Canal, some 1,300 miles from the tip of Florida, if Britain is concerned with maintenance of control over the Suez Canal, over 3,500 miles from Britain's shores, why should not the Soviet Union's security interests in the Straits, about 350 miles from the port of Odessa, receive serious consideration? The United States and Great Britain would surely resist international control of waterways of such strategic importance to themselves. Why then should we wonder at the attitude of the Soviet Union in insisting that the control of the Dardanelles is a matter for the Black Sea powers and that the Soviet Union and Turkey should jointly fortify them to prevent their use by other states for inimical purposes?

The best guaranty of our own security would be to recognize the right of the Soviet Union to secure its own borders and hold the key to its own house, just as we insist on that right for ourselves and for Great Britain..

A PROGRAM FOR POLITICAL AND MILITARY INTERVENTION

We now come to the basic motivation for the program proposed by President Truman:

> One of the primary objectives of the foreign policy of the United States is the creation of conditions in which we and other nations will be able to work out a way of life free from coercion. * * * We shall not realize our objectives, however, unless we are willing to help free people to maintain their free institutions and their national integrity against aggressive movements that seek to impose upon them totalitarian regimes.

Since neither the Greek nor the Turkish Governments meet the description of "free people maintaining free institutions," the whole case for aid to Greece and Turkey on these grounds falls apart. The program is revealed in its naked reality—a program for American political and military intervention to keep down people's movements in any state where we fear that popular elements might gain control and friendship with the Soviet Union prevail.

This is in direct contravention to the principles of the Atlantic Charter and in violation of the United Nations Charter. It is designed to prevent democratic movements of the people from determining their own forms of government. It reverses the whole policy of cooperating with the Soviet Union as a friendly partner in the making of the peace as she was a valiant ally in the war. It assumes a threat of aggression from the Soviet Union of which there is no evidence, while on the contrary there is every evidence of the desire of the Soviet people and their leaders for peace and for continued cooperation among the wartime allies.

This is the logical projection of the program inaugurated last year by Winston Churchill in Fulton, Mo., where he called for an Anglo-American diplomatic offensive to block the Soviet Union. The British have failed in their part of the arrangement and now we are asked to take over the whole bankrupt policy.

FREEDOM VERSUS TOTALITARIANISM?

The charge that a number of countries have had totalitarian regimes thrust upon them against their will, referring to certain countries of eastern Europe, cannot be substantiated. These countries today have more democracy than they have ever known before. Reactionary, feudal regimes which were subservient to fascism have been replaced by people's governments. The use of the phrase "totalitarian," a term applicable only to Fascist states, is out of place both in relation to the Soviet Union and to the new democracies in eastern Europe. The Soviet Union has not sought to impose her own form of government on other peoples. The type of state being developed in eastern Europe is indeed in many ways closer to the program advocated by the British labor government than it is to communism. To speak of coercion and intimidation in Poland, Rumania, and Bulgaria while upholding and planning to take over the British policies in Greece is the ultimate in hypocrisy.

Mr. MURDOCK. Mr. Chairman, after listening to hours of debate on this bill and the many proposed amendments, I have decided to vote for it on final passage, but I do so with a heavy heart. This is one of the hardest votes—at least one of a half dozen of the hardest votes—that I have had presented to me during the years of my membership in Congress. As I said in the House yesterday, I have appreciated the assurance given me by several leading men in our Government and that assurance has been repeated on the floor of the House today, and it has eased my mind with regard to this necessary measure, but still it is a hard vote to cast. I feel that this move is a necessary thing to be done and I understand the necessity of our Government's acting at once and acting alone. It is indeed a matter of our national concern and one on which our national safety depends, to keep Russian communism from taking control of the eastern Mediterranean lands. We must see to it that

the peoples in those strategic areas shall not be obliged either by want or by military strength to adopt a way of life contrary to their own choosing.

What is it then about this affirmative vote that I am to cast that I most regret? Of course, it is the circumstances which make this action necessary and imperative. It is the fact that, under all the circumstances, our Government must act unilaterally in this case because the United Nations cannot do what ought to be done. The comforting assurance that I was given yesterday and again today that this action does not really by-pass the United Nations eases my mind, but I am still disturbed that this action may adversely affect this young international organization which is the hope of the world for peace. I do not believe that this action on the part of our Government really means a turning away from the United Nations organization, nor that our act will discredit this infant organization which we have struggled for so long and helped to create.

My real fear is that having acted unilaterally in the case of these eastern Mediterranean countries in this instance because we had to do so, may be partly the cause for by-passing the United Nations organization at some future time when it is not necessary for us to act alone but instead where wisdom would dictate that we act as a member of the United Nations. This unhappy necessity of acting apart now should determine us all the more to act through the United Nations later always whenever possible and to build it up and to strengthen it for the great task it has to accomplish, working toward peace.

I have heard a few speak disparagingly of the United Nations here when they need not have done so merely to say that in this particular instance it is not authorized to do what needs to be done and does not have the funds which would be needed and does not have the power required to do the work. It is a sad thing for any Member of this body to speak disparagingly of this infant international organization which is the result of so much effort and which grew out of blood and tears. The very fact that America is taking this momentous step alone, and not through the United Nations, makes it all the more logical and necessary that we increase our efforts to strengthen the new international organization, to increase its powers and use our influence to ripen its maturity. I believe the American people insist that we do everything in our power to support the international organization of which we are a member and by our help enable it to accomplish its mission of establishing justice and peace.

Mr. MANSFIELD of Montana. Mr. Chairman, since March 12 when President Truman delivered his message on assistance to Greece and Turkey, my mind has been beset by many questions. I have attended every meeting of the Foreign Affairs Committee, listened to every witness and read all that I possibly could on the subject matter at hand. I have tried to consider this particular legislation and all its connotations with an open mind because I realized from the beginning the implications and possibilities involved. The road into the future is not always a straight one nor can its twists and turns be seen beforehand. Nevertheless if this measure passes, it will be clear to the world what our policy will be as our commitments will be definite; our purposes specific and the responsibility our own.

Perhaps, it was the absence of such clarity that was one of the contributing factors to two world wars.

The reasons given for this legislation are many.

At the present time there is an internal rebellion going on in Greece. This rebellion, while centered mainly in the north of Greece, is also in effect in other parts of the country as well. The number of guerrillas is estimated at anywhere from twelve to twenty thousand, and it has been brought out that while the great majority of the guerrillas are not Communists, they are in all instances under the leadership of members of the Communist Party directed from the outside.

Aid is being given these guerrilla forces from over the borders in Albania, Bulgaria and Yugoslavia. There is a school maintained at Boulkes near Belgrade wherein certain guerrillas are sent to receive courses in indoctrination for the purpose of carrying on future activities in Greece in behalf of communism.

Insofar as Turkey is concerned there is, and has been for some time, a war of nerves being waged against the Turks by the Russians. This has been carried on through the use of radio broadcasts from Russia into Turkey; through Russia's demands for the return of the Turkish provinces of Ardahan and Kars and also through Russia's repeated demands that she be given joint control of the Dardanelles. These reasons have been given to us by various members of the State Department and others who are intimately connected and concerned with the present situation as it exists in both Greece and Turkey.

I am under no illusion about the types of governments which exist in both of these countries. It is my hope that if this legislation passes, we will do our utmost to help bring about needed reforms in both countries so that the greatest number of people possible will be allowed to select the type of government they desire; so that the tax structure will be revamped to such an extent that there will be no favored exemptions as at present; and so that both these countries can achieve the peace and security which, I believe, is every nation's right.

It might be well for us to ask what might happen if this measure we are now discussing fails of passage. I believe that one of the first results would be an all-out civil war in Greece, and that as a result of this war, a government under the leadership of Napoleon Zervas, the present Minister of Public Order, would result.

Then there would be a counter revolution staged by all the dissenting elements under the leadership of the Communists who would be aided by outside help from Albania, Bulgaria, and Yugoslavia. This then would mean the setting up of another satellite state within the orbit of the U. S. S. R. If this measure were to fail it would very likely mean that the U. S. S. R. would take it as a green light to carry out its war of nerves still further against the Turks and eventually the Turks would crack and that country would be overrun. It is well to point out that if an active armed clash occurred between Turkey and Russia the Turks, according to the most reliable information the Foreign Affairs Committee has been able to receive, would not be able to stand up for more than a matter of weeks. Furthermore, Turkey, like Greece, would then be within the Soviet's sphere and Russia would be down not only to the Mediterranean but would be very close to the Suez Canal as well.

It is my opinion that, if what I have said should occur, Greece and Turkey would certainly not mark the outer limits of Soviet expansion but, in effect, that expansion would continue still farther not only to the south but to the east, covering Iran, India, Burma and southeastern Asia, and also to the west covering Austria, Germany, Italy, and France as well. What then would our position be? Would we then contemplate the passage of legislation such as this which we are now considering? Would we then become aware of the fact that the expansion of Communist spheres of influence is something that should be stopped? Or should we insulate ourselves in isolation on this hemisphere against a doctrine which we think is insidious and dangerous to our way of life and which, if it achieves the success which it hopes for in Europe, Asia, and Africa will, without a doubt and in time, reach the shores of this hemisphere as well? We know, of course, that communism has penetrated in some degree or form into every country of the Western Hemisphere at the present time. It appears to me that to deny passage of this legislation would, in effect, bring us closer to war than would be the case if we were to pass it today. It seems to me that once we have laid down a policy to the entire world that it is up to us to carry through on that policy and not to indicate weakness and thereby give encouragement to the very things which we despise.

If this measure fails and more countries are brought within the sphere of the Soviet Union, it will mean that the iron curtain will be extended that much farther and that we will have lost our contact with that much more of the world.

Such in brief is the picture as I see it and understand it. I realize what we are up against and I also realize that we Americans have no taste for foreign adventure in times of peace. We very naturally and logically have many questions concerning the possibilities and potentialities of this new policy. We may ponder and debate this question but we cannot dodge the inescapable fact that President Truman's address has in the eyes of the world committed this Nation to a new policy. Our new course will take all our wisdom and skill to make it successful. No man in this Chamber can tell what the outcome of the President's and our decision will be. The issue has been raised and the die has been cast. Not to act now, not to follow through,

would, in my opinion, be most dangerous.

We are not seeking to impose our way of life on either Greece or Turkey. We are extending this assistance to enable them, in time, to select the kind of government their people want. The purpose of this new policy is to oppose forcible Communist aggression—either directly or through satellite countries—on weaker nations opposed to such a philosophy.

Personally, I am sorry that this matter was not referred to the United Nations before it was presented to the Congress, instead of after the President made his speech. On the basis of the evidence before us it appears certain that the United Nations could not have acted, as yet, because it has neither the funds nor the organization to meet such a situation, and, secondly, any such action as here contemplated would be blocked by the veto of a single power.

I believe that it is possible for the United Nations to achieve sufficient strength in the future to take over this task. I shall welcome the day when we may resign this responsibility to that organization because I believe wholeheartedly that only in the United Nations can we eventually find the peace all mankind craves.

Much will depend on how the administration of this policy is worked out. Much will depend on how soon genuine democracy follows our assistance and replaces the kinds of dictatorship now in force in both Greece and Turkey. I believe we can provide the right kind of administration but, in the matter of democratic governments, that is something that only people—and not outside pressures—can decide.

I am going to vote for this bill but not with any enthusiasm. Like all of you my lack of enthusiasm springs from the fact that no one can tell ultimately where the policy on which we are about to embark will lead. We do know, however, that the ideology which we oppose is being spread by force, infiltration, occupation, and revolution. It is a policy very similar to Hitler's policy of grabbing off one nation at a time in the hope that eventually the rest of the world will become so weak that no one power will be left to challenge it. If we reject this legislation we give notice to the U. S. S. R. that we do not propose to do anything to stop or to interfere with its expansion policy. If we accept this legislation we give notice to the U. S. S. R. that we are giving this help in order that Greece and Turkey may continue their own existence, and, I think, we will be putting up a sign which all the world will be able to read and understand. Our policy of appeasement since the end of the war has, I think, run its course. We have allowed nations like Poland, Czechoslovakia, Rumania, and others to become satellites of the U. S. S. R. even though the majority of people in each country concerned is opposed to communism as an ideology. We know at the present time that Hungary, though having a legally elected anti-Communist government, is slowly being made into another satellite state because of the pressure from within exercised by the Communist minority there. We know also that the Communist minorities in France, in Italy, and elsewhere are exercising power far beyond the numbers they actually control. We have seen too many countries go by default. We have offered every inducement we possibly could to get along with all our neighbors but our efforts so far have, in large part, been in vain. The time has come for the United States to take up a burden very few of us like to assume but take it up we must with fortitude and courage.

Mr. SHAFER. Mr. Chairman, I have obtained this time so that I may express my position in connection with this legislation. I speak in dead earnest when I say that things have come to a pretty pass when the Republican leadership of the House of Representatives brings out a measure sponsored by a Democratic administration and then has the unmitigated gall to bring in a rule limiting the debate of those Republicans who are opposed to the measure. The rule adopted for this bill which starts us on the road to international ruin and eventual bankruptcy allowed only 3 hours' time for those of us who oppose the legislation but gave 6 hours to those who support it.

The people of this country ought not to hold this against all Republicans. They ought to search the CONGRESSIONAL RECORD carefully to see that some Republicans—perhaps a minority, but still some of them—fought this bill that changes the whole course of our ship of state and takes us out on an uncharted sea that may be filled with unseen perils.

Mr. Chairman, I also want to comment on another puzzling thing that occurred to me as I sat here and heard speaker after speaker get up and make talk for the RECORD. It struck me as ludicrous, if not tragic, that some proponents were playing Charley McCarthy for the Department of State. I suspect that some of the speeches were "ghosted" in the Department of State. I marveled at the manner in which the speeches that were delivered on both sides of the aisle in favor of the new policy were perfectly synchronized. It was passing strange that different points were brought out by different speakers without the usual overlapping that can be heard in normal debate.

How naive and how very short-sighted are the supporters of this legislation, considering the long future, may not be known until our children and our children's children have had to bear the burdens that will come as a natural result of this so-called Truman policy.

We talk about a bipartisan foreign policy, Mr. Chairman, and it is true that both Republicans and Democrats will support this Truman policy. It is also true that both Republicans and Democrats are opposing this policy and that they are men of every political color under the American sun. Many Republicans supporting it forget that it will be administered by a Democratic administration that hardly has become noted for its nonpartisan attitude.

I think it is more correct to call this new departure in our foreign policy today the most partisan foreign policy that could be evolved. The policy was put out by the President with two big aims in mind—first, to garner additional political support for 1948, and, second, by trial and error to attempt to find a way to quiet the demands for a whole reexamination of our foreign policy as practiced by the New Deal Party since the end of World War II with such disastrous results to Europe and Asia.

In addition, it was formulated and put forward with the thought in mind that perhaps the people would accept the new policy and sooner or later forget the United Nations organization fiasco which was ballyhooed to the skies until it was deflated by Moscow's constant use of the veto.

That is why I have said before, and I say now, that the new so-called Truman policy is a policy of desperation. It was conceived as hastily as it was presented to the American people, and the men who sponsored it were more interested in their domestic political lives than they were in the long-term best interests of our whole Nation.

Mr. Chairman, I am opposed to this so-called Truman policy for four distinct reasons. I am not ashamed of my all-out opposition to this policy, because, regardless of the men who are on my side, I am convinced by my study of history that such a policy as this has been followed, on a smaller scale, by other nations and always has led to a bad end.

The first reason I oppose this legislation to spend American money in Greece and Turkey is that the policy will bring more inflation in the United States. It is a matter of public record that I opposed the British loan and that I opposed many another American loan that has been used by other nations to increase inflation in the United States.

Before last November, it seemed that the Republicans were pretty unanimous—and that the people agreed also—that our inflation in America was caused by our overseas fiscal policy, among other things. Nothing has happened in recent months to make me feel otherwise. The British, the French, and other nations still are bidding for American wheat and other products in this Nation and are getting these products. In so doing, they have boosted the prices which American consumers must pay at home.

This is true because, speaking broadly, the United States is the only Nation that has had a surplus of food and of other commodities that could be shipped abroad. The people are all against further inflation. Even the President has embarked on a Don Quixote campaign to knock down price windmills with his symbolic sturdy steed and his long lance.

As every man who has served for long in this House of Representatives knows, the mere fact that this first step will cost the United States what many say is the trifling sum of $400,000,000 is not at all indicative of what the policy will cost in the long run. I have served here for more than a decade and I can speak with the voice of experience on this one phase of our work. When we embarked on lend-lease, only a few billion dollars were said to be involved. Before it was

over, tens of billions of dollars went down the drain—much of it to the same Russia against which we have planned this so-called Truman policy.

Mr. Chairman, you and I know that when this bill is passed and if it is put into effect, as it probably will be, it will not be 6 months before there will be demands from other nations claiming to need our help to oppose communism.

Some Republican leaders who support this policy have said that the sum requested by the President could be appropriated and that it would not necessarily interfere with our Republican program of lowering taxes and reducing over-all Federal expenditures. I am willing to say that if the sum were merely $400,000,000 this likely would be true. But all of my experience in Congress teaches me that the $400,000,000 is only the beginning. It is just the nose of the camel edging into the tent. After a little while there will be other requests and the same men who hollered "wolf, wolf" about the so-called Soviet menace in Greece and Turkey will be crying "wolf, wolf" about these other requests. The so-called Truman policy will not be cheap. It will be an expensive policy, just as every other policy followed by this administration in the past 14 years has been expensive.

The Republicans running for office last November very explicitly promised an over-all and significant decrease in the cost of government. They also promised lower taxes. If, by supporting this measure and bringing on other similar measures, they make inevitable a welshing on that policy, they will be doing their party irreparable harm.

The people will fast lose confidence in our Republican Party, as they have lost confidence in the Democrats, if we allow ourselves to be deluded by such catchwords as "let partisanship stop at the water's edge." There can be no such thing in actuality. Our foreign policy is inextricably tied up with our domestic fiscal policy, and if we embark on this new so-called Truman policy, we will see that we have wrecked our domestic Republican fiscal program. The principal men who talk about a nonpartisan foreign policy are those in the Democratic administration who know that it will be administered by Democrats, the salaries paid to Democrats and overseen by a Democratic Cabinet and a Democratic President. Those few Republicans who are appointed to play a part in it will be put in the picture merely for window-dressing and will be expected to stand around and say "Me, too" every time the Democrats make a suggestion.

The second big reason I oppose this measure, Mr. Chairman, is that we are rushing to the assistance of governments that could not be termed "representative republican governments" by the most fantastic interpretation of the term. We have in this country a representative government. It is not perfect, but it probably works better than any other similarly constituted government on earth. We have a free press. We have freedom of speech. We have freedom of movement. We have freedom of religion. All these are parts of our governmental fabric, and without any one of them neither we nor other nations truthfully could call our Government a representative government and our people a free people.

Is there one who will stand up and say that there is a representative republican form of government in Turkey? Is there a thoughtful, intelligent man in the United States who seriously will contend that this is the case? I think not. Just a few weeks ago I read a dispatch from Turkey by Constantine Brown, the foreign-news analyst for the Washington Evening Star and other newspapers. He pointed out that freedom of the press is being allowed temporarily in Turkey to influence Americans. One Turkish official was quoted as having said that the Government deliberately not yet had suppressed one paper because of the possibilities of American aid.

What a travesty on words and the meanings of words it is to call Greece and Turkey democracies in the same breath that we call England and the United States democracies. That is twisting the word as much as Molotov and the other Russians are twisting it when they persistently refer to Russia as a democracy.

The third principal reason I oppose this measure, Mr. Chairman, is that it will project our soldiers into new areas of danger where they may ignite the spark that will start World War III. When World War II was ending, the Democratic administration claimed to have a program that would banish war forever. The United Nations was uncovered in all its pristine glory. Never again would men have to engage in warfare. We could just talk our troubles to death around a council table and then every nation would forget its own self-interests and vote to do this, that, or the other.

A few realists spoke hopefully of a peace of 25 or 50 years, at most, unless the hearts of men everywhere were changed and unless somewhere along the line a miracle in human relations was passed. But now, we are not going to have even 25 or 50 years of peace. The Truman policy in effect is an economic declaration of war on Russia. And when we send military "observers" into Greece and Turkey, we will be running constantly the grave risks of de facto, if not actually declared, war.

It is contrary to all the lessons of history to believe that we can send our soldiers into Greece and Turkey and that there will not be accumulated new "incidents" which can be used as kindling wood to ignite a major bonfire of war. A clash here, a clash there, and before we know it we again are involved in mortal combat.

The amazing thing, to me, about this so-called Truman policy is that it could be sold to the same people in America who only a few short months ago were sold on the United Nations. Their gullibility is as dangerous as it is surprising. If these people this quickly can have their minds diverted from one set course to another set course in foreign affairs, then there is no telling to what lengths they can be led by high-powered propaganda that can be turned on and off like a faucet.

O Mr. Chairman, I know that the United Nations will be defended by many Democrats and Republicans here as they vote for this policy. They will shed many a crocodile tear about how much they hate to take part in such a thing and to leave the poor UN with nothing but a grant of land.

But the truth remains that the so-called Truman policy is an open, flagrant, willful by-passing of the United Nations, on which our Nation spent so much time, effort, and money, and that as this policy is expanded, it will be seen that every new step of the new policy will mean another nail in the coffin of the United Nations organization. This, I think, can hardly be disputed, although it will be disputed for the record and a lot of politicians who are trying to play both ends will try to convince the people that I am wrong.

The fourth principal reason I oppose this policy on which we seem determined to embark, Mr. Chairman, is that it negates the recent Republican platforms and contradicts those Republicans who said before the election last November that when the people had had enough, we would take powers away from the President and return these powers to the Congress, the States, or the local governments. This bill actually represents a sweeping new grant of powers to the President, whoever he may be at whatever period. If I had no other grounds for opposing this bill, I would oppose it for this reason.

We in the Congress have been eating at the second table of government for, lo these many years. Many Democrats have observed this as well as many Republicans and one Member of Congress, our good friend Hatton Sumners, even went so far as to resign his seat here so that he could get out and tell the people about the trend without being accused of speaking politically.

Yet, I have heard men get up and defend this bill who only a short time ago were deploring the increased centralization of power. Why, I would like to know when you will find an issue of centralization of power that is more clear-cut than the issue in this bill. The President can plunge us into war almost any time he pleases. He can precipitate an emergency a month before the next election. And as the inevitable results of this policy bring an enlargement of the funds we will have to spend, there will, of course, be an enlargement of the powers granted to the President.

Mr. Chairman, I know that I am in the minority when I speak against this bill, although I am a Member of the majority party. Our time in this debate has been limited by our own leadership and we of the majority party who are speaking against this radical, new departure in our foreign policy are temporarily out of public favor, at least around the Capitol.

But, I went home last week end and had a visit with some old friends up and down Main Street. I talked with several men in service stations. I talked with the town banker. I visited with the hardware merchant. I contacted a few editors of country newspapers.

I found them rather perturbed about high prices and I heard all of them say that they wished some way could be

found to bring some value back into the dollar. I went out with some veterans who are trying to buy, rent, or build a home and I heard them gripe about prices and how hard it is to get anything done in this new America the New Deal brought to us. I asked them all how they felt about sending some more money overseas to stop communism, or to bolster a corrupt government or two. They were unanimously opposed to it. They were quick to note the connection between our spend-lend-send overseas policy and the increasing worthlessness of our dollar at home and the difficulties of getting anything built that would stand longer than a few years.

It did not take my experience back home to put me against this Truman policy, Mr. Chairman, but the knowledge I gained did not hurt any. Some day, we are going to legislate the straw that breaks the back of the American people. This may well be that straw.

The CHAIRMAN. Let the Chair state that it has been agreed to close debate. The Chair would like to divide that time as much as possible among those who wish to be recognized to speak on the bill. I assume that that was the intent of the gentleman from Ohio in making the motion.

Mr. VORYS. The gentleman from Ohio understood that there were four amendments pending, and it was the hope of the committee that the authors of the amendments be given time to explain each one of them and similar time be given to some one who wishes to speak in opposition to the amendment.

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN. How come, with a preferential motion up there, I cannot be considered? I offered it a while ago and made a point of order on it, and I was overruled. I want to know under what rule you may disregard the offering of a preferential motion.

The CHAIRMAN. The Chair was not seeking to disregard the gentleman in that regard, but there were some Members who indicated that they wanted to extend their remarks, and the Chair sought to recognize them at that time. The Chair has withheld recognition from the gentleman from Colorado until these unanimous consent requests were taken care of. If the gentleman wants to make his preferential motion at this time, he will be recognized.

Mr. HOFFMAN. I would just as soon wait until the gentleman from Colorado finishes, but I want recognition on it sometime.

The CHAIRMAN. The gentleman from Colorado is recognized for 5 minutes.

Mr. CARROLL. Mr. Chairman, I should like to clarify the position that I have taken before this body in debate. I spoke as effectively as I could in favor of passing this whole problem to the United Nations. I am in complete agreement with those Members who believe that this problem is so critical that we cannot delay action. We must act now. This problem is so important to our national self-interest that we cannot adopt a do-nothing policy. However, I should like to suggest to this body that there is another path, that there is another road. It is true we must not fall into the trap of doing nothing, for that would really endanger our Nation, but I suggest to you that there is another way instead of taking this path alone, ignoring all the nations of the world. They, too, have an interest in world peace. I am very sincere, and I am very serious about this matter.

The President presented this legislative program on March 12. The President stated there was a grave crisis confronting the world. He has said that there exists a threat to world peace. Now that the President of the United States has spoken in this fashion, I say to you that that is the very purpose for which the United Nations was created. That is what was meant by collective security. All nations must band together to overcome any threat which endangers the peace of the world.

I should like to demonstrate in the closing minutes of the debate that there is another road that we can follow without joining those who really want to kill this legislation, and that path is this: There will be submitted here a motion to recommit. Under that motion to recommit, $100,000,000 can be used now by the President of the United States for the purposes stated in this bill. The President can act quickly to relieve economic pressures in Greece. No one can say we are delaying treating the crisis which confronts the world. We are not delaying that at all. We are moving forward to take care of that problem which affects our national self-interest. At the same time the military problems confronting Greece and Turkey will be given the United Nations for proper disposition.

Mr. Chairman, every educator, every religious leader, every world leader who understands the history of civilization has been encouraging all the nations of the world to get together for collective security. Let me tell you what happened yesterday in England. Prime Minister Attlee declared on the second anniversary of VE-day:

> The dangers to world civilization from another world war are greater today than they were between World War I and World War II.

It seems incredible that after only a period of 2 years' time there is such a real danger to world civilization. I am confident that the people at home do not know the nature and the extent of the threat to the peace of the world. Had they that knowledge this Congress would not dare pass legislation which ignores the United Nations. In view of this dire threat to world peace, we should be calling upon the leadership of the world to join with us in making the United Nations strong, vigorous, and effective. We should be bringing into play the brains of the world. We do so to wage war. Why do we not do so in the cause of peace?

The scientists have shouted to the politicians of the world that they must change their method and manner of thinking. They have urged the politicians that they must catch up with the advance made by modern science; that if they do not do so the next war may be so terrible that our civilization, as we know it now, may pass from the earth. Another terrible war will destroy democracy and representative government beyond question of a doubt. Must we wait until we emerge from the ruins of a third world war before we acknowledge and accept the principles embodied in the Charter of the United Nations?

How can we treat this problem so lightly when we are now producing an atomic bomb that is capable of killing 100,000 people over a wide area? How can you stand before the people of your districts when you return home and say, "The United Nations is too weak to be used at this time." I say to you, if it is weak let us make it strong. Now is the time to throw the combined political, financial, and military strength of this great Nation behind the United Nations, demanding that all of the nations signatory thereto act now to preserve the peace of the world. In that manner we can again give moral and spiritual leadership to the world. There is no basis for moral and spiritual leadership if this bill is passed with this possible exception. The President and the Members of this body have said this measure is designed to strengthen the United Nations. It may be that it will work out that way. The good faith of these statements will be subject to careful scrutiny within the next 12 to 15 months. I admit that the President, if this bill is passed, may by vigorous leadership during that period of time revive the hopes of the people who believe in the United Nations.

Again let me clarify my position. If you fail to recommit this bill, in view of the threat to world peace I am going to vote for it because there is no other alternative. I cannot do otherwise, joining with those who want to hide their heads in the sands of isolationism. We must go forward. It may be that by going to the United Nations there is only a remote possibility of peace, but it is the best choice we have now. At least, if war comes eventually, we shall be supporting the intent and spirit contained in the Charter of the United Nations. By our individual action this Nation may incur the fear and the hatred of the people of the world, some of whom have just cause for seeking social and political changes. I plead again, let us use our vision and leadership, making the United Nations strong now.

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

The Clerk read as follows:

> Amendment offered by Mr. BENDER: At the end of the bill insert the following new section:
>
> "SEC. 8. (a) Nothing in this act shall be construed to imply that the Government of the United States had adopted as its policy in international affairs (1) intervention in civil strife, civil war, or political conflicts in foreign countres; or (2) unilateral action, either now or in the future, in disregard of its obligations to the United Nations.
>
> "(b) The Congress hereby reaffirms the basic policy of the United States to bring before the United Nations all economic, political, or military conditions which may endanger the peace of the world."

Mr. BENDER. Mr. Chairman, I would like to make two or three observations.

First, in reply to the gentleman from Wisconsin [Mr. KEEFE] regarding the President's declaration of this being the United States' policy. I remember very well the bill that was brought up in the last session of Congress—that is, the work or fight bill. I remember that was a Presidential "must" also, but when it went to the other body it went out the window. Then, too, I remember on that historic day when the railroad brotherhoods threatened to go on strike and the strike had already been settled, the President came up here and got us all worried and sick about what we were going to do about legislation. We passed it, and in the Senate in a few days it too went out the window.

I am not very much disturbed about these Presidential "must" measures, especially when we have a policy as important as this is to our country which constitutes a departure from the traditional foreign policy of our country. I am not disturbed about Presidential "must" bills.

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

Mr. BENDER. I yield.

Mr. BUSBEY. May I ask the gentleman from Ohio if in his opinion he thinks any man, including the President of the United States, has the right to put this Congress and the people of the United States in the position where they have to vote for a bill of this kind or else "lose face" with the world.

Mr. BENDER. I have heard that argument used in the other body about losing face. We have lost face so many times, but as long as the American people keep this a Christian Nation, which they have, they are not going to lose face in the world. When we depart from that philosophy, we will lose face, and we are losing face here. We are embarking on an uncharted course fraught with danger.

This amendment provides for the turning of this problem over to the United Nations. If it fails there, then we can take proper action.

Mr. Chairman, two basic facts about the present bill trouble the American people. First, it, in effect, creates a military alliance between the United States and the Greek monarchy and the Turkish dictatorship. In doing so, the present bill is in direct contradiction to the traditional historic American foreign policy of avoiding entangling military alliances with foreign powers.

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

Mr. BENDER. I yield.

Mr. RICH. What will the people of the world say about America when they start out on their own hook to try to militarize Greece and militarize Turkey? The first thing you know, we will have to go to every country in Europe, and then they will be asking us to go down to South America to arm some of those countries. When are we going to stop?

Mr. BENDER. And Mr. Chairman, the second basic thing that troubles the American people about H. R. 2616 is the fact that it stabs the United Nations in the back because, Mr. Chairman, we undertake by unilateral action to make decisions in regard to aggression everywhere and anywhere in the world. We and we alone make the decisions. We and we alone on the basis of this bill will attempt to police the world. But by so doing, we will destroy collective security. By so doing, we will undermine the United Nations. Mr. Chairman, the Truman doctrine, by breaking faith with the United Nations and flaunting the Administration's disregard for its solemn commitments to the United Nations, is the first long and dangerous step down the road to a new American isolation. The overwhelming majority of the American people know that the hope for peace in the world lies in a strong and effective international organization. The Truman doctrine is the most insidious kind of isolation because it masks itself as "cooperation," because it pats the United Nations with one hand and stabs it with the other.

Mr. Chairman, the two basic principles of American foreign policy—namely the avoidance of entangling military alliances with foreign powers and wholehearted support for the United Nations—these two basic principles to which the American people are absolutely and completely devoted—these basic principles will be destroyed by the Truman doctrine as it is embodied in the present bill before the House.

Mr. Chairman, because I earnestly and sincerely believe that 85 to 90 percent of all American citizens do not wish us to engage in a policy which involves us in entangling military alliances everywhere in the world, I have offered this amendment, and, Mr. Chairman, because I believe the American people are overwhelmingly right in their conviction that peace can only be maintained by a powerful, strong, and growing United Nations—this also is my reason for offering this amendment.

The House of Representatives, I believe, faces in this bill the most far-reaching and serious change in national policy ever adopted in the Congress since I have been a Member of this body. It is inconceivable to me, Mr. Chairman, that this Congress should repudiate the historic foundations of American foreign policy. It is inconceivable to me that, having come through two devastating international wars in our own lifetime, we as a body would turn our backs upon the organized conscience of all mankind, focused and formulated through the deliberations of the United Nations.

Yes, Mr. Chairman; all of us know some few people who forget that America consists of 140,000,000 people in a world population of 2,000,000,000. Yes, Mr. Chairman, we know some very few individuals who forget that perhaps 20,000,000 Chinese will starve to death this year, and that another 10,000,000 starving Indians in that vast subcontinent of Asia will die because of the failures of our own human institutions.

Yes, Mr. Chairman; there are a few people mad with the lust for power—careless and ruthless in their disregard of the great, crying needs of all mankind for food, for clothes, for education, for all of those things that make life rich and beautiful.

There are in America today, Mr. Chairman, those who are willing to plunge the entire world into another devastating and monstrous blood-bath. It is their thinking which President Truman has expressed in the Truman doctrine, and it is their plan—their mad plan—for world power which is embodied in the present bill before us.

Yes, Mr. Chairman; we have the atomic bomb. Yes, we have the food reserves of the world when hundreds of millions are hungry. Yes, we have half the industrial capacity of the entire earth. Yes, we have the liquid capital—some financial resources which could be extended to assist in reconstructing and in rebuilding the industries of peace and well-being throughout the world.

Mr. Chairman, it has been said: "Power corrupts; absolute power corrupts absolutely." We have power, Mr. Chairman, and there are some demoniac characters in American life who want absolute power—not just here at home, but also in the entire world. It is from their mad drive for world power that springs the doctrine for world-wide military alliances and world-wide unilateral action on the part of the American Government without regard for our historic American foreign policy and without regard for our commitments to the United Nations. This policy means war. Let no Member of the House hide from this fact. In our hands we hold the destiny of America and the world. Ours is the responsibility. In the name of all that is holy in American traditions of democracy, freedom and peace—let the House in good conscience and good faith adopt the proposed amendment.

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

Mr. BENDER. I yield.

Mr. BREHM. Does the gentleman feel that if the Treasury floated a bond issue to support this program that it would sell overwhelmingly to the American people?

Mr. BENDER. If we floated a bond issue to support this program, you ladies and gentlemen know that the people back home have written to you and the Members on my side, practically every one I have talked to, say that his mail is anywhere from three to six to one against it. Now you are giving the people something they do not want, that they are afraid of and do not understand.

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

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

Mr. Chairman, this debate comes to a close within a few moments. There has been a great deal of discussion and confusion which has been preponderatingly on one side. I rise at this time to point out what I think are the salient issues involved in this legislation.

First, no matter how much the proponents of this legislation may try, they cannot get away from the proposition that the United Nations has gone into this matter. They cannot escape the proposition that the United Nations, through one of its organizations, the Food and Agricultural Organization, has

made recommendations with regard to economic rehabilitation in Greece; nor the fact that that same body recommended that action be taken by the United Nations.

I read to this House the other day some of the important recommendations made. The difficulty has been and is that the present regime in Greece refuses, and has consistently refused, to adopt the reforms recommended by the United Nations. In refusing to adopt elementary democratic reforms, this regime backed by British imperialists has caused the civil strife in Greece. The question in Greece is not one of communism. The question involved in Greece is bread, land, equitable taxation, liberty, a square deal for the peasants. This regime refuses to give that to the people of Greece. If this regime gave freedom to the Greek people and adopted the reforms recommended by the United Nations organization, there would be no civil strife in Greece. Why does not this regime accept those recommendations? Because this regime is a Fascist regime. You cannot get away from the fact that we will be giving money to a Fascist regime to shoot down men and women, yes, call them guerrillas—yes, some of them Communists, many of them non-Communists—who fought on our side during the war. You are giving money to buy bullets and guns to shoot down those who saved the lives of Americans with their heroic sacrifices. You are giving that money to whom? To big quislings and petty quislings and Nazi collaborators. I just wonder what the average ex-GI will say when he learns that the men and women who are going to be shot at with the money and material that we provide here were the men and women who fought on his side. What will he say when he learns that we are providing the bullets and guns of the present rulers of Greece who aided and collaborated with the Nazis and Fascists during the last war.

Let me also point out that the United Nations not only went into this question through the Food and Agriculture Organization but even, according to Mr. Austin, the Security Council is already acting on that aspect of the Greek question with which it is now prepared to deal—conditions on the northern frontier. The United Nations Council is in it. It is dealing with this problem. So that when the gentleman from Minnesota [Mr. JUDD] and others say that the United Nations Council cannot deal with this situation and will be barred from dealing with it, they evade the reality that the United Nations is and has been dealing with this problem.

The mistake we are arrogantly making here today is that we are weakening the United Nations by taking this action. The United Nations finds itself in the same position that the First Congress found itself in in 1789 when it met in New York City. Several States were attempting unilateral action on some questions. Unilateral action was threatened by a few of the States then. It was said that the Congress was too weak to deal with the problems facing the country. It was said that the Federal Government could not act, that it was impotent. But patriots insisted that the Nation could be strengthened only by respecting the right of the Federal Government to act, and they have been vindicated by history. Americans of that day did not weaken the Nation, they strengthened it by supporting its right to function on important problems.

The hope of the world is the United Nations, yet we are weakening the United Nations by the action we are taking here, just as some in 1789 sought to weaken the United States. We are at the same time aiding Fascist interests all over the world by the action we are taking. We do it by raising the anti-Communist cry. It is a Fascist technique. It will not succeed.

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

The question is on the amendment offered by the gentleman from Ohio.

The amendment was rejected.

Mr. BENDER. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. BENDER: At the end of the bill insert a new section, as follows:

"SEC. 8. As a condition precedent to the receipt of any assistance pursuant to this act, the government requesting such assistance shall agree (a) to abolish within 90 days all hereditary offices and titles under such government; (b) to hold within 90 days free and democratic elections for the purpose of determining the chief executive officer of such government and the membership of its legislative body and to grant prior to such election universal suffrage for all persons over the age of 21; (c) to afford to all political parties full opportunities to participate and engage in election activities prior to the holding of such elections; and (d) to grant immediate amnesty to all political opponents of the persons or parties in control of the government requesting such assistance."

Mr. BENDER. Mr. Chairman, in 1776 the American people demonstrated by rebellion that they had had a bellyful of monarchy. For 150 years the American people have distrusted and disliked the entire institution of monarchy. There are, Mr. Chairman, no hereditary titles in America. Thomas Jefferson, Mr. Chairman, undertook to establish the American Bill of Rights. We have free speech, free assembly, free religion, and free association. We have free elections, Mr. Chairman. We have opposition parties. We do not have concentration camps, and for anyone who might think that at some future time the American people will submit to the destruction of their democratic liberties and to the establishment of the tyranny of a few, let it be said now that their efforts will be struck down by an aroused and enraged American citizenry.

Mr. Chairman, a corrupt and venal monarchy exists in Greece. That monarchy has been fought by Greek patriots for 120 years. Those Greek patriots succeeded in driving three Greek kings from the throne to the abject exile they deserved. One Greek king was assassinated. It is indicative of the corruption and degeneracy of the Greek monarchy that the one and only Greek king who died on the throne died from the bite of his pet monkey.

Greek patriots today as in years of old are fighting for the establishment of democracy free from monarchy. They want free and democratic elections. They want full opportunity of all political parties to engage in election activities. They want universal suffrage. They want an end to political concentration camps.

Mr. Chairman, none of these things exist in Greece today. It is a nation under the iron heel of a bought and paid-for monarch, and open agent of the imperialist armies of Great Britain whose bayonets alone maintain him in power. Thousands of Greek patriots are fighting the occupation troops of Britain. Thousands of Greek patriots are dying in the concentration camps of the British monarch. The free and democratic elections which reputedly were held are known by all of us to have been a sham and a lie. Less than 15 percent of the population participated in these elections and then under conditions of terror.

Mr. Chairman, when my constituents ask me if I voted to give $300,000,000 to a dictatorial and corrupt monarch in Greece, I will be able to answer that I did not do so. When I am asked if I voted to throw American arms behind a government known to be undemocratic and maintaining concentration camps—thank God, I will be able to say I voted against it. Mr. Chairman, the insanity of the State Department is nowhere more clearly demonstrated than in its utter disregard of the principles of democracy on which America has grown strong. Our State Department officials have never considered the ethical and political desirability of establishing a genuine democracy in Greece. It has never occurred to them that American citizens do not want to pour out their substance to maintain corrupt and venal governments. It apparently has never crossed the minds of the fantastic Machiavellian characters at the other end of the Avenue that we want no part—that we want no dealings with governments who in their very nature are antidemocratic.

Mr. Chairman, as for me, I pledged myself in my oath of office to uphold the principles of the American Constitution and the democratic principles for which the patriots in American history have given their wealth and their lives. I refuse to vote for a bill which violates those principles—which violates the intent and the history of American life. The House, Mr. Chairman, in the vote on this amendment has the opportunity to reaffirm the democratic heritage of the American Declaration of Independence and our Constitution given us by our forefathers. Mr. Chairman, I now present this amendment to the House and in all good faith ask that it be adopted.

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

The amendment was rejected.

Mr. BENDER. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. BENDER: At the end of the bill insert the following new section:

"SEC. 8. As a condition precedent to the receipt of any assistance pursuant to this act, the government requesting such assistance shall (a) register with the United States Treasury Department all holdings of gold

held by such government, and by the nationals of such government, both at home and abroad; (b) register with the United States Treasury Department all foreign assets, stocks, bonds, or other holdings of such government and of the nationals of such government; (c) make public the full foreign and domestic indebtedness of such government to a subordinate position to the indebtedness incurred pursuant to this act."

Mr. BENDER. Mr. Chairman, since 1932 the RFC has been functioning. In every contract and in every loan made by the RFC to American businessmen there has been a clause which states that the payment of indebtedness incurred shall take precedence over any current indebtedness of the business involved. The RFC states that all other indebtedness shall be relegated to a subordinate position.

Thus, Mr. Chairman, in the financial operations of the RFC we have introduced sound banking principles, and, as all of us know, the RFC has served a highly useful and successful purpose in stabilizing the American economy.

Mr. Chairman, is there any Member of the House that can advance one good reason why this principle should not be applied to the lending of our money to foreign nations? We have applied it successfully for 15 years to the dealings of the American Government with American businessmen. Why should not this principle now be established as a legal condition for any future foreign loans extended by our Government to other nations?

How can any Member deny the validity of applying to foreign nations the same principle which we apply to our own citizens? I believe that the House will want to consider the question of this principle very seriously because France, China, Britain, Italy, Korea, the Philippines, Finland, Hungary, numerous nations in South America, including Mexico—all of these nations have in some form or another made clear their intention to request loans of the American Government. If we lend to the Greek Government without the RFC condition, are we not setting a precedent from which it will be most difficult to escape in the consideration of any future loans to be made to foreign governments?

Mr. Chairman, in the case of Greece, the RFC principle is particularly pertinent because Greece already owes roughly $500,000,000 in foreign debts—95 percent of which are payable at the Hambro Bank of London. These debts, Mr. Chairman, as we all know, have accumulated over the past 100 years as the result of the extravagances of the corrupt Greek monarchy and the machinations of the international bankers of London in the political affairs of Greece. It is a curious fact, Mr. Chairman, that the Greek monarchy, frequent Balkan wars, and repeated foreign loans from the London banks have gone hand in hand in Greek history. Will our money be used to pay the interest and principal of the Greek foreign indebtedness to the London bankers? Is that why Great Britain wants us to assume her obligations in Greece? Are we to bail out the British despite the fact that they have already collected three times the principal in interest and carrying charges of the original Greek debt? Where will the American dollars lent to Greece finally come to rest? Will they be paid out in dividends to the family of Winston Churchill through the Hambro Bank in London?

Mr. Chairman, common sense—ordinary horse sense—regular sound business banking practices persuade me that the RFC principle which regulates our dealings with our own businessmen should be a standing, standard requirement of all foreign loans made by the United States Government. Now let us establish this principle in the case of Greece. There has already been too much scandal attached to international finance in this country for the Congress of the United States to assume the obligations of the debts of a corrupt and venal monarchy without any attached conditions and with no controls established. There is no reason under God's sun for the Congress of the United States to sign a blank check for President Truman so that he can send it to Athens and have the Greek King fill in the amount—particularly when the Greek King is told what amount to fill in by the Hambro Bank in London. The 58,000,000 Americans who worked for wages and salaries and who earn their living in the sweat of their brow will never be able to understand the thinking of a Congress which refuses to support this amendment.

Mr. Chairman, in all good conscience and good faith, I urge the House to adopt the amendment which I now introduce.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BENDER].

The amendment was rejected.

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

The Clerk read as follows:

Amendment offered by Mr. BENDER: At the end of the bill insert the following new section:

"SEC. —. Nothing in this act shall be construed to imply that the Government of the United States shall be bound to support private agreements made between American oil companies and foreign governments or between American oil companies and the nationals of foreign governments."

Mr. BENDER. Mr. Chairman, that great and august body, the Senate of the United States, without dissent and without any question of its propriety and without any question of its relevancy, adopted the amendment which I have just read.

Mr. Chairman, as I believe all of us know, one-half to three-fourths of all the oil reserves of the world are today believed to be in the Near and Middle East. Those oil reserves are under concession to the great oil companies of America and England, and even while we deliberate here in the Congress secret negotiations are under way in London over the method and manner of exploiting these oil reserves.

Mr. Chairman, pending before the Senate of the United States Foreign Relations Committee is an international oil agreement. Pending before the Brewster committee is a scandal involving purchases by the United States Navy Department of oil from American companies in the Near and Middle East.

Mr. Chairman, the honorable Senator from Maine [Mr. BREWSTER] has stated that the present Greek-Turkish military alliance bill smells of petroleum. Other competent investigators have suggested that this bill is nothing but a $400,000,000 subsidy to the American and British oil industries. Mr. Chairman, whatever the truth may be in regard to these allegations, it is clear that the private oil companies of America have no right to bind the Government of the United States by their private agreements. Mr. Chairman, frequently in American history dollar diplomacy has been denounced. It has also been said, Mr. Chairman, that American guns will follow American dollars. It is interesting that one-fourth to one-third of our entire investment abroad is in the oil industry. This simple fact raises the question of what importance the oil industry has in the formulation and development of American foreign policy.

Mr. Chairman, the American people do not want war. The American people want peace. For my part, I would not shed one drop of blood of a single Ohio boy for all the oil of the Middle East. Let us make clear, Mr. Chairman, that this bill before us is not an international charter for unlimited oil imperialism. Let us make clear that the private international cartel agreements now being negotiated in London cannot be considered in any way binding upon the United States Government. Let us separate the questions of oil and our foreign policy.

Mr. Chairman, I do not believe that there will be opposition to this amendment. In all good conscience and good faith, I now introduce this amendment into the House and ask for its adoption.

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

The amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. HOFFMAN moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. JARMAN. Mr. Chairman, a point of order against the motion.

The CHAIRMAN. The gentleman will state it.

Mr. JARMAN. Mr. Chairman, that motion has already been made and was voted down once.

The CHAIRMAN. There have been several amendments adopted on the bill, it has been changed since that motion was previously acted on. The Chair overrules the point of order.

Mr. VORYS. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. VORYS. Mr. Chairman, debate is limited on the bill by action of the committee.

The CHAIRMAN. The gentleman from Michigan has offered a preferential motion which is in order in spite of the agreement on closing debate.

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent to withdraw my motion.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. All time has expired. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CASE of South Dakota, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 2616) to provide for assistance to Greece and Turkey, pursuant to House Resolution 205, 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 gross.

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 wa read the third time.

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

The SPEAKER. Does any member of the committee on the minority side who is opposed to the bill desire to offer a motion to recommit?

Is the gentleman from California opposed to the bill?

Mr. HOLIFIELD. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HOLIFIELD moves to recommit the bill to the Committee on Foreign Affairs with instructions to report the same back forthwith with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof:

"SECTION 1. It is the sense of Congress that the President of the United States, through the appropriate representative of the United States, shall initiate in the Security Council of the United Nations and in other appropriate bodies of the United Nations proposals designed to insure the security and national integrity of Greece and Turkey, and to resolve any related problems in the Near East and Middle East areas which are endangering the peace.

"SEC. 2. There is hereby authorized to be appropriated to the President a sum not exceeding $100,000,000 for the purpose of relief and rehabilitation of the Greek economy. The President may expend funds appropriated pursuant to this provision through existing agencies of the Federal Government and through transfer of such amounts as he deems appropriate to the Government of Greece and the Secretary General of the United Nations for expenditure by them. Such funds shall be expended for the purchase and other provision of supplies for the civilian economy of Greece, including incidental administrative, transportation, technical, and other necessary services, but no part of such money shall be used for the provision of military supplies or services."

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

Mr. HOLIFIELD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The motion to recommit was rejected.

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

Mr. JARMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 287, nays 107, answered "present" 2, not voting 35, as follows:

[Roll No. 54]

YEAS—287

Abernethy	Donohue	Jones, N. C.
Albert	Dorn	Jones, Wash.
Allen, Calif.	Drewry	Jonkman
Allen, La.	Durham	Judd
Almond	Eaton	Karsten, Mo.
Andersen,	Eberharter	Kearney
H. Carl	Elliott	Kearns
Anderson, Calif.	Elsaesser	Keating
Andresen,	Elston	Kee
August H.	Engel, Mich.	Keefe
Andrews, Ala.	Engle, Calif.	Kefauver
Andrews, N. Y.	Evins	Kelley
Arends	Fallon	Kennedy
Auchincloss	Feighan	Keogh
Bakewell	Fellows	Kerr
Barden	Fernandez	Kersten, Wis.
Bates, Ky.	Flannagan	Kilburn
Bates, Mass.	Fletcher	Kilday
Battle	Fogarty	King
Beall	Foote	Kirwan
Beckworth	Forand	Lane
Bell	Fulton	Lanham
Blackney	Gamble	Larcade
Bloom	Gary	Latham
Boggs, La.	Gathings	Lea
Bolton	Gearhart	LeCompte
Boykin	Goff	LeFevre
Bradley, Calif.	Goodwin	Lesinski
Bramblett	Gordon	Lewis
Brooks	Gore	Lodge
Brophy	Gorski	Love
Brown, Ga.	Gossett	Lucas
Bryson	Grant, Ala.	Lusk
Buchanan	Griffiths	Lyle
Buck	Gross	Lynch
Buckley	Gwinn, N. Y.	McConnell
Bulwinkle	Hagen	McCormack
Burke	Hale	McDonough
Burleson	Hall,	McMillan, S. C.
Byrne, N. Y.	Edwin Arthur	McMillen, Ill.
Byrnes, Wis.	Hall,	MacKinnon
Camp	Leonard W.	Macy
Canfield	Halleck	Madden
Cannon	Hardy	Mahon
Carroll	Harless, Ariz.	Manasco
Carson	Harris	Mansfield,
Case, N. J.	Harrison	Mont.
Case, S. Dak.	Hart	Meade, Md.
Chadwick	Hartley	Merrow
Chelf	Havenner	Michener
Clark	Hays	Miller, Calif.
Clason	Hébert	Miller, Md.
Coffin	Hedrick	Mills
Cole, Kans.	Heffernan	Monroney
Cole, N. Y.	Hendricks	Morgan
Colmer	Herter	Morrison
Combs	Heselton	Morton
Cooley	Hess	Muhlenberg
Cooper	Hill	Mundt
Corbett	Hinshaw	Murdock
Cotton	Hobbs	Murray, Tenn.
Coudert	Hoeven	Nixon
Courtney	Holmes	Nodar
Cox	Hope	Norblad
Cravens	Horan	Norrell
Crosser	Howell	Norton
Cunningham	Huber	O'Brien
D'Alesandro	Jackson, Calif.	O'Toole
Davis, Ga.	Jackson, Wash.	Passman
Davis, Wis.	Jarman	Patman
Dawson, Utah	Javits	Patterson
Deane	Jenkins, Pa.	Peden
Delaney	Jennings	Peterson
Devitt	Johnson, Okla.	Philbin
Dingell	Johnson, Tex.	Pickett
Domengeaux	Jones, Ala.	Plumley
Poage	Sadlak	Tibbott
Potts	Sasscer	Tollefson
Poulson	Scott, Hardie	Towe
Price, Fla.	Seely-Brown	Trimble
Price, Ill.	Sheppard	Vorys
Priest	Sikes	Wadsworth
Rabin	Simpson, Pa.	Walter
Rains	Smathers	Welch
Rankin	Smith, Kans.	West
Rayburn	Smith, Maine	Wheeler
Rayfiel	Smith, Va.	Whitten
Redden	Snyder	Whittington
Reeves	Somers	Wigglesworth
Richards	Spence	Williams
Riehlman	Stevenson	Wilson, Tex.
Riley	Stigler	Winstead
Rivers	Sundstrom	Wolcott
Robertson	Taber	Wood
Rogers, Mass.	Talle	Worley
Rohrbough	Teague	Zimmerman
Rooney	Thomas, Tex.	
Ross	Thomason	

NAYS—107

Allen, Ill.	Gillette	Phillips, Calif.
Arnold	Gillie	Phillips, Tenn.
Banta	Graham	Powell
Barrett	Granger	Ramey
Bender	Grant, Ind.	Reed, Ill.
Bennett, Mich.	Gwynne, Iowa	Reed, N. Y.
Bennett, Mo.	Hoffman	Rees
Bishop	Holifield	Rich
Blatnik	Hull	Rizley
Boggs, Del.	Jenison	Robsion
Bradley, Mich.	Jenkins, Ohio	Rockwell
Brehm	Jensen	Russell
Brown, Ohio	Johnson, Ill.	Sabath
Buffett	Johnson, Ind.	Sadowski
Busbey	Jones, Ohio	Sanborn
Butler	Kean	Sarbacher
Celler	Klein	Schwabe, Mo.
Chenoweth	Knutson	Schwabe, Okla.
Chiperfield	Kunkel	Scoblick
Church	Landis	Scrivner
Clevenger	Lemke	Shafer
Clippinger	McCowen	Short
Cole, Mo.	McGarvey	Simpson, Ill.
Crawford	McGregor	Smith, Ohio
Crow	McMahon	Smith, Wis.
Curtis	Maloney	Springer
Dague	Marcantonio	Stanley
D'Ewart	Martin, Iowa	Stefan
Dolliver	Mason	Stockman
Dondero	Mathews	Stratton
Doughton	Meyer	Twyman
Douglas	Miller, Conn.	Vail
Ellis	Morris	Van Zandt
Fenton	Murray, Wis.	Weichel
Gallagher	O'Konski	Woodruff
Gavin	Pfeifer	Youngblood

ANSWERED "PRESENT"—1

Folger

NOT VOTING—35

Angell	Gregory	Ploeser
Bland	Hand	Preston
Bonner	Harness, Ind.	Rogers, Fla.
Chapman	Johnson, Calif.	St. George
Clements	McDowell	Scott,
Davis, Tenn.	Mansfield, Tex.	Hugh D., Jr.
Dawson, Ill.	Meade, Ky.	Taylor
Dirksen	Miller, Nebr.	Thomas, N. J.
Ellsworth	Mitchell	Vinson
Fisher	O'Hara	Vursell
Fuller	Owens	Wilson, Ind.
Gifford	Pace	Wolverton

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Dirksen for, with Mr. Miller of Nebraska against.

Mr. Vinson for, with Mr. Harness of Indiana against.

Mr. Pace for, with Mr. Owens against.

Mr. Ploeser for, with Mr. Wilson of Indiana against.

Mr. Chapman for, with Mr. Vursell against.

Mr. Mitchell for, with Mr. Hand against.

Mr. Bonner for, with Mr. Folger against.

Mr. Hugh D. Scott, Jr., for, with Mrs. St. George against.

General pairs until further notice:

Mr. Wolverton with Mr. Preston.

Mr. O'Hara with Mr. Rogers of Florida.

Mr. Angell with Mr. Gregory.

Mr. Johnson of California with Mr. Clements.

Mr. McDowell with Mr. Davis of Tennessee.

Mr. Taylor with Mr. Fisher.

Mr. Thomas of New Jersey with Mr. Dawson of Illinois.

Mr. Gifford with Mr. Mansfield of Texas.

Mr. FOLGER. Mr. Speaker, I have a live pair with the gentleman from North Carolina, Mr. BONNER. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. Under the rule, it is now in order to take from the Speaker's table the bill S. 938 and to move to strike out all after the enacting clause of said bill and to insert in lieu thereof the provisions contained in the bill H. R. 2616.

The Clerk will report the Senate bill.

The Clerk read the title of the bill.

Mr. EATON. Mr. Speaker, I move to strike out all after the enacting clause of the bill S. 938 and to insert in lieu thereof the provisions contained in the bill H. R. 2616.

The motion was agreed to.

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

A motion to reconsider was laid on the table.

By unanimous consent, the proceedings under which the bill H. R. 2616 was passed were vacated, and the bill was laid on the table.

ADJOURNMENT OVER

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

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

There was no objection.

CONSENT CALENDAR TO BE CALLED ON MONDAY

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that it may be in order to call the Consent Calendar on Monday next.

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

There was no objection.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. HALLECK. Mr. Speaker, I want to announce to the House the program for next week.

Monday will be District Day. The Consent Calendar will also be called on Monday.

On Tuesday we will begin debate on the State, Justice, and Commerce Departments appropriation bill. I do not know just how much time will be devoted to the debate. That is to be determined, of course, when the bill is taken up, but it will very likely continue through Tuesday.

On Wednesday we will continue with the consideration of the appropriation bill, and also on Thursday if it is not completed before that time.

The following bills, if they are not disposed of earlier in the week, will be called on Friday and Saturday:

S. 814, a bill to provide support for wool.

There has been a bill reported from the Committee on Agriculture. No rule has been granted. Of course the action on that measure would depend upon the action of the Committee on Rules.

H. R. 2780, which has to do with the completion of veterans temporary reuse housing program.

House Resolution 176, an investigating authority for the Committee on Post Office and Civil Service, and similar resolutions, House Resolution 93 and House Resolution 141, for the Committee on Public Lands and the Committee on Armed Services.

Then House Resolution 153, a continuation of an investigation by the Committee on Interstate and Foreign Commerce.

EXTENSION OF REMARKS

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include therein a copy of a letter dated April 22, addressed to the Secretary of State and to Mr. Austin, our representative with the United Nations, signed by 30 Members of the House making certain inquiry with respect to the attitude of the United States representatives on the Palestine question, together with a copy of the reply sent to these Members by the Secretary of State as well as a list of the signers of the letter.

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

There was no objection.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an article which appeared in today's Star entitled "Arms, Not a Loan, What the Turks Want."

Mr. REED of New York asked and was given permission to revise and extend the remarks he made in Committee of the Whole today and to include certain excerpts and quotations.

Mr. PHILBIN asked and was given permission to extend his remarks in the RECORD and include a recent article in the New York Times by Hanson W. Baldwin.

Mr. HAYS asked and was given permission to extend his remarks in the RECORD and include a short statement by David Wills.

FREE COMMUNICATION PRIVILEGES TO OFFICIAL PARTICIPANTS IN WORLD TELECOMMUNICATION CONFERENCE

Mr. HINSHAW. Mr. Speaker, by direction of the Committee on Interstate and Foreign Commerce, I ask unanimous consent for the immediate consideration of the resolution (S. J. Res. 102) to permit United States common communications carriers to accord free communication privileges to official participants in the world telecommunications conferences to be held in the United States in 1947.

The Clerk read the title of the Senate joint resolution.

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

Mr. McCORMACK. Mr. Speaker, reserving the right to object, and I shall not object, has the gentleman from California taken this up with the ranking minority member of the committee?

Mr. HINSHAW. I have. I have taken it up with the gentleman from Texas [Mr. RAYBURN]. The gentleman from California [Mr. LEA] is present. It is a unanimous report from the committee.

Mr. McCORMACK. I withdraw my reservation of objection, Mr. Speaker.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That nothing in the Communications Act of 1934, as amended, or in any other provision of law shall be construed to prohibit United States communication common carriers from rendering free communication services to official participants in the world telecommunications conferences to be held in the United States in 1947, subject to such rules and regulations as the Federal Communications Commission may prescribe.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRUST FUNDS HELD IN JOINT OWNERSHIP BY SHOSHONE AND ARAPAHO TRIBES OF WIND RIVER RESERVATION

Mr. BARRETT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1098) entitled "An act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapaho Tribes of the Wind River Reservation," with Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 10, strike out "to a trust fund" and insert "in the principal."

Page 1, line 10, strike out "for" and insert "to a principal trust fund account and one-half of the total amount in the interest account to an interest trust fund account for."

Page 2, line 5, strike out "Secretary of the Treasury" and insert "Comptroller of the United States."

Page 2, line 7, strike out "to" where it occurs the second time and insert "the Secretary of the Treasury shall."

Page 2, line 10, strike out "earned" and insert "shall accrue on the principal fund only."

Page 2, line 11, after "annum", insert "and."

Page 2, line 11, strike out "principal" and insert "interest."

Page 2, line 15, after "the", insert "principal."

The SPEAKER. Is there objection to the request of the gentleman from Wyoming [Mr. BARRETT]?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, has the gen-

tleman taken this up with the ranking minority member of the committee?

Mr. BARRETT. I have consulted with the minority leader the gentleman from Texas [Mr. RAYBURN] and with the ranking member on the minority side on the committee, as well as the majority leader and chairman of the committee, and it is agreeable to all of them that this action be taken.

Mr. McCORMACK. I withdraw my reservation of objection.

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

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

MARBLEHEAD MILITARY RESERVATION

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 450), an act providing for the conveyance to the town of Marblehead, in the State of Massachusetts, of Marblehead Military Reservation for public use, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 1, line 5, after "directed", insert ", upon payment to the United States of the sum of $5,000."

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

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include an article written by a distinguished special writer of the Boston Post, Mr. Robert L. Norton, on March 16, the title being "Mr. Truman and the United Nations."

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

There was no objection.

LEAVE OF ABSENCE

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent that leave of absence be granted on next Monday and Tuesday for Members of the House who are members of the Board of Visitors to the Merchant Marine Academy at Kings Point, which was put off yesterday and today because of duties on the floor of the House.

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

There was no objection.

By unanimous consent, leave of absence was granted to Mr. HAND, for 5 days, on account of illness in family.

ADJOURNMENT

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

The motion was agreed to.

Accordingly the House, pursuant to its order heretofore entered (at 6 o'clock and 49 minutes p. m.), adjourned until Monday, May 12, 1947, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

665. A letter from the Secretary of the Navy, transmitting a list of institutions and organizations which have requested donations from the Navy Department; to the Committee on Armed Services.

666. A letter from the Secretary of State, transmitting a draft of a proposed bill providing for acceptance by the United States of America of the constitution of the International Labor Organization, of amendment, and further authorizing an appropriation for payment of the United States share of the expenses of membership and for expenses of participation by the United States; to the Committee on Foreign Affairs.

667. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1947 for the Civil Service Commission in the amount of $16,160,000, and for the Department of Justice, Federal Bureau of Investigation, in the amount of $8,740,000, in all $24,900,000 (H. Doc. No. 242); to the Committee on Appropriations and ordered to be printed.

668. A communication from the President of the United States, transmitting deficiency estimates of appropriation for the fiscal year 1946 and prior fiscal years in the amount of $12,115,000, and a supplemental estimate of appropriation for the fiscal year 1947 in the amount of $15,285,000, for the Post Office Department (H. Doc. No. 243); to the Committee on Appropriations and ordered to be printed.

669. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1946, submitting a report, together with accompanying papers and an illustration on a review of reports on Boston Harbor, Mass., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on September 5, 1944 (H. Doc. No. 244); to the Committee on Public Works and ordered to be printed, with an illustration.

670. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 20, 1946, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Henderson River, Ill., authorized by the Flood Control Act approved on June 28, 1938 (H. Doc. No. 245); to the Committee on Public Works and ordered to be printed, with four illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GRAHAM: Committee on the Judiciary. H. R. 2746. A bill to provide secretaries for circuit and district judges; with amendment (Rept. No. 340). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLCOTT: Committee on Banking and Currency. S. 565. An act to amend section 3539 of the Revised Statutes, relating to taking trial pieces of coins; without amendment (Rept. No. 342). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLCOTT: Committee on Banking and Currency. S. 566. An act to amend sections 3533 and 3536 of the Revised Statutes with respect to deviations in standard of ingots and weight of silver coins; without amendment (Rept. No. 343). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 969. A bill to provide increases in the rates of pensions payable to Spanish-American War veterans and their dependents; with amendment (Rept. No. 344). Referred to the Committee of the Whole House on the State of the Union.

Mr. GRAHAM: Committee on the Judiciary. H. R. 1054. A bill to make permanent the judgeship provided for by the act entitled "An act to provide for the appointment of an additional district judge for the eastern and western districts of Missouri," approved December 24, 1942; without amendment (Rept. No. 345). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FELLOWS: Committee on the Judiciary. H. R. 2915. A bill for the relief of Mrs. Frederick Faber Wesche (formerly Ann Maureen Bell); without amendment (Rept. No. 341). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. DONDERO:

H. R. 3391. A bill to provide for the sale by the Federal Works Administrator of the property situated in Washington, D. C., known as the Capitol Park Hotel; to the Committee on Public Works.

By Mr. RANKIN (by request):

H. R. 3392. A bill to amend the Social Security Act, as amended, to provide for the payment of monthly insurance benefits to widows of individuals who died before January 1, 1940; to the Committee on Ways and Means.

By Mr. BLATNIK:

H. R. 3393. A bill to provide additional compensation for employees of the Federal Government and the District of Columbia; to the Committee on Post Office and Civil Service.

By Mr. ANDREWS of New York:

H. R. 3394. A bill to amend the act entitled "An act to provide for the evacuation and return of the remains of certain persons who died and are buried outside the continental limits of the United States," approved May 16, 1946, in order to provide for the shipment of the remains of World War II dead to the homeland of the deceased or of next of kin, to provide for the disposition of group and mass burials, to provide for the burial of unknown American World War II dead in United States military cemeteries to be established overseas, to authorize the Secretary of War to

acquire land overseas and to establish United States military cemeteries thereon, and for other purposes; to the Committee on Armed Services.

By Mr. ENGLE of California:

H. R. 3395. A bill to add certain lands to the Modoc National Forest, Calif.; to the Committee on Public Lands.

By Mr. GEARHART:

H. R. 3396. A bill to authorize the coinage of 50-cent pieces to commemorate the fiftieth anniversary of the destruction of the battleship U. S. S. *Maine* on February 15, 1898; to the Committee on Banking and Currency.

H. R. 3397. A bill to authorize the issuance of a special series of stamps commemorative of the fiftieth anniversary of the destruction of the battleship U. S. S. *Maine*; to the Committee on Post Office and Civil Service.

By Mr. FELLOWS:

H. R. 3398. A bill to extend the period of validity of the act to facilitate the admission into the United States of the alien fiancées or fiancés of members of the armed forces of the United States; to the Committee on the Judiciary.

By Mr. PRICE of Florida:

H. R. 3399. A bill to provide office space at first-class post offices for certain Members of Congress; to the Committee on Post Office and Civil Service.

By Mr. MORTON:

H. R. 3400. A bill to amend the act of July 6, 1945, relating to the classification and compensation of employees of the Postal Service, so as to provide proper recompense in the form of compensatory time for overtime performed by supervisors; to the Committee on Post Office and Civil Service.

By Mr. BENNETT of Missouri:

H. R. 3401. A bill to enlarge Arlington National Cemetery, and for other purposes; to the Committee on Public Lands.

By Mr. CURTIS:

H. R. 3402. A bill to extend the authorized maturity date of certain bridge revenue bonds to be issued in connection with the refunding of the acquisition cost of the bridge across the Missouri River at Rulo, Nebr.; to the Committee on Public Works.

By Mr. KNUTSON (by request):

H. R. 3403. A bill to clarify the customs laws relating to the customs supervision of lading and unlading of carriers, the furnishing of customs services outside of regular business hours, and the extra compensation payable to customs employees for overtime services, and for other purposes; to the Committee on Ways and Means.

By Mr. FERNANDEZ:

H. R. 3404. A bill authorizing the Secretary of War to furnish headstones to mark the actual or honorary burial places of deceased members or former members of the military and naval forces; to the Committee on Veterans' Affairs.

By Mr. RIVERS:

H. R. 3405. A bill authorizing the Secretary of War to furnish headstones to mark the actual or honorary burial places of deceased members or former members of the military and naval forces; to the Committee on Veterans' Affairs.

By Mr. DONDERO:

H. J. Res. 192. Joint resolution approving the agreement between the United States and Canada relating to the Great Lakes-St. Lawrence Basin with the exception of certain provisions thereof; expressing the sense of the Congress with respect to the negotiation of certain treaties; providing for making the St. Lawrence seaway self-liquidating; and for other purposes; to the Committee on Public Works.

H. J. Res. 193. Joint resolution to grant authority for the erection of a permanent building for the American National Red Cross, District of Columbia Chapter, Washington, D. C.; to the Committee on Public Works.

By Mr. BLATNIK:

H. J. Res. 194. Joint resolution approving the agreement between the United States and Canada relating to the Great Lakes-St. Lawrence Basin with the exception of certain provisions thereof; expressing the sense of the Congress with respect to the negotiation of certain treaties; providing for making the St. Lawrence seaway self-liquidating; and for other purposes; to the Committee on Public Works.

By Mr. PACE:

H. J. Res. 195. Joint resolution relating to peanut marketing quotas under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mrs. ROGERS of Massachusetts (by request):

H. J. Res. 196. Joint resolution authorizing the Administrator of Veterans' Affairs to continue and establish offices in the territory of the Republic of the Philippines; to the Committee on Veterans' Affairs.

By Mr. PFEIFER:

H. J. Res. 197. Joint resolution declaring that the state of war between the United States and the Government of Italy has ended; to the Committee on Foreign Affairs.

By Mr. HAYS:

H. J. Res. 198. Joint resolution authorizing the erection in the District of Columbia of a memorial to the Marine Corps dead of all wars; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to extend the right of naturalization to all persons whose sons or daughters have served honorably in any branch of the armed forces; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to Federal ownership of property within States and local governments; to the Committee on Public Lands.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BRAMBLETT:

H. R. 3406. A bill for the relief of Paul B. Herrington; to the Committee on the Judiciary.

By Mr. EBERHARTER:

H. R. 3407. A bill for the relief of Kiichi Yajima (formerly Kiichi Matsumoto); to the Committee on the Judiciary.

By Mr. FULLER:

H. R. 3408. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon a certain claim of Joseph L. Rolewicz against the United States; to the Committee on the Judiciary.

By Mr. PETERSON:

H. R. 3409. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim or claims of Mark D. Williams, of Tarpon Springs, Fla.; to the Committee on the Judiciary.

By Mrs. SMITH of Maine:

H. R. 3410. A bill for the relief of James Lekos; to the Committee on the Judiciary.

By Mr. SUNDSTROM:

H. R. 3411. A bill for the relief of Joseph A. Polvere, Jr.; to the Committee on the Judiciary.

By Mr. WEICHEL:

H. R. 3412. A bill for the relief of the estate of Howard Cletus Malkmus; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

476. By Mr. CASE of South Dakota: Petition of T. C. Thompson, general chairman, Brotherhood of Railway and Steamship Clerks, and 20 transportation employees of Rapid City, Lead, and Deadwood, S. Dak., covered by the Railroad Retirement Act, expressing opposition to any changes in or repeal of the so-called Crosser amendments to the Railroad Retirement Act; to the Committee on Interstate and Foreign Commerce.

477. By Mr. HORAN: Petition of 180 residents of Colville, Wash., urging favorable consideration and support of S. 265, a bill to prevent the interstate transmission of advertising of all alcoholic beverages and the broadcasting of such advertising by means of radio; to the Committee on Interstate and Foreign Commerce.

478. By Mr. KELLEY: Petitions from residents of Westmoreland County, Pa., urging the $5,000,000 appropriation for the next fiscal year to permit continuance of the construction of the Conemaugh Dam; to the Committee on Appropriations.

479. By Mrs. NORTON: Petition of the Board of Commissioners of the City of Bayonne, N. J., urging the enactment of the Wagner-Ellender-Taft housing bill; to the Committee on Banking and Currency.

480. By Mr. TALLE: Petition of Mrs. Lee Dix and 25 other residents of Linn County, Iowa, urging the enactment of S. 265; to the Committee on Interstate and Foreign Commerce.

481. By Mr. THOMASON: Petition of El Paso Voiture, No. 605, 40 Hommes et 8 Chevaux, that time limit under Public, 663, Seventy-ninth Congress, be extended so that qualified servicemen who become veterans subsequent to June 30, 1947, may receive the benefits of this act providing automobiles for certain amputees; to the Committee on Veterans' Affairs.

482. By Mr. VAN ZANDT: Petition of the Woman's Christian Temperance Union of Tyrone, Pa., urging favorable consideration and support of S. 265, a bill to prevent the interstate transmission of advertising of all alcoholic beverages and the broadcasting of such advertising by means of radio; to the Committee on Interstate and Foreign Commerce.

483. By the SPEAKER: Petition of Los Angeles Irish Society, petitioning consideration of their resolution with reference to furtherance of the principles of self-government and self-determination, consistent with the welfare of the people; to the Committee on Foreign Affairs.

484. Also, petition of members of Townsend Club, No. 1, of Boston, Mass., petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

485. Also, petition of the delegates from the Townsend Clubs of the Third Congressional District of the State of Florida, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

486. Also, petition of membership of the Crescent City Townsend Club, No. 1, of Florida, petitioning consideration of their resolution with reference to request for enactment of a uniform national insurance program; to the Committee on Ways and Means.

487. Also, petition of members of the Jacksonville Townsend Club, No. 1, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.