

Armed Forces, and certain others, absent from their places of residence; with amendment (Rept. No. 3046). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. EBERHARTER:

H. R. 9611. A bill to reimpose the excess-profits tax on corporations; to the Committee on Ways and Means.

By Mr. VINSON:

H. R. 9612. A bill to increase the appropriation authorization for the Air Engineering Development Center; to the Committee on Armed Services.

By Mr. CARROLL:

H. R. 9613. A bill to reimpose the excess-profits tax on corporations; to the Committee on Ways and Means.

By Mr. KING:

H. R. 9614. A bill to reimpose the excess-profits tax on corporations; to the Committee on Ways and Means.

By Mr. YOUNG:

H. R. 9615. A bill to reimpose the excess-profits tax on corporations; to the Committee on Ways and Means.

By Mr. HAND:

H. R. 9616. A bill to amend title 18 of the United States Code to provide that espionage and advocating the overthrow of the Government by force or violence shall be capital offenses at all times; to the Committee on the Judiciary.

By Mr. BATTLE:

H. Con. Res. 282. Concurrent resolution for the establishment of a United Nations Police Authority; to the Committee on Foreign Affairs.

By Mrs. DOUGLAS:

H. Con. Res. 283. Concurrent resolution for the establishment of a United Nations Police Authority; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BURKE:

H. R. 9617. A bill for the relief of persons injured by the fraudulent acts of the White Construction Co., of Toledo, Ohio; to the Committee on the Judiciary.

By Mr. ELSTON:

H. R. 9618. A bill for the relief of Southern Fireproofing Co., of Cincinnati, Ohio; to the Committee on the Judiciary.

By Mr. RAMSAY:

H. R. 9619. A bill for the relief of Ben Lipscher, Mrs. Ben Lipscher, and Mike Schwartz; to the Committee on the Judiciary.

By Mr. RHODES:

H. R. 9620. A bill for the relief of Mary Izumi; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

2357. Mr. TALLE presented a petition of Mrs. Alice J. Burnside and 180 other residents of Fayette County, Iowa, protesting the sale of alcoholic beverages on military or naval reservations, which was referred to the Committee on Armed Services.

SENATE

TUESDAY, SEPTEMBER 5, 1950

(Legislative day of Thursday, July 20, 1950)

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

Rev. Gearhard E. Lenski, D. D., pastor, Grace Lutheran Church, Washington, D. C., offered the following prayer:

Almighty and Eternal God, we stand in Thy presence as once stood Israel's ancient king, confessing unto Thee our sins and our shortcomings, beseeching Thy mercy and seeking anew Thy favor, Thy pardon, and Thy grace. As individuals, we confess unto Thee that we have erred and strayed from Thy ways like lost sheep. We have transgressed against Thy holy laws. We have left undone many things that we should have done, and in Thy sight we have done many things that we should not have done.

We likewise, as a nation, have not always measured up to Thy divine requirements. Thou hast given unto us the great and precious gift of freedom, and sometimes we have prostituted it, and used it for ignoble ends. We have taken our prosperity for granted. Sometimes we have felt on that score we were better than others. We have not always loved mercy and walked humbly in Thy sight.

We pour out our sins and iniquities and our shortcomings before Thee. Have mercy upon us. Wilt Thou in Heaven hear our prayer. Wilt Thou answer and forgive.

We dedicate to Thy protection and Thy care these beloved United States, and our land, our homes, our little ones. We dedicate to Thee the golden hours of this new day. May all we say and think and do in it be pleasing in Thy sight.

May the Lord bless us and keep us. May He make His face shine upon us, and be gracious unto us. May He lift up His countenance upon us and grant us peace. Amen.

THE JOURNAL

On request of Mr. GEORGE, and by unanimous consent, the reading of the Journal of the proceedings of Friday, September 1, 1950, was dispensed with.

ORDER FOR RECESS

Mr. GEORGE. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in recess until 12 o'clock noon tomorrow, Wednesday, September 6, 1950.

The VICE PRESIDENT. Without objection it is so ordered.

LEAVES OF ABSENCE

On request of Mr. HENDRICKSON, and by unanimous consent, Mr. MILLIKIN was excused from attendance on the sessions of the Senate for the next 10 days, commencing today.

On request of Mr. HENDRICKSON, and by unanimous consent, Mr. DARBY was excused from attendance on the sessions of the Senate today and tomorrow.

On request of Mr. HENDRICKSON, and by unanimous consent, Mr. WATKINS was excused from attendance on the session of the Senate today.

CALL OF THE ROLL

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Aiken	Hendrickson	Maybank
Anderson	Hickenlooper	Mundt
Benton	Hill	Murray
Brewster	Hoyer	O'Connor
Bridges	Holland	O'Mahoney
Butler	Rumphrey	Pepper
Byrd	Hunt	Robertson
Cain	Johnson, Colo.	Russell
Chapman	Johnson, Tex.	Schoeppel
Connally	Kefauver	Smith, N. J.
Cordon	Kilgore	Sparkman
Donnell	Knowland	Stennis
Douglas	Leahy	Taylor
Dworschak	Lehman	Thomas, Okla.
Eaton	Lodge	Thomas, Utah
Ellender	Long	Thye
Ferguson	McCarran	Wiley
Fulbright	McCarthy	Williams
George	McFarland	Withers
Graham	McKellar	Young
Green	McMahon	
Gurney	Malone	

Mr. GEORGE. I announce that the Senator from California [Mr. DOWNEY] and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Oklahoma [Mr. KERR], the Senator from Illinois [Mr. LUCAS], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Pennsylvania [Mr. MYERS], and the Senator from West Virginia [Mr. NEELY] are absent on public business.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness.

The Senator from Iowa [Mr. GRILLETTE] is absent by leave of the Senate.

The Senator from Washington [Mr. MAGNUSON] is absent by leave of the Senate on public business.

Mr. HENDRICKSON. I announce that the Senator from New York [Mr. IVEY], the Senator from Missouri [Mr. KEM], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Colorado [Mr. MILLIKIN], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate.

The junior Senator from Ohio [Mr. BRICKER], the Senator from Maine [Mrs. SMITH], the Senator from Massachusetts [Mr. SALTONSTALL], the senior Senator from Ohio [Mr. TAFT], and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The Senator from Kansas [Mr. DARBY] and the Senator from Utah [Mr. WATKINS] are absent by leave of the Senate on official business.

The senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Indiana [Mr. JENNER], the Senator from North Dakota [Mr. LANGER], and the Senator from Oregon [Mr. MORSE] are absent on official business.

The Senator from Vermont [Mr. FLANDERS] is absent by leave of the Sen-

ate on official business as a temporary alternate Governor of the World Bank.

The VICE PRESIDENT. A quorum is present.

DEATH OF FORMER SENATOR MOORE, OF OKLAHOMA

Mr. SMITH of New Jersey. Mr. President, on Sunday I saw the notice in the New York newspapers of the death on Saturday, September 2, of our former colleague, E. H. Moore, of Oklahoma. "Eddie" Moore was elected to the Senate in 1942, 2 years before I was, but it was my privilege to see a great deal of him and to come to appreciate his independent mind and his kindly human interest in his colleagues. He might differ with us, but he always was a champion of our right to our independent judgment as he claimed the right to his own. In his passing I have lost a valued friend, and I desire to express my deep sympathy to Mrs. Moore and other members of his family.

Mr. DONNELL. Mr. President, the reference made by my esteemed colleague, the Senator from New Jersey [Mr. SMITH], to the death of our former colleague, Senator Moore, is indeed appropriate. Senator Moore was born in Nodaway County, Mo., which is the county in which is located the birthplace of the present speaker. My father knew him and, as a young lawyer, he received from my father one of his early employments to represent a client. Senator Moore was a man of industry, ability, and integrity. I express to his widow my sympathy in her sorrow.

Mr. THOMAS of Oklahoma. Mr. President, I desire to associate myself with those of my colleagues who have referred to the passing of a former distinguished Member of this body.

It was a shock to me to learn of the passing of my former colleague and a former distinguished Member of this Senate, the Honorable Edward H. Moore, of Tulsa, Okla.

Senator Moore passed away suddenly on September 2, 1950.

My friend of almost 50 years was born in Missouri on November 19, 1871.

He was educated in the common schools, the Chillicothe College, and the Kansas City School of Law.

Ed Moore, as he was familiarly and widely known, taught school to pay his way through college and in 1901 moved to Oklahoma where he engaged in the practice of law.

Early in life he married Miss Cora McComb of Lamar, Mo.

In addition to the practice of law, Senator Moore was a successful farmer, rancher, and oil producer. To his credit as the discoverer and developer are a number of oil fields in Oklahoma and the Southwest.

On November 3, 1942, he was elected as a Republican to represent Oklahoma in the United States Senate and served in that capacity until January 3, 1949.

He was a member of the Oklahoma State and the American Bar Associations.

He was a member of the First Christian Church of Tulsa, and was also a thirty-second degree Mason.

Ed Moore was a man of strong convictions, and sought opportunity and occasion for making known his opinions and recommendations regarding public issues and policies.

From early youth until 1940 he was a consistent and enthusiastic Democrat, and was a delegate to the Chicago National Convention which, over his opposition and protest, nominated Franklin D. Roosevelt for a third term.

Because of the breaking of the precedent that no man should be nominated and elected for a third term as President, Ed Moore renounced the Democratic Party and allied himself with the opposition or Republican Party.

In 1942 the Republicans of Oklahoma nominated former Senator William B. Pine as its candidate for the office of United States Senator for Oklahoma.

After the nomination, Senator Pine passed away, thus leaving a vacancy on the Republican ticket for the office of United States Senator.

The Oklahoma Republican State central committee, after much persuasion, induced Ed Moore to take the place on the Republican ticket for which former Senator Pine had been nominated. Although Oklahoma was a Democratic State and the chances of success were not promising, yet he accepted the place and made a vigorous campaign for election.

While Oklahoma remained Democratic, Ed Moore was elected to the United States Senate.

After his election and before he was sworn in as a United States Senator from Oklahoma, he confided to me that if he had had a realization that he might be elected he would never have consented to make the race. He stated that he agreed to accept the place on the Republican ticket, not in the hope of being elected, but instead that he might have the opportunity to make some statements in the public interest which he thought should be made.

This one incident is typical of the public as well as the private life of Ed Moore.

He was publicly and privately honest.

He was not an opportunist, and never straddled a political issue.

He did much to build up Oklahoma, and his passing is mourned by those who were so fortunate as to be able to call him a friend.

TRANSACTION OF ROUTINE BUSINESS

Mr. GEORGE. Mr. President, I ask unanimous consent that Senators be permitted to submit petitions and memorials, introduce bills and joint resolutions, and present routine matters for the RECORD, without debate and without speeches.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ENROLLED BILLS SIGNED DURING RECESS

Under authority of the order of the 1st instant,

The PRESIDENT pro tempore announced that on September 2, 1950, he signed the following enrolled bills, which had previously been signed by the Speak-

er pro tempore of the House of Representatives:

S. 192. An act to confer jurisdiction on the courts of the State of New York with respect to civil actions between Indians or to which Indians are parties;

S. 868. An act to provide for the dissemination of technological, scientific, and engineering information to American business and industry, and for other purposes;

S. 1838. An act to amend title 28 of the United States Code relating to fees of United States marshals;

S. 3409. An act to establish a new Grand Teton National Park in the State of Wyoming, and for other purposes;

S. 3959. An act to amend the Federal Property and Administrative Services Act of 1949, and for other purposes;

S. 3995. An act to amend the Civil Aeronautics Act of 1938, as amended, to authorize the Civil Aeronautics Board and the Secretary of Commerce to undertake security measures relative to the regulation and control of air commerce, and for other purposes;

S. 4029. An act to amend the Selective Service Act of 1948, as amended, so as to provide for special registration, classification, and induction of certain medical, dental, and allied specialist categories, and for other purposes;

S. 4071. An act to provide allowances for dependents of enlisted members of the uniformed services, to suspend certain provisions of the Career Compensation Act of 1949, and for other purposes; and

H. R. 8594. An act to provide for the acquisition, construction, expansion, rehabilitation, conversion, and joint utilization of facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letter, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, FEDERAL SECURITY AGENCY (S. Doc. No. 226)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation, in the amount of \$3,000,000, for the Federal Security Agency, fiscal year 1951 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORT OF DISPLACED PERSONS COMMISSION

A letter from the Chairman and members of the Displaced Persons Commission, transmitting, pursuant to law, the third semi-annual report of the Commission, dated February 1, 1950 (with an accompanying report); to the Committee on the Judiciary.

PETITION

The VICE PRESIDENT laid before the Senate a resolution adopted by New Port Richey (Fla.) Townsend Club No. 1, favoring the enactment of the so-called Townsend plan, providing old-age assistance which was referred to the Committee on Finance.

THE KOREAN SITUATION, ETC.—RESOLUTION OF WEST VIRGINIA DEPARTMENT OF AMERICAN LEGION

Mr. KILGORE. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the American Legion, Department of West Virginia, at its thirty-second annual department convention assembled in Charleston, W. Va., on August 25-27, 1950, relating to the Korean situation, and so forth.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Present world conditions more than ever demonstrate the need of clear thinking and steady hands in the guidance of American affairs at home and abroad, especially in the integration and unification of the military departments into a single fighting force, emblematic of the spirit and solidarity of the United States of America: Now, therefore, be it

Resolved by the American Legion, Department of West Virginia, at its thirty-second annual department convention assembled at Charleston, W. Va., August 26-27, 1950, That—

We commend the Honorable Harry S. Truman, the President of the United States, for the position taken by him in the Korean situation, thereby taking a firm stand against the threatening hordes of communistic devastation;

We have complete confidence and unswerving faith in the Honorable Louis Johnson, the Secretary of Defense, and in his ability—demonstrated by his devotion, loyalty, unselfish labor, and the open record, of his public and private life from 1917-18 in the trenches of France, later as Assistant Secretary of War, and his many activities in the American Legion, to the present day; we stand with him in his determination for the betterment and strength of our country, to—

Achieve the long desired objective of unifying and integrating our Army, Navy, and Air Force into efficient combat units, with flexibility in the utilization of their specialties;

Eliminate inefficiencies, waste, and unnecessary overlapping in the fields of administration and procurement within the Department of Defense;

Attain a businesslike and effectual use of the tax dollar for more and better guns, ammunition, ships, planes, equipment, and supplies, for our fighting forces; and

We pledge our support to the President of the United States and the Secretary of Defense, toward the establishment of freedom, and making the United States strong, that forever there may be peace on earth and good will toward all men.

I, C. A. Tesch, hereby do certify that I am the duly elected, qualified, and acting adjutant of the American Legion, Department of West Virginia; that the foregoing is a true and correct copy of the resolution regularly and duly adopted by the American Legion, Department of West Virginia, at its thirty-second annual department convention held on August 25-27, 1950, at Charleston, W. Va., and that by convention action it was directed that a certified copy of said resolution be transmitted to you.

Given under my hand and the seal of the American Legion, Department of West Virginia, this 28th day of August 1950, at Charleston, W. Va.

C. A. TESCH,
Department Adjutant.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. HOEY, from the Committee on Agriculture and Forestry:

S. 3135. A bill to amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; with an amendment (Rept. No. 2503).

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on Saturday, September 2, 1950, he

presented to the President of the United States the following enrolled bills:

S. 192. An act to confer jurisdiction on the courts of the State of New York with respect to civil actions between Indians or to which Indians are parties;

S. 868. An act to provide for the dissemination of technological, scientific, and engineering information to American business and industry, and for other purposes;

S. 1838. An act to amend title 28 of the United States Code relating to fees of United States marshals;

S. 3409. An act to establish a new Grand Teton National Park in the State of Wyoming, and for other purposes;

S. 3959. An act to amend the Federal Property and Administrative Services Act of 1949, and for other purposes;

S. 3995. An act to amend the Civil Aeronautics Act of 1938, as amended, to authorize the Civil Aeronautics Board and the Secretary of Commerce to undertake security measures relative to the regulation and control of air commerce, and for other purposes;

S. 4029. An act to amend the Selective Service Act of 1948, as amended, so as to provide for special registration, classification, and induction of certain medical, dental, and allied specialist categories, and for other purposes; and

S. 4071. An act to provide allowances for dependents of enlisted members of the uniformed services, to suspend certain provisions of the Career Compensation Act of 1949, and for other purposes.

BILLS INTRODUCED

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

By Mr. AIKEN:

S. 4122. A bill for the relief of Aldea Bourgeois; to the Committee on the Judiciary.

By Mr. TAYLOR:

S. 4123. A bill for the relief of Osvaldo Castro y Lopez; to the Committee on the Judiciary.

S. 4124. A bill to provide for the transfer of certain lands in the State of Idaho to the Idaho Ranch for Youth, Inc.; to the Committee on Interior and Insular Affairs.

By Mr. LEHMAN:

S. 4125. A bill for the relief of Arthur Lillienfeld; and

S. 4126. A bill for the relief of Virgilia and Madeleine Dabell; to the Committee on the Judiciary.

INTERNAL SECURITY ACT OF 1950—AMENDMENTS

Mr. ELLENDER submitted an amendment intended to be proposed by him to the bill (S. 4037) to protect the internal security of the United States, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. KEFAUVER submitted amendments intended to be proposed by him to Senate bill 4037, supra, which were ordered to lie on the table and to be printed.

Mr. MUNDT (for himself, Mr. FERGUSON, and Mr. JOHNSTON of South Carolina) submitted amendments intended to be proposed by them, jointly, to Senate bill 4037, supra, which were ordered to lie on the table and to be printed.

THE NATIONAL GUARD—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "The National Guard—America's Min-

ute Men," delivered by him at Camp Haven, near Sheboygan, Wis., on August 31, 1950, which appears in the Appendix.]

ORIGIN OF THE FOURTEENTH AMENDMENT—EDITORIAL FROM THE WASHINGTON POST

[Mr. HOEY asked and obtained leave to have printed in the RECORD an editorial entitled "Origin of the Fourteenth Amendment," published in the Washington Post of Monday, September 4, 1950, which appears in the Appendix.]

MANUFACTURE OF THE HYDROGEN BOMB

[Mr. WILLIAMS asked and obtained leave to have printed in the RECORD an editorial entitled "Sometimes 'Too Big' Is Just Right," published in the Saturday Evening Post of September 2, 1950, which appears in the Appendix.]

ALLEGED SOCIALISTIC NATURE OF COLUMBIA VALLEY ADMINISTRATION—EDITORIAL COMMENT

[Mr. ECTON asked and obtained leave to have printed in the RECORD an editorial entitled "Is CVA Socialistic?" published in the Olympia (Wash.) Olympian of July 26, 1950; also an editorial entitled "Is CVA Socialistic?" published in the Bellingham (Wash.) Herald of August 2, 1950, which appear in the Appendix.]

BRANDING RUSSIA—EDITORIAL FROM WASHINGTON POST

[Mr. THYE asked and obtained leave to have printed in the RECORD an editorial entitled "Branding Russia," published in the Washington Post of September 5, 1950, which appears in the Appendix.]

STATEHOOD FOR ALASKA AND HAWAII—LETTER FROM KENNETH HASKELL MANTEL

[Mr. LEHMAN asked and obtained leave to have printed in the RECORD a letter dated August 17, 1950, addressed by Kenneth Haskell Mantel to the editor of the New York Herald Tribune, which appears in the Appendix.]

GENERAL MACARTHUR AND THE DEMOCRATIZATION OF JAPAN—ARTICLE FROM THE WASHINGTON TIMES-HERALD

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an article in regard to General MacArthur and the democratization of Japan, published in the Washington Times-Herald of August 27, 1950, which appears in the Appendix.]

LATTIMORE: DREYFUS OR HISS?—ARTICLE BY EUGENE LYONS

[Mr. MCCARTHY asked and obtained leave to have printed in the RECORD an article entitled "Lattimore: Dreyfus or Hiss?" written by Eugene Lyons, and published in the New Leader on September 2, 1950, which appears in the Appendix.]

THE MEDWAY PLAN FOR HUMAN REHABILITATION AND WORLD PEACE—ARTICLE BY DR. CHARLES R. JOY

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an article entitled "The Medway Plan for Human Rehabilitation and World Peace," by Dr. Charles R. Joy, which appears in the Appendix.]

COLOR TELEVISION—STATEMENT BY SENATOR JOHNSON OF COLORADO AND LETTER TO WAYNE COY

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD a statement by him regarding the decision

of the Federal Communications Commission on the color television question, with a letter from him to Chairman Coy of the Federal Communications Commission, which appear in the Appendix.]

ADDRESS BY SENATOR PEPPER AT FOURTH BIENNIAL CONVENTION OF SOUTHERN CONFERENCE FOR HUMAN WELFARE

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address delivered by him at the fourth biennial convention of the Southern Conference for Human Welfare, at New Orleans, La., on November 28, 1946, which appears in the Appendix.]

THE 1950 REVENUE ACT—STATEMENT BY CHARLES F. WAHL

[Mr. PEPPER asked and obtained leave to have printed in the RECORD a statement by Charles F. Wahl, representing the Pacific Lock Operators Association, Masters, Mates, and Pilots, Marine Engineers, Dredge Operators, Truck Drivers, and Marine Dispatchers of the Panama Canal, which appears in the Appendix.]

WORLD GOVERNMENT—STATEMENT BY DR. HAMILTON HOLT

[Mr. PEPPER asked and obtained leave to have printed in the RECORD a public statement issued on February 13, 1950, by Dr. Hamilton Holt, honorary president of Rollins College, which appears in the Appendix.]

MY FATHER WORKS—SERMON BY DR. HAROLD G. SANDERS

[Mr. PEPPER asked and obtained leave to have printed in the RECORD a sermon delivered on September 3, 1950, by Dr. Harold G. Sanders, pastor of the First Baptist Church, Tallahassee, Fla., which appears in the Appendix.]

NOTICE OF HEARING ON NOMINATION OF OLIVER J. CARTER TO BE UNITED STATES DISTRICT JUDGE FOR NORTHERN DISTRICT OF CALIFORNIA

Mr. McCARRAN. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing has been scheduled for Tuesday, September 12, 1950, at 10 a. m., in room 424, Senate Office Building, upon the nomination of Oliver J. Carter, of California, to be United States District Judge for the Northern District of California to fill a new position. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from Nevada [Mr. McCARRAN], chairman, the Senator from Mississippi [Mr. EASTLAND], and the Senator from Indiana [Mr. JENNER].

NOTICE OF HEARING ON NOMINATION OF WILLIAM M. BYRNE TO BE UNITED STATES DISTRICT JUDGE, SOUTHERN DISTRICT OF CALIFORNIA

Mr. McCARRAN. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing has been scheduled for Tuesday, September 12, 1950, at 10 a. m., in room 424, Senate Office Building, upon the nomination of William M. Byrne, of California, to be United States District Judge for the Southern District of Cali-

fornia, vice Hon. J. F. T. O'Connor, deceased. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from Nevada [Mr. McCARRAN] chairman, the Senator from Mississippi [Mr. EASTLAND], and the Senator from Indiana [Mr. JENNER].

SHOULD WE ARM GERMANY?—ARTICLE BY SENATOR THYE

Mr. THYE. Mr. President, I should like to have printed in the body of the RECORD as part of my remarks the reply I made to the question, asked by the editor of the Duluth Herald, whether Germany should be rearmed.

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

SHOULD WE ARM GERMANY?

(By EDWARD J. THYE, United States Senator)

As we examine that question we are constantly confronted with the realities that if western Germany does not become a part of the countries of western Europe that are now fighting communism, they, as a people and as a country, will have to stand alone, neutral, or be swept back of the iron curtain of Russia.

Economically, western Germany cannot stand alone. Likewise, the countries allied with us in this struggle against communism need the German industrial economy, and the situation in Japan is very similar to that of Germany. Therefore, my reply to the question, "Should we rearm western Germany and Japan?" is "yes," with this positive reservation and safeguard: That they be under one military leader chosen by the nations within the Security Council.

Rearming Germany and Japan in this manner is extending an invitation to them to be members of an honorable body, such as an international police force, striving to protect the rights and security of free people and their pursuit of a lasting peace. If the people of western Germany and Japan were so recognized, I am confident that the people themselves, under such an international military leader, would strive to make amends for the great wrong done by the military leaders who had forced these people and their countries into conflict.

The German people are aggressive, industrious, and if permitted to work with the nations which are striving to continue freedom of man in a free world, I believe that they would make a great contribution.

I found this conviction strengthened after having visited Germany a year ago and knowing that our occupation forces, through educational channels and through agricultural demonstration work, such as carried on by many agricultural economists and technicians whom we know as extension educational workers in the United States, have worked with the German people, more especially the youth, and have developed a will in the German mind to build for peace rather than military might. If we give them an opportunity to work with us, I am confident that they would make an admirable contribution. I feel the same about Japan.

This world crisis and strife involve a free people against the godless Communists of Russia.

The United Nations organization was conceived for the purpose of establishing an international organization where nations could unite, working toward the solution of their trade barriers and monetary problems and other differences that arise.

They are striving ever to achieve internationally the accomplishments that are so readily exemplified here in the United States, where the people of all nationalities and religious beliefs have been able to work for the betterment of all and have achieved a standard of living, on the average for all the people, far above a level heretofore achieved, and have achieved a unity of states, such as the United States.

Allowing western Germany to be rearmed, and Japan in due time, would seem to be an action on the part of the Allies that would assure the people of Germany and Japan that they could eventually be accepted as nations striving to achieve, within the United Nations, the objectives of resolving the differences that arise among nations through an international court or some such honorable body, established by the United Nations and dealing decisively through the international police organization with any aggressor that would threaten the security and peace of the rest of the nations of the world.

Such recognition for the people of western Germany would have a profound impression upon the people of eastern Germany whom Russia is endeavoring to indoctrinate with the communistic ideology and philosophy. It would seem to me that the people of eastern Germany would strive to become reunited with the people of western Germany.

Likewise, such a recognition of the Japanese people would be an indication of all of Asia that we are not imperialistic warmongers but are striving to obtain peace and the freedom of all people throughout the world. Russia has sown seeds of distrust in the minds of many of the people of Asia that the United States and some of our allied countries are imperialistic warmongers, threatening to dominate all the world.

Granting Germany and Japan the right to share in United Nations military forces, instead of suppressing them and endeavoring to completely destroy both their industry and their dignity as a people, would lend itself to the defeat of the Russian propagandists.

REFERENCE BY THE PRESIDENT TO THE UNITED STATES MARINES

Mr. HICKENLOOPER. Mr. President, on page A6323 of the Appendix of the RECORD, under the extension of remarks of Hon. GORDON L. McDONOUGH, a Representative from California, appears one of the most, if not the most, astoundingly insulting letters about a glorious American institution that any President of the United States has ever written, so far as I know. I call the attention of the Senate to the insult given to the United States Marines by the President of the United States in a letter of reply which he wrote to Representative McDONOUGH, who inserted it in the Appendix of the RECORD.

I know that the spirits of heroes from the halls of Montezuma, from Chateau Thierry, Tarawa, and the rugged hills of Korea, will be aroused today over this insult to this glorious corps of brave Americans who have spearheaded so many of our historic victories on countless beachheads and battlefields throughout the world, and who have colored those beachheads with their blood.

Mr. President, I am going to read this letter to the Senate, because I, as an American with pride in American traditions and American sacrifice am insulted, as I am sure every Member of

this body will be insulted when he hears this letter.

Representative McDONOUGH wrote as an admirer of the great United States Marine Corps, suggesting that it be made into a separate unit of our armed services, and that a chief of staff be appointed for the Marine Corps.

On August 29, 1950, the following letter in reply was received from the President by Mr. McDONOUGH, and was inserted in the Appendix of the RECORD, as I have said, at page A6323.

THE WHITE HOUSE,
Washington, August 29, 1950.

MY DEAR CONGRESSMAN McDONOUGH: I read with a lot of interest your letter in regard to the Marine Corps. For your information the Marine Corps is the Navy's police force and as long as I am President that is what it will remain. They have a propaganda machine that is almost equal to Stalin's.

Is it conceivable—it still is hardly conceivable to me—that the President of the United States would say that the Marine Corps, with earned glory exceeded by no other branch of the Armed Forces of our Nation, is but the police force of the Navy; that it has a propaganda machine the equal of the most corrupt, dishonest, and dishonorable propaganda machine the world has ever seen, that of Joe Stalin?

I continue to read the President's letter:

Nobody desires to belittle the efforts of the Marine Corps but when the Marine Corps goes into the Army it works with and for the Army and that is the way it should be.

I am more than happy to have your expression of interest in this naval military organization. The Chief of Naval Operations is the Chief of Staff of the Navy of which the Marines are a part.

Sincerely yours,

HARRY S. TRUMAN.

Mr. President, while I think every American should take just exception to that letter, in addition to being aroused by it, I have a sense of great sadness that a President of the United States would so contemptuously refer to that great, heroic body of men who have served our country and who have served freedom with their blood and courage in spearheading the landings on beaches all over the world. I call it to the attention of the Senate, and I say to you, Mr. President, that I believe there will be found no Member of this body who will defend and support the sentiments expressed by the President in his letter to Representative McDONOUGH.

Mr. DOUGLAS subsequently said: Mr. President, I should like to make a brief statement in regard to an alleged letter from the President of the United States, dealing with the Marine Corps. That matter has been given some publicity today. The alleged letter appears on page A6323 in the Appendix of the CONGRESSIONAL RECORD.

I have no way of knowing whether the letter was actually composed by the President of the United States or whether it was drafted for him by a member of the Armed Services Department or by one of his secretaries. I should imagine that it is quite possible that it

was prepared for the President by someone else who did not like the Marine Corps and that it is quite possible that the President signed the letter in an inadvertent moment, under the pressure of a tremendous volume of correspondence and paper work. I think that is probably the most correct explanation of the matter.

However, if by any mischance the President actually wrote the letter himself, I am sure that it does not represent his considered opinion, but rather, that the letter was an expression of irritation under great pressure and under the almost superhuman tasks which are imposed upon the Chief Executive in connection with the present hostilities.

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

Mr. DOUGLAS. I shall be glad to yield for a question when I finish this statement.

Mr. President, I am certain that the letter does not represent the real judgment which the President of the United States has for the Marine Corps. I do not think it is necessary for me to say that the Marine Corps makes its record by its achievements and not by propaganda, and that the Marines are perfectly willing to be judged by what they do and not by what any others may say about them. We have written our record in blood and sacrifice and we shall let that speak for us.

Now I am very glad to yield for a question.

Mr. HICKENLOOPER. I thank the Senator.

I noticed the Senator said he believes that the President himself must have signed the letter through inadvertence or as a result of the great stress of business which comes before him.

I wonder whether the Senator believes that the President habitually signs letters and issues statements on very important matters by inadvertence or without giving proper attention to the matters to which he attaches his signature.

Mr. DOUGLAS. No; I am sure that is not the case. The Senator from Iowa is well aware, however, of the tremendous volume of work which now passes over the desk of the President of the United States, particularly in a period of world crisis.

It is quite possible, in the first place, that someone else drafted the letter, or if someone else did not draft the letter, it is quite possible that the letter was a momentary expression of irritation which did not represent the true feelings of the Chief Executive.

The volume of work which Senators have is only a fraction of the volume of work the President of the United States has. It so happens that I receive about 1,000 letters a day, which is not the heaviest mail received by Members of the Senate, I know. I imagine that the Senator from Wisconsin [Mr. McCARTHY] may well receive more letters than that, and that the Senators from New York probably receive from 3,000 to 4,000 letters a day. However, I happen to receive about 1,000 letters a day. The pressure of replying to that correspondence is very heavy. So we can imagine the much greater pressure which bears

upon the President of the United States, and that once in a while "boners" are made. I think almost every senatorial office at one time or another has made a "boner." The task of being President imposes a train which is almost greater than mortal man can bear.

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

Mr. DOUGLAS. I am glad to yield.

Mr. McCARTHY. First, let me say that I do not think the junior Senator from Illinois needs to take a back seat to anyone, so far as military records are concerned. Certainly the junior Senator from Illinois has a tremendously impressive military record.

In that connection, I should like to ask a question. Inasmuch as the President of the United States, as Commander in Chief, has compared our fighting Marines in Korea with our most vicious enemy, Stalin, does the Senator from Illinois agree with me that there is only one way by which the President can rectify that error, namely, by immediately apologizing to the young men in the Marines who are fighting and dying in Korea today?

Mr. DOUGLAS. Mr. President, I am sure there was no intention whatever on the part of the President of the United States to reflect in any way on the Marines who are fighting in Korea or to reflect on the Marines who have fought anywhere. The President has been a combat soldier himself, and he values bravery and devotion to duty.

I must say, however, that my ears burned somewhat when I read the letter today.

However, what I am asking for fundamentally is that we exercise Christian charity and that we exercise imagination in regard to the difficulties under which the Chief Executive labors.

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

Mr. DOUGLAS. I am glad to yield.

Mr. HICKENLOOPER. The Senator from Illinois has a magnificent war record, and all of us salute him for it, and have done so.

Mr. DOUGLAS. Let me say that I deserve no credit for my war record. I feel unalterably grateful that I was privileged to serve in a combat division of the Marine Corps and thank my country for that chance. The men who really deserve credit for their war records are the men who never have returned from war. I do not believe that any person who is a candidate for political office should ever presume upon his war record.

Although I appreciate the kind words of the Senator from Wisconsin and the Senator from Iowa, I wish to say that I feel very humble in comparison with the thousands of men, of all branches of the service, who died, and never were able to return to their country. In comparison with them our own contributions are very small indeed.

Mr. HICKENLOOPER. Mr. President, let me say that I fully credit the distinguished junior Senator from Illinois with not voluntarily bringing up his own war record.

Mr. DOUGLAS. I do not even want anyone to mention it.

Mr. HICKENLOOPER. But I am sure the Senator from Illinois does not take offense if I pay tribute to him for having a magnificent war record and for being a very brave man.

Mr. DOUGLAS. No; I do not take offense and I want to repeat, I think my contributions have been overpraised.

Mr. HICKENLOOPER. I wish to ask the Senator from Illinois, who fought so courageously in the Marines, whether at that time he thought the Marines merely were the police force for the Navy.

Mr. DOUGLAS. No; I did not think so then, nor do I think so now. I believe we should have at least four divisions of Marines, and I believe the Marines should have representation on the Joint Chiefs of Staff. I happen to be one who believes that in a period of war we cannot have too many Marines. I disagree with virtually everything that is set forth in the alleged letter. All we want in the corps is to be allowed to serve in the most dangerous places and to take more than our share of hardship and casualties. We believe that this spirit can be of service to our country and I believe the President knows that in his heart.

What I am trying to say, however, is that I think that gives me at least the moral right to say that I am sure the letter was either written by someone else, or, if written by the President, was written in a moment of inadvertence and temporary irritation, and that in no sense does it reflect the basic spirit of the President of the United States.

Mr. HICKENLOOPER. Mr. President, if the Senator will yield, I should like to say to him that, while it is possible the letter might have been written under stress and strain, I call his attention to the fact that the utterances of the President of the United States probably carry more weight and are given wider currency than those of probably any other man in the world today. That, I think, certainly accentuates the seriousness of a statement such as the one contained in the letter to which reference is being made. I feel that the excuse of pressure of business, overwork, or anything of that sort cannot be successfully urged in a matter which goes so deeply into the traditions and the glory of American history on the battlefield as this letter has done.

APPOINTMENT OF SENATORS TO AMERICAN GROUP OF THE INTERPARLIAMENTARY UNION

The VICE PRESIDENT. The Chair, as the president of the American Group of the Interparliamentary Unions, wishes to announce the appointment of the Senator from Maine [Mr. BREWSTER], the Senator from Florida [Mr. PEPPER], the Senator from New Jersey [Mr. SMITH], and the Senator from Michigan [Mr. FERGUSON], as representatives of the American Group to the Interparliamentary Conference to be held at Dublin beginning the 7th of this month. The Chair regrets that other Senators who were invited and appointed could not go, so as to give us a larger delegation than apparently we will have.

If the Senate has no objection, the Senators designated will be given leave of absence from attendance on the sessions of the Senate during the sessions of the Interparliamentary Union, which will last from about the 7th to about the 14th of this month. The Chair hears none, and it is so ordered.

Mr. BREWSTER. Mr. President, it will be necessary for us to leave tomorrow afternoon, the 6th of September, in order to be present for the initial session.

WHY WE HAVE COMMUNISTS—ARTICLE FROM ELKS MAGAZINE

Mr. McCARRAN. Mr. President, the September issue of the Elks magazine contains an article entitled "Why We Have Communists," which reports in an extremely interesting manner interviews with General Eisenhower, Mr. J. Edgar Hoover, and Dr. Richard Brickner. The subject matter of this article is extremely pertinent to consideration of the bill which is before the Senate today; and I therefore ask unanimous consent that the text of this article may be printed at this point in the body of the RECORD as a part of my remarks.

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

WHY WE HAVE COMMUNISTS

(As told to Bruno Shaw by General Eisenhower, president, Columbia University; J. Edgar Hoover, Director, FBI; Dr. Richard Brickner, College of Physicians and Surgeons)

WHY IN THESE UNITED STATES DO WELL-EDUCATED PEOPLE SEEK TO DESTROY AMERICAN DEMOCRACY?

"A man has two reasons for doing what he does—a good reason, and the real reason."—J. P. Morgan.

In our national community, according to FBI Director J. Edgar Hoover, there are 55,000 Communists. In sympathy with them are 500,000 additional Americans who, although they have not actually taken the plunge into the red sea of Communist Party membership, are either willing tools of those who have done so or party-line followers ready to succumb to its peculiar blandishments.

Since the end of the war we have been shocked time and again to find revealed as Communists among us, men and women whose intellectual integrity had commanded our high regard, and whose good citizenship we would have vouched for unquestioningly. We have been shocked principally because of the impalpable nature of the distinction between those who claim to be loyal American citizens first and Communists only by ideological conviction, and those who are voluntary tools of a Soviet dictatorship.

The who, what, when and where of American Communist activity have been revealed with unpleasant frequency in the past several years. What has been conspicuously absent, however, is a logical answer to the one question that might help us understand the motivations of those concerned—why? Why in these United States do well-educated men and women in reasonably good economic circumstances embrace a totalitarian ideology that is provedly the antithesis of the universal freedom and equality they quest for? Why do they actively seek to destroy this American democracy which, though far from perfect, holds within it, and for them, the opportunity to continue to improve the economic, social and political conditions of all mankind?

In an endeavor to find a reasonable answer to this paradox, the editors of the Elks mag-

azine proposed that I interview several Americans of unimpeachable standing, who, because of their experience and knowledge, might be qualified to shed some light for us in the dark recesses of this unexplored field.

Before doing so, it seemed to me that the starting point might well be, for example, of the kind of Communist who is the subject of our inquiry. Our exhibit A, not because he is wealthier than most by virtue of being a millionaire by inheritance, but because he is an intelligent, well-educated, typical American in many ways—is Frederick Vanderbilt Field.

Mr. Field is a great-great-grandson of Commodore Cornelius Vanderbilt. He owns the building at 23 West Twenty-sixth Street, in New York City, the upper floors of which are occupied by a variety of Communist-front organizations. On the ground floor is Mr. Field's private library containing an enormous collection of Communist literature. At the rear is his personal office, where I interviewed him for the better part of an afternoon.

Sandy-haired, a pipe smoker who uses more matches than tobacco, a little on the thin side, and considerably younger in appearance than his 45 years, Mr. Field has a friendly grin and a ready laugh. He is a Communist, not by inference, but on the basis of his own statements.

Prominent on one wall of his office is the red and gold five-star flag of the Communist regime in China. On the opposite wall are framed photographs of six present-day Chinese Communist leaders; the center two, Mao Tse-tung and Chu Teh. No other photograph or flag adorns the premises. Though he spent only a total of 2 months in China, Mr. Field has written for many years as an expert on the Far East for the Institute of Pacific Relations.

It is Mr. Field's belief that there is more personal freedom in Russia than there is in the United States. Of course, he says, Russia is a proletarian dictatorship; and, of course, there is no freedom to enemy classes. But certainly, he declares, there is complete freedom of opinion and personal liberty everywhere in the Soviet Union.

In the United States, on the other hand, says Mr. Field, we have a dictatorship of financial and industrial monopolies. Secretary of State Dean Acheson, according to Mr. Field, is a servant of our financial and industrial monopoly, and not of the people. (Conservative Members of Congress who have denounced Mr. Acheson for alleged left-wing tendencies should find Mr. Field's view interesting.)

There are, Mr. Field says, disagreements such as those between the TAFT and VANDENBERG factions of the Senate. But TAFT merely speaks for the financial monopolists of the West and Middle West who are anxious to exploit the Far East because they are locked out of the Wall Street markets; and VANDENBERG, though a Midwesterner, is spokesman for the monopolies of the east coast who want to maintain their stranglehold on Europe.

Is there freedom in Russia to believe and to teach the truth as educators see it? You are probably thinking, replied Mr. Field, of the Lysenko theory of genetics (which, indeed, I was). Well, someone has to determine the truth.

Does the Politburo determine what is scientific truth? Certainly. For the members of the Politburo consider themselves scientists. But they are guided by a committee of Russia's outstanding scientists. The Politburo's action was, so to speak, no different from that of the Scopes trial in Tennessee, but in reverse. In the Scopes trial a verdict was brought that scientific proven facts could not be taught in the public schools in the

State of Tennessee. In Russia noted scientists determined the facts, and the teaching of biology in Russia is limited to those facts.

Are you a Communist, Mr. Field? That is a question that I have refused to answer even to a congressional committee, he replied. People have called me a Communist, and I have never denied or affirmed it. I certainly would never sue anybody who called me one.

Are you very rich? It depends on what you think of as being rich. Fortunately for me, I inherited a lot of money. I am not the multimillionaire that some make me out, but I don't have to worry about money no matter how long I live.

What inspired you to become an advocate for communism? When I was graduated from college, I read a great deal. I studied various political systems, and the history of those systems. And through my reading and discussions with people, I came to the conclusion long ago that Marxism was the only rational, scientific, and logical system that made any sense.

Do you believe that Marxism is working out for the benefit of the people of Russia and other Communist countries? Of course, I do.

How do you know? I can read, can't I.

How do you know that what you read in the Communist press is true? Of course, it is true.

Do you believe what you read in publications that come from a controlled press in Russia? Of course, I do. Lots of it is pretty dialectical and dry, but I certainly believe everything I read in it. It tells the truth, which is more than you can say of the controlled press and radio in our own country.

Would you be willing to admit, at least, that anyone who has the money to pay for it can advertise his views in the American press and radio, if he cannot get his story into the story columns; even if his views are contrary to those of the Government, the newspaper in which he advertises, and the radio station on which he expresses them? Yes, I would admit that, but you have to buy it. What kind of freedom is that?

At any rate, you agree that money can buy the right to express opinions contrary to those of our Government and our news media which you say are controlled. Now, what could you use for money to do that in Russia? Lots of people in Russia express their opinions freely. The Russian papers and radios express very critical comments.

Criticisms of the Soviet Government? Of course not. Only a class enemy would even attempt to do that, and I've already said that naturally enemies of the proletariat class are not tolerated in a Communist country.

What happens to people in Russia who are what you call enemies of the people? Why, they just disappear from the public scene, I suppose.

Into the salt mines? Oh [laughingly], of course not. They are just not allowed to propagate enemy views, that's all. I don't know where they go.

And now, Mr. Field, a last question. Do you believe it is either ethical or right for an American citizen of any political shade of belief to convey what is considered secret information of any kind to agents of any other nation? Certainly not. It is a silly thing to do. We don't need the Russians to tell us how to create democracy in our own country. It is nonsensical to think that Communists in this country believe in violent overthrow of the Government. Such a course would be wholly unnecessary and inadvisable, for it is a historical fact that communism is inevitable in this country—no matter what you and I may do.

J. EDGAR HOOVER

The Director of the Federal Bureau of Investigation, Mr. J. Edgar Hoover, probably knows more about the who, what, when, and

where of Communists in the United States than any other one person in this country.

The question I put to Mr. Hoover was this: Why is it that well educated men and women in this country, with good home backgrounds, embrace communism by becoming party members or party-line followers?

I believe, said Mr. Hoover, the answer lies largely in the inner meaning and purpose of education. True education, as we all know, cannot be exclusively measured by the number of years spent in school, and degrees attained, or the scholastic organizations joined. These factors, of course, are vital and serve as excellent guides to an individual's character.

But, he added, unless they are tempered, matured and seasoned by faith in man and God, by belief in the fundamental values of life—truth, justice, mercy—then education becomes a dead letter. To serve as a valid guide in life, education must be firmly rooted in eternal moral principles, the principles which have given hope and inspiration to mankind for centuries past.

Morality, Mr. Hoover believes, is a key-stone of a civilized community. The individual, Mr. Hoover contends, who in the course of his educational training has failed to understand and to appreciate the moral foundations of western civilization is in reality a personality adrift, lost in society. He is intellectually unstable, undependable and unpredictable. No moral anchor holds him in place; no spiritual guide sticks light the path ahead. He flounders, going 'round and 'round, like a rudderless ship. This is the individual who is swept up by the high winds of ideological fancy and is blown astray by the false doctrines of the time. This is the person who goes off on a tangent, accepting ideas without critical analysis and examination.

This, I feel, says Mr. Hoover, is the fundamental reason why some men and women, while apparently well educated, have accepted Communist doctrines. Somewhere along the line their educational couplings, not firmly cemented by loyalty to the ideals of democracy and religion, have come loose, and they have jumped the track—headed across the barren stones of totalitarian dictatorship.

All Communists, declares Mr. Hoover, function like puppets on a string. Their activities are directed by an alien dictatorship in Moscow. The Communist hope of building a bright new world through the degradation of humankind, by depriving man of the values of independent reasoning and thinking, may be a source of strength to the party, but it is also its weakness. In the end, the creation of great masses of robot and spiritually sterile Communists, Mr. Hoover is convinced, will prove to be the shoal in which communism will flounder and die.

GENERAL EISENHOWER

Next on our list was Gen. Dwight D. Eisenhower, president of Columbia University. He not only assented to an interview, but once we began to discuss the subject in his private office in Columbia's Low Memorial Library, he became so interested in it that we ran, at his request, considerably over the time he had allotted.

In his tremendously broad experience, General Eisenhower has had to contend with problems involving human conduct under a variety of conditions. Among them, to an important extent, were Communists and communism.

And so I put the same question to General Eisenhower that I had to FBI Director Hoover. Why, I asked General Eisenhower, do Americans—many of them born of generations of American parents—turn to communism for a magic solution of the ills of the world?

As I see it, said the General, there are several possible speculative answers because

there are several kinds of American Communists and party-line followers, and naturally, each kind has a different motivation.

There are among us the unscrupulous and ambitious to whom the means is of no particular consequence in their reach for power. Totalitarian methods and rewards offer them an opportunity to become drivers of those less clever or shrewd. They would just as readily choose fascism as communism, but communism seems more promising at the moment, and so, getting in on the ground floor, they make a career of it.

Then there are the fuzzy-minded intellectuals who believe that because there is a dispute between Russia and the United States, both parties must be equally wrong to some extent. Some in this group believe that if we and our allies were to show good faith by disarming, and if the Russians were to utter a few platitudes and remain armed to the teeth, then both sides will have contributed equally to world peace.

Then there are other fuzzy-minded individuals who, because of some isolated undemocratic event or situation somewhere in the United States, lose their sense of proportion and fall for the idea that this country is just no good.

Then there are those introverts who have withdrawn from the real world; who have shut themselves up with their books, their thoughts and their dreams; who find an almost Christ-like simplicity of conduct and ideals in Marxian dialectic; who are unable, as a consequence, to separate fact from fiction. The fact being what is going on today in Soviet countries, and the fiction being that the leaders in the Kremlin are living up to the high-sounding principles they advocate.

Then there are those, and I think this group includes the greatest number, who simply do not have either the capacity or the will to make their own way in the world. This group includes those who are jealous of others who pull ahead of them in any way; it includes the mentally and physically lazy, who are unwilling to think or unwilling to work; it includes those who, finding themselves unable to quench their dissatisfactions by their own efforts in a country which gives them every opportunity to do so, think that by pulling the whole structure down they will achieve the level of those who had moved ahead.

Such people believe that outside forces have conspired against them; that power forces of one kind or another have overwhelmed their undoubted talents and labors. They then seek to overthrow the system in which these forces seem to them to be inherent. They become, in other words, Communists.

But how intelligent, well-educated men and women can imagine that the evil and despicable means employed by communism can justify any theoretically noble end is altogether beyond me.

I have met Russians in high places in the Soviet Union who are sincerely devoted to their cause. Most Russians, too, have an even deeper loyalty, as a sort of instinctive faith in their land, than we have. It is a spiritual devotion, the kind that most Americans have toward God. In Soviet countries, where it is taught that religion is merely a sop to the downtrodden, this devotional spirit has been transferred to Mother Russia.

And so you find people like Marshal Zhukov for example, who sincerely tried to convert me to communism by pointing out that under our system we are inspired by motives of selfish gain, while communism teaches an enduring faith in the betterment of mankind.

But if that is so, I asked Zhukov, then why the need for strict, iron control? And for swift, sure, and terrible punishment for deviations from the strict path of Communist brotherly love? That, Zhukov replied, is necessary only for the time being; when the

next generations will be set on the proper path, there will be no need even for government.

For those who believe in fairy tales, communism provides a complete answer. For those who prefer to believe in political or economic theories rather than spirit and conscience, communism provides an outlet for man's psychical nature. For the incompetent, the weak, and the bewildered, communism provides a means for keeping up with the Joneses on a minimal level. For the unscrupulously ambitious, communism provides a vehicle to power within an inner circle.

But what communism can provide for intellectually outstanding American citizens who permit themselves to be beguiled by it—for that I have no answer. Only a psychiatrist could possibly provide it. For the key to that, urged General Eisenhower, I hope you will interview a competent psychiatrist. And I shall be equally as interested to read his opinion as will, I am sure, the many readers of the *Elks* magazine.

DR. RICHARD BRICKNER

General Eisenhower's suggestion that I interview a psychiatrist in order to secure a more complete understanding of Communist motivations was seconded by United States Secretary of Defense Louis Johnson who responded to my inquiry by saying, "This is no simple question and I should not like to make conclusions without research and counsel from competent psychologists and sociologists."

To find the psychiatrist who might best help me in this effort, I consulted Dr. George S. Stevenson, medical director of the National Committee for Mental Hygiene. He gave me the names of three physicians, all psychiatrists, and all of whom had had some experience in this field.

The one I chose was Dr. Richard Brickner, assistant clinical professor of Neurology at College of Physicians and Surgeons, and associate neurologist at Mount Sinai Hospital in New York. Dr. Brickner was chief consultant neurologist and psychiatrist to the New York City selective service in World War II, and is the author of *Is Germany Incurable?* published several years ago.

Dr. Brickner proved to be understanding and patient. When, during our interview, we came to a dead end because of some technical point, he would chuckle and try another attack until we found ourselves going down the same road together with mutual understanding.

General Eisenhower's suggestion proved, I am sure, the final link in our chain, for Dr. Brickner provided the ultraviolet ray we needed to penetrate deeply into the darkness of Communist motivation. Here it is.

Scientific data on what makes a Communist in this country, says Dr. Brickner, are very few. Psychiatrists hope that large-scale and systematic research efforts will be possible so that this problem may be tackled on a broad and continuing scale. And the research should, of course, include scientific inquiry into human political behavior of all kinds.

We can arrive at an understanding of human conduct only if we accurately spot the source from which it springs. We are accustomed, for example, to consider politics and economics as a basic biological activity of mankind. But this is as far removed from the fact as to consider that the observation tower of the Empire State Building could have found its way into the sky without an adequate base. The foundation, it is apparent, is the source from which the tower springs, not the other way round.

Human beings inherit through evolution not only parts of the body, but certain functions—mostly survival functions. Among the most important of these are attack and defense. These are inherited, foundation characteristics. Some of them are associated

with feeling—rage and fear, for example. There is also the relationship between parents and the young—the dominant nature of parents and the dependence of children which, biologically essential in infancy, take on different forms as they grow older.

Every culture teaches that it is wrong to express these survival functions in some ways, but right to do so in others, along certain prescribed forms. In war, for example, our culture teaches that it is not only right to attack, but reprehensible not to; but that a personal attack under other conditions is wrong, except, for example, in defense of a woman's virtue. In every culture, therefore, it is necessary to learn the ways in which survival functions may be unleashed and the ways in which they must be restrained.

These learnings become patterns of behavior. There are multitudes of these patterns, and as the child becomes adult they will show up in his conduct, particularly when he looks for a political party to help him express the patterns he possesses, into which he will fit best. Because of his behavior patterns, his choice of a political party, extremist or moderate, is limited somewhat in the manner of a linotype matrix, notched to fall into a certain channel. But, if extreme, it is just as likely to be extreme left as extreme right.

The back cells of the brain, common to all human and nonhuman animals, manifest the inherited characteristics developed through evolution. The forebrain, which grows to gigantic size in humans, influenced by environment, determines the pattern in which the inherited characteristics will be expressed. We call these acquired patterns cortications, after the cortex in the forebrain in which they are developed. The way the cortications interplay is what psychology deals with.

Some of them we know very little about as yet, but others we think we have blueprinted fairly well. Two in particular, as they relate to the Communist mentality, are: Cortication that produces utter dependence upon strong (mother or father) authority; or rage and rebellion against those upon whom you are dependent. Bear this in mind—you can remain just as dependent if you rebel with all your might, as you can if you hang tight to the apron string.

As a result of built-in cortications based on the inherited weapons for survival—defense and attack—people learn to rationalize their resulting behavior. The brighter and more intelligent they are, the shrewder and more clever are their rationalizations, and the better reasons can they find for doing what they do.

There are men and women under the compulsion of these cortications whose entire beings are filled with rage at one specific objective and for everything that springs from it. Yet, although they consider themselves mentally powerful and independent, they would be as utterly bewildered and ineffectual as Caspar Milquetoast if the object of their hatred were to vanish suddenly.

About 7 years ago I had occasion to treat a case of this kind. The subject was an avowed Communist and devoted party-line follower. Little by little the pattern of his compulsions was revealed to him, and as his cure progressed, his overt belligerence diminished. He began, without realizing why he did so, to look for excuses to avoid Communist meetings which, only a short while before, he would not have missed for any reason less than a broken leg, if even that. Then came the day when, reacting to a moment of relaxed day dreaming in my office, he uttered aloud the few necessary words that provided the key to his eventual cure: "What can I do now?" he murmured. "I don't want to hurt anybody any more. What will I do now?"

Cortications of people of this kind are likely to develop in their subjects rationali-

zations such as these: The United States is no good because Negroes are treated badly; bankers are arrogant; politicians are liars and wind bags; industrialists are slave drivers. On the other side of the fence: Negroes are lazy and shiftless; poor people get that way because they are financially irresponsible; voters are ignorant of public issues; labor unions are enemies of free enterprise.

Among persons whose cortications take them into these mental byways are those who come to believe that the American Nation is being consumed by a vileness which is not in existence in other, more mature or more beautiful (so they believe) places. In those Utopias, usually far away, "things are nice and people are fine and wholesome." Although we must enter the realm of speculation to some extent here, it is reasonable to believe that many American Communists fall into this category.

Reason does not enter into their cortications. Exposure to reasonable ideas has no bearing on them. They are the result of what biologists call behavior patterns—prejudices built into the mind of the subject by the effect of environment upon the foundation of the individual's inherited characteristics. They are the outgrowth of subordinated personality struggling to achieve admiration in the eyes of one's fellows.

Communism is embraced in numerous instances by young Americans during that period of their lives described as "adolescent revolt." Ordinarily, it is a quite natural rebellion against authority or environment. If they are consequently rejected by those close to them who disapprove of their actions, and lauded by Communist comrades, there is always a strong possibility that this common adolescent vagary may harden into a fixed behavior pattern.

Running away from parental authority can lead to a Communist deviation of this kind. There is the case, for example, of three young sisters brought up in the lap of luxury. Welcomed from the start at Communist headquarters to which they were invited by other adolescent rebels, they attended mass meetings, marched in picket lines, and in this way indulged their exuberant defiance of authority. They got over it as they matured and understood better the nature of the cause to which they were lending their efforts.

An interesting case of parental domination was that of a young man who, from infancy, was utterly dependent upon his mother. He literally worshipped her. She was a Communist, and he developed entirely in her pattern. He is highly intelligent and gifted in many ways. The mother, revelling in his adoration, clung to her role with a tight rein. When, through psychiatric treatment, he was freed of his relationship of utter dependence, he found himself still interested in political and economic causes, but in a well-balanced and useful way. He discovered, somewhat to his surprise, that his former Communist attitudes had melted away.

There are among us many converts from communism who now oppose communism with all the violence and vehemence with which they previously had advocated it. Inspired by their vision of perfection of aims and purposes of the far-away millennium in Russia, and by the imperfections they believed inherent in our political, economic, and social system, they visited Russia in the high hope of experiencing the reality of their dreams. They returned to the United States seething with a hatred of communism even more violent than that which they had previously borne toward their native land.

The reason for this outwardly astonishing about-face? There is a host of possible reasons. Some, perhaps, finding themselves relegated to the role of mere visitors come to worship at the fountainhead of supreme

political authority, instead of playing their anticipated role of "big shots" come from abroad, rebelled. Their hatred was transferred to their former Communist idol, possibly because that offered immediate recognition at home, thus satisfying their hunger for public acclaim. Others had genuinely accepted the Communist premise without careful examination, and now, having examined it, rejected it.

It is the damage that extremists of many kinds do to our community, even more than that which they do to themselves, that should be the principal subject of community concern, particularly when they hold positions of importance or power in our political or economic life. We cannot, of course, arbitrarily deprive them of their liberty and their freedom to try to influence others, for if we were to do that we ourselves would be operating under an undesirable behavior pattern.

There is a life-and-death difference, however, between tolerance of heretical ideas and free expression of them, and any attempt by anybody to impose his own patterns upon us that would negate the freedom of patterns to which each of us is entitled.

The right to our personal and national pattern freedom must be maintained if we are to hold fast to our cultural values. Those who attempt to force contrary patterns upon us must be rendered harmless to do so, in the same way that a dangerous individual who threatens the person or freedom of others is stripped of weapons and opportunity to carry his threat into effect.

American Communists ignore the entire history of social and economic progress of the past hundred years since Karl Marx published his Communist Manifesto; they label American conservatives and liberals as Fascists and Fascist tools; they employ the identical epithets that only a few years ago accompanied the shrill invective of their one-time ally, one-time enemy, Nazi Germany; they actually believe (though they will not admit it in this precise language) that it is noble to lie, cheat, murder for the sake of communism.

It is difficult for us to believe that any American should want to tear down this great Nation which gives to its people a far greater measure of freedom and material blessings than ever has been known to mankind in all history.

Mr. J. Edgar Hoover, General Eisenhower, and Dr. Brickner have rendered a great service in defining for us the reasons why American Communists do what they do, and the measures that need to be taken to prevent them from dragging us down with them into the miasma in which there is no freedom, no security, no human rights, behind the iron curtain.

INTERNAL SECURITY ACT OF 1950

The Senate resumed the consideration of the bill (S. 4037) to protect the internal security of the United States, and for other purposes.

Mr. McCARRAN. Mr. President, at the outset let me say that by way of presenting Senate bill 4037 to the Senate, I intend to go into the bill meticulously by way of explanation, so that the Senate may understand why each paragraph and each section is in the bill, and what each one means. To that end, my explanations will be somewhat lengthy, but I hope the Senate will be patient with me in my effort to make explicit a matter which means so much to the Nation at this hour.

With that in mind, Mr. President, I hope that I may have the indulgence of my colleagues, to the end that I may present the explanation of the bill with-

out interruption, until I have concluded, at which time I shall be glad to answer any and all questions.

I want to read to the Senate the instructions which were given by Moscow to the Communists sent to the United States in 1946:

To fight and act for communism, the Red Army is not enough. To facilitate and make possible the victory of communism, we have to work hard in the non-Communist countries.

That work is multiform.

We must incite discontent, uneasiness in the capitalistic and bourgeois states. The greater is the discontent in each capitalist and bourgeois country, the more fertile is the ground for communism. In the United States and in Great Britain we are going to have unemployment. The capitalists will not be able to export. Later on, the industrial power of the Soviet Union and of the other friendly peoples' republics will compete with the industrial production of the capitalist countries. They will be threatened by your industrial production at their own home.

But we cannot simply wait for that day. Already now, we have to revolutionize the European and Asiatic Continents. Strikes, revolutionary impetus of the trade unions and labor, weakening of capitalism through the demand for high wages so that they are not able to compete with the Soviet Union, obstruction of different reactionary governments in their anti-Communist policy, the incitement for nationalism everywhere, the hatred against the colonial empires, the uprising of trade unions against their governments, the various helps to the Communist Parties in the capitalist countries, propagandize the hatred against the reactionary in every country, and particularly develop in the United States the impression that the economic depression must be inevitable and try to convince more and more the people of Slavic descent to leave Canada and the United States and return to their countries of origin, bringing with them capital and machinery—this must be our main work in Canada and in the United States.

Everything is permitted that will bring us toward the victory of communism in the world.

Mr. President, that is the instruction which was given by Moscow to the Communists who were sent to the United States in 1946.

What Lenin wrote or said still remains the unalterable and fundamental law of his followers and disciples. Stalin quoted a letter by Lenin in which Lenin wrote:

The prolonged existence of the Soviet Republic next to a number of imperialist states is unthinkable. In the end either the one or the other will have the better of it. Until the end comes, a series of most terrible conflicts between the Soviet Republic and the bourgeois states is inevitable.

The fundamental line of the Soviets was laid down in the clearest terms by Lenin in his declaration that—

We are living not merely in a state but in a system of states, and the existence of the Soviet Republics side by side with imperialist states for a long time is unthinkable. One or the other must triumph in the end. And before this end supervenes, a series of frightful collisions between the Soviet Republic and the bourgeois states will be inevitable.

The Communist International has itself made public declaration of the Soviet ambitions to subject the entire

world to the Red system of oppression. The sixth world congress proclaimed openly that—

The ultimate aim of the Communist International is to replace world capitalist economy by a world system of communism.

The program adopted by the sixth congress of the Communist International in 1928, states clearly the revolutionary objectives of the Soviet Union within the borders of other nations:

The successful struggle of the Communist International for the dictatorship of the proletariat presupposes the existence in every country of a compact Communist Party, hardened in the struggle, disciplined, centralized, and closely linked up with the masses.

The party is the vanguard of the working class and consists of the best, most class-conscious, most active, and most courageous members of that class. It incorporates the whole body of experience of the proletarian struggle. Basing itself upon the revolutionary theory of Marxism and representing the general and lasting interests of the whole of the working class, the party personifies the unity of proletarian principles, of proletarian will and of proletarian revolutionary action. It is a revolutionary organization, bound by iron discipline and strict revolutionary rules of democratic centralism, which can be carried out thanks to the class consciousness of the proletarian vanguard, to its loyalty to the revolution, its ability to maintain inseparable ties with the proletarian masses and to its correct political leadership, which is constantly verified by the experiences of the masses themselves.

Lenin confessed that in its endeavors, the Soviet Union would not be governed by either ethics or morality. In the drive to communize the world, he wrote in *The Infantile Sickness of Leftism in Communism*:

It is necessary . . . to use any ruse, cunning, unlawful method, evasion, concealment of truth.

Mr. President, I have quoted those excerpts preliminary to my presentation of this bill, in order that my colleagues in the Senate may know that what confronts us is a condition, not a theory.

In opening the presentation of Senate bill 4037, a bill to protect the internal security of the United States, I shall, before delving into a discussion of the provisions of the bill, make a few preliminary remarks.

At the outset, let me emphasize that this proposed legislation has not been hastily conceived, nor is it the product of any one individual's labors. It is, rather, the culmination of literally years of intensive investigation and study by various committees of the Congress which have had within their jurisdiction the many phases of the problem of the Communist fifth column in this country. The provisions of the bill have been drafted and redrafted with extraordinary care, and have been subjected to the closest scrutiny, not only by the experts who have assisted the various committees, but by some of the ablest lawyers in the Nation, to the end that this legislation not only will be designed to cope with the several phases of the Communist conspiracy in the United States, but will be in thorough accord with our constitutional processes and traditions. This bill does not contain one iota of hysteria, nor

is it the cry of alarmists, nor does it contravene any of our basic constitutional concepts. It is rather, as I shall point out in more detail with reference to particular provisions, sober evidence of faith in the vitality of our democratic institutions to meet realistically the challenge of a deadly enemy within our gates.

I, therefore, pay tribute to the magnificent work of the House Committee on Un-American Activities, from which certain provisions of the bill, S. 4037, first emanated. I pay tribute also to my colleagues and the staff of a special Senate subcommittee of which I have the honor of being chairman, which over the course of many months has conducted a thoroughgoing investigation of the problem of subversive activity in the United States. I pay tribute to the work of my colleagues on the Committee on the Judiciary, which has not only reported favorably S. 4037 but has previously reported favorably the five bills which are integrated into S. 4037.

At this point I desire to pay special tribute to two Members of the Senate, the Senator from Michigan [Mr. FERGUSON] and the Senator from South Dakota [Mr. MUNDT]. Into this bill is written the fine, patient, diligent work which they did through months and months of research and study; work which is recorded in volume after volume of testimony taken by those able Senators; and work which has been spelled out in what is sometimes known as the Mundt-Ferguson bill or the Mundt-Ferguson-Johnston bill. The latter bill is embodied in the pending bill, because the message from the White House stated that a bill was desired, and the Mundt-Ferguson bill, coordinated with the other bills which are embodied in S. 4037, in my judgment, after the study which has been given it by the Senator from Michigan and the Senator from South Dakota after the study which has been given it by the House Un-American Activities Committee, after the repeated correspondence which the Judiciary Committee had with the most able men at the bar of America today, meets the test of what is uppermost in the minds of men who have studied the law, who believe in our constitutional form of government and who would not even at any hazard violate a constitutional provision. With that in mind, we have drafted this bill, and with that in mind we present it to the Senate in the hope that it may receive the approbation of the Senate, and that it may become the law of the land as speedily as possible.

I also pay tribute to those other Senators who are not members of the Committee on the Judiciary, but who have labored diligently on some of the provisions of the bill. I pay tribute likewise to those eminent lawyers and to the committees of the American Bar Association who have been of inestimable assistance in the preparation of this legislation.

As I have stated to the Senate before, the bill S. 4037 is an omnibus bill which integrates with some modification the provisions of five bills relating to the internal security, which have been previously reported favorably to the Senate

by the Committee on the Judiciary. In addition the bill contains provisions relating to the registration of aliens and the prevention of the naturalization of subversive aliens, which provisions have been taken from my bill (S. 3455), which resulted from an investigation of our immigration and naturalization system, and which completely rewrites the immigration and naturalization laws. That bill, S. 3455, is pending in the Judiciary Committee. We hope that at the next session of the Congress it may be presented to this body.

I may say here that although this bill is the fruit of thousands of hours of labor, I am not averse to any amendments or changes which may improve or strengthen the bill; but I serve notice here and now that I will not be a party to any crippling or weakening amendments, and that I shall oppose with all the power at my command any move to palm off on the American people any window-dressing substitute measure in the place of sound, internal-security legislation.

I propose today to present to the Senate (1) an analysis of each of the principle provisions of the bill and (2) an objective, deliberative recitation of the problem which prompts each such provision. Before doing so, however, I should like to give a brief summary of the over-all problem with which we are confronted.

Mr. President, that the Communist fifth column in the United States is a clear and present danger to this Government and to all that we cherish in our democratic institutions has been overwhelmingly demonstrated.

J. Edgar Hoover, Chief of the Federal Bureau of Investigation, recently testified before an appropriation subcommittee of which I am chairman that there is a total of 54,174 members of the Communist Party in the United States. It is apparent that this constitutes a sizable army dedicated to treachery, deceit, espionage, sabotage, and terrorism. But it must be pointed out that the strength of the Communist fifth column in the United States cannot be measured merely by the number of party members because each member is a nerve center exercising a deadly influence over a much larger number of persons who are directly or indirectly under Communist discipline. Here is the further testimony of Mr. Hoover:

Even though there are only 54,174 members of the party, the fact remains that the party leaders themselves boast that for every party member there are 10 others who follow the party line and who are ready, willing, and able to do the party's work. In other words, there is a potential fifth column of 540,000 people dedicated to this philosophy.

That this fifth column is part of a world-wide network under the control and direction of the Kremlin, which today dominates one-third of the world's population, has been established beyond the shadow of a doubt. If there is a Senator who has any doubt in his mind on this score I invite and urge him to read the testimony and exhibits contained in the three-volume published

hearings on my bill, S. 1832, which is incorporated in this omnibus bill, Senate bill 4037. There he will see the text of instructions from the Kremlin to the Communist agents in this country. There he will see the cold, hard facts respecting the interlocking of the Communist fifth column in this country with the international Communist espionage-sabotage subversion network. There he will read uncontroverted evidence that the Communist network in the United States is not a home-grown product but is a weed which has been deliberately transplanted in this country by foreign agents who have with cold calculation been sent here for that purpose and who under our existing immigration laws have been and are being freely admitted into the United States to carry on their nefarious activities. There he will read of the clever and ruthless espionage and sabotage tactics which are carried out in evasion of existing law. There he will read of the various conduits through which the Kremlin sends its agents into the United States and masks them behind a cloak of diplomatic immunity, or as visitors, as members of trading commissions, and the like. There he will read of the extensive spread of this deadly conspiracy into every fabric of our society, behind the facade of hundreds of front organizations.

I shall not burden the Senate with any detailed recitation of the voluminous evidence, but I should like to allude to typical excerpts from the testimony. Former Attorney General Tom Clark testified before our subcommittee that an analysis of approximately 5,000 of the more militant members of the Communist Party in the United States showed that 91.4 percent of the total were of foreign stock or were married to persons of foreign stock.

Here is further testimony of J. Edgar Hoover, Chief of the Federal Bureau of Investigation:

Experience has revealed that foreign espionage agents seek the protection of a legal cover. By that, I mean they seek admittance into the United States on diplomatic passports. They seek assignments to some official foreign agency and thus conceal themselves under the diplomatic cloak of immunity. To further avert suspicion, a high-ranking espionage agent may very well be employed as a clerk or in some minor capacity in a foreign establishment. However, when he speaks, those with higher sounding titles follow his orders without question. Foreign espionage services maintain strict supervision over their activities in this country.

Louis Budenz, former managing editor of the Communist Daily Worker, but who subsequently broke with the party, summed up the alien control of the Communist Party in the United States in the following words:

There is a complete and extensive apparatus existing in this country for the purpose of directing native Communists through alien personnel. This apparatus begins with the connection of the political committee of the Communist Party with Moscow through the alien agents of the Communist International. It then proceeds to branch out into many ramifications, with its driving force in the political tourists sent in here to function in various departments of American life.

If you cut that lifeline between here and Moscow, you will have thrown the Communist Party off base, because people like Earl Browder were never anything but front men. The real men who made the decisions and who carried out the orders were aliens sent to this country by Moscow. That even was carried to a point where in the party organizations and the party press you had aliens controlling it.

In tracing the lines of Communist control over the party in the United States, Budenz stated:

But the percentage of aliens increases and the power of aliens rises as we get nearer to the roots. That is, nearer to the contact with Moscow, nearer to the place from which policy issues. The Communist Party leadership functions on directives received from Moscow. These directives are channeled to the party leadership by the Communist international representatives and the apparatus around him. Until recently this representative was Gerhart Eisler, alias Edwards, alias Hans Berger. With him was associated J. V. Peters, who was responsible for the espionage of the Communist International in cooperation with the Soviet secret police in this country. How do I know that? Because Mr. Peters told that to me himself when, after he had directed many questions to me which indicated that he had a background knowledge of things, I asked him, "Was I privileged to know why he directed these inquiries at me?"

"Yes; you have justified that confidence," he said. He told me that he was the liaison officer or link between the Communist International apparatus and the Soviet secret police in this country.

Speaking of the structure of the Communist Party, Budenz pointed out that—

It is also shot through in its various organizational subdivisions throughout the country with alien personnel. These political tourists . . . have been ordered here by Moscow in order to steel the party here for complete service to the Soviet dictatorship.

This then is a general world pattern pursued by the Kremlin: That the direct responsibility shall be in the hands of aliens in any respective country in which operations are carried on. It is the fixed design of Moscow to employ aliens in the most responsible positions in every country. This assures that nostalgia and patriotism may be reduced to the minimum in the steered ranks of Stalin's servants. The native Communist leader, therefore, is always under the control of a superior who is an alien, or an ex-alien, the latter having received his citizenship merely in order to serve the Kremlin more effectively.

Another native American who broke with the Communist Party is Paul Crouch. On the basis of his 17 active years in party work he testified that—

The vast majority of those persons who direct the United States branch of the Communist International (that is, the Communist Party in America) are foreign-born persons who are not naturalized citizens of this country. . . . Native-born and naturalized American Communists, in the main, are nominal party officials and are used mostly to head the various party fronts.

With few exceptions, however, when an American member is taken into the real top circles of the party it proves disappointing to Moscow. Most Americans who were admitted to the higher circles of party leadership were disgusted and nauseated at what they found there.

Here is the testimony before our subcommittee of a former organizer of the Communist Party:

The personnel of the various Soviet delegations, Embassy, consulates, Amtorg, Tass, and so forth, in this country have been composed in part of Soviet intelligence agents. Hidden in each of these bureaus, ostensibly performing some routine function, are MVD men whose real job is to report on various phases of American society to Moscow headquarters. Recently this corps has been reinforced by the UN delegations of Russia and her satellites. A small group of these MVD agents, say three to five men, directs the work of the whole network in this part of the world; it filters the information that comes in and, making use of the diplomatic pouches, passes on what is new and useful to Moscow.

Right here, I may say that although the admissions into the United States of aliens in diplomatic status from behind the iron curtain alone is currently running at the rate of approximately a thousand a year, the officials of the Department of Justice have testified that under the present laws they are powerless to exclude from our shores any alien who presents a diplomatic passport. Moreover the Chief of the Visa Division of the Department of State testified before our subcommittee that in every case in which the Visa Division had disapproved a visa application on security grounds involving an official of a foreign government or an affiliate of an international organization, the case had been approved by the higher echelon in the Department of State. He further testified that these cases in which the Visa Division had disapproved the application on security grounds but in which the division was uniformly overruled were running at the rate of about 8 or 10 a month.

It was further developed by our subcommittee that the Passport Division and Visa Division of the Department of State are precluded by directives of higher officials of the Department of State from direct contact with the Federal Bureau of Investigation and other internal intelligence agencies of the Government. The only intelligence information available to the Visa Division and to the Passport Division of the Department of State is filtered through intermediate offices of the Department.

About a year ago I transmitted to the Chief of our Central Intelligence Agency a list of 100 names which were taken at random from names of several thousand aliens who have gained admission into the United States in diplomatic status. The Chief of the Central Intelligence Agency was asked to report upon the background of these 100 typical cases on the basis of the information contained in the files, but without revealing the identity of the individuals or the sources of the information. The Chief of the Central Intelligence Agency reported that 32 of the individuals had been engaged in active work for the intelligence service of their respective countries; 21 were reported to have been active in Communist organizational work of an underground or subversive nature; and 29 were reported to be ardently working in subversive activities.

Let me read now, Mr. President, a résumé of the facts, taken from the security reports of this Government, on typical cases of aliens who have been admitted into the United States in the course of the last few years in diplomatic status. I repeat: "In diplomatic status." May I say that the résumé of these cases does not disclose the identity of the individual or the source of information, but the full facts, taken from security reports, on these and hundreds of similar cases are at this moment locked in a safe in my office.

CASE A

The subject was reported to be the head of the intelligence operations in the United States on behalf of an iron-curtain country. He is reported to have committed atrocities in pogroms against certain non-Communist elements in one of the eastern European countries, and to have operated as an agent of a Communist government in another country.

Immediately after his arrival in the United States the subject made contact with a well-known naturalized American citizen who has been affiliated with several Communist-front organizations. The subject and the American citizen made plans for certain propaganda activities. Subject was also said to be in constant contact with the Russian Embassy.

CASE B

The subject was reportedly involved in the assassination of a prominent anti-Communist official in an iron-curtain country after such country had been taken over by the Communists. He has appeared in various parts of the world as a lecturer to Communist groups and is a convinced Communist Party member of long standing and high rank. He was admitted into the United States as an attaché at a certain embassy and is said to be a highly trusted personal representative of a world-renowned Communist leader who trusts the subject with special missions requiring utmost ability combined with extreme discretion for which he is noted.

CASE C

The subject has been admitted into the United States from an iron-curtain country from time to time in the status of an official of a foreign government and in the status of an affiliate of an international organization. His unofficial mission has been to curry favor with certain elements in the United States. To this end he has been authorized to spend as much money as he needs in order to make as many contacts as possible. It is reported that the subject recently was successful in having one of his associates advanced in the Atomic Energy Commission of the United Nations. He appears to be particularly interested in penetration of certain religious groups in the United States.

CASE D

The subject is reportedly considered by the United States authorities as a known Soviet agent. His career includes assignments in various parts of the world on certain commissions and dele-

gations. He has from time to time been admitted into the United States as an affiliate of an international organization.

CASE E

The subject was reported to be one of those responsible for the bombing of the British Embassy in Rome. He was admitted into the United States with a diplomatic passport of an iron-curtain country. His connections have been with a certain group of which he is reported to be a leader and paymaster.

CASE F

The subject is listed as an attaché at the Washington Embassy of an iron-curtain country but is stationed in New York where he was reported maintaining contact with the officers and crews of certain ships. The subject was credited with having organized Communist Party cells among the seamen.

CASE G

The subject was an official of the Soviet Government in an embassy in another country where he was in contact with Communists of that country and where he was thoroughly briefed regarding Communist future plans. He was admitted into the United States with a diplomatic passport. The opinion is expressed in a certain intelligence report that the subject has been sent to the United States for the major purpose of coordinating the efforts of Communists in the United States with Communists in the country in which he has been serving as an official of the Soviet Government.

CASE H

The subject was admitted into the United States as a minister to Washington, D. C., from an iron-curtain country. He is a Communist writer and lecturer. It is suggested in a certain intelligence report that the subject was sent to the United States to agitate among the Negroes.

In connection with the apparent mission of the subject it is to be noted that during the recent trial of the Communist leaders in New York, a witness testified that he had been trained in Moscow in the technique of working among the Negroes of the United States to establish a Negro state to extend from Virginia to the Mississippi Delta. This was to be accomplished by revolution.

CASE I

The subject was admitted into the United States as an affiliate of an international organization. He was reported to be extremely active in the Communist movement in a certain large city in the United States where he worked among a particular racial group. He was reported to be a police agent of an iron-curtain country. He has reportedly returned to the iron-curtain country to recruit agents for the Communist organizational work in the United States.

CASE J

The subject has made numerous trips to the United States to procure funds for the Communist Party of which he is a leader in a South American country. His admissions into the United States have

been as an affiliate of an international organization. It is reported that he has brought into his country large sums of money for the furtherance of strikes, and he is regarded as one of the most powerful labor leaders in his country. It is reported that he was instrumental in securing the establishment of diplomatic relations between his country and the Soviet Union.

CASE K

The subject was admitted into the United States as an affiliate of an international organization from an iron-curtain country. He is reported to be clever, ruthless, and determined to establish himself as one of the leading members of the Communist Party. He allegedly stated that the Communists in the United States were doing their utmost to provoke unrest through the medium of the Negro problem and that he was personally participating in such activity.

CASE L

The subject was reportedly an active leader of terrorist bands in a foreign country. He was subsequently liaison officer with American lend-lease representatives in his country. It is reported that at that time he was placing agents in various allied installations. He was thereafter admitted into the United States as a counselor at the Washington Embassy of an iron-curtain country. It is reported that his chief assignment was as an intelligence agent for the iron-curtain country. A certain intelligence report, with reference to the subject, reads in part as follows:

He has shot more people than you and I could bury in a fortnight.

It is reported that the subject concentrates on maintaining relations with United States Communists.

CASE M

The subject was admitted into the United States as an affiliate of an international organization. As a member of the central committee of the Communist Party in another country the subject had charge of funds, security, and loyalty of party members. Immediately prior to his admission into the United States the subject was engaged in the reorganization of the Communist movement in the Middle East. It is reported that the subject was also engaged in organizing secret Communist cells among certain groups.

CASE N

The subject was admitted into the United States in diplomatic status from an iron-curtain country. He is reported to have been operating a short-wave radio transmitter by which he maintains contact with the security police of his country.

CASE O

The subject was admitted into the United States as a commercial counselor to an iron-curtain embassy in Washington. It is reported that the subject is the channel through which Cominform activities in the United States are financed.

CASE P

The subject was admitted into the United States as an attaché of an iron-

curtain legation in Washington. It is reported that the subject is an experienced saboteur who has been assigned to confidential tasks in the United States and is the ringleader of a spy network in the United States.

These typical cases, Mr. President, speak for themselves. May I repeat that the Attorney General of the United States testified before our subcommittee that under the existing law the Department of Justice is powerless to exclude any alien with a diplomatic passport, and the Chief of the Visa Division could not recall a single case in which a visa had been refused on security grounds to an alien who applied for a diplomatic visa, notwithstanding the fact that over 160,000 such visas have been issued since 1938.

There is one other facet of the over-all problem which I should like to comment on before proceeding with an analysis of the bill. Under the present laws, there are literally thousands of cases of aliens who have been found to be deportable but who cannot be deported because of certain technicalities in the law.

The records show that on April 15, 1949, there were some 3,278 warrants of deportation which had been issued over a period of years that were not enforceable. Of the aliens covered by these warrants, 2,147 were so-called iron-curtain nationals, and of that number, 1,180 were Russians. Of the 3,278 deportation orders 1,293 were based on criminal or immoral charges, and 112 were issued under the law relating to anarchists and similar subversive classes. The records also show that there are 416 additional pending cases in which there is every reason to suppose that deportation cannot readily be effected. Of this number, some 139 are of the criminal or immoral classes. There are at least 91 of the pending cases which involve persons who are subject to deportation to the so-called iron-curtain countries. At least 11 of these 91 are Russians.

Furthermore, at the close of the fiscal year 1949, the records showed that there were under investigation, looking to deportation or under actual deportation proceedings, the cases of 1,067 aliens, who, prima facie, are deportable as subversives.

But in all of these cases under the present law the Government of the United States is powerless to execute its orders of deportation, and the aliens are free to roam the country at will. Furthermore, on the bases of the present trend there is every indication that the situation will become progressively more serious.

And now, Mr. President, with that word of general background, I shall proceed to discuss in detail the various provisions of the bill, and I accordingly invite the attention of the Senate to the first segment of the bill which consists of those provisions which are incorporated from S. 2311 which was introduced in the Senate by the Senator from Michigan [Mr. FERGUSON], the Senator from

South Dakota [Mr. MUNDT], and the Senator from South Carolina [Mr. JOHNSTON]. In passing may I say that in discussing this segment of the bill I shall proceed on the assumption that the amendments which the sponsors of S. 2311 will offer to conform those provisions of S. 4037 to the corresponding provisions in S. 2311 will be adopted.

Two principal objectives are sought to be accomplished by this segment of the bill. The first is to require registration of Communist political organizations and members thereof and to require registration of Communist front organizations and officers thereof. The purpose of this registration, Mr. President, is to expose to the light of public opinion the Communist movement in the United States and thus to protect the public against innocent and unwitting collaboration with it. It is felt that if the American people are alerted respecting the identity of the Communist fronts much of the funds which are contributed unwittingly to these fronts will be withheld and these fronts will dry on the vine for lack of support.

At this point I may say that under the McCormack Act of 1938 individuals who act as agents of a foreign principal are required to register. Likewise under the Voorhis Act organizations which are agents of foreign principals are required to register. On the basis of the experience under these acts, however, Communist organizations, although they are clearly de facto agencies of a foreign power, have been able to escape from the requirements of registration. It is thus apparent, Mr. President, that the registration provisions of the bill have ample precedent in prior legislation. These provisions merely recognize the inescapable fact that the Communist conspiracy in this country is under the direction and control of a foreign power. May I emphasize that, contrary to the misrepresentations of the numerous Communist front organizations which have been bombarding the Senate with letters and telegrams against the bill, there is no provision in the bill which outlaws the Communist Party as such. May I repeat, the bill requires only the registration of Communist political organizations and members thereof and registration of Communist front organizations and officers thereof, and this, Mr. President, is no more than the law requires at the present time of legislative lobbyists. As I shall point out more specifically in a few moments when I give a detailed sectional analysis of this segment of the bill, ample procedural safeguards are provided in the registration provisions of the bill so as to protect the innocent and to accord the bill thoroughly with our constitutional processes.

I divert at this point for a moment from my prepared remarks. If there is anything in the world in which I am interested, anything in which I have been trained, it is respect and love for the organic law of the United States. I would not be a party to the enactment of the pending bill if I thought for a moment that it contained a provision which ran counter to the Constitution of the United States. I want the bill tested

by the court of last resort, and I am not afraid of how that test will result.

The second principal objective of this segment of the bill is to declare certain acts to be a crime. I shall discuss each of these specifically in the detailed sectional analysis, but may I pause here to list the acts which are declared to be unlawful in this segment of the bill.

First. To conspire to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship under foreign control.

Second. For an employee of the Government to communicate without authorization to another person who he knows or has reason to believe is an agent of a foreign government or a member of a Communist organization, any information which he knows or has reason to know has been classified by the President or department head as affecting the security of the country. Foreign agents or members of Communist organizations are similarly penalized for receiving or attempting to obtain information which the Government employee is prohibited from transmitting.

Third. To conceal the fact, when seeking office or employment under the United States, that a person is a member of an organization which has been legally found to be a Communist organization.

Fourth. To hold any nonelective office or employment under the United States when such a member.

Fifth. To apply for, or to use a United States passport when such a member.

Sixth. To fail to file reports which it is his legal duty to file, if a person is an officer of a Communist organization, or to make false statements or willful omissions in such a report.

Seventh. To become or remain a member of a Communist political organization if a person knows that the organization has been legally required to register and has failed to do so.

Eighth. To mail Communist publications, or to broadcast or televise a Communist program, for a Communist organization, without identifying the source or sponsorship.

And now, Mr. President, I shall proceed with a detailed sectional analysis of this first segment of the bill, S. 4037, which consists of those provisions which are incorporated from S. 2311.

Again I wish to pay tribute to my colleagues in the Senate, the Senator from Michigan [Mr. FERGUSON], the Senator from South Dakota [Mr. MUNDT], and the Senator from South Carolina [Mr. JOHNSTON]. I also wish to pay tribute to Members of the House of Representatives who joined in the formation of the bill in the first instance. The Mundt-Nixon bill was the first bill; later we had the Mundt-Ferguson-Johnston bill, and now the proposed legislation is here as Senate bill 4037.

Sections 1 and 2 of the bill set forth the title of the act and contain statements of the congressional findings which are a result of the evidence adduced before various committees of the

Congress. In addition, there is set forth a proscription that nothing in the act shall be construed to authorize, require, or establish military or civilian censorship or in any way to limit or infringe upon freedom of the press or of speech as guaranteed by the Constitution of the United States, and that no regulation shall be promulgated under the act having that effect.

Section 3 of the bill is the definition section. It will be noted that in the definitions a distinction is made between a "Communist political organization" and a "Communist-front organization." This distinction, as I shall subsequently point out, is significant in conjunction with the registration and other features of the bill which I shall hereafter discuss. As defined in the bill a "Communist political organization" is any organization in the United States having some, but not necessarily all, of the ordinary and usual characteristics of a political party which (a) is substantially dominated or controlled by the foreign government or political organization controlling the world Communist movement and (b) operates primarily to advance the objectives of such world Communist movement.

"A Communist-front organization" is defined to be any organization in the United States (other than a Communist political organization and other than a lawfully organized political party which is not a Communist political organization) which (a) is under the control of a Communist political organization or (b) is primarily operated for the purposes of giving aid and support to a Communist political organization, a Communist foreign government, or the world Communist movement.

Section 4 of the bill contains a number of significant provisions which warrant detailed explanation. Subsection (a) of section 4 makes it unlawful for any person knowingly to combine, conspire, or agree with any other person to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship the direction and control of which is to be vested in, or exercised by, or under the domination or control of, any foreign government, foreign organization, or foreign individual. For purposes of the subsection the term "totalitarian dictatorship" means a form of government characterized by (1) the existence of a single political party with such identity between such party and its policies and the government and governmental policies of the country in which it exists as to render such party and the government itself indistinguishable for all practical purposes and (2) the forcible suppression of all opposition to such party.

In order to understand the need for this provision of subsection (a) of section 4 some reference should be made to the inadequacies of the existing law. The Alien Registration Act of 1940 made it a crime to advocate the overthrow of the Government of the United States by force and violence. Although there is no doubt but that a basic principle of the

Communist conspiracy in this country involves the use of force and violence, in order to evade this statute, the present line of the Communist Party is to avoid wherever possible the open advocacy of force and violence. It should likewise be pointed out that in the Smith Act, under which the 11 Communist leaders were convicted in New York, there is an essential element of advocating the overthrow of the Government of the United States by force and violence. In view of this conviction of the 11 Communist leaders, who by their own utterances were found to be involved in a conspiracy to overthrow the Government of the United States by force and violence, it is obvious that greater emphasis will henceforth be placed by the Communists in the United States on an avoidance of any semblance of open advocacy of force and violence, and thus it will be increasingly difficult to establish in particular cases the violations of existing law.

I point out to the Senate that this particular provision of the bill above all others has been the object of the most bitter attack by the Communists and Communist frontiers who with bogus piety contend that the provision is an abridgment of constitutional liberties. It is for this reason that the committee has made an extensive study of the constitutional issues and has obtained the opinion of the ablest constitutional lawyers of the Nation with reference to this provision. It is not my purpose to burden the Senate with an exhaustive legal treatise on the issue, but I invite the attention of the Senate to the pronouncements of the courts on the issue which is presented by this provision.

In *Gitlow v. People of New York* (1925) (268 U. S. 652), the Supreme Court said:

And, for yet more imperative reasons, a State may punish utterances endangering the foundations of organized government and threatening its overthrow by unlawful means. These imperil its own existence as a constitutional State. Freedom of speech and press * * * does not protect disturbances to the public peace or the attempt to subvert the Government. It does not protect publications or teachings which tend to subvert or imperil the Government or to impede or hinder it in the performance of its governmental duties. * * * It does not protect publications prompting the overthrow of Government by force. * * * And a State may penalize utterances which openly advocate the overthrow of the representative and constitutional form of Government of the United States and the several States, by violence or other unlawful means. * * * In short, this freedom does not deprive a State of the primary and essential right of self-preservation; which, so long as human governments endure, they cannot be denied.

In *Schenk v. U. S.* (1919) (249 U. S. 47, 51-52), Mr. Justice Holmes said:

It well may be that the prohibition of laws abridging the freedom of speech is not confined to previous restraints, although to prevent them may have been the main purpose, as intimated in *Patterson v. Colorado* (205 U. S. 454, 462). We admit that in many places and in ordinary times the defendants in saying all that was said in the circular would have been within their constitutional rights. But the character of every act depends upon the circumstances in which it is done (*Aikens v. Wisconsin* (195 U. S. 194,

205, 206)). The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater and causing a panic. It does not even protect a man from an injunction against uttering words that may have all the effect of force (*Gompers v. Bucks Stove and Range Co.* (221 U. S. 418, 439)). The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. It is a question of proximity and degree.

In *Oil Workers International Union v. Elliott* (N. D. Tex., 1947) (73 F. Supp. 942), the court stated:

The powers of Congress are outlined and defined by the Constitution of the United States. Section 4, article IV * * * provides that the National Government shall guarantee to each State a republican form of government. It is recognized that the Communist form of government is not a representative form of government. Ours is a representative form of government, whereby the representatives of the people chosen by the people, determine the policies of the Nation. In the communistic form you have more of the dictatorial type. It nowhere has functioned except by and in the hands of a dictator; therefore, it behooves the National Government to curb the growth of any system that would destroy representative government and bring about government by force.

In spite of the court decisions from which I have quoted, Mr. President, it has been charged that this bill is unconstitutional. Whenever a question of constitutionality is raised it is nearly always possible to argue it. I have read what the Supreme Court of the United States has said, and I do not propose to argue the question of constitutionality further, except to repeat that the Committee on the Judiciary has sought the best advice it could secure, and the Committee on the Judiciary was satisfied that the provisions of this bill are constitutional. The chairman of the Committee on the Judiciary is personally satisfied that there is nothing unconstitutional in this bill; and let me remind the Senate that the record of the chairman of the Judiciary Committee, with respect to upholding and maintaining and preserving the Constitution, is as good as that of any other Member of this body. The present chairman of the Committee on the Judiciary was one of those who voted against the court-packing bill and was willing to face the political consequences of that vote because of his adherence to the Constitution and his desire to protect and preserve it. The present chairman of the Committee on the Judiciary would not be here advocating this bill if he thought there was anything unconstitutional about it or about any of its provisions.

So far, Mr. President, in my analysis of this bill I have just concluded a discussion of section 4 (a). The remaining subsections of section 4 are much less controversial. Let us look at them, one by one, and see what they do.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HOEY in the chair). The clerk will call the roll.

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

Aiken	Hendrickson	Maybank
Anderson	Hickenlooper	Mundt
Benton	Hill	Murray
Brewster	Hoey	O'Connor
Bridges	Holland	O'Mahoney
Butler	Humphrey	Pepper
Byrd	Hunt	Robertson
Cain	Johnson, Colo.	Russell
Chapman	Johnson, Tex.	Schoeppel
Connally	Kefauver	Smith, N. J.
Cordon	Kilgore	Sparkman
Donnell	Knowland	Stennis
Douglas	Leahy	Taylor
Dworshak	Lehman	Thomas, Okla.
Eaton	Lodge	Thomas, Utah
Ellender	Long	Thye
Ferguson	McCarran	Wiley
Fulbright	McCarthy	Williams
George	McFarland	Withers
Graham	McKellar	Young
Green	McMahon	
Gurney	Malone	

The PRESIDING OFFICER (Mr. Long in the chair). A quorum is present.

Mr. McCARRAN. Mr. President, subsection (b) prohibits Federal employees from divulging information which has been classified by the President as affecting the security of the United States to foreign agents, or to Communist organization members.

Subsection (c) makes it a crime to obtain such classified information.

Subsection (d) provides a fine of \$10,000 and/or 10 years imprisonment for violation of the foregoing provisions.

Subsection (e) sets a statute of limitations of 10 years on the offenses named.

Subsection (f) provides that neither the holding of office nor membership in any Communist organization shall constitute a violation of subsection (a) or subsection (c) of section 4. It further provides that the fact of registration under section 7 or section 8 of the act as an officer or member of any Communist organization shall not be received as evidence against any persons in any prosecution for any alleged violation of subsection (a) or subsection (c) of the section.

In the opinion of the chairman of the Committee on the Judiciary, this provision leans over backward to protect Communists against self-incrimination; but it is one of the many safeguards written into the bill by the Judiciary Committee to assure the complete constitutionality of the measure.

Section 5 of the bill is intended to keep Communists out of the Federal Government unless they can win election to office. This section provides, in subsection (a), that members of Communist political organizations, and that means real Communists, cannot (1) conceal their membership when seeking United States employment, and (2) cannot hold any nonelective office. It is also provided that no officer or employee of the United States may appoint a member of any such organization to Government employment. But this section also contains a safeguard to guarantee the constitutional rights of any person affected, in the form of a provision, that no person shall be considered a member of a Communist political organization for purposes of this section until his name has been made public as such

a member, under the provisions of this bill, by the Attorney General.

The next section, section 6, is aimed at helping to shut off the world travel of Communists, and thus to hamper the free flow of courier service, and other agents of the world Communist conspiracy.

This section deals with the issuance of passports to members of Communist political organizations. Subsection (a) provides that members of Communist political organizations, which members are required to register under the bill, (1) cannot apply for a passport or a renewal thereof, and (2) cannot use a passport which they may have. Subsection (b) provides that it is unlawful for employees of the United States Government to issue or renew passports to members of Communist political organizations. Subsection (c) contains the guarantee of constitutional rights by providing that no person shall be considered a member of a Communist political organization, for the purposes of this section, until his name has been made public as such a member by the Attorney General, under the provisions of the bill.

Section 7 is procedural. It deals with registration and annual reports of Communist organizations. Subsection (a) provides that Communist political organizations shall register with the Attorney General. Subsection (b) provides that Communist-front organizations shall register with the Attorney General, and subsection (c) provides for the time of registration as follows: (1) If the organization is a Communist political or Communist-front organization on the date of enactment of the act, it must register within 30 days after such date, (2) if it becomes a Communist political or Communist-front organization after enactment of the act, it must register within 30 days after it becomes such, and (3) where it is required to register by the Board set up under the act, it must do so within 30 days after the Board's order becomes final. Subsection (d) requires that the registration shall be accompanied by a registration statement which shall contain (1) the name, address, and principal office of the organization, (2) the name of individuals who are or who have been officers, (3) an accounting of moneys for the preceeding year, (4) a list of members (within the preceding year) of Communist political organizations, and (5) a listing of all aliases. Subsection (e) provides for annual reports to be filed before February 1 of each year. Subsection (f) requires the keeping of records by Communist organizations. Subsection (g) provides that individuals listed in the registration statements or the annual reports must be notified of such listing by the Attorney General. If the individual then denies membership, the Attorney General must investigate promptly, and if the denial is correct the Attorney General is required to strike the individual's name. If the Attorney General, however, declines to strike the name within 5 months, the individual may petition the board, set up under the act for relief. Subsection (h) provides that if an organization fails to

register, then certain officers of the organization must do so.

Section 8 provides for the registration of members of Communist political organizations and provides that if a member knows an organization is registered and his name is not included thereon, he, the member, must register himself.

Section 9 provides for the keeping of registers and for reports. Subsection (a) provides that the Attorney General shall keep in the Department of Justice, (1) a register of Communist political organizations, and (2) a register of Communist-front organizations. Subsection (b) provides that the registers shall be open to public inspection, provided, however, that if an individual has petitioned for removal of his name within a 30-day period after registration, then the Attorney General shall not publish his name until 6 months after receipt of the petition or until 30 days after the Attorney General has denied the petition, whichever is earlier.

Subsection (c) provides that the Attorney General shall make certain reports to Congress and the President.

Section 10 provides that it is unlawful to become and remain a member of a Communist political organization if (1) there exists a final order of the board requiring registration of the organization, and (2) 30 days have elapsed since the order has become final, and (3) the organization has not registered as required. This would have the effect of making it an offense to join the Communist underground.

Section 11 provides that it shall be unlawful for organizations that are registered (1) to use the mails without identifying the sponsorship of the material, and (2) to broadcast or televise without such similar identification.

Section 12 provides that no Federal income-tax deduction shall be allowed those contributions to registered organizations and that organizations registered may not be allowed certain tax exemptions.

Section 13 relates to Subversive Activities Control Board which is set up as an administrative agency under the bill. It provides that three members shall be appointed to the Board by the President, with the approval of the Senate. It shall be nonpartisan and have an overlapping 3-year term. One member is to be chairman and there is provision for removal for cause.

The duties of the Board are (1) upon application of the Attorney General or any organization, to determine whether an organization is a Communist-political organization or a Communist-front organization, and (2) upon application of the Attorney General or any individual, to determine whether an individual is a member of any Communist-political organization which is registered.

Section 14 provides for the proceedings before the Board. Subsection (a) provides that if the Attorney General believes that an organization or an individual, which or who was required to register, has not done so then in that event the Attorney General must file with the Board a petition requiring the organization or individual to register.

Subsection (b) provides for an application by an organization or an individual for cancellation of registration and the consequent duty of filing any report. Subsection (c) provides that the Board or any designated member may hold hearings and subpoena witnesses and records. Subsection (d) provides that the hearings must be public, has provisions for counsel and for a stenographic record. Subsection (e) sets out the criteria by which the Board shall determine whether or not an organization is a Communist-political organization. Such criteria are as follows:

First. The extent to which the organization's policy is formulated abroad and the extent of foreign domination or control over it.

Second. The extent of the organization's adherence to the ideology of communism.

Third. The extent of the organization's financial and other aid from foreign governments.

Fourth. The extent to which members of the organizations go abroad for training and indoctrination in communism.

Fifth. The extent to which the organization reports to foreign Communist organizations.

Sixth. The extent of the organization's subjection to discipline of a foreign government or organizations.

Seventh. The extent of the organization's failure to disclose information, such as membership records and secret meetings.

Eighth. The extent to which its principal leaders or a substantial number of its members consider the allegiance they owe the United States as subservient or subordinate to their obligations to a foreign government.

Subsection (f) sets out the criteria for determining whether or not an organization is a Communist-front organization. Such criteria are as follows:

First. The extent to which its management is active in the world Communist movement.

Second. The extent of Communist support, financial and otherwise, derived from the world Communist movement.

Third. The extent to which its funds, resources, and personnel are used to promote the Communist cause.

Fourth. The extent of its adherence to the Communist line.

Subsection (g) provides for the Board's duties after a hearing. Such duties are:

First. If the Board finds that the organization is a Communist political organization or a Communist-front organization it shall order such organization to register and shall serve such order on it; and second, if the individual is found to be a member of a Communist political organization, it shall require such individual to register.

Subsection (h) provides that if the Board determines after a hearing on a petition filed by the Attorney General that an organization is not a Communist political organization or a Communist-front organization it shall serve upon the Attorney General a written order denying the petition ordering that organization to register. The same pro-

cedure is applied in the case of an individual who has been registered as a member of a Communist political organization. Subsection (i) provides that the Board, after a hearing on a petition filed by an organization or an individual, shall order the Attorney General to cancel the registration if the Board determines that the organization is not a Communist political or a Communist-front organization, and shall order the Attorney General to cancel the registration if the Board determines the individual is not a member of a Communist political organization.

Subsection (j) provides that the Board, after hearing, shall deny the petition for cancellation of registration if the organization is found to be a Communist political or Communist-front organization, and shall deny the petition for cancellation of registration if the individual is found to be a member of a Communist political organization.

Section 15 of the bill provides for judicial review. In subsection (a) it is provided that the party aggrieved by any order of the Board may appeal to the circuit court of appeals within 60 days. It is also provided that the findings of the Board if supported by a preponderance of the evidence shall be conclusive and that the court at its discretion may grant leave for the taking of additional evidence before the Board. The court may order the Attorney General to strike an organization's or an individual's name from the register. The orders of the circuit court of appeals are to be final, subject, however, to review by the Supreme Court upon certiorari. Subsection (b) provides for the times when the order of the Board, issued under section 14, becomes final.

Section 16 provides for certain penalties for violation of the provisions of this segment of the bill.

Section 17 gives further protection to accused persons or organizations by providing that nothing in the act shall be held to make the provisions of the Administrative Procedure Act inapplicable to the exercise of functions or the conduct of proceedings by the Board.

That concludes the segment of the bill which embraces the so-called Mundt-Ferguson-Johnston bill. Now, Mr. President, I invite the attention of the Senate to the second segment of the bill which embraces with certain modifications the provisions of the bill S. 595, which I introduced about 2 years ago at the request of the Attorney General and which was reported favorably by the Committee on the Judiciary a year ago last May. Let me say in passing that the provisions of S. 595 were prepared to carry out the recommendations of the interdepartmental intelligence committee, composed of representatives of military intelligence and the Federal Bureau of Investigation. These recommendations reflect conclusions which were unanimously reported by the interdepartmental intelligence committee after a thorough study of the provisions and inadequacies of existing law, beginning in 1945, and are based on the needs and experiences of the investigating agen-

cies during both World War II and peacetime.

This second segment of S. 4037 conforms quite closely to the purpose stated in the title of its prototype, S. 595, in that it is designed to strengthen the internal security of the United States by amending certain existing laws so as to close loopholes which have become evident to the enforcement agencies over a period of years. This is accomplished by amending certain of the espionage statutes, which have been on the books for a considerable period of years, and amending the Alien Registration Act, as well as putting into effect certain temporary security statutes which were enacted during World War II and have now lapsed by operation of law. One other objective this segment of S. 3047 accomplishes is to change, in certain instances, the statute of limitations relating to crimes of espionage. It has been found that because of the peculiar nature of the activities of those engaged in espionage, the existing limitation statutes rendered nugatory proper enforcement efforts. This can be readily seen because those engaged in espionage use such surreptitious methods that usually they are not ferreted out until after they have come under the protective cloak of statutes of limitation.

More specifically, the provisions of this second segment of the bill have the following effects:

First. To make certain minor technical amendments to section 793 of title 18, United States Code—one of the espionage statutes—so that where the section refers to the Army and Navy, the amendment includes the Air Force, too.

Second. To broaden the coverage of section 793 of title 18, United States Code, by adding "instruments" and "appliances" to the category of items which it is unlawful for persons chargeable with scienter under the section, to transmit under certain circumstances.

Third. To close two glaring loopholes which have become evident in section 793 of title 18, United States Code, so as to prevent such a ludicrous circumstance as arose in the famous Chambers pumpkin papers, wherein a man could have unauthorized use of certain defense and security information and yet not be committing an unlawful act when he neglects to deliver the information up to proper authorities. It also covers the ludicrous situation under existing law wherein it is not a crime for a coding officer to fail to notify his superiors of the loss of an important code.

Fourth. To enlarge the categories of people who must register under the Alien Registration Act, by including among their number those who have received training in any foreign school of espionage. Parenthetically, may I say that this provision has been referred to as something new, brought forward for the first time in the so-called administration bill. Senators will note that, on the contrary, it is an old provision, taken from my bill, S. 595, which has been on the Senate Calendar for more than 15 months.

Fifth. To increase the statute of limitations for violations of the espionage

statutes from 3 to 10 years. Again speaking parenthetically, this is another provision, taken from my bill, S. 595, which the so-called administration bill has been credited with originating.

Sixth. To make failure to register under the Alien Registration Act a continuing offense.

Seventh. To reactivate certain World War II legislation permitting the President under certain circumstances to enact rules and regulations for the protection of military facilities and establishments. In relation to this, I might add that the President in the recent Korean crisis could have put such a law to excellent use. This is still another provision which has been hailed as a new proposal in the so-called administration bill, though it is in fact taken from my bill S. 595.

Eighth. To make a conspiracy to violate the provisions of section 793, title 18, United States Code, a penal offense, so that the section will be more in line with the other two espionage statutes; namely, sections 792 and 794, which presently contain conspiracy provisions.

Individually and as a whole, the foregoing are very minor corrections and additions to existing law, and are certainly a mild endeavor to correct features of internal security laws which have been found by the experience of the enforcement agencies to be defective. Strangely enough, most of the objections which have been made to these provisions that are taken from S. 595 have been found, when stated specifically, to have been based upon one or more of these features of the bill which are no more than a re-enactment of existing law. For instance, there has been objection to the language in section 18, on pages 38 and 39, as being too drastic, but the only two words, between line 8 on page 39 and line 3 on page 41, which are new in legal effect are the words "prohibited place" at the end of line 8 on page 40. It is perfectly clear, Mr. President, that many of the critics of the bill do not know their subject well.

I have attempted, Mr. President, in a general way to set out the purposes of the internal security features of S. 4037, the bill presently under discussion, which features, as I have said, were incorporated bodily and verbatim from S. 595, known as the internal security bill.

Now I should like to take these purposes and discuss them individually, with a view toward the specific. In attempting to do this I am aware of the danger of becoming too technical, for this is, by its very nature, a highly technical subject. I shall try to avoid being any more technical than necessary. For purposes of clarity of thought, I shall discuss these internal-security features by topic, rather than by section and code number, demonstrating three characteristics in each topic; first, the situation which it was necessary to remedy; second, the existing law which was applicable to that situation; and, third, how the provision of this bill effectuates the remedy. While doing this I shall try, as appropriately as possible, to make oral cross-reference to the section of the bill wherein the

topic is contained, as well as to the law which is being amended. Where, to my knowledge, some feature of this portion of the bill has been attacked, I shall comment upon what the committee and myself believe to be the answer to the attack.

Section 18 of S. 4037, which begins the second segment of the bill, amends section 793 of title 18 of the United States Code, which is one of the espionage statutes. Most of this section 18 is now existing law, presently on the statute books, and has been used in numerous court cases over a period of years, withstanding repeated attacks on constitutional grounds. I must say this emphatically, because, as I pointed out earlier in discussing this segment of the bill, most of the opposition to the internal-security features has been directed to section 18 of S. 4037, in the parts which only repeat existing law, and not to the parts that propose new law. If Senators will turn to the bill and look at section 18, beginning on page 29, they will see that this section is divided into subsections denominated (a) through (g); and I say again that most of this is existing law. That which is new and that which is old will be differentiated as I proceed.

Before describing what is accomplished substantively by section 18, let me say that subsections (a), (b), and (c) of section 793 of title 18, United States Code, which is amended in section 18 of the bill, are existing law almost in toto with the exception of a few bare technicalities which have not been criticized by anyone to my knowledge. For example, where those subsections refer to the Army and Navy, because of unification of the military services, the Judiciary Committee has inserted the words "Air Force." Since the very few changes in these subsections (a), (b), and (c) are noncontroversial, I shall not discuss them here, for I presume that nobody wants to change, denude, or diminish the existing espionage laws.

I have referred to the fact that provisions of S. 595, which are now in S. 4037, grew out of recommendations of the interdepartmental intelligence committee. The first situation which this committee recommended be remedied was the situation posed by the fact that section 793 of title 18, United States Code, fourth paragraph (denominated subsection (d) of said section 793 in section 18 of S. 4037) was not comprehensive enough in its coverage of enumerated items, relating to national defense, which it would be a crime for anyone having lawful possession to transmit or retain in an unauthorized manner. It was the opinion of the committee that there were items not mentioned in the section which it would be none the less dangerous to internal security to have improperly communicated.

Under existing law, the unauthorized transmission or retention of any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to national defense, is unlawful. The executive departments charged with intelligence and security matters soon noted

that the enumeration of the items above did not cover oral communication of matters, and for this reason they recommended that said enumerated matters be increased by adding one new matter, namely, "information relating to the national defense, which information the possessor has reason to believe could be used to the injury of the United States or to the advantage of any foreign nation." The existing law uses the words "or note relating to the national defense," which cover most written matter but do not cover oral communication. The recommended correction is made in lines 7 to 11 on page 41.

The next case for remedial attention was the discovery that under existing law, the unauthorized possession of enumerated restricted items relating to national defense is not a penal offense unless a demand has been made against the possessor, by the authorities entitled to receive the items in question, and the said demand has been refused. The inadequacy of this provision is self-evident, since by the very nature of things an unauthorized possessor would most likely not be known to those entitled to receive the restricted enumerated items. The most famous example of this situation is, of course, the Chambers pumpkin papers. Chambers had in his possession—that is in his unauthorized possession—certain restricted or classified items which related to national defense. Yet, his possession of such items was not a crime. He could not be charged with a crime in respect of his possession of the pumpkin papers until a person entitled to receive those items made a demand upon him for their delivery, and then only if he refused the demand.

This situation is corrected by the subsection lettered "(e)" of S. 4037, beginning on page 41, line 18, which provides that those who have unauthorized possession of any of the enumerated items in the existing law relating to the national defense must surrender possession thereof to the proper authorities regardless of a demand therefor.

The next situation which the interdepartmental intelligence committee wished to remedy was the danger inherent in the failure of a person entrusted with any item relating to national defense to report properly and promptly the loss, theft, removal, or disappearance of such item.

Existing law provides a criminal penalty for any person entrusted with such an item relating to national defense who, through gross negligence, permits the removal, theft, loss, and so forth, of the items but where there is no negligence, and such loss does occur, there is no requirement in existing law that the person entrusted with such item must report the loss promptly. As an example, if a code officer in our Embassy at Moscow should come to work some morning and notice that the main code was missing through no negligence of his own, under existing law he could sit tight and do nothing, and his failure to institute a search, or even to warn the Department the code book was missing, would not constitute an offense. My bill would make it a crime for him to fail to re-

port the loss promptly, so that the proper steps may be taken by the American authorities to change the code.

It is common knowledge, today, that our compromise of the enemy coding system was an important factor in our defense and operations against the enemy in the early and vital stages of World War II, and it is not unreasonable to assume that the advantage would be reversed should an enemy compromise the coding system of the United States. Thus, another loophole in existing law is closed by the provisions of section 18 of S. 4037, in lines 17 through 21, page 42, by providing a penalty for those persons entrusted with items relating to the national defense who have knowledge of and fail to report the loss, theft, abstraction, destruction, or unlawful transmission of such items.

The next situation which needed to be remedied was the fact that because of the bizarre and hodge-podge history and background of the espionage statutes, only a portion of them carry conspiracy provisions. For instance, section 794 of title 18 of the United States Code, relating to gathering and delivering of items relating to the national defense, to aid a foreign government, carries a conspiracy section, yet there is no conspiracy section to the very similar section 793 of the same title. Section 18 of S. 4037 remedies this defect by adding another provision making it a conspiracy to violate any of the subdivisions of section 793, title 18, United States Code.

Now, Mr. President, that concludes my discussion of section 18 of S. 4037 which, as I have attempted to demonstrate throughout, relates only to amending section 793 of title 18, United States Code, by restating the existing law and making certain additions to it. Let me now discuss section 19 of S. 4037.

This section also is intended to meet a situation which needs to be remedied. A violation of section 792, section 793, or section 794 of title 18, United States Code, during either peace or war may not be detected, or the identity of the violator discovered, until more than 3 years after the violation was committed. But 3 years is the present statute of limitation. Thus the violators of the espionage laws may escape prosecution because of the short time limit of the present statute. This is just what happened, of course, in the case of Alger Hiss, and the same 3-year limitation was a serious deterrent and obstacle in the trial of Judith Coplon. In peacetime, the statute of limitations applicable to the espionage statutes mentioned above is 3 years. In war time the same statute is applicable, with the exception of section 794 of title 18, United States Code, which, since it constitutes a capital offense during war, is therefore not subject to any statute of limitations.

Section 19 of my bill S. 4037 attempts to remedy this situation by providing for a 10-year statute of limitations for these crimes.

Passing on now to section 20 of S. 4037, let me explain the situation which the interdepartmental intelligence commit-

tee wished to remedy and which this section attempts to remedy.

A person trained by a foreign government for purposes of espionage or sabotage is immune to prosecution provided there is no substantial evidence of his having committed any acts to violate the espionage laws; he is in no way obliged to divulge either his intentions, or the very useful information which is peculiarly within his knowledge, information which if required by our counter-intelligence agencies could spell the difference between success and catastrophe in countering the plans and tactics and strategic maneuvering of any enemy. Examples of those who would come within this category are those whose operations may defy detection, and those who may be dispatched to this country for purposes of espionage or sabotage and who have either postponed their operations until an opportune time or, for fear of apprehension or other reason, abandoned their mission. Also, there are many aliens and citizens in this country who have been trained in foreign espionage schools. Would not a requirement of the registration of such persons therefore provide additional protection of the security of this country, and afford a means of access to information which would be highly beneficial? The committee thought it would.

Under present law, persons trained in foreign espionage are not required to register. The foreign agents registration act of 1938, as amended, only requires the registration of persons acting as agents for foreign principals.

Section 20 of S. 4037 further amends the foreign agents registration act of June 8, 1939, as amended (22 U. S. C. 611-621), by adding a subsection 1 (c) (5) immediately after subsection 1 (c) (4) (22 U. S. C. 611 (c) (4)), to require registration of persons who have knowledge of, or have received instructions or assignment in, the espionage, counter espionage, or sabotage service or tactics of a foreign government or a foreign political party, unless such knowledge or instruction has been acquired by reason of civilian, military, or police service with the United States Government, or the governments of the several States, or unless such knowledge has been acquired solely by reason of academic or personal interest not under the supervision of, or in preparation for, service with the government of a foreign country or a foreign political party, or unless, by reason of employment by an intelligence agency in the United States Government, such person has made full disclosure of such knowledge or instruction to officials within such agencies.

The amendment would serve a three-fold purpose, namely, (1) to discourage further the unknown presence of potential spies and saboteurs; (2) to provide a basis for the prosecution of unregistered spies and saboteurs before they commit an act of espionage or sabotage; and (3) to assist this Government in its counter-intelligence work by acquiring information regarding foreign espionage and sabotage systems and tactics that would be disclosed by those who elect to register rather than run the risk of prosecution for not so registering.

The next situation which the inter-departmental intelligence committee wished to remedy concerned the problem of the statute of limitations under the Foreign Agents Registration Act of 1938. A person who fails to register under that act may escape prosecution upon the expiration of 3 years from the time he first became subject to the law, and should have registered. But the fact that he should have registered may not be known until this 3-year statute of limitations has run. If he can escape detection for 3 years, he can thumb his nose at the law, because under existing law, prosecution for failure to register must be commenced within a 3-year period from the time the person became subject to the act and failed to register.

In S. 4037—lines 18 through 24, on page 44—the Foreign Agents Registration Act of 1938 is amended by adding a new subsection (d) to provide that a failure to file a registration statement or supplements thereto as required by the act shall be considered a continuing offense for as long as such failure exists, notwithstanding any statutes of limitations or other statute to the contrary.

Now we come to section 21 of S. 4037, which deals with another situation which the interdepartmental intelligence committee desired to remedy.

Sound judgment requires that protection should be provided for military property from both accidental and deliberate danger. A similar law, respecting the protection of vessels and waterfront facilities, approved July 9, 1943 (50 App. U. S. C. 1312), existed during World War II but expired by reason of its own provisions on June 30, 1947. In the situation which exists in the world today common sense dictates that the expired powers be reactivated. Section 21 of S. 4037 provides a maximum penalty of \$5,000 fine and/or 1 year imprisonment for the willful violation of regulations or orders promulgated by the Secretary of Defense pursuant to lawful authority, for the protection or security of military property.

This is one of the provisions which was in my bill S. 595, and which the President asked for in his message on national security legislation. I do not think there will be much dispute about it. This is a very broad power to give the executive branch of the Government, but so long as it is limited to defense-connected property, it seems justified.

And now, Mr. President, I invite the attention of the Senate to the third segment of the bill which consists of those provisions, with certain modifications, of the bill S. 1832 which I introduced to strengthen the provisions of existing law with respect to the exclusion and deportation of subversive aliens and which has already unanimously passed the Senate.

Three principal objectives are sought to be accomplished by this segment of the bill S. 4037:

First, to provide for the exclusion and deportation of all aliens, irrespective of their status if they seek entry to engage or engage after entry in activities endangering the public safety.

Second, to provide for the exclusion and deportation of aliens who are members of Communist political organizations and Communist front organizations with two exceptions:

First, aliens in a diplomatic status and Second, aliens who establish that they were innocent dupes when they joined a Communist front organization.

Third, To invest the administrative authorities with power to curtail immigration from countries which refuse to accept back aliens, from those countries, who are found deportable.

I have already recited to the Senate, not only in my remarks earlier today but on repeated occasions over the course of several months, the alarming facts respecting the infiltration into this country of Communist agents and other subversives. Although our present immigration laws provide for the exclusion and deportation of certain types of dangerous and subversive aliens, through the years these provisions have been made subject to a number of exceptions and provisos which have opened the back door for the admission into the United States of agents of foreign powers who enjoy a practical immunity from our laws. The provisions of this segment of the bill which I shall now discuss in detail merely plug the loopholes of the immigration laws.

This is accomplished by rewriting the act of October 16, 1918, which is the principal immigration law providing for the exclusion and deportation of subversives. I shall not burden the Senate with a recitation of the many provisions of the present law, but shall confine my comments to the additional provisions which would be incorporated in the present law by the bill.

The first provision would require the exclusion and deportation of all aliens irrespective of their status if they seek entry to engage or engage after entry in activities endangering the public safety. The reason for this provision is that although the present law provides for the exclusion and deportation of such aliens, all officials of foreign governments, their suites, families, or guests, as well as others in diplomatic status are expressly exempted. May I emphasize that this provision of the bill will not in any sense interfere with normal legitimate diplomatic relationships between the United States and any country of the world. Neither will this provision ipso facto compel the exclusion or deportation of officials of foreign governments who are members of the Communist Party; but, Mr. President, in those cases in which aliens in diplomatic status seek to enter the United States to engage in or are caught engaging in espionage, sabotage, or other overt acts endangering the public safety, they will under this provision be subject to exclusion or deportation. I respectfully submit, Mr. President, that this Government need not apologize to anyone for this provision and if any government takes offense at this provision which is designated to protect the public safety, then I submit that that government will just have to take offense.

Most of the criticism of this bill which has come to the attention of the senior Senator from Nevada has been, obviously, based on insufficient information;

if, indeed, it was not written or spoken by someone completely unfamiliar with the bill. For instance, it has been charged that this bill would require the embassies of Russia and all the satellite countries to close, because the bill would prevent Communists from entering the country.

That is not correct, of course. The bill will permit Communists to enter the country, so long as they come here for diplomatic business, and so long as they confine themselves to the usual and reasonable activities of a diplomat. What the bill will do, which is not possible under present law, is to permit the deportation of a Communist who comes here under diplomatic or semidiplomatic status and then uses that status as a screen behind which to carry on subversive activity.

I point out to the Senate that under long and established international relationships there are ample precedents for the ejection from a country of aliens in diplomatic status who are declared to be persona non grata by the receiving country, but apparently this practice has been overlooked in certain quarters by those who are fearful that the Kremlin might take offense if we do not open our doors to the promiscuous entry into this country of spies and saboteurs who mask under the guise of official status.

In passing may I say, with reference to this provision, that in view of the power of the President under section 3 of article 2 of the Constitution to "receive Ambassadors and other public ministers," the bill provides that with reference to these officials the exclusion and deportation shall be pursuant to such rules and regulations as the President may deem to be necessary; but with reference to other aliens in diplomatic status the exclusion and deportation would be handled by the regular immigration authorities.

The second provision of this segment of the bill supplements the provisions of the present law which require the exclusion and deportation of aliens who advocate the overthrow of the Government of the United States by force and violence. By providing for the exclusion and deportation of members of those Communist political organizations and Communist-front organizations which would be required to register under other provisions of the bill, as well as members of other totalitarian parties, the present law would be strengthened in conformity with the over-all objective of the legislation to recognize the undeniable fact that the Communist movement is a conspiracy to overthrow the Government by force and violence, and that this country shall no longer receive aliens who are imbued with a philosophy inimical to our democratic system. As I stated in my general remarks with respect to this segment of the bill, aliens in diplomatic status would not ipso facto be excluded or deported under the bill because of membership in a Communist organization. Furthermore, aliens who were innocent dupes when they joined a Communist-front organization, as distinguished from a Communist political organization, would likewise not ipso facto be excluded or deported.

The third provision of this segment of the bill is designed to assist in meeting the serious problem, to which I alluded earlier in my remarks, of consummating the deportation of aliens who have been found to be deportable but who cannot be deported because the countries from which they came refuse to accept the aliens back. This provision would enable the Attorney General to curtail immigration from those countries that refuse to accept back deportable aliens who were admitted to the United States upon the basis of documents issued by such countries and representing that the aliens were nationals, subjects or residents of such countries. I should like to point out that this provision has been carefully prepared so as to protect the status of aliens in the United States from the countries which might be affected by the provision. Likewise, the provision is designed to protect the status of aliens residing outside the countries which may be affected by the provision and who might be desirous of immigrating to the United States.

There are two or three other minor provisions of this segment of the bill which I feel should be the object of some comment. Under the present law the Attorney General is vested with power to admit into the country aliens who are otherwise excludable if those aliens are returning residents of the United States. Under a provision of this segment of the bill an attempt is made to sever the pipeline of couriers by limiting this discretionary power so that it may not be exercised on behalf of subversive aliens. This provision, Mr. President, supplements the provision of the bill which was incorporated from S. 2311 which precludes the issuance of passports to subversives. The two provisions taken together lay a basis upon which the international pipeline of subversive penetration could be severed.

Another minor provision of this segment of the bill amends the present law which permits the Attorney General to waive all grounds of exclusion on behalf of aliens who are seeking admission into the United States for temporary periods. This provision would change the law so as to preclude the exercising of this authority on behalf of aliens who seek to enter the United States to engage in activities endangering the public safety and would require the Attorney General to report to the Congress the facts in those cases in which he would exercise this authority on behalf of aliens who are Communists.

The last minor provision of this segment of the bill on which I would like to comment is that provision which changes the present law applicable to the deportation of aliens who entered the United States in diplomatic status. Under the present law no alien who enters the United States in diplomatic status may be required to depart without the approval of the Secretary of State, even though such alien has failed to maintain his diplomatic status. The provision of this segment of the bill would change the law so as to provide that any alien who has failed to maintain his diplomatic status and who is de-

portable on the grounds of public safety may be deported without the approval of the Secretary of State. I submit, Mr. President, that extraneous considerations should not be weighed in the balance against the security of the United States.

And now, Mr. President, I invite the attention of the Senate to the fourth segment of the bill which consists of the provisions, with certain modifications, of the bill H. R. 10 which was reported favorably by the Committee on the Judiciary to provide for the supervision and deportation of deportable aliens.

I have already pointed out earlier in my remarks the serious problem with which this country is faced in our inability to execute orders of deportation. If the country of the deportable alien's last residence, the country of his citizenship, or the country in which he was born refuses to accept back such deportable alien there is nothing further that can be done under existing law and the alien is free to roam the country at will. May I invite the attention of the Senate to two cases which are typical of literally thousands of cases in point.

First is the case of Frank E. Spector, born in Odessa, Russia, and now living in Los Angeles, Calif. He served a jail sentence in California in 1930 and was ordered deported by the Attorney General that same year, being a person who advocates and teaches the overthrow by force or violence of the Government of the United States. Spector showed up in Los Angeles about 1921. Since then he has had a record of continuous activity and leadership in the Communist Party. Last year he defied the authority of the California State senate and was threatened with contempt. He was told that contempt might be ground for deportation from the United States. In reply Spector retorted, "You are too late, Mr. Tenney, my order of deportation has been issued 21 years ago and I am still here." The Attorney General's comment on Spector is as follows:

As a result of numerous refusals on the part of Russia to issue a travel document to the alien, he is free to travel in the United States and continue his communistic activities. He has been openly and usually defiant of this Government's efforts to carry out the law in his case. We have no means whereby he can be taken into custody. In view of his ability as a leader and organizer, he is a distinct threat to the national security of the United States.

Another typical case is that of Mones Chomsker, 63, of New York City, a native of the portion of Poland that is now within Soviet borders. He has at least a dozen aliases. He has been convicted at least 30 times on charges of larceny, theft, professional thief, and assault. His sentences have ranged from 30 days to 3 years. He was ordered deported, but Soviet Russia refused a passport. This alien is a confirmed criminal mandatorily deportable under our laws but the Department of Justice under existing law is unable to effect his departure. He remains at large, a continuous and continuing menace to the peace and safety of our country.

The gravity of the situation stems from the absence of any power now placed in the Attorney General to exercise continuing supervision and control over aliens who have been ordered deported but who, either because of lack of cooperation by foreign governments or by the aliens themselves, cannot be deported from the United States and who, therefore, remain indefinitely in this country in defiance of the fact that they have been ordered deported. The statistics for the last 7 years show that there has been an average of only one alien a year actually deported from this country under the law relating to the deportation of subversives and anarchists.

Four principal objectives are sought to be accomplished by this segment of the bill S. 4037:

First, to enlarge the number of countries to which deportable aliens may be sent.

Second, to enable the Attorney General to keep deportable aliens under supervision or detention for a period up to 6 months while arrangements are being made for deportation.

Third, to enable the Attorney General to prescribe rules and regulations governing the conduct of aliens who are found to be deportable but whose deportation cannot be effected within a period of 6 months. The bill makes violations of the terms of the rules and regulations an offense subject to normal court trial.

Fourth, to make it an offense for deportable aliens in the subversive, criminal, and immoral classes to willfully fail to depart. A violation of this provision is made a penal offense subject to normal court trial.

The present law prescribes the countries to which a deportable alien may be sent. These include the country from whence the alien came, the country of which the alien is a citizen or subject, and the country in which the alien previously resided. Under the present law in selecting a country to which a deportable alien may be sent the Attorney General must follow the order in which the various countries are set forth in the statute. This results in a great many administrative delays in the attempt by the Attorney General to procure the necessary travel documents from a country designated in the statute which would accept the deportable alien. Under the provisions of the bill the deportation of a deportable alien would be first to the country specified by the alien if such country would accept him; otherwise the deportation would be to any of the countries, designated in the statute, without priority or preference because of the order in which the designation appears in the statute. The bill provides however, that no alien shall be deported to a country in which the Attorney General finds that such alien would be subjected to physical persecution.

Existing law does not grant the Attorney General any specified period within which he may hold deportable aliens in custody or under his supervision while he negotiates for their return abroad. As a result, even though the

delay in the deportation is in many cases caused by continuing negotiation between our Government and foreign governments, the Attorney General is unable to maintain any control over aliens during this period in which he is undertaking to effect their deportation. Accordingly the bill provides, as I have previously indicated, that the Attorney General may continue his control and, where necessary, his powers of detention over reportable aliens for a period of 6 months after a deportation order has been entered. Thereafter, if the deportation has not been consummated, the Attorney General would be empowered to maintain a continuing supervision over the deportable alien, and a violation of the terms of supervision is made a penal offense.

The last provision of this segment of the bill provides that deportable aliens in the criminal, subversive, and immoral classes who shall willfully fail or refuse to depart from the United States within a period of 6 months of the deportation order, or shall willfully fail or refuse to make application in good faith for travel or other documents necessary for their departure, or who shall connive or conspire or take any other action designed to prevent or hamper or with the purpose of preventing or hampering their departure pursuant to the deportation order, or shall willfully fail or refuse to present themselves for deportation at the time and place required by the Attorney General, shall, upon conviction, be guilty of a felony.

That this provision is thoroughly in accord with our constitutional processes appears clearly in the pronouncements of the Supreme Court of the United States in the case of Wong Wing against United States, in which the Court stated:

We think it clear that detention, or temporary confinement, as part of the means necessary to give effect to the provisions for the exclusion or expulsion of aliens would be valid. Proceedings to exclude or expel would be vain if those accused could not be held in custody pending the inquiry into their true character and while arrangements were being made for their deportation. Detention is a usual feature of every case of arrest on a criminal charge, even when an innocent person is wrongfully accused; but it is not imprisonment in a legal sense.

So, too, we think it would be plainly competent for Congress to declare the act of an alien in remaining unlawfully within the United States to be an offense, punishable by fine or imprisonment, if such offense were to be established by a judicial trial.

The bill, moreover, provides, under certain conditions, for the release of the convicted alien under the supervision of the court. As House bill 10 passed the House of Representatives, the power of indefinite detention of deportable aliens was vested in the Attorney General. In order to avoid any possible doubt of constitutionality, and also in order to conform the provisions of this segment of Senate bill 4037 strictly to established precedents, Senate bill 4037 modifies the provisions taken from House bill 10, so that only willful overt acts would be made a basis for confinement, and then only after normal judicial processes.

Now, Mr. President, I invite the attention of the Senate to the fifth segment of the bill, which I do not believe will require extensive discussion. Under existing law, alien residents of the United States are required to report in writing to the Department of Justice each change of residence and new address within 5 days from the date of such change, and a violation of the requirement is made a penal offense. The Department of Justice has informed me that the requirement of the present law is frequently not complied with, with the result that it is exceedingly difficult to locate many aliens who may be deportable. One of the reasons why the present law is not complied with is that aliens do not take notice of the existence of the provision which requires notification upon change of residence. Pursuant to the recommendation of the Department of Justice, the bill amends the Alien Registration Act of 1940 so as to require annual registration of alien residents on January 1 of each year. It is felt that this provision will simplify the registration requirements.

Mr. President, we come now to consideration of the sixth segment of Senate bill 4037 which has been incorporated from certain provisions of Senate bill 3455, which I introduced to rewrite the immigration and naturalization laws. These provisions are designed to screen out subversives who seek to cloak their nefarious practices with the garb of United States citizenship.

The first provision, which appears in section 25 of Senate bill 4037, would amend section 305 of the Nationality Act of 1940, as amended, as follows:

First. It would definitely prohibit the naturalization of any person who within the preceding 10 years had been a member of or affiliated with any organization that is registered or required to be registered as a Communist organization under the bill. Under the present law, where membership of an applicant for citizenship in an organization alleged to be of a subversive character is in issue, the Government must not only show memberships or affiliation but also must prove in each case that the organization advocates the overthrow of the Government by force or violence. Under the bill, the prescription of Communist organizations for registration purposes will be available for use in naturalization proceedings.

The bill provides an escape for a person seeking citizenship who has been an innocent joiner of a Communist-front organization, provided that within 3 months from the date upon which such organization was registered or required to be registered under the bill, he shall withdraw from such organization.

The second amendment to the present section 305 of the Nationality Act of 1940 which is made by section 25 of the bill is designed to meet one of the outstanding weaknesses of our naturalization laws. Under the present law, a person who is naturalized is free to join any and all organizations that he pleases, and, short of treason, to do any and all acts necessary to carry out any subversive plans he may have had in mind when

he became a naturalized citizen. To meet this situation the bill provides that any person naturalized after January 1, 1951, who within 5 years next following such naturalization becomes a member of or affiliated with any organization, membership in or affiliation with which at the time of naturalization either they precluded him from naturalization, would be considered prima facie as not attached to the principles of the Constitution and not well disposed to the good order and happiness of the United States at the time of his naturalization. We had bitter experience, Mr. President, in the so-called Bund cases when an attempt was made to denaturalize naturalized citizens who were affiliated with the German-American Bund. While most of those denaturalization proceedings were brought on the ground of fraud, some of them were based on the ground that naturalization had been illegally procured and some were based on the ground that the oath had been taken with a mental reservation. A typical case was Bergmann against United States, in which the court held that the naturalized citizen obtained naturalization by fraud, since he was not, at the time of naturalization, in fact attached to the principles of the Constitution of the United States, and did not in fact forswear allegiance to Germany. As of November 1948, which is the last date on which I have accurate statistics, there were 58 denaturalization cases pending, involving persons who there was reason to believe were Communists or who had engaged in subversive activities. In addition to these cases there were pending 144 petitions for naturalization which were under investigation because of suspected elements of a subversive character. But under the present law it is exceedingly difficult to weed out those subversives who seek to worm their way into the fabric of our society with the badge of citizenship.

Another important provision of this segment of the bill which would strengthen our naturalization laws prohibits naturalization of an alien against whom there is outstanding a final finding of deportability. Under this provision no petition for naturalization shall be finally heard by a naturalization court if there is pending against the petitioner a deportation proceeding pursuant to a warrant of arrest. We have under the present law the anomalous situation of cases of aliens being naturalized when at the time of naturalization would have been deportable or deportation proceedings were pending against them.

Three such cases, decided within the past several years, are in point. The first case I shall mention is *United States v. Waskowski* (158 Fed. 2d, 962), in which the circuit court of appeals refused to take away citizenship granted by a district court to one who was naturalized, notwithstanding the fact that an order of deportation, which could not be executed, was outstanding against him.

The second case, that of *Petition of Popper* (79 Fed. Sup. 530), involved the petition for naturalization of a woman against whom an order of deportation had been outstanding for more than 10 years prior to her naturalization.

Nevertheless, the district court granted her petition for naturalization.

A third case is that of *United States v. Schwarz* (82 Fed. Sup. 933). In this case the court refused to revoke an order admitting to citizenship an alien against whom a warrant of deportation was outstanding, which could not be executed.

In two of these cases the court called attention to the fact that the Congress could, in its discretion, provide in the statute that a person subject to an order of deportation shall not be eligible for naturalization. That is what we propose to do by this amendment.

The provisions of the bill, however, state that the findings of the Commissioner in terminating deportation proceedings or in suspending the deportation of an alien shall not be deemed binding in any way upon the naturalization court with respect to the consideration of whether the alien has established his eligibility for naturalization.

Another provision of this segment of the bill which I should like to mention requires a personal field investigation of each applicant as a prerequisite to naturalization. Under the present practice the applicant needs only two character witnesses to testify on his behalf. The provisions of the bill would make it mandatory that the applicant be personally investigated, so that there would be available all the essential information. I may say that for too long we have been promiscuously bestowing the right of citizenship on persons concerning whom the administrative authorities and the courts have known too little, and as a result there are many who exercise the privilege of citizenship to mock the very Government which bestows it.

Another provision of the bill requires that after the petition for naturalization has been filed in the office of the naturalization court, the petitioner shall not be permitted to withdraw his petition except with the Commissioner's consent. This provision was inserted on the recommendation of officials of the Immigration and Naturalization Service, who stated that in some cases, especially those involving subversives, the petitioner would withdraw his petition after the service had put its evidence against him on record and when it became evident that on the record he could not become naturalized. He would then seek another forum in some other part of the country where he hoped his record would not be known.

We come now to a very significant provision of the bill as it would affect the nationality law. Section 29 of S. 4037 amends section 335 of the Nationality Act of 1940, which sets out the oath required of all persons who acquire United States citizenship by naturalization.

The present oath of allegiance was set out in the law for the first time in the 1940 act. Because of its importance, and because the interpretation of the oath has been changed and modified by a recent court decision, I want to read it. It is as follows:

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all alle-

giance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same, and that I take this obligation freely without any mental reservation or purpose of evasion; so help me God. In acknowledgment whereof I have hereunto affixed my signature.

As early as 1790, in the first naturalization law, the alien was required to take an oath to support the Constitution of the United States. Every subsequent law has contained this provision in one form or another. Since 1923 the application form for naturalization has contained the following question: "If necessary, are you willing to take up arms in defense of this country?"

The first case which laid down the rule that an alien who refused to promise to bear arms in defense of the United States if called upon to do so could not be naturalized was *United States versus Schwimmer*. The applicant, Mrs. Schwimmer, aged 49 at the time, was an immigrant from Hungary. She was a woman of wide learning and general culture, by profession a writer and lecturer. She came to the United States in 1921, declared her intention to become an American citizen in November 1922, and filed a naturalization petition in September 1926. She was willing to take the oath of allegiance, but when asked whether, if necessary, she was willing to take up arms in defense of the United States, she answered: "I would not take up arms personally." The Naturalization Act of 1906, then in effect, provided:

He (the applicant) shall, before he is admitted to citizenship, declare on oath in open court . . . that he will support and defend the Constitution and laws of the United States against all enemies, foreign and domestic, and bear true faith and allegiance to the same—

And further—

It shall be made to appear to the satisfaction of the Court . . . that during the time (at least 5 years preceding the application) he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.

The two principal grounds of the Court's decision against Mrs. Schwimmer were, first, that Mrs. Schwimmer had not established that she was attached to the principles of the Constitution and well disposed to the good order and happiness of the United States, and second, that she could not take an unqualified oath of allegiance. The central idea of the decision was not so much that the oath of allegiance included or implied an obligation to bear arms, but that the beliefs of conscientious objectors evidence a want of that attachment to the principles of the Constitution of which the applicant is required to give affirmative evidence by the Naturalization Act.

The Schwimmer case was followed 2 years later by *United States against MacIntosh*. This case was decided principally upon authority of the Schwimmer case, although there are distinguishing

features. In the MacIntosh case, the refusal of the petitioner unequivocally to promise to bear arms was based upon a personal religious belief. The Court rejected MacIntosh's petition, on the grounds that: First, the war power conferred upon Congress by the Constitution can compel one to serve in the Armed Forces even against his religious convictions; second, the Government may question an applicant on all questions bearing upon his attachment to the Constitution; third, doubts concerning citizenship should be resolved in favor of the United States rather than of the applicant; and fourth, the petitioner could not take an unqualified oath because the oath included a promise to defend the United States by whatever means was deemed necessary by Congress. The Court seemed to take for granted that to take the oath without a promise to bear arms would be to take a qualified oath. The applicant, said the Court, had to meet the law on its terms.

Another case, decided on the same day as the MacIntosh case, was that of the United States against Bland. In the Bland case, naturalization was denied to a woman applicant, a native of Canada, who had spent 9 months in France in World War I as a United States Army nurse. She had refused to take the oath as written and had requested that she be allowed to insert into the naturalization oath "as far as my Christian conscience will allow." The Bland case was the only case of the three which presented the case of an actual noncombatant who, despite her service, was denied naturalization.

These three decisions were the judicial interpretations of the law until 1946 when the Girouard case was decided by the Supreme Court. Prior to the Girouard case in 1946 it was the settled law that the oath of allegiance included by implication a promise to bear arms, and that a refusal so to do was also indicative of nonattachment to the principles of the Constitution. With the present oath of allegiance in effect, Girouard refused to promise to bear arms. He was willing, however, to serve in a noncombatant capacity, though he had never been required to do so. In overriding the Schwimmer, MacIntosh, and Bland cases, the Court based its decision on the following five points:

First. Our institutions may be supported and defended by means other than by the bearing of arms.

Second. The oath does not in terms require an alien to promise to bear arms.

Third. Congress has not made such a finding a prerequisite to citizenship.

Fourth. The naturalization oath is in substantially the same terms as the oath required of persons assuming public office, the latter oath never having been construed to be in disregard of religious scruples.

Fifth. Congress has consistently, since colonial times, granted exemptions from military service to conscientious objectors.

And so, Mr. President, we are faced with the necessity, in the light of the Girouard case, of redefining what I take to be the intent of the law from 1790 until 1946, namely, that the oath, "I

will bear true faith and allegiance" and that "I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic" implies a promise to bear arms. However, the Girouard case leaves us no alternative but to define that intent in specific language. Therefore, another clause has been added by the bill to the oath which, together with a clarifying amendment which I shall offer, reads as follows:

To bear arms on behalf of the United States or to perform noncombatant service in the Armed Forces of the United States when required by law.

It is apparent to me that the language just quoted, namely, "to bear arms on behalf of the United States when required by law or to perform noncombatant service in the Armed Forces of the United States," makes ample provision for conscientious objectors, since persons in this latter class have never been required to bear arms in violation of their consciences. However, to make doubly sure that the true conscientious objector, even though he be an alien applying for the high prize of citizenship, would not be required to take an oath in violation of his conscience in order to obtain American citizenship, the present oath, which makes no provision for bearing arms, or engaging in noncombatant service, is to be available to those persons who, by reason of religious training and belief, cannot in good conscience promise either to bear arms or to engage in noncombatant service. In order to limit the use of the present oath by those who conscientiously object to the bearing of arms, or to engaging in noncombatant service, there is a provision in the bill that a conscientious objector must show to the satisfaction of the naturalization court by clear and convincing evidence that he is opposed to the bearing of arms or the engaging in noncombatant service by reason of religious training and belief. Thus, Mr. President, we will be adhering to the time-honored practices and precedent of recognizing the bona fide religious convictions of a petitioner for naturalization while at the same time making no exception for those aliens who desire the benefits of United States citizenship, but who would shirk its responsibilities.

We come now to the last principal provision of the bill which amends the nationality law. Section 304 of the Nationality Act requires that every alien before he is naturalized upon his own petition must be able to speak the English language, unless he is physically unable to do so. At the present time many of the courts are requiring that applicants appearing for citizenship shall be able to read simple English. They are taking this stand on the ground that where an alien has lived in the United States for a considerable number of years and has made no effort to learn to read even simple English words he has failed to satisfy the requirement that he has been attached to the principles of the Constitution, and that he is well disposed to the good order and happiness of the United States. As a practical matter it is difficult to understand how a person who has no knowl-

edge of English can intelligently exercise the franchise. It is also difficult to understand how a person who does not understand, or read, or write English can keep advised and informed on the political and social problems of the community in which he lives.

There are today over a thousand foreign-language newspapers in this country, with an aggregate circulation running in the millions. While many of these newspapers are undoubtedly loyal to our basic concepts, the fact is, as revealed by the Senate subcommittee which investigated our immigration and naturalization systems, that a number of these publications are not only following the line of the Communist Party but are actually controlled by the Communist Party or its fronts. How, Mr. President, can we invest with citizenship an alien whose only concepts of government are formulated by what he may read in this type of press and who has not availed himself of the opportunity to read simple English? And yet that is just what we are doing today.

The bill provides that an alien must be able to read, write and speak words in ordinary usage in the English language, unless he is physically unable to do so. Exceptions are made for those persons who have been legally residing in the United States for 20 years and who on the date of the approval of the bill are over 60 years of age. It would obviously be undue hardship to require a person in the latter class to read, write and speak English in order to become a naturalized citizen. This latter group of persons is small numerically and will diminish with the oncoming years.

There is a proviso which states that the requirements relating to the ability to read and write English shall be met if the applicant can read or write simple words and phrases to the end that a reasonable test of his literacy shall be made.

Now, Mr. President, I invite the attention of the Senate to the seventh and last segment of the bill which consists of those provisions of Senate bill 3069 which I introduced and which has been previously reported favorably by the Committee on the Judiciary to establish a bureau of passports and visas. In the course of the investigation of the immigration and naturalization systems which was conducted by a special subcommittee of the Committee on the Judiciary, it was developed that under the present system many of the decisions of the Visa Division of the Department of State, particularly in security cases, have been overruled by other divisions of the Department of State and that the Passport Division and Visa Division of the Department of State are precluded from direct contact with the Federal Bureau of Investigation and other intelligence agencies of the Government. The only intelligence information available to the Visa Division and to the Passport Division is now filtered through intermediate offices of the Department of State. During the hearings conducted by the subcommittee the Chief of the Visa Division testified to the effect that in every case in which the visa Division had disapproved a visa application on security

grounds involving an official of a foreign government or an affiliate of an international organization the case had been approved by other intermediate offices of the Department of State. In fact, the evidence before the subcommittee was to the effect that not a single visa application involving an affiliate of an international organization or an official of a foreign government had ever been denied on security grounds and not a single official of a foreign government or affiliate of an international organization had ever been excluded on security grounds at a port of entry. To meet this situation this segment of the bill establishes in the Department of State a bureau of passports and visas to be headed by a director with rank and compensation not less than that of an Assistant Secretary of State. The Director would be appointed by the President by and with the advice and consent of the Senate and would have authority to maintain direct liaison with the Director of the Federal Bureau of Investigation and other security officers of the Government for the purpose of obtaining and exchanging information necessary to enforce the provisions of the law.

I cannot emphasize too strongly, Mr. President, the urgency of this segment of the bill if we are to accomplish our objective of protecting the internal security of the United States. Under the present system there is relegated to a place of minor significance the agency of this Government which is charged with the responsibility of issuing visas. The Commissioner of the Immigration and Naturalization Service reports directly to the Attorney General and is an officer of considerable authority, but under the present system the chief of the visa division of the Department of State is under the thumb of a number of divisions within the Department of State which are not primarily concerned with the security problems of this country. I therefore again emphasize the importance of strengthening the administration of the law which this segment of the bill would do if we are to have a sound internal security system.

I have tried to the best of my ability, Mr. President, in this address to give a detailed, factual analysis of the bill. I think it is apparent from this analysis that this bill is the product of long and arduous labor. Perhaps the best compliment which can be given to the bill is the number of vitriolic attacks which are being made against the bill and its sponsors by the organizations with which the bill is designed to cope.

Mr. President, I hold in my hand a bit of propaganda to which I wish to call the attention of the Senate. It is not only propaganda, it is also an object lesson in semantics. It is an example of how words may be used to give a false meaning.

This bit of propaganda consists of a post card. It is printed on both sides. On one side is the printed address to me as chairman of the Senate Judiciary Committee, and a line drawing of the head and one arm of the Statue of Liberty, and the printed statement "Issued by: American Committee for Protection of Foreign Born, 23 West Twenty-sixth

Street, New York 10, New York." This organization which masks behind an appealing benevolent name, has been repeatedly cited as a Communist front.

On the other side is some printed text, referring to my bill, S. 3455, and lines for a signature and address. All a person has to do is sign on the dotted line, place a stamp on the card, and put it in the mail, in order to have the card reach me at the Judiciary Committee. I understand these cards are being distributed in large numbers, in New York City, and possibly elsewhere. Some of them have come to me through the mail; the three which I hold in my hand reached me in that way.

Before I discuss what is printed on this card, Mr. President, let me identify the bill S. 3455, to which the card refers. This is the omnibus bill which I introduced recently, to revise the immigration and naturalization laws of the United States so as to plug up loopholes, strengthen national-security provisions, and improve and simplify the administration of those laws. This bill embodies the recommendations of a special subcommittee of the Committee on the Judiciary, which, by authority of the Senate, made, over a period of more than 2½ years, a very careful and very thorough study of the immigration and naturalization laws and the way in which they are operated and administered. Also some of the provisions of S. 3455 have been incorporated in the bill now before the Senate.

It will not be my purpose at this time to discuss this bill any further, but I do want to read into the RECORD what is printed on the message side of these post cards, and comment briefly upon it.

This is what is printed on the card:

DEAR SENATOR McCARRAN: I voice my opposition to the bill, S. 3455, because of the many provisions in this legislation that would destroy the democratic rights of 14,000,000 foreign-born Americans. Among the provisions of S. 3455 I oppose are those authorizing the Attorney General to issue a list of organizations he deems to be subversive to the national security and providing for the deportation of non-citizens who are members of such organizations; enabling the Justice Department to hold biased and unfair deportation hearings; enabling the Justice Department to hold certain non-citizens without bail for life (which would mean the establishment of concentration camps in this country); ordering non-citizens to report by mail once a year. I feel that, because of these and many other dangerous provisions, this bill threatens the liberties of all Americans, native as well as foreign-born, and should be defeated by the Congress of the United States.

Careful readers will note that the hyphenated word "non-citizen" is used three times. What may not be noted so readily is the fact that noncitizen means alien. It cannot mean anything else. But the card does not use the word "alien" undoubtedly because that word, from a semantic standpoint, has a bad connotation. It is easier to plead the cause of noncitizens than it is to plead the cause of aliens, though you are talking about exactly the same people in both instances.

This card starts off with the statement that the provisions of S. 3455 would de-

stroy the democratic rights of 14,000,000 foreign-born Americans. Then it talks about noncitizens until the last sentence, when it refers again to all Americans, native as well as foreign-born.

The implication is that foreign-born Americans and noncitizens are the same people. I think this implication is intended. The fact remains, of course, that aliens, on the one hand, and foreign-born Americans, on the other hand, are not the same people, and if you call an alien a noncitizen, that still does not make him an American.

The text of this propaganda post card is very carefully and very cleverly prepared. It refers accurately to certain provisions of S. 3455, and refers most inaccurately to other provisions of the bill; and with respect to the provisions to which the reference is technically accurate, the context is clearly designed to convey, and I think does convey, upon cursory reading an entirely erroneous impression.

For instance, the bill does contain—as does the bill now before the Senate—provisions providing for the deportation of certain subversive aliens; and calling those aliens noncitizens is not technically inaccurate. But the implication that a provision for the deportation of subversive aliens threatens the liberties of foreign-born Americans is a non sequitur. It makes no more sense than saying that a ratcatcher is a menace to household pets, and it would not make any difference if one called the ratcatcher a rodent exterminator. He could even call the rats rodents, or even refer to them as four-footed mammals, which would not be technically inaccurate, but that still would not make the rats household pets.

In the next clause this post card charges that the bill contains provisions "enabling the Justice Department to hold certain noncitizens without bail for life," and adds that this would mean the establishment of concentration camps in this country. Notice that here again the card refers to aliens as noncitizens. The bill does not contain any provision authorizing the Justice Department to hold aliens without bail for life. What it does contain is a provision which would authorize the Department of Justice, in the case of an alien who had been ordered deported for good cause, who had been placed under supervision and who had violated the terms of that supervision, to be tried in a court of law for the offense; and there is nothing in that which calls for the establishment of any concentration camps. In the bill now before the Senate the authority to hold deportable aliens in custody is limited to 6 months except in a case where, after court conviction of a criminal offense, an alien is ordered imprisoned.

The post card refers to "many other dangerous provisions" in the bill, but it does not tell what they are. It states that the bill "threatens the liberties of all Americans" because of the particular provisions referred to and the "other dangerous provisions" which are not mentioned; but it must be perfectly obvious that the provisions which are specifically mentioned do not refer to

Americans at all, but refer only to aliens; and I think it is a fair assumption that if the opponents of this bill knew of any provisions in the bill which did threaten the liberties of Americans, they would have cited those provisions.

Mr. President, I shall not labor this matter. I merely wanted to call the attention of the Senate to a rather clever bit of propaganda, a good example of the type of propaganda with which we are constantly confronted, the type of propaganda which has been used in the past, and is being used today, by those who seek not only to protect and preserve every loophole by which subversives and other aliens may infiltrate this country, but who would actually like to tear down the whole body of immigration law of this country.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the post cards to which I have referred.

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

AMERICAN COMMITTEE FOR
PROTECTION OF FOREIGN BORN,
New York, N. Y., July 27, 1950.

HON. PAT MCCARRAN,
Chairman, Senate Judiciary Committee,
Washington, D. C.

DEAR SENATOR MCCARRAN: I voice my opposition to the bill, S. 3455, because of the many provisions in this legislation that would destroy the democratic rights of 14,000,000 foreign-born Americans. Among the provisions of S. 3455 I oppose are those authorizing the Attorney General to issue a list of organizations he deems to be subversive to the national security and providing for the deportation of noncitizens who are members of such organizations; enabling the Justice Department to hold biased and unfair deportation hearings; enabling the Justice Department to hold certain noncitizens without bail for life (which would mean the establishment of concentration camps in this country); ordering noncitizens to report by mail once a year. I feel that, because of these and many other dangerous provisions, this bill threatens the liberties of all Americans, native as well as foreign-born, and should be defeated by the Congress of the United States.

BERNARD SILVERMAN.

AMERICAN COMMITTEE FOR
PROTECTION OF FOREIGN BORN,
New York, N. Y., July 27, 1950.

HON. PAT MCCARRAN,
Chairman, Senate Judiciary Committee,
Washington, D. C.

DEAR SENATOR MCCARRAN: I voice my opposition to the bill, S. 3455, because of the many provisions in this legislation that would destroy the democratic rights of 14,000,000 foreign-born Americans. Among the provisions of S. 3455 I oppose are those authorizing the Attorney General to issue a list of organizations he deems to be subversive to the national security and providing for the deportation of noncitizens who are members of such organizations; enabling the Justice Department to hold biased and unfair deportation hearings; enabling the Justice Department to hold certain noncitizens without bail for life (which would mean the establishment of concentration camps in this country); ordering noncitizens to report by mail once a year. I feel that, because of these and many other dangerous provisions, this bill threatens the liberties of all Americans, native as well as foreign-born, and should be defeated by the Congress of the United States.

WILLIAM JACOBS.

AMERICAN COMMITTEE FOR
PROTECTION OF FOREIGN BORN,
New York, N. Y., July 27, 1950.

HON. PAT MCCARRAN,
Chairman, Senate Judiciary Committee,
Washington, D. C.

DEAR SENATOR MCCARRAN: I voice my opposition to the bill, S. 3455, because of the many provisions in this legislation that would destroy the democratic rights of 14,000,000 foreign-born Americans. Among the provisions of S. 3455 I oppose are those authorizing the Attorney General to issue a list of organizations he deems to be subversive to the national security and providing for the deportation of noncitizens who are members of such organizations; enabling the Justice Department to hold biased and unfair deportation hearings; enabling the Justice Department to hold certain noncitizens without bail for life (which would mean the establishment of concentration camps in this country); ordering noncitizens to report by mail once a year. I feel that, because of these and many other dangerous provisions, this bill threatens the liberties of all Americans, native as well as foreign-born, and should be defeated by the Congress of the United States.

JACK PRAVISHAN.

Mr. MCCARRAN. Mr. President, Senate bill 4037 has been called a thoroughly confused piece of legislation. It is some of the opponents of this bill who are confused, or who are trying to confuse the public. There is not a line in this bill that has not been most carefully considered. There is nothing hasty here. There is nothing makeshift here. The bill has been referred to as a "catch-all," and it cannot be denied that term has a certain application; but what the bill has caught is not any hasty or ill-considered suggestion, but all of the best provisions of the various measures which are designed to give this Nation increased protection from the threat of the world Communist conspiracy.

This bill has been attacked because it attempts to meet the problem of world communism on all fronts. The bill has been attacked because it does not confine itself to one phase of the problem, such as espionage alone, or sabotage alone; and the bill has been attacked because it does not confine itself, as the so-called administration bill does, to only a few phases of the problem.

Mr. President, if it is a fault to desire that the threat of the world Communist conspiracy shall be met on every front, then I admit to that fault. If it is a fault to want laws which will provide both safeguards against the infiltration and subversives into this country, and weapons to fight them with after they have infiltrated, then I admit the fault. But, Mr. President, I do not admit there is any fault involved. The need for such legislation should be obvious to every one of us.

The comment has appeared in the press that the McCarran bill is much the same as the security bill introduced by Senator MAGNUSON. Mr. President, there is no doubt about the strict technical truth of that statement; but the similarity lies wholly in the fact that the bill introduced by the Senator from Washington embodies almost the complete text of my own bill, S. 595, introduced 2 years ago and reported to the Senate a year ago last May from the Committee on the Judiciary; and that the bill intro-

duced by the Senator from Washington also includes certain portions of the Hobbs bill, H. R. 10, now pending on the Senate Calendar, and all of which is included within the bill now pending before the Senate.

Mr. President, it has been charged that this bill calls for the suppression of ideas, that it places restrictions on the dissemination of opinions. Mr. President, that charge is not true. This bill does require that when Communists use the radio or the mails of the United States to disseminate propaganda, they shall state that it is Communist propaganda; but the bill does not stop them from saying whatever they may wish. The provision for labeling Communist propaganda for what it is cannot possibly be considered as an interference with freedom of speech. We require lobbyists to register so that it may be known who is trying to influence the opinions of the Congress for the benefit of special interests. The Communists are attempting to influence the opinions of the people of America for the benefit of the special interests of the Communist Party and the destruction of our form of government. Certainly we have the absolute right, under the Constitution, to make them accept responsibility for the statements they make.

Mr. President, the Washington Post recently stated in an editorial: "Communists are nuisances. But they are not, as Communists, threats to internal security. They threaten security only if they engage in espionage or sabotage."

Mr. President, is it no threat to our security when the purveyors of an alien ideology foment dissensions among us, flout and ridicule our laws and our Constitution, incite labor disorders, stir up race prejudice, and work constantly in a thousand other ways to weaken us from within? If a single Communist is no threat, does that mean that a hundred Communists, or a thousand Communists, or ten thousand Communists, or a hundred thousand Communists are no threat to internal security? Mr. President, history proves that the Communist theory is, when they have 2 percent, to get 10 percent; and when they have 10 percent, to consider the time right for a political coup d'etat, or a revolution, or the opening of the gates to the invading forces of Communist power from without. Mr. President, the attitude of mind which regards Communists only as nuisances, and not as threats to internal security, is an attitude so blind, so uninformed, so contrary to the known and proven facts that the attitude itself is a danger to the security of this Nation.

Word comes back to us from Korea that the worst danger our boys have to face is not the enemy who hurls himself forward in frontal attack, but the units which infiltrate the American lines in silence and in stealth, and then turn and fall upon our forces from the rear.

This tactic of infiltration and attack from within may not have been invented by communism, but it has been so thoroughly adopted and developed and practiced by communism that the world has come to think of it as a typically Communist method.

Not all the Communist infiltration has been on the battlefields of Korea. We have had infiltration of communism here at home. Many thousands of Communists have found their way into this country by one device or another, through loopholes in our immigration laws, or in violation of those laws; and they are working to destroy this Nation from within.

The Communist menace from without, the menace of armed attack by Communist forces or the forces of Communist puppet governments, is a threat which must be recognized, and dealt with; but we must realize that is not all we have to deal with. The Communist threat from within our own borders has reached such proportions that it constitutes the most serious danger to the continuance of a free America that this Nation has faced since the days of our war for independence. Indeed, it might well be said that we are fighting a war for independence today—not a war for the winning of independence, but a war for the preservation of independence; and we are fighting that war on two fronts—we are fighting the enemy who attacks with guns and tanks, and all the weapons of open warfare; and we are fighting also the enemy who attacks from within, with lies, half truths, slander, misstatement of facts, and seeds of discord, and stealthy sabotage, with a smile to the face and a knife in the back. In a word, Mr. President, this bill—S. 4037—will fortify the home front even as we are today fortifying our boys on the battlefields of Korea.

Mr. LEHMAN, Mr. STENNIS, and Mr. KNOWLAND addressed the Chair.

The PRESIDING OFFICER (Mr. Long in the chair). The Senator from New York.

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

Mr. LEHMAN. I have been recognized but, of course, I am glad to yield so that the Senator from Mississippi may ask a question of the Senator from Nevada, provided I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I thank the Senator from New York. I wish to commend very highly the Senator from Nevada for the very fine contribution he has made in explaining a very complicated matter. I have had an opportunity to study his bill, and some of the previous related bills. I wish to point to the reference to conspiracy at page 10 of the bill, under section 4 (a).

Does not the Senator think that the safeguard which is involved is the jury system, and that a jury trial would always be required before anyone could be held accountable under that section of the bill?

Mr. McCARRAN. That is correct.

Mr. STENNIS. Has not trial by jury been the great guardian of our liberties, so far as having a restraining influence on abuse of power?

Mr. McCARRAN. Yes.

Mr. STENNIS. I should like to ask the Senator one more question with reference to the proposed board and findings of the board.

Mr. McCARRAN. Let me amplify my answer. The Senator is entirely correct. I would not be a party to an abrogation of the jury system. Every overt act referred to in the bill would always be subject to determination by trial by jury.

Mr. STENNIS. I appreciate the Senator's answer. With reference to the requirements for registration and for the official finding of fact with reference to one being a Communist or one being connected with a Communist-front organization, which of the judicial processes are involved? Did the Senator touch on that? I did not hear the first part of his speech, if that point was covered.

Mr. McCARRAN. First of all, there is a board.

Mr. STENNIS. I know about the board. What are the judicial processes following the action by the board?

Mr. McCARRAN. An appeal to the court?

Mr. STENNIS. How is that covered? Is it to the district court, or to the Court of Appeals?

Mr. McCARRAN. To the United States Court of Appeals for the District of Columbia circuit.

Mr. STENNIS. An appeal lies from the board to the Court of Appeals, and finally to the Supreme Court of the United States, does it?

Mr. McCARRAN. Yes.

Mr. STENNIS. Will the Senator explain why the district court was left out of the bill?

Mr. McCARRAN. Because we thought of going to the court system, first of all, for review.

Mr. STENNIS. Does the Senator think that the provision in the bill is as effective a process for judicial discrimination as if the district court were included?

Mr. McCARRAN. I think so, because in any event the case would come to the Court of Appeals for review.

Mr. LEHMAN. Mr. President—

Mr. McCARRAN. I yield to the Senator from New York.

Mr. LEHMAN. I believe I have been recognized.

Mr. FERGUSON. Mr. President—

Mr. McCARRAN. I yield to the Senator from Michigan.

Mr. FERGUSON. The Senator from Michigan desires to reply to the question raised about the district court being omitted.

Mr. LEHMAN. Mr. President, I understand I have been recognized and have the floor. I made that a condition in yielding to the Senator from Mississippi. I should like to begin my address. I am fearful that if I yield to the Senator, the Senator may make an address.

Mr. McCARRAN. Mr. President, I have not yielded to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York has been recognized.

Mr. McCARRAN. Mr. President, has the Chair taken me off the floor?

The PRESIDING OFFICER. If there is no objection, the Senator from New York may be permitted to yield for inquiries.

Mr. McCARRAN. I have not yielded the floor.

The PRESIDING OFFICER. The Chair recognized the junior Senator from New York at the time the Senator from Nevada concluded his address. At that time the Senator from New York asked unanimous consent that he might yield to the Senator from Nevada to answer questions by the Senator from Mississippi.

Mr. McCARRAN. I maintain the floor now for the purpose of answering a question.

The PRESIDING OFFICER. The Senator from New York may, if he desires, ask unanimous consent that further questions may be asked.

Mr. LEHMAN. I ask unanimous consent that a question may be asked, not that a statement or an observation or an address be made at this time. I yield for a question.

Mr. McCARRAN. Mr. President, I understood the Senator from Michigan desired to ask a question.

Mr. FERGUSON. Mr. President, my question of the Senator is whether we did not discuss in the committee the elimination of reference to the district court because the facts would be tried before the board, and on appeal go to the Court of Appeals for the district. So, instead of trying the facts all over before the district court, which is the trial court, a case would be tried before the board and would go directly to the Court of Appeals.

Mr. McCARRAN. That is correct, and that is the thinking behind the bill.

Are there any other questions before I yield the floor?

Mr. STENNIS. I thank the Senator for answering my question.

FEDERAL DEPOSIT INSURANCE ACT—CHANGES IN ENROLLMENT OF BILL

During the delivery of Mr. McCARRAN's speech,

Mr. MAYBANK. Mr. President, will the Senator from Nevada yield to me to submit a formal resolution?

Mr. McCARRAN. I yield.

Mr. MAYBANK. Mr. President, I ask unanimous consent to submit a concurrent resolution, and I also ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the concurrent resolution will be received and read for the information of the Senate.

The concurrent resolution (S. Con. Res. 106) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate is hereby authorized and directed, in the enrollment of the bill (S. 2822) to amend the Federal Deposit Insurance Act (U. S. C., title 12, sec. 264), to make the following changes in the Senate engrossed bill, namely:

(1) On page 9, line 23, after the period, insert the following:

"A State bank, resulting from the conversion of an insured national bank, shall continue as an insured bank. A State bank, resulting from the merger or consolidation of insured banks, or from the merger or consolidation of a noninsured bank or institution with an insured State bank, shall continue as an insured bank."

(2) On page 22, line 11, beginning with the word "Whenever", strike out through line 18 and insert in lieu thereof the following: "Except as provided in subsection (b) of section 4, whenever a member bank shall cease to be a member of the Federal Reserve System its status as an insured bank shall, without notice or other action by the board of directors, terminate on the date the bank shall cease to be a member of the Federal Reserve System, with like effect as if its insured status had been terminated on said date by the board of directors after proceedings under subsection (a) of this section."

(3) On page 53, beginning with line 16, strike out through line 3 on page 54 and insert in lieu thereof the following:

"(c) Without prior written consent by the Corporation, no insured bank shall (1) merge or consolidate with any noninsured bank or institution or convert into a noninsured bank or institution or (2) assume liability to pay any deposits made in, or similar liabilities of, any noninsured bank or institution or (3) transfer assets to any noninsured bank or institution in consideration of the assumption of liabilities for any portion of the deposits made in such insured bank. No insured bank shall convert into an insured State bank if its capital stock, or its surplus, will be less than the capital stock or surplus, respectively, of the converting bank at the time of the shareholders' meeting approving such conversion, without prior written consent by the Comptroller of the Currency if the resulting bank is to be a district bank, or by the Board of Governors of the Federal Reserve System if the resulting bank is to be a State member bank (except a district bank), or by the Corporation if the resulting bank is to be a State nonmember insured bank (except a district bank). No insured bank shall (i) merge or consolidate with an insured State bank under the charter of a State bank or (ii) assume liability to pay any deposits made in another insured bank, if the capital stock or surplus of the resulting or assuming bank will be less than the aggregate capital stock or aggregate surplus, respectively, of all the merging or consolidating banks or of all the parties to the assumption of liabilities, at the time of the shareholders' meetings which authorized the merger or consolidation or at the time of the assumption of liabilities, unless the Comptroller of the Currency shall give prior written consent if the assuming bank is to be a national bank or the assuming or resulting bank is to be a district bank; or unless the Board of Governors of the Federal Reserve system gives prior written consent if the assuming or resulting bank is to be a nonmember insured bank (except a district bank). No insured State nonmember bank (except a district bank) shall, without the prior consent of the Corporation, reduce the amount or retire any part of its common or preferred capital stock, or retire any part of its capital notes or debentures."

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MAYBANK. Mr. President, the conference report on the bill to amend the Federal Deposit Insurance Act was adopted by the Senate on September 1.

The conferees approved the introduction of a concurrent resolution directing certain changes in the enrollment of the bill S. 2822. The necessity for these changes arises out of the fact that

after the bill went to conference the so-called bank conversion bill became law, and that act makes substantial amendments in the FDIC law as it now stands. S. 2822 amends and reenacts the existing FDIC law, and its enactment in its present form would have the effect of repealing three important sections of the Bank Conversion Act, Public Law 729, Eighty-first Congress.

The concurrent resolution is designed to incorporate sections 5, 6, and 7 of the Bank Conversion Act into the amended FDIC Act. Briefly, these sections relate (1) to continuance of deposit insurance where a national bank converts into a State bank; (2) discontinuance of insurance, with certain exceptions, where a member bank ceases to be a member of the Federal Reserve System; and (3) the conditions under which an insured bank may merge or consolidate with a noninsured bank.

The sole effect of the adoption of the concurrent resolution will be to prevent the inadvertent repeal of these sections, which became law on August 18, 1950.

As previously stated, the conferees on S. 2822 approved without objection the introduction of the resolution. I ask unanimous consent for its immediate consideration.

Mr. BUTLER. Mr. President, what is the purpose of the concurrent resolution?

Mr. MAYBANK. The Senate passed the Bank Conversion Act some time ago, which was sponsored by the Senator from Pennsylvania [Mr. MARTIN] and other Senators. The bill which passed Friday, the so-called FDIC bill, interfered with certain sections of that law. This resolution merely clarifies the law.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

THE VOICE OF AMERICA—EDITORIAL FROM THE NEW YORK TIMES

Mr. BENTON. Mr. President, will the Senator from New York yield for an interruption which will not take over 2 or 3 minutes?

Mr. LEHMAN. I yield, with the understanding that I shall not lose my place on the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Connecticut may proceed.

Mr. BENTON. Mr. President, I ask unanimous consent to insert in the RECORD an excellent editorial praising the Voice of America, which appeared in the New York Times September 5, 1950. The editorial highlights the effectiveness of the Voice. It is a weaker voice than I would personally like it to be but at least is penetrating now and again and again inside the iron curtain.

Gen. Dwight D. Eisenhower, president of Columbia University, also calls attention to the same problem in the talk he delivered at Denver, Colo., September 4, 1950. General Eisenhower is an alert soldier with vision and a profound awareness of the propaganda fight we are engaged in with Russia. He says,

in his talk, in which he refers to our struggle with communism, that, "To combat these broadcasts—Russia's powerful radio's peddling lies wholesale about the United States—the United States Government has established a radio program called the Voice of America which has brilliantly served the cause of freedom."

General Eisenhower points out the need for bigger, better, and more powerful effort to combat these lies, as he did in July when he testified before the Senate Foreign Relations Subcommittee holding hearings on my Senate Resolution 243 calling for a Marshall plan of ideas offensive against Russia.

He says we are falling short of our objective because, and I use his words, "Communist stations overpower it—the voice—and outflank it with a daily coverage that neglects no wave length or dialect, no prejudice or local aspiration, weaving a fantastic pattern of lies and twisted facts."

I call this matter to the attention of the Senate because it is further evidence that we are not doing what we should be doing in combating the Communist propaganda and in waging a powerful psychological peace offensive of our own.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut?

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

A WELL-EARNED COMPLIMENT

The Voice of America has had its critics and its faults. Every time an appropriation to maintain or extend it has come up, there has had to be some lively scrapping to get the money. But one judges that the Voice must be doing pretty well on the whole. It has indeed received a well-earned compliment from Moscow itself. The Russian Government has gone to the trouble, as a Washington dispatch stated yesterday, to set up at least 1,000 jamming transmitters to keep American broadcasts out of Russia. About 250 of these are said to be powerful, long-range transmitters which kill all but about 30 percent of the Voice's programs. Others, smaller ones, mostly in the Moscow area, yowl and squeal in an effort to prevent Russian deviationists from becoming more badly infected with Western ideas than they now are.

It has always seemed that if Soviet Russia were the paradise its sponsors say it is, it would have no reason to fear radio utterances from countries still under the heel of old-fashioned democracy. One guesses that maybe not all Russians are as well-satisfied with their conditions in life as the Kremlin tells them they are. In the long run the ideas behind the Voice will get into Russia, no matter what squeals and yowls the jamming transmitters emit. When they do get in they will prove again, as has been proved before, that no iron wall—and no Chinese Wall, either—can be a frontier of men's thinking and men's aspirations.

UNESCO ACTION SUPPORTING UNITED NATIONS IN KOREA

Mr. BENTON. Mr. President, if the Senator from New York will yield for one more request, I should like to call to the attention of the Senate the action taken by the executive board of the United Nations Educational, Scientific,

and Cultural Organization at a Paris meeting on August 28, 1950, and I ask unanimous consent to insert in the RECORD the resolution adopted by the executive board.

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

ACTIONS OF THE UNESCO EXECUTIVE BOARD AT A SPECIAL MEETING OPENED IN PARIS AUGUST 26

The UNESCO Executive Board was called into special session in Paris, August 26, 1950, to consider UNESCO's obligations resulting from the attack on the Republic of Korea. Count Stefano Jacini of Italy, chairman of the Board, summoned the meeting at the request of Luther H. Evans, United States Librarian of Congress, and members representing nine other nationalities.

Chairman Jacini announced that at a closed session of the Board August 26, members unanimously condemned the aggression against the Republic of South Korea.

Previously, the Board had heard Director General Jaime Torres Bodet of UNESCO and Benjamin Cohen, Assistant Secretary General of the United Nations, who presented a letter to UNESCO from Trygve Lie, Secretary General of the UN, asking UNESCO's aid in explaining the responsibilities of the UN in the current situation.

Following are the texts of two resolutions passed by the Executive Board August 28.

"Profoundly moved by the armed attack of which the Republic of Korea has been the victim, and which brought the Security Council of the United Nations to adopt certain measures with a view to reestablishing peace and security, considering that one of the essential aims of UNESCO is, as stated in article 1 of its constitution, 'to contribute to peace and security by promoting collaboration among the nations through education, science, and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms for the peoples of the world.'

"Considering that the general conference at its fifth session, reaffirmed that 'all the activities of UNESCO must be directed toward the peace and prosperity of mankind' and that these 'activities to be fully effective, imply a truly and sincerely universal outlook excluding all thought of aggression, and founded on recognition of the principles of justice and freedom on which the constitution of the organization is based.'

"Considering that, in the resolutions adopted by the Security Council and the Economic and Social Council on July 31, 1950, and August 14, 1950, respectively, the specialized agencies were requested, in accordance with the terms of their agreements with the United Nations to give whatever help the unified command of the United Nations in Korea might request, in order to assist and bring aid to the civilian population in Korea, considering that the Economic and Social Council, in council, in its resolution of August 14, 1950, also stressed the necessity for aid in securing the understanding and the support of the peoples of the world for the action of the United Nations in Korea, and requested the Secretary General to seek, in the name of the council, whatever form of cooperation was best adapted to this purpose.

"Taking note of the communications of the Secretary-General of the United Nations concerning the help which UNESCO could give, in accordance with the above-mentioned resolution, assures the population of Korea of its deep and earnest sympathy, renders respectful homage to the soldiers of the United Nations who are fighting on the Korean front in the name of international solidarity, recalls that international peace and security must be based on the respect of the principles of law and the decisions of the compe-

tent organs of the United Nations, if force is not to triumph over law, and if justice is to be maintained, expresses its confidence in the program and methods of UNESCO in serving the aims of peace of the United Nations, through the perfecting of international cooperation, through the amelioration of the living conditions of man and through the development of international understanding by means of education, science, and culture.

"Considers, that in order that UNESCO may aid the United Nations in eliminating the dangers of war more effectively, it is particularly urgent, at this moment when human solidarity is under trial and when human rights are in peril, that still wider and more active support should be given to the execution of its mission, by governments and national commissions of member states.

"Decides that within the framework of its competence, UNESCO will give all possible aid and assistance to the action undertaken by the United Nations in Korea and toward this end, instructs the Director-General:

"1. To relieve the needs of the civilian population in Korea within the fields of education, science, and culture, by means of emergency relief, and, at the appropriate time by a reconstruction project;

"2. To develop, within the resources at his disposal, including the periodical publications of the organization, the execution of the program resolutions concerning teaching about the United Nations and its specialized agencies, putting particular emphasis on the necessity for collective security, based on respect for law, with the aid of concrete examples and to this end to utilize appropriate documentation provided by the Secretary-General of the United Nations, appeals to the governments and national commissions of member states to participate to the extent of the means at their disposal in this action.

"Requests nongovernmental organizations, which participate in the task of UNESCO, men and women whose activities are devoted to education, science, culture, and information, and all those who wish to live in peace with their fellowmen, to contribute to the work of UNESCO, in that spirit of liberty which characterizes all of its actions with a view to reinforcing in the minds of men the intellectual and moral defenses of peace through law which the United Nations are responsible for developing and safeguarding."

In implementation of the above resolution, the executive board authorizes the director general—

1. With a view to providing assistance to the civilian population of Korea—

(a) To send a mission to Korea, upon the request of the Secretary-General of the United Nations, to investigate the needs of the civilian population of Korea, in liaison with the unified command and the appropriate organs of the United Nations responsible for civilian relief;

(b) To provide, upon request, educational supplies on an emergency basis;

(c) To prepare in close liaison with the United Nations and the specialized agencies and launch a campaign in cooperation with member states and their national commissions and with nongovernmental organizations, for assistance to the Republic of Korea in the field of educational, scientific and cultural relief and reconstruction.

2. With a view to strengthening through teaching about the United Nations and its specialized agencies, a full understanding of the principles of the United Nations' action for peace and security—

(a) To prepare, in close and constant collaboration with the United Nations, both written and audio-visual materials for use in schools, adult classes and universities;

(b) To produce and distribute these to member states in English, French, and Spanish, in sufficient quantities to enable member states to adopt them and diffuse them on a large scale for their own purposes;

(c) To put at the disposal of the Secretary-General of the United Nations two specialists with instructions to cooperate with the United Nations secretariat in order to assemble relevant documentation in connection with the United Nations' action in Korea.

Mr. BENTON. Mr. President, I should like to applaud UNESCO for supporting in this forthright manner the UN commitments in Korea. This UN organization, with so much hope attached to it favors immediate aid to the South Koreans in the field of educational, scientific, and cultural relief and reconstruction. This is a noble aim born of a noble purpose. Unfortunately, however, UNESCO did not go far enough with its resolution in condemning the Red aggression in Korea.

As worded the resolution is somewhat like that of an indulgent father gently chiding a spoiled child for its misbehavior. It is a polite rebuke where a sledgehammer charge of shame and guilt would have been appropriate. The whole world knows we fight in Korea today because the Russians are masterminding the strategy of the North Koreans against their flesh and blood in South Korea.

I only wish the resolution had been worded as strongly as the earlier condemnation of the aggression against South Korea by Count Stefano Jacini, Chairman of the Executive Board. Count Jacini said the board at a closed session had unanimously condemned the aggression. Our own UNESCO representative, Dr. Luther H. Evans, also should be commended for his statement supporting the UN's attempt to preserve peace and freedom in Korea.

But we should bear in mind a human chain formed for rescue operations is as strong as its weakest member. The strength and courage of this resolution is not precisely a tribute to the full strength and the full courage of the entire 18 member nations of UNESCO. We must remember it is, rather, a tribute to the strength and courage of the most fearful nation that perhaps lives fearfully close to the Soviet Union. Thus I feel obliged not only to recognize the rareness of the courage, but indeed I feel I owe the smallest member nation of UNESCO tribute and acclaim. Surely a Norway or a Denmark could not be expected to act with the boldness that characterized our decisive steps in Korea.

There is promise, there is great promise in the fact that members of the executive board from 18 nations acted as a unit; 18 members of UNESCO from 18 different nations assembled in Paris and acted in unison. This form of unanimous action is a step forward.

I also hope this promise endorsed by UNESCO will mature into a vast exchange program of students, teachers, labor leaders, and government, and indeed leaders in every sphere. Let them come to this country from abroad so they may see for themselves the lies Russia tells and repeats about us are not true. They are lies, they are big lies, they are massive lies, they are a global hoax perpetrated against all human decencies and the things we believe in in a free world.

Now we should also encourage our leaders and students to visit abroad, for we must grow in understanding and wisdom if we are to expect understanding and wisdom from other nations. I would go further than this. I hope a day will soon come when all the member nations of the UN will encourage vast exchange programs not only with the United States but with each other. That would indeed be the single blessedness of brotherhood among nations.

I would like to add the UNESCO decision on August 28 was encouraged by a strong letter UN Secretary-General Trygve Lie recently sent Jaime Torres Bodet, UNESCO's Director-General. Lie wrote:

Our primary purpose in sending you this note is to record my position that a very considerable and important role can be played by UNESCO in connection with the Korean question without in any way impairing the fundamental role of UNESCO in world affairs. With each passing week, it becomes more obvious that the peoples of the world are in need of informational educational material with regard to the United Nations action in Korea. A straightforward statement of the facts through the media available to you would represent a major contribution.

This is a vast job to be done in educational circles—and UNESCO will be playing a vital role if it can effectively inform these circles.

This challenge is endorsed and repeated by Dr. Luther Evans who stated at the UNESCO meeting that—

The duty of UNESCO is plain. It must fulfill its obligation to the United Nations by explaining to the peoples of the world, with the help of teachers, scholars, writers, and other leaders in the communication of knowledge and ideas, that the issue in Korea is clearly drawn between the defense of peace and permitting brute aggression to succeed. It must help create throughout the world an understanding of the vital role that the United Nations has assumed in Korea and the responsibilities it faces in other areas of possible aggression. Naturally, UNESCO must also do its full part in rebuilding the shattered life of the Korean nation.

Lie says it is the "peoples of the world" who are in need of information on Korea. It is therefore a world-wide effort that's needed here. The tremendous responsibility of this program if properly executed may in part explain why UNESCO cautiously worded its resolution. UNESCO has had trouble scraping up \$175,000 for the job out of a total budget of less than \$8,000,000.

I may safely assume UNESCO passed a \$175,000 resolution when what was needed is at least a \$5,000,000 resolution. UNESCO could do a lot with \$5,000,000 to carry out Mr. Lie's injunction. It could ask the educational, scientific, and cultural leaders of the world to explain and emphasize the Red attack against South Korea and expose the other areas that lie under threat of invasion within the dangerous periphery of Soviet influence. Now, surely \$175,000 will not do the job, will not begin to do the job. That is asking a boy to do a man's work. Even \$5,000,000 would only be a step forward, and I merely use the figure arbitrarily.

But UNESCO has publicly recognized the problem and the danger. Now the

United Nations should be encouraged to set up a world-wide information program. We should urge the UN to step forward with a forceful campaign of truth. In line with this, I urge the immediate creation of a special UN information center in Tokyo to handle the communiqués issued by General MacArthur's headquarters. Let each communiqué on the fighting in Korea be signed by the member nations who are actively participating, or plan to participate, in the assault against the North Korean invaders. Thus the world would be given a daily reminder, a forceful reminder, that America is not alone involved, and that in deeds as well as words the UN action in Korea is one actively supported by the UN Security Council.

Further, we in the United States can work closely with the agencies of the UN, including the Food and Agriculture Organization, the World Health Organization, and the International Refugee Organization. These agencies already have offered direct help to Korea. We must continue to alert them the danger is not Korea's alone. It is the free world's danger. We must consider it from that angle at all costs.

I would like to add in closing that I have been examining the vast areas of the problem with the State Department to see what we can do. I have also tried to determine whether the UN can properly seize the leadership in this area, whether it is ready, and whether it has the resources and the leadership for such an undertaking. Certainly our own UN representatives should be urged, and urged at once, to study the problem and present it for immediate UN consideration.

I do not know why we are so slow to trumpet the truth about the aggression in Korea by the Soviet-inspired North Koreans when that misnamed police action threatens to explode into an atomic war of global dimensions. Too late may mean tomorrow or today.

INTERNAL SECURITY ACT OF 1950

The Senate resumed the consideration of the bill (S. 4037), to protect the internal security of the United States, and for other purposes.

Mr. ELLENDER. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I shall be glad to yield if I do not lose my place on the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. ELLENDER. Mr. President, I first inquire what is now before the Senate.

The PRESIDING OFFICER. The first committee amendment will be stated when the debate ends.

Mr. ELLENDER. Mr. President, I send to the desk an amendment to the committee amendment appearing on page 80 of the bill which has reference to the court-picketing provision. The amendment I am sending to the desk will be in lieu of the court-picketing amendment which was stricken from the pending measure by the committee.

The PRESIDING OFFICER. When that particular amendment is reached, the amendment of the Senator from Louisiana will be stated.

Mr. ELLENDER. I thank the Chair.

Mr. LEHMAN. Mr. President, I would like at the outset of my remarks to make a brief declaration of faith and principles. I think it is pertinent to what I am going to say about the pending legislation.

All my life I have fought for liberty and equality and against oppression and tyranny, both at home and abroad. All my life I have supported and fervently advocated the principles of American constitutional democracy. I have always opposed any movement which would have the effect of undermining American institutions. Communism has always impressed me as an odious system totally repugnant to the American concepts of government. I have always fought communism and the efforts of Communists.

As fascism represents the denial of truth communism represents the utter corruption of truth. Because Communists in the United States are stooges of Moscow and are at the beck and call of Soviet imperialism with its aggressive designs, I consider American Communists capable of any kind of subversive activity. I believe that we must check and punish all subversive activities.

I believe that we must wage an unremitting battle to keep the American people or any substantial number of them from falling victim to the false promises of communism and at the same time we must protect the American Nation against overt conspiracy, sabotage, or espionage. I have long been engaged in that battle and intend to continue the fight.

I do not, however, propose to allow my zeal in this regard to lead me into the fundamental error of playing into the hands of the Communists by prejudicing the rights of the vast majority of the American people. By indirection that would be doing Moscow's bidding. I will not willingly take such a step. I am even less willing to do so because I am convinced that some of the proposals we are considering today will not only endanger the basic rights of all our citizens, but will in fact, detract from our internal security. There are other proposals here pending, however, which I will support, and which will directly bolster our security against Communist subversion in times of danger, and will not, at the same time, expose all our people to the threat of political oppression by thought control.

Mr. President, I take it that the pending business is not merely a particular piece of legislation, but rather the whole field known as internal security. A number of bills are actually before us. These bills are pending before the United States Senate, but in a larger sense they are before the Nation and the entire world.

I need not remind the Senate—we have been frequently reminded of this fact—that the Nation is watching what we do. Obviously the whole country is vitally interested in the subject we are now discussing.

But other eyes are fastened on us, too; the eyes of the hundreds of millions of people of the world.

We are professed champions of liberty. We say that we stand for freedom for

the individual, for all individuals. That is our banner in today's world struggle. Thus, those nations and peoples abroad who also call themselves free, and the peoples who aspire to freedom, will be disheartened if we, in this country, move in the direction of the police state in order to meet the threat of the police state.

I am fully aware, Mr. President, of the dangers from the Communists in this country today. It is my belief, however, that we face no real danger from their views, but rather from their subversive activities. Against subversive activities we must guard ourselves. We may need additional security laws for that purpose. But if we outlaw views, and penalize persons for their thoughts and beliefs, we will grant the Communists a victory which they have not won. And the world will be on notice that in this home of freedom we do not dare grant all persons the right to express their views and compete in the market place of ideas.

I, for one, shall wholeheartedly support all legislation which is proved to be necessary for the preservation of our country and the protection of our people against subversion or overt attack.

But my firm and fervent belief is that our main strength lies in our liberties. In the freedom which we permit to all, lies our strength to oppose not only the enemies of freedom in our country but all the enemies of freedom abroad.

In any situation in which these freedoms should be abused in a way to constitute a present danger to the freedom of all, I would take prompt and judicious steps to curtail these abuses and protect this country and its institutions.

That is why, Mr. President, I joined last week with a number of other Senators in cosponsoring S. 4061, the so-called administration internal security bill. I believe that the measures embodied in that bill are necessary for the protection of our country's internal security. I hope the Congress will pass that bill.

But for the sake of our internal security, as well as for other reasons, I hope that the Congress will reject S. 4037, the McCarran omnibus bill, and S. 2311, the Mundt-Ferguson bill. I am convinced that these bills contain provisions which are completely unnecessary and others which will endanger and not enhance our national security. Furthermore, I believe that many of the provisions of these two bills are violently repugnant, both to the spirit and to the letter of our Constitution.

I shall make a few references to the constitutional aspects a little later on in my remarks.

But first, Mr. President, I wish to address myself to that aspect of this legislation which is of most concern to us at this very moment, the aspect of internal security.

We already have on the statute books more than 20 laws to control and penalize subversive activities such as espionage, sabotage, and failure to register as a foreign agent. We also have the Smith Act, recently upheld by the Court of Appeals, which makes membership in the Communist Party *prima facie* evidence of criminal intent. Hence, the only op-

erative provisions of the Mundt-Ferguson bill are completely unnecessary.

Nevertheless, there are certain provisions of our present antisubversive laws which the security experts tell us need tightening up. That is the purpose of Senate bill 4061, the administration's internal security bill.

I believe that Senate bill 4061 is a proper and necessary measure. The added security which this measure would give us against espionage and sabotage is desirable and essential. Senate bill 4061 plugs a number of legal loopholes in the Antiespionage Act. It provides for the proper detention and supervision of the activities of deportable aliens, some of whom may be subversives. It establishes penalties for the unauthorized disclosure or receipt of classified information to agents or representatives of a foreign power. It permits the President to guard military and other installations vital to the national security from possible spies and saboteurs. These are all essential measures in these critical times. These measures will positively and constructively strengthen our internal security.

On the other hand, the McCarran omnibus bill, and the Mundt-Ferguson bill, are quite another matter. These are sweeping, all-embracing bills whose scope and content, I venture to say, are not understood by the majority of the American people. There are members of this Senate who do not, in my judgment, fully comprehend the dangers, both to our security and to our way of life, lurking in these measures.

The proponents of these measures merely describe them as security measures, and as antisubversive bills, as measures designed to expose Communists, and to bring them out into the open. Mr. President, as I hope to be able to show, these bills do not conform to these specifications. Their labels are entirely misleading.

What dyed-in-the-wool Communist will run to the nearest registration office to list himself as such and expose himself to the penalties contained in the Mundt-Ferguson bill? Obviously, if he did, he would lose all his effectiveness as a Communist, besides subjecting himself to the penalties set forth in this bill. He would also expose himself to the penalties set forth in other laws, such as the Smith Act, under which the 11 top Communist leaders were recently convicted. In fact, registration would constitute self-incrimination, if not under the terms of this law, then under the terms of the Smith Act. Obviously, the Communists would not register.

These bills will not expose, but will submerge the Communist Party, and its affiliated groups. True, the Communist Party today operates, to a considerable extent, underground. These bills will drive Communists completely underground. Dangerous icebergs in the northern seas are always two-thirds submerged. But what sailor would say that icebergs would be less dangerous if they were totally submerged and out of sight? I will return to this point in a moment.

I know that a great deal of thought has gone into the drafting of the Mundt-Ferguson bill. Proponents of the bill

argue that it is, in its present form, perfectly constitutional. I am not a lawyer, but I disagree completely. In any event, I certainly am not willing to abdicate my responsibilities as a Senator and look to the Supreme Court to stop this unwise and dangerous legislation.

I know that this whole matter is a subject on which sincere and reasonable men may honestly differ. The veterans' organizations which are supporting the Mundt-Ferguson bill are inspired, I am sure, by patriotic motives. I honor them for their deep concern for the security of our country. But I tell them today, as I am telling my colleagues in the Senate, that most of the provisions of the Mundt-Ferguson bill, and also those contained in the McCarran omnibus bill, not only are unwise and unnecessary, but are inimical and prejudicial to our national security and to the very purposes which the supporters of this proposed legislation have in mind.

Mr. President, the most dangerous thing we could do at this critical moment in our history would be to abandon cool reason and logic, and yield to hysteria. That is what Moscow hopes we shall do. That is what some of the provisions in the Mundt-Ferguson bill would have us do.

However, Mr. President, in regard to our internal security, which must be our chief concern, we must estimate our real danger and must move to meet it with means precisely calculated to combat it.

Let us look at the facts. On June 8 of this year, Mr. J. Edgar Hoover, Director of the FBI, told the Congress that the total known Communist-Party enrollment in this country was 54,174. In 1947, Mr. Hoover had told the House Un-American Activities Committee that the membership of the Communist Party was 74,000.

If we pass the Mundt-Ferguson bill and drive the Communists underground, the numbers of real Communists will not decrease, but will swell. Martyrdom is contagious. Many fellow-travelers and dupes who are the simple fronts of the Communist Party today, and who do no real harm to the national security, would be driven underground along with the dangerous Communists. Then the number of potential spies, saboteurs, and threats to our real national security would increase and multiply.

Mr. President, the Mundt-Ferguson bill, if it became law, would not catch in its net a single spy, saboteur, or real conspirator who could not otherwise be apprehended by the internal security agencies of our Government. Any loopholes which may exist will be tightly sealed if the Congress approves the administration's security bill, Senate bill 4061, of which I am proud to be a cosponsor.

Instead of permitting the FBI to concentrate on watching and detecting the real threats to our security, if the Mundt-Ferguson bill were to pass, the FBI would be required to divert its efforts from the essential responsibilities with which it is charged and which it is discharging so effectively.

True, we might catch a few Communists. But the real professional spies and saboteurs are far too clever to be

caught in this net. They are not members of the Communist Party, and they keep away from it. Neither Karl Fuchs nor Harry Gold nor Judith Coplon were members of the Communist Party. They could never have been indicted for failing to register.

Mr. President, the official organ of the Communist Party in Moscow, Pravda, very recently quoted the great Communist god Lenin as having said, 30 years ago, that Communists should be grateful to American capitalists for anti-Bolshevik hysteria and persecutions.

"They work for us," Lenin was quoted as saying. "They help us interest the masses in the question of the essence and significance of bolshevism." That was Lenin speaking. Today Stalin and the Politburo are, I am sure, eagerly watching what we in the Senate of the United States will do.

It may well be, Mr. President, that the top Communist planners would warmly welcome the passage of Senate bill S. 2311 or Senate bill S. 4037.

Mr. President, a few historical facts are interesting. The first country in the world to outlaw the Communist Party was imperial Russia. Seeking to repress revolutionaries, agents of the Czar rounded up liberals of every sort, and jailed them or exiled them. Undoubtedly, there were many Communists among those so jailed or exiled. Among those who were so jailed and exiled were three men now known to history by the names of Lenin, Trotsky, and Stalin. Jail and exile helped rather than hindered them. Russia, the first nation to outlaw the Communists, was the first to be ruled by the Communists. A handful of persecuted Communists, who had succeeded in frightening the Czar, led an army of men and women who had been oppressed and harassed, and took over a nation of 180,000,000 people.

Czechoslovakia outlawed its Communists in 1940. That did not prevent the Communists from taking over Czechoslovakia in 1947.

In recent years a number of countries have attempted to stamp out communism by outlawing, jailing, or otherwise repressing Communists. To the best of my knowledge and belief, there is not a single country in the world where the outlawing of the Communist Party has resulted in a decrease of Communist activity or the weakening of the Communist movement.

We need not look far across the seas or look far back into history to study the effect of repressive legislation on the Communist movement. In 1929, Canada passed a law similar in many respects to the proposals advanced by the Senator from South Dakota, the Senator from Michigan, and the Senator from Nevada. In 1936, that law was repealed because the Communist movement in Canada had flourished, rather than suffered, under it. In 1940, a stronger version of the same kind of legislation was passed. That did not prevent the most powerful and dangerous atomic spy ring in history, reaching even into the Canadian Parliament, from being established. Subsequently, Canada repealed that law.

In our own history the only comparable measures were the notorious

alien and sedition laws, enacted in 1798. Those laws were pushed through the Congress during the course of the French Revolution. There were some Americans who violently and vigorously urged the new American Republic to go to the aid of France in her wars against England. They were ready to involve America in war for the sake of a France which was already turning to the dictatorship of Napoleon Bonaparte. There were also in our midst some agents of France who were seeking, by intrigue and subversion, to achieve the same purpose. The United States Congress passed the Alien and Sedition Acts.

But these acts were never invoked against French agents or against real provocateurs. Instead, they were invoked against newspaper editors and political leaders who were critical of the administration then in office in the United States. The offenders were convicted, jailed, and fined. That law expired, under its own terms, in 2 years. But the American people were so revolted at the uses to which that law had been put, that the Federalist Party was turned out of office. That party never again won the trust of the American people, and soon dissolved. A succeeding Congress appropriated money to repay the fines assessed against those convicted under these infamous acts.

The United States has never since, not even in the tragic and troubled days of the Civil War, enacted comparable legislation. The Mundt-Ferguson bill and the McCarran omnibus bill contain many of the worst features of the Reconstruction Act approved after the Civil War, and also of the Alien and Sedition Acts, and offer a few new devices for establishing guilt by association and inference—provisions which were never even dreamed of in all our past. Moreover, the sedition bills now before us have no term of expiration, as the Alien and Sedition Acts of 1798 had. The present proposals would constitute permanent legislation, to be invoked not only under present circumstances, but under circumstances which we cannot possibly now foresee, extending forever into the unforeseeable future.

Let us bear in mind that laws aimed at a specific situation are frequently found to be utterly inapplicable to that situation, but are invoked much later in entirely other situations. Such a sweeping bill as the present one is an open invitation to that kind of misuse.

My own State of New York passed an antianarchist law back in 1901, after the assassination of President McKinley by an anarchist. However, that law never has been invoked against an anarchist. It has been invoked against others. Who knows whether the bill now before us, designed to be invoked against Communists, might not some day be invoked, by irresponsible men, against political parties or other organizations of a perfectly legitimate character.

There is a long-standing Federal statute which punishes with imprisonment any individual who makes a willful threat to take the life of the President of the United States. However, during World War I, this law was invoked to convict a man in Beaumont, Tex., who

was opposed to Woodrow Wilson's war policies, and who declared, in the course of an argument, "I wish Wilson was in hell, and if I had the power, I would put him there." The Texas courts ruled that was, in effect, a threat to kill the President.

I have merely cited this case to show to what unforeseen uses even the best of laws may be put. And when we come to a proposal like the Mundt-Ferguson bill which sets up as criteria of guilt a long series of standards which are so dangerously vague as to constitute, in my judgment, a grant of unlimited power to punish for almost any kind of unorthodox thinking, and behavior which might happen to impress some official as being suspicious, I say that we are venturing out upon deep and dangerous waters.

I should like to refer again to my own State of New York where in 1919 a committee of the legislature, called the Lusk committee, outlined a case against certain members of the legislature who had been elected on the Socialist Party ticket.

The Lusk committee described the Socialist Party as having a single purpose of destroying our institutions and government and substituting the Russian-Soviet Government—an antinational party whose allegiance is given to the Internationale and not to the United States. On the basis of this finding, which is strikingly similar to the legislative finding in section 2 of the Mundt-Ferguson bill and also to section 2 of the McCarran omnibus bill, the five Socialists were expelled from the New York Assembly.

A great American statesman and a great citizen of New York State whose memory we honor and revere today, Al Smith, denounced the expulsion of the Socialists from the New York Legislature in these words:

Our faith in American democracy is confirmed not only by its results but by its methods and organs of free expression. They are the safeguards against revolution. To discard the methods of representative government leads to the misdeeds of the very extremists we denounce—and serves to increase the number of the enemies of orderly free government.

Those words, in my opinion, could be applied equally as well to the Mundt-Ferguson bill and the McCarran bill.

In 1799, a committee of the House of Representatives, urging the continuance of the Sedition Act, reported—and we need only substitute Russia for France in the quotation I am going to read:

France appears to have an organized system of conduct toward foreign nations; to bring them within the sphere and under the domination of her influence and control. It has been unremittingly pursued under all the changes of her internal policy. Her means are in wonderful coincidence with her ends; among these, and not the least successful, is the direction and employment of the active and versatile talents of her citizens abroad as emissaries and spies.

These words, too, have a strangely familiar ring today.

Mr. President, public debate on the bills now before us has been raging for many weeks and months. Yet I doubt if more than an insignificant percentage

of the American public is familiar with or understands the provisions contained in this legislation.

The actions proposed to be taken under the terms of the Mundt-Ferguson and McCarran bills are manifold. The provision for the registration of Communist political organizations and Communist-front organizations is but one aspect—the foot in the door which opens the way to all the other unfortunate provisions in these measures.

The Senator from South Dakota [Mr. MUNDT], who is the chief architect of this legislation, has, himself, stated as recently as March 17 of this year:

I do not believe that all the Communists in America are going to register simply because the law says that they should, and I think that we are still going to need the FBI, and we are still going to need the House Committee on Un-American Activities and a great number of other alert people to find the people who decline to register.

In this statement by the Senator from South Dakota lies one of my chief objections to this bill. All the Communists, says the Senator, are not going to register. I agree with him. I go one step further. I say that very few, if any, Communists are going to register. And then, as the Senator says, it is going to require the FBI and a great number of other alert people to investigate, to gather evidence and indict all those who fail to register.

The FBI, instead of hunting spies, will be hunting people who, in the opinion of some official in the United States Government, ought to register under this act. The staff of the Attorney General will be occupied with filing charges and seeking indictments against individuals who, on principles, will decline to register, although the Subversive Activities Control Board may feel that they should.

There will be hearings, trials, appeals, and further appeals. Legal experts have estimated that it will take 4 years before the Supreme Court can hand down a decision in even one of these cases. It will be 4 years before we know whether this law is constitutional. For 4 years we shall have these indictments hanging over hundreds, and perhaps thousands, of people before one Communist can be sent to jail for failing to register. And, meanwhile, springing up all over the land will be new organizations, new fronts under new names, set up as fast as old ones are put under the ban of this act. This machinery is so cumbersome it creaks. It will prove to have no effect whatsoever.

Individuals and organizations who register will immediately be subject to certain penalties and forfeitures of rights. Organizations will be required to stamp all literature and letters sent out and intended to be read by two or more persons with the label "disseminated by a Communist organization."

The content of the literature or letter will be immaterial. If an organization, determined by the Subversive Activities Control Board to be a Communist-front organization, sends out a brochure calling for the repeal of the Taft-Hartley Act, that brochure will have to be labeled as being mailed by a Communist organization. If they send

out an invitation to a tea party, it will have to be labeled as being disseminated by a Communist organization.

How is this legislation to be enforced? The answer is very simple. The enforcement agencies will have to go through the mails, look into every letter and every piece of literature to see from what kind of organization it emanates. Privacy of the mails will be gone. And an army of snoopers will necessarily be let loose to pry into the personal and private affairs of all our citizens. No individual writing to wife, husband, broker, lawyer, or doctor will be sure that the communication will not be read and abstracted by some agent in pursuit of evidence that this letter was one of those mailed by a Communist or Communist-front organization.

As I have said, the Mundt-Ferguson bill and the McCarran bill go much, much further than requiring a Communist or Communist-front group to register. For example, there is the sedition section. This is the section which, out of hand, makes it a penal offense to be a Communist or to be a Fascist, although home-grown Fascists, without foreign connections are presumably exempted from penalty. But this provision is as broad as all outdoors.

Who is to determine what act might contribute to the establishment of a totalitarian dictatorship in the United States? There are those in this country who argue loudly and vehemently that public housing and rent control are substantial contributions to the establishment of a totalitarian dictatorship in the United States. There are those who say the same thing about Federal social security or public power development or compulsory health insurance. Only a few weeks ago FEPC was described on the floor of the Senate as Communist inspired.

In November 1948, Mr. President, over a million American citizens went to the polls and voted for the candidate of the Progressive Party for President. I believe, as many others do, that many of the leaders of the Progressive Party had close Communist connections and rigidly followed the party line. Would that make a million Americans subject to the penalties set forth in this bill? Our jails are not big enough to hold all those who might be condemned to them by this provision and by many other sections of this legislative proposal.

Communists, of course, would obviously be indictable and subject to imprisonment under the provisions of section 4 (a). Yet, at the same time, they are required to register as Communists under the terms of section 8 of the same bill. In other words, one section requires them to register, and another section puts them in jail for registering. This is not legislation; it is a parody on legislation.

Of course, the heart of this proposed legislation lies in the definition of what is a Communist or Communist-front organization. The standards by which the Subversive Activities Board is to determine whether an organization is Communist are, as I have said, broad and vague. I shall not list them all. I shall read only a few.

"The extent to which," the bill says, "the organization fails to disclose or resists efforts to obtain information as to its membership by keeping membership lists in code, by instructing members to refuse to acknowledge membership, or by any other method.

"The extent to which it fails to disclose or resists efforts to obtain information as to records other than membership lists.

"The extent to which its meetings are secret and otherwise operates on a secret basis."

I need not discuss these particular criteria at any length. Their dangerous potentialities are obvious. Many labor unions keep their membership lists secret. Many labor unions, especially in some sections of this country, hold meetings in secret and certainly resist efforts to obtain information as to their membership lists. This is as necessary to a union seeking to organize an unorganized area or plant as is the right of collective bargaining itself.

Another criterion is the extent to which its principal leaders or a substantial number of its members are subject to or recognize the disciplinary power of (a) foreign government or foreign organization or its representatives.

What about an international labor union under this section? The international presidents of several of our unions are not American citizens. What if a Canadian should be elected international president of the United Automobile Workers Union? That is a possibility. The UAW has powerful branches in Canada. Would the Automobile Workers' Union then be subject to listing as a Communist organization? It certainly might.

This sort of evidence, without any restrictions, may be used by the board to determine whether an organization is a Communist organization. Naturally, there are other criteria which deal with the political views of such an organization. These criteria are likewise vague.

It is frequently difficult enough, as any lawyer or judge knows, to establish the fact of whether a man has committed murder, or theft, or assault, or perjury. But in the Mundt-Ferguson bill we enter into an entirely new field—that of determining whether a man has dangerous thoughts or ideas.

Subsection 4, paragraph F, of section 14, lists as one of the criteria the board shall use for determining whether an organization is a Communist front, the following language:

The extent to which the positions taken or advanced by it from time to time on matters of policy do not deviate from those of any Communist political organization, Communist foreign government, or the world Communist movement referred to.

This definition could lead to action against almost any organization which at any time has taken a stand for public housing, for fair employment practices, for the Brannan plan, for rent control, for health insurance, against the Taft-Hartley Act, or against aid to Franco. The Communist Party, in its vain attempt to win a popular following, has taken the same stand on these matters as have many good and patriotic Ameri-

can organizations, including the Democratic Party.

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

Mr. LEHMAN. Will the Senator mind if I do not yield? I stated at the beginning of my address that I should like to conclude my speech before I yielded. I shall conclude very shortly.

But opponents of these causes have seen fit to condemn the causes by citing Communist support of them. Under the terms of the Mundt-Ferguson and McCarran bills, good American organizations—labor unions, church groups, and others—could be charged on this basis with being Communist fronts.

By the same token, action could be taken under these bills against organizations and groups which have opposed the Atlantic Pact, the Marshall plan, military aid to Europe, the Truman doctrine, and involvement in Korea. All these programs and policies are violently opposed by Moscow for its own reasons.

The bill says that the Board shall take into consideration the extent to which an organization sends members or representatives to any foreign country for instruction or training in the principles, policies, strategy, or tactics of such world Communist movement.

Would, then, a scientific organization which sent representatives to a world scientific gathering at which representatives of Communist nations were also present fall under the ban of this proviso? It might.

Another criterion is the extent to which an organization reports to such foreign government or foreign organization or to its representatives.

Would, then, an international relief organization operating in Rumania or Hungary, required by the law of that country to report to that Government concerning its activities, fall under the ban of this criterion? It might.

I could proceed in this manner through most of the list of these criteria. I have enumerated just a few.

I should like to pass for a moment to the innermost heart of this proposed legislation, the definition of a Communist-front organization. This definition, found on pages 6 and 7 of the Mundt-Ferguson bill, states that a Communist-front organization means one which is primarily operated for the purpose of giving aid and support to a Communist political organization, a Communist foreign government, or a world Communist movement.

But Russia is not the only Communist government in the world today. Yugoslavia is one, China is another, Poland is a third. Would a relief organization sending aid to private individuals in Yugoslavia fall under this definition? I think is certainly would.

Would a church organization collecting funds for food shipments to individuals in Communist-controlled China or Poland come under this definition? I think it certainly would.

Would the great CARE organization, which arranges for the shipment of food parcels to individuals in some areas under Communist control fall under this definition? I think it might.

Mr. President, I have been discussing the several standards by which the Subversive Activities Control Board is instructed, under the terms of this bill, to establish whether an organization is a Communist political organization or a Communist-front organization. These standards are all set forth in section 14 of the Mundt-Ferguson bill. Eight separate characteristics are listed for detecting and determining a Communist organization; four criteria are listed for Communist-front organizations.

But the really significant point lies in the fact that the bill leaves it entirely to the discretion of the Subversive Activities Control Board to decide how many of these characteristics must be shown by an individual organization before the Board can find that the organization in question is a Communist political organization or a Communist-front organization. An organization might exhibit just one of these characteristics—just one—and still be found by the Control Board to be a Communist or a Communist-front organization.

As I have already shown, these standards are so vague as to be almost meaningless when applied to specific instances. But I would like to show the Senate how a specific organization without Communist affiliations might be measured against these standards and easily found to be, let us say, a Communist-front organization, despite the fact that it is actually violently anti-Communist.

Let us take, for example, the United Auto Workers of America, a fine labor union to which I have already referred. There is no more anti-Communist union in America. There is no more patriotic and forward-looking organization, more keenly aware of its responsibilities to its members and equally to the Nation and the public at large.

I have no doubt that there are among the members of the United Auto Workers Union some few Communists and fellow travelers. There might be some locals of this union, one or two of whose officers might fall into this regrettable category. There are undoubtedly some who at one time or another innocently, or otherwise, belonged to a Communist or Communist-front organization. But these very facts might put the entire United Auto Workers Union not only under suspicion, as far as the Subversive Activities Control Board is concerned, but potentially under indictment as a Communist-front organization. There are probably influences and interests in America which would be glad to see this happen. This could occur on the basis of only one of the criteria set forth in the Mundt-Ferguson bill—the fact of some members of the UAW being Communists. But that is only the beginning.

The second criterion of a Communist-front organization under the Mundt-Ferguson bill deals with sources of financial support. It might be that in some strike the UAW might receive a contribution from an organization and might accept it, not knowing that this contribution was from a Communist organization. That would furnish a sec-

ond criterion for indictment of this union.

The other two criteria of Communist-front organizations deal with the policies advocated by those organizations.

As I have already shown, Communists pay lip service to many causes, such as public housing, peace, antidiscrimination, and social security. These causes happen to be supported very enthusiastically by the UAW Union. The UAW supports many other principles—sound and liberal principles, in my judgment—to which the Communist Party gives its questionable blessings. The UAW has on several occasions condemned laissez faire capitalism, an attitude this union shares with such organizations as the World Council of Churches.

Thus, under both the third and fourth criteria of the Communist-front organizations—the criterion of furthering and promoting the political objectives of a Communist political organization, and the criterion of nondeviation on matters of policy from a Communist organization, the United Auto Workers could be ordered to register as a Communist front.

Hence, in all four particulars set forth in the Mundt-Ferguson bill, the UAW would be as much liable to indictment as any one of a half-dozen Communist fronts now listed by the United States Attorney General. Yet it must be obvious to all the Members of the Senate that the UAW is violently opposed to communism and is, in fact, one of the most effective forces against communism.

We must bear in mind that there are some individuals in the United States who would be quite willing to assert that this union and all labor unions are radical organizations, and hence Communist fronts. Who then will be so bold as to predict what the Subversive Activities Control Board will find, under the vague instructions set forth in this unfortunate and untimely legislation?

Mr. President, other Members of the Senate are much better qualified than I to analyze this legislation in its basic legal aspects. I shall not attempt to do so save to submit that the Mundt-Ferguson and McCarran bills seem to me to violate very clearly the first, fifth, and eighth amendments to the Constitution.

But what is the justification for this legislation, Mr. President? What experts in the field of internal security and subversive activities have recommended it?

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

Mr. LEHMAN. No; the Senator from New York announced previously that he would not yield until he had concluded his prepared address. He will be very glad to yield at the conclusion of his remarks.

Let me read from the 1950 annual report of the Director of the FBI, Mr. J. Edgar Hoover, who said on page 4 of that report:

Suppression and outlawing subversive organizations by legislative enactment are not the answer. As a nation we need have no fear so long as actions of those residing within our shores are open and above board.

The director of the FBI, the Attorney General, the Director of the Central Intelligence Agency, the Director of the Office of Naval Intelligence, and the Director of Military Intelligence have been studying the problem of internal security for years. What have they recommended? Their recommendations are contained in S. 4061, the administration's internal security bill. They did not recommend anything approaching the proposals contained in the Mundt-Ferguson bill or the McCarran bill. Is the Congress to be more zealous and more all seeing than those who are charged with the protecting of the internal security of this country?

I have spoken to a number of individuals who have long experience in spy work and in counterespionage, all of whom have told me the same thing—that this legislation would be an impediment rather than a help to our internal security.

I heard over the radio the other day a broadcast by Mr. Paul H. Jensen, of Eau Claire, Wis., a lifelong Republican, who was until he retired from the Army one of the crack counterintelligence officers of our Armed Forces. Mr. Jensen declared in no uncertain terms that, in his opinion, the Mundt-Ferguson bill would drive Communists underground and would severely handicap our security officers in protecting this country against subversive activities.

On the side of civil liberties there is no doubt that this represents a curtailment of our civil liberties. The proponents of the Mundt-Ferguson bill acknowledge this. But they assert that it is only a small curtailment. My study of this legislation would indicate that this bill represents the most dangerous and violent curtailment of our civil liberties of any legislation that has ever been proposed in the American Congress.

It would set up in the subversive activities control board a group of three men with vast powers to determine who is or who is not subversive in this country. I would not delegate that power to any man or to any group of men. Our Constitution requires that an act of treason be testified to in open court by at least two witnesses to the overt act. Now we are asked to permit suspected persons to be named and penalized by the action of an administrative board responsible only to their own beliefs and prejudices.

I recognize that the right of appeal to the courts is provided in this bill. But the criteria by which the courts must judge the validity of the subversive control board's actions are so broad and so ill-defined that few judges would be willing to substitute their judgment for that of the board. This has been the history of court review of all administrative findings. I think it would be even truer in this situation.

Mr. President, I have spoken at great length. Yet I have not even begun to cover the field. The Mundt-Ferguson bill and the McCarran bill consist of so many dangerous elements that I could not possibly summarize them all. I hope I have clearly shown some few of the very many weaknesses and perils of these pro-

posals. I hope I have shown that they would not accomplish their objectives but would instead create a moloch with a destructive force greater than any that we now foresee.

Mr. President, I should like to leave one final thought with the Senate. We are sailing today, internationally speaking, on uncharted seas. We do not know where the next blow will fall. We do not know what the dangerous days ahead of us may hold in store. We do not know what passions will sweep this country, what political tides may set in. I warn my colleagues that we must beware of placing upon the statute books a law designed for a certain purpose, but couched in such broad and vague language that it could serve other and unforeseen purposes. I warn my colleagues, and I warn the country, that we should think many times before we tamper with and modify those precious institutions of freedom and guarantees of free discussion which have seen us safely through so many crises of our history. There may never be a greater need than in the days immediately ahead for full and free discussion, of free and searching debate of all issues and questions affecting our welfare and the welfare of the world.

Mr. President and Members of the Senate: in the Mundt-Ferguson and McCarran bills, we have legislation which permits thought policing. Do not think that this will catch only those whose views you hate. All of us may become victims of the gallows we erect for the enemies of freedom.

I am not given to extreme statements, Mr. President, but I say today that if Congress approves the legislative proposals contained in the Mundt-Ferguson and the McCarran bills, and if they become law, it will be a black day in the history of the United States.

I hope that the Senate will vote down these proposals, and will enact instead S. 4061.

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

Mr. LEHMAN. I yield to the Senator from Michigan.

Mr. FERGUSON. The able Senator has cited Mr. Jensen as saying that the pending bill, if enacted into law, would drive the Communist Party underground. Did Mr. Jensen cite any reasons for or give any proof of such a statement? How would it drive them underground? Would it not give the FBI the right to make an investigation as when any other crime is committed that is underground, or in secret, and ferret out the guilty parties, and prosecute them?

Mr. LEHMAN. I have quoted not only Mr. Jensen—

Mr. FERGUSON. What is the proof that it would drive them underground?

Mr. LEHMAN. Will the Senator permit me to answer as I see fit?

Mr. FERGUSON. Certainly.

Mr. LEHMAN. I have quoted not only Mr. Jensen, but I have quoted the Director of the FBI, the Attorney General, and a number of other men who are experts and authorities in ferreting out espionage and crime, and they all agree that this kind of a bill would not help, but very definitely hinder.

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

Mr. FERGUSON. I should like to ask the Senator another question.

Mr. LEHMAN. If the Senator from Michigan is not satisfied, let me say a little more about this subject, inasmuch as the Senator has asked about Mr. Jensen. I shall quote from a radio broadcast of Monday, August 21:

Mr. EDWARDS. In your opinion, Mr. Jensen, is the Mundt-Nixon bill an effective method of dealing with Communists in the United States?

Mr. JENSEN. No; it is is not, Mr. Edwards * * * and there are sound reasons behind that rather vehement "No." First off, as an attorney, I believe the registration section of the bill is definitely in violation of the first and fifth amendments of the Constitution * * * but that is for more able attorneys and judges than I to decide * * * my principal objections are more on the "meaty" side, if you will, relative to the practicability of the Mundt-Nixon bill, its chances for success and the harm it might do.

First, assuming this bill should be passed—how long will it be before one subversive or one enemy agent actually ends up behind the bars—I predict it would take years because first, the control board established by the bill—

I shall not read the entire broadcast. Mr. FERGUSON. Did he say why it would drive them underground?

Mr. LEHMAN. I said it would be because it would make martyrs of them. As I pointed out in my statement, the real Communists are not going to register voluntarily.

Mr. DOUGLAS. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I yield to the Senator from Illinois.

Mr. DOUGLAS. Is it not true that the Communist Party would either not register its members, or register fictitious members, in order to confuse the situation, and that if it did not register its members there would be a long series of processes in an attempt to indicate whether or not an individual was a member, with the cases going up not only to the Board of Control of Subversive Activities, but thence to the courts, so that it might be years before it could be established whether a person was or was not a Communist, and in the meantime the activities of the Communists directed toward espionage and sabotage continue?

Mr. McCARRAN. Mr. President, why not amend the question by asking, is it not true that the Communist Party is underground now?

Mr. LEHMAN. As I said in my statement, they are partly underground. They are not wholly underground.

Mr. DOUGLAS. Would they not go wholly underground if the bills under consideration were passed? As a matter of fact, are they not now apparently getting in process of submerging because they believe the bills will be passed?

Mr. LEHMAN. I fully agree with the Senator from Illinois. What is more, I think we would be making martyrs of these persons, and I think nothing is so contagious as martyrdom. I believe that for every Communist we might pos-

sibly get, we would be making 50 or 100 or more Communists.

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

Mr. LEHMAN. I yield.

Mr. FERGUSON. The Senator has referred to registration, and has stated that he believes it is absolutely wrong to register the Communist political party. Does the Senator believe that the Communist Party is a party engaged in political activity?

Mr. LEHMAN. The Senator from New York certainly has made it very clear that the Communist Party is probably guilty of all the crimes that have been charged against it, and many that have not been charged, and certainly there is not the slightest intention in my mind, not the slightest word in my speech in defense of the Communist Party. All I say is that I believe they would not register.

Mr. FERGUSON. My question is, Does the Senator from New York believe that the Communist Party is an organization engaged in political activity?

Mr. LEHMAN. Yes; certainly they are.

Mr. FERGUSON. Does the Senator from New York believe that the Communist Party is foreign-controlled?

Mr. LEHMAN. I do; yes.

Mr. FERGUSON. Then, does the Senator believe that it is wrong to register such an organization?

Mr. LEHMAN. I certainly think that it engages in political activities. But what I am maintaining is that the criteria set forth by the bill are so vague that I do not think it could be established what a Communist Party was.

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

Mr. LEHMAN. I yield.

Mr. FERGUSON. The Senator says that this is a political-activities organization, that it is foreign-controlled, and that the definition set forth in the bill is not sufficient. I point out to the Senator from New York that in the law of 1940, the Voorhis Act, the following language appears:

The following organizations shall be required to register with the Attorney General.

In the next sentence:

Every organization subject to foreign control which engages in political activity.

Mr. LEHMAN. I know that. That is under the Alien Registration Act.

Mr. FERGUSON. No; it is under the Voorhis Act.

Mr. LEHMAN. The Foreign Registration Act.

Mr. FERGUSON. Does the Senator believe that law is a wrong law?

Mr. LEHMAN. That law is on the books.

Mr. FERGUSON. Does the Senator believe we should not have passed that law?

Mr. LEHMAN. I certainly have no criticism of that law. It is on the books. I think the other provisions contained in the bill simply complicate it and will have the effect of driving the Communists underground. The bill simply sets up criteria so vague that they become perfectly meaningless.

Mr. FERGUSON. More vague than the sentence I read? That law was passed.

Mr. LEHMAN. Many laws are passed which contain some vague provisions. But I do not think that is any justification in the case of a proposed law of this importance of providing criteria—and the administrators can only be guided by the criteria—that are completely vague and would serve no purpose.

Mr. DOUGLAS and Mr. FERGUSON addressed the Chair.

The PRESIDING OFFICER (Mr. HOEY in the chair). Does the Senator from New York yield; and if so, to whom?

Mr. LEHMAN. I yield to the Senator from Illinois.

Mr. DOUGLAS. I did not understand that the Senator from New York objected to the registration of the Communist Party. I always thought the Senator from New York recognized that the Communist Party was a Communist political organization, or in the language, I believe, of the eminent Senator from Nevada, a Communist-controlled organization. But I understood the Senator from New York to say that the Communist political organization would not register its members and that there would be a long process involved in establishing individual membership.

Mr. LEHMAN. Yes.

Mr. DOUGLAS. I had understood—

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

Mr. DOUGLAS. I should like to ask one more question. I had understood that in the case of the so-called Communist-front organizations the Senator from New York was saying that the standards or criteria were so vague that virtually any organization could be caught under one or another of the four standards laid down.

Mr. McCARRAN. Mr. President, is the Senator from Illinois trying to defend the Communist-front organizations now?

Mr. DOUGLAS. No.

Mr. McCARRAN. I am wondering about that.

Mr. DOUGLAS. I was saying that as I understood the Senator from New York he was saying that the criteria for judging the Communist-front organizations were so vague that one organization or another, on one standard or another, could be included.

Mr. LEHMAN. I am sorry the distinguished Senator from Illinois was not on the floor during the greater part of my speech. I think he would have known more accurately what I said than he does now had he been present. What I said is that under the definition of the Communist-front organization almost anybody could be tarred with the brush of being a member of the Communist organization, and the organization could be subjected to the penalties described in this bill.

Mr. McCARRAN. How can—

Mr. LEHMAN. One moment please. I point out that I have given at least 10 or 15 examples of what I have in mind. I should be very happy if Senators could answer me. Is it not a fact that

under this definition the United Automobile Workers organization, a great labor union, a great fighter against communism, could be held guilty under this measure?

Mr. FERGUSON. There is nothing in this world further from the truth than that statement.

Mr. LEHMAN. Why not?

Mr. FERGUSON. Because there is nothing like that in the bill.

Mr. LEHMAN. Does the Senator want me to make my statement once again?

Mr. FERGUSON. There is nothing like that in the bill.

Mr. McCARRAN. Is the Senator from New York trying to defend Communist-front organizations?

Mr. LEHMAN. I am not trying to defend bona fide Communist organizations.

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

Mr. LEHMAN. No. I should like to answer the question first. I am not defending Communist organizations. But I tried to point out, and I think I did so accurately, that under the vague criteria provided by the bill, for one reason or another a great many thoroughly patriotic, thoroughly anti-Communist organizations could be accused, and possibly be held guilty of being Communist-front organizations. That I think is the great danger of the bill. I cannot overemphasize the danger which I think the bill contains.

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

Mr. LEHMAN. I yield.

Mr. HUMPHREY. I should like to ask the Senator from New York whether or not he finds any restraints in the bill upon the membership of Communist-front organizations, to prohibit them from listing, as prescribed on page 16 of the bill, paragraph (2)—

The name and last known address of each individual who is at the time of the filing of such registration statement, and of each individual who was at any time during the period of 12 full calendar months next preceding the filing of such statement, an officer of the organization, with the designation or title of the office so held, and with a brief statement of the duties and functions of such individual as such officer.

Is there any restraint upon the Communist organizations to prohibit the filing of the name of some United States official?

Mr. LEHMAN. I know of none.

Mr. HUMPHREY. Is there any restraint upon them filing the name of a local merchant or local judge?

Mr. LEHMAN. No restraint so far as I know.

Mr. HUMPHREY. Is it not true that later on such an individual will have to prove that he was not a Communist or a member of a Communist-front organization?

Mr. LEHMAN. I think that is undoubtedly true.

Mr. HUMPHREY. Is it not also true that the same kind of irreparable damage can be done to his character which has been done to the character of a number of other persons by irresponsible actions on the part of persons in private and public life?

Mr. LEHMAN. I think that is unquestionably true, and I think there is great danger of that happening.

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

Mr. HUMPHREY. I asked the Senator if he will yield to me further.

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

Mr. HUMPHREY. On page 31 of the bill, in section 14, I wish to read the language of paragraph (4). I begin to read in paragraph (f) on page 30—

The Board shall take into consideration—

And then I go over to the next page, page 31—

4. The extent to which the positions taken or advanced by it from time to time on matters of policy do not deviate from those of any Communist-controlled organization, Communist foreign government, or the world Communist movement referred to in section 2.

After having read that, I ask the Senator, in the field of international relations and foreign policy, what is the one issue the Communist Party raves and roars about the most?

Mr. LEHMAN. There are a number of issues.

Mr. HUMPHREY. Let us have two or three issues.

Mr. LEHMAN. The Marshall plan.

Mr. HUMPHREY. The Marshall plan. How about military assistance?

Mr. LEHMAN. They are against that, of course.

Mr. HUMPHREY. In other words, under the terms of this section, anyone who took an adamant position against the Marshall plan, military assistance, the North Atlantic Pact, any of our major items of foreign policy, would almost stand accused of being a Communist.

Mr. LEHMAN. He would. There can be no question about that.

Mr. HUMPHREY. The Daily Worker, the Communist organizational sheets throughout the land and throughout the world, have roared against and have abused and have maligned any person who even identified himself with these great issues of foreign policy. Is it not entirely possible that some very highly respected, well-thought-of Americans who in all sincerity opposed ECA, who opposed military assistance even by their votes, who opposed the North Atlantic Pact, even by their votes, could stand accused as having not in any way deviated from the position of any Communist form of organization? I know of no single issue the Communist Party has been any more at arms against, about which it has raved more, than the Marshall plan, the ECA, the military assistance, the North Atlantic Pact, and aid of Korea. Think of the number of good, high-standing, respecting Americans who joined with the Communist Party in voting against aid for Korea.

Mr. McCARRAN. Why does not the Senator include capitalism and the capitalistic governments?

Mr. HUMPHREY. The Senator from Minnesota is a believer in capitalism. In fact, he wants to enjoy the benefits of capitalism.

Mr. McCARRAN. But now the Senator wants to defend Communist-front organizations which oppose capitalism.

Mr. HUMPHREY. May the Senator from Minnesota identify who he wants to defend without the able assistance of the Senator from Nevada? The junior Senator from Minnesota defends democracy, not any specious kind of totalitarian ideology. I do not need the helpful comments of distinguished Members of this body as to where one or another Senator stands. I want that made quite clear for the RECORD. Already I have heard comments as to whether or not the junior Senator from New York is defending Communist-front organizations. Mr. President, the patriotic record of the junior Senator from New York is above reproach; in fact, he is heralded throughout the world as one of the great citizens of the United States. The same can be said of my friend, the distinguished junior Senator from Illinois [Mr. DOUGLAS]. So we shall not get into the question of whether some Senator is a Communist or is friendly to Communists. We shall simply determine whether this bill will result in falsely pinning upon some decent Americans the label of communism.

Of course, I respect the right of any Member of Congress to oppose the ECA or to vote against the North Atlantic Pact. I do not want decent, patriotic, intelligent American citizens branded as being Communists simply because they exercise the right to form and express their own judgments as they deem best. However, that is what this bill could lead to.

Furthermore, let me say that if we wish to protect the United States against communism, we should take action against the Communists. However, this bill simply will catch votes and headlines, not Communists. The bill will require Communists to register, so that we shall have a new kind of black book—or perhaps it should be called a red book. If Communists are dangerous—and we know them to be—I believe we should provide some effective means for protecting the United States against them. This bill will not protect anyone.

Let us have a bill which will protect America, rather than a bill designed to protect our own individual attitudes in regard to what we think is a proper provision in such a bill.

Mr. FERGUSON and Mr. KNOWLAND addressed the Chair.

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

Mr. LEHMAN. In a moment I shall yield, first to the Senator from Michigan, and then to the Senator from California.

Meantime, in response to the point the Senator from Minnesota has made—and of course it is a most appropriate and pertinent point—let me say that several highly respected citizens of the United States, including some Members of Congress, in connection with the Marshall plan and military-aid bills and various other steps we have taken to bring about a democratic world, and to protect our security and the security of free peoples,

have taken positions in opposition to the enactment of such measures.

I wonder whether the Senator recalls, conversely, that at the time when there was before the Senate the FEPC bill, in which I know a very large percentage of the Members of the Senate were deeply interested, and with which they were in sympathy, a very distinguished Member of the Senate stated on the floor of the Senate that the FEPC bill was Communist-inspired. Therefore, it would follow, of course, that those who supported such FEPC bills, would be suspect as Communists.

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

Mr. LEHMAN. I yield.

Mr. FERGUSON. Is not the Senator from New York aware of the fact that under the provisions of the pending bill, all organizations which would be subject to the requirements of the bill would have to be under foreign control, just as in the case of the requirements of the Voorhis Act, a political activities committee to come within the provisions of that act would have to be under foreign control?

Furthermore, has not the Senator from New York omitted from what he has said, and has not the Senator from Minnesota done likewise, the statement, in accordance with the provisions of the bill now before us, that in order for such organizations to come under the provisions of the bill, they must be under foreign control?

Mr. DOUGLAS. Mr. President, will the Senator from Michigan clarify his statement, so as to tell us whether he is referring either to Communist political organizations or to Communist-front organizations?

Mr. FERGUSON. I am referring to both of them. The Senator should look at the definition contained in the bill.

Mr. DOUGLAS. Let me ask the Senator from Michigan a question. In the bill, four standards are laid down as to Communist-front or Communist organizations, namely—

(1) the extent to which persons who are active in its management, direction, or supervision, whether or not holding office therein, are active in the management, direction, or supervision of, or as representatives of, any Communist-controlled organization, Communist foreign government, or the world Communist movement referred to in section 2;

(2) the extent to which its support, financial or otherwise, is derived from any Communist-controlled organization, Communist foreign government, or the world Communist movement referred to in section 2;

(3) the extent to which its funds, resources, or personnel are used to further or promote the political objectives of any Communist-controlled organization, Communist foreign government, or the world Communist movement referred to in section 2; and

(4) the extent to which the positions taken or advanced by it from time to time on matters of policy do not deviate from those of any Communist-controlled organization, Communist foreign government, or the world Communist movement referred to in section 2.

The fourth is the criterion to which the Senator from Minnesota has referred.

As I view the matter, it is not necessary that an organization satisfy all four of those criteria; apparently any one of them would be sufficient.

Mr. FERGUSON. I ask the Senator to look at the definition contained in the bill, and he will find that in the case of all Communist-front organizations which are under the control of such a political organization, the political control must be in a foreign government or a foreign power, in order for the organization to come under the provisions of the bill. Therefore, the Senator is omitting from the entire argument the real facts.

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

Mr. FERGUSON. Let me say that the Senator has said that this bill is indefinite. Does he not realize that today the Attorney General, in the absence of any criterion whatever, makes a list of all Communist-front organizations, and publishes it?

Mr. LEHMAN. Certainly, I realize that.

Mr. FERGUSON. Then what is wrong with including in this bill, and enacting into law, a requirement that the Attorney General do so under the supervision of a board, and also under the provision of the right of appeal to a court?

Mr. LEHMAN. The Attorney General does publish such a list; but after he has published the list, the further steps are very different, as compared with the steps provided under this bill.

Mr. FERGUSON. Under present conditions, there is no right of appeal. That is what we are providing in this bill. We provide that there shall be a board and there shall be a right of appeal, and under the bill we provide a standard which will have to be observed.

Mr. LEHMAN. When a man is listed in that way, the only penalty which would accrue as a result of such a charge by the Attorney General would be loss of employment. In such case, under present conditions, he cannot be charged with having committed a penal offense.

Mr. FERGUSON. Neither does this bill provide that membership in such an organization shall be regarded as a penal offense. Such a provision will apply only to the officers of such an organization.

When the Senator asked whether we realize that at present Communist-front organizations are listed, does not the Senator realize that under the provisions of the pending measure it would become a crime—

Mr. HUMPHREY. Does not the Senator—

The PRESIDING OFFICER. Let the Chair observe that it is necessary that the rules of the Senate be observed. The rules provide that a Senator may yield only for a question.

The Senator from New York has the floor. He may yield to any other Senator for a question, but not to permit another Senator to make a speech.

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

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

Mr. HUMPHREY. I wish to ask the Senator from New York whether he

thinks that in view of the subtlety and deceit and fraudulent practices and immorality of Communist leaders and Communist organizations, they would in any way have any qualms of conscience against listing some of the most respected persons in the United States as members of their organizations?

Mr. LEHMAN. Obviously they would not.

Mr. HUMPHREY. Or does the Senator think that if the Communists wished to thwart the purposes of this measure, they would hesitate to list as members of the Communist Party some of the most responsible and decent American citizens?

Mr. LEHMAN. I have not the slightest doubt that they would do so without hesitation, if to do so would serve their purpose.

Mr. HUMPHREY. Is it not true that a Communist who intended to engage in acts of sabotage, including the destruction of property by blowing it up, would not hesitate to list a responsible citizen as a member of the Communist Party, and would not be deterred a bit from doing so by any law?

Mr. LEHMAN. Of course not.

Mr. HUMPHREY. Have not we had examples of that?

Mr. LEHMAN. Of course we have.

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

Mr. LEHMAN. I yield.

Mr. FERGUSON. Then is not the only remedy to put such persons into jail?

Mr. LEHMAN. The present proposal is not to put them in jail.

Mr. FERGUSON. But the proposal is to put them in jail if they commit perjury.

Mr. LEHMAN. A person can be put in jail now for violating a penal act, if he commits perjury.

Mr. FERGUSON. But today if a person says he is a member of the Communist Party, he cannot be put in jail.

Mr. LEHMAN. My impression is that today we have ample and sufficient laws and penalties to cover the crime of perjury. I think there is no doubt of that.

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

Mr. LEHMAN. I yield.

Mr. FERGUSON. Under present laws there is no ground for charging with perjury a person who is a member of the Communist Party. Is it not true that today no penalty is provided in the case of a person who makes a false statement or a fraudulent statement, such as listing as a Communist a man who is not a Communist? Do we not need a law which will provide that a person making such false or fraudulent statements can be put into jail?

Mr. LEHMAN. I do not think it necessary to have such a law as this bill proposes in order to cover the crime of perjury, which is covered by many sections of criminal and penal law.

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

Mr. LEHMAN. I yield.

Mr. DOUGLAS. Even though an official of the Communist Party made a false statement, and persons who were

members might later be punished for perjury, in the meantime would not a great deal of damage have been done to innocent third parties who had been named?

Mr. LEHMAN. Great damage, of course, would have been done them.

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

Mr. LEHMAN. I may say to the Senator from Michigan that, as he knows, there are ways of convicting and punishing members of the Communist party. There are 11 of them now on their way to jail.

Mr. FERGUSON. Does the Senator not realize that it took 9 long years to bring that prosecution under the Smith Act?

Mr. LEHMAN. I do not know. I do not remember.

Mr. FERGUSON. Can the Senator give an explanation of that?

Mr. LEHMAN. I think that under this bill, which would involve an indefinite number of people, certainly the delay would run to a very considerable period of time. It is estimated that it would run for 3 or 4 years. In the meantime, the Communist Party would go merrily on, attending to its business.

Mr. FERGUSON. Mr. President, if the Senator will yield, the fact that the Attorney General did not enforce the Smith Act for 9 years is no reason, is it, why the Congress should not pass such a law as is now proposed? The fact that since 1940 the Voorhis Act has required all foreign political-action committees to be registered, and has even required the Communist Party to register, is no reason, is it, why the Congress of the United States should not lay down the policy of requiring the members of such organizations now to be registered? Is the fact that the Attorney General will not function a reason why the Congress should not function?

Mr. LEHMAN. The Senator from New York knows perfectly well that the Congress has the authority and the power to do what seems wise in its judgment. But he does not feel that what Congress does in every instance would be a wise procedure. In my opinion, and I repeat it with all the force at my command, this proposed legislation would be not only unwise, but harmful. I believe it would not harm the Communists, but that it would possibly harm a great number of innocent people.

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

Mr. LEHMAN. Gladly.

Mr. MUNDT. I wonder whether the Senator has available and can quote the statement which he said, as I recall, came from the FBI, in opposition to this bill. I was engaged in colloquy with my associate on my right, at the time, and I wish the Senator would repeat that. I think it came from the annual report, did it not?

Mr. LEHMAN. It reads:

Suppression and outlawing of subversive organizations by legislative enactments are not the answer. As a Nation, we need have no fear so long as actions of those residing within our shores are open and aboveboard.

Mr. MUNDT. What are the last three words?

Mr. LEHMAN. "Open and above-board."

Mr. MUNDT. Precisely. Is not the Senator aware that that is exactly what this legislation proposes to do, and that it was on the basis of that type of testimony from the Director of the FBI that we decided, as was decided on the House side, not to outlaw the Communist Party, but to pass legislation which would compel them to operate in the open and aboveboard?

Mr. LEHMAN. I think the quotation proves my point that the FBI and its Director, J. Edgar Hoover, do not want these people driven underground.

Mr. MUNDT. Neither do I.

Mr. LEHMAN. That is inevitably what would happen.

Mr. MUNDT. Is not the Senator aware of the fact that the whole basis of this bill is the proposition that the Communists should be forced to come above ground or else go to jail? We give them the alternative of either coming above ground and conforming with the law, or, like any other violators of the law, going to jail. Does the Senator from New York believe that, because the Communists have made a record of disobeying the laws, that we should pass no laws applicable to Communists?

Mr. LEHMAN. I do not at all believe that.

Mr. MUNDT. Does the Senator believe we should surrender the power of government before the Communists because they threaten to disobey the law?

Mr. LEHMAN. I certainly do not. I do not believe that.

Mr. MUNDT. Of course not. And is it not the Senator's opinion that this bill, if enacted, would either force them above ground or require them to go to jail?

Mr. LEHMAN. What I said was that it would be harmful to pass legislation which is so sweeping, so all-embracing, so vague, and which establishes so many criteria which cannot be defined. I said further, that, in the attempt to achieve a certain end, it would make great numbers of innocent, patriotic American citizens liable and suspect, and, at the same time would not accomplish anything along the lines sought by the Senator.

Mr. MUNDT. Mr. President, if the Senator will yield further, should we not try to bring the discussion back to the subject of Communists, and not dodge to other organizations? I shall discuss those, and shall reply to the remainder of the Senator's speech tomorrow in my own time. But, dealing now with the Communists, does the Senator from New York agree with me that the Federal Government should not surrender its power before the Communists simply because they say, "We are not going to obey your law"?

Mr. LEHMAN. Of course, to ask that question is like asking the Senator whether he has quit beating his mother.

Mr. MUNDT. I think not. I think there is but one good answer to the question I have asked.

Mr. LEHMAN. I should like to point out to the Senator from South Dakota that the Senator from New York has been fighting communism for the past

15 years, possibly longer than that, during which time he has made no distinction whatever in his estimate of the iniquity of nazism and communism.

Mr. MUNDT. Is that the Senator's answer to my question?

Mr. LEHMAN. No, I am not quite through. I fought nazism. I fought fascism, and I fought communism, both officially and in private life.

Mr. MUNDT. I am not questioning that.

Mr. LEHMAN. But I am particularly dwelling on the acts of the Governor of New York in his official capacity.

Mr. MUNDT. My question deals with the power of the Federal Government.

Mr. LEHMAN. So there is no question whatever as to the attitude of the junior Senator from New York with regard to communism.

Mr. MUNDT. Then from that statement I understand that the Senator from New York agrees with the junior Senator from South Dakota that the Federal Government should not abdicate its authority before the Communists, simply because they are going to defy the law.

Mr. LEHMAN. Of course not.

Mr. MUNDT. The Senator agrees with me that that is not a good reason, does he not?

Mr. LEHMAN. That is axiomatic. Of course, the Government should not surrender its authority.

Mr. MUNDT. Very well. That being the case, will the Senator from New York explain how this bill can fail to achieve the goal established and set forth by the Department of Justice, when it says we have nothing to fear if we can keep the Communists in the open and above ground? This bill says to the Communists, "You must register and come out into the open, or you must go to jail because of your failure to register." Unless the Senator would be willing to surrender the power of the Government because the Communists defy it, why would it not work?

Mr. LEHMAN. I interpret Mr. J. Edgar Hoover's statement to mean that he does not want these people to be driven underground, that he wants them up in the open where he can watch them, where he can take such steps as may be necessary to prevent espionage, sabotage, and similar crimes, and can apprehend violators.

Mr. MUNDT. Is not the Senator from New York aware of the fact that the pending legislation will put the Communists above ground, precisely where the Director of the FBI wants them, and that, if they fail to come above ground, or if some of them fail to register, they will then go to jail, where the FBI will not have to watch them?

Mr. LEHMAN. No. The way I look at it—and I am quite confident that my view is correct—is this: I believe, notwithstanding the number of people who have been charged with the responsibility of apprehending spies and saboteurs, that the real Communists, the dangerous Communists, the Communists who are guilty of overt acts, will not register.

Mr. MUNDT. Does not the Senator believe that those Communists are already underground?

Mr. LEHMAN. I beg pardon?

Mr. MUNDT. Does not the Senator believe that Communists of that type are already underground?

Mr. LEHMAN. Communists of what type?

Mr. MUNDT. The saboteur or the espionage agent. He is already underground, is he not?

Mr. LEHMAN. Some of them may be.

Mr. MUNDT. Most of them are, are they not?

Mr. LEHMAN. This bill will certainly not bring them up. It will not bring them out of the ground.

Mr. MUNDT. If not, the Senator will agree that then those Communists ought to be put in jail. Is the Senator from New York saying that we ought to do nothing about the fellow who is underground, that we should let him continue his acts of sabotage, working below ground? Or is the Senator willing to join us in sending that type of saboteur to jail where he belongs?

Mr. LEHMAN. Let me say to the Senator from South Dakota that he knows perfectly well that the Senator from New York has not advocated and is not now advocating that the United States Government or the Congress of the United States in any way abdicate its authority or permit it to be abridged. But that does not mean that the Senator from New York cannot in all sincerity and with deep conviction argue on the floor of the Senate and before the forum of the people of the United States that this kind of legislation will accomplish nothing affirmative, except possibly to make a great many innocent patriotic people, become suspect and liable to its penalties.

Mr. MUNDT. I recognize that that is the conclusion of the Senator, but I am asking him if he will be good enough to point out the steps by which he arrives at such a bizarre conclusion, because it has no connection with the text of the bill.

Mr. LEHMAN. I would commend to the Senator the reading of my speech.

Mr. MUNDT. It was listening to the speech which puzzled me so much.

Mr. LEHMAN. It consisted of 33 pages of what I believe to be a complete explanation of my position. I can only commend to the attention of the Senator a careful reading of my speech.

Mr. MUNDT. It was listening to the speech of the Senator that puzzled me, and I am trying to have a clarification by asking these questions.

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

Mr. LEHMAN. I yield.

Mr. KEFAUVER. I regret that I did not have an opportunity to hear the entire speech of the Senator from New York. I wondered if he had particularly discussed section 4 (a) of the pending bill.

Mr. LEHMAN. Yes; I discussed it at considerable length.

Mr. KEFAUVER. With reference to section 4 (a), I wonder what the Senator thinks about the possibility of someone's

proposing a constitutional amendment, which anyone has a right to propose, I assume, and whether, by such a proposal, one might run afoul of the provisions of section 4 (a). Assuming that Canada's Government is a totalitarian dictatorship and that some American citizen thought it was a good form of government for the United States to adopt proposed a constitutional amendment, and then performed some act in connection with proposing such an amendment, does the Senator think that would be a violation of the penal provisions of the bill?

Mr. LEHMAN. I think there is no question that he might be held liable.

Mr. KEFAUVER. Section 4 is a section which puzzles many of us. I wonder whether the Senator from Michigan or the Senator from North Dakota would amplify it. Let us suppose that some person is very fond of Franco and should propose a constitutional amendment to give Franco some interest in the operation of the Government of the United States. Would that be a violation of the section?

Mr. FERGUSON. Of course, the imagination can run rampant. If anyone wants to establish in the United States Franco's form of government, I think we should have a law prohibiting it. That is the purpose of this bill.

Mr. KEFAUVER. I was thinking about the constitutional aspects of the question. I had always assumed that anyone had a right to propose any kind of constitutional amendment he wanted to, to change the Constitution in any respect.

Mr. FERGUSON. Yes; but that would not be a conspiracy to commit an act which would substantially aid in the establishment of a totalitarian government as defined in the bill.

Mr. KEFAUVER. Let us assume a one-party government which does not permit the existence of another party. I suppose Franco's government would meet that definition. There might be such a situation in Mexico. There might be, in the future, such a situation in Canada. But the point is not whether anyone should permit that, for, of course, he should not. No thinking citizen, I am sure, would do it; but, under the Constitution, I had always thought that anyone had a right to propose a constitutional amendment to strike out, for instance, section 1 of the Constitution, or to propose a change in the term of the Presidency—

Mr. FERGUSON. That would not come within the section of the bill to which the Senator refers.

Mr. KEFAUVER. Suppose Canada had a one-party system of government, under a prime minister who would tolerate no other party, and suppose it were proposed that the United States—

The PRESIDING OFFICER. The Chair invites attention to the fact that the Senator from New York has the floor.

Mr. KEFAUVER. Mr. President, will the Senator from New York yield for a question?

Mr. LEHMAN. I yield.

Mr. KEFAUVER. Does the Senator from New York think it is a possibility that someone might propose a constitutional amendment and find himself running afoul of this section of the bill?

Mr. LEHMAN. I think so, just as I think would be the case with anything which the Board felt was not sufficiently within its political philosophy.

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

Mr. LEHMAN. I yield.

Mr. DOUGLAS. Has the Senator from New York heard of the claim that if we were to establish a Brannan farm plan or adopt compulsory health insurance we would be contributing to a totalitarian dictatorship?

Mr. LEHMAN. It might be so construed, as I pointed out in my speech.

Mr. DOUGLAS. As the Senator from New York knows, the Senator from Illinois happens to be opposed to both the Brannan plan and compulsory health insurance as it has been advocated. But those proposals have been described as steps toward a totalitarian dictatorship. Suppose there were on the Subversives Control Activities Board men who believed that advocacy of the Brannan plan or of compulsory health insurance were an act which would contribute to the establishment of a totalitarian dictatorship, then, even though the persons advocating it were completely innocent of any design to establish a totalitarian dictatorship, their political opponents might say that their acts contributed substantially toward that end, and they might be punished. Is not that correct?

Mr. LEHMAN. I would say they not only might be so accused, but they have been so accused frequently.

Mr. President, I yield the floor.

Mr. MUNDT. Mr. President, on behalf of myself, the Senator from Michigan [Mr. FERGUSON], and the Senator from South Carolina [Mr. JOHNSTON], I submit to Senate bill 4037 an amendment which I ask to have printed and lie on the table. The purpose of the amendment is to bring the language of Senate bill 4037 into complete conformity with the language of Senate bill 2311, the so-called Mundt-Ferguson-Johnston bill.

This amendment is in conformity with the agreement which has been reached on the floor of the Senate, and the amendment is being offered in order that the Senate may have clearly before it the language of our proposal, before any other amendments are made.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On September 1, 1950:

S. 2423. An act to amend section 7 of the act of February 27, 1925 (43 Stat. 1008), relating to the Osage Indians of Oklahoma.

On September 2, 1950:

S. 1140. An act to authorize credits to certain public agencies in the United States for cost of construction and operation and main-

tenance of flood protective levee systems along or adjacent to the lower Colorado River in Arizona, California, and Lower California, Mexico.

On September 5, 1950:

S. 2901. An act to repeal the prohibition against the filling of a vacancy in the office of district judge for the district of Delaware; and

S. 3059. An act for the relief of John J. Sebenick.

THE UNUSUAL SIGNIFICANCE OF THE OBSERVANCE OF LABOR DAY

Mr. McKELLAR. Mr. President, I shall detain the Senate only a few moments. I am not sure, but I believe this is about the third speech I have made at this session of Congress, and it will take approximately 15 or 18 minutes. It is on a different subject entirely from the bill under discussion. I shall not discuss the pending bill. My speech should have been made yesterday, Mr. President, but the Senate was not in session yesterday, so I shall make it today. It was prepared previously, and I am making it as of yesterday.

The observance of Labor Day this year is of unusual significance. These past 50 years have been of particular importance to the working people of America, for they have seen tremendous progress made in the recognition of the rights of labor and of the importance of labor's contribution in making this the greatest country in the world.

These 50 years have seen the United States engaged in two great world wars, and each time the productive power of the American free-labor system has proved decisive in the military struggle. This half-century has also seen the severest economic depression in our history, and I know labor well remembers those days when factories were standing idle and willing hands were unable to find work. The last few years since World War II have seen all productive records broken by the stupendous quantity of goods and products which have poured from our factories and farms, once again demonstrating the vast productive capacity of our industrial and agricultural facilities. Today, as we begin girding our strength anew to withstand the onslaughts against freedom by godless and brutal communism, we should thank God with all our hearts and souls for the fertility of our productive resources, for the ability and skill of workers in all types of enterprise, for the human labor which will contribute so much to keeping our Nation strong and free.

Labor Day, 1950, finds such recognition given to the legitimate role of American labor in our economic and political life that it is easy to forget that it has not always been so. The well-deserved status of labor has been achieved throughout these 50 years only by dint of gradual and persistent efforts. Possibly the most important aspect of this struggle has been in the field of Federal legislation. During most of these 50 years I have represented the great State of Tennessee in the Halls of Congress.

During the almost 40 years I have been a legislator in Washington, I have tried to be independent in thought and in action, voting as my conscience dictated.

I have supported all humanitarian measures whenever I have considered that they were in the best interest of the country as a whole. I consistently supported both Presidents Wilson and Roosevelt in the conduct of the great wars, have no less consistently supported the Democratic Party's domestic policies, and have consistently supported President Truman. I have been a loyal friend of labor and have sponsored and voted for many measures in the interest of the working classes. I have tried to keep step with the march of progress. I have sought to walk without losing sight of the stars, but making sure my feet were on solid ground. I have tried to be a practical idealist. How far I have failed, I cannot say. Perhaps I have failed far too greatly. However, I have tried honestly and earnestly.

I take a pardonable pride in my support of legislation for the benefit of working classes, and Labor Day would seem to afford an appropriate time to review this record briefly, for I think Senators will agree as we go along that a survey of legislation I have supported in Congress is also a rather accurate survey of the progress that labor has made during that time.

To many of today's younger citizens, the Clayton Act of 1914 is only a statute which is briefly noted in courses on American history or economics. Judicial decision later stripped it of its effectiveness as regards labor, but I can still recall the thrill with which it was hailed as "labor's Magna Carta" with its declaration that "The labor of human beings is not a commodity or article of commerce." Today I am still proud of the vote I cast as a Congressman in 1914 in favor of the Clayton Act.

Those were the days, also, when the Federal Government began to take an interest in wages and working hours of women and in the abolition of oppressive child labor. In 1912 I voted to establish in the then Department of Commerce and Labor a Children's Bureau. In 1914 I voted for a bill to regulate the working hours and safeguard the health of women in the District of Columbia. In 1915 I voted for a bill to prohibit interstate commerce in the products of child labor. In 1918 I voted for a minimum wage bill for women and minors of the District of Columbia. These pioneer laws helped lay the groundwork for the later enactment of broader and more protective laws.

In 1916 the good people of Tennessee elected me to the United States Senate, and since that time—for 34 years—I have supported in this body the cause of working people. Possibly the length of that service will be realized more fully when I say—and I am sure Senators will pardon my pride—that today I am the only Member of the United States Senate who voted for the nineteenth amendment, giving women the right to vote. I might add in passing, as a historical note, that Tennessee was the thirty-sixth State to ratify that amendment, thus making it a part of our Constitution. At the request of President Wilson I interrupted a vacation in San Francisco to return to Nashville, my

State capital, where the legislature was in session for the purpose of voting on the woman-suffrage amendment. At President's Wilson's request I aided those who favored giving women the right to vote. I worked faithfully to get the legislature to approve the amendment, and after one of the most vigorous fights I have ever had in my life—and I have had a number of vigorous fights during my time—we won by the closest kind of vote, on August 18, 1920. As I now recall, it was by a margin of only one vote, but Tennessee was the last of the two-thirds majority required and the amendment became part of the Constitution on August 26, 1920.

By 1924 the previous attempts of Congress to legislate in the field of child labor had been declared by the courts to be unconstitutional, and in that year, therefore, a proposed amendment to the Constitution was enacted which would have given to the Congress the power it had been denied. As a Member of the Senate, I voted in favor of this amendment, which was never ratified, however, by the required 36 States.

By 1926 it had been demonstrated that the Railway Labor Board established by an act of 1920 was inadequate to handle labor disputes in the railroad industry. In that year I voted for the Railway Labor Act, which set up new processes and machinery, including the National Mediation Board, for the settlement of such disputes.

I know I do not have to review for my colleagues labor's long fight to free itself from the abusive use of injunctions in labor disputes. This struggle finally met with success when Congress, in 1932, passed the Norris-LaGuardia Act, which prohibited Federal courts from granting injunctions against strikes, and outlawed the infamous yellow-dog contracts. I am proud to have been a supporter of that legislation in the Senate.

Think back with me to the days of 1933 when the Democratic administration took office, confronted with a terrible economic and human emergency. Widespread destitution and untold hardship had been created by unemployment, and accentuated by drought. It was characteristic of the humanitarian nature of the new administration that one of the early bills was a Federal emergency relief act, for which I cast an enthusiastic vote of approval.

It was also in 1933 that the first legislative recognition was given to the right of labor to bargain collectively. This was in the famous section 7-A of the National Industrial Recovery Act, for which I voted in the Senate.

In 1935, however, the Supreme Court declared the NRA unconstitutional. The Democratic Party lost no time in enacting new legislation to protect labor's right to organize and bargain collectively. In that year I voted for the National Labor Relations Act, which defined certain unfair labor practices, and established the National Labor Relations Board. It was under the aegis of this law that labor made its tremendous organizational strides of the late 1930's.

It was in 1935, also, that I voted for the Social Security Act. As you know, and when I say "as you know," my col-

leagues will understand that I had intended to address the laboring people themselves; but I was unable to do so because of work on the appropriation bill. As all my colleagues know, this law established old-age and unemployment-insurance systems. Someone might say that I was getting along to the time of life when I might need it, but that was not my view at the time. The law provided for annual Federal grants to States to care for their needy aged and blind, and dependent children. I consider as one of my most worthwhile votes the one I cast for this very farsighted piece of legislation, which stands as a monument on the road toward economic security for American workers.

Working classes, no less than other Americans, have always aspired to clean and decent homes in which to live and rear their families. It was to assist the realization of these aspirations that Congress passed the Housing Act of 1937 to provide financial assistance to States and cities for the elimination of unsafe and unsanitary housing conditions, to eradicate slums, and to provide decent, safe and sanitary dwellings for families of low income. I voted for this legislation in 1937, and I have since supported amendments extending and liberalizing the law.

Who can forget President Roosevelt's dramatic declaration in 1937: "I see one-third of a Nation ill housed, ill clad, and ill nourished"? In response to this appeal for legislation to benefit the lowest-paid workers, Congress passed the Fair Labor Standards Act of 1938, and one of labor's fondest dreams was realized. The act, for which I voted in the Senate, provided for quickly attaining a minimum wage of 40 cents an hour and a work week of 40 hours, with time and one-half for all hours worked over 40, and also regulated the employment of children. Today few will deny that this act has been of tremendous benefit in raising the standard of living of millions of workers throughout the country.

I voted for the Taft-Hartley Act in 1947. Some who know my record may be surprised when I state that that was done by me. I stated at the time, however, that I had my doubts as to whether it would solve the problems with which we were then faced and that if my fears were justified I would be the first to try to get it changed. When it became apparent that the Taft-Hartley Act would, in practice, operate unfairly to restrict labor in the exercise of its legitimate rights, I supported the efforts of President Truman to repeal the law. I shall continue in my efforts to place on the statute books a workable law that will be fair to both labor and management.

In 1949, also, I supported the increase in the minimum wage under the Fair Labor Standards Act from 40 cents an hour to 75 cents an hour.

During the current session of Congress, I have voted in favor of a temporary extension of rent control. I voted in favor of a middle-income housing bill, which would have made moderate-cost homes available to wage earners and others not eligible for the lowest-cost public housing. I have voted in

favor of expanding the social-security system and increasing the benefits payable under that system.

In 1941 I stated on the floor of the Senate of the United States, and I state again today:

I have uniformly supported the cause of labor ever since I have been in public life, not only ever since I have been in this body, but during all of my service in the other body as well. During all that time I have felt that the laboring man did not receive a fair show at the hands of the Government, and I have done all I could to ameliorate the conditions of the laboring man and to try to help him in his honest striving for better working conditions, better pay, and for a better life generally. I have admired his efforts to attain higher, nobler, and better things. My whole record in Congress shows the truth of this statement.

Today as labor surveys the gains and strides of the past 50 years it can well be proud of the contributions it has made to the progress of our country and the preservation of our freedom. It is because of this contribution that I have been glad and proud to help the working classes attain a greater share and enjoyment of the good things of life which their labor makes possible for others.

I am proud, too, Mr. President, that American labor has sought not only to improve its position within the framework of our democratic and free enterprise system, but to improve the condition of all our citizens as well.

I pause long enough to ask: Who is there who does not know that not only has the condition of labor itself improved during the past 40 years, but the condition of capital has improved, the condition of the middleman, so-called, and, indeed, the condition of every segment of our citizenship has improved. We are better off today than we have ever been before. We are better off in respect to finance, better off in the way of economic progress, better off all along the line than we have ever been before.

A man wrote me a letter from Nashville which I received today in which he told me what incapable leaders we had. He abused our leaders. In reply I asked him the question: "Can you mention a time in our history—and I want you to go to our history and find such a time, if ever there was—can you mention a time in our history when this country was better off than it is right now, this day?"

Mr. President, we are better off today than we have ever been in our history. Management is better off. Labor is better off. All classes of our citizens, even politicians, are better off. We are all better off. I am proud of that fact. Much of that improvement has come about as the result of the work of labor and as a result of the earnest action on the part of Congress to help labor along with all other segments of American society.

Mr. President, I interpolate that I voted in favor of extending the social-security system and increasing the benefits payable under that system.

Mr. President, as I previously stated, I am proud that American labor has sought to improve its position within the framework of our democratic and free-enterprise system. It has not yielded to the false promises of alien and un-American philosophies.

The recent and successful efforts of labor to purge itself of subversive influences have been a heartening demonstration of that fact.

I want to urge laboring men in our entire country to fight communism with all their heart and soul and to fight any subversive effort from whatever source it comes to destroy or to injure the Government of the United States, which, in my judgment, is the greatest government ever instituted by man.

As the country faces the perils and difficulties which lie ahead, I have an unbounded faith that the American workingman is as patriotic and has as deep a love of this wonderful country as has any other citizen. I have an unbounded faith in his capacity to work to save our country at such a time. In the fullness of this faith, I am happy to add my voice on this Labor Day 1950, to that of others across the Nation in paying tribute to the American laboring man.

Finally, I want to say that I am and have been, all my life, a great believer in work. I have been a worker all my life. I started to work when I was much younger than one of the page boys before me. I worked in the field; hoed, plowed, picked cotton, did every manner of work that a boy does on a farm. I have the greatest admiration for the worker, for the man who really works with his hands. Incidentally, I have a great deal of admiration also for the man who works with his brain. For the worker I have unbounded admiration. I believe it was intended by Almighty God that everyone should work. I have no sympathy whatever for loafers or those who will not work.

I believe also in the dignity of labor. In past ages the laboring man had not been recognized by law as he should have been. I am glad to say that since I have been in the Congress of the United States, whenever it was possible for me to vote for bills aiding labor I have always done so. Sometimes, of course, I have erred, but for the most part I think what I have done has been right. I have acted for the right, or at least have worked toward accomplishing the right thing.

That, Mr. President, is the record I intended to give to the laboring men and women on Labor Day.

I have served in the two Houses of Congress for nearly 40 years. That is a great length of time. Great strides have been made in all lines of endeavor during that period. I am proud of the forward strides made by the Senate, by the House of Representatives, and by all classes of the people of our country.

There can be no question that the laws passed for the betterment of labor have also worked for the betterment of management. This is especially true in America.

We have perhaps made greater strides in bringing labor and management closer together than has any other nation. These years have proved the justice and the wisdom of the acts of Congress to bring about a better relationship, a more successful relationship, between capital and labor. There is much to be done yet. I have no doubt that succeeding

Congresses will bring it about, and that the results will be better for all mankind in America. I am proud that I live in a nation that honors and respects the work of its laboring man and the work of all our citizens. I profoundly believe in work.

JOSIAH W. BAILEY—LETTER FROM JAMES H. POUL BAILEY

Mr. BREWSTER. Mr. President, I ask unanimous consent to have printed in the RECORD a letter, which I have received today, entirely unsolicited, from James H. Pou Bailey, the son of the late Josiah W. Bailey, bearing on certain matters which have recently been under discussion in the Senate.

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

RALEIGH, N. C., September 1, 1950.
The Honorable OWEN BREWSTER,
United States Senator from Maine,
Senate Office Building,
Washington, D. C.

DEAR SENATOR BREWSTER: By way of introduction, I am the son of the late Josiah W. Bailey, Senator from North Carolina.

I want first to say that I and all of my family deeply appreciate the fine remarks which you made about our father which were quoted in the papers recently. For whatever use you may see fit to make of it, I submit the following information:

First, during my father's entire stay in Washington, he never lived at any time on Que Street;

Second, except for an apartment in the Mayflower Hotel during the early part of his tenure in the Senate, he never occupied an apartment in the city of Washington;

Third, during the period of discussion in the present wire-tapping investigation, he lived at 2332 Massachusetts Avenue NW., which is a private home;

Fourth, neither I nor my mother were ever told by my father that he suspected his telephone wires were tapped in any way;

Fifth, I was and am very familiar with all of my father's work during 1946 and consulted with him almost daily about matters that he was considering in the Senate. There was never any intimation in any of those discussions, that he had any reason to believe that any person was attempting to tap his telephone;

Sixth, neither I nor my mother ever heard my father refer to Abner Lappin by name and it is my personal belief that he did not know him. I do not believe that my father made the comment attributed by Mr. Lappin to him.

You may use the information contained herein in any way you see fit and may release the same for publication if you desire.

Very truly yours,

JAMES H. POUL BAILEY.

UNITED STATES POLICY IN THE FAR EAST—ADMISSION OF COMMUNIST CHINA TO UNITED NATIONS

Mr. KNOWLAND. Mr. President, events in the Far East are moving toward a crisis which will have a far-reaching effect upon the ultimate peace of the world, the freedom of the people of China and the security of the United States of America.

In his speech of last Friday night President Truman pointed out that international communism was aggressive in character and was threatening free men everywhere.

Everything he said about the Soviet Union and its satellites and the menace they are to the law-abiding nations

could have been said with equal force about the Communist regime of Mao Tse-tung in China.

But his advisers in the State Department, after following for 5 years a bankrupt policy that has led to the debacle we now face, ignore the documented facts of Mao's firm alliance with Stalin and his strong support of the Communist North Korean aggressor.

Coming after 5 years of attempting to paint Chinese Communists as agrarian liberals, and later to force the Communists into a coalition with the Government of the Republic of China, the State Department now comes up with the novel theory that the Soviet Union does not really want Red China seated, and, besides, Mao Tse-tung may become an Asiatic Tito. Though this slightly dead fish or red herring has been peddled far and wide by the appeasers at Lake Success and Washington, it has not had widespread acceptance in Congress or throughout the Nation.

I do not desire to encumber this record. For those who want the documentary facts, I call attention to the following: (1) Theses and resolutions of the Sixth World Congress of the Communist International. This is a basic document on Communist far-eastern policy which will be found on page 4809 of the CONGRESSIONAL RECORD of April 5, 1950; (2) constitution of the Chinese Communist Party, adopted by the Seventh National Party Congress, Yenan, June 11, 1949, which will be found on page 4822 of the CONGRESSIONAL RECORD of April 5, 1950; (3) the far-eastern policy debate in the Senate on January 5, 1950, pages 79 to 106.

So that those who deal in facts, not in fantasies, may know the truth, I ask that the following documents be printed at the end of my remarks: (1) Memorandum—United States policy in the Far East—supplied by Owen Lattimore in response to the August 18, 1949, request of Mr. Philip C. Jessup, of the State Department; (2) radio broadcast of December 27, 1949, by Yurev, over the Moscow Soviet Home Service, entitled "Stalin Foresaw, Designed China Victory;" (3) speech of the new Chinese Communist ambassador upon presentation of his credentials on August 13, 1950, to the North Korean Communist government; (4) letter to President Truman, dated May 2, 1950, opposing recognition of Chinese Communist regime or their seating in the United Nations, signed by 35 Members of the United States Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1, 2, 3, and 4.)

Mr. KNOWLAND. In an article which appeared in the Washington Star of Saturday, September 2, Mr. Ernie Hill, foreign correspondent of the Star and the Chicago Daily News, had this to say:

The United States is negotiating with Communist China through Secretary General Trygve Lie of the United Nations to head off spread of the war in Asia. * * *

India, it is stated authoritatively, is promising Mao that every effort will be made to seat his representative in the United Nations General Assembly during September. * * *

The United States is giving assurances that it will not veto the seating of Chinese Communists or oppose the change too vigorously.

Mr. Lie is negotiating with Chou-En-lai on the basis of a request made to him by American delegate Warren R. Austin, Thursday.

His emphasis (President Truman's) on American faith in the United Nations is considered a promise that the United States will go along with the United Nations' majority in dealing with Mao.

The President's statement to the effect that the American Seventh Fleet will be withdrawn from Formosan waters when the Korean war ends is interpreted as a pledge to allow China to settle its own internal differences.

I ask that the entire article be printed at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 5.)

Mr. KNOWLAND. The salient points are the ones I have outlined. Hill's article is, in my opinion, an accurate report of the policies now being pursued and regarding which I raised certain points in a speech on the floor on August 10.

The fact of the matter is that the "Munich mca" in the State Department and at Lake Success are setting the groundwork of an appeasement of Mao Tse-tung which will make the betrayal of the Czechoslovakian Republic to Hitler 12 years ago fade into insignificance.

One can always buy a temporary truce by giving the international blackmailer what he demands. However, Mr. President, appeasement then as now is but surrender on the installment plan.

What is being proposed gives to the Soviet Union and Mr. Malik that which they have been demanding for a long time. It will double the Communist permanent members on the Security Council, give us two obstructionists as rotating chairmen of the Security Council, destroy the hope of 400,000,000 people of China that they one day may be free of the Communist tyranny, remove, if successful, the largest non-Communist army in Asia from the Asiatic flank of international communism prior to the time we know what Soviet moves in Asia, the Middle East, or in Europe will be in the months immediately ahead.

This is being done to save the face of the State Department, which tried to bury the Republic of China a dozen times in the last 5 years. So far as China is concerned our State Department has been more interested in saving face than in saving freedom.

This policy we have now adopted was urged on Philip Jessup by Owen Lattimore in response to the former's request of August 18, 1949, that Lattimore give the State Department the benefit of his advice on the Far East.

Later, in the January 1950 issue of Atlantic magazine, pages 21 to 23, Lattimore enlarged upon his theme in the following words:

For the problem of the recognition of the new government of China, the United Nations offers the ideal avenue to a solution. If, with no pressure against China from the United States, a majority of non-Communist countries in Europe, Latin America and Asia should vote to seat new Chinese representatives to the United Nations, the United States should not vote against that verdict.

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

Mr. KNOWLAND. I shall be glad to yield at the end of my remarks.

We have now adopted the Lattimore-Trygve Lie-Malik line of buying temporary peace by the sacrifice of the standing in international law of 9,000,000 free citizens of the Republic of China who are living on the island province of Taiwan, otherwise known as Formosa. This is not an unimportant number of free people to sacrifice, Mr. President. It is a larger number than populates either Australia or Greece. This is the effect of what will be done if Red China becomes the member of the United Nations. When that happens, our wartime ally and long-time friend, the Republic of China, becomes nothing but a rebel group.

Even if this great Republic of ours is now reduced to the state where we join with Great Britain and India in performing a kowtow to Mao Tse-tung, we need not destroy our friends, the free people of China, in the process.

Far better that we withdraw the Seventh Fleet tomorrow and not at the end of the Korean war when the Chinese Communists will have had the chance to have built up their fleet of landing craft, air and sea power, without hindrance under the policy whereby we neutralize the area and prevent the Chinese Republic from taking steps which are essential to the defense of her people.

With 500,000 soldiers backed by citizens of the Republic of China who are determined to remain outside the iron curtain I am convinced that Formosa can and will be defended without the Seventh Fleet. The spirit of free China on little Kingmen Island, less than 5 miles from the mainland, threw back the Communist invaders last October in a smashing victory. What General Hu Lien and his courageous men did at Kingmen last year Gen. Sun Leh-jen and the soldiers of the Republic of China will do on Formosa this year.

They know their job is a tough one. There will be fleets of Communist junks and landing craft by sea and Soviet-trained Chinese Communist paratroops by air.

Despite this I believe that the Republic of China will throw back the horde because the Chinese in Taiwan Province have a "secret weapon" that the Communist forces do not possess. That is the determination of freemen to retain their liberty. The people in Taiwan Province have heard from relatives and friends on the mainland. They know the terrible price which totalitarian communism demands. They are prepared to die on their feet as free men rather than to live on their knees as slaves.

The Republic of China, despite the blows already received and now in prospect from nations which should know better, can defeat the Kremlin's Chinese Red satellite forces. It may be too difficult for them to defeat that invading force and our own State Department as well.

But if not "sold down the river into slavery," they will hold Formosa despite the fact that their citizens, like ours,

must be "bewitched, bothered, and bewildered" by a policy that undermines our friends and confuses our responsible military commanders as well as the rank and file of our people.

The Chinese do have a sense of humor. In a grim sort of way Chiang Kai-shek on this last bastion of the Republic of China must read these two 1945 citations and turn from them to the Acheson-Jessup China 1949 white paper and wonder which documents represent the real voice of America. To refresh our short memories I will read the two citations to which I refer:

DISTINGUISHED SERVICE MEDAL

Generalissimo Chiang Kai-shek, commander in chief of the military forces of the Republic of China, performed distinguished services from May 1943 to September 1945 by leading his beleaguered nation's fight against the onslaught of the Japanese invader. Beset by seemingly insuperable handicaps imposed by shortages of aircraft, modern weapons, and other vital material, he stood firm, inspiring the Chinese armies to contain and inflict heavy casualties upon more than a million hostile troops in the vast reaches and forbidding terrain of China. His determined attempts to drive the enemy from his native land culminated in a powerful campaign which was forcing the Japanese back when hostilities were terminated by the country's surrender. Through his courage, resourcefulness, statesmanship, and unassailable conviction that eventual victory would reward his suffering fellow countrymen, Generalissimo Chiang made a contribution of major proportions to the success of the United Nations.

The second citation is as follows:

LEGION OF MERIT—DEGREE OF CHIEF COMMANDER

Generalissimo Chiang Kai-shek, commander in chief of Chinese military forces. For extraordinary fidelity and exceptionally meritorious conduct in the performance of outstanding services while in a position of the highest responsibility as generalissimo and supreme commander in chief of the valiant military forces of the Republic of China, while engaged in a great war, as the champion of liberty and freedom against one of the common enemies of the United Nations. His noble and inspiring achievements as the military leader of his country have culminated in the unification of the Chinese people thereby making possible their successful resistance of the enemy's onslaught and contributing in a high degree to the ultimate freedom of the world from the shackles of Japanese domination and the fear of aggression.

Except that he is a great world statesman and a Christian soldier whose Bible is constantly at his side he might have despaired long ago when Alger Hiss and his clique first started on their mission to destroy him.

But deep in his heart he knows that these men and their policies do not represent the deep feeling of friendship which exists between the people of the United States and the people of the Republic of China. He knows he has a mission to help save the world from being engulfed by international communism.

He knows from bitter experience that militant communism cannot be stopped by passive resistance or by yielding to international Communist blackmail such as that attempted by the Berlin blockade of 1948.

As President of the Republic of China, whose nation is at present a member of the United Nations and a permanent member of the Security Council, he must wonder how the ultimate peace of the world is to be secured when India, which has voted with the Soviet Union on four crucial votes, abstained four times and voted with the free world three times and which to this very hour, 2 months after the overt aggression against the Republic of Korea has taken place, has not sent nor offered to send a single combat soldier to fight on Korean soil, is apparently acting as one of our agents in a move that will destroy the Republic of China which voted in the United Nations Security Council with the free world on every roll call and offered 33,000 troops to help hold a beachhead for freedom in Korea.

What we want is peace, with honor. Now let us examine our own moral position in this appeasement policy in the making.

We avoid the risk of war to be sure, by acceding to a policy which means the ultimate slavery of 9,000,000 human beings. If successful it would mean the liquidation of all the Chinese educated in and oriented toward our ideas of constitutional freedom. We stood up to Stalin at Berlin and again when his North Korean satellite struck against the Republic of Korea. What face we have gained in Asia and Europe by such stands we will, in my judgment, lose by our current kowtow to Mao Tse-tung.

If we are equally prepared to yield in Viet Nam, Burma, Siam, Hong Kong, Malaya, and ultimately India, the Philippines, Indonesia, and Japan, we can buy a period of troubled peace. It may be as long as the 2 years purchased by Chamberlain at Munich, but I doubt it.

The same arguments against the "risk of war" made by the "nervous Nellies" today will be repeated next week, next month, or next year at other crucial spots. Will the UN take each threatened spot under trusteeship? Each month that passes the Soviet atomic stockpile grows.

Mr. President, just what is our policy in this regard? I listened to the President last Friday night with the supposed added advantage of being a United States Senator, and I do not know.

Will the end result be that we follow the lead of Nehru while he asks the French and British "imperialists" to withdraw their troops from Viet Nam, Hong Kong, and Malaya while he assumes the burden of defending the balance of continental Asia with the same group of ambulance units he has offered to help hold the beachhead in South Korea? What is our policy, Mr. President?

If the citizens of the Republic of China living in the Province of Taiwan do not want Mr. Nehru to be their spokesman in the battle against militant communism, who then protects the island? Will they be willing to trade a "pig in the poke"? Would they, in their right minds trade their freedom and life by depending on India's ambulance units instead of Chiang Kai-shek's 500,000

ground forces plus some air and naval power? I think not.

While we are rushing madly to rearm western Europe and to arm and find the manpower for a certain number of divisions we shall be losing over 500,000 trained and armed non-Communist troops on the Asiatic flank of the Soviet Union and its Asiatic allies.

Mr. President, just how does the United Nations assume a trusteeship over Formosa if, as I believe, the people there want no part of being held in trust or delivered "trussed up" to the Chinese Reds?

What is our moral position if we furnish the revolver and the shell but do not pull the trigger that kills the Republic of China?

Our position up to recently has been that we would vote against the removal of the Republic of China from the United Nations and the seating of the Red regime, but that we would not try to influence others to support our position, and would not use our veto. This is presumably our present position. There may be some who think that this will protect our self-respect by letting others do that which the administration does not think the American people would approve.

Mr. President, I say that such a weak policy will not fool the American people, the Chinese victims, or the free people of the world.

Under the Constitution, only the President can give real aid to the Republic of China now. He can do it by making a forthright statement that our UN representative will vote against vacating the seat of the Republic of China, we will be active in getting others to line up with us, with more success I hope than we have secured to date in getting supporting ground troops in Korea, and, if necessary, we will use our Security Council veto. Last year Congress supplied the authorization legislation and the funds which would have given military-weapon aid to non-Communist China. Not a cent of this amount was used up to June 24.

Mr. President, the outbreak of hostilities in Korea on June 24 was not the first danger signal as to the plans and purposes of international communism. There have been many such indications, some large, some small. So far as the public know, the outstanding indications of Soviet intent were those of the pressures on Greece and Turkey in 1947 and the Berlin blockade of 1948 and 1949, but the executive branch of the Government had information which was not available to the Congress or to the American people.

Despite these warnings, our manpower in Army, Navy, Air Force, and the Marines, was reduced during these critical years. Funds to have built the Air Force toward the 70-group level were provided by Congress and frozen without use by the President of the United States.

According to the House Committee on Foreign Affairs document, Background Information on Soviet Union in International Relations, Eighty-first Congress, second session, in 1939 the Soviet

world had 8,176,000 square miles of territory with 170,467,000 population. In 1950, just 11 years later, the Soviet world has 13,415,000 square miles of territory with 752,878,000 people.

By what yardstick is the American public to measure success in our foreign policy? How long must we tolerate the losing of that which our fighting men had sacrificed so much in blood and sweat to win?

We desired no territory in Asia. We gave to the Philippines their complete independence. From December 7, 1941 to August 14, 1945 our soldiers, sailors, marines, and airmen battled and died that a free world of freemen might exist in Asia as well as in Europe.

The Soviet Union after 6 days in the far eastern theater of World War II has added 450,000,000 people to her satellite areas and stands at the threshold of bringing another five hundred million under the immediate threat of Communist domination. By what yardstick are the American people expected to measure the success of our foreign policy? Yet in the arms implementation bills of 1949 and 1950 and in the pending supplemental bill, which is now before the Committee on Appropriations, less than 10 percent of the funds are allocated to the Far East.

In 1947, while there was still a chance to save all of China except Manchuria, Gen. Albert C. Wedemeyer made his report to the President. Despite the affirmative efforts of Members of Congress and the responsible committees of Congress to get this information, this report was suppressed from September 19, 1947 until the publication of the China white paper on August 5, 1949.

By the time the information was made available to the Congress, the hope of holding the bulk of continental China was gone, and the ground work for the great strategic advantage to international communism in southeast Asia had been laid.

Once the forces of Mao Tse-tung were able to reach the borders of Indochina, the chances of all of southeast Asia being taken behind the iron curtain greatly increased.

The chain reaction is working, and before this Congress reassembles in January great and far-reaching events may take place in Viet Nam, Laos, Cambodia, Burma, Malaya, and Siam.

This amalgamation of the Communist forces of southeast Asia and of Red China would not have taken place if the Republic of China had received moral and material help instead of the white paper. In this event, it might have been possible to hold at least the southernmost provinces of Yunnan, Kwangsi, Kwangtung, Kweichow, Sikang, and Szechwan.

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

Mr. KNOWLAND. I shall be glad to yield at the conclusion of my remarks.

At the time he made his report on China, General Wedemeyer also made a report on Korea. Despite requests by Members of the Senate and the official request of the Senate Committee on Appropriations, this report, up to this very date, has not been made available.

With his same great clarity of the strategic and political situations operat-

ing in that area of the world, General Wedemeyer warned his Government against the very things which have come to pass in Korea. Had this information been available to Congress and its committees, steps could have been taken by the legislative branch of the Government to either insist that the last of our forces not be withdrawn in July of last year, 1949, or, if they were withdrawn, that the Government of the Republic of Korea be properly equipped to meet the ultimate aggression which our own competent military advisers and the officials of the Government of Korea saw in the offing.

There were other additional indications, Mr. President, which should have warned our Government. One of the least known and most significant, to me was the case of Capt. John M. Birch, of Macon, Ga., a soldier in the United States Army, serial No. O-889028. I have asked that the Armed Services Committee get the file of Captain Birch and read the eyewitness account of his death in late August 1945.

VJ-day had come and gone. The Japanese Army in China had stopped fighting and were waiting to comply with the surrender instructions of General MacArthur. The Soviet Army, which had been in the far-eastern war for 6 days, had moved into Manchuria and North Korea, to take the surrender of Japanese troops there and to lay the ground work for seizing what had been given to them by the secret agreement of Yalta. Of course, at that time, neither the American Congress, Mr. President, nor the American people knew the terms of the secret Yalta agreement.

Captain Birch was a good soldier, who had been in China for a considerable period of time and was due for some rest and relaxation. The Army wanted him to take on one more assignment, to go north and observe the surrender of Japanese troops and inspect the condition of the Japanese air force bases.

Some time later, reports were published in this country that Captain Birch had been killed along a railroad right-of-way. It was not clear from these reports whether or not he had been shot, killed by a locomotive, or been killed accidentally in some other way. It so happens, Mr. President, that there is an eyewitness affidavit as to how Captain Birch met his death. It was made by an officer in the Chinese Army who had accompanied Captain Birch on his fatal trip and was thrown in for dead on top of the body of Captain Birch.

The two of them had started north and had passed through some units of Japanese troops who were waiting to lay down their arms. They were advised by the Japanese that Communist forces were operating some miles further on. They went as far as they could by train, and then transferred to a hand car. In due time, they were stopped by Chinese Communist outposts, who first refused to let them by. Both Captain Birch and the Chinese officer represented and carried credentials from the armed forces of governments which had made a mighty contribution to the winning of the struggle against Japan. Captain Birch talked his way through the Com-

munist outposts. However, the Chinese officer, understanding the dialect of the soldiers who had stopped them, was concerned by what he overheard, and warned Captain Birch that they might run into trouble.

Birch was not only a good soldier, but he was a brave one as well. He told his companion, "It doesn't make very much difference what happens to me. It is important that my country find out now whether or not these people—the Communists—are going to be friends or enemies. If they are determined to be our enemies, my country needs to find it out now."

At that time, we had a large, victorious Army, Navy, and Air Force in being, and we were the only Nation with the atomic weapon.

Captain Birch had an intuitive feeling that even though his life might be forfeited, it would be worth while if he could warn his countrymen in time.

They finally came to the Chinese Communist command post. Birch and his companion asked to see the officer in charge. They were led to the Chinese Communist officer and after a brief conversation, the officer of the Red Chinese contingent said in an aside to some of his men, "Disarm those officers."

The Chinese companion of Captain Birch quickly said, "Don't do that. This man is an ally of China and is here representing the Government of the United States. Let me ask him for his side arm rather than having your men seize it from him." The Communist officer agreed to this procedure and when Captain Birch's companion explained the situation that the two of them had been requested to turn over their side arms, he, Captain Birch, reluctantly agreed.

A short time thereafter the Communist commander gave the order to his riflemen to shoot Captain Birch first and his Chinese companion thereafter. The disarmed American captain was shot first through the leg and then killed with the second shot. His body was thrown into a ditch. His Chinese companion was shot and he was thrown into the ditch on top of the American and was left for dead, even as some of our American soldiers were shot and some of their companions were left for dead quite recently in Korea.

Late that afternoon the Chinese officer recovered consciousness and heard some voices. He weakly called for help to some Chinese farmers who were working nearby. They came over to him, but warned that the Communist troops were still in the neighborhood and that he had better stay where he was until darkness, and they would come back and get him at that time. True to their word, they returned that evening, helped tend his wounds, gave him nourishment, and carried him to the Japanese contingent, who in time passed him on back to the nearest American unit.

All of this, Mr. President, was contained in the eyewitness account which can now be found in the confidential file on Capt. John M. Birch, United States Army, serial No. O889028.

If the Members of Congress had had this information in August or September of 1945, is there any person here who

feels that they would have tolerated the subsequent activity of the State Department in trying to force a coalition between the Government of the Republic of China and the same Communists represented by the man who shot Captain Birch in cold blood?

Is there any person here who does not believe that this simple story of a lone American officer, who was willing to sacrifice his life so that this Nation might find out whether these Communists were friends or enemies, would not have warned us in time that these Chinese Communists were the same ruthless killers that Communists are the world over?

Does any person here think that, if the story of Captain Birch had been known to the American Congress or the American people, that any American would have been taken in by the theory of fellow travelers that Chinese Communists were also agrarian liberals?

The story of Captain Birch was first told me by an American friend of his who had served with him in China. He told me that there was such an eyewitness account and I sent for the file. I looked through the first file shown me but could not find the report. From the information I had, I knew that such a report existed. I insisted that a new search be made and finally, a few days ago, another file was made available to me. This was the confidential file on Captain Birch and in it was the account of the eyewitness.

Mr. President, if the Secretary of State and the President of the United States have not read the eyewitness account of the death of Captain Birch, I think it is unfortunate that it was not called to their attention as soon as it was available in 1945. If they have read it, I do not see how they could have approved the policies we followed in China subsequent to 1945.

I do not underestimate the difficulties that face us but, if given the facts and if the people have confidence in their Government and the Government has confidence in its people, I believe that we will face up whatever the future has in store for us.

In this atomic age, time is not necessarily operating on our side. It is better that the Soviet Union and its satellites know now that there is a line beyond which the free world will not be pushed, in Asia as there is in Europe. Without such a clear understanding, we invite a repetition of what happened in Korea. When on January 12 the Secretary of State, at the National Press Club, indicated that as far as this Government was concerned, both Korea and Formosa, were outside of our defense perimeter and our attitude toward southeast Asia was left in a nebulous condition, we invited the aggression that has taken place.

I certainly hope that none of the United States delegates to the General Assembly who are members of the Republican Party, will be accessories to an appeasement policy at the expense of the Republic of China that will abandon 9,000,000 people to the Communist aggressor and will, I believe, inevitably lead to the overrunning of the balance of continental Asia in the not too distant future.

Within the week, Congress will have recessed and the ability of the Congress to influence the events in the offing will be temporarily restricted.

During the interval Red China may be seated in place of the Republic of China. Let me remind our friends abroad that Congress will not remain as impotent when it returns as it will be in the short gap between September and November. Those who attempt to rush a fait accompli through the General Assembly before Congress reassembles and the American people have had a chance to speak in November on State Department far eastern policies, will be assuming great responsibilities in the eyes of their countrymen and of history.

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

Mr. KNOWLAND. I yield.

Mr. DOUGLAS. Let me say in a prefatory way that I also do not want to see the Chinese Communist Government recognized, and I do not want to see its delegate seated in the United Nations.

Mr. KNOWLAND. I am glad to hear the able Senator from Illinois say that.

Mr. DOUGLAS. I have been trying to believe that we should not only vigorously oppose that, but use the veto.

Mr. KNOWLAND. The Senator from Illinois is a statesman, and I wish that the views he has expressed also prevailed in the Department of State.

Mr. DOUGLAS. I wondered if the Senator would permit me to ask a question or two in order to clarify the RECORD.

The Senator mentioned a memorandum which he said Mr. Lattimore had prepared at the request of Mr. Jessup on far eastern policy. While I do not believe the Senator made the explicit statement, I think it might be possible for someone reading the RECORD to infer that the Senator possibly believed that this memorandum had had an influence upon the policy of the State Department.

Mr. KNOWLAND. I did not enlarge on my statement. I certainly do very clearly indicate that I think that for a long time Mr. Lattimore has favored the admission of Communist China into the United Nations, and its ultimate recognition by the Government of the United States. He not only expressed that view in the memorandum he sent to Mr. Jessup at the request of Mr. Jessup on the date I have indicated—and I do not think anyone has charged that is not a correct copy of the memorandum—but on top of that, in January of this year, in the Atlantic Monthly magazine, he enlarged upon it, as I indicated in my remarks.

Mr. President, this is certainly the view of Mr. Lattimore, and I think Mr. Lattimore's views on far eastern policy have had a considerable influence in and out of Government. By that I do not mean that he controls far eastern policy, or that the officials at times have not disagreed with him, but I do say that he has been recognized as a so-called expert on the Far East.

I believe it is of historic interest that at the time the Congress of the United States in August was desperately trying to get the views of General MacArthur

on the Far Eastern situation, and there was a very close 12 to 13 vote in the combined Armed Services and Foreign Relations Committees, the State Department made no request for General MacArthur's views, but were asking for the views of Mr. Lattimore.

Mr. DOUGLAS. Is it not true that the request which was made of Mr. Lattimore for a memorandum on far-eastern policy was also made of a great number of so-called experts on the Far East who were summoned here for a conference, and that Mr. Lattimore's memorandum was not the only one submitted, but rather one of a great number, as I remember, some 20 people being asked?

Mr. KNOWLAND. I know that if he had all the facts the Senator would be accurate, as he always is on the floor of the Senate, but I do not think that is quite an accurate statement of what took place. It is true that some twenty-odd people had been invited to a conference at the State Department, a kind of a round-table conference, to discuss the situation in the Far East, but the best of my information is that Mr. Lattimore was one of the few who had been requested to write a formal memorandum on far-eastern policy.

Mr. DOUGLAS. But there were a number of others.

Mr. KNOWLAND. There were a number of others who were invited to sit down in a round-table discussion.

Mr. DOUGLAS. One other point. Is it not true that Mr. Lattimore advocated that we should not go to the defense of South Korea?

Mr. KNOWLAND. That is correct.

Mr. DOUGLAS. And is it not true that the policy of the American Government in respect to South Korea has been the exact reverse of the policy which Mr. Lattimore has advocated?

Mr. KNOWLAND. On the South Korean question, that is correct.

Mr. DOUGLAS. I merely wanted to make the RECORD complete.

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

Mr. KNOWLAND. I yield to the Senator from Michigan.

Mr. FERGUSON. Is it not also true that the policy which is opposed to that of Mr. Lattimore on South Korea was not adopted until the 25th or 26th of June of this year?

* Mr. KNOWLAND. That is correct, except, in order to be perfectly fair in the situation, that the Government of the United States was giving some economic help to South Korea and also some help to build a constabulary force in South Korea.

If the Senator will let me complete the statement, Mr. Lattimore's theory on South Korea, as he expressed it in several articles he has written, was that Korea should be allowed to go down the drain, and that it should be allowed to go without our appearing to push it. That was his novel idea on Korea. What I am afraid is being done now in regard to Formosa is an adaptation of the Lattimore line, namely, that Formosa shall be allowed to go down the drain without our appearing to push her.

Mr. FERGUSON. Or really with the plumber's aid?

Mr. KNOWLAND. That is correct.

Mr. FERGUSON. The Senator has rendered a great service today in bringing the report of the death of Captain Birch, of Georgia, to the attention of the Senate, and also a report of General Wedemeyer on Korea, which has not been released to the Senate Committee on Appropriations, even though it was asked for by unanimous vote.

I wish to ask the Senator about something else which may have been related to him, and, if so, I should like to know it. President Rhee, in the early part of last December, said that General Hodges came to him with orders from the State Department to the effect that the South Korean Government under Rhee would be compelled to take the Communists into the Government. Does the Senator recall any such conversation with President Rhee?

Mr. KNOWLAND. I did not get that story, as the Senator did, from President Rhee, of the Republic of Korea. But I have had from other sources which I believe to be reliable the fact that it was the policy at that time—and this was prior to the UN supervised election—to form the type of a coalition government in Korea they were trying to force on China. When the matter was finally submitted to the people of Korea in a free election supervised by the United Nations the Communists received a very small proportion of the votes in that country, and did not have anywhere near the representation nor were they entitled to anywhere near the representation we were trying to inveigle Syngman Rhee at that time to accept into the Government.

Mr. FERGUSON. That is correct. The Senator from Michigan received the direct story about that from the President of the South Korean Republic. But does it not appear that if the President of the United States and the State Department had known of the secret files on Captain Birch we may have had a different story in the whole Far East? Or is it possible that they had the story, and that, as the Senator now relates, the first file given to the Senator from California did not contain the whole story? The Senator from Michigan and other Members of the United States Senate have found too frequently that when a file is delivered all of the file is not there to tell the whole story.

Mr. KNOWLAND. I will say to the Senator from Michigan that I think there has been altogether too much of this lowering of the iron curtain between the activities of the executive branch of the Government and the Congress of the United States. We have a constitutional obligation which is no less than that of the President of the United States. We take an oath to support and defend the Constitution of the United States. We are an equal branch of the Government of the United States. I think the Members of the Congress of the United States should not sit complacently by and be denied documents time after time which they need in the discharge of their constitutional obligations.

I will say to the Senator from Michigan that it is my firm belief that had the story of Captain Birch been known to the proper legislative committees of the Congress, to the Foreign Relations Committee, to the Armed Services Committee, to the Committee on Appropriations, we would have raised many questions as to the advisability of letting the last of our troops leave Korea in June of last year. Had we had the suppressed report of General Wedemeyer on Korea, which is a report of the same great clarity that able officer made in a similar report on China, I believe many questions would have been raised in the proper legislative committees, and that the Congress would have insisted that ample safeguards be taken in Korea. It is for this reason that I say the executive branch of the Government has had ample warning of the dangers we faced in the Far East, and they have deliberately denied the information to Members of the Congress who at least I believe are entitled to it and should have it.

Mr. FERGUSON. I am glad the Senator has expressed his views on that subject because they coincide with those of the Senator from Michigan. Again I want to say that the Senator has rendered a real service to the Nation in submitting this report.

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

Mr. KNOWLAND. I yield.

Mr. GEORGE. May I ask when the distinguished Senator from California first learned that there was a document in the file on Capt. John Birch?

Mr. KNOWLAND. I will say to the Senator from Georgia that to the best of my recollection the story was first told to me within the past 3 months; perhaps 2½ months ago. The man who came to me had formerly served in the United States Army in China. He did not have a copy of the report. He told me the story, which was substantially the story I have related today, but said that there was an eyewitness account. I immediately telephoned the Department of the Army and asked whether they had the file on Captain Birch. I gave them the serial number and his initials. They told me at that time that the report was not in Washington, but they would have to send, I think to St. Louis, where the old files are kept. In due time, and it was several weeks later, they furnished the first of the files on Captain Birch. I went through it. There was some information, but there was not the eyewitness account.

Mr. GEORGE. There was no eyewitness statement about how he met his death.

Mr. KNOWLAND. No eyewitness account except that it did say that he had been shot by Communists in the northern area. I then told the officer that I had reliable information—at least information I believed to be reliable—that there was an eyewitness affidavit as to what had happened. He said that he personally did not know of it, but that he would check again. And about 4 or 5 days ago—it is hard to keep track with so many things going on here—they brought forth what was entitled the con-

fidential report on Captain Birch, and in that report was the eyewitness affidavit to which I have referred.

Mr. GEORGE. I thank the Senator.

Mr. KNOWLAND. I will say to the Senator from Georgia that after I read the report, I believe on the very next day, or in fact it may have been on the same day, while the Armed Services Committee was meeting, I went into the committee and called to the attention of the Senator from Texas [Mr. JOHNSON], the very able chairman of the subcommittee which has been formed, and to the other members of the committee who were present, the fact that I had information on this report, which I believed was of great importance, and I advised them if possible to try and get hold of this confidential report on Captain Birch, and to read the eyewitness account of his slaying.

Mr. GEORGE. Captain Birch was in fact killed in 1945?

Mr. KNOWLAND. That is correct.

Mr. GEORGE. Just after the surrender of Japan?

Mr. KNOWLAND. The Senator is correct.

Mr. SCHOEPPPEL. Mr. MALONE, and Mr. DOUGLAS addressed the Chair.

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

Mr. KNOWLAND. I yield the floor.

EXHIBIT 1

MEMORANDUM—UNITED STATES POLICY IN THE FAR EAST

(By Owen Lattimore)

(Submitted to the Honorable Philip C. Jessup, Mr. Raymond Fosdick, and Mr. Everett Case, in response to Mr. Jessup's request of August 18, 1949)

In clearing the way for a fresh approach to the problems of United States policy in the Far East, several negative statements can usefully be made.

1. The type of policy represented by support for Chiang Kai-shek does more harm than good to the interests of the United States, and no modification of this policy seems promising. Chiang Kai-shek was a unique figure in Asia. He is now fading into a kind of eclipse that is regrettably damaging to the prestige of the United States, because the United States supported him. His eclipse does not even leave behind the moral prestige of a good but losing fight in defense of a weak cause. On the contrary, he put up the worst possible fight in defense of a cause that was originally strong and should have won. The kind of policy that failed in support of so great a figure as Chiang Kai-shek cannot possibly succeed if it is applied to a scattering of "little Chiang Kai-sheks" in China or elsewhere in Asia.

2. China cannot be economically coerced by such measures as cutting off trade. Nothing could be more dangerous for the American interest than to underestimate the ability of the Chinese Communists to achieve the minimum level of economic stability that will make their regime politically secure. Sound policy should allow for a cautious overestimate of the ability of the Chinese Communists in this respect, and avoid a rash underestimate.

TWO ALTERNATIVES IN JAPAN

3. It is not possible to make Japan a satisfactory instrument of American policy. There are two alternatives in Japan. The first alternative is to keep Japan alive by means of American "blood transfusions" of

raw materials and credits. Under this alternative, Japan can be made to put on the surface appearance of a strong ally; but the reality will be an overcommitment of American resources to a distant and vulnerable region. Under the second alternative, Japan can keep itself alive by coming to terms, economically and politically, with its neighbors in Asia, principally China. Under this alternative, Japan cannot serve as a trusted American ally. Its own interests will compel it to balance and bargain between what it can get out of Asia and what it can get out of America.

4. South Korea is more of a liability than an asset to the interests and policy of the United States. It is doubtful how long the present regime in South Korea can be kept alive, and the mere effort to keep it alive is a bad advertisement, which continually draws attention to a band of little and inferior Chiang Kai-sheks who are the scorn of the Communists and have lost the respect of democratic and would-be democratic groups and movements throughout Asia.

5. The colonial and quasi-colonial countries of southeast Asia cannot be forced to grant priorities to the economic and military recovery of Europe at the expense of their own economic and political interests. In this region as a whole there is a rapid development of combined political and military resistance to coercion which can be indefinitely sustained by local resources. On the other hand, attempts at reconquest by European countries are so expensive that they defeat their own ultimate purpose, which is the strengthening of the country attempting the reconquest. The situation can now be handled only by convincing the Nationalist leaders in those countries that any sacrifices they are asked to make are matched by sacrifices made by their former or titular rulers, and are not designed to give priority to the interests of these rulers, but to bring joint benefits both to the ruling countries and to the colonial country, on terms that satisfy the colonial aspiration to equality.

RUSSIA NOT TO OBLIGATE SELF

6. The United States cannot assume that Russia will move in to take over direct control in China, and will thus be subjected to heavy strategic and economic strains. It is dangerous to assume that there will be a diversion and commitment of Russian resources in Asia which will limit Russia's ability to maneuver in Europe. Recent developments in the Far East have been favorable to Russia, but not in a way that lessens the resources that Russia can deploy toward Europe. Policy toward Russia and policy toward the Far East meet at the point where such a move as the imposition of an economic cordon sanitaire around China is considered. Such a move would increase Chinese dependence on Russia; but it would probably not make it necessary for Russia to undertake a large-scale program in China. The Russians would get credit in Asia, multiplied by propaganda, for any grants they might make to China, but would probably not have to make grants large enough to distort or strain their own resources. It would be possible, therefore, if the mistake is made of waiting for the Chinese Communists to come "hat in hand" to ask for American terms, for United States policy to encounter another set-back in Asia, without even the compensating advantage of hampering Russia's ability to apply pressure in Europe.

The foregoing statements define negative aspects of the situation in Asia, limiting the freedom of maneuver of United States policy. Within these limitations, it seems advisable that a number of positive objectives should be defined.

1. Policy in the Far East and policy toward Russia have a bearing on each other. It certainly cannot yet be said, however, that armed warfare against communism in the

Far East, on a scale involving a major commitment of American resources, has become either unavoidable or positively desirable. Nor can it be said with any assurance that, in the event of an armed conflict undertaken for the purpose of forcing Russia back from Europe, the Far East would be an optimum field of operation.

TWO ALTERNATES STILL OPEN

There are still two alternatives before us—a relatively long peace, or a rapid approach toward war. If there is to be war, it can only be won by defeating Russia, not Northern Korea, or Viet Nam, or even China. Sound policy should, therefore, avoid premature or excessive strategic deployment in the Far East.

If there is to be a long peace, the primary factor in making peace possible will be a stabilization of relations between the United States and Russia. Sound policy should, therefore, maintain a maximum flexibility. If and when negotiated and mutually acceptable agreements with Russia become possible, American policy in the Far East should be in a position to contribute to Russo-American negotiations. It should not be so mired down in local situations that direct American-Russian negotiations are actually hampered.

2. Any new departures in United States policy in the Far East must be able to fend off any accusation of appeasement of local or Russian communism. In view of the effectiveness of the Russian issue as a weapon in in-fighting in American party politics, it would seem that the advice of experts on domestic politics should be coordinated with the opinions of those who are consulted on foreign policy.

DILEMMA CALLED SIMPLE

The dilemma is simple, but not easy to solve; but unless it can be solved, no successful United States policy in the Far East is possible. Any United States policy that is interpreted in various countries in the Far East as pressure applied for the purpose of creating a league against Russia will merely increase the ability of those countries to bargain with both the United States and Russia. It will also increase the identification, in those countries, between local nationalism and local communism. On the other hand, any proposed United States policy in the Far East that it attacked in America itself as a bid for better relations with Russia runs the danger of being defeated.

3. The success of United States policy in the Far East will be measured largely by the contribution that it makes to the recovery of economic relations between the Far East and Europe. This recovery will be possible only if the assent and good will of the far eastern countries are won. Assent and real cooperation, in turn, can only be won if the representatives of the far eastern countries, including those that are still technically the subjects of European countries, are convinced that they have as direct access to the highest American authorities as do the European representatives, and if they are convinced that their economic needs and political standards are not being given a second priority, lower than that of the European countries involved in the same negotiations.

The two test cases in southeast Asia, on which the leaders of various nationalist movements will rate the difference between what can be attained through friendly association with representatives of the United States and what can be attained through outright defiance of a European country which has strong economic support from the United States are Indonesia and the Viet Nam regime under Ho Chi-minh.

RESULTS COULD HURT UNITED STATES

If the negotiations between Dutch and Indonesians, brought about largely through

benevolent United States pressure, eventuate in a settlement which seems, in Indonesia, to contain too much of hope deferred, while the resistance in Indochina under Ho Chi-minh achieves more and more of hope fulfilled, the results throughout southeast Asia will be adverse to the United States interest.

Heavy and primary United States commitments in western Europe make it difficult to bear constantly in mind that when the Dutch-Indonesian negotiations are consummated, the satisfaction or dissatisfaction of popular opinion in Indonesia will have wider repercussions than the satisfaction or dissatisfaction of Dutch public opinion. It is a fact, nevertheless, that Indonesian opinion is more difficult to satisfy than Dutch opinion, and it is also a fact that the repercussions will be more serious if Indonesian opinion is not satisfied than if Dutch opinion is not satisfied. These facts mark an important difference between prewar and postwar colonial Asia. They are facts that American public opinion has by no means fully accepted; but they are also facts that are critical for the formulation of an overall United States policy in Asia.

4. The foregoing considerations indicate that the major aim of United States policy in the Far East should be to convince the countries of the Far East that they can get along well with the United States and with the countries of western Europe. They must be persuaded that they can get along well because of the mutual benefits to themselves, to the United States, and to western Europe.

They must not be made to suspect that the real aim of the United States is an ulterior aim of using them against Russia.

To put it in another way, the aim of the United States policy should be to enable the countries of the Far East to do without Russia to the maximum extent. This is a much more modest aim than insistence on and organization of hostility to Russia; but it is an attainable aim, and the other is not.

A few suggestions for implementation are appended.

1. Conferences with the independent governments of the Far East, on the basis of helping them to build their own economies, to revive their trade with Europe, and to expand their trade with us. Emphasis on positive steps that can be taken. No negative conditions, such as prohibitions of trade with Russia or Communist China; no conditions that could be interpreted as American regulation of their political parties.

2. Working relations, and a refusal to be bound by protocol, with legitimate nationalist leaders in countries whose full political aspirations have not been met by their European rulers.

3. The United States should not allow any European country, in its relations with any country in the Far East, to state openly or to imply by propaganda that its policy is backed by the United States. European representatives, in negotiating with the representatives of countries in Asia, should be discouraged from stating or implying that they are authoritative interpreters of United States policy, or intermediaries without whom the United States cannot be approached.

4. It should be made clear that if there is delay or difficulty in establishing relations between the United States and Communist-controlled countries, such as China, the trouble comes from the Communist side and not from the United States side.

DEPEND ON FRIENDLINESS

5. It should be made clear that friendly and beneficial relations with the United States depend essentially on the inherent friendliness or unfriendliness of the nation concerned, and not on the formalities of diplomatic recognition. In order to facilitate the contrast between countries which are on

friendly terms with the United States and countries which are not, the number of countries formally recognized by the United States should be increased.

As a first step, the United States should accept the list of countries recommended for admission to the United Nations by Mr. Trygve Lie, Secretary-General of the United Nations. In the first place, it would at this time be a good move for the United States to accept with good will an initiative from the Secretariat of the United Nations. In the second place, the list is on balance more favorable to the United States than to the Soviet Union. In the third place, and with particular reference to the Far East, the move would bring within the scope of United States diplomatic activity the Mongolian People's Republic (Outer Mongolia), an increasingly important potential listening-post country in the heart of Asia.

6. The United States should disembarass itself as quickly as possible of its entanglements in South Korea.

EXHIBIT 2

SPEECH BY AMBASSADOR OF RED CHINA TO NORTH KOREAN GOVERNMENT ON OCCASION OF PRESENTATION OF CREDENTIALS

CHINESE ENVOY PRESENTS CREDENTIALS

PEONYANG, August 14.—President Kim Doo Bong of the Presidium of the Supreme People's Assembly of the Democratic People's Republic of Korea received in audience Envoy Extraordinary and Ambassador Plenipotentiary Ni Chi-liang of the Chinese People's Republic to Korea at 8 p. m., August 13, in the conference room of the Presidium of the Supreme Korean People's Assembly. Ambassador Ni Chi-liang presented his credentials to President Kim Doo Bong.

At the ceremony of presentation of the credentials, Ambassador Ni Chi-liang made his presentation speech and President Kim Doo Bong made a return speech. Subsequently Ambassador Ni Chi-liang introduced to President Kim Doo Bong First Counselor Chai Chun-wu, Second Counselor (Sol Song-hja), First Secretary Chang Heng-yeh, Second Secretary (O Hyo-tal) and Military Attaché Chu Kuang.

Present at the ceremony were Vice Foreign Minister (Pak Hun Yong), Secretary General Kang Yang Uk of the Presidium of the Supreme Korean People's Assembly, Director (Cho Chong Hwa) Master of Ceremonies of the Foreign Ministry, and (Lee Yu Chon), Acting Director of the Bureau of China.

Following the ceremony of presentation of credentials, President Kim Doo Bong held a brief conversation with Ambassador Ni Chi-liang. Present at the conversation was Vice Foreign Minister (Pak Hun Yong).

Here is the text of the speech made by Ambassador Ni Chi-liang in presenting his credentials:

"Your Excellency, I have the honor to present to you the credentials (in which) the chairman of the Central People's Government of the Chinese People's Republic (accredits) me as Envoy Extraordinary and Ambassador Plenipotentiary to the Democratic People's Republic of Korea.

"Your Excellency, as I present the credentials to you, the Korean people and the Korean People's Army, with peerless spirit, have won brilliant victories over the American imperialist aggressors and their lackey, the Syngman Rhee puppet group, dealing severe blows to them, and have liberated a vast area of the country. Each one of your victories is one which moves and encourages the Chinese people.

"On behalf of the chairman of the Central People's Government of the Chinese People's Republic and all of the Chinese people, I offer

sincere congratulations to you and the great and brave Korean people."

Smash aggression

"At the same time, I am convinced that under the leadership of Gen. Kim Il Sung the Korean people and the Korean People's armed forces inevitably will smash completely the aggression and invasion by the American imperialists and their lackey, the Syngman Rhee puppet group, and attain liberation and independence for the Korean people.

"Your Excellency, China and Korea have from old days been two brotherly countries. The Chinese and Korean peoples have been closely related in the great struggle to attain independence and liberation (in pursuit of common objectives).

"Today at a time when American imperialists are invading Korea, having mobilized their land, sea, and air forces, and are obstructing by armed intervention the liberation of Taiwan by the Chinese people, the peoples of the two countries have common objectives in the struggle to attain national independence in opposition to American imperialists.

"The solidarity, friendship, and cooperation of our two countries will further the friendship existing from old days between the two countries and at the same time will contribute to our common tasks to attain independence and liberation for the peoples of the two countries, as well as to the defense of the peace of Asia and the world.

"Your Excellency, I give you my word that in my capacity as Ambassador of the Chinese People's Republic I will exert my utmost to promote the solidarity, friendship, and cooperation between the Chinese people and the great Korean people. I hope that Your Excellency will render assistance and support to me in these efforts of mine."

That was the speech made by Ambassador Ni Chi-liang.

Next here is the text of the speech made in reply by President Kim Doo Bong:

"Your Excellency, I am pleased to receive the credentials of the Chairman of the Central People's Government of the Chinese People's Republic (which accredits) you as Envoy Extraordinary and Ambassador Plenipotentiary of the Chinese People's Republic to the Democratic People's Republic of Korea."

Expresses gratitude

"I also express my gratitude for the warm congratulations and encouragement of the chairman of your Government and your people to the Korean people and the Korean people's armed forces fighting in opposition to the aggression of American imperialists.

"I am convinced that under the leadership of Chairman Mao Tse-tung the Chinese people will without fail succeed in repulsing armed intervention of American imperialists in Taiwan and found a prosperous, powerful, independent, and sovereign China.

"Historically China and Korea have been maintaining brotherly, close relations, and have been pursuing common objectives and interests in the struggle to attain independence and liberation for their respective fatherlands. Again today, when the American imperialists are pursuing a policy of brazen aggression in Korea and are perpetrating armed intervention and other plots in a move to obstruct the freedom and liberation of the Chinese people, the peoples of our two countries are pursuing the same objectives of national independence and liberation in our struggle against our common enemy, the American imperialists.

"The solidarity, friendship, and cooperation between Korea and China will not only cement further the friendship long existing between the two peoples but also contribute

to the common struggle for independence and liberation of the two peoples. It will also constitute a sound security for the success of the national liberation struggle by the oppressed Asian nations and a great contribution to the defense of world peace.

"Enthusiastically welcoming Your Excellency as Envoy Extraordinary and Ambassador Plenipotentiary of the Chinese People's Republic to Korea, I give you my word that I will exert my utmost to cooperate in your efforts in promoting friendship and good will between the Korean and Chinese peoples.

"I humbly wish your great people and Government great success."

That was the speech made in reply by President Kim Doo Bong.

EXHIBIT 3

STALIN FORESAW, DESIGNED CHINA VICTORY (Talk by Yurev)

In its long road . . . reaction at home the Chinese people has won a great historic victory as a result of which the Chinese People's Republic has been set up. The main source of inspiration in this struggle has been the heroic Communist Party of China armed with the teachings of Lenin and Stalin. Mao Tse-tung in his article on the dictatorship of the people's democracy indicated that the Chinese have accepted Marxism as a result of its application by the Russians.

Before the October revolution the Chinese were not only ignorant of Lenin and Stalin, they were also ignorant of Marx and Engels. The broadside of the October revolution carried to us Marxism-Leninism.

In their classics Lenin and Stalin showed that the national colonial question is a part of the question of the proletarian revolution and the dictatorship of the proletariat. Stalin teaches us that colonial and dependent . . . from a reserve of the imperialist bourgeoisie into a reserve of the revolutionary proletariat. This statement is fully confirmed by the entire experience of the struggle of the oppressed peoples for their emancipation. Stalin gave particular attention to the Chinese antifeudal and anti-imperialist revolution.

STALIN AID SURPASSED ANGLO-UNITED STATES ARMS

In his historic works written in 1925 and 1927 exclusively on the subject of the revolution in China, Stalin created a well-reasoned theory concerning the Chinese revolution. The entire world armed the Chinese proletariat and its vanguard the Communist Party with a mighty weapon immeasurably stronger than guns or aircraft with which the American and British imperialists armed their Chinese puppets. Stalin revealed the main laws governing the victory in China. He gave important advice to the Chinese revolutionaries, transmitted to them the wealth of experience of the All-Union Bolshevik Party.

Stalin rendered invaluable aid to the Chinese Communists in their struggle against the right-wing and left-wing opportunists seeking to cause the Chinese Communist Party to deviate from the Lenin path.

The greatest service of the nucleus of the Communist Party of China which rallied itself around Mao Tse-tung is the fact that it defeated opportunism and headed the struggle of the Chinese proletariat for the victory of the people's revolution.

Stalin revealed the characteristic of China as a semicolonial country which the capitalist hierarchy combined with the domination of the remnants of feudalism. Stalin showed the links between imperialist domination and the maintenance of the oppression of the feudal remnants.

Stalin indicated the peculiarity of the combination of the domination of feudal remnants with the existence of commercial capital in the Chinese countryside with the simultaneous maintenance of feudal medieval methods of exploitation and oppression of the peasants. Stalin moreover noted that the oppression by the feudal remnants by that of military bureaucracy while imperialism maintains and strengthens this feudal bureaucratic machine. Stalin exposed the American, British, and Japanese imperialists as the organizers of the intervention in China showing that intervention is by no means confined to troops and that the introduction of troops by no means forms the main characteristic of an intervention.

INTERVENTION IN FORM OF CIVIL WAR

As early as 1926 Stalin emphasized that under present-day conditions imperialism prefers to carry out intervention by organizing a civil war in the dependent countries, financing counterrevolutionary forces and giving moral and financial support of the Chinese agents against the revolution. Stalin noted that the Chinese revolution is the union of two streams of the revolutionary movement: the movement against the feudal remnants and the movement against imperialism. Stalin indicated that the Chinese Communists must take into account national peculiarities and make use of the smallest opportunities to provide the proletariat with a mass ally, even if temporary and unreliable, and to be guided by the axiom that for political upbringing propaganda and agitation alone are insufficient, that the masses' own political experience is essential for this.

Stalin showed that the Chinese proletariat and its Communist Party can and must establish a stable union with the bulk of the present masses, can and must pursue joint activity with the national bourgeoisie and the small urban bourgeoisie while these classes oppose the capitalist and feudal domination. It was on this basis that the national united front was formed in 1924.

STRUGGLE WITHIN UNITED FRONT

At the same time Stalin pointed out that inside this united front there will be a struggle for * * * in the revolution between the proletariat and the national bourgeoisie. Stalin predicted two ways of development of the Chinese revolution: Either the national bourgeoisie will smash the proletariat by making a deal with imperialism and together with it will make an attack against the revolution so as to end it by establishing capitalist domination; or the proletariat will sweep away the national bourgeoisie, strengthen its hegemony, and lead in its wake the millions of workers of town and country so as to overcome the resistance of the national bourgeoisie, achieve complete victory of the bourgeois democratic revolution, and then gradually lead it onto the road of a Socialist revolution with all the inherent consequences.

1927 BOURGEOIS-IMPERIALIST DEAL

As is known, in 1927 the Chinese national bourgeoisie made a deal with imperialism. The revolution suffered a temporary defeat, the united forces of imperialism and domestic reaction proved for a time stronger than those of the Chinese Revolution. The Trotskyite and Zinovievite enemies of the people despaired at the temporary defeat of the Chinese Revolution.

Stalin gave a devastating reply to these agents of imperialism arming the Chinese revolutionaries with the prospects of further struggle for the liberation of the Chinese people. In the political report of the central party committee to the fifteenth congress of the All-Union Bolshevik Party Stalin pointed out: "The fact that the Chi-

nese Revolution has not yet brought about a complete victory over imperialism is of no decisive importance to the ultimate prospects of the revolution. Generally great popular revolutions never triumph fully in the first round. They grow and strengthen in a series of ebbing and flowing tides. This principle has always applied, including in Russia, and this is what will happen in China."

This prediction was entirely borne out by history in the heroic struggle of the Chinese people. Emerging from the severe test of the civil war between the years 1928-36, the anti-Japanese war of 1936-45, and finally the liberation war against both the American imperialism and the Kuomintang reaction, the great Chinese people achieved its historic victory. The people's revolution proved itself to be immeasurably stronger than the reactionary bloc of the Chinese feudalists and American imperialists.

NEW UNITED FRONT DIFFERENT

Under the new conditions which arose in China following the Second World War and the intervention of American imperialism, the vanguard of the Chinese proletariat contrived once more to establish a united democratic front. This front includes not only the peasant masses but also the small urban bourgeoisie and the national bourgeoisie. The difference, however, between the present united front and that of 1924-27 lies in the fact that at present the question of its hegemony has been finally solved: The proletariat, around which have rallied the bulk of the masses of the Chinese peasants, has assumed undivided leadership in the victorious struggle of the Chinese people against imperialism, feudalism, and capitalist bureaucracy.

As early as 1926 Stalin showed clearly the inevitability of the establishment of the hegemony of the proletariat in the Chinese Revolution. If the main sections of industry are concentrated in the hands of foreign imperialists, said Stalin, the big national bourgeoisie of China cannot but be weak and backward. It follows from this, however, that the role of the initiators and leaders of the Chinese Revolution, the role of leader of the Chinese peasantry must inevitably go to the Chinese proletariat and its party.

The Chinese revolutionaries are successfully putting into being Stalin's statements that the proletariat must win over to its side mass allies even if they are unstable.

There is no doubt that the united democratic front formed and * * * by the Chinese Communist Party is one of the chief factors in the historic victory of the Chinese people. The most notable thing about the Chinese revolution is the fact that China borders on the Soviet Union, whose revolutionary activity and whose assistance cannot fail to facilitate the struggle of the Chinese proletariat against imperialism and against the medieval feudal remnants in China.

The Soviet people, led by the great Stalin, has shown solidarity toward the Chinese people in all the stages of its many years of struggle for national and social freedom. The Soviet Union's defeat of Hitler's Germany and imperialist Japan created decisive conditions for a rapid development and strengthening of the democratic forces of China.

Mao Tse-tung emphasizes the importance of this factor for the victory of the Chinese people, saying: "If the Soviet Union did not exist, had there been no victory in the anti-Fascist war, had, and this is of particular importance to us, Japanese imperialism not been defeated, had the people's democracies not arisen in Europe, then the pressure of the international reactionary forces would of course have been a great deal stronger than now. Could we have sustained our vic-

tory under those circumstances? Of course not. Equally, victory could not have been consolidated after its achievement."

Comrade Stalin's works emphasize the leading role of the military factor in the Chinese revolution. In his historic speech on the prospects of the revolution in China, Stalin indicated: "The revolutionary army of China is a supreme factor in the struggle of the Chinese workers and peasants for their liberation. In China it is not a defenseless people that is resisting the armies of the old government but an armed people as represented by its revolutionary army. In China the armed revolution is fighting an armed counterrevolution. This is one of the peculiarities and one of the advantages of the Chinese revolution. In this also lies the particular importance of China's revolutionary army."

The Chinese Communists, [basing] themselves on this splendid analysis of Stalin, in two decades created and trained the Chinese People's Army numbering millions. The Chinese Liberation Army has grown into a mighty force which has smashed the troops of the Kuomintang reaction buttressed by American imperialism. At the head of this army stands the experienced leaders, Mao Tse-tung, Chu Teh, Chou En-lai, and other stalwart revolutionaries.

IMPORTANCE OF MILITARY SCIENCE

They have carried out Stalin's indication that Chinese revolutionaries, including the Communists, must take to heart the matter of studying military science, that they must not regard military science as being of secondary nature.

At the same time Stalin warned the revolutionaries that it is impossible to vanquish the imperialists and the Chinese feudalists by military force (only). Victory over the enemy can only be achieved with the help of the agrarian revolution under the leadership of the proletariat. As is known the Chinese Communists fulfilled this indication too.

Stalin also defined the nature of the future revolutionary rule in China, emphasizing in 1926 that this would be a transitory administration toward a noncapitalist China or, more correctly, a Socialist development of China. It is precisely an administration of this kind that the dictatorship of the Popular Democracy represents.

Speaking about the successes which the Chinese Communist Party achieved in the revolutionary period of 1925-27, Stalin said that these were among other things due to the fact that the party followed the teaching of Lenin. After the 1925-27 revolution the Chinese Communist Party achieved more successes and managed to bring the Chinese people to victory over imperialism and reaction at home. During the years of the Chinese revolution, Stalin said that the revolutionaries' (capacity) is inexhaustible, it has not yet shown itself to the full; this will show itself in the future. The rulers of the east and west who do not see this will suffer.

EXHIBIT 4

MAY 2, 1950.

President HARRY S. TRUMAN,
The White House,
Washington, D. C.

DEAR MR. PRESIDENT: We, the undersigned Members of the Senate of the United States, respectfully urge that this Government, in the development of a far-eastern policy, promptly make clear:

1. We have no present intention of recognizing the Communist regime in China; and
2. We shall actively oppose the move by representatives of the Soviet Union to unseat the representatives of the Republic of China and to extend membership to the representatives of the Communist regime of that country in the United Nations.

We firmly believe that a prompt clarification of our position in this matter is in the national interest.

Sincerely yours,

PAT MCCARRAN, GUY CORDON, KARL E. MUNDT, JOHN W. ERICKER, RALPH E. FLANDERS, CHAN GURNEY, W. E. JENNER, G. W. MALONE, JAMES B. EASTLAND, HARRY DABBY, HARRY F. BYRD, FORREST C. DONNELL, HUGH BUTLER, HENRY C. DWORSHAK, EUGENE D. MILLIKIN, LEVERETT SALTONSTALL, HERBERT R. O'CONOR, CHARLES W. TOBEY, WILLIAM F. KNOWLAND, STYLES BRIDGES, OWEN BREWSTER, MILTON R. YOUNG, EDWARD THYE, EDWARD MARTIN, ROBERT A. TAFT, KENNETH S. WHERRY, ANDREW SCHOEPPEL, HARRY P. CAIN, ZALES ECTON, HOMER FERGUSON, JAMES P. KEM, ROBERT HENDRICKSON, JOSEPH R. MCCARTHY, IRVING M. IVES, JOHN J. WILLIAMS.

EXHIBIT 5

TRYGVE LIE REASSURES RED CHINA ABOUT UNITED STATES AMBITIONS IN FORMOSA (By Ernie Hill)

LAKE SUCCESS, N. Y., September 2.—The United States is negotiating with Communist China through Secretary General Trygve Lie of the United Nations to head off spread of the war in Asia.

Mr. Lie is contacting Foreign Minister Chou En-lai of Communist China to give him assurances that the United States is without territorial ambitions, even in the case of Formosa, and wants peace.

India and Norway, this correspondent learns, also are in direct contact with top Chinese Government officials in Peking to try to dissuade Mao Tse-tung from attacking United Nations forces in Korea.

MOSCOW SHORT-CIRCUITED

All of the peace efforts are being channeled direct to Peking—short-circuiting Moscow out of the picture.

India and Norway are pointing out to Mao that the 53 nations which backed the United Nations police action in South Korea want no war against China.

Should Mao send troops from Manchuria to help North Koreans, the United Nations would find itself at grips with Communist China.

That would place India and Norway, which have diplomatic relations with Peking, in a difficult position. It would mean that Britain would be at war with Communist China, endangering Hong Kong and Malaya. France would be in the same position in regard to Indochina.

EFFORT AT UNITED NATIONS SEAT PLEDGED

India, it is stated authoritatively, is promising Mao that every effort will be made to seat his representative in the United Nations General Assembly during September.

The United States is giving assurances that it will not veto the seating of Chinese Communists or oppose the change too vigorously.

Mr. Lie is negotiating with Chou-En-lai on the basis of a request made to him by American Delegate Warren R. Austin Thursday.

Mr. Austin asked Mr. Lie to send a note direct to the Peking Foreign Minister advising him that if American bombers violated the Chinese border the United States is prepared to make full reparations and take disciplinary action.

Mr. Lie, it was stated, has not yet a response from the foreign minister. But an answer was expected early next week.

The "four alarm" effort to call off the Chinese Communists is being pushed on every front where a contact with Peking is accessible.

President Truman's fireside chat is interpreted as an unusually strong effort to avert war in China.

His emphasis on American faith in the United Nations is considered a promise that the United States will go along with the United Nations majority in dealing with Mao.

The President's statement to the effect that the American Seventh Fleet will be withdrawn from Formosan waters when the Korean war ends is interpreted as a pledge to allow China to settle its own internal differences.

POLICY AND THE PARTIES—ARTICLE BY WALTER LIPPMANN

Mr. McMAHON. Mr. President, I ask unanimous consent that there be inserted in the body of the RECORD a column which appeared today in the Washington Post, written by Walter Lippmann, entitled "Policy and the Parties." I ask unanimous consent that it appear at the end of the speech of the Senator from California [Mr. KNOWLAND], since it bears upon the issues which he discussed. I frequently find myself in disagreement with Mr. Lippmann, but certainly today he seems to me to have put more sense in less space than most of us are capable of doing.

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

POLICY AND THE PARTIES

(By Walter Lippmann)

While it is impossible for the President to engage in an argument with a general, it might mean a lot to our bewildered and troubled people if the great underlying issues could be debated openly, thoroughly, and, let us say, respectfully.

The issues are older, deeper, and broader than the men who at the moment reflect them. They arise from the fact that the United States is a continental island, facing Europe across the Atlantic Ocean, Asia across the Pacific. The question, which takes many forms, is always in the end how far this country can commit itself in one ocean without running grave dangers in the other. The Republicans, with notable exceptions, have favored the Pacific. The Democrats, with exceptions, have favored the Atlantic.

The Republicans were in power during the period of American territorial expansion in the Pacific—the purchase of Alaska in 1867, the annexation of the Hawaiian Islands in 1893-1898, and finally the war with Spain in 1898 which brought Guam and the Philippines under the American flag. This extension of American power and responsibility 7,000 miles west of California was ratified by the Senate with only 1 vote to spare, over the necessary two-thirds. In the next Presidential election Bryan raised the issue of imperialism. Ever since the Republicans have tended to take a special interest in the Pacific there has been an underlying controversy about it with the Democrats.

On the other hand, the Democrats happened to have been in power during the two World Wars. These wars began in Europe and were decided in Europe. That is how the Democrats happened to have become involved in and identified with European affairs.

Between the end of the First World War and the beginning of the second the issue was obscured by the popular revulsion against war and the general disillusionment with the result of the first war. This produced the strange, and in fact, novel, phenomenon of American isolationism. In the Harding-Coolidge-Hoover period the Republicans not only turned their backs on Europe but also on Asia. By agreement with Japan they withdrew American military power from the whole western Pacific, returning to Hawaii. The isolation of Harding, Coolidge, and Hoover was a departure from the his-

toric Republican tradition which had always been one of westward expansion first to our continental limits, then into the Pacific, then across it.

General MacArthur, who wants Formosa, has revived the tradition of his party. One of his embarrassments is that the old guard Republican leaders in Congress are political survivors and heirs of the three isolationist Presidents who disarmed in the western Pacific and withdrew to Hawaii.

The issue of high policy is not now, as it was during the second war, because American military resources are not great enough to support simultaneously a major effort in Europe and in Asia. The problem is often argued as if American military resources were, or could readily be made, quite adequate for a dynamic policy in both directions at once. But few serious students of the problem think they are adequate. General Marshall, more than any other living man, faced the practical question daily of nourishing two wars simultaneously, and no one can speak with comparable experience or with greater authority on the critical question of allocating American military resources. It was General Marshall, as Secretary of State, who in 1947 made the crucial decisions to save Europe by proposing what became the Marshall plan and to give up Chiang by rejecting the Wedemeyer report.

These two historic decisions were made at the same time, and they were complementary, the two sides of the same coin. General Marshall, after a long, close, personal investigation of China, concluded that Chiang could not be saved except at the exorbitant price which General Wedemeyer's recommendation called for—namely, American protectorate over China, an American underwriting of Chiang's government, and American military intervention in the Chinese civil war. General Marshall's judgment was fiercely disputed at the time and has been disputed since. But the Korean war, which is minute compared with the vast Chinese war, has vindicated beyond all possible dispute the accuracy of General Marshall's judgment. It was in substance that we could save Europe, that Chiang could be saved only at enormous and incalculable cost, and that we could not do both, and that if we tried both, we should probably fall in both.

This kind of choice always confronts us. It is the price of living between two great oceans. The issue between the two directions of American foreign policy cannot be settled finally and absolutely. We have vital interests in both directions, and among reasonable and responsible men the question is not the one or the other, the Pacific or the Atlantic, but of priority and of more or less and of calculated risks.

We have to make difficult choices, and for my own part I would give first priority to the defense of the Atlantic community. For I believe that if Europe were lost, the loss in the things that mean the most to our civilization would be irreparable. On the other hand, I do not share General MacArthur's view that it is imperative that we should dominate all the ports of the Far East. I think it would be wiser not to claim domain up to the shores of Asia, and not to establish a rigid frontier right under the guns of Asia. I would prefer a less dynamic frontier in the Pacific, with a defense in depth by mobile American forces working from bases where our rights are undisputed, where there is no real doubt of our capacity to defend them and to supply them in case of war.

Mr. SCHOEPPEL obtained the floor.

Mr. MALONE. Mr. President, will the Senator yield so I may insert a number of matters in the RECORD?

Mr. SCHOEPPEL. I am glad to yield, if I may have unanimous consent that I do not lose the floor, for insertions in

the RECORD on the part of various Senators.

Mr. DOUGLAS. I see the Senator has quite a long speech. Would he be willing to yield to me for a short statement?

Mr. MALONE. Mr. President, I believe I addressed the Chair first.

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

Mr. SCHOEPPPEL. I yield first to the Senator from Nevada [Mr. MALONE].

WORKINGMEN—VETERANS—FARMERS—SMALL-BUSINESS MEN STOP COMMUNISM—ADDRESS BY NATIONAL COMMANDER GEORGE N. CRAIG OF THE AMERICAN LEGION—WITH SUPPORTING DATA

Mr. MALONE. Mr. President, I have continually asserted that if communism is to be stopped in this country the workingmen, the veterans, the farmers, and the small-business men must stop it. There is too much New Deal profit sharing in the higher brackets for any dependable opposition to develop.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an address delivered by National Commander George N. Craig of the American Legion, which was broadcast from Washington, D. C., over the National Broadcasting Co. network on Saturday, August 26, 1950, in which the following seven points were emphasized as necessary for a foreign policy:

First. Extend our Monroe Doctrine to embrace the free areas of the world who desire such protection.

Second. Apply ruthless economic sanctions to Russia.

Third. Withdraw American recognition of Soviet Russia.

Fourth. Abrogate the Yalta Pact and any other agreements which Russia has broken.

Fifth. Go to the offensive in the unconventional warfare against communism everywhere.

Sixth. Make communism a crime in the United States.

Seventh. Adopt a program of universal military training.

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

My fellow Americans, the cost of the Korean war in American lives, blood, and treasure hammers home to us daily the appalling realization that we cannot afford to engage in any more satellite wars as preliminaries should there be a final showdown with Russia.

Korea has opened our eyes to the military might of even so-called second-rate Communists when indoctrinated, trained, equipped and backed by Russia. It has also awakened us to the tragic penalty attached to losing the initiative to those who hate us and plot our destruction.

The terrifying lesson of the Korean war is that no struggles or conflicts or wars, whether they be hot or cold, are ever won by defensive action. Battles and campaigns are won only by militant leadership and aggressive drives.

However gloriously history may record finally the valor of American troops in Korea, in the eyes of the world today our men have been fighting with their backs to a wall. This realization has sent a chill throughout the remaining free world. It has raised the question in the minds of many of our

friends and potential allies of whether or not we are safe to be with.

The answer to this question will determine—unless we move fast from now on—who will be on whose side if a showdown comes between the United States and the Soviet Union.

Russia has maneuvered us to the brink of a ghastly world war III by her bold and audacious offensives in every arena of her choosing—the cold war, the ideological war, the psychological war, the political war, and the economic war, and she isn't doing too badly in her first puppet shooting war.

Russia is counting victories in all these wars because she is waging them with vigor and fanatical purpose. These wars are part and parcel of a world-wide master conspiracy of which we, as the last big fortress of liberty, are the main target.

The time has come, the hour has struck, when the United States, if we are to save ourselves and preserve peace and human freedom on this earth, must go on the offensive and hold it.

We must discard the shabby habiliments of a Mr. Milquetoast in our world leadership of democracy and don the armor of a warrior.

America must now take a resolute stand for world peace by compulsion. We have this prevention power. We have the atomic bomb, and we have the industrial might. We can and we must put our manpower behind both.

Let us now announce to the entire world a new American policy—a policy that will wrest the initiative from Russia and stop her Communist steam roller in its tracks.

Here, in my judgment, is the foundation for such a policy:

1. Extend our Monroe Doctrine to embrace the free areas of the world who desire such protection.

2. Apply ruthless economic sanctions to Russia.

3. Withdraw American recognition of Soviet Russia.

4. Abrogate the Yalta Pact and any other agreements which Russia has broken.

5. Go on the offensive in the unconventional warfare against communism everywhere.

6. Make communism a crime in the United States.

7. Adopt a program of universal military training.

MONROE DOCTRINE

If Russia is going to bring on world war III, let us have it upon our terms. We shall fight no more satellites. If Russian puppets start trouble anywhere in this security belt, that will be the signal for our bombers to wing their way toward Moscow. Everybody then will know for what and when we will fight.

SANCTIONS

In attacking Russia with economic sanctions we should immediately demand the abrogation or clarification of the existing nonaggression pacts between England and Russia and France and Russia. We need not worry that Russia will honor these pacts. But we should not leave legal grounds upon which our allies, whom we are financing with billions of dollars, might justify their neutrality in case of a final showdown.

Under the 4-year Marshall plan we have already poured more than \$9,500,000,000 into the 16 Marshall-plan countries to rehabilitate them. It will take another \$5,000,000,000 to complete this program. This is money coming from the pocketbooks of American taxpayers. These countries are on our payroll and in our budget. American dollars have rebuilt most western European factories.

The ECA countries now have a total of 96 trade treaties, many of them secret, with Communist nations. During 1949 they exported more than \$1,098,905,000 of goods to

Russia and her satellites. This included everything from monkey wrenches to jet engines, locomotives, tool steel, ball bearings, electronic equipment, tires, machinery, chemicals—in fact, everything that the Russians need to consolidate their gains in eastern Europe and Asia and to fight world war III. I cannot forget—I do not think any patriotic citizen worthy of the name should ever forget—that materials of war bought with American taxpayers' dollars through the Marshall plan are now in the hands of North Korean troops and are being used to kill American soldiers. Since we are financing these Marshall-plan countries, we have a moral right to demand that this trading with our enemies be stopped at once.

We must also ask guaranties from these nations whom we are helping so generously, that they will not recognize any nations that may go communistic in the future.

SOVIET RECOGNITION

The American Legion for many years bitterly opposed American recognition of Soviet Russia. Our 1950 State conventions are now demanding that this recognition be withdrawn. This should be done because Russia has not kept her pledge to refrain from Communist conspiracies within the United States.

YALTA PACT

Pacts are two-way agreements. When one party to a pact reneges, it is stupid for the other party to stick to such a bargain. It has been repeatedly charged openly at the United Nations counsel tables that Russia has broken 68 pacts and treaties in recent years. We should immediately abrogate every pact and treaty we have with the Soviets.

WAGE THE COLD WAR

We have a superior ideological product to sell in democracy. We have not been selling Americanism to the world with the energy and organization with which Russia has been peddling communism, and so we have been taking a licking in this unconventional warfare called the psychological war.

We must stockpile our weapons for this unorthodox warfare just as we do for conventional warfare. They are now dispersed among the different agencies and departments of our Government. Control of the functions of these weapons should be centralized in Washington for global use and direction. There should be a coordination of our political, economic, and psychological strategy and activities so that we can put effective combat teams into action in this vast struggle for the minds of men everywhere. They must be properly equipped and supported even if they operate behind the iron curtain. Only through effective coordination in Washington can we quickly furnish those combat teams with such concrete tools as radios, printing presses, newsprint, experts in industry, economics, education, agriculture, instructors, and equipment for police and military units and schools at home and abroad to train leaders for this unconventional warfare.

OUTLAWING COMMUNISM

The Communists now conspiring and plotting in the United States are the same brand now killing American boys in Korea. Communism is a criminal barbarity and subordination. If we are going to fight for survival against communism abroad, we can't afford to leave a venomous Red fifth column in our rear. Immediate enactment of legislation to wipe out communism in America is a "must" security step. That is why the American Legion is fighting for passage of such measures as the pending Mundt-Ferguson-Johnston-McCarran Communist-control bill.

U.M.T.

Our security and world peace can only be assured by strength. We must couple our atomic bombs and our industrial might with

adequate and ever-replenished trained manpower.

In every human endeavor today the payoff is on know-how. It is a life or death payoff when it comes to the adequacy of military know-how. UMT will create and keep filled a great reservoir of citizen militia trained in the use of the complicated scientific weapons of modern war. This is stockpiling of precious time against all emergencies. UMT is security insurance for the Nation and survival insurance for our young men. Enactment of UMT legislation will have an immediate psychological effect abroad that will be of incalculable value to the cause of world peace. It will be the guaranty of our fighting ability and fighting power.

I have outlined to you a seven-point fighting program whose adoption will demonstrate to the world that we will and that we can deter aggression * * * that we will and that we can defend ourselves * * * and that we will and that we can defeat any aggressor.

If we adopt and vigorously pursue this bold, aggressive policy, we may well find that there will be no shooting showdown with Russia. In its adoption, I am convinced, lies America's best and only realistic hope for world peace.

As chief spokesman for the American Legion, I urge with all the fervency at my command, that our Nation move swiftly for the realization in action of this fighting program to keep America always American, and by so doing * * * with God's help * * * keep the torch of human liberty burning brightly forevermore.

Mr. MALONE. Mr. President, the national commander of the American Legion, Mr. George H. Craig, is to be commended for his forthright statement. The spirit exemplified in this straightforward address resembles the American Legion which I knew and helped organize in 1919 following my return from France.

CHURCHILL'S CHARGE THAT THE BRITISH ARE AIDING RUSSIA—NEWSPAPER ARTICLE

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article headed "Churchill charges British aid Russia," published in the Washington Post of August 27, 1950.

The longshoremen of the eastern seaboard are refusing to unload cargoes from Russia—the veterans are urging Acheson's resignation and the adoption of a sound foreign program in place of the hodgepodge sharpshooting programs now expounded by the administration—and these two groups along with the farmers and the small businessmen are the hope of this Nation.

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

CHURCHILL CHARGES BRITISH AID RUSSIA

LONDON, August 26.—Winston Churchill declared tonight that a British factory is turning out tools for the Russians suitable for the repair of tanks. The Ministry of Supply quickly conceded that several British machine-tool manufacturers are turning out products for Russia.

Churchill said Russian inspectors are admitted into the plant. A Ministry of Supply spokesman said this was true in all the plants engaged in making tools for the Russians.

"Fancy going on like this while everything is getting worse, and when we are literally begging the United States for aid in every form," Churchill asserted. The charge came in a political broadcast in which he accused the Labor Government of infirmity and dis-

connection of thought and action in shaping defense plans.

He based his statements on information from officials of one of the tool manufacturing plants.

The United States has banned a long list of strategic materials from shipment to Russia and her satellites. The same ban has been applied to nations receiving United States aid.

The United States this week revealed that a British firm transshipped 50 tons of American molybdenum, used for hardening steel, to Russia. Another 150 tons scheduled for shipment here was stopped.

The British Board of Trade asserted the deal was legal but admitted the United States Government is investigating this case.

A spokesman for the Board of Trade said British applies strict export controls and has drawn up its own blacklist of strategic materials for shipment to Communist countries.

It sends such things as steel, electric equipment, and generators under a wartime act.

ECONOMIC SANCTIONS

Mr. MALONE. Mr. President in recommending economic sanctions against Russia, Commander Craig, of the American Legion, demanded the immediate abrogation of the nonaggression pacts which both France and England each have made with Russia and demanded that the 16 Marshall-plan countries cease trading with Russia and the iron-curtain countries through the 96 trade treaties.

The national commander of the American Legion urges that we adopt the program "to keep America always American."

WHY HELP THE ENEMY TO TOSS LEAD BACK AT US?—ARTICLE BY LESLIE GOULD

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article entitled "Why Help the Enemy To Toss Lead Back at Us?" written by Leslie Gould, financial editor of the New York Journal-American under date of August 25, 1950.

This is the second time in my generation that we have armed our actual or potential enemies—the first time was 1937 to 1941 when we shipped the scrap iron and petroleum to Japan and then sent our boys out into the Pacific to catch that scrap iron in their bare hands coming back out of Japanese guns—and it was not pretty. The second time was in 1948 when we started arming Russia and her satellites through the Marshall plan.

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

WHY HELP THE ENEMY TO TOSS LEAD BACK AT US?

(By Leslie Gould)

In light of the Korean developments, trading with Russia and her satellites comes under the heading of dealing with the enemy. If not treasonable legally, it is morally.

Even before June 27, there was no excuse for such trading. But then the State Department was setting the policy, and it encouraged trading with the Russians and the rest of the Red world. The same for the British, and one of the excuses was that if American firms didn't trade with the Reds, the British would get the business.

It was this way with Hitler and Mussolini. Right up to the day before the invasion of Poland, England was shipping copper to Berlin. Before Pearl Harbor, the United States was selling scrap to the Japs, including New York's Second Avenue elevated.

While American boys are dying in Korea under the UN flag and with only token assistance from the nations receiving billions in ECA money, British Malaya is selling rubber to Russia and Czechoslovakia. France is dickering with Moscow for a barter deal which will give the Russians steel, machine tools, precision instruments and chemicals.

The Russians also are buying wool from the British Commonwealth.

Malaya has a suggestion to stop the rubber shipments. This is for the United States and Britain with United States dollars to top any bid Russia or any of the satellites makes. That's good business for British Malaya, but rather rough on the United States Treasury, which means the United States taxpayers.

Quite a few American boys lost their lives in the stinking jungles of the Pacific and a few billion American taxpayers' dollars went into that fight which among other things rescued Malaya from the Japs. And the Korean war is to stop further expansion of the Communists in Asia, of which Malaya is a part.

In the light of what happened in the Pacific from 1941 to 1945 and what is happening today in Korea, it is discouraging to note that Malaya is selling the Reds rubber at the rate of 132,000 tons a year, when pre-1939 Russian purchases were only 27,000 tons.

It explains why an elevator operator in a Wall Street building visited by a group of British flyers commented.

"Why aren't they in Korea?"

One of the weapons in a war, such as this country is fighting almost alone against the Communists, is an economic blockade. Shutting off the aggressor from the world markets. It helps to win the battle. Yet, in this life and death struggle with communism, trade is still being carried on with the enemy. Our allies are doing it and so are we. It can only be done with approval of the United States State Department, where Alger Hiss once was a fair-haired boy.

OFFICIALS HERE BLAME BRITAIN IN MOLYBDENUM LEAK TO REDS—ARTICLE BY PHILIP WARDEN

Mr. MALONE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article headed "Officials here blame Britain in molybdenum leak to Reds," written by Philip Warden, and published in the Times-Herald of Washington, D. C., August 27, 1950.

Russia produces little or no molybdenum—an indispensable war material—so the British continue to buy it from us and to transship it to Russia.

The British are also selling the Russians tin and rubber from Malaya.

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

OFFICIALS HERE BLAME BRITAIN IN MOLYBDENUM LEAK TO REDS—LONDON EFFORT TO CREDIT ERROR TO UNITED STATES PROTESTED BY COMMERCE SPOKESMAN

(By Philip Warden)

The Commerce Department yesterday took sharp issue with British Board of Trade officials who implied that the United States was responsible for an American shipment of molybdenum to Britain being transshipped from Britain to Russia.

A Department spokesman said the Department would have no official comment to make on the case until an investigation can be completed. He made it clear, however, that all the facts uncovered so far show that the United States was not at fault. Press statements from Britain Friday quoted British officials in such a way as to imply America alone was responsible.

CONCEDE NO LAW BROKEN

The spokesman agreed with the British officials that the indications are that no law

was broken in the deal that gave a big shipment of this scarce and vital war material, intended for British steel mills, to the Reds. Molybdenum is a steel-hardening agent essential to the production of virtually all munitions.

"These facts are known," the Commerce official said. "An American firm was issued a license to ship a cargo of molybdenum to a firm in England. Naturally, we would not license a shipment of this material to Russia. But Britain is a friendly power, and this shipment was approved.

"Our license applications require the exporter to state who will be the recipient of the shipment, and its final destination. In this case it was a British firm and the final destination was listed as England.

FIFTY TONS SLIP TO RUSSIA

"The molybdenum was shipped from here in May. It was transhipped from Britain in June or July. Investigation shows that approximately 50 tons of molybdenum, having a total value of approximately \$45,000, went to Russia."

The Commerce official said that once the shipment of a war material gets to Britain, it is Britain's responsibility and subject to their export controls, if any. The molybdenum was stored in British warehouses before being loaded on a Russian freighter.

Trade sources reported that Britain did not have any export controls on molybdenum at the time the shipment was made, although she does now. The Commerce Department officials observed that if this were true, then British Board of Trade officials are correct in their contention that no laws were broken. He refused comment on whether Britain lacked such export controls over molybdenum.

"AMERICAN TROOPS IN KOREA TO GET MEXICAN BEEF"—ARTICLE FROM THE WASHINGTON EVENING STAR

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "American Troops in Korea To Get Mexican Beef." The article appears in the Washington Star for August 24.

It is not explained why the CCC buys Mexican beef in the first place—but here it is in Korea.

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

AMERICAN TROOPS IN KOREA TO GET MEXICAN BEEF

American troops in Korea soon will be eating Mexican canned beef and gravy, the Army announced yesterday.

The Army said that 10,000,000 pounds of Mexican meat have been taken over from the Commodity Credit Corporation.

"The meat is urgently needed to meet immediate requirements of troops in the Far East," the Army stated.

"UNITED STATES BLOCKS SHIPMENT OF MISSILE MATERIAL TO COMMUNIST CHINA"—ARTICLE FROM THE WASHINGTON EVENING STAR

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article headed "United States Blocks Shipment of Missile Material to Communist China." The article appeared in the Washington Evening Star for August 25, 1950, and it outlines how an employee of the University of Southern California shipped 1,800 pounds of blueprints and other material to Communist China.

It is of course well remembered that we contrived to furnish the Russians the secret of the atomic bomb through various channels including England.

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

UNITED STATES BLOCKS SHIPMENT OF MISSILE MATERIAL TO COMMUNIST CHINA

LOS ANGELES, August 25.—The Federal Government has blocked the shipment to Communist China by a California Institute of Technology scientist of 1,800 pounds of material which authorities say contains information relating to missiles and air travel.

A warrant of detention was issued yesterday in Federal court to halt the shipment consigned by Prof. Haue-shen Tsien, head of the Guggenheim jet-propulsion center at Caltech. The Chinese scientist said the matter detained is his personal property.

Max Deutz, assistant United States attorney, said Dr. Tsien's cases contain data on improved techniques on air travel and missiles in the form of documents, code books, signal books, sketches, plans, photographs, blueprints, notes, and other forms of technical information.

PROBE STARTED

"The shipment has been detained because some of the information is classified as secret, confidential, or restricted," said Roy M. Gorin, in charge of the export department of the office of collector of customs here. "A thorough investigation is now being conducted."

"I was planning to go to China," said Dr. Tsien. "Now I am not. I was told by the Immigration Service not to go. I don't know why they are inspecting my property. I don't know the complete story."

HEADED FOR HONG KONG

Leo P. Pogreba, acting assistant collector of customs, said in an affidavit filed with the court that Dr. Tsien tried to export the cases last Monday. He said they were consigned to Dr. Tsien in Shanghai and were to go first to Hong Kong, then be forwarded by an agent. Mr. Pogreba said the shipment failed to comply with the Export Control Act, the Neutrality Act, and the Espionage Act.

The work of Dr. Tsien at Caltech was purely academic, said Prof. Clark B. Millikan, who explained that the Chinese is not connected with Caltech's jet-propulsion laboratory where secret research is under way. Dr. Tsien, 40, formerly was professor of aerodynamics at Massachusetts Institute of Technology and came to Caltech in 1948.

"CHINA REDS MASS ON KOREA BORDER"—ARTICLE FROM THE WASHINGTON TIMES-HERALD

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "China Reds Mass on Korea Border in Mystery Move," published in the Washington Times-Herald for August 26, 1950.

Mr. Dean Acheson was very frank with a joint session of Congress recently when he said that the United States would not oppose the recognition of Communist China by the United Nations with our veto power.

It will be remembered that the junior Senator from Nevada said on this floor in September of 1949 on the occasion of the debate on the extension of the 1934 Trade Agreements Act that the three-nation conference—Canada, England, and this Nation—was called to divert public attention from the most important debate in a century—and that Mr. Acheson had promised England at that time to follow them in the recognition of Communist China.

The deal now is likely to be for the United Nations to recognize Communist China in return for peace in Korea.

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

[From the Washington Times-Herald of Saturday, August 26, 1950]

CHINA REDS MASS ON KOREA BORDER IN MYSTERY MOVE

(By Lloyd Norman)

The movement of two Chinese Communist armies in Manchuria to the North Korean border was disclosed here yesterday. Military officials said the move could mean a serious widening of the Korean War to include Red China.

A report of the appearance of the two Chinese armies on the Korean border arrived at the Pentagon through official channels. The size of the armies could not be estimated, nor was it known when the movement occurred.

TWO POSSIBLE MEANINGS

The massing of Chinese Communist divisions in the north could mean:

1. That Red China was preparing to defend its Manchurian border should United Nations troops pursue the North Koreans into Manchuria.

2. That Red China was getting ready to pour troops into North Korea to help overcome the increasing strength of American forces.

An Army spokesman declined to interpret the intent of the Communist move. But others saw it as a gathering storm cloud that bodes no good for the American fighting in South Korea.

The Pentagon also reported that North Korean industry is being moved to Manchuria, apparently to get out of the reach of American bombers.

In Antung, Manchuria, a railroad center on the Yalu River across from North Korea, the Chinese Reds are reported recruiting civilian laborers to move supplies to North Korea. Some 120 heavy tanks, of unknown type, were moved presumably overland by railroad, from the Russian-held port of Dairen, Manchuria, to North Korea in the last 2 weeks of July.

SHIPPING COMMANDEERED

In the Antung area, shipping was being commandeered to move large stocks of military equipment, intelligence reports say. The Manchurian side of the Yalu River was reported being fortified for defense.

Although no estimate was available of the size of the two Chinese armies on the Manchurian border, they probably amount to at least 80,000 men, assuming the minimum of two divisions to a corps and two corps to an army and approximately 10,000 men in a division.

HISTORY OF DEVELOPMENT OF RED PROGRESS IN CHINA, MANCHURIA, AND KOREA—ARTICLE BY GEORGE SOKOLSKY

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article which was published in the Washington Times-Herald for September 5, 1950. The article is by George Sokolsky, and in it he outlines the history of the development of the Red progress in Manchuria, China, and Korea.

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

THESE DAYS

(By George Sokolsky)

After being suppressed for 2 years, the Wedemeyer report on China was issued in the State Department white paper a year ago, but the pages on Korea were omitted. The ostensible excuse was that the volume of more than a thousand pages that Dr. Philip Jessup prepared was limited to China and

therefore could not include Korea—a conclusion which only a pedant could reach.

To make the record clear the Wedemeyer report was submitted to President Truman in September 1947. It was made public in August 1949. The Korean section is still secret.

The contents of such documents readily become known, however, and it is clear that had General Wedemeyer's advice been respected both as to China and Korea, we should not today be in our tragic situation of defending our honor and dignity.

As I understand it, General Wedemeyer found, in 1947, that the Cairo declaration of 1943, which postponed Korean independence to "in due course," offended all Koreans and caused great resentment because the Koreans expected immediate independence upon the defeat of Japan.

This resentment was increased after the Moscow conference of December 1945, which agreed that Korea should be placed under the trusteeship of the United States, Soviet Union, Great Britain, and China for a period up to 5 years.

After VJ-day, by agreement with the four powers, the Russians, who had not been in the war a week, accepted the surrender of the Japanese in Korea north of the thirty-eighth parallel, which established a barrier between North and South Korea, dividing the country arbitrarily and making a free and united Korea impossible.

The Moscow conference provided for the formation of a provisional Korean government. The United States-Soviet joint commission which was to do this, held its first meeting on March 8, 1946, and adjourned May 28, 1946, without having reached an agreement. The failure was due to the objection of Soviet Russia to all but left-wing elements in Korea.

On May 21, 1947, the joint commission met again, but reached a deadlock in July on the same issue. Considerable correspondence passed between George Marshall and V. Molotov, but led to nothing.

Efforts to establish a provisional government for the whole of Korea failed because Soviet Russia, in possession of North Korea, refused to permit the Korean people, in a free and universal election, to decide for themselves who was to serve in that government.

In South Korea, the United States went ahead with the original plan of an independent Korea, placing Koreans in charge of administrative agencies. A Korean interim legislative assembly was established in December 1946. Simultaneously, north of the thirty-eighth parallel, the Russians established a democratic front government, modeled along Soviet.

My understanding of the Wedemeyer report on Korea is that it severely criticized the native Korean national police in South Korea which was antagonizing the people—all elements of the people.

This body should have been eliminated then and there, but it was not done. This force had been trained by the Japanese and continued to use Japanese methods against their own people. Resentment against them was speedily transferred to the Americans.

From my information, General Wedemeyer reported that if the American occupation forces were withdrawn from Korea or weakened, Russia would be able to organize Korea as a Soviet satellite state.

Yet, we know that the American position in Korea was weakened and that it was State Department policy to withdraw from that country altogether. In a word, our policy subsequent to the Wedemeyer report ignored his judgment and produced the result he anticipated.

In 1947, Soviet Russia had a trained force in North Korea of 125,000 troops, including the Nineteenth Mechanized Division, which used the tanks against us. This we knew

in 1947; yet no effort was made to build and equip a comparable force in South Korea. Actually, when to the North Korean forces are added the Manchurian armies, a formidable war machine was ready for action in the summer of 1947.

The importance of all this is not that one man was right and another wrong, but rather that there has been something queer going on, which having the information which Wedemeyer reported in 1947, with recommendations, we did nothing constructive about it, and now have to expend thousands of young American lives to do what was suggested originally. It just does not make sense.

Mr. MALONE. Mr. President, it all fits into a pattern—we deliberately lose Manchuria, China, Korea, and Berlin. We follow the pattern of sometimes apparently unrelated events—but it all adds up to losing strategic areas throughout the world, and to destroying our economic system through the three-part free-trade program of the State Department including the 1934 Trade Agreements Act, the Marshall plan or ECA, and the International Trade Organization.

The objective is the one economic world, then the one political world will follow as a practical matter.

My hope is that we may develop a few men in this Nation who are for the United States of America in the same manner that Churchill is for England, then there will be a starting point for sound negotiations for world economic stability and world peace.

ACTIVITIES OF INTERIOR DEPARTMENT OFFICIALS IN RELATION TO ALASKA—LOYALTY

I. FREE STATEHOOD FOR ALASKA

Mr. SCHOEPEL. Mr. President, I am somewhat reluctant today to talk about matters that question or might impugn the loyalty of certain officials in the Department of Interior, and the head of that Department as well.

The matter is of immediate urgency in view of the present state of international tension and particularly because of the peculiar activities of departmental officials in relation to the Territory of Alaska.

It is most unfortunate to those who thoroughly believe in a free statehood for the Territories of Hawaii and Alaska that this issue should arise. I myself have always subscribed to my party's platform pledge of statehood for these two Territories. I still do. But I want them to be bona fide States and not adjuncts of the Department of Interior. I do not want to wake up and find a so-called American Quisling doing a job that might be serving the purposes of Soviet Russia.

Make no mistake about this: The Territories of Hawaii and Alaska, if they have earned their right to statehood, automatically have earned their right to freedom from Federal bureaucracy. Let us have free statehood for Alaska.

Second only to the Departments of Defense and State, the security of the Nation against aggression from Soviet Russia lies in the hands of the executives who control the Department of the Interior.

Off Puerto Rico and the Virgin Islands in the last few months Russian snorkel submarines have been sighted on missions which could only be for the purpose of future military activities in the Caribbean. These possessions of the United States are administered, wholly or in part, by the Department of the Interior. Secret snorkel-refueling bases at those points would permit large additions to the munitions loads carried from Soviet waters to the Caribbean.

In Hawaii, according to hearings before the Committee on Un-American Activities held there in April, it was shown that the Constitutional Convention for Hawaiian Statehood was infiltrated with Communists, and that committee recently was forced to cite for contempt of the House no less than 39 American citizens of Hawaii for refusing to reply to the question as to whether they were or were not members of the Communist Party.

But, of all the possessions of the United States under the jurisdiction of the Department of the Interior, I think military strategists and the public alike will agree that the Territory of Alaska is the most sensitive frontier between the United States and Russia.

American Eskimos and Russian Eskimos paddle back and forth in their kayaks across the narrow straits of the Bering Sea.

The troops normally massed on the Russian side of that sea are known to be 10 times those of the American Army. They are winter-conditioned and Siberian-born and trained.

Alaska could easily prove to be America's military Achilles' heel.

Any disloyalty by American civilian Government employees could prove very disastrous to this Nation, as we found the gang of quislings proved to Norway less than a decade ago.

It is in the light of this serious problem and in view of the fact that whether we like it or not we are practically in a state of war with Communist Russia that I, at this time, find it necessary to raise the questions I am raising today. I have information in my possession, which I shall proceed to present to the Senate, to justify such questions.

However, I wish it to be borne in mind that I do not at this time charge any of these officials with disloyalty, with treasonable acts, or with perjury. I merely ask that the facts which I present, which themselves raise the question, be fully explored and the officials and others involved be permitted to explain how these data, documents, and actions can be reconciled with complete loyalty to the United States.

It is the right of every American to be presumed to be innocent until proven guilty. It is also the right of every American, in the preservation of his country, his life, his liberty and his sacred honor, to take every precaution against the fifth column activities so well developed by the nazis prior to World War II and which may, indeed, be a Russian importation into the United States.

I should now like to introduce the name of John Hampton Randolph Feltus.

The records of the Department of Justice, in room 2218, with respect to registration of agents of foreign principals, show that Mr. Feltus, under the name of Randolph Feltus, 128 East Fifty-sixth Street, New York City, registered as an agent of the Soviet Republic of Poland on October 16, 1946, stating his salary at that time to be \$3,000 per month, beginning in September of that year. He explained his services to be those of a public relations counsel. His relationship with the Soviet Republic of Poland continued down through July 1, 1949. In short, Mr. Feltus and his associates represented Poland for a period of approximately 3 years—that is, according to the official record. If there are any other connections with the Kremlin, I have not been able to ascertain them from official records or documents.

The activities of Mr. Feltus have been many and varied and should be the subject of a curious and lively investigation. My point here is only to emphasize that Mr. Feltus could not have been an agent of Poland in America if he had not been also an agent of the Kremlin in America. Puppet Poland takes orders only from Moscow.

During the period to which his registration as an agent of Poland refers, he shared the dubious honor of registration for that nation with the Gdynia-America Line, Inc., of New York City. This is the steamship line which owns the infamous *Batory* which has proven the escape ship of so many Soviet agents, including the criminal spy, Gerhardt Eisler, who jumped bail and was smuggled aboard, to become a leader of east Germany Communists.

This steamship line also was the sponsor of the so-called Polish hour which, because of its subversive tone, was dropped by the broadcasting companies. I should be curious to discover whether Mr. Feltus, an adept writer of radio script, collaborated in the Polish hour.

Next I call attention to the fact that on May 2, 1950, Mr. Feltus filed, under the Lobbying Activities Act, registration as public relations counsel for the Alaska Statehood Committee, Juneau, Alaska, in favor of House bill 331, which was reported in the Senate on June 29, having passed the House on March 3 of this year. This is a matter of public record, of course, and needs not to be documented here.

The question at once arises, Why would this 3-year agent of the Kremlin be employed to promote statehood for Alaska at a time when Alaska is the most sensitive security risk of the Nation in relation to Russia?

What is the Alaska Statehood Committee? According to the Daily Alaskan Empire, issue of March 22, 1949, the territorial legislature in biennial session made an \$80,000 appropriation in a bill which provided that the governor, Ernest Gruening, should appoint 11 members to a committee "to study all phases of statehood and submit a chart for statehood to the constitutional convention."

It is significant and important to understand that Governor Gruening of Alaska is an employee of the Department

of the Interior, working under orders of Oscar Chapman, Secretary of the Interior.

The Governor, in addition to hand-picking his own committee, was made an ex-officio member of the committee, along with Delegate to the United States Congress E. L. (BOB) BARTLETT, and his predecessor, Judge Anthony Dimond. Mr. BARTLETT is a former employee of the Department of the Interior as secretary to the Territory of Alaska, the second highest ranking office in the Territory.

Submitted herewith are photostatic copies, which probably cannot be reproduced in the Record but which I have in my possession for perusal by any interested person, of checks on the treasurer of the Territory of Alaska, dated April 3, 1950, for \$5,000; April 12, for \$1,000; June 1, for \$3,000; June 16, for \$3,000; and July 18, for \$3,000. Substantiating these checks are photostatic copies of the warrants, all of which read "to effectuate the purposes of the Alaska Statehood Committee, chapter 108, SLA 1949."

The recipient of these checks in each instance has been Delegate E. L. BARTLETT. According to the reverse side, he endorsed each one of them for deposit to his credit at the Second National Bank of Washington, D. C., with the single exception of the July 18 check for \$3,000, which was counterendorsed by Mary Lee Council, who, according to the list of congressional secretaries, compiled by the Congressional Secretaries Club, is Mr. BARTLETT's personal secretary.

Not for an instant would I have it implied that these moneys were paid to Mr. BARTLETT for his personal use as fees, and so forth. The assumption is that all or most of the funds went to the only person registered as a lobbyist for the Alaska Statehood Committee, Mr. Feltus. This is a matter which Mr. BARTLETT himself can best explain, not only to the Members of Congress but also to the people of Alaska whose funds are involved.

Of course, Alaska statehood, in principle, is a popular cause. The development of that huge area cannot be promoted, obviously, without unbinding the bonds of bureaucratic control. Capital will not be attracted to an area run by bureaucrats located 6,000 miles away.

Undoubtedly the members of the Alaska Statehood Committee are sincere, earnest, and patriotic Alaskans, and anything I say here must not be taken as a reflection upon any of the citizens of Alaska who were appointed by Governor Gruening.

The \$80,000 voted by the Alaskan Legislature to the statehood committee was a part of \$5,600,000 of the total appropriation for the biennium which, in June of 1949, was frozen by the Alaska Board of Administration, of which Governor Gruening is chairman, the other members being his cabinet, the attorney general, the Territorial auditor, and the Territorial treasurer. This was because of the dire financial difficulties of the Territory at that time.

It is interesting that as the hearing approached early in March 1950 the Governor's administrative board released or unfroze \$25,000 of this fund to be spent in Washington for lobbying. This action was taken despite the fact that the same

order releasing the lobbying fund still held in the frozen status funds for loans to veterans that had already been approved. It withheld funds for the juvenile delinquency welfare program of the Territory as well as for many other essential services. This lobby fund was released at the expense of veterans and children of Alaska at that particular time.

I wonder if the people of Alaska know that the man they employed to lobby for their statehood had been for the three previous years the Washington agent for the Kremlin via Moscow?

I wonder if they realize, too, that when they achieve statehood under the provisions of this bill, they will, according to testimony of competent witnesses, still remain under the control of the Federal Government in the three most important industries in Alaska—salmon fishing, mining, and lumbering, to say nothing of fur trapping?

I wonder if they realize that the area of their new State will consist of an infinitesimal percent of the total area of the present Territory of Alaska?

I wonder if they realize what the organization of Randolph Feltus & Associates has, at least until recent months, constituted?

According to hearings of the Un-American Activities Committee and also the foreign agents registration list of the Department of Justice, the "associate" in this instance was none other than a man known as R. T. Miller, also Robert T. Miller, also Robert Talbot Miller, also R. T. Miller 3d, and variations of the same.

I wonder if the people of Alaska know that Mr. Feltus' business associate is the same man who, according to hearings before the Un-American Activities Committee, was dropped from the payroll of the State Department after an FBI report had been evaluated in a memorandum filed on July 26, 1946, to Mr. Donald Russell, Assistant Secretary, from Mr. R. L. Bannerman, Office of Controls, which reads as follows:

The information developed by the FBI in its current investigation of Mr. Miller supports the conclusion that his continued presence in the Department constitutes a strong risk to the security of departmental functions and to the classified information of this Department. It is recommended, therefore, that his services be terminated in accordance with Public Law No. 490. * * * It is recommended that the services of Mr. Miller be terminated under provisions of Public Law 490. He is regarded as a security risk.

The remarkable power of this man who was regarded by the FBI as a "strong security risk" is indicated in the fact that Mr. Miller was permitted to remain in that sensitive spot until December of 1946, almost 6 months after the report was handed in—and then he was permitted to resign without prejudice, according to his own statement.

Senators will find these references on pages 787 and 798 of the hearings before the Un-American Activities Committee, Eightieth Congress, second session, from July 31 through September 9, 1948, from his own testimony and the records of the State Department. These were the same hearings that developed the treason of Alger Hiss.

I shall not attempt to burden the record here with a detailed account of the career of Mr. Feltus since he came to Washington as chief of the Publications Section, Public Advice and Counsel Office, Office of Civilian Defense, to ballyhoo for fan-dancing in bomb shelters as a means to allay the fears of the American public, a scheme developed by Melvin Douglas and others in the hysterical days of the beginning of the late war. Nor shall I dwell upon the time he spent with Secretary Morgenthau as one of the propagandists advocating the Morgenthau plan which would have made a cow pasture out of Germany and an easy walk to the Atlantic Ocean for the Russian Army.

I do think it significant, however, that apparently by a preconceived design, Mr. Feltus joined with Harry Dexter White, John Fehle, and Lawrence Lesser to resign simultaneously on March 26, 1946. Fehle and Lesser made up a law firm representing, among other things, the satellite state of Rumania. Harry Dexter White suddenly and perhaps inadvertently took an overdose of pills immediately after his name had been brought out in the Hiss case. White was reputedly the author of the Morgenthau plan.

The Feltus plum was later revealed to be Poland, the Netherlands, and—later—the Indonesian Republic, which was at the same time revolting against the Netherlands—an interesting picture of an agent serving simultaneously two masters at war with each other. Apparently the Netherlands Government discovered the dual relationship because soon thereafter Feltus disappeared from their payroll.

There are other curious factors about the relationship between Mr. Feltus and one Matthew Fox, many of which may have no direct bearing on this story.

The question of loyalty in the matter of the Department of Interior and its indirect employment of Feltus goes primarily, of course, to the matter of responsibility for his employment. I have been advised that the deal was arranged between Oscar Chapman, Secretary, and Governor Gruening. I have this fact on hearsay evidence, and I am sure that full disclosure of the matter is required for the public welfare, as well as for the men involved.

II. THE RECLAMATION BUREAU AND SABOTAGE OF FORMOSAN RECOVERY

Very recently the President, as a matter of national defense, assigned to the Seventh Fleet of the United States Navy, depleted and skeletonized though it was, the task of repelling the invasion of the island of Formosa by the Communist regime now controlling virtually all of China. After Korea, Formosa is America's last bastion in the China area.

I call the attention of the Senate to the statement of Gen. Douglas MacArthur which appeared in the CONGRESSIONAL RECORD on August 28, 1950, a part of the statement which was suppressed by the White House in which General MacArthur said, in part:

As a result of its geographic location and base potential, utilization of Formosa by a military power hostile to the United States may either counterbalance or overshadow the strategic importance of the central and

southern flank of the United States front-line position. Formosa in the hands of such a hostile power could be compared to an unsinkable aircraft carrier and submarine tender ideally located to accomplish offensive strategy, and at the same time checkmate defensive or counteroffensive operations by friendly forces based on Okinawa and the Philippines.

With these facts in mind, the Senate should seriously consider the actions of Michael Straus, Commissioner of the Bureau of Reclamation of the United States, as revealed in an article in the national magazine *Newsweek*, issue of July 17, 1950, by Sam Shaffer of the magazine's Washington staff.

A copy of the article, which is relatively short, is appended as an exhibit, but for the purposes of this review I will present a brief summary, as follows:

First. What *Newsweek* calls "an incredible story" began in September of last year when the Nationalist Government in Formosa asked an American engineering firm to survey irrigation potentialities on the island in order to prevent its economic collapse.

Second. The Bureau of Reclamation loaned a geologist-engineer specialist named William Gardner, from the Sacramento branch of the Interior Department on a leave of absence of 2 months without pay.

Third. On his findings the Chinese Nationalist Government made a \$3,000,000 contract with the company. To raise the cash it sold 30,000 tons of its sugar crop to Greece, which paid in ECA dollars.

Fourth. The American company purchased a million dollars worth of drilling equipment, motors, jeeps, and the like, which were to move immediately for shipment to Formosa.

Fifth. At that time the Office of International Trade in the Commerce Department (a branch in which William Remington, now under indictment for perjury as to membership in the Communist Party, was then an executive) refused to grant export licenses for the machinery. On June 12, 48 hours before the ship for Formosa was to have sailed, the export licenses finally came through. By that time Remington had been indicted, and the Office of International Trade was suspect.

Sixth. The State Department refused to issue passports to the American company for 100 engineers which it required and had available. The Department finally agreed on a third of that number, or 32. On this reduced basis the American company felt that it was imperative to reengage the services of the geologist-engineer, Gardner. He was the only man who knew how to do the job and the only man who could have expedited the project sufficiently to have assured a 60-percent increase in the sugar crop for Formosa at once.

Seventh. Request for leave of absence for this job was promptly granted by the Sacramento office of the Reclamation Bureau but was, with equal promptness, vetoed by Reclamation Commissioner Michael Straus, who then required the State Department approval.

Eighth. The State Department next passed the buck by saying that Gardner could go only as a private citizen, and

not as an official of the Federal Government on leave.

Ninth. The final showdown came after Oscar Chapman ignored inquiries from the junior Senator from California [Mr. KNOWLAND] and representatives of the American company called upon Straus only to receive a frigid reception and a flat rejection to their request before it had been offered.

Tenth. In conclusion, even after the President's order for protection of Formosa by American warships, the American company made a final plea as follows:

This water development program can prevent the economic collapse of Formosa. Should this [collapse] happen, we are arbitrarily permitting the Communists to take the island.

The last I heard of the combined blockade between the State Department-Remington outfit, Oscar Chapman, and Michael Straus, it had been successful in bringing about the collapse of a self-liquidating, cash-on-the-barrel-head deal to revive economic recovery of Formosa at a time when American taxpayers are beginning to wonder what became of their \$90,000,000,000 defense expenditures.

I hardly need review the stormy record of Michael Straus, Commissioner of Reclamation. At one time the Congress kept him off the payroll for more than a year for his defiant insubordination of specific directives from the Congress. He has always been known and understood to be an ardent follower of the concept of nationalization of the land, the water, and power. He has been charged as aggressively sacrificing the interests of land owners and water users in bringing water upon the land in the West so that funds meant for reclamation could be used for the creation and promotion of bureaucratic control of this great area of our country.

However, I would like to bring to the attention of the Senate one phase of his career which I believe has not yet been made public, at least not generally.

On the 17th day of December 1945 Straus took the oath of office as Commissioner of Reclamation. This oath is presented in a standard form No. 61A, approved January 28, 1943, by the United States Civil Service Commission under the Civil Service Commission's circular No. 409. It is a standard oath of office accompanied by a standard affidavit of loyalty and a declaration by the signer that he has not made any payment for such appointment. This is a regulation standard form.

Mr. Straus, however, did not place his signature upon this affidavit of loyalty. It was stricken out, although he did sign the regulation oath of office. I hold the oath in my hand, and photostatic copies of it are available for inspection. I should like to read here the form of the affidavit which, if stricken out, would invalidate the appointment of any employee of the United States Government serving under the Civil Service Commission. His job is not under the Civil Service Commission. This affidavit reads as follows:

Do further swear (or affirm) that I do not advocate, nor am I a member of any political party or organization that advo-

cates the overthrow of the Government of the United States by force or violence, and that during such time as I am an employee of the Federal Government I will not advocate nor become a member of any political party or organization that advocates the overthrow of the Government of the United States by force or violence.

Here are some questions that come to mind in view of the peculiar circumstances of Mr. Straus striking out an oath that any American official should be delighted to sign, an affidavit that he is not a member of, and will not become a member of, any organization which has for its purpose the overthrow of the Government of the United States by force or violence, while he is so employed:

First. Why was it that he was given a standard form of this kind unless he was expected to subscribe to it without objection?

Second. Do all officials of the Federal Government, not obliged by law, sign this same oath of office, and do all of them strike out the oath of loyalty, or did Mr. Straus in 1945 take particular exception to the matter because, had he signed this affidavit, he would have been subject to prosecution under the laws of perjury, as in the case of Alger Hiss and William Remington?

I shall leave to the appropriate investigative agencies of the Congress the question of the association of Mr. Straus with organizations pronounced to be subversive either by the Committee on Un-American Activities or by the Attorney General of the United States. There is information available to them which is not available to me. I have heard many disturbing stories which I will not repeat here without complete documentation.

As will be noted in a discussion of the loyalty of the Secretary of the Interior, Oscar Chapman, which I will take up in a moment, laws passed in 1945 and 1946 required separate loyalty oaths from Mr. Straus. The fact that we have been unable to locate such oaths does not preclude the possibility that they have always existed.

In the light of the stricken loyalty affidavit, Mr. Straus should voluntarily produce these oaths, or a committee of Congress by force of subpoena should attempt to discover whether he did execute these two oaths.

Further investigation, in the light of the Formosan deal, should be made to discover if he confined himself strictly to the truth in executing such oaths.

It is important to remember that the Communist Party in America virtually eliminated the issuance of cards to its members in 1945. Hence, the frequently used phrase "card-carrying Commie" has long since become obsolete.

I should like to remind the Senate of the testimony of Lee Pressman before the House Un-American Activities Committee on Monday, August 28, 1950. Mr. Pressman then testified that while holding a responsible position with the Government he was a card-carrying member of the Communist Party. He gave up party affiliation in 1935. Mr. Pressman testified, however, that the determination for a complete ideological break came after much thought. He declared that his severance finally came with the aggression in Korea. I wonder, Mr.

President, how many others in Government have not given such thought to the matter or how many have not determined to break completely with such ideologies.

We must use other tests. But in addition to the mistaken idealists who submit to the iron discipline of Communist ideology, there is a large fifth column fringe around the party who are at least as dangerous as the deluded fools who follow Marx from principle, or more dangerous. Many Americans are fearful that there may be a fringe of actually paid traitors or opportunists in and out of Government who place self above country and find it more advantageous to play the Communist Party line than to follow the path of patriotism. This is a phase of the story that should be borne in mind throughout my discussion.

III. THE OFFICE OF THE SECRETARY

In the preparation of the material that I am offering to the Senate today I have had the benefit of investigations made of the Department of Interior during the Eightieth Congress. Frank Bow, who is at the present time one of my legislative assistants, was chief counsel of a subcommittee of the House Committee on Expenditures in the executive departments investigating propaganda and lobbying activities by the executive departments to influence legislation.

Sometime last March I had a discussion with Mr. Bow in which I raised the question as to motives of the Secretary of Interior in so eagerly promoting statehood for Alaska and Hawaii. I pointed out that the Interior Department and its present Secretary have always been power hungry, seeking to absorb the functions of other departments and generally attempting to expand. It seemed a reversal of form utterly inconsistent with the career of the Secretary to advocate legislation which would remove from the jurisdiction of the Department of Interior an enormous section of patronage, control and bureaucratic prestige should these Territories become States.

Now let us look for a moment at the Secretary of the Interior. I was amazed to find, when I examined the oath of office taken on March 27, 1946, under which Oscar L. Chapman became Under Secretary of the Department of Interior, an identical standard form of the type signed by Mr. Straus on December 15, 1945, that, like Straus, Chapman had stricken out the affidavit of nonaffiliation in subversive and Communistic organizations. This oath was taken before the late Wiley Rutledge, Associate Justice of the Supreme Court, which met in one of the revered places of this Capitol Building, in which the Senate is now holding its session. I have a photostatic copy of the oath showing it stricken out, as I have stated.

To begin with, some members of the Interior Department have a scarlet left-of-left record that extends back many years, even to the early days of the New Deal.

One of the Assistant Secretaries, C. Girard Davidson, has a long record of attacking and smearing the Committee on Un-American Activities. He used his official position to blast the Un-American

Activities Committee in connection with the Hollywood hearings which resulted in jail sentences for 10 Hollywood Reds. He kept up the drum fire attacking the loyalty program and even had the effrontery to address the White House demanding—if you please, demanding—revision of the loyalty program.

Mr. William Warne, Assistant Secretary, is the reputed father and if not the father, at least the sponsor of the so-called Alaskan development bill, which would create an Alaskan corporation which, by use of Federal funds more liberal than the lax rules of the RFC, would set up State-owned corporations to completely nationalize industry and commerce in Alaska in a fashion more drastic than prevails in Socialist England.

For 10 years now the Interior Department, under three Secretaries has maintained rather consistently on its payroll—according to a letter dated August 14, from the Comptroller General—one H. Stephen Raushenbush, probably the chief prophet of modern American Marxism, and the man who employed and was responsible for Alger Hiss in the key position as counsel for the Munitions Investigating Committee of the Senate back in the thirties. In this position Mr. Hiss is proved to have obtained secret documents from the State Department for forwarding to Soviet Russia.

It is an interesting coincidence that, while Mr. Hiss was a "big wheel" in the State Department, Mr. Raushenbush took war leave from Interior to become one of the naval attachés with the American Embassy at London, a most sensitive post. Remembering also that Mr. Hiss was one of the architects in the founding of the United Nations at the San Francisco Conference, it is interesting to recall that when the Republican Eightieth Congress came in and his tenure with the Department of the Interior became somewhat unhealthy, Mr. Raushenbush became an economist for the United Nations for a period of time.

Returning to Oscar Chapman and the affidavit of nonaffiliation with subversive organizations dated the 27th of March 1946, I have before me a memorandum covering a check of the personal records, files, and publications of the Committee on Un-American Activities dated May 3, 1950, which shows that as early as August 1938—at the time that Alger Hiss was secretly purloining State secrets for Russia—Oscar Chapman, then Assistant Secretary of the Interior, was a member of the American League Against War and Fascism. This outfit has been officially branded as a simon-pure and unchallenged transmission belt of the Communist Party in America.

On October 25, 1939, the list of membership in this organization still retained the name of Oscar Chapman, even though at that time Stalin had made his unholy alliance with Hitler.

In 1940 Chapman sponsored a meeting under the auspices of the Washington chapter of the Descendants of the American Revolution—not to be confused for one moment with the Sons of the American Revolution—the educational director of which organization, one Howard

Selsam, was at the time an instructor of the Communist Party's workers school in New York.

On a letterhead dated October 27, 1942, Oscar Chapman is listed as a patron of the Congress of American-Soviet Friendship cited, in March 1944, as a Communist front by the Un-American Activities Committee.

Letterheads of the Congress of American-Soviet Friendship dated November 6, 1943, and again on March 18, 1946, continued to list Chapman as a sponsor of this fifth-column group.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. SCHOEPPPEL. I may say to the distinguished Senator from Wyoming that I should prefer not to yield until I have completed my statement. I have not very much more.

Mr. O'MAHONEY. The Senator has made a rather serious charge, and because of the fact that at the beginning of his speech he said that he did not wish to charge public officials with disloyalty, and I am reading from the mimeographed copy of the speech—

The PRESIDING OFFICER. Does the Senator from Kansas yield?

Mr. SCHOEPPPEL. I will yield for this one question, and then I shall be glad to yield when I have concluded my statement.

Mr. O'MAHONEY. Does the Senator decline to yield now?

The PRESIDING OFFICER. No; the Senator said he would yield for one question.

Mr. SCHOEPPPEL. I yield.

Mr. O'MAHONEY. I was explaining the reason why I trespassed upon the Senator's kindness. The Senator on page 3 of his statement said:

I wish it to be borne in mind that I do not at this time charge any of these officials with disloyalty, with treasonable acts, or with perjury. I merely ask that the facts which I present, which themselves raise the question, be fully explored and the officials and others involved be permitted to explain how these data, documents, and actions can be reconciled with complete loyalty to the United States.

On page 24 the Senator has just said that, "Oscar Chapman, then Assistant Secretary of the Interior, was a member of the American League Against War and Fascism."

Would the Senator be interested in knowing that Mr. Chapman in January was examined under oath before a subcommittee of the Eightieth Congress by Representative CLARE HOFFMAN, and that under oath he denied membership in that organization?

Mr. SCHOEPPPEL. I may say to the Senator that I am merely referring to what the actual letterheads of these organizations show. I am documenting my statement from the standpoint of the actual facts and circumstances. I obviously do not want to depart from my prepared script. I hope, and I am assuming that when these various and sundry gentlemen were before the Un-American Activities Committee in pursuance to the questions which were asked them, they made full and complete disclosures. At this stage of the game, however, I am documenting what the chronological, historical facts are with

reference to what some of these organizations carried on their letterheads.

Mr. O'MAHONEY. Would the Senator be interested to know that his distinguished predecessor, former Senator Arthur Capper, had his name also upon the letterhead of that Congress of American-Soviet Friendship?

Mr. SCHOEPPPEL. I have been so informed on a number of occasions. In fact, I have photostatic copies of it, I will say to the Senator from Wyoming.

Bear in mind that March 18, 1946, was only 11 days prior to the day Mr. Chapman took the oath of office as Under Secretary of the Interior and overtly omitted signing the affidavit of nonaffiliation with subversive organizations.

The National Council for American-Soviet Friendship—successor to the Congress of American-Soviet Friendship—was listed by Attorney General Clark as subversive, according to press releases of the Civil Service Commission dated December 5, 1947, May 23, 1948, and September 21, 1948.

Mr. Chapman attended a dinner given by the Washington chapter of the Southern Conference for Human Welfare as recently as April 7, 1947, according to the files of the Un-American Activities Committee. This organization, in the report of the committee dated June 12, 1947, was declared to be a subversive organization. I append the entire memorandum which is replete with additional references which show conclusively the strong and close personal alliance between the Russian Soviet cause and the present Secretary of the Interior, who is now urging Alaskan statehood through his own efforts and those of Randolph Feltus, until recently a registered agent of the Warsaw-Moscow axis.

I now present an oath taken by Mr. Chapman on July 16, 1947, in which he swore that he at that time belonged to no subversive organization. In this I presume the records will substantiate him. Had he not signed such an oath he could no longer have remained Secretary of the Interior. He may have simply resigned from these front organizations and gone underground to preserve his official position, which was so valuable to himself.

The public is entitled to know the exact date or dates on which, and the methods by which the Secretary purged himself of connections with subversive organizations which would qualify him to sign without question the affidavit of July 16, 1947.

I now refer Senators to an act of Congress entitled "First deficiency appropriation bill, 1946," signed by the President on December 28, 1945—Public Law No. 269, Seventy-ninth Congress, first session—section 301 of which reads as follows:

SEC. 301. No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any

person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to and not in substitution for, any other provision of existing law.

Under this provision the Under Secretary of the Interior should have made an affidavit had he wished to present a prima facie case of innocence of directly or indirectly advocating revolution against the constituted Government of the United States. I have no knowledge of such an affidavit.

It was not compulsory upon the Secretary to have signed such an affidavit. The language of the law merely states that an affidavit would constitute a prima facie case of loyalty. Perhaps Mr. Chapman felt that he did not care to make a prima facie case by means of this affidavit, or perhaps there is one in existence.

A strong case might be made for Mr. Chapman if such an affidavit could now be produced, provided such an affidavit, on the basis of the evidence in the hands of the Select Committee on Un-American Activities did not show that when he signed such an affidavit he had perjured himself.

At this point I recall attention of the Senate to the required affidavit of July 16, 1947, under another law enacted in the interim—Public Law No. 478, Seventy-ninth Congress, second session, approved July 1, 1946—but containing essentially the same provisions as the affidavit permitted in section 301 above, with the additional affirmation of the nonstrike provisions, and that the affidavit was compulsory.

The question raised here is pointed. It is apparent from the record that on July 16, 1947, Mr. Chapman had purged himself from all open connections with the subversive organizations with which he had previously been identified and could sign such an affidavit without jeopardy of perjury.

Here are questions that can only be answered by a committee of the Congress armed with the powers of subpoena, delving into the files of what now seems to be a most reluctant executive department:

Question No. 1: Did Mr. Chapman comply with section 301 of Public Law No. 269? If so, where is his affidavit?

Question No. 2: If he did so, why did he find it necessary or convenient, expedient, or by design, to strike out the affidavit of allegiance—affidavit (B) of the oath of office?

Question No. 3: If he signed the affidavit of nonaffiliation required under section 301, did he commit perjury and is now a subject for grand jury investigation along with Remington and Alger Hiss?

Question No. 4: Had he signed the affidavit of allegiance in the oath of office standard form on March 27, 1946, would he have committed perjury?

Question No. 5: Why, if the whole page of the oath of office form was not in-

tended to be signed, was such a form submitted to him for signature, thus forcing him to call signal attention to the fact that he crossed out the selected paragraph having to do with his relationship with subversive or Communist-dominated organizations?

Question No. 6: Was he in fact forced by this regulation form to choose between the alternatives of perjury or exposure?

Question No. 7: What has been his correspondence and personal relationship with Randolph Feltus? Was he or Gruening, or a Bartlett, or were all three of them, responsible for the retention of Feltus to lobby for Alaskan statehood?

Surely Mr. Chapman owes it to the country to make a full explanation on these pertinent questions, and I for one hope that he can do so.

Moreover, in the light of the questions I have raised here, the loyalty of many patriotic Americans in the Department of the Interior has been put under the shadow of doubt. The Congress owes it to these patriotic Americans to clear them of such doubt. I have directed letters of inquiry to the appropriate officials on the appropriate committees of Congress, with the suggestion that these doubts be cleared at the earliest moment, and that if persons are found whose loyalty cannot be cleared, whether their position is high or low, they be eliminated from the Federal service.

Mr. O'MAHONEY. Mr. President, as I think all Members of the Senate know, I am chairman of the Committee on Interior and Insular Affairs, the committee which has jurisdiction over the Department of the Interior and over all matters affecting the Territories. It was this committee which reported the statehood bills which have been mentioned here today.

SECRETARY CHAPMAN ANXIOUS TO ANSWER
SENATOR SCHOEFFEL'S CHARGES

I have listened with the greatest attention to the address delivered by the Senator from Kansas. I wish to assure him that, after having received earlier this afternoon a mimeographed copy of the speech he has just delivered, I communicated with Secretary Chapman and asked him if he would have any reluctance in discussing this matter before the Committee on Interior and Insular Affairs. I am glad to assure the Senator from Kansas and the Senate as a whole that the Secretary of the Interior is most anxious to appear.

As chairman, I shall undertake to convene the committee so that Secretary Chapman may appear and to testify under oath. I shall also ask the Senator from Kansas if he will be good enough to be present and to assist the committee with any documentation he is able to supply in addition to that which was included in his speech this afternoon, as to the very grave charges he has made.

Mr. President, during the delivery of the speech of the Senator from Kansas, I interrupted him to ask him whether he knew that Mr. Chapman was examined under oath on this matter before a subcommittee of the House Committee on Education and Labor of the Eightieth Congress. The printed record of those hearings, including the sworn testimony

of Secretary Chapman, is to be found in volume 1201 of the House committee hearings, and that volume is to be found in the Senate library.

The occasion for that session was an investigation of the GSI strike which had recently taken place. The record indicates that the hearings began on Tuesday, January 20, 1948.

On page 21 of the hearings, I find the following:

Mr. HOFFMAN. Is Mr. Chapman here?

Following that, we find this statement by Mr. HOFFMAN:

Do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CHAPMAN. I do.

Thereupon, for two pages of the testimony, Mr. Chapman was queried about the cafeteria strike. Then the inquiry turned to the allegations of membership in subversive organizations.

Mr. HOFFMAN asked a few preliminary questions. Then, as appears on page 24 of the hearings, Representative WINT SMITH of Kansas, asked the following questions:

Have you ever been a member of the American League Against War and Fascism?

Mr. CHAPMAN. No.

Mr. SMITH. Have you ever been a member of the American League for Peace and Democracy?

Mr. CHAPMAN. No.

Mr. SMITH. Did you ever sponsor the American Council for American-Soviet Friendship?

Mr. CHAPMAN. Yes; my name was used as a sponsor.

Let me say parenthetically, Mr. President, that the American Council for American-Soviet Friendship is the same organization to which I referred when I asked the Senator from Kansas to yield, and when I inquired if the name of his distinguished predecessor, Senator Arthur Capper, also appeared upon the letterhead, the Senator from Kansas readily agreed.

I read further:

Mr. SMITH. Did you sponsor—

Mr. LUCAS. Mr. President, will the Senator yield at this point?

Mr. O'MAHONEY. I yield.

Mr. LUCAS. Did the Senator ever hear anyone charge Arthur Capper with being a Communist or affiliating or associating in any way with any Communist organization?

Mr. O'MAHONEY. Of course not.

Mr. LUCAS. He was truly a great American.

Mr. O'MAHONEY. Of course.

Mr. President, the inquiry to which I have referred continued as follows:

Mr. SMITH. Did you sponsor a Soviet Russian Day dinner on the twenty-fifth celebration of the Red Army?

Mr. CHAPMAN. I don't recall, Congressman, that I did.

Mr. SMITH. Have you been a member of the Society of Soviet Russia Day, and were you one of the speakers to welcome Soviet flyers?

Mr. CHAPMAN. No.

And so it continues, with questions and answers.

The following appears on page 27 of those hearings:

NO IMPUTATION OF DISLOYALTY IN 1948
INVESTIGATION

Mr. HOFFMAN. Of course, you understand in asking you these questions, there is no intimation carried that the answer is one way or the other.

Mr. CHAPMAN. It is perfectly all right, Congressman.

Mr. HOFFMAN. Many are accused of many things, and sometimes there is a foundation and sometimes there is absolutely none.

Mr. CHAPMAN. The FBI made a very careful check-up after that, of which I have no resentment whatsoever; I was glad they did. That report was filed.

Mr. HOFFMAN. There are many organizations that people belong to, that at the time they joined * * * were supposed to be something different from what they afterward turned out to be.

Mr. CHAPMAN. That is right.

Mr. HOFFMAN. You don't know of any organization that might be called a leftist organization or a front organization for the Communist Party to which you ever belonged or were ever affiliated with in any way?

Mr. CHAPMAN. No; not at all.

Mr. HOFFMAN. I think that is all. That ought to clear the record.

Mr. President, there was the judgment of Representative CLARE HOFFMAN of Michigan, chairman of that subcommittee, after he and Representative WINT SMITH of Kansas, had interrogated Secretary Chapman, under oath, before the House committee, early in the Eightieth Congress. The Eightieth Congress never pursued the matter. It now comes up.

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

Mr. O'MAHONEY. I yield.

Mr. LUCAS. I should like to make this observation with respect to Representative HOFFMAN of Michigan. I served with him in the House of Representatives. I can assure the Senate, knowing CLARE HOFFMAN as I do, that if there had been any subversive activities involved in connection with the Secretary of the Interior, Mr. Chapman, at that time, CLARE HOFFMAN would have found it out, because CLARE HOFFMAN is a very ardent Republican; he has been strictly anti-New Deal, anti-Fair Deal, and has done everything in his power, as a Member of the House of Representatives, to place the Democratic administration in a bad light, from the time he came to Congress until now. I say that with all due respect to him, because I am a friend of Mr. HOFFMAN's, and I know his feeling about the Democratic Party and the philosophy it represents. I know how extremely conservative he is, and I know what he would do, if he could, to any particular Democrat who might come before his committee. If CLARE HOFFMAN found Mr. Chapman to be all right, then certainly he must be all right.

EVIDENCE NEEDED TO PROVIDE TEXT OF OATH
ADMINISTERED

Mr. O'MAHONEY. Mr. President, as I listened to the speech of the Senator from Kansas I noticed on several occasions his reference to the oath of office which was taken by certain officials of the Department of the Interior. I noticed particularly the language which the Senator used in carrying the implication of deliberate intent to suppress a portion of the oath. On page 28 of the

mimeographed copy of Senator SCHOEPPEL's speech I find question No. 5:

Why, if the whole page of the oath of office form was not intended to be signed, was such a form submitted to him for signature, thus forcing him to call attention to the fact that he crossed out the selected paragraph having to do with his relationship with subversive or Communist-dominated organizations?

I should be very happy if the Senator from Kansas would submit to the committee, or submit to the Senate now, any evidence he may have that the Secretary of the Interior himself struck anything from any oath.

I noticed in the earlier part of the Senator's speech that he referred to the fact that this oath was administered by a Justice of the Supreme Court, Justice Wiley Rutledge. It is rather difficult for me to believe that any person signing an oath which had been administered by a member of the Supreme Court of the United States would have been permitted to strike any language from the oath. The Senator from Kansas has said that he has a photostatic copy of a form which was signed. I assume that the photostatic copy shows some language stricken. That may be the case. But when Secretary Chapman appears before my committee to respond, as he has told me he is very ready and anxious to do, I shall try to find whatever evidence there may be to show who struck that language out, and whether as a matter of fact there is any evidence to show that the Secretary of the Interior did in fact strike it out.

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

Mr. O'MAHONEY. I yield.

Mr. SCHOEPPEL. Does the distinguished Senator from Wyoming mean to indicate that the photostatic copy does not show that?

Mr. O'MAHONEY. No. What I am pointing out is that the Senator from Kansas has given the clear implication that the Secretary of the Interior himself deliberately struck certain language from an oath form. I ask the Senator, Does he have any information that Mr. Oscar Chapman struck any language from the oath?

Mr. SCHOEPPEL. Mr. President, if the Senator will yield—

Mr. O'MAHONEY. Certainly.

Mr. SCHOEPPEL. I may say that a photostatic copy of the oath, taken before the distinguished Justice of the Supreme Court of the United States, bearing Mr. Chapman's signature, shows a portion of the oath clearly stricken out. I have other photostatic copies which I shall be happy indeed to turn over to the Senator from Wyoming.

Mr. O'MAHONEY. I shall be very glad to have them. But I may point out that the Senator has only restated what I have said. He has a photostatic copy of an oath form. But the clear implication of his speech was that Secretary Chapman himself struck certain language. So now I ask the Senator, Does he know who struck out that language?

Mr. SCHOEPPEL. I may say to the Senator from Wyoming that all I know is that Oscar Chapman signed that oath

before a Justice of the Supreme Court of the United States.

Mr. O'MAHONEY. Very good.

Mr. SCHOEPPEL. And it shows on the photostat that a portion of it was stricken out. I should assume that no man holding the responsible position which the Secretary holds would ever sign it if he did not authorize its being stricken out or did not see to it that it was stricken out.

Mr. O'MAHONEY. It is clear from the Senator's answer that he draws an inference, and his statement is a pure assumption. I shall try to get the evidence.

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

Mr. O'MAHONEY. I am glad to yield.

Mr. ANDERSON. I have a recollection of taking an oath of office, which was administered to me by Justice Wiley Rutledge because he had lived in my home State. I do not recall his having me make any affidavit that I did not belong to a subversive organization. If I had a signed copy of the affidavit presented to me which carried the language carried in that one, I would have stricken it out because I did not swear to it at that time. I think that subsequently there was such an affidavit presented. I want to ask the Senator from Wyoming whether, under the circumstances, if Justice Wiley Rutledge, administering the oath that he thought was proper, only asked him to swear to a certain thing, he should have signed something, then, which he had not sworn to.

Mr. O'MAHONEY. I may say to the Senator from New Mexico that I personally called the Secretary of the Interior this afternoon, after having received this copy of the Senator's mimeographed and widely distributed copy of the bill of particulars. I asked him whether he knew anything about any language having been stricken from any oath of office. He said he did not. That was his personal conversation with me over the telephone from this floor. But he told me then that he was asking the Solicitor for the Department of the Interior to make a complete file of all the oaths that had been signed. He said he would be very willing and ready to appear before any committee to answer these charges under oath. I am very happy that he did so, because I think it is quite obvious that in the remaining weeks which are ahead of us before election day there will be many charges attacking the loyalty of Democrats. But I am quite sure that the names of Republicans in public office, who could be attacked may be associated in exactly the same way for actions as innocent, will never be mentioned.

BELIEF IN RUSSIA'S GOOD FAITH PREVALENT IN WORLD WAR II

I would not have mentioned the name of the great Senator from Kansas, Mr. Capper, had it not been for the fact that it was his successor who was drawing inferences from membership in an organization to which Senator Capper belonged. I believe, with Representative

CLARE HOFFMAN—and I am now quoting Mr. HOFFMAN:

There are many organizations that people belong to that, at the time they joined, were supposed to be something different from what they afterward turned out to be.

But, Mr. President, I stood upon the Senate floor in the large Chamber from which we have been temporarily banished, when Members of the Senate on both sides rose cheering whenever the news came of a Russian victory.

At that time we believed that Russia would help, and we were sending, in accordance with the votes of all Members of the Congress, arms and munitions to the Russians to help them defeat Hitler. For myself, let me say, because I want the RECORD clear, that personally I believed it was a great mistake when the Soviets were permitted to enter the war against Japan, because I felt we already had the Japanese beaten. I did not have any confidence in the future intentions of Soviet Russia. But I did not want to say, "Now that we have had a war with Hitler, and have won it, and are winning the war with Japan, let us keep the boys in uniform and go and fight Russia," because all over this country a great call was rising to bring the boys home.

Mr. LUCAS. And to save the boys.

Mr. O'MAHONEY. Yes. I have noticed in connection with the attacks which are now being made that no thought is given to dates. When was this organization formed to which former Senator Arthur Capper allowed his name to be attached as a sponsor? It was formed at a time when, perhaps in a rather childlike mood, we were hoping that Russia would cooperate with us to establish peace.

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

Mr. O'MAHONEY. I yield.

Mr. LUCAS. Does the Senator remember what Gen. Dwight Eisenhower said in Moscow, in the presence of members of the Diplomatic Corps and high officials of Russia, that there was no reason why Russia and America could not be friends forever? That is practically what he said.

Mr. O'MAHONEY. The Senator is quite correct.

Mr. LUCAS. That is what everyone believed at that particular time.

Mr. O'MAHONEY. That, of course, is a little bit aside from the point I am now trying to make.

Mr. LUCAS. I agree with the Senator.

Mr. President, will the Senator yield further?

Mr. O'MAHONEY. I yield.

Mr. LUCAS. Does the Senator believe that there could be any politics at all in this attack upon the Secretary of the Interior at this particular time?

Mr. O'MAHONEY. Well, Mr. President, politics takes strange forms from time to time. The Senator from Illinois may be correct; there may be some politics involved.

Mr. LUCAS. I am wondering whether there might be a little politics involved in this attack. From what the Senator read a moment ago with respect

to what happened in the House of Representatives in the Eightieth Congress, I am wondering why this attack comes along at this late hour, just before the November elections. I know the Senator from Kansas [Mr. SCHOEPP] is a highly patriotic man, and he is a sort of nonpartisan. He would not do anything to the Democrats unless he had a good chance. I hope it is not politics. I thought possibly the Senator from Wyoming might comment on that point.

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

Mr. O'MAHONEY. In a moment.

It is true that Communists have pursued the policy of infiltration. It is true that they tried to mine and sap from within. It is true that they tried to take advantage of the innocence of democratic peoples and democratic governments. In Hungary they were so confident of what was going to happen that they made no campaign in connection with the election which was held there, and when, much to their surprise, they found that the Small Farmers' Party had won the election and had created a free government, the Communists resorted to their true policy and overthrew by force and violence the government which had been established by the votes of the people.

So, Mr. President, because I know that to be the fact, I say again to the Senate that it is my purpose as chairman of the Committee on Interior and Insular Affairs to go into this matter and call witnesses under oath. I asked one of the members of my staff, who was on the floor when I first found a copy of this speech, and read the statements made about Mr. Feltus, whether that man had appeared before the committee. I happened to be ill at the time the hearings on Alaskan statehood were being conducted and was not able to attend all of the hearings. I never heard of any man by the name of Feltus around the committee. But the Senator from New Mexico was good enough to preside over those hearings while I was ill, and since he is sitting here now, I ask him whether any man by the name of Feltus appeared before the committee to testify while he was acting as chairman of the committee?

Mr. ANDERSON. No one by that name appeared to testify, and no one by that name ever talked to me. I conducted the hearings from beginning to end.

Mr. O'MAHONEY. I thank the Senator.

Mr. President, I wanted Mr. BARTLETT to know what was being said about the fact that certain checks had been sent to Mr. BARTLETT and were endorsed and deposited by him, and Mr. French reported to me just a few minutes ago that Mr. BARTLETT voluntarily expressed the desire to be permitted to appear before our committee and to testify with respect to this matter Mr. Feltus as well as with respect to the funds which he may have received in connection with the campaign to bring about statehood for Hawaii and Alaska.

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

Mr. O'MAHONEY. I yield.

Mr. LUCAS. It would be reasonable to suppose that perhaps Mr. Feltus would at least get acquainted with the majority leader of the Senate with respect to Alaska and Hawaii. I want to say that the first time I ever heard the man's name was when I heard the statement made by the Senator from Kansas. So Mr. Feltus apparently does not have the influence around the Capitol that some persons attribute to him.

This is rather important, in view of the statement which I read while I was home over the week end with reference to certain Republican Senators criticizing the senior Senator from Illinois for not bringing up the Alaska and Hawaii statehood bills. There were half a dozen Republican Senators who took a pot shot at the Senator from Illinois, while he was out of reach, for his failure to bring those bills to the floor of the Senate. In view of the fact that the House is not coming back until next Monday, and will be in session next week, there may be an opportunity to vote on the bill before Congress adjourns.

Mr. O'MAHONEY. I was rather puzzled at the statement of the Senator from Kansas that he is a supporter of statehood. He feels that the Republican platform was right when it declared for statehood for Hawaii and, I think, for Alaska, and he apparently sympathizes with the purpose, but, somehow or other, he seems to want the inference drawn that the Secretary of the Interior, who advocates statehood, must be doing it for some ulterior purpose.

But that is neither here nor there. I want the Senator to know that, as chairman of the committee having jurisdiction of the subject, I shall call a hearing, shall ask for testimony, shall welcome the cooperation of the Senator from Kansas, and we shall let the chips fall where they may.

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

Mr. O'MAHONEY. I yield.

Mr. BUTLER. The name of Feltus has been brought into the debate. It is a new name to me. I am not acquainted with the gentleman; I do not know who he is or what he is; but, apparently, from the testimony given by the Senator from Kansas, he is a registered lobbyist, and no doubt has a perfect legal right to call on Senators or others who might help him in the cause for which he is working at the time. I was about to suggest that when the Senator from Wyoming calls the hearing he should have Mr. Feltus present. There may be others whom it might be well to call before the committee and examine at the same time.

While I am on my feet I should like to say something with respect to the remarks of the Senator from Illinois [Mr. LUCAS]. I know of no one on this side of the aisle who is not ready to consider the Alaska and Hawaii statehood bills at any time the Democratic Policy Committee wants to bring them up. There were no brakes put on them.

Mr. O'MAHONEY. I am very happy to hear the Senator from Nebraska make the statement. The policy committee, if I may say so in the presence of the majority leader, has not had the oppor-

tunity to consider the matter formally because of the tax bill, the one-package appropriation bill, and the McCarran antisubversive bill. As I have told the press on numerous occasions, I intend to ask the Democratic Policy Committee to make these statehood bills the unfinished business as soon as we get the pending business out of the way.

Now let me say, Mr. President, that I have asked Mr. French of our staff to make a search of the files of our committee. Mr. French was cooperating with the Senator from New Mexico [Mr. ANDERSON] and the Senator from Nebraska [Mr. BUTLER] throughout the hearings on the question of statehood for Alaska. I wanted to know whether Mr. Feltus had ever appeared before the committee, or had ever addressed any communication, either written or oral, to the committee. Mr. French has just handed me a note:

There appears no communication in the committee files from Mr. Feltus. He has never, to my knowledge, been in the committee room. I did not stop work on Alaska statehood and never heard his name mentioned until today.

That is the record of the committee, and I want to make it clear, because I desire the RECORD to show that, whatever Mr. Feltus may have done for Alaskan statehood he did nothing for the Committee on Interior and Insular Affairs of the Senate.

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

Mr. O'MAHONEY. I yield.

Mr. LUCAS. I am very grateful to the Senator from Nebraska for the position he takes on Alaskan and Hawaiian statehood. It has been my understanding that the Senator from Nebraska was one of the Senators who was absolutely opposed to the admission of these two Territories into the Union as States. I may be wrong, and if I am I hope the Senator will correct me.

Mr. BUTLER. I think my position is understood, but I am only one member on the minority side, and all of us together are still in the minority.

Mr. LUCAS. Yes. With respect to Mr. Feltus, if I may make an observation, I do not know the man. The Senator from Wyoming does not know the man. The Senator from New Mexico does not know him. However I understand that the Senator from Maine [Mr. BREWSTER] does know him from his connections with the Indonesian affair, and perhaps the Senator from Maine can testify in his behalf, because they did some work in connection with Indonesian matters, which I understand was very satisfactory.

Mr. O'MAHONEY. If the Senator from Maine will pardon me, the Senator from Colorado has asked me to yield to him, and I will yield to him now.

Mr. JOHNSON of Colorado. I wish to express my appreciation to the chairman of the Committee on Interior and Insular Affairs for the forthright statement he has made. I appreciate the fact that he will explore the matter carefully. I am very certain, knowing Mr. Oscar Chapman as well as I do, and as long as I have known him, that he will come out of the hearing with flying colors. I

have no doubt of that whatsoever. However, I appreciate the fact that this investigation will be made and made promptly, and that the matter will be cleared up. These are very serious charges, and they should be cleared up. The way to handle a matter of this kind is exactly the way the chairman of the committee is proposing to handle it. He proposes to handle it forthrightly and immediately.

Speaking about Mr. Feltus, I know Mr. Randolph Feltus quite well. He has been lobbying in Congress for some time. He has talked to me a great many times about the Indonesian situation. At a later time he appeared before some of us on behalf of Colonial Airlines when they were in some trouble with respect to losing a part of their lines or a part of their service. He appeared before the Committee on Interstate and Foreign Commerce with respect to that matter. I know Mr. Randolph Feltus quite well, and I see him quite often. At no time has he talked to me about Alaska or Hawaii, or any of the subjects which are before us at the present moment.

Mr. O'MAHONEY. I thank the Senator. I am not at all surprised by the statement he has made. I now yield to the Senator from Maine.

Mr. BREWSTER. As the majority leader has said, I have known Mr. Randolph Feltus, as the Senator from Colorado has, in connection with the Indonesian matter, in which he was very active for some time. I never had any question that he was duly accredited. I never looked into it myself. I supposed his activities were very well known, and they were very creditable so far as I was familiar with them. I think the Senator from Illinois and most of the other Senators on the majority side joined in accepting the amendment I had proposed to the ECA bill a year ago, which contemplated the achievement of independence by the people of Indonesia. That has been the very happy consummation of the activity, to the very great gratification of those familiar with the subject. I think the Senator from Colorado [Mr. JOHNSON] shared that viewpoint, as well as many other Members on the majority side of the aisle.

Mr. O'MAHONEY. Does the Senator understand that Mr. Feltus was an advocate or a lobbyist for Indonesian independence?

Mr. BREWSTER. That was my understanding. I never checked up on it. Certainly he was very active in the matter, and he is a man who is quite familiar with the ropes around Congress, so I have taken it for granted that he was, as I said, duly accredited.

Mr. O'MAHONEY. May I ask the Senator from Maine whether Mr. Feltus in conversation with him ever talked to him about statehood for Alaska?

Mr. BREWSTER. Yes; he has talked about Alaska. I did not have the privilege of hearing the discussion on the floor with respect to this subject, so I do not know what is involved. However, I have seen Mr. Feltus several times, and he has said he was active in behalf of statehood for Alaska. As I understand from the Senator from Nebraska, Mr. Feltus was a duly registered lobbyist for

statehood for Alaska. He did not talk to me particularly in persuasion. He mentioned the fact that he was representing advocates of statehood for Alaska, and doing what he could in that behalf.

Mr. O'MAHONEY. In order that the record may be clear, I ask the Senator to state whether or not he is a member of the Committee on Interior and Insular Affairs, well knowing what the answer will be.

Mr. BREWSTER. No; I am not a member of the committee.

Mr. O'MAHONEY. So Mr. Feltus in his lobbying for statehood for Alaska did not appear before the committee or speak to any of the members of the committee. The Senator from Nebraska [Mr. BUTLER] has stated that he never heard of him before. So Mr. Feltus did not try to do any work either with the advocates or opponents of Alaskan statehood who are members of the committee.

Mr. BREWSTER. I think the Senator from Wyoming is not so naive as to believe that necessarily influence is brought to bear only directly, as it would be when calls are made. Mr. Feltus is primarily a public relations man, and he achieves results by a certain amount of indirection. The Senator from Wyoming may have fallen under his general influence without his being conscious of it.

Mr. O'MAHONEY. I am afraid that if the Senator from Maine did not use the influence after his conference with Mr. Feltus I am perfectly immune.

Mr. ANDERSON. Mr. President, I do not care to detain the Senate long, but I do wish to say a few things in reference to the Alaskan statehood situation, particularly as it is outlined here. In the beginning I think Mr. Feltus may or may not have been active, but I would call attention to the fact that the Senate bill, which was a parallel bill to the House bill, was sponsored by quite a distinguished company. I say that since I was not a member of that company. However, the Senator from Tennessee [Mr. KEFAUVER] introduced it for himself and in behalf of the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DOUGLAS], the Senator from California [Mr. DOWNEY], the Senator from Iowa [Mr. GILLETTE], the Senator from North Carolina [Mr. GRAHAM], the Senator from Wyoming [Mr. HUNT], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], the Senator from Florida [Mr. PEPPER], the Senator from Alabama [Mr. SPARKMAN], the Senator from Utah [Mr. THOMAS], the Senator from Vermont [Mr. AIKEN], the former Senator from Connecticut, Mr. Baldwin, the Senator from Indiana [Mr. CAPEHART], the Senator from North Dakota [Mr. LANGER], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mrs. SMITH], and the Senator from New Hampshire [Mr. TOBEY]. I am quite sure that if Mr. Feltus was as active as has been indicated he would probably have been to see some of the gentlemen I have mentioned, but I doubt if he was.

As a matter of fact, in the hearings there were only two governors of States, as I recall, who appeared before the com-

mittee, and if they were inspired by anybody operating from the Kremlin, it is utterly impossible to believe it, because they were two extremely fine citizens, separated from one coast of the country to the other. One of them was the very distinguished Governor of California, Governor Warren. The other was the promising young Governor of New Jersey, Governor Driscoll. I am sure that if the Alaska Statehood Commission caused such men as that to appear, it was not acting under any influence that was in any way improper.

We had testimony from a number of distinguished persons, but all the way through there was never a time when, to my knowledge, at least, this man Feltus ever showed himself in the hearings. I believe that when we come to a hearing before the Committee on Interior and Insular Affairs, it may be revealed that Feltus did submit a proposal to Delegate BARTLETT some years ago, that among the clients he listed was the Indonesian Government, and that when the Statehood Commission funds were released the secretary of the Alaskan Development Board checked with the Indonesian Government, and Feltus was recommended most highly as a very decent person. Thereupon, Delegate BARTLETT and Governor Gruening hired him on behalf of the Statehood Commission. He was not hired by the Secretary of the Interior at all; he had no part in it. That was about March 25. Subsequently they found out that he had been previously retained by the Polish Government, and promptly released him. So when the committee has hearings we will be able to find out exactly what part he played.

I believe that that portion of the statement on page 12 which says "that the deal was arranged between Oscar Chapman, Secretary, and Governor Gruening" is absolutely incorrect. I have been so advised by the Secretary of the Interior, and so advised by Delegate BARTLETT, and I am sure that Governor Gruening, if he were here, would so advise me.

I regret indeed that in the statement of the Senator from Kansas some things have been said about Alaskan statehood which I think are unfortunate. In the statement there appears on page 9, this paragraph, speaking of the people of Alaska:

I wonder if they realize, too, that when they achieve statehood, under the provisions of this bill, they will, according to testimony of competent witnesses, still remain under the control of the Federal Government in the three most important industries in Alaska—salmon fishing, mining, and lumber, to say nothing of fur trapping?

I call attention to the language of the bill, subdivision (g). I shall have to refer to the pages of the printed bill as it was reported by the committee, and which is Calendar No. 1932. There it is pointed out that—

All real and personal property of the United States situated in the Territory of Alaska which is specifically used for the sole purpose of conservation and protection of the fisheries and wildlife of Alaska, under the provisions of the Alaska game law of July 1, 1943, shall be transferred and conveyed to the State of Alaska by the appropriate Federal agency.

I omitted certain citations. I could go on through the other items and show that control over mining and over timbering is not taken away from the State.

To be sure, it is true that we have an international agreement about seals and where we have international agreements, obviously the Federal Government must act, and there is a provision to that effect. That includes not only fur seals, but would probably include halibut, which we discovered had been overlooked.

I am only trying to suggest to the distinguished Senator from Kansas how badly he has been taken in by somebody. I read these words to him, reading from page 9, the bottom of the page:

I wonder if they realize—

That is, the people of Alaska—

I wonder if they realize that the area of their new State will consist of an infinitesimal percent of the total area of the present Territory of Alaska?

I may say to him that it will include 100 percent, and this is the first time I have ever known that 100 percent was an infinitesimal fraction. Somebody has been feeding our distinguished friend with an awful line of goods.

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

Mr. ANDERSON. I yield.

Mr. SCHOEPEL. Does the Senator contend that of the total area of Alaska, which is 365,000,000 acres—

Mr. ANDERSON. Three hundred and sixty-five million four hundred and eighty-one thousand acres.

Mr. SCHOEPEL. The total acreage will be granted to the State, assuming that the statehood bill shall pass?

Mr. ANDERSON. I only remind the distinguished Senator that that was not what he said in this message prepared for this afternoon—

I wonder if they realize that the area of their new State will consist of an infinitesimal percent of the total area of the present Territory of Alaska?

I submit to him that 100 percent of the present area of the Territory of Alaska, under the terms of the bill as reported by the Senate committee, would be the area of the new State.

Mr. BUTLER. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I will yield, but I should like to go on and say that the Arizona statehood bill did not grant to the State all the acreage within it. If the Senator from Arizona were on the floor he would admit that 80 percent, or nearly that, of the State of Arizona, is owned by the Federal Government. There is nothing unusual in the fact that not all the land within a Territory is granted to the people of the Territory when it becomes a State. I live in a public-land State. The distinguished Senator from Idaho lives in a public-land State. There are many public-land States in this country, and of the 365,481,600 acres in Alaska, it is true that not all of it, and not a large amount of it, is granted to the State.

Mr. BUTLER. Under the terms of the bill on the calendar a total of 21,000,000 acres, plus, or a total of 6 percent, is granted to the State.

Mr. ANDERSON. The important thing is that whoever made the suggestion to the Senator from Kansas did not inform him properly when he said that the total area of the new State would be only a fraction of the total area of the present Territory.

I could go through some other things in the statement which I should like to comment on, but I do not think I shall do so. I shall only say that there are many things in connection with this debate this afternoon which I regret.

I do not know why Mr. Straus did not sign a proper loyalty oath, if he did not, but I think the simple thing would be to ask him. I should not like to think that at some future date someone might produce the oath which I took as Secretary of Agriculture, administered to me by the same distinguished judge who administered the oath to Oscar Chapman, and because I did not swear that I did not belong to a subversive organization, find subsequently somebody trying to associate me with Alger Hiss and Lee Pressman and many other people.

I say that when the oath of office is administered today to an Undersecretary of the Interior, an Undersecretary of Agriculture or Secretary of Agriculture, or an Undersecretary of Commerce, it usually follows a short but simple form, with very few words. Perhaps subsequently another oath may be presented. How much of that the officer signs I do not know. But I do know what oath the Members of the Senate take; and if Senators will read that oath, they will find that they do not take an oath that they do not belong to a subversive organization. This is the oath a Senator takes:

I solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

I wonder if subsequently we would like to have someone point out that we did not take the nonsubversive oath in connection with that; and if so whether it was because we were afraid that we would subsequently be convicted of perjury because we belonged to some other organization? No, I think that when Secretary Chapman appears before the Committee on Interior and Insular Affairs he will be able to explain what oaths were presented to him. He will be able to explain what he has done, and the organizations to which he has belonged. I say that out of a long acquaintance with him.

Secretary Chapman, like so many people who lived originally in other sections of this country, found that his health carried him into the Rocky Mountain area, as it did me. He found that at a subsequent time he wanted to come into the State in which I lived, the State of New Mexico. He came there and attended the University of New Mexico as a student. The people who knew him there recognized him as a fine, decent, clean American, of whom they could be proud.

It is significant, Mr. President, that one of the things we are most proud of in connection with the present Secretary of the Interior is not only that he lives in the neighboring State of Colorado—we wish we could take him away from Colorado—but we are proud of the fact that he has lived in our State, and that so many of us know him.

So when it was proposed that there should be an examination of the grazing lands, and that the Taylor Grazing Act was to be passed by the Congress and an administration in furtherance of it set up in the Department of the Interior, the livestock people of my State who knew Oscar Chapman were unanimous in supporting him to be the administrator of that agency, they wanted it placed under his control in the Department of the Interior. Their faith in him was never betrayed. They found him to be a fine, a clean, a decent administrator.

Mr. President, when the word came that the Secretary of the Interior, Mr. Krug, was leaving the Department, even though I had found in him a strong personal friend, it was a matter of great joy to me when I realized that the administration of that great Department would be in the hands of Oscar Chapman. I voted for his confirmation in the Senate of the United States. I worked as hard as I could to see that he was properly received before the Senate Committee on Interior and Insular Affairs. There was, I am happy to report, no contest there. Had there been one I would have done my very best stanchly to defend him and fight for him, because I believe in him. I am not afraid to stand up and say that I am his friend.

Mr. MURRAY. Mr. President, I merely wish to join my colleagues on this side of the aisle in expressing my confidence in the integrity and patriotism of the Secretary of the Interior, Mr. Chapman, whose name was brought before the Senate a few minutes ago.

I think it is a great misfortune that we should have to go into the hearing which the Senator from Wyoming indicates we are about to have, because I know exactly what the result will be. I recall that when Mr. Chapman was before our committee for confirmation as Secretary of the Interior not very long ago, he was questioned at some considerable length at that time, and the result of that hearing was that he received the unanimous endorsement of the committee. I am sure the new hearing will establish the complete record of integrity and patriotism which he has made as a Government official.

I regret very much, also, to think that in view of the great emergency confronting us we have to devote so much of our time to wild pursuits of this kind. A short time ago I read in the newspapers about a meeting of psychiatrists held in the city of New York, and the article stated that the psychiatrists dwelt upon a phenomenon being manifested throughout the country, namely, that people are indulging in wild accusations of one another and bringing charges sometimes without a shadow of foundation. One of the psychiatrists stated that the mental condition of the American people is apparently becoming

greatly impaired; he said only a very small percentage of people in America have a completely balanced mentality. In fact, he said the United States, at the rate it is going, is gradually becoming one grand transmogrified lunatic asylum.

Mr. President, I think the matter before the Senate this afternoon justifies that conclusion. Here is a man of the highest integrity, of great ability, a man whom I believe to be one of the ablest Secretaries of the Interior the United States has ever had. Yet he is being called before the bar of a Senate committee, charged with being a possible Communist sympathizer. I regret to see these charges brought before the Senate at a time when we are facing a serious national emergency.

ATTAINMENT OF ECONOMY THROUGH TRANSFER OF EMPLOYEES

Mr. HENDRICKSON. Mr. President, in almost every speech which has been made on the floor of this Senate since June 25, some reference has been made to the Korean incident, and properly so.

Certainly it must now be obvious to all of us that this unfortunate and sorrowful event foretells a future which, to say the least, is not pleasant to think upon.

It is my considered opinion, Mr. President, that the present war in Korea marks the beginning of a period in our national history in which every man jack of us is going to be called upon for a higher degree of patriotism and ever greater personal sacrifices than we have known before.

But because our people, in their greatness, will respond to this call unselfishly and with the same heroic spirit with which they have always met our national crises down through history, their readiness to serve and give should not be taken for granted. Indeed, the knowledge that they will respond upon and beyond the call of duty, doubles and trebles the responsibilities of their duly chosen representatives and those who are administering their Government.

Thus, we of the Congress, as we call upon our people to pour out from their hard-won earnings, additional billions of dollars that we may better protect and defend their precious heritages and their property, must scrutinize with ever increasing care the unnecessary costs in all governmental functions. It is of little use that we should have a strong Defense Establishment if our internal structure is weak. It is imperative that we establish and maintain a strong economy if we are to survive.

So, Mr. President, whatever savings can be effected without jeopardizing essential services of government, those savings must be among our objectives throughout the era to which I refer.

Already, since our commitment to the war in Korea, we have observed some trends which must be curbed, otherwise the awful cost of providing our defenses will only serve to make them useless. Today, I shall not labor the Senate with a résumé of the trends I have in mind, but I do wish to treat specifically and emphatically with an outstanding example of some of the things we must

do to conserve, not only our assets but also our manpower.

Recently it was announced by the Department of Defense that some 250,000 additional civilian employees would be engaged to meet the needs of our expanded armed services.

This proposal totally ignored the fact that it might be possible to provide these employees from existing agencies of government where functions will be curtailed, either because they are nonessential or because they are not as essential as the Defense Establishment.

Mr. President, time and circumstances have not permitted me to have a complete analysis made of the number of employees in the Federal Government who could be assigned to the Defense Establishment from other governmental departments without impairing the functions and activities of those departments, but I know from long experience that in time of war, and we are at war, both Government and industry lose valuable employees to the armed services for whom there can be no replacement and somehow they find a way to carry on. So we must learn in the crisis ahead to find ways and means to conserve, even though some individuals may be inconvenienced by the doing thereof.

Mr. President, as the junior Senator from New Jersey read the notice of this planned increase of the public payroll, I wondered what the taxpaying public might be thinking and I also wondered what the reaction of the GI's in Korea would be when they heard of it.

If we expect to have the continued confidence of our citizens, if we expect their wholehearted cooperation and support, if we expect them to mobilize their efforts and their energies in the support of the things their government demands, then we too much so mobilize the programs of government that they will be completely free of such things as political patronage, payroll padding and expediency based upon purely political considerations.

I do not for a moment, Mr. President, say that additional employees will not be necessary but it seems to me that before any such announcement as that to which I have referred, is made on so broad a scale, efforts first should be made to find, through our great civil service system, where transfer can be made with advantage both to the Government and to the employee, and I am sure that this has not been done in this instance.

While we are removing the profiteers and hoarders from our midst through wage and price control, let us also at least curb to the limit those trends which would add desk warmers and drones to our already staggering Federal payrolls.

To this end, Mr. President, on behalf of myself and the Senator from Nebraska [Mr. WHERRY], I send to the desk a resolution which has for its effect the attainment of economy through the transfer of employees wherever possible, rather than the addition of new ones. Sir, I concede that this resolution is far from perfect, but certainly it is a move forward and in the right direction.

I am hopeful that the committee to which it is referred will carefully consider its worthy objectives and that as a result of their studies, will perfect it to the degree where our great Government in these perilous times may be able to save millions of dollars without impairing the efficiency of any of its operations and functions.

Mr. President, I ask that the resolution in question be appropriately referred.

The resolution (S. Res. 342) submitted by Mr. HENDRICKSON (for himself and Mr. WHERRY) was referred to the Committee on Post Office and Civil Service, as follows:

Resolved, That it is the sense of the Senate that—

(1) in carrying out the provisions of section 607 (b) of the Federal Employees Pay Act of 1945, during the fiscal year ending June 30, 1951, the Director of the Bureau of the Budget should so determine the numbers of full-time civilian employees, and the full-time equivalent of part-time employment, on the basis of the relative needs of the various departments, establishments, and agencies of the Government for personnel, that the aggregate number of such civilian employees (including the full-time equivalent of part-time employment) will not exceed the aggregate number of such employees (including the full-time equivalent of part-time employment) on June 30, 1950;

(2) vacancies authorized to be filled in the Department of Defense may be filled by the transfer of personnel from other departments, establishments, and agencies of the Government.

DEATH OF JAMES E. FRASER, SPEAKER OF THE NEW JERSEY HOUSE OF ASSEMBLY

Mr. HENDRICKSON. Mr. President, last week the State of New Jersey lost one of its outstanding legislators and one of the Nation's most prominent sportsmen in the untimely passing, at the age of 34, of James E. Fraser, speaker of the New Jersey House of Assembly. He was a native of Atlantic County, the county he so ably represented in the New Jersey Assembly since 1946. His friendly spirit and keen appreciation of his fellow citizens' needs earned for him the high honors he attained in such a relatively short period in public life. Although afflicted with an incurable and ravaging disease, he possessed the indomitable courage and almost superhuman will to exert himself in the interests of his people and to earn the great honors bestowed upon him by the great State of New Jersey. As a member of the War Manpower Commission in 1942, vice president of the Professional Golfers Association, and president of the Atlantic County Cancer Fund, he was ever willing and able to do his bit to make this a better world to live in. He has left behind him a splendid record as a legislator and public servant, which will serve as an inspiration to the youth of my State and the youth of the Nation. Truly, Sonny Fraser, as he was affectionately known to thousands throughout the Nation, gave his all, physically handicapped as he was, to be of service to his fellow men.

UNITED STATES-RUSSIAN RELATIONS; COALITION GOVERNMENTS

Mr. BREWSTER. Mr. President, I am sorry to detain the distinguished acting

majority leader and the Presiding Officer, who have listened with such patience and diligence and understanding. Our troops on each side of the aisle seem to be somewhat depleted at this hour; but there is no one who could more intelligently understand the matter to which I wish to address myself briefly, than they.

I wish first to read a quotation, and then to make a comment upon it. The quotation is as follows:

It seems that the people of America will, in some form or other, extend their dominion and their power until they shall have brought within their mighty embrace multitudes of the islands of the great Pacific.

And I think too that eastward and southward will her great rival in future aggrandizement (Russia) stretch forth her power to the coasts of China and Siam; and thus the Saxon and Cossacks will meet once more, in strife or friendship on another field.

Will it be friendship? I fear not.

The antagonistic exponents of freedom and absolutism must then meet at last, and then will be fought that mighty battle on which the world will look with breathless interest.

On its issues will depend the freedom or the slavery of the world—despotism or rational liberty must be the fate of civilized man.

The foregoing quotation comes from the remarks of a naval officer, made before the American Geographical Society. The name of the officer is Commodore Matthew Calbraith Perry, United States Navy; and the speech was made on March 6, 1856.

Mr. President, it is, to me, very interesting that at that time, nearly a century ago, there was foreseen with prophetic vision the situation which now seems to loom ever menacingly on the horizon. I am sure all will agree that America faces another of the great challenges of her career.

In meeting that crisis, as crises have been met on other occasions, all Americans are naturally concerned.

Under the Anglo-Saxon parliamentary system of Britain, the British have been accustomed to adopt a coalition government, by which the leaders of each party in Parliament have joined together in the Government, as was done under the leadership of Lloyd George and under the leadership of Winston Churchill.

Here in the United States, during the last war, we tried a tentative experiment of that character, when President Roosevelt very magnanimously invited Mr. Knox and Mr. Stimson to his Cabinet—one a defeated candidate for Vice President in 1936, the other a distinguished Cabinet officer under several Republican administrations.

I think it is not well suited to the genius of our institutions, since, contrary to the parliamentary practice in Britain, these men are necessarily subject to some doubts as to their representative character.

We now have John Foster Dulles and John Cooper, former Senators, associated in some degree with the present administration. I think it will be no disparagement of the distinguished service or merits of the four gentlemen I have named, to recognize that in some measure they come to their colleagues on the Republican side somewhat suspect. They

have been selected by a President in the due exercise of his power; and they have been given a great office, with high honors and prestige; and they owe some obligations of personal, political character which we recognize. On the other hand, they are members of a great political party. So, they are constantly torn between two contending loyalties, if we may use the term without derogation of the common loyalty which all of us owe to the Constitution and to the Government of the United States.

As I have observed this matter in the experience of the last war and in the crisis into which we are now so obviously moving, it has more and more come home to me that there is a method by which this coalition may be achieved under our democratic form of government—although I prefer to use the words republican form of government, since our Constitution guarantees a republican form of government. So, if I may, I prefer to refer to it as the republican form of government.

Mr. President, we recognize that Democrats, as well as Republicans, go to war. We recognize that Democrats, as well as Republicans, pay taxes. We recognize that Democrats, as well as Republicans, endure all the dislocations to our economy incident to a great crisis of this character. But as I have contemplated the genius of our institutions—and we may draw an illustration from our rather recent experience—a coalition in government, which is the strength of the Anglo-Saxon concept, may be achieved very readily under our particular constitutional form, if the great electorate of America should decide this November to elect a Republican Congress to cooperate with a Democratic President, who necessarily will be in office during the next 2 years. The suggestion that we should not swap horses while crossing the stream does not apply, since the President is not at the present time challenged.

I point back to 1947 and 1948 when we had such an association, and when the Marshall plan was conceived and began to function, when the ECA was brought into being, when Greek and Turkish aid was initiated, when the European arms aid program was conceived, under the initial suggestion of the Senator from Michigan [Mr. VANDENBERG], the chairman of the Foreign Relations Committee. All of those programs, we recognize, in varying degrees have served the interests of this country, certainly to deter for the present difficulties in Europe which are so obviously apparent in Asia. Meanwhile, in Asia, the very contrary has been the case, as I think is generally accepted. There has been little or no consultation in the formulation of policy in the Orient with the representatives of the minority party in the Government, and certainly the results are not such as to commend themselves to a furtherance of that program.

Mr. President, what I am about to say may of course be subject to the suggestion of political or partisan consideration, but I offer it in all earnestness, as a sober and serious expression and I do so now because I may not be able to appear

again before the Senate shall adjourn or recess, on account of my imminent departure for the meetings of the Inter-Parliamentary Union, in Dublin. I express the hope that as we move into the complete mobilization of our resources, material and human, and recognize that we are possibly settling down for a long grind for the next 5 or 10 years, and face the sacrifices which are necessary, the American people will attain the degree of cooperation which has always been achieved by Americans in periods such as this.

I am somewhat reassured in making the proposal here tonight because of the three distinguished Members of the majority on whom I am looking, none of whom will be immediately involved in the proposal which I am now making, which I think presents what I hope may be considerations that may move the people of America in the challenging problems which we now face.

Mr. O'MAHONEY. Mr. President, the Senator from Maine has made a very stimulating suggestion. I listen to him now, as always, with a great deal of interest, because his thoughts are clear and he expresses himself very forcefully and lucidly. I was a little surprised, therefore, to have him say that John Foster Dulles, formerly a Member of the Senate, and John Sherman Cooper, a former Member of the Senate, both Republicans, are now a little bit suspect because they have taken office under a Democratic administration. I am sure the Senator did not mean it exactly that way. The Senator is well aware that when the opportunity was afforded to select an ambassador to the United Nations, the President of the United States chose another former Senator, a Republican, our distinguished friend, with whom both the Senators from Maine and I were associated for many years, the Honorable Warren R. Austin, then Senator from Vermont.

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

Mr. O'MAHONEY. I yield.

Mr. BREWSTER. I would call attention to the distinction that Senator Austin went as a Member of the Senate, from which he retired in accepting it. My comment on Mr. Dulles and Mr. Cooper. I was quite careful to say, was not at all disparaging to their merits or to their loyalties. But any man accepting an appointment of that character, particularly when he does not occupy an office within the suffrage of his party, has a divided and dual allegiance, which does present some problems. I am sure these gentlemen themselves have all recognized it in their discussions with us, which we have had in recent months, as did Mr. Knox and Mr. Stimson. So this is only a somewhat academic discussion, although it might have implications.

Mr. O'MAHONEY. Yes. I am aware of the fact that Mr. Stimson and Mr. Knox were condemned by members of their own party for having accepted the very high trust which was reposed in them by the President of the United States, and which was discharged by each, I may say, with the greatest fidelity. Senator Austin, likewise, has

discharged the duties of his very responsible position with great ability and complete loyalty to basic American principles. I think we can all be proud of the part Senator Austin has played the part that former Senator Dulles and former Senator Cooper have played, and the part that was played by Secretary Stimson and Secretary Knox before them.

I think it is a great pity that there should be a suggestion of suspicion against a man belonging to one party accepting an appointment at the hands of the President of another party when a great crisis faces the Government.

The difficulty here, Mr. President, as I see it lies in the fact that the division of opinion with respect to foreign policy really is independent of the old conditions which brought forth the Democrat and the Republican Parties. There is division on both sides with respect to the Marshall plan, so-called, or ECA. Republicans criticize it. Democrats criticize it. But the opinion of most of the people of the United States, I am sure, is that we should extend economic aid toward the rehabilitation of Europe in the hope of preventing a disastrous and world-shaking third world war, by building up better standards of living for the people everywhere.

With respect to whether we should concentrate first on Europe or first upon Asia, or whether we should undertake to carry on this policy in both hemispheres, that raises a question which has no partisan or political relationship at all, it seems to me, as to how far we can venture to extend our economic assistance. I have looked with favor upon the policy which was designed to promote economic strength elsewhere for the purpose of giving more muscle to the arms of freemen, wherever they may be, and whatever their race. That is one of the reasons why I have supported in this crisis the concept of statehood for Hawaii, the concept of statehood for Alaska. I have believed that in both instances the statehood bills, if enacted, will convey a message of hope and cooperation to peoples throughout the world.

But, Mr. President, a discussion such as the Senator from Maine has just made always stimulates one to make some comment. It is now getting on to 9 o'clock.

Mr. BREWSTER. Mr. President, will the Senator permit one word more?

Mr. O'MAHONEY. Yes, indeed.

Mr. BREWSTER. I was much interested in the comparison between Asia and Europe. I hope the Senator from Wyoming will agree that heretofore the policy of America for many years has been that of the open door in China, and that we really fought World War II as a result of Secretary Hull's resolute refusal to recognize the Japanese domination of China. That was the real economic cause, as we developed in the Pearl Harbor investigation. The whole philosophy of that policy was that no power—Asiatic, European, or American—should dominate China. In the past 5 years I am sure the Senator will agree with me it looks as though that policy had entirely been dissipated as a result

of recent policies, without discussing their wisdom, to the effect that Russia is certainly the dominant influence in China, that the open door is closed, that our policy of 50 years, from John Hay to Theodore Roosevelt and Cordell Hull, right down through, is gone, and that what we are going to do to redress the balance, only the future can say in this crisis.

Mr. O'MAHONEY. That is the result of the development of our times. Great powers have been disappearing. Only two great powers now remain, Soviet Russia and the United States. The Soviets are operating upon the totalitarian theory of arbitrary dictatorship. We are operating upon the Democratic-Republican theory of free individuals who control their government instead of being controlled by any dictators who may take over such a government. I do not think that anyone who gives serious thought to what has been going on in the United States and what the policy of the Government has been, with the support of the Senate and of the House, feels that there is anywhere in the United States any significant movement for the establishment of totalitarian theories in this country. I think the people of America must realize that, without respect to partisanship, we the people of the United States, in office and out of office, are dedicated to the principle of popular sovereignty, and that we are working toward that end.

EXECUTIVE MESSAGE REFERRED

As in executive session,
The PRESIDING OFFICER (Mr. HOEY in the chair) laid before the Senate a message from the President of the United States submitting the nomination of Stephen E. Rice, of Florida, to be a judge of the Tax Court of the United States, vice William W. Arnold, resigned, which was referred to the Committee on Finance.

RECESS

Mr. O'MAHONEY. Mr. President, I move that, in accordance with the order previously entered, the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 8 o'clock and 51 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Wednesday, September 6, 1950, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate, September 5 (legislative day of July 20), 1950:

TAX COURT OF THE UNITED STATES

Stephen E. Rice, of Florida, to be a judge of the Tax Court of the United States, for the unexpired term of 12 years from June 2, 1944, vice William W. Arnold, resigned.

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 5, 1950

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. WALTER.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty and eternal God, who hast been our guide and companion, our refuge and strength, in all our yesterdays, may the memory of Thy great goodness inspire us to enter faithfully and courageously upon the tasks and duties of each new day.

Fortify us against those specters of fear and faithlessness which haunt and assail us when our minds are baffled and our hearts are burdened. Grant that we may seek more eagerly the counsel of Thy divine wisdom and the consolation of Thy love when we are tempted to surrender to cynicism and despair.

Show us how our beloved country, so richly endowed by Thy grace, may be the glorious channel through which there shall flow, as a mighty stream, the blessings of freedom for the oppressed, enlightenment for all who walk in darkness, and joy and hope for the weary and heavy laden.

We offer our prayers of praise and petition through the merits and mediation of our blessed Lord and Saviour. Amen.

The Journal of the proceedings of Friday, September 1, 1950, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, 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. 8920. An act to reduce excise taxes, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GEORGE, Mr. CONNALLY, Mr. BYRD, Mr. MILLIKIN, and Mr. TAFT to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 3905) entitled "An act to amend section 3121 of the Internal Revenue Code, disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GEORGE, Mr. BYRD, Mr. JOHNSON of Colorado, Mr. MILLIKIN, and Mr. TAFT to be conferees on the part of the Senate.

The message also announced that the Senate had adopted the following resolution (S. Res. 341):

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. ALFRED L. BULWINKLE, late a Representative from the State of North Carolina.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now take a recess until 12 noon Tuesday, September 5, 1950.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following message from the Clerk of the House:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,

Washington, D. C., September 1, 1950.

The honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to the authority granted on September 1, 1950, the Clerk received today from the Secretary of the Senate the following message:

That the Senate agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9176) entitled "An act to establish a system of priorities and allocations for materials and facilities, authorize the requisitioning thereof, provide financial assistance for expansion of productive capacity and supply, strengthen controls over credit, regulate speculation on commodity exchanges, and by these measures facilitate the production of goods and services necessary for the national security, and for other purposes"; and

That the Senate agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8594) entitled "An act to provide for the acquisition, construction, expansion, rehabilitation, conversion, and joint utilization of facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States, and for other purposes"; and

That the Senate agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 192) entitled "An act to confer jurisdiction on the courts of the State of New York with respect to civil actions between Indians or to which Indians are parties"; and

That the Senate agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2822) entitled "An act to amend the Federal Deposit Insurance Act (U. S. C., title 12, sec. 264)"; and

That the Senate agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4029) entitled "An act to amend the Selective Service Act of 1948, as amended, so as to provide for special registration, classification, and induction of certain medical, dental, and allied specialist categories, and for other purposes."

Very truly yours,

RALPH R. ROBERTS,
By H. H. MORRIS,
Clerk of the House of Representatives.

ENROLLED BILLS SIGNED

Mrs. NORTON, from the Committee on House Administration, reported that that committee had on September 1, 1950, examined and found truly enrolled bills of the House of the following titles:

H. R. 8594. An act to provide for the acquisition, construction, expansion, rehabilitation, conversion, and joint utilization of facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States, and for other purposes; and

H. R. 9176. An act to establish a system of priorities and allocations for materials

and facilities, authorize the requisitioning thereof, provide financial assistance for expansion of productive capacity and supply, provide for price and wage stabilization, provide for the settlement of labor disputes, strengthen controls over credit, and by these measures facilitate the production of goods and services necessary for the national security, and for other purposes.

SIGNING OF ENROLLED BILLS

The SPEAKER pro tempore. Pursuant to the authority granted to the Speaker on Friday, September 1, 1950, he did, on that date, sign the following enrolled bill of the House:

H. R. 9176. An act to establish a system of priorities and allocations for materials and facilities, authorize the requisitioning thereof, provide financial assistance for expansion of productive capacity and supply, provide for price and wage stabilization, provide for the settlement of labor disputes, strengthen controls over credit, and by these measures facilitate the production of goods and services necessary for the national security, and for other purposes.

Pursuant to the authority granted to the Speaker pro tempore on Friday, September 1, 1950, he did, on Saturday, September 2, 1950, sign the following enrolled bill of the House:

H. R. 8594. An act to provide for the acquisition, construction, expansion, rehabilitation, conversion, and joint utilization of facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States, and for other purposes.

And the following enrolled bills of the Senate:

S. 192. An act to confer jurisdiction on the courts of the State of New York with respect to civil actions between Indians or to which Indians are parties;

S. 868. An act to provide for the dissemination of technological, scientific, and engineering information to American business and industry, and for other purposes;

S. 1838. An act to amend title 28 of the United States Code relating to fees of United States marshals;

S. 3409. An act to establish a new Grand Teton National Park in the States of Wyoming, and for other purposes;

S. 3959. An act to amend the Federal Property and Administrative Services Act of 1949, and for other purposes;

S. 3995. An act to amend the Civil Aeronautics Act of 1938, as amended, to authorize the Civil Aeronautics Board and the Secretary of Commerce to undertake security measures relative to the regulation and control of air commerce, and for other purposes;

S. 4029. An act to amend the Selective Service Act of 1948, as amended, so as to provide for special registration, classification, and induction of certain medical, dental, and allied specialist categories, and for other purposes; and

S. 4071. An act to provide allowances for dependents of enlisted members of the uniformed services, to suspend certain provisions of the Career Compensation Act of 1949, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mrs. NORTON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and a joint resolution of the House of the following titles:

On August 25, 1950:

H. R. 7786. An act making appropriations for the support of the Government for the

fiscal year ending June 30, 1951, and for other purposes.

On September 2, 1950:

H. R. 8594. An act to provide for the acquisition, construction, expansion, rehabilitation, conversion, and joint utilization of facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States, and for other purposes; and

H. J. Res. 385. An act to provide for the acceptance on behalf of the United States of a memorial plaque to the memory of Stephen Collins Foster, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 12 o'clock and 4 minutes p. m.), under its previous order, the House adjourned until Friday, September 8, 1950, at 12 o'clock noon.

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. BECKWORTH: Committee on Interstate and Foreign Commerce. S. 450. To amend the Civil Aeronautics Act of 1938, as amended, by providing for the delegation of certain authority of the Administrator, and for other purposes; with amendment (Rept. No. 3047). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORRIS: Committee on Public Lands. H. R. 8853. A bill to promote the rehabilitation of the Papago Tribe of Indians and a better utilization of the resources of the Papago Tribe, and for other purposes; with amendment (Rept. No. 3048). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HOBBES:

H. J. Res. 538. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. NIXON:

H. J. Res. 539. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the World Transportation Fair, to be held at Arcadia in Los Angeles County, Calif., to be admitted without payment of tariff, and for other purposes; to the Committee on Ways and Means.

By Mr. DAWSON:

H. Con. Res. 284. Concurrent resolution authorizing the printing of the symposium entitled "Executive Reorganization" as a House document, and providing for additional copies thereof; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANDERSON of California:

H. R. 9621. A bill for the relief of Anastasia Mantel; to the Committee on the Judiciary.

By Mr. MANSFIELD:

H. R. 9622. A bill for the relief of St. Patrick Hospital and the Western Montana Clinic; to the Committee on the Judiciary.