a. m. tomorrow, with the understanding that the Senator from Nevada will have exercised his privilege of making his first speech on the conference report now before the Senate.

Mr. MALONE. Mr. President, I am now making my first speech on the motion to recommit, and with that understanding that I shall have completed my first speech on the motion to recommit, I would be very happy to give my consent.

The VICE PRESIDENT. The motion to recommit is the pending question. The Senator from Oklahoma asks unanimous consent that the Senate stand in recess until 11 o'clock a. m., with the understanding that the Senator from Nevada will then begin his first speech.

Mr. KERR. No, Mr. President, with the understanding that the Senator from Nevada will have made his first speech.

Mr. MALONE. On the motion to recommit?

Mr. KERR. On the motion to recommit; and that it will be considered that he has made his first speech.

The VICE PRESIDENT. The Chair will modify his statement. He misunderstood the Senator from Oklahoma. The Senator from Oklahoma asks that the Senate stand in recess until 11 o'clock tomorrow, with the understanding that, upon taking a recess, the Senator from Nevada will have completed his first speech on the motion to recommit. That is the way the Senator from Oklahoma stated it. Is there objection? The Chair hears none, and the Senate will stand in recess until 11 o'clock a. m. tomorrow.

Thereupon (at 10 o'clock and 54 minutes p. m.) the Senate took a recess until tomorrow, Thursday, September 21, 1950, at 11 o'clock a. m.

NOMINATION

Executive nomination received by the Senate September 20 (legislative day of July 20), 1950:

COLLECTOR OF CUSTOMS

Albert H. Kleffman of Hibbing, Minn., to be collector of customs for customs collection district No. 35, with headquarters at Minneapolis, Minn., in place of Viena P. Johnson.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 20 (legislative day of July 20), 1950:

DEPARTMENT OF DEFENSE

George C. Marshall, of Virginia, to be Secretary of Defense.

COLLECTOR OF INTERNAL REVENUE

Harold A. Lockhart, to be collector of internal revenue for the sixth district of Missouri.

IN THE ARMY

APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES

Gen. Omar Nelson Bradley, United States Army, to be General of the Army in the Regular Army of the United States, under the provisions of an act of Congress approved September 18, 1950.

UNITED STATES AIR FORCE

The nominations of Maurice Robert Holt et al., for promotion in the United States Air Force, which were confirmed today were received by the Senate on September 18, 1950, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date, under the caption "Nominations," beginning with the name of Maurice Robert Holt, which appears on page 15026, and ending with the name of Mary Louise Sutton, which appears on 15027.

HOUSE OF REPRESENTATIVES

WEDNESDAY, SEPTEMBER 20, 1950

The House met at 11 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal God, our Father, we pray that Thou wilt daily illumine our minds and hearts with Thy divine light and share with us Thy divine wisdom.

May we enter upon each new day with a calm and courageous spirit and a glorious vision of a better world. In all our plans and purposes, in all our deliberations and decisions may we endeavor to blend our wills with Thine, lest the vision fade and we wander in darkness.

Inspire us with an earnest longing to build the social order upon the principles of justice and righteousness.

Grant that sentiments of friendship and brotherhood may permeate the life of all the members of the human family. May these sentiments become more natural, more impartial, and more powerful.

In Christ's name we pray. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Woodruff, its enrolling clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 5731. An act to discharge a fiduciary obligation to Iran; and

H. R. 8396. An act to authorize Federal assistance to States and local governments in major disasters, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1507. An act to amend section 10 of the act of August 2, 1946, relating to the receipt of pay, allowances, travel, or other expenses while drawing a pension, disability allowance, disability compensation, or retired pay, and for other purposes; and

S. 2028. An act to permit the Board of Education of the District of Columbia to participate in the foreign teacher exchange program in cooperation with the United States Office of Education.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 2195) entitled "An act to authorize the Palisades Dam and Reservoir project, to authorize the north side pumping division and related works, to provide for the disposition of reserved space in American Falls Reservoir, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. O'MAHONEY, Mr. MURRAY, Mr. MCFARLAND, Mr. CORDON, and Mr. ECTON to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6319) entitled "An act to authorize a $100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation."

The message also announced that the Senate having proceeded to reconsider the bill (H. R. 6217) entitled "An act to provide greater security for veterans of the Spanish-American War, including the Boxer Rebellion and Philippine Insurrection, in the granting of out-patient treatment by the Veterans' Administration," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, and passed by the House of Representatives on reconsideration of the same, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

INTERNAL SECURITY ACT OF 1950

Mr. WOOD. Mr. Speaker, I call up the conference report on the bill (H. R. 9490) to protect the United States against certain un-American and subversive activities by requiring registration of Communist organizations, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 3112)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9490) to protect the United States against certain un-American and subversive activities by requiring registration of Communist organizations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That this Act may be cited as the 'Internal Security Act of 1950'.

"TITLE I—SUBVERSIVE ACTIVITIES CONTROL

"SECTION 1. (a) This title may be cited as the 'Subversive Activities Control Act of 1950'.

"(b) Nothing in this 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 no regulation shall be promulgated hereunder having that effect.

"NECESSITY FOR LEGISLATION

"SEC. 2. As a result of evidence adduced before various committees of the Senate and

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House of Representatives, the Congress hereby finds that—

"(1) There exists a world Communist movement which, in its origins, its development, and its present practice, is a worldwide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a world-wide Communist organization.

"(2) The establishment of a totalitarian dictatorship in any country results in the suppression of all opposition to the party in power, the subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic of a representative form of government, such as freedom of speech, of the press, of assembly, and of religious worship, and results in the maintenance of control over the people through fear, terrorism, and brutality.

"(3) The system of government known as a totalitarian dictatorship is characterized by the existence of a single political party, organized on a dictatorial basis, and by substantial identity between such party and its policies and the government and governmental policies of the country in which it exists.

"(4) The direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country.

"(5) The Communist dictatorship of such foreign country, in exercising such direction and control and in furthering the purposes of the world Communist movement, establishes or causes the establishment of, and utilizes, in various countries, action organizations which are not free and independent organizations, but are sections of a worldwide Communist organization and are controlled, directed, and subject to the discipline of the Communist dictatorship of such foreign country.

"(6) The Communist action organizations so established and utilized in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments by any available means, including force if necessary, and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship. Although such organizations usually designate themselves as political parties, they are in fact constituent elements of the world-wide Communist movement and promote the objectives of such movement by conspiratorial and coercive tactics, instead of through the democratic processes of a free elective system or through the freedom-preserving means employed by a political party which operates as an agency by which people govern themselves.

"(7) In carrying on the activities referred to in paragraph (6), such Communist organizations in various countries are organized on a secret, conspiratorial basis and operate to a substantial extent through organizations, commonly known as 'Communist fronts', which in most instances are created and maintained, or used, in such manner as to conceal the facts as to their true character and purposes and their membership. One result of this method of operation is that such affiliated organizations are able to obtain financial and other support from persons who would not extend such support if they knew the true purposes of, and the actual nature of the control and influence exerted upon, such 'Communist fronts.'

"(8) Due to the nature and scope of the world Communist movement, with the existence of affiliated constituent elements working toward common objectives in various countries of the world, travel of Communist members, representatives, and agents from country to country facilitates communication and is a prerequisite for the carrying on of activities to further the purposes of the Communist movement.

"(9) In the United States those individuals who knowingly and willfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement.

"(10) In pursuance of communism's stated objectives, the most powerful existing Communist dictatorship has, by the methods referred to above, already caused the establishment in numerous foreign countries of Communist totalitarian dictatorships, and threatens to establish similar dictatorships in still other countries.

"(11) The agents of communism have devised clever and ruthless espionage and sabotage tactics which are carried out in many instances in form or manner successfully evasive of existing law.

"(12) The Communist network in the United States is inspired and controlled in large part by foreign agents who are sent into the United States ostensibly as attachés of foreign legations, affiliates of international organizations, members of trading commissions, and in similar capacities, but who use their diplomatic or semidiplomatic status as a shield behind which to engage in activities prejudicial to the public security.

"(13) There are, under our present immigration laws, numerous aliens who have been found to be deportable, many of whom are in the subversive, criminal, or immoral classes who are free to roam the country at will without supervision or control.

"(14) One device for infiltration by Communists is by procuring naturalization for disloyal aliens who use their citizenship as a badge for admission into the fabric of our society.

"(15) The Communist movement in the United States is an organization numbering thousands of adherents, rigidly and ruthlessly disciplined. Awaiting and seeking to advance a moment when the United States may be so far extended by foreign engagements, so far divided in counsel, or so far in industrial or financial straits, that overthrow of the Government of the United States by force and violence may seem possible of achievement, it seeks converts far and wide by an extensive system of schooling and indoctrination. Such preparations by Communist organizations in other countries have aided in supplanting existing governments. The Communist organization in the United States, pursuing its stated objectives, the recent successes of Communist methods in other countries, and the nature and control of the world Communist movement itself, present a clear and present danger to the security of the United States and to the existence of free American institutions, and make it necessary that Congress, in order to provide for the common defense, to preserve the sovereignty of the United States as an independent nation, and to guarantee to each State a republican form of government, enact appropriate legislation recognizing the existence of such world-wide conspiracy and designed to prevent it from accomplishing its purpose in the United States.

"DEFINITIONS

"SEC. 3. For the purposes of this title—

"(1) The term 'person' means an individual or an organization.

"(2) The term 'organization' means an organization, corporation, company, partnership, association, trust, foundation, or fund; and includes a group of persons, whether or not incorporated, permanently or temporarily associated together for joint action on any subject or subjects.

"(3) The term 'Communist-action organization' means—

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

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

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

"(5) The term 'Communist organization' means a Communist-action organization or a Communist-front organization.

"(6) The term 'to contribute funds or services' includes the rendering of any personal service and the making of any gift, subscription, loan, advance, or deposit, of money or of anything of value, and also the making of any contract, promise, or agreement to contribute funds or services, whether or not legally enforcible.

"(7) The term 'facility' means any plant, factory or other manufacturing, producing or service establishment, airport, airport facility, vessel, pier, water-front facility, mine, railroad, public utility, laboratory, station, or other establishment or facility, or any part, division, or department of any of the foregoing. The term 'defense facility' means any facility designated and proclaimed by the Secretary of Defense pursuant to section 5 (b) of this title and included on the list published and currently in effect under such subsection, and which is in compliance with the provisions of such subsection respecting the posting of notice of such designation.

"(8) The term 'publication' means any circular, newspaper, periodical, pamphlet, book, letter, post card, leaflet, or other publication.

"(9) The term 'United States', when used in a geographical sense, includes the several States, Territories, and possessions of the United States, the District of Columbia, and the Canal Zone.

"(10) The term 'interstate or foreign commerce' means trade, traffic, commerce, transportation, or communication (A) between any State, Territory, or possession of the United States (including the Canal Zone), or the District of Columbia, and any place outside thereof, or (B) within any Territory or possession of the United States (including the Canal Zone), or within the District of Columbia.

"(11) The term 'Board' means the Subversive Activities Control Board created by section 12 of this title.

"(12) The term 'final order of the Board' means an order issued by the Board under section 13 of this title, which has become final as provided in section 14 of this title.

"(13) The term 'advocates' includes advises, recommends, furthers by overt act, and admits belief in; and the giving, loaning, or promising of support or of money or anything of value to be used for advocating any doctrine shall be deemed to constitute the advocating of such doctrine.

"(14) The term 'world communism' means a revolutionary movement, the purpose of which is to establish eventually a Communist totalitarian dictatorship in any or all the countries of the world through the medium of an internationally coordinated Communist movement.

"(15) The terms 'totalitarian dictatorship' and 'totalitarianism' mean and refer to systems of government not representative in fact, characterized by (A) the existence of a single political party, organized on a dictatorial basis, with so close an identity between such party and its policies and the governmental policies of the country in which it exists, that the party and the government constitute an indistinguishable unit, and (B) the forcible suppression of opposition to such party.

"(16) The term 'doctrine' includes, but is not limited to, policies, practices, purposes, aims, or procedures.

"(17) The giving, loaning, or promising of support or of money or any other thing of value for any purpose to any organization shall be conclusively presumed to constitute affiliation therewith; but nothing in this paragraph shall be construed as an exclusive definition of affiliation.

"(18) 'Advocating the economic, international, and governmental doctrines of world communism' means advocating the establishment of a totalitarian Communist dictatorship in any or all of the countries of the world through the medium of an internationally coordinated Communist movement.

"(19) 'Advocating the economic and governmental doctrines of any other form of totalitarianism' means advocating the establishment of totalitarianism (other than world communism) and includes, but is not limited to, advocating the economic and governmental doctrines of fascism and nazism.

"CERTAIN PROHIBITED ACTS

"SEC. 4. (a) It shall be unlawful for any person knowingly to combine, conspire, or agree with any other person to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship, as defined in paragraph (15) of section 3 of this title, 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: *Provided, however,* That this subsection shall not apply to the proposal of a constitutional amendment.

"(b) It shall be unlawful for any officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, to communicate in any manner or by any means, to any other person whom such officer or employee knows or has reason to believe to be an agent or representative of any foreign government or an officer or member of any Communist organization as defined in paragraph (5) of section 3 of this title, any information of a kind which shall have been classified by the President (or by the head of any such department, agency, or corporation with the approval of the President) as affecting the security of the United States, knowing or having reason to know that such information has been so classified, unless such officer or employee shall have been specifically authorized by the President, or by the head of the department, agency, or corporation by which this officer or employee is employed, to make such disclosure of such information.

"(c) It shall be unlawful for any agent or representative of any foreign government, or any officer or member of any Communist organization as defined in paragraph (5) of section 3 of this title, knowingly to obtain or receive, or attempt to obtain or receive, directly or indirectly, from any officer or employee of the United States or of any department or agency thereof or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, any information of a kind which shall have been classified by the President (or by the head of any such department, agency, or corporation with the approval of the President) as affecting the security of the United States, unless special authorization for such communication shall first have been obtained from the head of the department, agency, or corporation having custody of or control over such information.

"(d) Any person who violates any provision of this section shall, upon conviction thereof, be punished by a fine of not more than $10,000, or imprisonment for not more than ten years, or by both such fine and such imprisonment, and shall, moreover, be thereafter ineligible to hold any office, or place of honor, profit, or trust created by the Constitution or laws of the United States.

"(e) Any person may be prosecuted, tried, and punished for any violation of this section at any time within ten years after the commission of such offense, notwithstanding the provisions of any other statute of limitations: *Provided,* That if at the time of the commission of the offense such person is an officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, such person may be prosecuted, tried, and punished for any violation of this section at any time within ten years after such person has ceased to be employed as such officer or employee.

"(f) Neither the holding of office nor membership in any Communist organization by any person shall constitute per se a violation of subsection (a) or subsection (c) of this section or of any other criminal statute. The fact of the registration of any person under section 7 or section 8 of this title as an officer or member of any Communist organization shall not be received in evidence against such person in any prosecution for any alleged violation of subsection (a) or subsection (c) of this section or for any alleged violation of any other criminal statute.

"EMPLOYMENT OF MEMBERS OF COMMUNIST ORGANIZATIONS

"SEC. 5. (a) When a Communist organization, as defined in paragraph (5) of section 3 of this title, is registered or there is in effect a final order of the Board requiring such organization to register, it shall be unlawful—

"(1) For any member of such organization, with knowledge or notice that such organization is so registered or that such order has become final—

"(A) in seeking, accepting, or holding any nonelective office or employment under the United States, to conceal or fail to disclose the fact that he is a member of such organization; or

"(B) to hold any nonelective office or employment under the United States; or

"(C) in seeking, accepting, or holding employment in any defense facility, to conceal or fail to disclose the fact that he is a member of such organization; or

"(D) if such organization is a Communist-action organization, to engage in any employment in any defense facility.

"(2) For any officer or employee of the United States or of any defense facility, with knowledge or notice that such organization is so registered or that such order has become final—

"(A) to contribute funds or services to such organization; or

"(B) to advise, counsel or urge any person, with knowledge or notice that such person is a member of such organization, to perform, or to omit to perform, any act if such act or omission would constitute a violation of any provision of subparagraph (1) of this subsection.

"(b) The Secretary of Defense is authorized and directed to designate and proclaim, and from time to time revise, a list of facilities, as defined in paragraph (7) of section 3 of this title, with respect to the operation of which he finds and determines that the security of the United States requires the application of the provisions of subsection (a) of this section. The Secretary shall cause such list as designated and proclaimed, or any revision thereof, to be promptly published in the Federal Register, and shall promptly notify the management of any facility so listed; whereupon such management shall immediately post conspicuously, and thereafter while so listed keep posted, notice of such designation in such form and in such place or places as to give reasonable notice thereof to all employees of, and to all applicants for employment in, such facility.

"(c) As used in this section, the term 'member' shall not include any individual whose name has not been made public because of the prohibition contained in section 9 (b) of this title.

"DENIAL OF PASSPORTS TO MEMBERS OF COMMUNIST ORGANIZATIONS

"SEC. 6. (a) When a Communist organization as defined in paragraph (5) of section 3 of this title is registered, or there is in effect a final order of the Board requiring such organization to register, it shall be unlawful for any member of such organization, with knowledge or notice that such organization is so registered or that such order has become final—

"(1) to make application for a passport, or the renewal of a passport, to be issued or renewed by or under the authority of the United States; or

"(2) to use or attempt to use any such passport.

"(b) When an organization is registered, or there is in effect a final order of the Board requiring an organization to register, as a Communist-action organization, it shall be unlawful for any officer or employee of the United States to issue a passport to, or renew the passport of, any individual knowing or having reason to believe that such individual is a member of such organization.

"(c) As used in this section, the term 'member' shall not include any individual whose name has not been made public because of the prohibition contained in section 9 (b) of this title.

"REGISTRATION AND ANNUAL REPORTS OF COMMUNIST ORGANIZATIONS

"SEC. 7. (a) Each Communist-action organization (including any organization required by a final order of the Board, to register as a Communist-action organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him by regulations, as a Communist-action organization.

"(b) Each Communist-front organization (including any organization required, by a final order of the Board, to register as a Communist-front organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him by regulations, as a Communist-front organization.

"(c) The registration required by subsection (a) or (b) shall be made—

"(1) in the case of an organization which is a Communist-action organization or a Communist-front organization on the date of the enactment of this title, within thirty days after such date;

"(2) in the case of an organization becoming a Communist-action organization or a Communist-front organization after the date of the enactment of this title, within thirty days after such organization becomes a Communist-action organization or a Communist-front organization, as the case may be; and

"(3) in the case of an organization which by a final order of the Board is required to

register, within thirty days after such order becomes final.

"(d) The registration made under subsection (a) or (b) shall be accompanied by a registration statement, to be prepared and filed in such manner and form as the Attorney General shall by regulations prescribe, containing the following information:

"(1) The name of the organization and the address of its principal office.

"(2) The name and last-known address of each individual who is at the time of filing of such registration statement, and of each individual who was at any time during the period of twelve 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.

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

"(4) In the case of a Communist-action organization, the name and last-known address of each individual who was a member of the organization at any time during the period of twelve full calendar months preceding the filing of such statement.

"(5) In the case of any officer or member whose name is required to be shown in such statement, and who uses or has used or who is or has been known by more than one name, each name which such officer or member uses or has used or by which he is known or has been known.

"(e) It shall be the duty of each organization registered under this section to file with the Attorney General on or before February 1 of the year following the year in which it registers, and on or before February 1 of each succeeding year, an annual report, prepared and filed in such manner and form as the Attorney General shall by regulations prescribe, containing the same information which by subsection (d) is required to be included in a registration statement, except that the information required with respect to the twelve-month period referred to in paragraph (2), (3), or (4) of such subsection shall, in such annual report, be given with respect to the calendar year preceding the February 1 on or before which such annual report must be filed.

"(f) (1) It shall be the duty of each organization registered under this section to keep, in such manner and form as the Attorney General shall by regulations prescribe, accurate records and accounts of moneys received and expended (including the sources from which received and purposes for which expended) by such organization.

"(2) It shall be the duty of each Communist-action organization registered under this section to keep, in such manner and form as the Attorney General shall by regulations prescribe, accurate records of the names and addresses of the members of such organization and of persons who actively participate in the activities of such organization.

"(g) It shall be the duty of the Attorney General to send to each individual listed in any registration statement or annual report, filed under this section, as an officer or member of the organization in respect of which such registration statement or annual report was filed, a notification in writing that such individual is so listed; and such notification shall be sent at the earliest practicable time after the filing of such registration statement or annual report. Upon written request of any individual so notified who denies that he holds any office or membership (as the case may be) in such organization, the Attorney General shall forthwith initiate and conclude at the earliest practicable time an appropriate investigation to determine the truth or falsity of such denial, and, if the Attorney General shall be satisfied that such denial is correct, he shall thereupon strike from such registration statement or annual report the name of such individual. If the Attorney General shall decline or fail to strike the name of such individual from such registration statement or annual report within five months after receipt of such written request, such individual may file with the Board a petition for relief pursuant to section 13 (b) of this title.

"(h) In the case of failure on the part of any organization to register or to file any registration statement or annual report as required by this section, it shall be the duty of the executive officer (or individual performing the ordinary and usual duties of an executive officer) and of the secretary (or individual performing the ordinary and usual duties of a secretary) of such organization, and of such officer or officers of such organization as the Attorney General shall by regulations prescribe, to register for such organization, to file such registration statement, or to file such annual report, as the case may be.

"REGISTRATION OF MEMBERS OF COMMUNIST-ACTION ORGANIZATIONS

"SEC. 8. (a) Any individual who is or becomes a member of any organization concerning which (1) there is in effect a final order of the Board requiring such organization to register under section 7 (a) of this title as a Communist-action organization, (2) more than thirty days have elapsed since such order has become final, and (3) such organization is not registered under section 7 of this title as a Communist-action organization, shall within sixty days after said order has become final, or within thirty days after becoming a member of such organization, whichever is later, register with the Attorney General as a member of such organization.

"(b) Each individual who is or becomes a member of any organization which he knows to be registered as a Communist-action organization under section 7 (a) of this title, but to have failed to include his name upon the list of members thereof filed with the Attorney General, pursuant to the provisions of subsections (d) and (e) of section 7 of this title, shall, within sixty days after he shall have obtained such knowledge, register with the Attorney General as a member of such organization.

"(c) The registration made by any individual under subsection (a) or (b) of this section shall be accompanied by a registration statement to be prepared and filed in such manner and form, and containing such information, as the Attorney General shall by regulations prescribe.

"KEEPING OF REGISTERS; PUBLIC INSPECTION; REPORTS TO PRESIDENT AND CONGRESS

"SEC. 9. (a) The Attorney General shall keep and maintain separately in the Department of Justice—

"(1) a 'Register of Communist-Action Organizations', which shall include (A) the names and addresses of all Communist-action organizations registered under section 7, (B) the registration statements and annual reports filed by such organizations thereunder, and (C) the registration statements filed by individuals under section 8; and

"(2) a 'Register of Communist-Front Organizations', which shall include (A) the names and addresses of all Communist-front organizations registered under section 7, and (B) the registration statements and annual reports filed by such organizations thereunder.

"(b) Such registers shall be kept and maintained in such manner as to be open for public inspection: *Provided*, That the Attorney General shall not make public the name of any individual listed in either such register as an officer or member of any Communist organization until sixty days shall have elapsed after the transmittal of the notification required by section 7 (g) to be sent to such individual, and if prior to the end of such period such individual shall make written request to the Attorney General for the removal of his name from any such list, the Attorney General shall not make public the name of such individual until six months shall have elapsed after receipt of such request by the Attorney General, or until thirty days shall have elapsed after the Attorney General shall have denied such request and shall have transmitted to such individual notice of such denial, whichever is earlier.

"(c) The Attorney General shall submit to the President and to the Congress on or before June 1 of each year (and at any other time when requested by either House by resolution) a report with respect to the carrying out of the provisions of this title, including the names and addresses of the organizations listed in such registers and (except to the extent prohibited by subsection (b) of this section) the names and addresses of the individuals listed as members of such organizations.

"(d) Upon the registration of each Communist organization under the provisions of this title, the Attorney General shall publish in the Federal Register the fact that such organization has registered as a Communist-action organization, or as a Communist-front organization, as the case may be, and the publication thereof shall constitute notice to all members of such organization that such organization has so registered.

"USE OF THE MAILS AND INSTRUMENTALITIES OF INTERSTATE OR FOREIGN COMMERCE

"SEC. 10. It shall be unlawful for any organization which is registered under section 7, or for any organization with respect to which there is in effect a final order of the Board requiring it to register under section 7, or for any person acting for or on behalf of any such organization—

"(1) to transmit or cause to be transmitted, through the United States mails or by any means or instrumentality of interstate or foreign commerce, any publication which is intended to be, or which it is reasonable to believe is intended to be, circulated or disseminated among two or more persons, unless such publication, and any envelope, wrapper, or other container in which it is mailed or otherwise circulated or transmitted, bears the following, printed in such manner as may be provided in regulations prescribed by the Attorney General, with the name of the organization appearing in lieu of the blank: 'Disseminated by ———, a Communist organization'; or

"(2) to broadcast or cause to be broadcast any matter over any radio or television station in the United States, unless such matter is preceded by the following statement, with the name of the organization being stated in place of the blank: 'The following program is sponsored by ———, a Communist organization'.

"DENIAL OF TAX DEDUCTIONS AND EXEMPTION

"SEC. 11. (a) Notwithstanding any other provision of law, no deduction for Federal income-tax purposes shall be allowed in the case of a contribution to or for the use of any organization if at the time of the making of such contribution (1) such organization is registered under section 7, or (2) there is in effect a final order of the Board requiring such organization to register under section 7.

"(b) No organization shall be entitled to exemption from Federal income tax, under section 101 of the Internal Revenue Code, for any taxable year if at any time during such taxable year (1) such organization is registered under section 7, or (2) there is in effect a final order of the Board requiring such organization to register under section 7.

"SUBVERSIVE ACTIVITIES CONTROL BOARD

"SEC. 12. (a) There is hereby established a board, to be known as the Subversive Activities Control Board, which shall be composed of five members, who shall be appointed by the President, by and with the advice and consent of the Senate. Not more than three members of the Board shall be members of the same political party. Two of the original members shall be appointed for a term of one year, two for a term of two years, and one for a term of three years, but their successors shall be appointed for terms of three years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Board. Any member of the Board may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

"(b) A vacancy in the Board shall not impair the right of the remaining members to exercise all the powers of the Board, and three members of the Board shall, at all times, constitute a quorum. The Board shall have an official seal which shall be judicially noticed.

"(c) The Board shall at the close of each fiscal year make a report in writing to the Congress and to the President stating in detail the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees of the Board, and an account of all moneys it has disbursed.

"(d) Each member of the Board shall receive a salary of $12,500 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment.

"(e) It shall be the duty of the Board—

"(1) upon application made by the Attorney General under section 13 (a) of this title, or by any organization under section 13 (b) of this title, to determine whether any organization is a "Communist-action organization" within the meaning of paragraph (3) of section 3 of this title, or a "Communist-front organization" within the meaning of paragraph (4) of section 3 of this title; and

"(2) upon application made by the Attorney General under section 13 (a) of this title, or by any individual under section 13 (b) of this title, to determine whether any individual is a member of any Communist-action organization registered, or by final order of the Board required to be registered, under section 7 (a) of this title.

"(f) Subject to the civil-service laws and Classification Act of 1949, the Board may appoint and fix the compensation of a chief clerk and such examiners and other personnel as may be necessary for the performance of its functions.

"(g) The Board may make such rules and regulations, not inconsistent with the provisions of this title, as may be necessary for the performance of its duties.

"(h) There are hereby authorized to be appropriated to the Board such sums as may be necessary to carry out its functions."

"PROCEEDINGS BEFORE BOARD

"SEC. 13. (a) Whenever the Attorney General shall have reason to believe that any organization which has not registered under subsection (a) or subsection (b) of section 7 of this title is in fact an organization of a kind required to be registered under such subsection, or that any individual who has not registered under section 8 of this title is in fact required to register under such section, he shall file with the Board and serve upon such organization or individual a petition for an order requiring such organization or individual to register pursuant to such subsection or section, as the case may be. Each such petition shall be verified under oath, and shall contain a statement of the facts upon which the Attorney General relies in support of his prayer for the issuance of such order.

"(b) Any organization registered under subsection (a) or subsection (b) of section 7 of this title, and any individual registered under section 8 of this title, may, not oftener than once in each calendar year, make application to the Attorney General for the cancellation of such registration and (in the case of such organization) for relief from obligation to make further annual reports. Within sixty days after the denial of any such application by the Attorney General, the organization or individual concerned may file with the Board and serve upon the Attorney General a petition for an order requiring the cancellation of such registration and (in the case of such organization) relieving such organization of obligation to make further annual reports. Any individual authorized by section 7 (g) of this title to file a petition for relief may file with the Board and serve upon the Attorney General a petition for an order requiring the Attorney General to strike his name from the registration statement or annual report upon which it appears.

"(c) Upon the filing of any petition pursuant to subsection (a) or subsection (b) of this section, the Board (or any member thereof or any examiner designated thereby) may hold hearings, administer oaths and affirmations, may examine witnesses and receive evidence at any place in the United States, and may require by subpena the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other records deemed relevant, to the matter under inquiry. Subpenas may be signed and issued by any member of the Board or any duly authorized examiner. Subpenas shall be issued on behalf of the organization or the individual who is a party to the proceeding upon request and upon a statement or showing of general relevance and reasonable scope of the evidence sought. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States at any designated place of hearing. Witnesses summoned shall be paid the same fees and mileage paid witnesses in the district courts of the United States. In case of disobedience to a subpena, the Board may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence. Any of the district courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpena issued to any person, issue an order requiring such person to appear (and to produce documentary evidence if so ordered) and give evidence relating to the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. No person shall be held liable in any action in any court, State or Federal, for any damages resulting from (1) his production of any documentary evidence in any proceeding before the Board if he is required, by a subpena issued under this subsection, to produce the evidence; or (2) any statement under oath he makes in answer to a question he is asked while testifying before the Board in response to a subpena issued under this subsection, if the statement is pertinent to the question.

"(d) (1) All hearings conducted under this section shall be public. Each party to such proceeding shall have the right to present its case with the assistance of counsel, to offer oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. An accurate stenographic record shall be taken of the testimony of each witness, and a transcript of such testimony shall be filed in the office of the Board.

"(2) Where an organization or individual declines or fails to appear at a hearing accorded to such organization or individual by the Board pursuant to this section, the Board may, without further proceedings and without the introduction of any evidence, enter an order requiring such organization or individual to register or denying the application of such organization or individual, as the case may be. Where in the course of any hearing before the Board or any examiner thereof a party or counsel is guilty of misbehavior which obstructs the hearing, such party or counsel may be excluded from further participation in the hearing.

"(e) In determining whether any organization is a 'Communist-action organization', the Board shall take into consideration—

"(1) the extent to which its policies are formulated and carried out and its activities performed, pursuant to directives or to effectuate the policies of the foreign government or foreign organization in which is vested, or under the domination or control of which is exercised, the direction and control of the world Communist movement referred to in section 2 of this title; and

"(2) the extent to which its views and policies do not deviate from those of such foreign government or foreign organization; and

"(3) the extent to which it receives financial or other aid, directly or indirectly, from or at the direction of such foreign government or foreign organization; and

"(4) the extent to which it sends members or representatives to any foreign country for instruction or training in the principles, policies, strategy, or tactics of such world Communist movement; and

"(5) the extent to which it reports to such foreign government or foreign organization or to its representatives; and

"(6) the extent to which its principal leaders or a substantial number of its members are subject to or recognize the disciplinary power of such foreign government or foreign organization or its representatives; and

"(7) the extent to which, for the purpose of concealing foreign direction, domination, or control, or of expediting or promoting its objectives, (i) it 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); (ii) its members refuse to acknowledge membership therein; (iii) it fails to disclose, or resists efforts to obtain information as to, records other than membership lists; (iv) its meetings are secret; and (v) it otherwise operates on a secret basis; and

"(8) the extent to which its principal leaders or a substantial number of its members consider the allegiance they owe to the United States as subordinate to their obligations to such foreign government or foreign organization.

"(f) In determining whether any organization is a 'Communist-front organization', the Board shall take into consideration—

"(1) the extent to which persons who are active in its management, direction, or supervision, whether or not holding office therein, are active in the management, direction, or supervision of or as representatives of any Communist-action organization. Communist foreign government, or the world Communist movement referred to in section 2; and

"(2) the extent to which its support, financial or otherwise, is derived from any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2; and

"(3) the extent to which its funds, resources, or personnel are used to further or

promote the objectives of any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2; and

"(4) the extent to which the positions taken or advanced by it from time to time on matters of policy do not deviate from those of any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2.

"(g) If, after hearing upon a petition filed under subsection (a) of this section, the Board determines—

"(1) that an organization is a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order requiring such organization to register as such under section 7 of this title; or

"(2) that an individual is a member of a Communist-action organization (including an organization required by final order of the Board to register under section 7 (a)), it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such individual an order requiring him to register as such under section 8 of this title.

"(h) If, after hearing upon a petition filed under subsection (a) of this section, the Board determines—

"(1) that an organization is not a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts; issue and cause to be served upon the Attorney General an order denying his petition for an order requiring such organization to register as such under section 7 of this title; and send a copy of such order to such organization; or

"(2) that an individual is not a member of any Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts; issue and cause to be served upon the Attorney General an order denying his petition for an order requiring such individual to register as such member under section 8 of this title; and send a copy of such order to such individual.

"(i) If, after hearing upon a petition filed under subsection (b) of this section, the Board determines—

"(1) that an organization is not a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts; issue and cause to be served upon the Attorney General an order requiring him to cancel the registration of such organization and relieve it from the requirement of further annual reports; and send a copy of such order to such organization; or

"(2) that an individual is not a member of any Communist-action organization, or (in the case of an individual listed as an officer of a Communist-front organization) that an individual is not an officer of a Communist-front organization, it shall make a report in writing in which it shall state its findings as to the facts; issue and cause to be served upon the Attorney General an order requiring him to (A) strike the name of such individual from the registration statement or annual report upon which it appears or (B) cancel the registration of such individual under section 8, as may be appropriate; and send a copy of such order to such individual.

"(j) If, after hearing upon a petition filed under subsection (b) of this section, the Board determines—

"(1) that an organization is a Communist-action organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order denying its petition for the cancellation of its registration and for relief from the requirement of further annual reports; or

"(2) that an individual is a member of a Communist-action organization, or (in the case of an individual listed as an officer of a Communist-front organization) that an individual is an officer of a Communist-front organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such individual an order denying his petition for an order requiring the Attorney General (A) to strike his name from any registration statement or annual report on which it appears or (B) to cancel the registration of such individual under section 8, as the case may be.

"(k) When any order of the Board requiring registration of a Communist organization becomes final under the provisions of section 14 (b) of this title, the Board shall publish in the Federal Register the fact that such order has become final, and publication thereof shall constitute notice to all members of such organization that such order has become final.

"JUDICIAL REVIEW

"SEC. 14. (a) The party aggrieved by any order entered by the Board under subsection (g), (h), (i), or (j) of section 13 may obtain a review of such order by filing in the United States Court of Appeals for the District of Columbia, within sixty days from the date of service upon it of such order, a written petition praying that the order of the Board be set aside. A copy of such petition shall be forthwith served upon the Board, and thereupon the Board shall certify and file in the court a transcript of the entire record in the proceeding, including all evidence taken and the report and order of the Board. Thereupon the court shall have jurisdiction of the proceeding and shall have power to affirm or set aside the order of the Board; but the court may in its discretion and upon its own motion transfer any action so commenced to the United States Court of Appeals for the circuit wherein the petitioner resides. The findings of the Board as to the facts, if supported by the preponderance of the evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material, the court may order such additional evidence to be taken before the Board and to be adduced upon the proceeding in such manner and upon such terms and conditions as to the court may seem proper. The Board may modify its findings as to the facts, by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by the preponderance of the evidence shall be conclusive, and its recommendations, if any, with respect to action in the matter under consideration. If the court shall set aside an order issued under subsection (j) of section 13 it may, in the case of an organization, enter a judgment canceling the registration of such organization and relieving it from the requirement of further annual reports, or in the case of an individual, enter a judgment requiring the Attorney General (A) to strike the name of such individual from the registration statement or annual report on which it appears, or (B) cancel the registration of such individual under section 8, as may be appropriate. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari, as provided in title 28, United States Code, section 1254.

"(b) Any order of the Board issued under section 13 shall become final—

"(1) upon the expiration of the time allowed for filing a petition for review, if no such petition has been duly filed within such time; or

"(2) upon the expiration of the time allowed for filing a petition for certiorari, if the order of the Board has been affirmed or the petition for review dismissed by a United States Court of Appeals, and no petition for certiorari has been duly filed; or

"(3) upon the denial of a petition for certiorari, if the order of the Board has been affirmed or the petition for review dismissed by a United States Court of Appeals; or

"(4) upon the expiration of ten days from the date of issuance of the mandate of the Supreme Court, if such Court directs that the order of the Board be affirmed or the petition for review dismissed.

"PENALTIES

"SEC. 15. (a) If there is in effect with respect to any organization or individual a final order of the Board requiring registration under section 7 or section 8 of this title—

"(1) such organization shall, upon conviction of failure to register, to file any registration statement or annual report, or to keep records as required by section 7, be punished for each such offense by a fine of not more than $10,000, and

"(2) each individual having a duty under subsection (h) of section 7 to register or to file any registration statement or annual report on behalf of such organization, and each individual having a duty to register under section 8, shall, upon conviction of failure to so register or to file any such registration statement or annual report, be punished for each such offense by a fine of not more than $10,000, or imprisonment for not more than five years, or by both such fine and imprisonment.

For the purposes of this subsection, each day of failure to register, whether on the part of the organization or any individual, shall constitute a separate offense.

"(b) Any individual who, in a registration statement or annual report filed under section 7 or section 8, willfully makes any false statement or willfully omits to state any fact which is required to be stated, or which is necessary to make the statements made or information given not misleading, shall upon conviction thereof be punished for each such offense by a fine of not more than $10,000, or by imprisonment for not more than five years or by both such fine and imprisonment. For the purposes of this subsection—

"(1) each false statement willfully made, and each willful omission to state any fact which is required to be stated, or which is necessary to make the statements made or information given not misleading, shall constitute a separate offense; and

"(2) each listing of the name or address of any one individual shall be deemed to be a separate statement.

"(c) Any organization which violates any provision of section 10 of this title shall, upon conviction thereof, be punished for each such violation by a fine of not more than $10,000. Any individual who violates any provision of section 5, 6, or 10 of this title shall, upon conviction thereof, be punished for each such violation by a fine of not more than $10,000 or by imprisonment for not more than five years, or by both such fine and imprisonment.

"APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT

"SEC. 16. Nothing in this title 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 under this title.

"EXISTING CRIMINAL STATUTES

"SEC. 17. The foregoing provisions of this title shall be construed as being in addition to and not in modification of existing criminal statutes.

"AMENDING TITLE 18, SECTION 793, UNITED STATES CODE

"SEC. 18. Title 18, United States Code, section 793, be and the same is hereby amended to read as follows:

"'§ 793. Gathering, transmitting, or losing defense information.

"'(a) Whoever, for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon, enters, flies over, or otherwise obtains information concerning any vessel, aircraft, work of defense, navy yard, naval station, submarine base, fueling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, mine, telegraph, telephone, wireless, or signal station, building, office, research laboratory or station or other place connected with the national defense owned or constructed, or in progress of construction by the United States or under the control of the United States, or of any of its officers, departments, or agencies, or within the exclusive jurisdiction of the United States, or any place in which any vessel, aircraft, arms, munitions, or other materials or instruments for use in time of war are being made, prepared, repaired, stored, or are the subject of research or development, under any contract or agreement with the United States, or any department or agency thereof, or with any person on behalf of the United States, or otherwise on behalf of the United States, or any prohibited place so designated by the President by proclamation in time of war or in case of national emergency in which anything for the use of the Army, Navy, or Air Force is being prepared or constructed or stored, information as to which prohibited place the President has determined would be prejudicial to the national defense; or

"'(b) Whoever, for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts to copy, take, make, or obtain, any sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, document, writing, or note of anything connected with the national defense; or

"'(c) Whoever, for the purpose aforesaid, receives or obtains or agrees or attempts to receive or obtain from any person, or from any source whatever, any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note, of anything connected with the national defense, knowing or having reason to believe, at the time he receives or obtains, or agrees or attempts to receive or obtain it, that it has been or will be obtained, taken, made, or disposed of by any person contrary to the provisions of this chapter; or

"'(d) Whoever, lawfully having possession of, access to, control over, or being entrusted with any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to the national defense, or 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, willfully communicates, delivers, transmits or causes to be communicated, delivered, or transmitted or attempts to communicate, deliver, transmit or cause to be communicated, delivered or transmitted the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or

"'(e) Whoever having unauthorized possession of, access to, or control over any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to the national defense, or 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, willfully communicates, delivers, transmits or causes to be communicated, delivered, or transmitted, or attempts to communicate, deliver, transmit or cause to be communicated, delivered, or transmitted the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it to the officer or employee of the United States entitled to receive it; or

"'(f) Whoever, being entrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, note, or information, relating to the national defense, (1) through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed, or (2) having knowledge that the same has been illegally removed from its proper place of custody or delivered to anyone in violation of his trust, or lost, or stolen, abstracted, or destroyed, and fails to make prompt report of such loss, theft, abstraction, or destruction to his superior officer—

"'Shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

"'(g) If two or more persons conspire to violate any of the foregoing provisions of this section, and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be subject to the punishment provided for the offense which is the object of such conspiracy.'"

"PERIOD OF LIMITATION

"SEC. 19. An indictment for any violation of title 18, United States Code, section 792, 793, or 794, other than a violation constituting a capital offense, may be found at any time within ten years next after such violation shall have been committed. This section shall not authorize prosecution, trial, or punishment for any offense now barred by the provisions of existing law.

"AMENDING ACT OF JUNE 8, 1938

"SEC. 20. The Act of June 8, 1938 (52 Stat. 631; 22 U. S. C. 611-621), entitled 'An Act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes', as amended, is hereby further amended as follows:

"(a) Strike out the word 'and' at the end of section 1 (c) (3), insert the word 'and' at the end of section 1 (c) (4), and add the following paragraph immediately after section 1 (c) (4):

"'(5) any person who has knowledge of or has received instruction or assignment in the espionage, counterespionage, or sabotage service or tactics of a government of a foreign country or of a foreign political party, unless such knowledge, instruction, or assignment has been acquired by reason of civilian, military, or police service with the United States Government, the governments of the several States, their political subdivisions, the District of Columbia, the Territories, the Canal Zone, or the insular possessions, 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 at any time by an agency of the United States Government having responsibilities in the field of intelligence, such person has made full written disclosure of such knowledge or instruction to officials within such agency, such disclosure has been made a matter of record in the files of such agency, and a written determination has been made by the Attorney General or the Director of Central Intelligence that registration would not be in the interest of national security;'.

"(b) Add the following subsection immediately after section 8 (d):

"'(e) Failure to file any such registration statement or supplements thereto as is required by either section 2 (a) or section 2 (b) shall be considered a continuing offense for as long as such failure exists, notwithstanding any statute of limitation or other statute to the contrary.'

"SECURITY REGULATIONS AND ORDERS AND PENALTY FOR VIOLATION THEREOF

"SEC. 21. (a) Whoever willfully shall violate any such regulation or order as, pursuant to lawful authority, shall be or has been promulgated or approved by the Secretary of Defense, or by any military commander designated by the Secretary of Defense, or by the Director of the National Advisory Committee for Aeronautics, for the protection or security of military or naval aircraft, airports, airport facilities, vessels, harbors, ports, piers, water-front facilities, bases, forts, posts, laboratories, stations, vehicles, equipment, explosives, or other property or places subject to the jurisdiction, administration, or in the custody of the Department of Defense, any Department or agency of which said Department consists, or any officer or employee of said Department or agency, or of the National Advisory Committee for Aeronautics or any officer or employee thereof, relating to fire hazards, fire protection, lighting, machinery, guard service, disrepair, disuse or other unsatisfactory conditions thereon, or the ingress thereto or egress or removal of persons therefrom, or otherwise providing for safeguarding the same against destruction, loss, or injury by accident or by enemy action, sabotage or other subversive actions, shall be guilty of a misdemeanor and upon conviction thereof shall be liable to a fine of not to exceed $5,000 or to imprisonment for not more than one year, or both.

"(b) Every such regulation or order shall be posted in conspicuous and appropriate places.

"AMENDING ACT OF OCTOBER 16, 1918

"SEC. 22. The Act of October 16, 1918, as amended (40 Stat. 1012, 41 Stat. 1008, 54 Stat. 673; 8 U. S. C. 137), be, and the same is hereby, amended to read as follows: 'That any alien who is a member of any one of the following classes shall be excluded from admission into the United States:

"'(1) Aliens who seek to enter the United States whether solely, principally, or incidentally, to engage in activities which would be prejudicial to the public interest, or would endanger the welfare or safety of the United States;

"'(2) Aliens who, at any time, shall be or shall have been members of any of the following classes:

"'(A) Aliens who are anarchists;

"'(B) Aliens who advocate or teach, or who are members of or affiliated with any organization that advocates or teaches, opposition to all organized government;

"'(C) Aliens who are members of or affiliated with (i) the Communist Party of the United States, (ii) any other totalitarian party of the United States, (iii) the Communist Political Association, (iv) the Communist or other totalitarian party of any State of the United States, of any foreign state, or of any political or geographical subdivision of any foreign state; (v) any section, subsidiary, branch, affiliate, or subdivision of any such association or party; or (vi) the direct predecessors or successors of any such association or party, regardless of what name such group or organization may have used, may now bear, or may hereafter adopt;

"'(D) Aliens not within any of the other provisions of this paragraph (2) who advocate the economic, international, and governmental doctrines of world communism or the economic and governmental doctrines of any other form of totalitarianism, or who are members of or affiliated with any organization that advocates the economic international, and governmental doctrines of world communism, or the economic and governmental doctrines of any other form of totalitarianism, either through its own utterances or through any written or printed publications issued or published by or with the permission or consent of or under the authority of such organization or paid for by the funds of such organization;

"'(E) Aliens not within any of the other provisions of this paragraph (2), who are members of or affiliated with any organization which is registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950, unless such aliens establish that they did not know or have reason to believe at the time they became members of or affiliated with such an organization (and did not thereafter and prior to the date upon which such organization was so registered or so required to be registered acquire such knowledge or belief) that such organization was a Communist organization.

"'(F) Aliens who advocate or teach or who are members of or affiliated with any organization that advocates or teaches (i) the overthrow by force or violence or other unconstitutional means of the Government of the United States or of all forms of law; or (ii) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government, because of his or their official character; or (iii) the unlawful damage, injury, or destruction of property; or (iv) sabotage;

"'(G) Aliens who write or publish, or cause to be written or published, or who knowingly circulate, distribute, print, or display, or knowingly cause to be circulated, distributed, printed, published, or displayed, or who knowingly have in their possession for the purpose of circulation, publication, or display, any written or printed matter, advocating or teaching opposition to all organized government, or advocating (i) the overthrow by force or violence or other unconstitutional means of the Government of the United States or of all forms of law; or (ii) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government; or (iii) the unlawful damage, injury, or destruction of property; or (iv) sabotage; or (v) the economic, international, and governmental doctrines of world communism or the economic and governmental doctrines of any other form of totalitarianism.

"'(H) Aliens who are members of or affiliated with any organization that writes, circulates, distributes, prints, publishes, or displays, or causes to be written, circulated, distributed, printed, published, or displayed, or that has in its possession for the purpose of circulation, distribution, publication, issue, or display, any written or printed matter of the character described in subparagraph (G).

"'(3) Aliens with respect to whom there is reason to believe that such aliens would, after entry, be likely to (A) engage in activities which would be prohibited by the laws of the United States relating to espionage, sabotage, public disorder, or in other activity subversive to the national security; (B) engage in any activity a purpose of which is the opposition to, or the control or overthrow of, the Government of the United States by force, violence, or other unconstitutional means; or (C) organize, join, affiliate with, or participate in the activities of any organization which is registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950.

"'SEC. 2. The provision of paragraph (2) of section 1 shall not be applicable to any alien who is seeking to enter the United States temporarily as a nonimmigrant under section 3 (1) or 3 (7) of the Immigration Act of 1924, as amended (43 Stat. 153; 8 U. S. C. 201).

"'SEC. 3. No visa or other documentation shall be issued to any alien who seeks to enter the United States either as an immigrant or as a nonimmigrant if the consular officer knows or has reason to believe that such alien is inadmissible to the United States under this Act. The case of an alien within any of the categories enumerated in section 1 shall not be defined as an emergency case within the meaning of section 30 of the Alien Registration Act of 1940 (54 Stat. 673; 8 U. S. C. 451).

"'SEC. 4. (a) Any alien who was at the time of entering the United States, or has been at any time thereafter, a member of any one of the classes of aliens enumerated in section 1 (1) or section 1 (3) of this Act or (except in the case of an alien who is legally in the United States temporarily as a nonimmigrant under section 3 (1) or 3 (7) of the Immigration Act of 1924, as amended) a member of any one of the classes of aliens enumerated in section 1 (2) of this Act, shall, upon the warrant of the Attorney General, be taken into custody and deported in the manner provided in the Immigration Act of February 5, 1917. The provisions of this section shall be applicable to the classes of aliens mentioned in this Act, irrespective of the time of their entry into the United States.

"'(b) The Attorney General shall, in like manner as provided in subsection (a) of this section, take into custody and deport from the United States any alien who at any time, whether before or after the effective date of this Act, has engaged, or has had a purpose to engage, in any of the activities described in paragraph (1) or in any of the subparagraphs of paragraph (3) of section 1, unless the Attorney General is satisfied, in the case of any alien who engaged in any activity within category (C) of paragraph (3) of section 1 that such alien did not know or have reason to believe at the time such alien became a member of or affiliated with the organization referred to in category (C) of paragraph (3) of section 1 (and did not thereafter and prior to the date upon which such organization was registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950 acquire such knowledge or belief) that such organization was a Communist organization.

"'SEC. 5. Notwithstanding the provisions of sections 16 and 17 of the Immigration Act of February 5, 1917, as amended (39 Stat. 885–887; 8 U. S. C. 152, 153), which relate to boards of special inquiry and to appeal from the decisions of such boards, any alien who may appear to the examining immigration officer at the port of arrival to be excludable under section 1 shall be temporarily excluded, and no further inquiry by a board of special inquiry shall be conducted until after the case is reported to the Attorney General and such an inquiry is directed by the Attorney General. If the Attorney General is satisfied that the alien is excludable under section 1 on the basis of information of a confidential nature, the disclosure of which would be prejudicial to the public interest, safety, or security, he may deny any further inquiry by a board of special inquiry and order such alien to be excluded and deported.

"'SEC. 6. (a) The provisions of the seventh proviso to section 3 of the Immigration Act of February 5, 1917, as amended (39 Stat. 875; 8 U. S. C. 136), relating to the admission of aliens to the United States, shall have no application to cases falling within the purview of section 1 of this act.

"'(b) The provisions of the ninth proviso to section 3 of the Immigration Act of February 5, 1917, as amended (39 Stat. 875; 8 U. S. C. 136), relating to the temporary admission of aliens to the United States, shall have no application to cases falling within the purview of section 1 (1) and 1 (3) of this act. The Attorney General shall make a detailed report to Congress in any case where the authority granted in the ninth proviso above is exercised on behalf of any alien excludible under section 1 (2).

"'(c) Notwithstanding the provisions of the tenth proviso to section 3 of the Immigration Act of February 5, 1917, as amended (39 Stat. 875; 8 U. S. C. 136), or any other law—

"'(1) the provisions of section 1 (1) and 1 (3) shall be applicable to any alien within the purview of section 3 (1) of the Immigration Act of 1924, as amended (43 Stat. 153; 8 U. S. C. 201), except ambassadors, public ministers, and career diplomatic and consular officers who have been accredited by a foreign government recognized de jure by the United States and who are accepted by the President or the Secretary of State, and the members of the immediate families of such aliens, who shall be subject to exclusion under the provisions of section 1 (1) only pursuant to such rules and regulations as the President may deem to be necessary; and

"'(2) the provisions of section 1 (1) shall be applicable to any alien within the purview of section 3 (7) of the Immigration Act of 1924, as amended (43 Stat. 153; 8 U. S. C. 201); the provisions of section 1 (3) shall be applicable to any such alien except a designated principal resident representative of a foreign government member of an international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act (59 Stat. 669), accredited resident members of the staff of such representative, and members of his immediate family.

"'(d) The proviso to section 15 of the Immigration Act of 1924, as amended (43 Stat. 153; 8 U. S. C. 201), relating to the departure of any alien who has failed to maintain status under section 3 (1) or 3 (7) of said Act shall not be applicable in the case of any alien who would be subject to exclusion under the provisions of section 1 of this Act if he were applying for admission.

"'SEC. 7. Upon the notification by the Attorney General that any country upon request denies or unduly delays acceptance of the return of any alien who is a national, citizen, subject or resident thereof, the Secretary of State shall instruct consular officers performing their duties in the territory of such country to discontinue the issuance of immigration visas to nationals, citizens, subjects, or residents of such country, until such time as the Attorney General shall inform the Secretary of State that such country has accepted such alien.

"'SEC. 8. (a) Any person who knowingly aids or assists any alien excludable under section 1 to enter the United States, or who connives or conspires with any person or persons to allow, procure, or permit any such alien to enter the United States, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine of not more than $5,000 or by imprisonment for not more than five years, or both.

"'(b) Any alien who shall, after he has been excluded and deported or arrested and deported in pursuance of the provisions of this Act, thereafter and without the express authorization of the Attorney General return to or enter the United States or attempt to return to or to enter the United States shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment for a term of not more than 5 years; and shall, upon the term-

ination of such imprisonment, be taken into custody, upon the warrant of the Attorney General, and deported in the manner provided in the Immigration Act of February 5, 1917.

" 'SEC. 9. Any statute or other authority or provision having the force or effect of law, to the extent that it is inconsistent with any of the provisions of this Act, is hereby expressly declared to be inapplicable to any alien whose case is within the purview of this Act.

" 'SEC. 10. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remaining provisions of this Act, or the application of such provisions to other persons or circumstances, shall not be affected thereby.'

"AMENDING SECTION 20 OF IMMIGRATION ACT OF FEBRUARY 5, 1917

"SEC. 23. Section 20 of the Immigration Act of February 5, 1917, as amended (39 Stat. 890; 57 Stat. 553; 8 U. S. C. 156), is hereby amended to read as follows:

" 'SEC. 20. (a) That the deportation of aliens provided for in this Act and all other immigration laws of the United States shall be directed by the Attorney General to the country specified by the alien, if it is willing to accept him into its territory; otherwise such deportation shall be directed by the Attorney General within his discretion and without priority of preference because of their order as herein set forth, either to the country from which such alien last entered the United States; or to the country in which is located the foreign port at which such alien embarked for the United States or for foreign contiguous territory; or to any country in which he resided prior to entering the country from which he entered the United States; or to the country which had sovereignty over the birthplace of the alien at the time of his birth; or to any country of which such an alien is a subject, national, or citizen; or to the country in which he was born; or to the country in which the place of his birth is situated at the time he is ordered deported; or, if deportation to any of the said foregoing places or countries is impracticable, inadvisable, or impossible, then to any country which is willing to accept such alien into its territory. If the United States is at war and the deportation, in accordance with the preceding provisions of this section, of any alien who is deportable under any law of the United States, shall be found by the Attorney General to be impracticable or inconvenient because of enemy occupation of the country whence such alien came or wherein is located the foreign port at which he embarked for the United States or because of other reasons connected with the war, such alien may, at the option of the Attorney General, be deported (1) if such alien is a citizen or subject of a country whose recognized government is in exile, to the country wherein is located that government in exile, if that country will permit him to enter its territory; or (2) if such alien is a citizen or subject of a country whose recognized government is not in exile, then, to a country or any political or territorial subdivision thereof which is approximate to the country of which the alien is a citizen or subject, or with the consent of the country of which the alien is a citizen or subject, to any other country. No alien shall be deported under any provisions of this Act to any country in which the Attorney General shall find that such alien would be subjected to physical persecution. If deportation proceedings are instituted at any time within five years after the entry of the alien, such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that cannot be done, then the cost of removal to the port of deportation shall be at the expense of the appropriation for the enforcement of this Act, and the deportation from such port shall be at the expense of the owner or owners of such vessels or transportation lines by which such aliens respectively came, or, if that is not practicable, at the expense of the appropriation for the enforcement of this Act. If deportation proceedings are instituted later than five years after the entry of the alien, or, if the deportation is made by reason of causes arising subsequent to entry, the cost thereof shall be payable from the appropriation for the enforcement of this Act. A failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Attorney General to take on board, guard safely, and transport to the destination specified any alien ordered to be deported under the provisions of this Act shall be punished by the imposition of the penalties prescribed in section 18 of this Act: *Provided*, That when in the opinion of the Attorney General the mental or physical condition of such alien is such as to require personal care and attendance, the said Attorney General shall when necessary employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in the same manner as the expense of deporting the accompanied alien is defrayed. Pending final determination of the deportability of any alien taken into custody under warrant of the Attorney General, such alien may, in the discretion of the Attorney General (1) be continued in custody; or (2) be released under bond in the amount of not less than $500, with security approved by the Attorney General; or (3) be released on conditional parole. It shall be among the conditions of any such bond, or of the terms of release on parole, that the alien shall be produced, or will produce himself, when required to do so for the purpose of defending himself against the charge or charges under which he was taken into custody and any other charges which subsequently are lodged against him, and for deportation if an order for his deportation has been made. When such an order of deportation has been made against any alien, the Attorney General shall have a period of six months from the date of such order within which to effect the alien's departure from the United States, during which period, at the Attorney General's discretion, the alien may be detained, released on conditional parole, or upon bond in an amount and specifying such conditions for surrender of the alien to the Immigration and Naturalization Service as may be determined by the Attorney General. If deportation has not been practicable, advisable, or possible, or departure of the alien from the United States has not been effected within six months from the date of the order of deportation the alien shall become subject to such further supervision and detention pending eventual deportation as is authorized hereinafter in this section. The Attorney General is hereby authorized and directed to arrange for appropriate places of detention for those aliens whom he shall take into custody and detain.

" '(b) Any alien, against whom an order of deportation, heretofore or hereafter issued, has been outstanding for more than six months shall, pending eventual deportation, be subject to supervision under regulations prescribed by the Attorney General. Such regulations shall require any alien subject to supervision (1) to appear from time to time at specified times or intervals before an officer of the Immigration and Naturalization Service for identification; (2) to submit, if necessary, to medical and psychiatric examination at the expense of the United States; (3) to give information under oath as to his nationality, circumstances, habits, associations, and activities, and such other information whether or not related to the foregoing as the Attorney General may deem fit and proper; and (4) to conform to such reasonable written restrictions on his conduct or activities as are prescribed by the Attorney General in his case. Any alien who shall willfully fail to comply with such regulations, or willfully fail to appear or to give information or submit to medical or psychiatric examination if required, or knowingly give false information in relation to the requirements of such regulations, or knowingly violate a reasonable restriction imposed upon his conduct or activity, shall upon conviction be guilty of a felony, and shall be fined not more than $1,000 or shall be imprisoned not more than one year, or both.

" '(c) Any alien against whom an order of deportation is outstanding under (1) the Act of October 16, 1918, as amended (40 Stat. 1012, 41 Stat. 1008, 54 Stat. 673; 8 U. S. C. 137); (2) the Act of February 9, 1909, as amended (35 Stat. 614, 42 Stat. 596; 21 U. S. C. 171, 174–175); (3) the Act of February 18, 1931, as amended (46 Stat. 1171, 54 Stat. 673; 8 U. S. C. 156a); or (4) so much of section 19 of the Immigration Act of 1917, as amended (39 Stat. 889–890; 54 Stat. 671–673, 56 Stat. 1044; 8 U. S. C. 155) as relates to criminals, prostitutes, procurers or other immoral persons, anarchists, subversives and similar classes, who shall willfully fail or refuse to depart from the United States within a period of six months from the date of such order of deportation, or from the date of the enactment of the Subversive Activities Control Act of 1950, whichever is the later, or shall willfully fail or refuse to make timely application in good faith for travel or other documents necessary to his 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 his departure pursuant to such order of deportation, or who shall willfully fail or refuse to present himself for deportation at the time and place required by the Attorney General pursuant to such order of deportation, shall upon conviction be guilty of a felony, and shall be imprisoned not more than ten years: *Provided*, That this subsection shall not make it illegal for any alien to take any proper steps for the purpose of securing cancellation of or exemption from such order of deportation or for the purpose of securing his release from incarceration or custody: *Provided further*, That the court may for good cause suspend the sentence of such alien and order his release under such conditions as the court may prescribe. In determining whether good cause has been shown to justify releasing the alien, the court shall take into account such factors as (1) the age, health, and period of detention of the alien; (2) the effect upon the national security and public peace or safety; (3) the likelihood of the alien's following a course of conduct which made or would make him deportable; (4) the character of the efforts made by such alien himself and by representatives of the country or countries to which his deportation is directed to expedite the alien's departure from the United States; (5) the reason for the inability of the Government of the United States to secure passports, other travel documents, or deportation facilities from the country or countries to which the alien has been ordered deported; and (6) the eligibility of the alien for discretionary relief under the immigration laws.

" '(d) Should any alien subject to the provisions of subsection (c) unlawfully return to the United States after having been released for departure or deported pursuant to this section, the previous warrant of deportation against him shall be considered as reinstated from its original date of issuance.

" '(e) If any alien subject to this section is able to depart from the United States, except that he is financially unable to pay his passage, the expense of such passage to the country to which he is destined may be paid from the appropriation for the enforcement

of this Act, unless such payment is otherwise provided for under this Act.'

"AMENDING ALIEN REGISTRATION ACT OF 1940

"SEC. 24. (a) Section 35 of the Alien Registration Act of 1940, approved June 28, 1940 (54 Stat. 675; 8 U. S. C. 456), is hereby amended to read as follows:

"'SEC. 35. Any alien required to be registered under this title who is an alien resident of the United States on January 1, 1951, and on January 1 of any succeeding year, shall, within ten days following such dates, notify the Commissioner in writing of his current address. In the case of an alien for whom a parent or legal guardian is required to apply for registration, the notice required by this section shall be given by such parent or legal guardian.'

"(b) Subsection (b) of section 36 of the said Act is hereby amended to read as follows:

"'(b) Any alien, or any parent or legal guardian of any alien, who fails to give written notice to the Commissioner, as required by section 35 of this Act, shall, upon conviction thereof, be fined not to exceed $100 or imprisoned not more than thirty days, or both.'

"AMENDING SECTION 305 OF NATIONALITY ACT OF 1940

"SEC. 25. Section 305 of the Nationality Act of 1940, as amended, is hereby amended to read as follows:

"'SEC. 305. (a) No person shall hereafter be naturalized as a citizen of the United States—

"'(1) who advocates or teaches, or who is a member of or affiliated with any organization that advocates or teaches, opposition to all organized government; or

"'(2) who is a member of or affiliated with any Communist action organization that is registered or required to be registered under the provisions of section 7 of the Subversive Activities Control Act of 1950; or

"'(3) who, while not within any of the other provisions of this section, advocates the economic, international, and governmental doctrines of world communism or the economic or governmental doctrines of any other form of totalitarianism, or who is a member of or affiliated with any organization that advocates the economic, international, and governmental doctrines of world communism, or the economic and governmental doctrines of any other form of totalitarianism, either through its own utterances or through any written or printed publications issued or published by or with the permission or consent of or under authority of such organization or paid for by the funds of such organization; or

"'(4) who advocates or teaches or who is a member of or affiliated with any organization that advocates or teaches (i) the overthrow by force or violence or other unconstitutional means of the Government of the United States or of all forms of law; or (ii) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government because of his or their official character; or (iii) the unlawful damage, injury, or destruction of property; or (iv) sabotage; or

"'(5) who writes or publishes or causes to be written or published, or who knowingly circulates, distributes, prints, or displays, or knowingly causes to be circulated, distributed, printed, published, or displayed, or who knowingly has in his possession for the purpose of circulation, publication, or display, any written or printed matter, advocating or teaching opposition to all organized government, or advocating (i) the overthrow by force, violence, or other unconstitutional means of the Government of the United States or of all forms of law; or (ii) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government; or (iii) the unlawful damage, injury, or destruction of property; or (iv) sabotage; or (v) the economic, international, and governmental doctrines of world communism or the economic and governmental doctrines of any other form of totalitarianism; or

"'(6) who is a member of or affiliated with any organization that writes, circulates, distributes, prints, publishes, or displays, or causes to be written, circulated, distributed, printed, published, or displayed, or that has in its possession for the purpose of circulation, distribution, publication, issue, or display, any written or printed matter of the character described in subparagraph (5).

"'(b) The provisions of this section or of any other section of this Act shall not be construed as declaring that any of the organizations referred to in this section or in any other section of this Act do not advocate the overthrow of the Government of the United States by force, violence, or other unconstitutional means.

"'(c) The provisions of this section shall be applicable to any applicant for naturalization who at any time within a period of ten years immediately preceding the filing of the petition for naturalization is, or has been found to be, within any of the classes enumerated within this section, notwithstanding that at the time petition is filed he may not be included within such classes.

"'(d) If a person who shall have been naturalized after January 1, 1951, shall within five years next following such naturalization—

"'(1) become a member of or affiliated with any organization, membership in or affiliation with which at the time of naturalization would have precluded such person from naturalization under the provisions of this section; or

"'(2) become a member of any organization, membership in which at the time of naturalization would have raised the presumption that such person was not attached to the principles of the Constitution of the United States and not well disposed to the good order and happiness of the United States, under the provisions of this section

it shall be considered prima facie evidence that such person was not attached to the principles of the Constitution of the United States and was not well disposed to the good order and happiness of the United States at the time of naturalization, and, in the absence of countervailing evidence, it shall be sufficient in the proper proceeding to authorize the revocation and setting aside of the order admitting such person to citizenship and the cancellation of the certificate of naturalization as having been obtained by fraud or illegal procurement.

"'(e) Any alien who has been at any time within ten years next preceding the filing of his petition for naturalization, or is at the time of filing such petition, or has been at any time between such filing and the time of taking of the final oath of citizenship, a member of or affiliated with any Communist-front organization which is registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950, shall be presumed to be a person not attached to the principles of the Constitution of the United States and not well disposed to the good order and happiness of the United States, and unless he shall rebut such presumption he shall not be naturalized as a citizen of the United States: *Provided*, That the provisions of this section shall not apply to any person who shall be a member of or affiliated with any such Communist-front organization who shall, within three months from the date upon which such organization was so registered or so required to be registered, renounce, withdraw from, and utterly abandon such membership or affiliation, and who thereafter ceases entirely to be affiliated with such organization.'

"AMENDING SECTION 325 OF NATIONALITY ACT OF 1940

"SEC. 26. Section 325 of the Nationality Act of 1940, as amended, is hereby amended to read:

"'SEC. 325. (a) Any periods of time during all of which an alien who was previously lawfully admitted for permanent residence has served honorably or with good conduct, in any capacity other than as a member of the armed forces of the United States, (1) on board a vessel operated by the United States, or an agency thereof, the full legal and equitable title to which is in the United States; or (2) on board a vessel whose home port is in the United States, and (A) which is registered under the laws of the United States, or (B) the full legal and equitable title to which is in a citizen of the United States, or a corporation organized under the laws of any of the several States of the United States, shall be deemed residence within the United States within the meaning of section 307 (a) of this Act, if such service occurred within five years immediately preceding the date such alien shall file a petition for naturalization. Service with good conduct on vessels described in clause (1) of this subsection shall be proved by duly authenticated copies of the records of the executive departments or agency having custody of the records of such service. Service with good conduct on vessels described in clause (2) of this subsection may be proved by certificates from the masters of such vessels.

"'(b) Any alien who (1) was excepted from certain requirements of the naturalization laws under the provisions of this section prior to this amendment, and (2) has filed a petition for naturalization under this section prior to the date of approval of this amendment may, if such petition is pending on the date of approval of this section as amended, be naturalized upon compliance with the applicable provisions of the naturalization laws in effect upon the date such petition was filed.'

"AMENDING SECTION 329 OF NATIONALITY ACT OF 1940

"SEC. 27. Section 329 of the Nationality Act of 1940, as amended, is hereby amended by adding a new subsection (c), as follows:

"'(c) Except as otherwise provided in this Act, no person shall be naturalized unless he has been lawfully admitted to the United States for permanent residence in accordance with all applicable provisions of this Act and of the immigration laws. The burden of proof shall be upon such person to show that he entered the United States lawfully, and the time, place, and manner of such entry into the United States, but in presenting such proof he shall be entitled to the production of his immigration visa, if any, or of other documents concerning such entry, in the custody of the Commissioner. No person shall be naturalized against whom there is outstanding a final finding of deportability, and no petition for naturalization shall be finally heard by a naturalization court if there is pending against the petition a deportation proceeding pursuant to a warrant of arrest issued under the provisions of this or any other Act: *Provided*, That the findings of the Commissioner in terminating deportation proceedings or in suspending the deportation of an alien pursuant to law, shall not be deemed binding in any way upon the naturalization court with respect to the question of whether such person has established his eligibility for naturalization as required by this Act.'

"AMENDING SECTIONS 333 AND 334 (B) OF NATIONALITY ACT OF 1940

"SEC. 28. (a) Section 333 of the Nationality Act of 1940, as amended, is hereby amended to read:

"'SEC. 333. (a) The Commissioner or a Deputy Commissioner shall designate employees of the Service to conduct preliminary examinations upon petitions for naturalization to any naturalization court and to make recommendations thereon to such court. For such purposes any such employee so designated is hereby authorized to take testimony concerning any matter touching or in any way affecting the admissibility of any petitioner for naturalization, to administer oaths, and to require by subpena the attendance and testimony of witnesses, including petitioner, before such employee so designated and the production of relevant books, papers, and documents, and to that end may invoke the aid of any court exercising naturalization jurisdiction as specified in section 301 of this Act; and any such court wherein the petition is filed may, in the event of neglect or refusal to respond to a subpena issued by any such employee so designated or refusal to testify before such employee so designated, issue an order requiring such person to appear before such employee so designated, produce relevant books, papers, and documents if demanded, and testify; and any failure to obey such order of the court may be punished by the court as a contempt thereof. The record of the preliminary examination authorized by this subsection shall be admissible as evidence in any final hearing conducted by a naturalization court designated in section 301 of this Act.

"'(b) The record of the preliminary examination upon any petition for naturalization may be transmitted to the Commissioner and the recommendation with respect thereto of the employee designated to conduct such preliminary examination shall when made also be transmitted to the Commissioner.

"'(c) The recommendation of the employee designated to conduct any such preliminary examination shall be submitted to the court at the hearing upon the petition and shall include a recommendation that the petition be granted, or denied, or continued, with reasons therefor. In any case in which the recommendation of the Commissioner does not agree with that of the employee designated to conduct such preliminary examination, the recommendations of both such employee and the Commissioner shall be submitted to the court at the hearing upon the petition, and the officer of the Service in attendance at such hearing shall, at the request of the court, present both the views of such employee and those of the Commissioner with respect to such petition to the court. The recommendations of such employee and of the Commissioner shall be accompanied by duplicate lists containing the names of the petitioners, classified according to the character of the recommendations, and signed by such employee or the Commissioner, as the case may be. The judge to whom such recommendations are submitted shall, if he approve such recommendations, enter a written order with such exceptions as the judge may deem proper, by subscribing his name to each such list when corrected to conform to his conclusions upon such recommendations. One of each such lists shall thereafter be filed permanently of record in such court and the duplicate of each such list shall be sent by the clerk of such court to the Commissioner.

"'(d) After the petition for naturalization has been filed in the office of the clerk of the naturalization court, the petitioner shall not be permitted to withdraw his petition, except with the consent of the Commissioner. In cases where the Commissioner does not consent to withdrawal of the petition, the court shall determine the petition on its merits and enter a final order accordingly. In cases where the petitioner fails to prosecute his petition, the petition shall be decided upon its merits unless the Commissioner moves that the petition be dismissed for lack of prosecution.'

"(b) Section 334 (b) of the Nationality Act of 1940, as amended, is amended to read as follows:

"'(b) The requirement of subsection (a) of this Section for the examination of the petitioner and witnesses under oath before the court and in the presence of the court shall not apply in any case where a designated examiner has conducted the preliminary examination authorized by subsection (a) of Section 333; except that the court may, in its discretion, and shall, upon the demand of the petitioner, require the examination of the petitioner and the witnesses under oath before the court and in the presence of the court. If the petitioner is prevented by sickness or other disability from being in open court for the final hearing upon petition for naturalization, such final hearing may be had by a judge or judges at such place as may be designated by the court.'

"AMENDING SECTION 335 OF NATIONALITY ACT OF 1940

"SEC. 29. Section 335 of the Nationality Act of 1940, as amended, is amended to read:

"'SEC. 335. (a) A person who has petitioned for naturalization shall, before being admitted to citizenship, take in open court one of the oaths set forth in subsection (b) of this section (1) to support the Constitution of the United States; (2) to renounce and abjure absolutely and entirely all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which the petitioner was before a subject or citizen; (3) to support and defend the Constitution and the laws of the United States against all enemies, foreign and domestic; (4) to bear true faith and allegiance to the same; and (5) 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 when required by law: *Provided*, That any such person shall be required to take the oath prescribed in subsection (b) (1) of this section unless by clear and convincing evidence he can show to the satisfaction of the naturalization court that he is opposed to the bearing of arms or the performance of noncombatant service in the Armed Forces of the United States by reason of religious training and belief: *Provided further*, That in the case of the naturalization of a child under the provisions of section 315 or 316 of this Act the naturalization court may waive the taking of either of such oaths if in the opinion of the court the child is unable to understand their meaning.

"'(b) As provided in subsection (a) of this section, the petitioner for naturalization shall take one of the following oaths:

"'(1) I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States or perform noncombatant service in the Armed Forces of the United States when required by law; and that I take this obligation freely without any mental reservation or purpose of evasion: So help me God. In acknowledgment whereof I have hereunto affixed my signature; or

"'(2) I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I take this obligation freely and without any mental reservation or purpose of evasion: So help me God. In acknowledgment whereof I have hereunto affixed my signature.

"'(c) In case the person petitioning for naturalization has borne any hereditary title, or has been of any of the orders of nobility in any foreign state, the petitioner shall in addition to complying with the requirements of subsections (a) and (b) of this section, make under oath in open court to which the petition for naturalization is made, an express renunciation of such title or order of nobility, and such renunciation shall be recorded in the court as a part of such proceedings.

"'(d) If the petitioner is prevented by sickness or other disability from being in open court, the oath required to be taken by subsection (a) of this section may be taken before a judge of the court at such place as may be designated by the court.'

"AMENDING SECTION 304 OF NATIONALITY ACT OF 1940

"SEC. 30. Section 304 of the Nationality Act of 1940, as amended, is hereby amended to read as follows:

"'SEC. 304. No person except as otherwise provided in this Act shall hereafter be naturalized as a citizen of the United States upon his own petition who cannot demonstrate—

"'(1) an understanding of the English language, including an ability to read, write, and speak words in ordinary usage in the English language: *Provided*, That this requirement shall not apply to any person physically unable to comply therewith, if otherwise qualified to be naturalized, or to any person who, on the date of approval of this amendment, is over fifty years of age and has been legally residing in the United States for twenty years: *Provided further*, That the requirements of this section relating to ability to read and write 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 and that no extraordinary or unreasonable conditions shall be imposed upon the applicant; and

"'(2) a knowledge and understanding of the fundamentals of the history, and the principles and form of government, of the United States.'

"AMENDING CHAPTER 73, TITLE 18, UNITED STATES CODE

"SEC. 31. (a) Chapter 73 of title 18, United States Code, is amended by inserting, immediately following section 1506 of such chapter, a new section, to be designated as section 1507, and to read as follows:

"'§ 1507. Picketing or parading.

"'Whoever, with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined not more than $5,000 or imprisoned not more than one year, or both.

"'Nothing in this section shall interfere with or prevent the exercise by any court of the United States of its power to punish for contempt.'

"(b) The analysis of such chapter is amended by inserting, immediately after and underneath item 1506, as contained in such

analysis, the following new item: '1507. Picketing or parading.'

"SEPARABILITY OF PROVISIONS

"SEC. 32. If any provision of this title, or the application thereof to any person or circumstances, is held invalid, the remaining provisions of this title, or the application of such provision to other persons or circumstances, shall not be affected thereby.

"TITLE II—EMERGENCY DETENTION

"SHORT TITLE

"SEC. 100. This title may be cited as the 'Emergency Detention Act of 1950'.

"FINDINGS OF FACT AND DECLARATION OF PURPOSE

"SEC. 101. As a result of evidence adduced before various committees of the Senate and the House of Representatives, the Congress hereby finds that—

"(1) There exists a world Communist movement which in its origins, its development, and its present practice, is a world-wide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in all the countries of the world through the medium of a world-wide Communist organization.

"(2) The establishment of a totalitarian dictatorship in any country results in the suppression of all opposition to the party in power, the complete subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic of a representative form of government, such as freedom of speech, of the press, of assembly, and of religious worship, and results in the maintenance of control over the people through fear, terrorism, and brutality.

"(3) The system of government known as totalitarian dictatorship is characterized by the existence of a single political party, organized on a dictatorial basis, and by substantial identity between such party and its policies and the government and governmental policies of the country in which it exists.

"(4) The direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country.

"(5) The Communist dictatorship of such foreign country, in exercising such direction and control and in furthering the purposes of the world Communist movement, establishes or causes the establishment of, and utilizes, in various countries, action organizations which are not free and independent organizations, but are sections of a world-wide Communist organization and are controlled, directed, and subject to the discipline of the Communist dictatorship of such foreign country.

"(6) The organizations so established and utilized in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship. Although such Communist organizations usually designate themselves as political parties, they are in fact constituent elements of the world-wide movement and promote the objectives of such movement by conspiratorial and coercive tactics, and especially by the use of espionage and sabotage, instead of through the democratic processes of a free elective system or through the freedom-preserving means employed by a political party which operates as an agency by which people govern themselves.

"(7) In the United States those individuals who knowingly and willfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement; and, in countries other than the United States, those individuals who knowingly and willfully participate in such Communist movement similarly repudiate their allegiance to the countries of which they are nationals in favor of such foreign Communist country.

"(8) In pursuance of communism's stated objectives, the most powerful existing Communist dictatorship has, by the methods referred to above, already caused the establishment in numerous foreign countries of Communist totalitarian dictatorships, and threatens to establish similar dictatorships in still other countries.

"(9) The agents of communism have devised clever and ruthless espionage and sabotage tactics which are carried out in many instances in form or manner successfully evasive of existing law, and which in this country are directed against the safety and peace of the United States.

"(10) The experience of many countries in World War II and thereafter with so-called "fifth columns" which employed espionage and sabotage to weaken the internal security and defense of nations resisting totalitarian dictatorships demonstrated the grave dangers and fatal effectiveness of such internal espionage and sabotage.

"(11) The security and safety of the territory and Constitution of the United States, and the successful prosecution of the common defense, especially in time of invasion, war, or insurrection in aid of a foreign enemy, require every reasonable and lawful protection against espionage, and against sabotage to national-defense material, premises, forces and utilities, including related facilities for mining, manufacturing, transportation, research, training, military and civilian supply, and other activities essential to national defense.

"(12) Due to the wide distribution and complex interrelation of facilities which are essential to national defense and due to the increased effectiveness and technical development in espionage and sabotage activities, the free and unrestrained movement in such emergencies of members or agents of such organizations and of others associated in their espionage and sabotage operations would make adequate surveillance to prevent espionage and sabotage impossible and would therefore constitute a clear and present danger to the public peace and the safety of the United States.

"(13) The recent successes of Communist methods in other countries and the nature and control of the world Communist movement itself present a clear and present danger to the security of the United States and to the existence of free American institutions, and make it necessary that Congress, in order to provide for the common defense, to preserve the sovereignty of the United States as an independent nation, and to guarantee to each State a republican form of government, enact appropriate legislation recognizing the existence of such world-wide conspiracy and designed to prevent it from accomplishing its purpose in the United States.

"(14) The detention of persons who there is reasonable ground to believe probably will commit or conspire with others to commit espionage or sabotage is, in a time of internal security emergency, essential to the common defense and to the safety and security of the territory, the people, and the Constitution of the United States.

"(15) It is also essential that such detention in an emergency involving the internal security of the Nation shall be so authorized, executed, restricted, and reviewed as to prevent any interference with the constitutional rights and privileges of any persons, and at the same time shall be sufficiently effective to permit the performance by the Congress and the President of their constitutional duties to provide for the common defense, to wage war, and to preserve, protect and defend the Constitution, the Government, and the people of the United States.

"DECLARATION OF 'INTERNAL SECURITY EMERGENCY'

"SEC. 102. (a) In the event of any one of the following:

"(1) Invasion of the territory of the United States or its possessions,

"(2) Declaration of war by Congress, or

"(3) Insurrection within the United States in aid of a foreign enemy,

and if, upon the occurrence of one or more of the above, the President shall find that the proclamation of an emergency pursuant to this section is essential to the preservation, protection and defense of the Constitution, and to the common defense and safety of the territory and people of the United States, the President is authorized to make public proclamation of the existence of an 'Internal Security Emergency'.

"(b) A state of 'Internal Security Emergency' (hereinafter referred to as the 'emergency') so declared shall continue in existence until terminated by proclamation of the President or by concurrent resolution of the Congress.

"DETENTION DURING EMERGENCY

"SEC. 103. (a) Whenever there shall be in existence such an emergency, the President, acting through the Attorney General, is hereby authorized to apprehend and by order detain, pursuant to the provisions of this title, each person as to whom there is reasonable ground to believe that such person probably will engage in, or probably will conspire with others to engage in, acts of espionage or of sabotage.

"(b) Any person detained hereunder (hereinafter referred to as 'the detainee') shall be released from such emergency detention upon—

"(1) the termination of such emergency by proclamation of the President or by concurrent resolution of the Congress;

"(2) an order of release issued by the Attorney General;

"(3) a final order of release after hearing by the Board of Detention Review, hereinafter established;

"(4) a final order of release by a United States court, after review of the action of the Board of Detention Review, or upon a writ of habeas corpus.

"PROCEDURE FOR APPREHENSION AND DETENTION

"SEC. 104. (a) The Attorney General, or such officer or officers of the Department of Justice as he may from time to time designate, are authorized during such emergency to execute in writing and to issue—

"(1) a warrant for the apprehension of each person as to whom there is reasonable ground to believe that such person probably will engage in, or probably will conspire with others to engage in, acts of espionage or sabotage; and

"(2) an application for an order to be issued pursuant to subsection (d) of this section for the detention of such person for the duration of such emergency.

Each such warrant shall issue only upon probable cause, supported by oath or affirmation, and shall particularly describe the person to be apprehended or detained.

"(b) Warrants for the apprehension of persons under this title shall be served and apprehension of such persons shall be made only by such duly authorized officers of the Department of Justice as the Attorney General may designate. A copy of the warrant for apprehension shall be furnished to any person apprehended under this title.

"(c) Persons apprehended or detained under this title shall be confined in such places of detention as may be prescribed by the Attorney General. The Attorney General shall provide for all detainees such transportation, food, shelter, and other ac-

commodation and supervision as in his judgment may be necessary to accomplish the purpose of this title.

"(d) Within forty-eight hours after apprehension, or as soon thereafter as provision for it may be made, each person apprehended pursuant to this section shall be taken before a preliminary hearing officer appointed pursuant to the provisions of this section. Such hearing officer shall inform such person (1) of the grounds upon which application was made for his detention, (2) of his right to retain counsel, (3) of his right to have a preliminary examination, (4) of his right to refrain from making any statement, and (5) of the fact that any statement made by him may be used against him. Such hearing officer shall allow such person reasonable time and opportunity to consult counsel. If such person waives preliminary examination, the hearing officer shall forthwith issue an order for the detention of such person, and furnish to him a copy of such order. If such person does not waive examination, the preliminary hearing officer shall hear evidence within a reasonable time. Such person may introduce evidence in his own behalf, and may cross-examine witnesses against him, except that the Attorney General or his representative shall not be required to furnish information the revelation of which would disclose the identity or evidence of Government agents or officers which he believes it would be dangerous to national safety and security to divulge. Such hearing officer shall record all evidence offered by or on behalf of such person and all objections made by such person to his detention. If from the evidence it appears to the preliminary hearing officer that there is probable cause for the detention of such person pursuant to this title, such hearing officer shall forthwith issue an order for the detention of such person, furnish to him a copy of such order, and advise such person of his right to file with the Detention Review Board established by this title a petition for the review of such order. If from the evidence it appears to the preliminary hearing officer that probable cause for the detention of such person has not been shown, such officer shall issue an order discharging such person from detention, and shall furnish a copy of such order to such person. Upon the entry of such order, such person shall be released from custody by the Attorney General and by any subordinate officer or employee of the United States having custody of such person. Within seven days after the entry of any such order, the preliminary hearing officer shall prepare and transmit to the Attorney General, or such other officer as may be designated by him, (1) a report which shall set forth the result of such preliminary hearing, together with his recommendations with respect to the question whether any order issued for the detention of such person shall be continued in effect or revoked, and (2) any additional written representations or evidence which the detainee or his legal counsel may wish to file with the Attorney General. A copy of such report shall be served promptly upon the detainee or his legal counsel. Preliminary hearing officers may be appointed by the President, without regard to the civil service laws but subject to the Classification Act of 1949, in such numbers, and may serve at such places, as may be necessary for the expeditious consideration of cases involving persons apprehended pursuant to this section. No person who has, within the three years preceding the date of his appointment, served as an officer or employee of the Department of Justice shall be appointed as a preliminary hearing officer.

"(e) The Attorney General, or such other officers of the Department of Justice as he may designate, shall upon request of any detainee from time to time receive such additional information bearing upon the grounds for the detention as the detainee or any other person may present in writing. If on the basis of such additional information received by the Attorney General or transmitted to him by such officers, he shall find there is no longer reasonable ground to believe that the detainee probably will engage in, or probably will conspire with others to engage in, acts of espionage or sabotage if released, the Attorney General is authorized to issue an order revoking the initial order or any final Board or court order of detention and to release such detainee. The Attorney General is also authorized to modify the order under which any detainee is detained and apply to such detainee such lesser restrictions in movement and activity as the Attorney General shall determine will serve the purposes of this title.

"(f) In case of Board or court review of any detention order, the Attorney General, or such review officers as he may designate, shall present to the Board, the court, and the detainee to the fullest extent possible consistent with national security, the evidence supporting a finding of reasonable ground for detention in respect to the detainee, but he shall not be required to offer or present evidence of any agents or officers of the Government the revelation of which in his judgment would be dangerous to the security and safety of the United States.

"(g) The Attorney General is authorized to prescribe such regulations, not inconsistent with the provisions of this title, as he shall deem necessary to promote the effective administration of this title. No such regulation shall require or permit persons detained under the provisions of this title to perform forced labor, or any tasks not reasonably associated with their own comfort and well-being, or to be confined in company with persons who are confined pursuant to the criminal laws of the United States or of any State.

"(h) Whenever there shall be in existence an emergency within the meaning of this title, the Attorney General shall transmit bimonthly to the President and to the Congress a report of all action taken pursuant to the powers granted in this title.

"DETENTION REVIEW BOARD

"SEC. 105. (a) The President is hereby authorized to establish a Detention Review Board (referred to in this title as the 'Board') which shall consist of nine members, not more than five of whom shall be members of the same political party, appointed by the President by and with the advice and consent of the Senate. Of the original members of the Board, three shall be appointed for terms of one year each, three for terms of two years each, and three for terms of three years each, but their successors shall be appointed for terms of three years each, subject to termination of the term upon expiration of this title, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Board. Any member of the Board may be removed by the President, upon notice and hearing, for neglect of duty or for malfeasance in office, but for no other cause.

"(b) The Board is authorized to establish divisions thereof, each of which shall consist of not less than three of the members of the Board. Each such division may be delegated any or all of the powers which the Board may exercise. A vacancy in the Board shall not impair the right of the remaining members to exercise all of the powers of the Board, and five members of the Board shall at all times constitute a quorum of the Board, except that two members shall constitute a quorum of any division established pursuant to this subsection. The Board shall have an official seal which shall be judicially noticed.

"(c) At the close of each fiscal year the Board shall make a report in writing to the Congress and to the President stating in detail the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Board, and an account of all moneys it has disbursed.

"(d) In the event of a proclamation by the President or a concurrent resolution of the Congress terminating the existence of a state of emergency, and after the release of all detainees and the conclusion of all pending matters before the Board and of all pending appeals in the courts from orders of the Board, the President shall within a reasonable time dissolve and terminate the Board and all of its authority, powers, functions, and duties. Such termination shall not preclude the subsequent establishment by the President, pursuant to this title, of another Board with all of the rights, authority, and duties prescribed by this title, in the event that he shall proclaim another emergency or shall determine that the proclamation of such an emergency may soon be essential to the national security.

"SEC. 106. (a) Each member of the Board shall receive a salary of $12,500 a year, shall be eligible for reappoinment, and shall not engage in any other business, vocation, or employment. The Board shall appoint an executive secretary, and such attorneys and other employees as it may from time to time find necessary for the proper performance of its duties. The Board may establish or utilize such regional, local, or other agencies, and utilize such voluntary and uncompensated services, as may from time to time be needed.

"(b) All of the expenses of the Board, including all necessary traveling and subsistence expenses outside the District of Columbia incurred by the members or employees of the Board under its orders, shall be paid out of appropriations made therefor, and there are hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as may be necessary for that purpose.

"SEC. 107. The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place. The Board may conduct any hearing necessary to its functions in any part of the United States.

"SEC. 108. The Board shall have authority from time to time to make, amend, and rescind, in the manner prescribed by the Administrative Procedure Act, such rules and regulations as may be necessary to carry out the provisions of this title. All procedures of the Board shall be subject to the applicable provisions of the Administrative Procedure Act.

"SEC. 109. (a) Any Board created under this title is empowered—

"(1) to review upon petition of any detainee any order of detention issued pursuant to section 104 (d) of this title;

"(2) to determine whether there is reasonable ground to believe that such detainee probably will engage in, or conspire with others to engage in, espionage or sabotage;

"(3) to issue orders confirming, modifying, or revoking any such order of detention; and

"(4) to hear and determine any claim made pursuant to this paragraph by any person who shall have been detained pursuant to this title and shall have been released from such detention, for loss of income by such person resulting from such detention if without reasonable grounds. Upon the issuance of any final order for indemnification pursuant to this paragraph, the Attorney General is authorized and directed to make payment of such indemnity to the person entitled thereto from such funds as may be appropriated to him for such purpose.

"(b) Whenever a petition for review of an order for detention issued pursuant to section 104 (d) of this title or for indemnification pursuant to the preceding subsection shall have been filed with the Board in accordance with such regulations as may be

prescribed by the Board, the Board shall provide for an appropriate hearing upon due notice to the petitioner and the Attorney General at a place therein fixed, not less than fifteen days after the serving of said notice and not more than forty-five days after the filing of such petition.

"(c) In any case arising from a petition for review of an order for detention issued pursuant to section 104 (d) of this title, the Board shall require the Attorney General to inform such detainee of grounds on which his detention was instituted, and to furnish to him as full particulars of the evidence as possible, including the identity of informants, subject to the limitation that the Attorney General may not be required to furnish information the revelation of which would disclose the identity or evidence of Government agents or officers which he believes it would be dangerous to national safety and security to divulge.

"(d) (1) Any member of the Board shall have the power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence relating to the matter under review before the Board or any hearing examiner conducting any hearing authorized by this title. Any hearing examiner of the Board may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

"(2) In case of contumacy or refusal to obey a subpena issued to any person, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Board shall have jurisdiction to issue to such person an order requiring such person to appear before the Board or its hearing examiner, there to produce evidence if so ordered, or there to give testimony touching the matter under review; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

"(e) (1) Notices, orders, and other process and papers of the Board, or any hearing examiner thereof, shall be served upon the detainee personally and upon his attorney or designated representative. Such process and papers may be served upon the Attorney General or such other officers as may be designated by him for such purpose, and upon any other interested persons either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same setting forth the manner of such service shall be proof of the same, and the return post-office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses summoned before the Board, or any hearing examiner thereof, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

"(2) All process of any court to which application may be made under this title may be served in the judicial district wherein the person required to be served resides or may be found.

"(3) The several departments and agencies of the Government, when directed by the President, shall furnish the Board, upon its request, all records, papers, and information in their possession relating to any matter before the Board.

"(f) Every detainee shall be afforded full opportunity to be represented by counsel at the preliminary hearing prescribed by this title and in all stages of the detention review proceedings, including the hearing before the Board and any judicial review, and he shall have the right at hearings of the Board to testify, to have compulsory process for obtaining witnesses in his favor, and to cross-examine adverse witnesses.

"(g) In any proceeding before the Board under this title the Board and its hearing examiners are authorized to consider under regulations designed to protect the national security any evidence of Government agencies and officers the full text or content of which cannot be publicly revealed for reasons of national security, but which the Attorney General in his discretion offers to present. The testimony taken before the Board or its hearing examiners shall be reduced to writing and filed with the Board. Thereafter, in its discretion, the Board upon notice may take further testimony or hear argument.

"(h) In deciding the question of the existence of reasonable ground to believe a person probably will engage in or conspire with others to engage in espionage or sabotage, the Attorney General, any preliminary hearing officer, and the Board of Detention Review are authorized to consider evidence of the following:

"(1) Whether such person has knowledge of or has received or given instruction or assignment in the espionage, counterespionage, or sabotage service or procedures of a government or political party of a foreign country, or in the espionage, counterespionage, or sabotage service or procedures of the Communist Party of the United States or of any other organization or political party which seeks to overthrow or destroy by force and violence the Government of the United States or of any of its subdivisions and to substitute therefor a totalitarian dictatorship controlled by a foreign government, and whether such knowledge, instruction, or assignment has been acquired or given by reason of civilian, military, or police service with the United States Government, the governments of the several States, their political subdivisions, the District of Columbia, the Territories, the Canal Zone, or the insular possessions, or whether 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 whether, by reason of employment at any time by the Department of Justice or the Central Intelligence Agency, such person has made full written disclosure of such knowledge or instruction to officials within those agencies and such disclosure has been made a matter of record in the files of the agency concerned;

"(2) Any past act or acts of espionage or sabotage committed by such person, or any past participation by such person in any attempt or conspiracy to commit any act of espionage or sabotage, against the United States, any agency or instrumentality thereof, or any public or private national defense facility within the United States;

"(3) Activity in the espionage or sabotage operations of, or the holding at any time after January 1, 1949, of membership in, the Communist Party of the United States or any other organization or political party which seeks to overthrow or destroy by force and violence the Government of the United States or of any of its political subdivisions and the substitution therefor of a totalitarian dictatorship controlled by a foreign government.

"(i) The authorization of the Attorney General and the Board of Detention Review to consider the evidence set forth in the previous subsection shall not be construed as a direction to detain any person as to whom such evidence exists, but in each case the Attorney General or the Board of Detention Review shall decide whether, on all the evidence, there is reasonable ground to believe the detainee or possible detainee probably will engage in, or conspire with others to engage in, espionage or sabotage.

"(j) In any proceeding involving a claim for the payment of any indemnity pursuant to the provisions of this title, the Board and its hearing examiners may receive evidence having probative value concerning the nature and extent of the income lost by the claimant as a result of his detention.

"ORDERS OF THE BOARD

"SEC. 110. (a) If upon all the testimony taken in any proceeding for the review of any order of detention issued pursuant to section 104 (d) of this title, the Board shall determine that there is not reasonable ground to believe that the detainee in question probably will engage in, or conspire with others to engage in, espionage or sabotage, the Board shall state its findings of fact and shall issue and serve upon the Attorney General an order revoking the order for detention of the detainee concerned and requiring the Attorney General, and any officer designated by him for the supervision or control of the detention of such person, to release such detainee from custody; and shall forthwith serve a copy of such order upon the detainee.

"(b) If upon all the testimony taken in any proceeding for the review of any such order for detention involving a claim for indemnity pursuant to this title, or in any other proceeding brought before the Board for the assertion of a claim to such indemnity, the Board shall determine that the claimant is entitled to receive such indemnity, the Board shall state its findings of fact and shall issue and serve upon the Attorney General an order requiring him to pay to such claimant the amounts of such indemnity; and shall forthwith serve a copy of such order upon such claimant. If upon all the testimony taken in any proceeding involving a claim for indemnity or for the ascertainment of any such claim, the Board shall determine that the claimant is not entitled to receive such indemnity, the Board shall state its finding of fact in sufficient detail to apprise the claimant of the grounds for its decision and shall issue and serve upon the claimant an order denying such claim and dismissing his petition so far as it pertains to such claim.

"(c) If upon all the testimony taken in any proceeding for the review of any such order for detention, the Board shall determine that there is reasonable ground to believe that the detainee probably will engage in, or conspire with others to engage in, espionage or sabotage, the Board shall state its findings of fact in sufficient detail to apprise the detainee of the grounds for its decision and shall issue and serve upon the detainee an order dismissing the petition and confirming the order of detention.

"(d) In case the evidence is presented before a hearing examiner such examiner shall issue and cause to be served on the parties to the proceeding a proposed report, together with a recommended order, which shall be filed with the Board, and if no exceptions are filed within twenty days after service thereof upon such parties, or within such further period as the Board may authorize, such recommended order shall become the order of the Board and become effective as therein prescribed.

"(e) Until a transcript of the record in a case shall have been filed in a court, as hereinafter provided, the Board may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

"JUDICIAL REVIEW

"SEC. 111. (a) Any petitioner aggrieved by an order of the Board denying in whole or in part the relief sought by him, or by the failure or refusal of the Attorney General to obey such order, shall be entitled to the judicial review or judicial enforcement, provided hereinafter in this section.

"(b) In the case of any order of the Board granting any indemnity to any petitioner, the Attorney General shall be entitled to the judicial review of such order provided hereinafter in this section.

"(c) Any party entitled to judicial review or enforcement under subsection (a) or (b) of this section shall be entitled to receive such review or enforcement in any United States court of appeals for the circuit wherein the petitioner is detained or resides by filing in such court within sixty days from the date of service upon the aggrieved party of such order of the Board a written petition praying that such order be modified or set aside or enforced, except that in the case of a petition for the enforcement of a Board order, the petitioner shall have a further period of sixty days after the Board order has become final within which to file the petition herein required. A copy of such petition by any petitioner other than the Attorney General shall be forthwith served upon the Attorney General and upon the Board, and a copy of any such petition filed by the Attorney General shall be forthwith served upon the person with respect to whom relief is sought and upon the Board. The Board shall thereupon file in the court a duly certified transcript of the entire record of the proceedings before the Board with respect to the matter concerning which judicial review is sought, including all evidence upon which the order complained of was entered, the findings and order of the Board. In the case of a petition for enforcement, under subsection (a) of this section, the petitioner shall file with his petition a statement under oath setting forth in full the facts and circumstances upon which he relies to show the failure or refusal of the Attorney General to obey the order of the Board. Thereupon the court shall have jurisdiction of the proceeding and shall have power to affirm, modify, or set aside, or to enforce or enforce as modified the order of the Board. The findings of the Board as to the facts, if supported by reliable, substantial, and probative evidence, shall be conclusive.

"(d) If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Board or its hearing examiner the court may order such additional evidence to be taken before the Board or its hearing examiner and to be made a part of the transcript. The Board may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which findings with respect to questions of fact if supported by reliable, substantial, and probative evidence on the record considered as a whole shall be conclusive, and shall file its recommendations, if any, for the modification or setting aside of its original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the Supreme Court of the United States upon writ of certiorari or certification as provided in title 28, United States Code, section 1254.

"(e) The commencement of proceedings by the Attorney General for judicial review under subsection (b) of this section shall, if he so requests, operate as a stay of the Board's order.

"(f) Any order of the Board shall become final—

"(1) upon the date of entry thereof by the Board, if such order is not subject to judicial review, or

"(2) upon the expiration of the time allowed for filing a petition for review or enforcement, if such order is subject to judicial review and no such petition has been duly filed within such time; or

"(3) upon the expiration of the time allowed for filing a petition for certiorari, if such order is subject to judicial review and the order of the Board has been affirmed or the petition for review or enforcement dismissed by a United States court of appeals, and no petition for certiorari has been duly filed; or

(4) upon the denial of a petition for certiorari, if such order is subject to judicial review and the order of the Board has been affirmed or the petition for review or enforcement dismissed by a United States court of appeals; or

"(5) upon the expiration of ten days from the date of issuance of the mandate of the Supreme Court, if such order is subject to judicial review and such Court directs that the order of the Board be affirmed or that the petition for review or enforcement be dismissed.

"(g) Nothing contained in this section shall be construed to deprive any person of any relief to which he may be entitled under the Administrative Procedure Act.

"CRIMINAL PROVISIONS

"SEC. 112. Whoever, being named in a warrant for apprehension or order of detention as one as to whom there is reasonable ground to believe that he probably will engage in, or conspire with others to engage in, espionage or sabotage, or being under confinement or detention pursuant to this title, shall resist or knowingly disregard or evade apprehension pursuant to this title or shall escape, attempt to escape or conspire with others to escape confinement or detention ordered and instituted pursuant to this title, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

"SEC. 113. Whoever knowingly—

"(a) advises, aids, assists, or procures, the resistance, disregard, or evasion of apprehension pursuant to this title by any person named in a warrant or order of detention as one to whom there is reasonable ground to believe that such person probably will engage in, or conspire with others to engage in espionage or sabotage; or

"(b) advises, aids, assists, or procures the escape from confinement or detention pursuant to this title of any person so named; or

"(c) aids, relieves, transports, harbors, conceals, shelters, protects, or otherwise assists any person so named for the purpose of the evasion of such apprehension by such person or the escape of such person from such confinement or detention; or

"(d) attempts to commit or conspires with any other person to commit any act punishable under subsections (a), (b), or (c) of this section,

shall be fined not more than $10,000, or imprisoned not more than ten years, or both.

"SEC. 114. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Board or any of its agents or agencies in the performance of duties pursuant to this Act shall be punished by a fine of not more than $5,000 or by imprisonment for not more than one year, or both.

"DEFINITION

"SEC. 115. For the purposes of this title, the term 'espionage' means any violation of sections 791 through 797 of title 18 of the United States Code, as amended by this Act, and the term 'sabotage' means any violation of sections 2151 through 2156 of title 18 of the United States Code, as amended by this Act.

"SEPARABILITY OF PROVISIONS

"SEC. 116. If any provision of this title, or the application thereof to any person or circumstance, is held invalid, the remaining provisions of this title, or the application of such provision to other persons or circumstances, shall not be affected thereby. Nothing contained in this title shall be construed to suspend or to authorize the suspension of the privilege of the writ of habeas corpus."

And the Senate agree to the same.

That the Senate recede from its amendment to the title of the bill.

JOHN S. WOOD,
FRANCIS E. WALTER,
BURR P. HARRISON,
JOHN MCSWEENEY,
RICHARD NIXON,
HAROLD H. VELDE,
BERNARD W. KEARNEY,
Managers on the Part of the House.

PAT MCCARRAN,
JAMES O. EASTLAND
(by PAT MCCARRAN),
HERBERT R. O'CONOR,
ALEXANDER WILEY,
HOMER FERGUSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9490) to protect the United States against certain un-American and subversive activities by requiring registration of Communist organizations, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment to the text of the House bill struck out all after the enacting clause and inserted a substitute. The report of the conferees recommends a substitute for both the House bill and the Senate amendment.

The Senate also amended the title of the bill. The Senate recedes on this amendment.

The substitute agreed to in conference has two titles, and the entire act is given the short title "Internal Security Act of 1950." The differences between the bill as passed by the House and the substitute agreed to in conference are explained below.

Title I of the conference substitute, which is given the short title "Subversive Activities Control Act of 1950," contains provisions (sections 1 through 17, and section 32) based upon and, except as explained below, the same as the provisions of the bill as it passed the House. Title I also contains provisions (sections 18 through 31) based upon, but differing in numerous respects from, sections which were in the Senate amendment and which dealt with matters not covered by the bill as it passed the House.

Title II of the conference substitute, which is given the short title "Emergency Detention Act of 1950," is substantially similar to title II of the Senate amendment, although a number of important changes were made by the committee of conference. The House bill contained no provisions comparable to title II.

TITLE I

SECTIONS 1 THROUGH 17, AND SECTION 32

The following explanation points out the differences between the bill as it passed the House and sections 1 through 17, and section 32, of title I of the conference substitute, except for clerical, clarifying, and conforming changes which are not substantive in character.

Section 1

Subsection 1 (b) of title I of the conference substitute is a provision taken from the

Senate amendment, and provides as follows:

"(b) Nothing in this 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 no regulation shall be promulgated hereunder having that effect."

Section 2

This section of title I states the findings made by the Congress in support of the necessity for the enactment of title I. A number of additional paragraphs (paragraphs 11 through 14) taken from the Senate amendment with modifications have been added because of the inclusion in title I of section 18 through 31.

Section 3

This section contains the definitions which are to be applicable to title I.

Paragraphs (3) and (4), defining the terms "Communist-action organization" and "Communist-front organization," have been changed, and it is believed that these paragraphs as modified more clearly express their original intent.

Paragraph (7) of this section, in the bill as passed by the House, defined the term "defense plant," this definition being applicable to the provisions of section 5. In the conference substitute this paragraph has been modified so that it defines the term "facility" and the term "defense facility." The reasons for this change are set forth in the explanation of section 5 appearing hereafter.

Paragraphs (14) through (19) contain definitions which did not appear in the House bill, and these, taken from the Senate amendment, have been added because of the inclusion in title I of section 4 (a) and sections 18 through 31.

Section 4

One major difference between the provisions of the House bill and title I of the conference substitute is that there is included as section 4 (a) of the conference substitute a provision, taken from the Senate amendment, which provides that—

"(a) It shall be unlawful for any person knowingly to combine, conspire, or agree with any other person to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship, as defined in paragraph (15) of section 3 of this title, 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: *Provided, however,* That this subsection shall not apply to the proposal of a constitutional amendment."

Another change in section 4 is that in subsection (d), which prescribes the penalty for any violation of the section, it is provided that in addition to punishment by fine or imprisonment in the case of conviction, the person convicted shall "thereafter be ineligible to hold any office, or place of honor, profit, or trust created by the Constitution or laws of the United States." This additional provision is taken from the Senate amendment.

The first sentence of subsection (f) of section 4 was not in the bill as it passed the House. This sentence provides that—"neither the holding of office nor membership in any Communist organization by any person shall constitute per se a violation of subsection (a) or subsection (c) of this section or of any other criminal statute." A similar sentence was included in section 4 (f) of the Senate amendment, but the Senate provision did not contain the words "per se" or the words "or of any other criminal statute."

Section 5

Section 5 of title I, relating to employment of members of Communist organizations, and to the contribution of funds or services to such organizations, is in general similar to section 5 of the bill as it passed the House, but it has been modified, particularly in the provisions relating to what were, in the House bill, called defense plants.

Under this section as it passed the House it was provided that the Secretary of Defense should determine and designate the identity of each defense plant as such term was defined in section 3 (7). Under section 3 (7) a defense plant was defined as any plant, factory, or other manufacturing or service establishment, or any part thereof, engaged in the production or furnishing, for the use of the Government of any commodity or service determined and designated by the Secretary of Defense to be of such character as to affect the military security of the United States.

Section 3 (7), and the provisions of section 5 relating to the designation of defense plants by the Secretary of Defense, have been modified in the conference substitute so as to broaden the concept of defense plants to cover any appropriately designated plant, factory or other manufacturing, producing, or service establishment, airport, airport facility, vessel, pier, water-front facility, mine, railroad, public utility, laboratory, station, or other establishment or facility, or any part, division, or department of any of the foregoing. Because of this broader coverage, section 3 (7) has been changed so as to define the two terms "facility" and "defense facility."

The test to be applied by the Secretary of Defense in designating an establishment or facility as a "defense facility" is prescribed in section 5 (b), and he is authorized by that subsection to make such designation in the case of any facility, as defined in section 3 (7)—"with respect to the operation of which he finds and determines that the security of the United States requires the application of the provisions of subsection (a) of this section."

In section 5 of the bill as it passed the House it was not specifically required, when the Secretary of Defense designated a "defense plant" that the designation made by him be made a matter of public information. In the modified section 5 (b) the provisions regarding designation have been changed so as to provide that the Secretary of Defense shall designate and proclaim, and from time to time revise, a list of the facilities designated by him, cause the list of such designated facilities, or any revision thereof, to be published in the Federal Register, and promptly notify the management of any facility so listed. It is made the duty of such management to post conspicuously, and to keep posted, notice of such designation in such form and in such place or places as to give reasonable notice thereof to all employees of, and to all applicants for employment in, such facility. The definition of "defense facility" in the revised section 3 (7) is so written that the criminal prohibitions in section 5 (a) relating to defense facilities will be applicable in the case of any particular designated facility only if the facility is included in the list published in accordance with section 5 (b), and only if the facility is in compliance with the provisions respecting the posting of notice of its designation as a defense facility.

Secton 5 (a) and (c) of the bill as passed by the House made it unlawful for any member of a Communist organization seeking, accepting, or holding any nonelective office or employment under the United States, or in a defense plant, to conceal his membership in such organization. In the corresponding provisions of the conference substitute, sections 5 (a) (1) (A) and (B), the words "or fail to disclose" have been inserted after the word "conceal."

In section 5 (c) of the bill as it passed the House it was made unlawful for a member of a Communist organization to engage in any employment in a defense plant. In the corresponding provision in the conference substitute, section 5 (a) (1) (D), this prohibition is made applicable only in the case of members of a Communist-action organization.

Section 5 (b) of the bill as it passed the House provided that when a Communist organization is registered, or there is in effect a final order of the Board requiring it to register, it shall be unlawful for any officer or employee of the United States to contribute funds or services to such organization. In the conference substitute, in section 5 (a) (2) (A), this prohibition is also made applicable to any officer or employee of a defense facility.

Section 6

In this section of title I, relating to denial of passports to members of Communist organizations, an additional provision, taken from the Senate amendment, has been included. This subsection is a follows:

"(b) When an organization is registered, or there is in effect a final order of the Board requiring an organization to register, as a Communist-action organization, it shall be unlawful for any officer or employee of the United States to issue a passport to, or renew the passport of, any individual knowing or having reason to believe that such individual is a member of such organization."

Section 13

This section of title I, relating to proceedings before the Subversive Activities Control Board, has been modified by adding at the end of subsection (a) thereof a sentence, taken from the Senate amendment, which provides that each petition filed with the Board by the Attorney General shall be verified under oath and shall contain a statement of the facts upon which the Attorney General relies in support of his prayer for the issuance of an order requiring an organization or individual to register.

Section 13 has also been modified by inserting in subsection (d) thereof a paragraph (2) reading as follows:

"(2) Where an organization or individual declines or fails to appear at a hearing accorded to such organization or individual by the Board pursuant to this section, the Board may, without further proceedings and without the introduction of any evidence, enter an order requiring such organization or individual to register or denying the application of such organization or individual, as the case may be. Where in the course of any hearing before the Board or any examiner thereof a party or counsel is guilty of misbehavior which obstructs the hearing, such party or counsel may be excluded from further participation in the hearing."

Section 14

Under section 14 of the bill as passed by the House it was provided that an aggrieved party could obtain review of an order of the Subversive Activities Control Board by filing a petition in the United States Court of Appeals for the District of Columbia, but no authority was granted for the transfer of the action to any other court. This section of the conference substitute has been modified so that, while the United States Court of Appeals for the District of Columbia is the only court in which an aggrieved party may file a petition for the purpose of obtaining review, the court is given authority in its discretion and upon its own motion to transfer any action so commenced to the United States court of appeals for the circuit wherein the petitioner resides.

AMENDMENTS TO TITLE 18, UNITED STATES CODE, AND TO THE IMMIGRATION AND NATURALIZATION LAWS

The Senate amendment contained sections 18 to 31, inclusive, consisting principally of

amendments to certain provisions of title 18, United States Code, and of the immigration and naturalization laws. None of these sections was contained in the House bill. The conference substitute retains, with numerous modifications, these provisions of the Senate bill. The sections as they appear in the conference substitute are explained below.

Gathering, transmitting, or losing defense information

Section 18 of the conference substitute amends section 793 of title 18, United States Code.

The first paragraph of section 793 now provides that no person shall, for the purpose of obtaining information respecting the national defense with intent and reason to believe that such information is to be used to the injury of the United States or to the advantage of any foreign nation, go upon, enter, fly over, or otherwise obtain information concerning certain facilities and other places connected with the national defense. The amendment made by the conference substitute (which redesignates the paragraph as subsection (a)) adds research laboratories and stations, and places where material or instruments for use in time of war are the subject of research or development, to the list of facilities and places to which the paragraph applies.

The fourth paragraph of section 793 prohibits any person having possession of, access to, or control over certain documents and records from willfully communicating, transmitting, or attempting to communicate or transmit such documents or records to any person not entitled to receive them, and from failing to deliver them on demand to officials who are so entitled. Under the amendment made by the conference substitute, the paragraph (which is redesignated as subsection (d)) applies only to cases in which the possession, access, or control is lawful; unauthorized possession, access, or control is dealt with, in a substantially identical manner, in a separate new subsection (e). In addition, the conference substitute adds to the list of the documents and records to which the paragraph applies a new category comprising defense information which the possessor has reason to believe could be used to the injury of the United States or to the advantage of any foreign nation; and (in addition to prohibiting communication, transmittal, and attempted communication or transmittal) it prohibits any such person from delivering or attempting to deliver such documents or records, and from causing or attempting to cause such documents or records to be communicated, delivered, or transmitted, to a person not entitled to receive them.

The fifth paragraph of section 793 (which is redesignated as subsection (f)) penalizes any person who, being entrusted with or having lawful possession or control of certain documents, records, or other information relating to the national defense, through gross negligence permits them to be removed or delivered in violation of his trust or to be lost, stolen, abstracted, or destroyed. The amendment made by the conference substitute provides that the paragraph shall apply to instruments and appliances as well as to the documents, records, and information now specified therein, and adds a penalty for failure to make prompt report of any such loss, theft, abstraction, or destruction.

The amendment made by the conference substitute adds to section 793 a new subsection (g), which prescribes a separate penalty for conspiracy to violate any of the other provisions of the section.

Period of limitation

Section 19 of the conference substitute provides that an indictment for any violation of section 792, 793, or 794 of title 18, United States Code, may be found at any time within 10 years after such violation. An exception is included to make it clear that this 10-year period of limitation will not apply to any violation constituting a capital offense. Under existing law (secs. 3281 and 3282 of title 18) indictments for capital offenses may be found at any time without limitation, while indictments for all other offenses must, in the absence of express provision to the contrary, be found within 3 years after the commission of the offense.

Registration of foreign agents

Section 20 (a) of the conference substitute amends section 1 (c) of the act of June 8, 1938 (relating to the registration of certain persons employed by agencies to disseminate propaganda in the United States), by including a new category of persons within the definition of the term "agent of a foreign principal." The new category consists of persons who have knowledge of or have received instruction or assignment in the espionage, counterespionage, or sabotage service of a foreign government or political party, but it does not include (1) persons who acquired such knowledge, instruction, or assignment by reason of service with the United States Government or with the government of a State or political subdivision thereof, the District of Columbia, the Territories, the Canal Zone, or the insular possessions, (2) persons who acquired such knowledge solely by reason of academic or personal interest and not under the supervision of or in preparation for service with a foreign government or political party, and (3) persons who have made full disclosure of such knowledge or instruction to officials of a Federal agency dealing with intelligence, if such disclosure has been made a matter of record in the files of such agency and the Attorney General or the Director of Central Intelligence has determined in writing that registration would not be in the interests of national security.

Section 20 (b) of the conference substitute amends section 8 of such act of June 8, 1938, to provide that failure to file any registration statement or supplement required under that act shall be considered a continuing offense for as long as the failure exists, notwithstanding any statute of limitation or other statute to the contrary.

Violation of security regulations

Section 21 of the conference substitute provides that whoever willfully violates any regulation or order promulgated or approved pursuant to lawful authority by the Secretary of Defense or any military commander designated by him, or by the Director of the National Advisory Committee for Aeronautics, relating to the protection or security of certain military property or of certain other installations and facilities connected with the national defense, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both. The section further requires that such regulations and orders be conspicuously posted in appropriate places.

Amendment of act of October 16, 1918, relating to exclusion and deportation of subversive aliens

Section 22 of the conference substitute rewrites the act of October 16, 1918 (8 U. S. C. 137), in order to strengthen the provisions of such act which relate to the exclusion and deportation from the United States of subversive aliens.

The first section of such act, as amended by section 22 of the conference substitute, contains the following new provisions:

(1) Paragraph (1) provides for the exclusion from the United States of aliens seeking to enter for the purpose of engaging in activities which are prejudicial to the public interest and dangerous to the welfare or safety of the United States, whether or not such aliens seek to enter the United States solely, principally, or incidentally for such purpose. Existing law merely provides for the exclusion of aliens if the Attorney General knows or has reason to believe that such aliens are seeking to enter the United States to engage in activities which would endanger the public safety of the United States.

(2) Paragraph (2) (C) provides for the exclusion from the United States of aliens who are members of or affiliated with the Communist party of the United States and certain other totalitarian parties and organizations, including the direct predecessors or successors thereof, irrespective of the name which such party or organization has used in the past, now uses, or may adopt in the future.

(3) Paragraph 2 (D) provides for the exclusion from the United States of aliens not within any other provisions of paragraph (2) who advocate the doctrines of world communism or any other form of totalitarianism, or who are members of or affiliated with any organizations that advocate such doctrines.

(4) Paragraph 2 (E) provides for the exclusion from the United States of aliens not within any other provisions of paragraph (2) who are members of or affiliated with any organization which is registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950, unless such aliens establish that they did not know or have reason to believe, prior to the date upon which such organization was so registered or so required to be registered, that such organization was a Communist organization.

(5) Paragraph 2 (G) retains the provisions of the act of October 16, 1918, with respect to the exclusion of aliens who write, publish, and distribute matter advocating or teaching the overthrow of the Government of the United States by force, violence, or other unconstitutional means, and certain other subversive activities; but adds a provision which includes in such subversive activities so advocated or taught the economic, international, and governmental doctrines of world communism and governmental doctrines of world communism and governmental and economic doctrines of any other forms of totalitarianism.

(6) Paragraph (3) provides for the exclusion from the United States of aliens with respect to whom there is reason to believe that they would, after entering, be likely to engage in espionage, sabotage, public disorder, or other subversive activity, or to organize, join, affiliate with, or participate in the activities of any organizations registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950.

Section 2 of the act of October 16, 1918, as amended by section 22 of the conference substitute, makes paragraph (2) of the first section of such act (which relates to exclusion from the United States of aliens who advocate or believe in subversive doctrines or are members of subversive organizations) inapplicable to any alien seeking to enter the United States for a temporary period in the nonimmigrant status of (1) an accredited official of a foreign government recognized by the Government of the United States, and his family, attendants, servants, and employees, under section 3 (1) of the Immigration Act of 1924, as amended (8 U. S. C. 203 (1), or (2) a representative of a foreign government in or to an international organization, or an alien officer or employee of such organization, and his family, attendants, servants, and employees, under section 3 (7) of the Immigration Act of 1924, as amended (8 U. S. C. 203 (7)). This exemption recognizes the fact that, as long as the United States has diplomatic relations with Communist countries or their satellites, it is necessary to permit the entry of representatives, officials, and employees of such countries and members of their families who may advocate or believe in subversive doctrines or are members of subversive organizations. It is to be noted, however, that such aliens would be subjected to the exclusion and expulsion provisions of sections 1 (1) and 1 (3) of the act of October 16, 1918, as amended by the conference substitute.

Section 3 of the act of October 16, 1918, as amended by section 22 of the conference substitute, provides that no visa or other documentation shall be issued to any alien seeking to enter the United States as an immigrant or nonimmigrant if the consular officer knows or has reason to believe that such alien is inadmissible to the United States under such act. Section 30 of the Alien Registration Act of 1940 (8 U. S. C. 451) permits an alien to enter the United States without a visa in an emergency case defined by the Secretary of State. Section 3 of the act of October 16, 1918, as amended by the conference substitute, further provides that an alien within any of the categories enumerated in the first section of such act shall not be defined as an emergency case within the meaning of section 30 of the Alien Registration Act of 1940.

Section 4 (a) of the act of October 16, 1918, as amended by section 22 of the conference substitute, provides that aliens within the classes excluded from the United States under the first section of such act shall, upon warrant of the Attorney General, be taken into custody and deported in the manner provided in the Immigration Act of February 5, 1917. In general, this provision covers those classes of aliens seeking to enter the United States to engage in subversive activities, aliens who advocate or believe in subversive doctrines or are members of subversive organizations, and aliens with respect to whom there is reason to believe they would engage in such activities after entry. This section is made applicable to the classes of aliens specified in the act of October 16, 1918, irrespective of the time of the entry into the United States of any alien within such classes.

Section 4 (b) of the act of October 16, 1918, as amended by section 22 of the conference substitute, provides for the deportation from the United States, in the same manner as provided in section 4 (a) of such act, of any alien who has engaged or has intended to engage in any of the subversive activities specified in paragraphs (1) and (3) of the first section of such act. This section provides an exception in the case of any alien who became a member of or affiliated with the Communist Party of the United States or certain other totalitarian parties and organizations, as specified in paragraph 2 (C) of the first section of such act, if the Attorney General is satisfied that such alien (1) did not know or have reason to believe, at the time he became a member of or affiliated with any such party or organization, that such party or organization was a Communist Party or organization, and (2) did not thereafter and prior to the date on which such organization was registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950 acquire such knowledge or belief.

Section 5 of the act of October 16, 1918, as amended by section 22 of the conference substitute, provides that any alien who appears to the examining immigration officer at the port of arrival to be excluable under the first section of such act shall be temporarily excluded, and no further inquiry by a board of special inquiry authorized by sections 16 and 17 of the Immigration Act of February 5, 1917, as amended (8 U. S. C. 152, 153), shall be conducted until after the case is reported to the Attorney General and such an inquiry is directed by him. The section further provides that if the Attorney General is satisfied that the alien is excludable under the first section of such act on the basis of confidential information, the disclosure of which would be prejudicial to the public interest, safety, or security, he may deny any further inquiry by a board of special inquiry and order the alien to be excluded and deported.

Section 6 (a) of the act of October 16, 1918, as amended by section 22 of the conference substitute, provides that the seventh proviso in section 3 of the Immigration Act of February 5, 1917, as amended (8 U. S. C. 136 (p)), shall not apply to cases coming within the purview of the first section of such act of October 16, 1918, as amended. Such seventh proviso authorizes the Attorney General to waive exclusion provisions of the immigration laws in the case of an alien who is returning after a temporary absence abroad to an unrelinquished domicile in the United States of seven consecutive years.

Section 6 (b) of the act of October 16, 1918, as amended by section 22 of the conference substitute, provides that the ninth proviso in section 3 of the Immigration Act of February 5, 1917, as amended (8 U. S. C. 136 (q)), shall not apply to cases coming within the purview of paragraphs (1) and (3) of the first section of such act of October 16, 1918, as amended. Such ninth proviso authorizes the Commissioner of Immigration and Naturalization, with the approval of the Attorney General, to permit the temporary admission of otherwise inadmissible aliens.

Section 6 (c) of the act of October 16, 1918, as amended by section 22 of the conference substitute, provides that paragraphs (1) and (3) of the first section of such act (relating to exclusion of aliens seeking to enter the United States to engage in subversive activities and aliens with respect to whom there is reason to believe they would engage in subversive activities after entry) shall apply to any alien who is within the purview of section 3 (1) of the Immigration Act of 1924 (relating to the nonimmigrant status of officials of foreign governments recognized by the United States and their families, attendants, servants, and employees). Subordinate officials of foreign governments are subject to paragraphs (1) and (3); but there are exempted from such paragraphs ambassadors, public ministers, and career diplomatic and consular officers who (1) have been accredited by a foreign government recognized de jure by the United States, and (2) are accepted by the President or the Secretary of State, and the members of the immediate families of such aliens. However, it is further provided that any such alien so exempted shall be subject to exclusion from the United States under paragraph (1) of the first section of the act of October 16, 1918, but only pursuant to such rules and regulations as the President may deem necessary.

Section 6 (c) further provides that paragraph (1) of the first section of the act of October 16, 1918, shall apply to any alien within the purview of section 3 (7) of the Immigration Act of 1924, which relates to the nonimmigrant status of representatives of foreign governments in or to an international organization and their families, attendants, servants, and employees. The effect of this provision is to exclude aliens within such class seeking to enter the United States solely, principally, or incidentally to engage in subversive activities. It is also provided that paragraph (3) of the first section of such act of October 16, 1918, shall apply to any such alien except a designated principal resident representative of a foreign government which is a member of an international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act and accredited resident members of the staff of such representative and members of his immediate family. The foregoing provision has the effect of excluding from the United States any such aliens with respect to whom there is reason to believe that they would engage in subversive activities specified in paragraph (3) of the first section if permitted to enter the United States.

The provisions of section 6 (c) are to be effective notwithstanding the tenth proviso in section 3 of the Immigration Act of February 5, 1917 (8 U. S. C., 136 (r)) which makes inapplicable to accredited officials of foreign governments the provisions of such act of February 5, 1917, or any other law relating to the exclusion, admission, and deportation of aliens.

The proviso in section 15 of the Immigration Act of 1924, as amended (8 U. S. C. 215), provides that no alien who has been admitted to the United States under section 3 (1) or 3 (7) of such act as an official of a foreign government, or as a member of the family of such official, or as a representative of a foreign government in or to an international organization or an officer or employee of an international organization, or as a member of the family of such representative, officer, or employee, shall be required to depart from the United States without the approval of the Secretary of State. Under existing law this bar to deportation applies even though the alien has lost his status under such section 3 (1) or 3 (7). Section 6 (d) of the act of October 16, 1918, as amended by section 22 of the conference substitute, states that such proviso shall not apply in the case of any alien who would be subject to exclusion under the first section of such act of October 16, 1918, as amended.

Section 7 of the act of October 16, 1918, as amended by section 22 of the conference substitute, provides that when the Attorney General notifies the Secretary of State that any country, upon request of the United States, denies or unduly delays acceptance of the return of any alien who is a national, citizen, or resident of that country, the Secretary of State shall instruct consular officers performing their duties in the territory of that country to discontinue the issuance of immigration visas to nationals, citizens, subjects, and residents of such country until the Attorney General informs the Secretary of State that such country has accepted the return of such alien. This section attempts to remedy the situation which results from the refusal of a foreign country to accept the return of aliens who are deportable from the United States.

Section 8 of the act of October 16, 1918, as amended by section 22 of the conference substitute, contains new penalty provisions.

Section 8 (a) provides that any person knowingly aiding or assisting any alien excludable under section 1 to enter the United States or conniving or conspiring with any person or persons to allow or permit any such alien to enter the United States, shall, upon conviction thereof, be fined not more than $5,000 or imprisoned for not more than 5 years, or both.

Section 8 (b) provides for imprisonment for 5 years, followed by deportation, in the case of any alien who is convicted of returning, or attempting to return, to the United States, without the authorization of the Attorney General, after he has been deported pursuant to the provisions of the act of October 16, 1918.

Section 9 of the act of October 16, 1918, as amended by section 22 of the conference substitute, makes inapplicable to any alien within the purview of such act any statute, or other authority or provision having the force or effect of law, to the extent that it is inconsistent with such act.

Section 10 of the act of October 16, 1918, as amended by section 22 of the conference substitute, contains the usual separability provision.

Amendment of section 20 of the Immigration Act of February 5, 1917, relating to deportation of aliens

Section 23 of the conference substitute amends section 20 of the Immigration Act of February 5, 1917, as amended (8 U. S. C. 156), in order to provide more effective control over, and to facilitate the deportation of, deportable aliens.

Subsection (a) of such section 20, as contained in section 23 of the conference substitute, retains certain provisions of the existing section 20 and also makes the follow-

ing changes in, and additions to, such existing section 20:

The first sentence of such subsection (a) broadens the authority of the Attorney General under existing law to determine the country to which an alien unlawfully in the United States may be deported. The existing first sentence of section 20, which listed the countries to which an alien may be deported, is restrictive in scope. The new first sentence of subsection (a) provides that an alien may be deported to the country specified by the alien if such country is willing to accept him into its territory. In addition, it gives the Attorney General more latitude in effecting the deportation of a deportable alien (1) by enlarging the list of countries and places to which such alien may be deported if the country specified by such alien is unwilling to accept him into its territory or if he does not specify any country, and (2) by permitting the Attorney General to select the country or place to which such alien may be deported, within his discretion and without priority of preference because of the order in which such countries and places are set forth in the new sentence. It is further provided that no alien shall be deported to any country in which the Attorney General finds that such alien would be subjected to physical persecution.

Section 20, as now in effect, provides that pending the final disposal of the case of any alien taken into custody, the alien may be released under bond of not less than $500, with security approved by the Attorney General and conditioned that such alien shall be produced when required for a hearing on the charges against him, and for deportation if he is found to be unlawfully in the United States. Subsection (a) of section 20, as contained in the conference substitute, changes this provision of existing law by authorizing the Attorney General, in his discretion, to hold arrested aliens in custody or release them under bond of not less than $500, with security approved by him, or on conditional parole. It is further provided that, among the conditions of any such bond or terms of release on parole, there shall be a condition that the alien shall appear, when required, to defend himself against the charge or charges on which he was taken into custody and any other charges subsequently lodged against him, and for deportation if an order for his deportation has been made.

Subsection (a), as proposed to be amended, further provides that when an order of deportation is made against any alien, the Attorney General shall have 6 months within which to effect the departure of such alien. During such period the Attorney General, in his discretion, may detain the alien or release him on conditional parole or on bond. Full discretion is given the Attorney General in determining the amount of the bond and the terms and conditions of the bond or parole agreement. If deportation is not practicable, advisable, or possible, or if departure of the alien from the United States has not been effected, within 6 months after the date of the order of deportation, the alien becomes subject to further supervision and detention pending eventual deportation. Authority is given to the Attorney General to arrange for appropriate places of detention for those aliens whom he takes into custody and detains.

In addition to the changes appearing in subsection (a), explained above, the following new provisions are added to such section 20 by section 23 of the conference substitute:

Subsection (b) provides for the supervision, under regulations of the Attorney General, of any alien against whom an order of deportation has been outstanding for more than 6 months. The subsection also provides that any alien who willfully fails to comply with such regulations, or who willfully fails to appear before an officer of the Immigration and Naturalization Service for identification or give information or submit to medical or psychiatric examination, or who, knowingly gives false information, shall, upon conviction, be fined not more than $1,000 or imprisoned not more than 1 year, or both.

Subsection (c) provides that any alien against whom an order of deportation is outstanding under the act of October 16, 1918, as amended, or under one of certain other specified provisions of law which relate to the deportation of criminals, prostitutes, procurers, or other immoral persons, anarchists, subversives or persons of similar classes who shall willfully fail or refuse to depart from the United States within 6 months from the date of such order of deportation or the date of enactment of the Subversive Activities Control Act of 1950, whichever date is the later, or who shall willfully fail or refuse to make timely application for travel or other documents necessary to his departure, or who shall connive or conspire, or take any other action, to prevent or hamper his departure pursuant to such order of deportation, or who shall willfully fail or refuse to present himself for deportation as required by the Attorney General, shall upon conviction be imprisoned not more than 10 years. The subsection does not make it illegal for any alien to take proper steps for the purpose of securing cancellation of an order of deportation outstanding against him or for the purpose of securing his release from custody. The subsection also provides that the court may for good cause suspend the sentence of such alien and order his release under such conditions as the court may prescribe. The subsection sets forth various factors which the court shall take into account in determining whether the release of such alien is justified.

Subsection (d) provides that if any alien subject to subsection (c) unlawfully returns to the United States, after being released for departure or deported pursuant to section 20, the previous warrant of deportation against him shall be considered as reinstated from its original date of issuance.

Subsection (e) provides that if an alien subject to section 20 is unable to depart solely because of his financial inability to pay his passage, the expense of such passage may be paid from the appropriation for the enforcement of the Immigration Act of February 5, 1917, as amended, unless such payment is otherwise provided for under such act.

Alien residents—Notice of address

Section 35 of the Alien Registration Act of 1940 now provides that any alien required to be registered under that act shall notify the Commissioner of Immigration and Naturalization of each change of residence and new address within 5 days from the date of the change, if he is a resident of the United States, and if he is not such a resident, to notify the Commissioner of his address at the expiration of each 3 months' period of residence in the United States. Under the amendment made by section 24 of the conference substitute, any alien required to be registered under that act who is an alien resident of the United States on January 1, 1951, and on January 1 of any succeeding year, shall, within 10 days following such dates, notify the Commissioner of his current address.

Amendments to the Nationality Act of 1940

Section 25 of the conference substitute amends section 305 of the Nationality Act of 1940, in three major respects. First, it is provided that no person shall be naturalized who (1) is a member of or affiliated with a Communist-action organization that is registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950, (2) advocates certain doctrines of world communism or any other form of totalitarianism, or is affiliated with an organization that does so, or (3) writes, publishes, distributes, or prints any material advocating such doctrine. Second, it is provided that if any person naturalized after January 1, 1951, becomes a member of or affiliated with any organization, membership in or affiliation with which at the time he was naturalized would have barred his naturalization or would have raised a presumption that he was disloyal, it shall be prima facie evidence of disloyalty and, in the absence of countervailing evidence, the order admitting him to citizenship may be set aside. Third, it is provided that an alien's membership in or affiliation with a Communist-front organization within 10 years before filing a petition for naturalization, or at any time between filing and becoming a citizen, shall raise a presumption of disloyalty which bars naturalization unless the alien can rebut the presumption; this provision does not apply where the alien abandons membership in or affiliation with the organization within 30 days after it is registered or required to be registered under the Subversive Activities Control Act of 1950.

Section 26 of the conference substitute amends section 325 of the Nationality Act of 1940, which relates to naturalization of aliens who serve on certain American vessels. Changes are made in order to limit the application of section 325 to aliens who were lawfully admitted for permanent residence before such service and to service on vessels fully owned by the Federal Government or an American citizen or corporation, and otherwise to restrict the application of the section.

Section 27 of the conference substitute adds a new subsection (c) to section 329 of the Nationality Act of 1940. This subsection provides that lawful admission for permanent residence shall be a prerequisite to naturalization and that the burden of proof shall be on the alien to show the time, place, and manner of his entry and that his entry was lawful. The new subsection also provides that no person shall be naturalized who has outstanding against him a final finding of deportability and that 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. Finally, the new subsection provides that the findings of the Commissioner of Immigration and Naturalization in terminating deportation proceedings or suspending the deportation of an alien shall not be binding on the naturalization court on the question of whether the person involved has established his eligibility for naturalization.

Section 28 of the conference substitute amends section 333 of the Nationality Act of 1940 so as (1) to strengthen the subpena powers of persons conducting preliminary examinations on petitions for naturalization, (2) to authorize the admission of the record of the preliminary examination as evidence in any final hearing conducted by a naturalization court, (3) to provide that where the recommendation of the person conducting the preliminary examination conflicts with that of the Commissioner of Immigration and Naturalization as to what action should be taken on the petition, the views of both persons shall be presented to the court, and (4) to provide that action shall be taken on all petitions except those withdrawn with the consent of the Commissioner.

The Senate amendment to such section 333 contained a proposed subsection (a) which would have required the making of a personal investigation of each person petitioning for naturalization, in the vicinity or vicinities in which such person has maintained his actual place of abode and in the vicinity or vicinities in which such person has been employed or has been engaged in business or work for the 5-year period immediately preceding the filing of his petition for naturalization. This subsection has not been included in the conference substitute. It was felt that while such investigations should be made in all cases where

necessity appears, which can be done under existing law, this provision of the Senate amendment would have required a very large increase in Government personnel, involving great expense.

Section 29 of the conference substitute amends section 335 of the Nationality Act of 1940 to provide that there shall be included in the oath required for naturalization a provision that the petitioner will bear arms on behalf of the United States or perform noncombatant service when required by law. However, if the petitioner satisfies the naturalization court that he is opposed to bearing arms or to performing noncombatant service by reason of religious training or belief, he may take an oath which does not include a promise to bear arms or to perform noncombatant service.

Section 30 of the conference substitute amends section 304 of the Nationality Act of 1940. Section 304 now requires that a petitioner for naturalization be able to speak English, but the amendment requires that the petitioner be able to read, write, and speak English. Exceptions to such requirements are made for petitioners physically unable to comply with them, and for petitioners over 50 who have legally resided in the United States for more than 20 years. The amendment also requires a petitioner to have a knowledge and understanding of the fundamentals of the history, and the principles and form of government, of the United States.

Picketing or parading with intent to obstruct administration of justice

Section 31 of the conference substitute amends title 18 of the United States Code by adding thereto a new section 1507. The new section imposes a fine of not more than $5,000 or imprisonment for not more than 1 year, or both, upon any person who pickets, parades, or demonstrates (by means of sound truck or otherwise) in or near a courthouse or any other building occupied or used by a judge, juror, witness, or court officer, with the intent of interfering with, obstructing, or impeding the administration of justice or of influencing any judge, juror, witness, or court officer in the discharge of his duty.

TITLE II

Title II of the conference substitute, which is given the short title "Emergency Detention Act of 1950," is substantially similar to title II of the Senate amendment, although a number of important changes were made by the committee of conference. The House bill contained no comparable provisions.

This title is intended to provide authority under which the executive branch in time of internal-security emergency may cause the apprehension and detention of persons as to whom there is reasonable ground for belief that they probably will engage in espionage or sabotage activities in violation of existing provisions of law prohibiting such offenses. It is the purpose of this title to provide for the protection of the Nation in time of such emergency by the exercise of the war powers of the Constitution in such manner that persons who constitute a serious internal-security menace may be rendered harmless before they have had opportunity to perform acts which might well result in the incapacity of the United States to defend itself adequately in time of grave peril. The detention of such persons during such an emergency also may be necessary for their own protection from physical violence in the event of public excitement incident to an attack from abroad. The existence of an orderly procedure for the segregation of such persons at such time is calculated to preserve public confidence in the capacity of duly constituted public officers to protect the internal security of the Nation, and thereby avoid the occurrence of lawless efforts at the suppression of subversives which might result in grievous harm to individuals who in fact are completely loyal to our Government and our institutions.

The managers on the part of the House were fully cognizant of the need for provisions of this character, but gave serious consideration to the constitutional questions involved in any such legislation. They concluded that the precedents afforded by court decisions sustaining the validity of the Japanese relocation program in effect during World War II provide ample authority for the enactment of legislation to attain this objective. After the adoption of perfecting amendments designed more fully to protect the interests of the individuals who would be affected thereby and to insure the observance of procedural due process of law in the administration of such program, agreement was reached on this title.

The salient features of title II, as so amended, are set forth hereinafter.

Section 101 contains appropriate findings of fact and a declaration of the purpose of the Congress in enacting this title. The findings contained therein in large part are analogous to those contained in section 2 of the House bill, but include additional findings which set forth the considerations which demonstrate the need for the enactment of detention legislation.

Section 102 provides for the proclamation of a state of internal security emergency at which time the provisions of this title would become operative, and for the termination of such emergency. Such emergency can be brought into existence only upon a finding by the President that it is essential "to the preservation, protection and defense of the Constitution, and to the common defense and safety of the territory and people of the United States." No such proclamation can be issued by the President unless there has been an invasion of the territory of the United States or its possessions, a declaration of war by the Congress, or an insurrection within the United States in aid of a foreign enemy. Any such state of emergency can be terminated at any time by proclamation of the President or by a concurrent resolution of the Congress.

When there is in existence such a state of emergency the President, acting through the Attorney General, is authorized to issue a written warrant for the apprehension of each person as to whom there is reasonable ground to believe he probably will engage in, or conspire with others to engage in, acts of espionage or sabotage (secs. 103-104). Such warrants may be issued only upon probable cause, supported by oath or affirmation, and must describe particularly the person to be apprehended. Within 48 hours after apprehension, or as soon thereafter as provision for it may be made, each person so apprehended must be accorded a preliminary hearing before a preliminary hearing officer appointed by the President for such purpose. To insure the impartiality of such preliminary hearing officer, it is specifically provided that no person may serve as such if within 3 years theretofore he has served as an officer or employee of the Department of Justice. The preliminary hearing officer is required to advise the person so apprehended of his legal rights, to allow him reasonable opportunity to consult counsel, and to grant to him on application a hearing. If hearing is requested, the person apprehended must be allowed to introduce evidence on his own behalf and to cross-examine witnesses against him, except that the Attorney General or his representative shall not be required to furnish information if he believes that to divulge such information would be dangerous to national security. A record of such testimony shall be made. If the hearing officer is satisfied on the basis of the testimony so offered that there is probable cause for the detention of the person apprehended, such officer shall, on application made by the Attorney General, issue an order for his detention, furnish to him a copy of such order, and advise him of his right to receive the administrative review of his case described hereinafter. If, after such hearing, the preliminary hearing officer is not satisfied that probable cause for detention has been shown, such officer will have full authority to discharge such person from custody. This provision was considered necessary to protect harmless persons from detention as a result of such mistakes in identity as might well occur during any effort to locate quickly in time of emergency, those persons who present an internal security menace to the Nation. Within 7 days after the hearing, the preliminary hearing officer is required to transmit to the Attorney General a report setting forth the result of the hearing, together with his recommendations on the merits of the question whether such person should be detained, and such written representations or evidence as the detainee or his counsel may wish to file after the hearing.

Persons detained pursuant to any such order are to be confined in such places of detention as may be prescribed by the Attorney General, and he is charged with the duty of providing for such detainees transportation, food, shelter, and such other accommodations and supervision as may be necessary. Persons so detained, while in confinement, shall not be required to perform any involuntary labor or tasks not reasonably required for their own maintenance, health, and safety, and cannot be confined in company with persons who are in confinement pursuant to conviction under any of the criminal laws of the United States or of any State. It is emphasized that the detention of any person under this title will not constitute punishment for any alleged crime, but is provided for only to protect the Nation against the peril of the disruption of internal security in time of grave emergency and such detention therefore must not be permitted to take on the characteristics of penal servitude which are associated with the confinement of persons convicted of crime. Any person so detained shall, under section 103, be released from such detention upon (1) the termination of the state of internal security emergency by proclamation of the President or by concurrent resolution of the Congress, (2) the issuance by the Attorney General, at any time and for such cause as may satisfy him, of an order of release, (3) the issuance of a final order of release by the Board of Detention Review described hereinafter, or (4) the issuance of a final order of release by a Federal court after the review provided for by this title, or upon a writ of habeas corpus. Section 116 provides specifically that nothing therein contained shall be construed as suspending, or authorizing the suspension of, the writ of habeas corpus. These provisions are believed to provide protection and safeguards to persons apprehended or detained under this title which are markedly greater than those accorded to persons whose relocation was ordered during World War II purusant to legislation then in effect.

Section 105 provides for the establishment of a Detention Review Board consisting of nine members, appointed by the President by and with the advice and consent of the Senate, who shall receive annual salaries of $12,500. Not more than five of the nine may be members of the same political party, and the members will be appointed for terms of 1, 2, and 3 years, subject to the termination of such appointments and the abolition of the Board upon the termination of the state of internal-security emergency for which such Board was created. The abolition of any such Board will be without prejudice to the establishment of a new Board in the event of the occurrence of a new state of internal-security emergency. Any member of such Board may be removed

by the President, upon notice and hearing, only for neglect of duty or for malfeasance in office.

To expedite the proceedings of the Board, it may establish divisions of not less than three members each, which may exercise all of the powers of the Board, and it may conduct hearings through hearing examiners subject to the provisions of the Administrative Procedure Act.

The Board is authorized by section 109 to review upon the petition of any detainee any order for his detention issued under this title, and is charged with the duty of determining in each case whether there is reasonable ground for the detention of such person. It is authorized after hearing, to issue such order confirming, modifying, or revoking the detention order as it deems appropriate. Section 109 contains elaborate provisions to insure that each hearing before the Board will be full and complete, and that the petitioner will be accorded all of the procedural rights normally granted to parties to administrative proceedings under other civil provisions of law. Among the rights specifically included are the rights (1) to have compulsory process for obtaining witnesses, (2) to cross-examine adverse witnesses (subject to the limitation that, under such regulations as the Board may prescribe, the Attorney General may not be required in any hearing to divulge any evidence which cannot be publicly revealed for reasons of national security), (3) to be advised in as full detail as possible of the evidence to be brought against him, and (4) to be represented by counsel. Subsection 111 (g) provides specifically that nothing contained in this title shall deprive any person of any relief to which he would otherwise be entitled under the Administrative Procedure Act.

In determining whether there is reasonable ground for the detention of any person, the Attorney General, preliminary hearing officers, and the Board are specifically authorized to consider, together with other available evidence, evidence concerning (1) any past participation by the person concerned in the espionage, counterespionage, or sabotage service of any foreign government, foreign political party, the Communist Party of the United States, or any other organization seeking to overthrow the Government of the United States or of any political subdivision thereof by force and violence, (2) any past acts of espionage or sabotage committed by such person, or any attempt or conspiracy to commit any such acts in which he might have participated against the United States, and (3) any past activities of such person in the espionage or sabotage operations of, or the holding after January 1, 1949, of membership in, the Communist Party of the United States or any other organization seeking to overthrow the Government of the United States or any political subdivision thereof by force and violence. It is specifically provided that the introduction of evidence to the effect that any person has engaged in any such activities, or has held any such membership, shall not of itself require that he be detained, and that whether there is reasonable ground for his detention as a menace to internal security must be determined in each instance upon the basis of all of the evidence adduced. Under paragraph (1) of subsection 109 (h) no adverse inference is to be drawn against any person solely on account of evidence showing that (1) he has participated in espionage or counterespionage activities in the service of the United States or any political subdivision thereof, (2) his knowledge of such activities was acquired solely by reason of academic or personal interest not associated with service for any foreign country or organization, or (3) he has acquired knowledge of or has participated in any espionage, counterespionage, or sabotage activities, if in connection with employment at any time by the Department of Justice or the Central Intelligence Agency, he has made full written disclosure of such knowledge and activities and such disclosure has been made a matter of record in the files of the agency concerned.

To afford relief for any person who may be found to have been detained under this title without reasonable cause, paragraph (4) of subsection 109 (a) authorizes any person detained under this title to petition the Board for a determination that he has been detained without reasonable cause and for the entry of an order requiring the Attorney General to pay to such person an indemnity in such amount as the Board shall determine to be necessary to compensate such person for loss of earnings during the period of his detention. No provision is made for the inclusion in such indemnity of any punitive damages.

Section 111 provides for judicial review of orders of the Board. Such review may be obtained by any petitioner other than the Attorney General, as a matter of right, from any order of the Board denying in whole or in part the relief sought by him. In addition, subsection 111 (a) provides that, in the event that the Attorney General, or any other officer or employee acting under his control, should fail to carry into effect any final order of the Board granting relief to such petitioner, such person may by petition obtain judicial enforcement of such order. No judicial review is granted to the Attorney General with respect to any order of the Board requiring the release of any person from detention, but the Attorney General is accorded judicial review of any order of the Board to the extent that such order grants to any petitioner any money indemnity for loss of earnings. The petitioner may obtain judicial review in the United States court of appeals for any circuit wherein he is detained or wherein he resides by filing in such court a written petition praying that such order be modified or set aside. In the case of any order of the Board denying a petition for release from confinement or for any indemnity, the petition for review must be filed within 60 days after the service upon him of such order. Any petition for the enforcement of any order of the Board granting relief to any petitioner may be filed at any time within a period of 120 days after the date on which such order becomes final.

Each order of the Board must be accompanied by written findings of fact in sufficient detail to apprise the petitioner of the basis for the order entered. Upon the filing of any petition for judicial review, the Board is required to transmit to the court a duly certified transcript of the proceedings before the Board, including the evidence taken therein. As in the case of proceedings conducted under the Administrative Procedure Act, the findings of the Board as to the facts shall be conclusive upon the court only if such findings are supported by reliable, substantial, and probative evidence. Any judgment or decree entered by the court of appeals will be subject to review by the Supreme Court upon writ of certiorari or certification, as provided in section 1254 of title 28, United States Code. Orders of the Board not subject to judicial review become final upon the date of their entry by the Board. Orders of the Board subject to judicial review become final only upon the completion of such review, or upon the failure of the party concerned to exercise his right to seek such review, as set forth in subsection 111 (f) of this title.

Sections 112, 113, and 114 of this title provide criminal penalties for persons who seek wrongfully to defeat the purposes of the title by the performance of the specific acts described therein. Section 112 punishes willful evasion or resistance of apprehension pursuant to this title, escape from apprehension or confinement pursuant thereto, and attempts or conspiracies to perform such acts. Section 113 punishes any person who advises, aids, assists, or procures, certain action by any other person, including evasion of or resistance to apprehension; the escape from detention or confinement; and any attempt or conspiracy to perform any such act. Section 114 punishes any person who shall willfully resist, prevent, or interfere with any Board member or any agent thereof in the performance of his duties pursuant to this title.

Section 116 contains a separability provision in the usual form.

JOHN S. WOOD,
FRANCIS E. WALTER,
BURR P. HARRISON,
JOHN MCSWEENEY,
RICHARD NIXON,
HAROLD H. VELDE,
BERNARD W. KEARNEY,
Managers on the Part of the House.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 279]

Allen, Ill.	Havenner	O'Sullivan
Allen, La.	Hébert	Perkins
Anderson, Calif.	Heller	Pfeifer, Joseph L.
Angell	Hill	Pfeiffer, William L.
Barrett, Wyo.	Hinshaw	Philbin
Bates, Ky.	Hoffman, Ill.	Phillips, Tenn.
Bennett, Mich.	Holifield	Plumley
Blatnik	Howell	Poage
Bolton, Md.	Johnson	Potter
Bosone	Jonas	Poulson
Boykin	Keefe	Powell
Breen	Keogh	Quinn
Buchanan	Kerr	Rains
Buckley, N. Y.	Klein	Redden
Canfield	Kruse	Reed, Ill.
Carroll	Kunkel	Sadowski
Case, S. Dak.	Larcade	Sanborn
Celler	LeFevre	Scott, Hugh D., Jr.
Chatham	Lichtenwalter	Shelley
Christopher	Linehan	Smathers
Cooley	Lyle	Smith, Ohio
Coudert	Lynch	Tauriello
Davenport	McCarthy	Taylor
Davies, N. Y.	McCormack	Thornberry
Dawson	McMillen, Ill.	Van Zandt
Dingell	Mack, Ill.	Velde
Dollinger	Mack, Wash.	Vorys
Doyle	Martin, Iowa	Vursell
Ellsworth	Meyer	Wagner
Engel, Mich.	Miller, Calif.	Werdel
Fellows	Morgan	Whitten
Fernandez	Morrison	Widnall
Flood	Morton	Willis
Furcolo	Moulder	Wilson, Ind.
Gillette	Murdock	Withrow
Gilmer	Murphy	Wolcott
Gordon	Murray, Tenn.	Woodhouse
Gorski	Nicholson	Woodruff
Granger	Nixon	Zablocki
Gregory	Noland	
Hall, Edwin Arthur	Norton	
Hand	O'Brien, Mich.	
	O'Konski	

The SPEAKER. On this roll call 303 Members have answered to their names. A quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

INTERNAL SECURITY ACT OF 1950

The SPEAKER. The gentleman from Georgia [Mr. WOOD].

Mr. WOOD. Mr. Speaker, your committee of conference, together with the conferees from the other body, have

spent many days in the consideration of the matters at variance between the two branches of the Congress with respect to the legislation proposed in this bill.

We feel that we have brought to the two bodies the best legislation of which we are capable in order to approach the subject of strengthening the internal security of this Nation and at the same time preserve the constitutional rights of all of its citizens.

I was very much impressed with the complete unanimity of purpose with which the various members of the conference committee approached the subject. It is, I believe, significant that all the matters at variance between the two branches were finally ironed out and approved without a single dissenting vote. Indeed, there was not a single vote taken; all matters were ultimately approved by unanimous consent in the conference committee.

I also desire to publicly acknowledge the very valuable services that were rendered to our committee by the staff of both committees as well as by the legislative counsel. Their assistance to us was most invaluable.

If I may be permitted, I should like briefly to explain some of the provisions of the bills which were at variance and which have been ironed out and composed to the satisfaction of the conference committee.

I shall try to cover, as briefly as I can, what was done by the conference committee, with particular reference to the essential differences between the bill agreed to in conference and the bill which the House passed on August 29.

The statement accompanying the conference report contains a full explanation, and I shall not attempt to cover in detail all of the points explained in that statement.

As the Members of the House will recall, the House bill required Communist-action organizations and Communist-front organizations, referred to in the bill as Communist organizations, to register with the Attorney General and to file with the Attorney General certain specified information, including, in the case of Communist-action organizations, the names of members.

It was further provided that if any such organization failed to register, it should be the duty of its officers to register for it.

Also, upon a failure of a Communist-action organization to comply with an order requiring it to register, the duty to register was placed on every member of the organization. Where a registered Communist-action organization failed to include the name of any member on the list required to be filed, the bill made it the duty of each member whose name was omitted to register as a member of the organization.

The bill provided for a Subversive Activities Control Board, and set up a procedure by which the Board, upon petition filed by the Attorney General, and after appropriate hearing, could by order require any organization or individual to comply with the registration requirements. Appropriate provisions were included with respect to judicial review of orders of the Board.

The bill also provided for a procedure before the Board by which registered organizations or individuals would be able to have their registrations canceled in appropriate cases.

In addition to these registration provisions, the House bill contained numerous other provisions, among which were the following:

The bill made it unlawful for Government officials to communicate to any agent of any foreign government or to any officer or member of a Communist organization information classified as affecting the security of the United States, and also made it unlawful for an agent or representative of a foreign government or an officer or a member of a Communist organization to obtain or receive from any Government official, without authorization, any information of such classified character.

Certain other provisions were included in the House bill, to be applicable when a Communist organization was registered or required by a final order to register. These included the following:

First. A prohibition against a member of the organization concealing the fact of his membership in seeking any nonelective office or employment under the United States or in seeking employment in a defense plant, and a prohibition against any such member holding any nonelective office or employment under the United States or engaging in employment in a defense plant.

Second. A prohibition against any officer or employee of the United States, or any individual employed in a defense plant, contributing funds or services to such organization.

Third. A prohibition against any member of such organization making application for a passport, or the renewal of a passport, to be issued or renewed by or under the authority of the United States, or using or attempting to use any such passport.

Fourth. A prohibition against the organization using the mails to transmit publications, or using radio or television to broadcast any matter, without revealing the name of the organization and identifying it as a Communist organization.

Fifth. Provisions denying deductions for Federal income tax purposes in the case of contributions to such organization, and denying to such organization any exemption from Federal income tax under section 101 of the Internal Revenue Code.

The Senate amendment contained provisions of the same general character as most of those of the House bill. The House conferees firmly believed, however, that the provisions of the House bill were preferable, and I am glad to report that on the subjects covered by the House bill sections 1 through 17 of the conference substitute, except for clarifying changes and certain points which I will now mention, consist essentially of the bill as passed by the House.

Section 4 (a) of the conference substitute was taken from the Senate amendment, no such provision being in the House bill. That provision 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. It is specifically provided that this prohibition shall not apply to the proposal of a constitutional amendment.

Changes have been made in section 5, and I desire to explain briefly the modifications made in this section and in section 3 (7) in relation to defense plants.

These provisions have been changed for two general purposes:

First. They are modified to broaden the concept of defense plant to cover not only plants, factories, or other manufacturing or service establishments, engaged in activities which may be important to the security of the United States, but also certain other types of establishments or facilities which may be important to such security. This broadening is accomplished by including in the revised section 3 (7) a definition of "facility" which includes, in addition to plants, factories, or other manufacturing or service establishments, airports, airport facilities, vessels, piers, water-front facilities, mines, railroads, public utilities, laboratories, stations, or other establishments or facilities.

Second. These provisions also have been modified with a view to affording a greater degree of certainty for purposes of the operation of those prohibitions contained in section 5 which in the conference substitute relate to "defense facilities," and which in the House bill related to "defense plants." The certainty to which I have reference has to do with the question of availability of information as to whether a particular facility is, at any given time, an appropriately designated "defense facility." It is provided in section 5 (b) of the conference substitute that the Secretary of Defense shall designate, and publish in the Federal Register, a list of those facilities with respect to the operation of which he finds and determines that the security of the United States requires the application of the provisions of subsection (a). He is required to notify any facility placed on the list, and the management of the facility is required to post notice that it has been so designated. The definition of "defense facility" in section 3 (7) is so written that the prohibitions of section 5 (a) relating to defense facilities will apply with respect to a particular facility only if such facility is in compliance with the provisions respecting the posting of such notice of its designation.

In the passport provision, section 6, there has been included as subsection (b) a provision taken from the Senate bill which provides that when an organization is registered or required by order to register it shall be unlawful for any officer or employee of the United States to issue a passport to, or renew the passport of, any individual knowing or having reason to believe that such individual is a member of such organization.

In section 13, relating to proceedings before the Subversive Activities Control Board, a new paragraph (2) has been added to subsection (d). It provides that where an organization or individual refuses or fails to appear before the Board at a hearing granted to it or to him, the Board may forthwith enter an order requiring registration or denying the application made. It further provides that the Board may exclude from any hearing parties or counsel guilty of misbehavior which obstructs the hearing.

A provision has been included in section 14 which will permit the United States Court of Appeals for the District of Columbia to transfer cases to the United States court of appeals for the circuit wherein the petitioner resides.

In addition to the provisions which I have discussed, title I of the conference substitute contains a number of provisions, sections 18 through 31, which are based on sections contained in the Senate amendment. Most of these provisions are amendments to existing law, and they are explained in detail in the statement accompanying the conference report. It is not practicable for me to go into them fully because the provisions are long and complicated, but I may say in general that they have the general purpose of strengthening existing law with respect to protection of defense information; lengthening statutes of limitations in the case of certain criminal offenses; strengthening existing law with respect to registration of foreign agents; imposing appropriate penalties for violation of security regulations; strengthening existing law relating to the exclusion and deportation from the United States of subversive aliens; providing more effective control over, and facilitating the deportation of, deportable aliens; strengthening the existing law relating to registration of aliens; amending the Nationality Act of 1940 to provide for stricter requirements and more effective checks in the case of persons who are or may be subversive; and prohibiting picketing or demonstrations in or near any courthouse, or any other buildings occupied by a judge, juror, witness, or court officer, with the intent of interfering with the administration of justice or bringing to bear improper influence.

Title II of the conference substitute, which is given the short title "Emergency Detention Act of 1950," is patterned upon title II of the Senate amendment, no comparable provision being contained in the House bill.

Many changes were made in this title by the committee of conference, primarily for the purpose of safeguarding and protecting constitutional rights in every possible way.

It is the purpose of this title to provide a means by which the Nation may be protected, in time of critical emergency, from the activities of persons who are likely to constitute a serious internal-security menace. The objective is to provide a civil detention procedure through which such persons may be rendered harmless before they have had an opportunity to perform acts which might well result in the inability of the United States to defend itself in time of grave peril.

The detention powers granted by this title may be exercised only if there has been an invasion of the territory of the United States or its possessions, a declaration of war by Congress, or an insurrection within the United States in aid of a foreign enemy, and only if, after one or more of the foregoing has occurred, the President finds that the proclamation of an emergency is essential to the preservation, protection, and defense of the Constitution, and to the common defense and safety of the territory and people of the United States.

Upon the declaration of an emergency by the President under such circumstances, this title would authorize the President, through the Attorney General, to issue a written warrant for the apprehension of each person as to whom there is reasonable ground to believe he probably will engage in, or conspire with others to engage in, acts of espionage or sabotage. Such warrants could be issued only on probable cause, supported by oath or affirmation, and would have to describe particularly the person to be apprehended.

Prompt opportunity for hearing would be afforded, before a preliminary hearing officer, to any person apprehended. If the preliminary hearing officer is satisfied on the basis of testimony offered that there is probable cause for the detention of the person apprehended, such officer would, on application made by the Attorney General, issue an order of detention and advise the apprehended person of his right to obtain administrative review of the order. The preliminary hearing officer would have full authority to release the apprehended person if probable cause for detention were not shown to his satisfaction.

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

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

Mr. RANKIN. What does the bill contain with reference to Communist-front organizations? When they go underground they will operate through Communist fronts. I just wondered if you reach them in this bill as amended.

Mr. WOOD. Yes; we provide for Communist-front organizations that have been so designated by the Board. It requires them to register the same as Communist action organizations, except they are not required to give the full list of their membership.

Mr. RANKIN. I thank the gentleman.

Mr. WOOD. Persons detained would be confined in places of detention prescribed by the Attorney General, and he is charged with the duty of providing for such detainees transportation, shelter, and such other accommodations and supervision as may be necessary. Persons so detained could not be required to perform any involuntary labor or tasks not reasonably required for their own maintenance, health, and safety.

Any person detained would be released from detention upon (1) the termination of the state of emergency by proclamation of the President or by concurrent resolution of the Congress, (2) the issuance by the Attorney General, at any time and for such cause as may be satisfactory to him, of an order of release, (3) the issuance of a final order of release by the Board of Detention Review, the creation of which is provided for by the title, and before which a detainee may get review of the order under which he was detained, or (4) the issuance of a final order of release by a Federal court after the review provided for by the title, or upon a writ of habeas corpus.

Provisions are included under which the Board would have authority to determine any claim by a person who shall have been detained and shall have been released from such detention, for loss of income by such person resulting from such detention if without reasonable grounds. Upon issuance of a final order for such indemnification the Attorney General would be authorized to make payment of such indemnity.

What I have said is a brief outline of the essential features of title II of the conference substitute.

It is to be noted that the detention of any person under this title will not constitute punishment for any alleged crime, but is provided for only to protect the Nation against the peril of disruption of internal security in time of grave emergency.

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

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

Mr. KEARNEY. As I understand this bill, and I think the gentleman from Georgia will agree with me, it is designed to protect the rights of the individual but at the same time it is, as the papers say, a tough bill. It is a tough bill for the enemies of this country. It is legislation that is long overdue.

Mr. WOOD. I heartily agree with the gentleman and the suggestion he makes. I will say that the committee was very zealous in its efforts to accomplish just those purposes. The paramount purpose and objective, of course, and the thought of the committee was to protect the American Government and its people from an enemy that is in our midst, yet we ought never to lose sight of the very grave importance of protecting the rights and liberties of the citizens of America as guaranteed under the Constitution.

It is believed that the provisions of this title provide protections and safeguards to persons apprehended or detained which are greater than those accorded to persons whose relocation was ordered during World War II pursuant to legislation then in effect.

The committee of conference made every effort to provide all possible protections and safeguards consistent with the objective of affording protection against acts of sabotoge and espionage which might render the United States impotent to defend itself in time of critical emergency.

In submitting this conference report, Mr. Speaker, I reiterate that in this field, which is admittedly a virgin field, your committee has done the very best it could. We believe we have a bill which will be workable and which will at least aid materially in strengthening the security of the Nation. I hope the conference report will be adopted.

Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, it has been said here as well as in the press that this legislation is being forced on the American people for one purpose only, and that purpose is to protect the American Government. I submit, Mr. Speaker, the best protection the American Government can have is its Constitution and faith in the intelligence of the American people. The difference between me and the proponents of this legislation is that I believe in the Constitution and I have faith in the intelligence of the American people to live up to the democratic traditions of this Nation and preserve its institutions.

Mr. Speaker, all that one can do as one reaches the end of the road of American liberty with this legislation at this stage is to summarize. Here we are now ready to do what? We are ready to violate the constitutional prohibition against bills of attainder. We are ready to adopt the system of adjudication of guilt by legislation. We are ready to violate completely the first amendment. We are ready to substitute incarceration without trial for our guaranties of a fair trial. We are ready to violate the time-honored principle of giving even the worst criminal in our midst a fair trial. We are ready to establish in America the political Bastille, the concentration camp, and the labeling of our citizens. We are ready to violate the fifth amendment and establish the practice of self-incrimination. Under the guise of protecting the American people you destroy their liberties with this legislation. Under the guise of protecting the American Government, with this legislation you undermine and subvert the very foundations upon which our Government is established—its Constitution.

Our Nation is changing as a result of legislation of this kind, and as a result of thinking of this kind. We are not going forward. Change means progress, but in this case change means retrogression. We are carrying our country back to the period of dark reaction which followed the adoption of the Bill of Rights, we are carrying our country back to the period of the alien and sedition laws. We are carrying the Nation back to the period of the fugitive slave laws, and the period of the Dred Scott decision, and the period of hysteria which followed World War I, when the Legislature of the State of New York went so far as to take five of the elected representatives of the Socialist Party and expel them from the assembly despite the election mandate of the people.

But as we look back we find that there has always been one great defender of our country and that is our people. They nullified those alien and sedition laws. They fought them and came through. Those laws were repealed and the men responsible for them who were riding high, wide, and handsome over the liberties of the people and who were doing so ruthlessly and with impunity were thrown out. We saw what happened to the fugitive slave laws and the Dred Scott decision and to the "slaveocracy." The men who were important public officials in the days following World War I, and who were responsible for the Palmer raids and for the expulsion of the Socialist assemblymen in the State of New York, and for the railroading of militant workers in various sections of this country were repudiated by the people. Those men have been cast into ignominious oblivion.

Today in the United States, and this is what is tragic, what is the governing factor in the ruling circles of America? It is fear. We might as well face it—it is fear—fear that has impelled men and women publicly to cowardly beat their breasts and supinely declaim against communism so as to make certain that no one will have the slightest suspicion that they may be called Communists. We see public officials cringe, going to extremes to make certain that nobody may point the finger at them. What is the result? We find petty tyrants setting themselves up to point the finger at some one or another. We find people setting themselves up as self-appointed judges, as we witness in the House of Representatives sometimes when we see self-appointed judges of what is patriotism and what is loyalty.

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

Mr. WOOD. Mr. Speaker, I yield one additional minute to the gentleman from New York.

Mr. MARCANTONIO. And we find what? We find that fear today is making the rulers of America act as people did in the days of witch hunting; people accusing each other; whispering "Is he loyal?" "Is he disloyal?" We saw, even in this House of Representatives the loyalty of a man like General Marshall being impugned. This is not a healthy state of mind. It is not a healthy condition. This disease makes America really sick. You are not saving America. You are endangering America. For what? One-twentieth of 1 percent of the American population. That is the Communist population in this country; depriving them of their rights, as was done in Germany. And in so doing what are you doing? You substitute fascism and tyranny for our democratic precepts. You are enveloping the whole 150,000,000 Americans in an atmosphere of fear. You are supplanting the Constitution with this legislation and you are killing the America of Jefferson and Paine, of Lincoln and Oliver Wendell Holmes; and the America of the abolitionists, of the men who fought and died to abolish the slave laws and repeal the alien and sedition laws. You are killing the America of the American Revolution.

The SPEAKER. The time of the gentleman from New York has again expired.

Mr. WOOD. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, undoubtedly the House was not surprised at the speech of the gentleman from New York [Mr. MARCANTONIO]. He was in his usual form.

But let me say to you that this bill is one of the greatest steps forward ever taken by the Congress of the United States. We are not going to have our country destroyed by these enemies within our gates, if it is humanly possible to prevent it.

I take great pride in this measure, because I realize that if it had not been for my efforts in this House in 1945, we would have had no Committee on Un-American Activities.

In 1945, you will remember that I offered the amendment to the rules which created the Committee on Un-American Activities as a standing committee of the House. If I had lost that amendment, you would have had no Committee on Un-American Activities, and the chances are that Alger Hiss would now be Secretary of State, or Assistant Secretary of State, directing our international affairs, just as he did at Yalta when we were sold out to Communist Russia.

Again, you could not have had this legislation, because up to that time the Committee on Un-American Activities was simply a temporary committee, with no power to report legislation.

We have had these Communists, and Communist-front organizations, invade every State and every community, stirring up trouble from one side of the country to the other. We are beginning to smoke them out. For 5 years we have been persecuting the wrong people for the Katyn disaster, the murder of 11,000 Poles, which I put in the RECORD yesterday, at page A6665. I wish you would read the letter from Lieutenant Colonel Van Vliet, showing that the Russians murdered those officers. Yet we have been hanging German soldiers, civilians, and doctors, or they have been hanged and the United States has been given credit for their execution by those Communists who have been pretending to represent us abroad.

The most dangerous force in America today is communism. When you get on their trails the Communists go underground. A lot of them are underground now, who are on the Federal pay rolls, on the State pay rolls, and on the municipal pay rolls. Then they work through Communist fronts, such as the Southern Conference for Human Welfare, for instance, which has long since been exposed. The gentleman from New York [Mr. MARCANTONIO] talks about liberty.

Thomas Jefferson and George Washington would not have stood a moment for the things that have been taking place here in the United States in recent years.

They have even gone so far that they have eliminated the teaching of American history in a large percentage of the public schools of the Nation. Over two-thirds of the colleges do not require a knowledge of American history. What are we coming to? It is time for us to get back to the Constitution, to the American way of life, to American policies laid down by Washington, Jefferson, Franklin, and the other great leaders of the past. It is time we give the world to understand that America is not only going to be free, but that we are not going to be sabotaged and destroyed by these enemies within our gates. If they do not like this country, let them get out of it—and stay out. But we do not intend for them to destroy it. Let us pass this bill by a unanimous vote and let the world know that we are going to protect this country at all costs.

Mr. WOOD. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Speaker, I bow to no man in or out of this Congress in a desire to preserve this country and its good, true—yes, divine principles of democracy.

Time is too brief to call again to your attention the arguments that were raised against the Mundt-Nixon bill 2 years ago and then against the present bill a short time ago when we considered it. They are still valid against this bill.

I do wish, however, to call your attention to two things about the bill as it is now presented to you by the conferees which make it a worse bill than when we first considered it. I say again I have nothing but the highest praise for the members of the committee and the conferees who bring forth this bill and this conference report; I appreciate their motives and their desire to do the right thing as they see it, but they have allowed their zeal and enthusiasm to run away with them; in attempting to accomplish a good purpose they are giving us a very bad bill.

I took the trouble to write to the Secretary of Defense and ask him specifically whether or not the provision in the original bill requiring the Defense Department to identify each defense plant would in any way impair our national security—and at that time all the bill required was that he determine and designate the defense plants. The bill now provides that not only must he make such determination and designation but also that he must publish in the Federal Register such determination and designation of every defense plant. The Secretary of Defense referred my inquiry to the Munitions Board. The Chairman of the Munitions Board, Hubert E. Howard, wrote me as follows. I will not read the entire letter but just that part that applies to the provision I am talking about. He says, and I quote:

> The complete public divulgence of all existing defense plants would furnish valuable information to present and potential enemies of national security.

If you pass this bill you will direct the Department of Defense to prepare a handbook for every enemy or potential enemy of this country, in effect telling him where he can find the places to go and sabotage.

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

Mr. MULTER. I yield.

Mr. McSWEENEY. Will the gentleman note subsection (b) of section 5 which requires the application of the provision? In other words, if he does not feel that it requires the application of the provision as an emergency measure the Secretary does not need to publish a list of the plants. It is only as required under his concepts.

Mr. MULTER. Once he makes a determination that our national security requires him to designate a plant as a defense plant, he must publish that in the Federal Register and give notice to our enemies that these are our vital projects; these are our defense plants. You can never again have a secret Manhattan project, or, for that matter, any secret defense project if this bill becomes law.

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

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

Mr. HARRISON. I wonder why, if the Director of the Munitions Board felt such a valid objection to this feature of the bill, he did not bring it to the attention of the conferees in order that a detail of that kind might be worked out, but wrote a private letter to the gentleman?

Mr. MULTER. I cannot answer as to why he did not direct it to the attention of the conferees. I made an inquiry, he answered me. I say to you it was the duty of the conferees and of the committee to consult with the Defense Department and with the Munitions Board to find out whether this would or would not impair the national defense.

Mr. HARRISON. Is the Munitions Board trying to keep secret its objections to this bill?

Mr. MULTER. Of course not. If it was, it would have ignored my inquiry.

Another very bad provision in this bill is the new—to this House—first sentence in subsection (f) of section 4 which provides that neither holding of office nor membership in any Communist organization by any person shall constitute per se a violation of this bill or, and I quote, "of any other criminal statute."

I venture to predict that if this bill becomes law you not only vitiate one of the most important parts of the Smith law, but you will give a new argument and defense to the 11 Communists recently convicted in the Federal court in New York of crimes against the United States, as proscribed in the Smith law.

In conclusion, let me say to you that the same arguments were urged in support of the sedition laws of 1798 that were heard in support of this legislation. The four reported cases that I have examined of prosecutions under that law disclose that in every case the convicted defendant was a Republican whose only offense was opposition to enactment into laws of bills sponsored by their political opponents in the Federalist Party.

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

Mr. WOOD. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker, I cannot in good conscience vote for the approval of this conference report. I have within me too deep a love of country and too strong a devotion to the Constitution of my country, and the spirit in which it was written, to permit a sense of political expediency, on the eve of an election, to permit me to become a party to the destruction of that Constitution, piecemeal, and the repudiation of its spirit.

I am not afraid of the destruction of the United States of America by the 54,000 Communists whom Mr. Hoover of the FBI, who enjoys the confidence of the American people, has declared to be the total number within our population of many millions. Our country can start on the road to the abyss only when, in the confusion and perplexity of present situations, we start turning our backs on the fundamental and eternal truths that have been written into the Declaration of Independence and of the Constitution of the United States.

The purported purpose of the conference bill is to save us from the mischief which can be done by 54,000 persons in a land of 150,000,000. I have too much respect for the intelligence and the good hearts and the clean minds of my fellow Americans to concede that they stand in danger of corruption even if the 54,000 were permitted to run at large and unchecked. The gentleman from North Dakota [Mr. BURDICK], if I remember correctly, stated that there are 25 Communists in his State. What opinion could I possibly have of the fine and virile men and women of North Dakota, if I thought them so weak in character and so lacking in ordinary common sense that a handful of 25 individuals, most if not all of them without local standing and friendships, could lead them to turn against their country and its Government and their own interest?

But if we admit that there are in the United States 54,000 Communists, or more than that figure, and that their subversive methods are reprehensible and that they do constitute a positive menace to the national safety, how does this measure propose to deal with them and the problem they present?

In a nutshell, all that this measure does by way of proceeding against the subversive activities of the Communists is to require that they come forward and by registration accept certain disqualifications. I have had too long an experience with the laws and with the courts and with the administration of justice to believe that you can end or check the crime of pocket-picking, or the crime of burglary, or the crime of treason, by passing a law compelling pickpockets, burglars, or traitors, as the case may be, to step up and register.

Mr. Hoover of the FBI, who certainly is better qualified than any man in America to know, says that you cannot do it in that way. Mr. Hoover does have an interest, because in the final analysis it is Mr. Hoover we must look to to ferret out and apprehend the traitors. I am willing to venture the suggestion that Mr. Hoover at this very moment, and as the result of months and years of alertness and of industry, has cards upon every man and woman in this country subject to possible suspicion of being a traitor, and that the vigilance of the FBI, even though its objective is not permitted to be defeated by fanfare, would be most reassuring and heartening to the country if the same headlines and the same wide publicity that are given to what we in the Congress say and do could be accorded to good policing and espionage without destroying their efficiency.

I do not question the sincerity of my colleagues who believe that this measure will be effective in thwarting the nefarious conspiracies and the subversive plottings of those who are disloyal and those who are misguided. If I disagree with them on the matter of procedure against disloyal conduct, for which we share in common a loathing, I respectfully suggest that it may be because my own experience in the criminal courts and in the study of the influences that determine

human conduct have occupied many years of my life before I came to this Congress. The telluric, the anthropological, so many elements go into what we are; and as we live lives and have experiences gradually we become classified and fall into general groups with approximately the same reactions and habits as others in the same group. Such a highly efficient organization as the FBI takes recognition of this. Men and women of disloyal character, who are capable of doing things of a sneaky nature, that is of being subversive in the sense we have in mind here will never be caught by a law commanding them to come forward and expose themselves.

I could not in good conscience vote for a bill which I understand Mr. Hoover of the FBI has said flatly would be a handicap, and not a help, to him in his very serious job of combating communistic infiltration. Especially I could not so vote and in good conscience if the conclusions I understand reached by such an outstanding and universally respected authority as the distinguished head of the FBI so exactly coincided, as they do, with my own conclusions based upon many years of specialized study and experience.

I will speak briefly on what I covered at greater length in my remarks on the Shelley amendment when the Woods bill was under consideration in the House sitting as Committee of the Whole. The pattern we are fitting in this bill, when it becomes the law of the land and is applied in other situations entirely removed from any connection with communism, can be employed by those coming into temporary power to destroy completely the association of good men and women joined together in the common cause of advancing under the law their own welfare and the conditions of their employment.

It can become under cunning hands the implement for the destruction of every labor organization, church federation, fraternal society and association of any nature whatsoever, of free and independent men gathered together for the doing of good works for the common betterment of their lot and the uplifting of mankind.

Mr. WOOD. Mr. Speaker I yield such time as he may desire to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Speaker, I am in full accord with the conference report that submits to us today the Internal Security Act of 1950.

The purpose of the bill is to protect the United States against certain un-American and subversive activities by requiring registration of Communist organizations and their members.

This bill is the result of long and comprehensive hearings both in Senate and House. It represents the combined thought and study of a group of able and conscientious men. It is their desire to protect the liberty and the freedom we enjoy under our form of government against the subversive activities of Communist organizations, and, their members who are constantly seeking ways and means of destroying our Government.

The necessity of this legislation is set forth in section 2 of the bill. It reads as follows:

SEC. 2. As a result of evidence adduced before various committees of the Senate and House of Representatives, the Congress hereby finds that—

(1) There exists a world Communist movement which, in its origins, its development, and its present practice, is a world-wide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a world-wide Communist organization.

(2) The establishment of a totalitarian dictatorship in any country results in the suppression of all opposition to the party in power, the subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic to a representative form of government, such as freedom of speech, of the press, of assembly, and of religious worship, and results in the maintenance of control over the people through fear, terrorism, and brutality.

(3) The system of government known as a totalitarian dictatorship is characterized by the existence of a single political party, organized on a dictatorial basis, and by substantial identity between such party and its policies and the government and governmental policies of the country in which it exists.

(4) The direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country.

(5) The Communist dictatorship of such foreign country, in exercising such direction and control and in furthering the purposes of the world Communist movement, establishes or causes the establishment of, and utilizes, in various countries, action organizations which are not free and independent organizations, but are sections of world-wide Communist organizations and are controlled, directed, and subject to the discipline of the Communist dictatorship of such foreign country.

(6) The Communist action organizations so established and utilized in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments by any available means, including force if necessary, and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship. Although such organizations usually designate themselves as political parties, they are in fact constituent elements of the world-wide Communist movement and promote the objectives of such movement by conspiratorial and coercive tactics, instead of through the democratic processes of a free elective system or through the freedom-preserving means employed by a political party which operates as an agency by which people govern themselves.

(7) In carrying on the activities referred to in paragraph (6), such Communist organizations in various countries are organized on a secret, conspiratorial basis and operate to a substantial extent through organizations, commonly known as "Communist fronts," which in most instances are created and maintained, or used, in such manner as to conceal the facts as to their true character and purposes and their membership. One result of this method of operation is that such affiliated organizations are able to obtain financial and other support from persons who would not extend such support if they knew the true purposes of, and the actual nature of the control and influence exerted upon, such "Communist fronts."

(8) Due to the nature and scope of the world Communist movement, with the existence of affiliated constituent elements working toward common objectives in various countries of the world, travel of Communist members, representatives, and agents from country to country facilitates communication and is a prerequisite for the carrying on of activities to further the purposes of the Communist movement.

(9) In the United States those individuals who knowingly and willfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement.

(10) In pursuance of communism's stated objectives, the most powerful existing Communist dictatorship has, by the methods referred to above, already caused the establishment in numerous foreign countries of Communist totalitarian dictatorships, and threatens to establish similar dictatorships in still other countries.

(11) The agents of communism have devised clever and ruthless espionage and sabotage tactics which are carried out in many instances in form or manner successfully evasive of existing law.

(12) The Communist network in the United States is inspired and controlled in large part by foreign agents who are sent into the United States ostensibly as attachés of foreign legations, affiliates of international organizations, members of trading commissions, and in similar capacities, but who use their diplomatic or semidiplomatic status as a shield behind which to engage in activities prejudicial to the public security.

(13) There are, under our present immigration laws, numerous aliens who have been found to be deportable, many of whom are in the subversive, criminal, or immoral classes who are free to roam the country at will without supervision or control.

(14) One device for infiltration by Communists is by procuring naturalization for disloyal aliens who use their citizenship as a badge for admission into the fabric of our society.

(15) The Communist movement in the United States is an organization numbering thousands of adherents, rigidly and ruthlessly disciplined. Awaiting and seeking to advance a moment when the United States may be so far extended by foreign engagements, so far divided in counsel, or so far in industrial or financial straits, that overthrow of the Government of the United States by force and violence may seem possible of achievement, it seeks converts far and wide by an extensive system of schooling and indoctrination. Such preparations by Communist organizations in other countries have aided in supplanting existing governments. The Communist organization in the United States, pursuing its stated objectives, the recent successes of Communist methods in other countries, and the nature and control of the world Communist movement itself, present a clear and present danger to the security of the United States and to the existence of free American institutions, and make it necessary that Congress, in order to provide for the common defense, to preserve the sovereignty of the United States as an independent Nation, and to guarantee to each State a republican form of Government, enact appropriate legislation recognizing the existence of such world-wide conspiracy and designed to prevent it from accomplishing its purpose in the United States.

There are some who do not think of communism as a serious menace in this country. Such are apt to think of the issue as merely a "red herring" and not entitled to serious consideration. President Truman has been one of such, if we are to judge by his words. On April 24, 1950, in an address at Washington, D. C., he was reported to have said:

We know that the greatest threat to us does not come from the Communists in this country, where they are a noisy but small and universally despised group. * * * Under the supervision of the (Loyalty Review) board, the loyalty program has rid the Government of all employees who were found to be disloyal, and they were only a tiny fraction of 1 percent. * * *

There are proportionately fewer Communists in this country than in any large country on earth. They are noisy and they are troublesome, but they are not a major threat.

Opposed to the views expressed by the President we have the words of J. Edgar Hoover, FBI Director, that were expressed by him in an address delivered a few days after that of the President. On May 2, 1950, in an address delivered at New York City, J. Edgar Hoover said:

The Communist Party possesses a well-knit, closely disciplined, destructive force of approximately 55,000 members in the United States. Behind this force of traitorous Communists, constantly gnawing away like termites at the foundation of American society, stand a half million fellow travelers and sympathizers ready to do the Communist bidding. These individuals, though not identified as Communists, are extremely dangerous to the internal security of this Nation.

Communist members, body and soul, are the property of the party. * * * At times, the Communists achieve gains out of all proportion to their numerical strength. That is the secret of Communist success.

Mr. Truman seems to feel that only a tiny fraction of 1 percent of these termites in the Government is too small a number to be concerned with.

Every thinking citizen knows that it takes only one disloyal person to betray a vital defense secret. A thousand Alger Hisses in strategic places in the Government, a thousand is still only a tiny fraction of 1 percent, could do—in fact, have already done—irreparable damage to American security. And Hiss, of course, was never caught in any loyalty board's screening process. Neither was Judith Coplon. In 1917, when the Communists took over Russia, there was only 1 Communist in Russia for every 2,777 Russians. Today, in 1950, in the United States, there is 1 Communist Party member for every 2,700 Americans.

J. Edgar Hoover warned Congressmen on February 3, 1950, that 48 percent of the membership of the Communist Party is in the basic industry of this country. In this manner, they would be able to sabotage essential industry in vital defense areas in the event of a national emergency. But Mr. Truman has said they are not a major threat. Whose opinion would you take—J. Edgar Hoover's or Harry S. Truman's on this subject?

It is impossible for me to understand how anyone can treat the subject of Communist activities in any way other than as a serious threat to the welfare of our Nation. It is equally difficult to understand upon what basis we continually show a disposition to coddle or appease Russia. The violation of treaty obligations, obstructionism in the solution of international problems, and territorial expansion by Russia gives unmistakable evidence of the purpose and intent of the Soviet Union. This relates not only to its attitude toward our own country but to the other nations as well. I would be difficult, if not impossible, to find a single treaty or agreement that has been entered into by Russia, since the war, that has not been broken in its entirety, or in some important part or parts.

In our own relations with Russia we need go no further than to examine the promises it made as a basis of obtaining its recognition by the United States in 1933, after nearly 16 years of nonrecognition. A letter from Maxim Litvinov, the Peoples Commissar for Foreign Affairs, to President Roosevelt, dated November 16, 1933, contains the following:

I have the honor to inform you that coincident with the establishment of diplomatic relations between our two Governments, it will be the fixed policy of the Government of the Union of Soviet Socialist Republics:

1. To respect scrupulously the indisputable right of the United States to order its own life within its own jurisdiction in its own way and to refrain from interfering in any manner in the internal affairs of the United States, its territories or possessions.

2. To refrain, and to restrain all persons in Government service and all organizations of the Government or under its direct or indirect control, including organizations in receipt of any financial assistance from it, from any act overt or covert liable in any way whatsoever to injure the tranquillity, prosperity, order, or security of the whole or any part of the United States, its territories or possessions, and, in particular, from any act tending to incite or encourage armed intervention, or any agitation or propaganda having as an aim, the violation of the territorial integrity of the United States, its territories or possessions, or the bringing about by force of a change in the political or social order of the whole or any part of the United States, its territories or possessions.

3. Not to permit the formation or residence on its territory of any organization or group—and to prevent the activity on its territory of any organization or group, or of representatives of officials of any organization or group—which makes claims to be the Government of, or makes attempt upon the territorial integrity of, the United States, its territories or possessions; not to form, subsidize, support or permit on its territory military organizations or groups having the aim of armed struggle against the United States, its territories or possessions, and to prevent any recruiting on behalf of such organizations and groups.

4. Not to permit the formation or residence on its territory of any organization or group—and to prevent the activity on its territory of any organization or group, or of representatives or officials of any organization or group—which has as an aim the overthrow or the preparation for the overthrow of, or the bringing about by force of a change in, the political or social order of the whole or any part of the United States, its Territories or possessions.

A reading of the above letter in the light of happenings, since that time, and, especially the present, indicates that not only has every promise been broken but there is hardly a line of the entire letter that has not been disregarded. This has been true from the very time the letter was sent. It would seem that there never was any intention on the part of Russia to carry out its undertakings or make good its solemn promises. Throughout all the years that have intervened its paid agents have worked insidiously, under cover and in the dark against our Nation. They have corrupted Government officials, stolen, or otherwise unlawfully obtained, secret government files. They have carried on an espionage system in our country that seeks to weaken and destroy our Government.

What further justification is necessary for this Nation to protect itself and its people against such insidious and unlawful conduct? The conduct of the Soviet Union toward us has necessitated the course we now pursue in enacting the legislation now under consideration. To do otherwise would serve notice that we are a nation of weaklings or Pollyannas, who didn't have the spirit to stand up and protect our sovereign rights. Our duty is plain. Enact this bill and then bring to justice those who violate its provisions. Let us show in this matter, and, on every other opportunity that is afforded, that the spirit of America is not dead, but liveth.

Mr. WOOD. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. CARROLL].

Mr. CARROLL. Mr. Speaker, this is a very, very difficult bill to debate. Of course, it cannot be adequately discussed in the short time allotted. Entirely aside from the legal aspects of this bill, I would like to speak to the Members for just a moment on certain features because this may be the last time we will have an opportunity to debate this important issue in this session.

About 2 weeks ago, several thousand people were assembled in the city auditorium in Denver to help Gen. Ike Eisenhower, Palmer Hoyt, and other prominent Colorado citizens launch a great world crusade for freedom. This program was broadcast Nation-wide by all four major networks and millions of Americans must have heard the call to rededicate themselves to the cause of freedom. What is the purpose of this crusade? It is to implement the Voice of America—to set up radio outposts all over the world to undertake to get the truth in back of the iron curtain. General Eisenhower said:

This crusade is a campaign sponsored by private American citizens to fight the big lie with the big truth. It is a program that has been hailed by President Truman and all others who have heard of it as an essential step in getting the case for freedom heard by the world's multitudes.

To further this great program, last Sunday, September 17, another great throng assembled to hear the tolling of the Freedom Bell—a 20-ton bell which was to sound the call to arms for freedom. Again General Eisenhower, Palmer Hoyt, and other Colorado leaders participated in this event. Eisenhower

stated, and I quote from a newspaper which I hold in my hand before you:

> Every time the bell tolls we hope new facts and new understandings will go out to the world.

As the Freedom Bell began its thunderous peal, General Ike continued his statement:

> The tolling of the bell will carry to the world a message that there is justice, mercy, decency, and just plain fairness in this land of ours.

In this newspaper story it is related that—

> After the ringing of the bell the people turned away quietly, with a new hope that a global war can be avoided by telling the truth to the world.

With these statements I concur wholeheartedly.

Mr. Speaker, I should like to digress from this line of thought to say that I want to disassociate myself from the position taken in this debate by the gentleman from New York [Mr. MARCANTONIO]. The voting record of not only myself but other members of the Democratic Party of the North and West with reference to international affairs is, on every important issue, separate and distinct and in opposition to the voting record of the gentleman from New York [Mr. MARCANTONIO].

Let us review the record briefly. Who has been waging the fight to stem the tide of communism in the Middle East and in Europe? Under the leadership of President Truman, Democratic and Republican leaders, farm leaders, religious leaders, federated women's clubs, veterans' organizations, and all of the great leaders of labor unions, including the AFL, the Railroad Brotherhoods, the CIO, and other independent union leaders have joined together for the past 3 years in support of a strong political, economic, and military program to combat and spread of communism.

First came the Greece-Turkey program. Next, the Marshall plan. Then the Berlin blockade was met with firmness and positive action. Following that the North Atlantic Pact and a mutual assistance program and other measures are concrete evidence of our determination. Many of us believe we must go forward with a positive, dynamic, political, and economic anti-Communist program in the Far East. Our record is crystal-clear on each and every one of these issues which are of tremendous importance to the strengthening of the United Nations, to the peace of the world, and to our own security and survival.

In the past 4 years all of us have witnessed the growing decline of the Communist Party in this Nation. Intelligent understanding and full information of the aims and objectives of Soviet imperialism have done much to contribute to the demoralized state in which the Communist Party finds itself today in this Nation. This always will be the case—we always can beat the evil and sinister influence of communism with intelligent democratic action.

The question then arises, Is the passage of this bill necessary to meet the threat of communism in this great Nation? As I understand it, J. Edgar Hoover says we have about 54,000 Commies in this Nation. In my own State, Colorado, it is reported that we have about 200. Insofar as I know, there is not a prominent citizen identified with that party. As a matter of fact there is not a Communist threat in Colorado, nor, may I add, is there a Communist threat in the whole of the Rocky Mountain area.

In view of existing world conditions I agree there is a need and I shall support legislation designed to strengthen the internal security of the United States against the acts of dangerous Communists, subversives, or fifth columnists. We can meet this situation here and now by drafting new laws or by extending the scope of the provisions of existing statutes. This is the position of the President of the United States and I support his position in this matter wholeheartedly.

In the bill under consideration are many provisions which I should like to see become a part of the law of this land. There are other provisions, however, which could be and probably would be used to undermine the rights of all American citizens as guaranteed by the Bill of Rights.

The repugnant provisions of this bill, if not in themselves completely unenforcible, impose an enforcement problem of such magnitude as to compel the FBI and the Department of Justice to devote all of their time and attention to the shadow of Communist registration, rather than to the substance of Communist criminal activity affecting the internal security of this Nation.

In short, we can improve internal security laws without jeopardizing our rights under the Constitution if we are willing to remain on the job by passing, at least, those measures which have been recommended by the President of the United States, the Department of Justice, and the FBI.

Senator KEFAUVER has introduced a bill in the other body and today I am introducing a similar bill in this body which, along with the so-called Celler and Kilgore bills, can be used as a basis for considering many new and constitutional approaches to this security problem. I do not endorse all of the provisions of all of these bills but in the main, with mature and deliberate consideration, we can bring out a bill much superior to the one upon which we are being called to vote today.

Mr. Speaker, in the past months many of the most outstanding Americans have been subjected to the vilest sort of smear attack. Without going into great detail, it is significant to note that General Marshall, Secretary of Interior Chapman, James Patton, president of the Farmers Union, and many other outstanding Americans and prominent organizations have been the innocent victims and the principal targets of irresponsible, unprincipled smearmongers. The pattern of this smear campaign makes it unmistakably clear that there is an underlying motive to confuse and to spread fear and hysteria among the people. It is only in the wake of such confusion, fear, and hysteria that legislation such as this would even be considered. I say to you that such fear and hysteria as there is, exists only in the Nation's Capital. Certainly, I sense none of it in my own State of Colorado and from the editorial comment throughout the Nation on this issue, the great newspapers, Democrat, Republican, and independent, are opposed to this type of legislation. In my humble opinion, the American people do not want this type of legislation.

I am certainly not going to quarrel with my friend the gentleman from Pennsylvania [Mr. WALTER] and other fine members on this committee. They have done a far superior job than was the case in the Eightieth Congress. However, I cannot agree with my friend, the gentleman from Mississippi [Mr. RANKIN], when he says the Southern Conference for Human Welfare is a Communist front.

Mr. RANKIN. Mr. Speaker, it sounded ridiculous for the gentleman from Colorado to try to read the southern Democrats out of the Democratic Party.

Mr. CARROLL. The gentleman from Mississippi thinks that the FEPC was Moscow-instigated. Well, some of us disagree with him. We are not going to stop all social progress or protest in this Nation by favoring this type of legislation.

If I were the President of the United States, and I had an opportunity to write a veto message on this bill, I would fire a shot for freedom that would be heard around the world, using the crusade for freedom and the Voice of America. All of the people of the world should be told the action certain to be taken by this body today does not reflect the spirit, nor should it be construed to be the "voice" of America. There is no hysteria in this Nation. We know where we are going. There is no fear among our people, for we know what we can accomplish.

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

Mr. WOOD. Mr. Speaker, I yield the gentleman one additional minute.

Mr. CARROLL. Mr. Speaker, that is the message to be delivered—faith, strength, courage, hope—for upon this food feeds the spirit of freedom-loving people everywhere. Or shall we send the message, as we wage this great moral and psychological battle against the forces of communism, shall we demonstrate that this great Nation of 150,000,000 people is cowering in abject fear and has become hysterical over the existence of a comparative handful of Communists already well known to the FBI?

Mr. Speaker, we are the strongest, richest, most powerful nation in the history of the world. Ours is a position of leadership among the democratic nations of the world. Craven action now will undermine that leadership. This bill in its present form should not be approved.

Mr. WOOD. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. KEARNEY].

Mr. KEARNEY. Mr. Speaker, as I have said before, this legislation is long overdue. I am in favor of the report, and I intend to vote for it. By the passage of this conference report, I will say to the gentleman from Colorado, my

friend, Mr. CARROLL, the message will go out to all Americans that we here in the Congress of the United States are going to do those things necessary for the protection and security of our country.

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

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

Mr. RANKIN. The gentleman from Colorado undertook to belittle the fact that there was a small number of Communists in this country, when it is well known there is a larger percentage of Communists in this country than there was in Russia when they took over.

Mr. KEARNEY. Mr. Speaker, I do not intend to go into any discussion whatsoever of the provisions of the bill. This has been thoroughly discussed by the distinguished chairman of the Committee on Un-American Activities, who has covered generally all phases of the bill with the exception of those provisions pertaining to what I call the passport sections. These sections I understand will be discussed by the gentleman from Pennsylvania [Mr. WALTER], a member of the committee and also a distinguished member of the House Judiciary Committee which has to do with the various immigration bills that come before the House.

I know of the great intent of purposes that the conferees from both the Senate and the House had during the several days we were in conference trying to reach an agreement on the two bills. I know that from my own personal observation during those several days of conference that there was a spirit of unanimity insofar as the reporting out of a bill was concerned which would, to all intents and purposes, protect the internal security of our Nation. I am thoroughly satisfied that the bill is constitutional. I am thoroughly satisfied that the rights of the individual have been protected under the conference report now before the House. I am thoroughly satisfied that the thought in the minds of all the conferees to do those things necessary for the internal security of our country have been done and the House has now before it a tough bill, but a tough bill for the enemies of our country.

As I have stated before, this legislation is long overdue and should have been enacted years ago. I could never quite figure out in my own mind why we were fighting communism in all parts of the world and letting it run rampant in our own country. I believe by the passage of this conference report, a great step has been taken toward protecting our American way of life. I am convinced that the Members of the House after having read the conference report will pass the bill by an overwhelming vote.

Regardless of the remarks emanating from certain organizations and individuals in the past, this bill is not a "witch hunt." This bill is simply and solely a bill to protect our Nation in such critical times as we are now going through and will be for years to come.

I am happy to be considered as one who will vote for the passage of a bill which protects the internal security of my country, believing as I do that the internal security of America comes first.

Mr. WOOD. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, I shall vote against this bill. I shall vote against this bill, even though I believe that there are some deficiencies in our existing anti-espionage and antisabotage laws. The legislation contained in this conference report is worse than no legislation at all, and as a matter of fact, will make much more difficult the job of the FBI in keeping tab on Communists in this country.

I am not an expert in matters of this type, and I must turn to experts for advice. To my mind, J. Edgar Hoover, the head of the Federal Bureau of Investigation is the outstanding expert on such matters in our country. It is his job to head the force which must protect our people and our Nation from Communist espionage and sabotage. J. Edgar Hoover has indicated he is opposed to this bill, because it will drive the Communists underground and make his task infinitely more difficult. It will be almost impossible to administer the act.

Another expert on such matters is Paul Jensen, a crack wartime counterintelligence officer, and incidentally, a lifelong Republican. Jensen served as the commanding officer of the Seventh Army Counterintelligence Corps under General Patton; as commander of the Counterintelligence Corps School in Africa, which trained all counterintelligence men for the Sicilian and Italian operations, and as a counterintelligence staff officer with the Ninth Army and with SHEAF. Jensen, too, is opposed to the bill. He calls it an amateurish attempt at counterintelligence, designed to catch headlines, but not spies.

Mr. Speaker, professional experts oppose the method proposed by the McCarran bill to fight the Communists. As a matter of fact, recent FBI reports unmistakably indicate that, because it seems certain that this legislation will pass, the Communist Party has accelerated its burrowing underground. The party is shuffling its leadership, destroying its records, and urging its members to join respectable organizations, such as churches and schools, which would offer safe refuge.

The 11 top Communists are on their way to jail under the Smith Act, for having engaged in a conspiracy to overthrow our Government by force. Their conviction before Judge Medina has already been sustained by the court of appeals and is now pending before the Supreme Court of the United States. In the face of that conviction, which establishes that Communists are part of an international organization devoted to overthrowing the United States by force, can you possibly imagine that hard-core Communists would come from underground into the sun to register under the McCarran bill as Communists? The sponsors of the bill say that if they do not register, they will be put in jail. But we know that if they do register as Communists, they are also subject to jail sentence.

It is impossible for me to believe that Communists, faced with jail in either event, would come up to announce the fact that they are Communists. Of course, they will not register. Rather, they will disguise their efforts in every way they can. The party will be dispersed, the members will meet secretly, and the job of the FBI will be multiplied tenfold.

So that the McCarran bill is not only ineffective; it is actually harmful to our best interests, if we want to protect ourselves from commie sabotage.

In the second place this bill creates a sounding board for vicious rumor and innuendo, contrary to the American spirit of fair play. It will invite attacks by the most reactionary elements in the country against fine, patriotic, anti-Communist organizations and people, and the use of the smear technique to throttle liberal causes. It gives a petty politician a weapon with which to destroy any group or association which dares to disagree with him. It places in jeopardy the right of any person to have a different opinion.

We will have another series of attacks of the lowest kind made upon the character and reputations of people, exactly like the petty, partisan, political attack made in the other body, a few days ago against Gen. George Marshall. Whom almost all of us revere for his unselfish devotion to duty and the public interest.

Or take the attack made the other day on Secretary of the Interior Oscar Chapman, when an attempt was made to brand him as "pro-commie". This tirade was so fantastic that even the Republican Policy Committee immediately disclaimed any responsibility for the statement and any authorization for the person making it. They were not going to be trapped on that one as they had been in the past, because they are beginning to realize that the American people are beginning to recognize the smear technique for what it is—a political tool.

Mr. Speaker, the American people are known for their approval of fair play. They believe in giving a man a fair chance and a fair trial. While they may facetiously say about a person they do not like: "Let's give him a fair trial and then hang him," they are becoming increasingly revolted with the smear technicians who hang their victims first and never give a fair trial. The American people do not approve of lynching in any form, and that includes the lynching of reputations, for a man's reputation is as sacred as a woman's honor, more important, frequently, than life itself.

The attack upon liberal anti-Communist organizations began even before the debate was concluded in the other body, when the charge was made that the Farmers' Union is a Communist-front organization. It is interesting to note that again the attacker was a member of the Republican Party and the group attacked was the only pro-Democratic organization among the big three farm groups. One of the charges made in support of the accusation was that it favored the Brannan plan. It favored the Brannan plan. Only a few months ago, everybody was criticizing the present farm program. Do you remember the potato surplus? Is it wrong, therefore, to suggest a possible improvement in the present farm policy? Is the Brannan

plan anything more than one man's idea?

The American Federation of Labor favors the Brannan plan. Does that fact make it a commie-front organization? Of course not. No organization has done more to fight communism on the rugged battleground of labor organizing and elsewhere than has the A. F. of L. Yet, under the specious reasoning of the argument made in the Senate, the A. F. of L. could be so condemned. It seems ridiculous, but it is possible under this bill.

And the fact that it might stand trial and clear itself is important—but even were it cleared, irreparable damage would already have been done. Clearance by a trial board can never fully erase or bring complete vindication to a group labeled as tinged with communism. Immediately its effectiveness is impaired, its members disappear. It is easier to drop a membership than fight in such circumstances. It is interesting to remember at this point, that under the Taft-Hartley law an employee need not belong to a labor union, so long as he pays his dues. If his union is charged with communism taint, he may believe it much more expedient to drop his membership. He can limit his application to mere dues payment, as compelled by law.

No, Mr. Speaker, America will cease to be the land where different opinions bring progress. Fear and shame are powerful gags, and I do not want to tape up the mouths of those who want to think and speak differently, even in unpopular opinions. It is the Communist we must beware of—the international plotter, the saboteur, the spy, against whom we must protect ourselves. Let's do it effectively—not by an un-American act of this type.

Sure we can use additional legislation, but one does not burn down a house to get at a rat, which is what this bill proposes to do. We have much protective legislation on the books now. We have the Conspiracy Act of 1861, and we have the Smith Act under which the 11 Communist leaders were jailed, an act which could be employed against other Communist subversives.

Furthermore, all foreign agents are required to register under the Foreign Agents Registration Act. Presumably this applies to Communists, inasmuch as they are agents for Russia. In addition, of course, we have our immigration laws, some good espionage laws, and the Government's loyalty program. We are not unprotected from the communistic menace at the present time.

I am aware of the fact that we must make compromises in almost every type of legislation. Few bills are perfect. Our task here is to balance our need for security with the maintenance of our American freedoms. True, freedom is not an absolute right, particularly when we are faced with an emergency such as exists today; but this bill is bad because it has not attained the necessary balance. It leans so much toward security as to preclude, in dangerous degree, the exercise of justifiable differences of opinion. We are not fighting the right of a person to differ in viewpoint. We seek protection from acts of espionage and sabotage.

I would vote for certain portions of this bill if they were separately presented. But I believe sincerely that the evils in this bill are so overwhelming, they overbalance the desirable provisions, and I must therefore vote against it.

Mr. WOOD. Mr. Speaker, I yield such time as he may desire to the gentleman from Nebraska [Mr. STEFAN].

WHY I FIGHT COMMUNISM

Mr. STEFAN. Mr. Speaker, I fight communism because communism is a deadly enemy of my country. Communism, if victorious in the United States, would wholly destroy our democratic institutions, defile the historic rights and privileges of Americans, and trample under foot the ideals of Christianity. This Nation, conceived in liberty and grown to world stature by the magnificent exercise of tolerance, freedom, and justice, would become but an outpost of Soviet imperialism. I fight communism, as a Member of Congress and as a private citizen, because I desire wholeheartedly and passionately to strengthen the arm of freedom.

Speaking in most simple terms, communism is a blight which deadens the souls of men and of nations. Wherever the winds of Communist tyranny blow, life, as we understand it, cannot exist. The individual personality and institutions of freedom are melted, under the impact of Communist tyranny, into a vast sea of terror and violence. Christian concepts of life, justice, hope and mercy are degraded. Brute force and stark fear become the watchwords of the day. Communism means death—death to the young and to the old, the destruction of the past and the forfeiture of the future.

As a Member of Congress, I have seen, time after time, how Communists work. The story is one of deceit, hypocrisy, and duplicity. They seek, while operating behind a cloak of democracy and justice, to steal our freedoms. Not only that, they are working ceaselessly to make us steal our own freedoms—by having us fight their battles without our even knowing it. That is the vital danger of communism today—that Americans do not recognize a Communist for what he is, a despicable liar, a creature dead to honor—and allow themselves to be fooled into supporting his Communist programs and pursuing his Communist ends.

The best way to fight communism, as a private citizen, as a member of the Government, or in any other capacity, is to unmask Communist hypocrisy and to focus the withering blaze of truth upon this cancerous conspiracy. A Communist cannot work in the open. Fresh air and communism do not mix. The Communist prefers—in fact, he must, work underground, in the torturous burrows of stealth, intrigue, and dishonor.

The Communists are past masters of double-tongued language. Each day we, in Congress, receive letters and postcards protesting the passage of certain legislation or denounce a decision taken by the Government. Now, most certainly, it is a prerogative and a responsibility of citizens to let their elected representatives know how they feel on the issues of the day. I most sincerely believe in this practice. It is this very practice which discloses more than the letters themselves. Upon carefully reading, we notice that there is, in some of the mail, a definite pattern, a pattern which is indelibly marked with the fingerprints of Communist hypocrisy. Letter after letter, postcard after postcard, parrots the same line—the Communist Party line. The handwriting may vary, the postmarks may vary, the names may vary—but all of these letters spring from a common source, the deep well of Communist pollution. They are intended to high-pressure Congressmen, to provide a false impression of public opinion, to cause Senators and Congressmen to act hastily—and thereby vote against the best interest of America. That is another reason why I fight communism, the philosophy of trickery and chicanery.

Let us examine communism from another angle. The Communist press, during recent months, has been working feverishly for what they call "peace." Communists throughout the Nation have been circulating the so-called Stockholm peace petition, a petition which they claim has been signed by millions of people in many countries. Let us be frank. This peace petition is a fraud and a fake. It is duplicity compounded. The irony of Communists talking peace. Communist hordes, without warning or provocation, attacked South Korea. Russian power holds in subjugation whole nations, Poland, Czechoslovakia, Bulgaria, Rumania, Hungary, Latvia, Estonia, Lithuania. Communist fifth columnists are buried within the hearts of countless nations, including our own, ready to spring, at a moment's notice, to strangle liberty. Peace. Nonsense. They thrive on brutal aggression. The word "peace" to a Communist means but one thing: the complete victory of communism throughout the world. Only then, in the double-tongued Communists reasonings, can there be "peace." In that type of "peace" there is no room for you and me, for the rights of freedom-loving citizens, either in America or in our allied nations. In actual fact the Stockholm peace petition is a calculated Communist device for Americans: first, to disarm themselves, physically, mentally, and spiritually; second, to sugar-coat Communist imperialism and deceit; and third, to make more easy the ultimate achievement of Communist aims.

Communism must be recognized for what it is, a philosophy which denies the dignity of the human personality, which glorifies the power and omnipotence of the state, and unblushingly emphasizes the role of the few over the many. It is antidemocratic, antireligious, antimoral. I indict communism for the betrayal of every principle which has given strength to western society. To compromise with communism, as some dupes would like us to do, is the same as compromising with evil—it cannot be done. Communism must be completely liquidated. It must be overthrown by the validity, strength, and power of the democratic philosophy. Communism means the triumph of evil, the complete reverse of the values which you and I know to be the source and strength of democracy.

I am today fighting communism, with all my strength, because I know that, if America is to survive, the Communist must be defeated. I love America. I cherish the ideals which have made this Nation great. I want America to grow stronger and stronger, both in material things and in spiritual values. Because I want these things to be so, I fight communism. It is a task not only for a Member of Congress, for the Government of the United States, for the brave boys in Korea, but also the task of the citizen in the home, the school, the church—the individual wherever he may be. We live together, we must fight together. This must be democracy's answer to the challenge of communism's vile philosophy—wholehearted cooperation, day and night, to make our Nation ever stronger against enemies both within and without.

Mr. WOOD. Mr. Speaker, I yield such time as he may desire to the gentleman from New Jersey, Dr. EATON.

Mr. EATON. Mr. Speaker, I am in favor of this legislation because I consider one drop of deadly poison in the stomach to be a very bad thing for the entire system. I look upon communism as that drop of deadly poison. It is our duty to eliminate it as quickly as possible and put real Americanism in its place.

Mr. WOOD. Mr. Speaker, I ask unanimous consent that all Members have five legislative days in which to revise and extend their remarks on this conference report at this point in the RECORD.

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

There was no objection.

Mr. HOBBS. Mr. Speaker, "a pink is one who is too yellow to be red."

Mr. SCRIVNER. Mr. Speaker, this measure reported by the conferees incorporates necessary and essential, yet reasonably and carefully safeguarded, provisions for the internal protection of this Republic.

It serves no purpose to sacrifice the lives and blood of young Americans in far-off places fighting Communist aggression unless we also fight that same atheistic Communist foe here at home.

An adequate national defense will protect us from foes from without. This bill will protect our Nation from its foes within our borders.

With the guiding principle of what is in the best interest and for future interest of this Nation I could not and would not do other than vote for this bill. It includes so many protective devices so long advocated not only by myself, but by the American Legion, VFW, and so many other patriotic organizations.

Mr. Speaker, no loyal American citizen ever need worry about running into trouble under this law.

No loyal alien need fear it.

Mr. BRYSON. Mr. Speaker, it is heartening that after so long a delay and much controversy, we are today given the privilege of voting upon a bill sufficiently inclusive as to properly deal with those who would destroy us, either from without or within, under the terms of the pending bill, H. R. 9490.

The fact that we have not had adequate legislation on this vital subject long before now is not to be laid at the doorstep of this House. Several splendid bills have passed the House at various times in recent months by overwhelming majorities, one of which was sponsored by me. These measures are still dormant in the other body. I have carefully read the Conference Report and am in full accord with the statements on the part of our managers. A subject as controversial as communism and what to do about its infiltration and spread within our own borders naturally has a tendency to divide us. From expressions I have heard and indications otherwise, I predict that in the event there is a roll call this morning the vote on this measure will unmistakably indicate to the President that the House would override any veto he applied hereto.

We have ofttimes heard that the law of self-preservation comes first. This is simply human nature. Unless we gird our loins and protect our way of life, forces inimical to our ideals will eventually destroy us.

I am delighted to see my colleagues from sections of this great country into which have filtered peoples from all over the world boldly standing for this needed protection. Those of you who come from the populous sections to the east, middle west, and even far west are to be more greatly commended than those of us who come from the deep south because we have little or no foreign elements. It is paradoxical that that very section of our great country which sought to divide it in the sixties is the same section which holds it together now.

Time will not permit a lengthy discourse or elaboration on this all-important subject. I simply want to repeat and reemphasize my intention of voting for this report and I hope to see it become law, any veto to the contrary notwithstanding.

Mr. McDONOUGH. Mr. Speaker, for a long time I have been advocating and vigorously supporting the need for adequate legislation for the control of subversive activities in the United States.

On February 13, 1947, I stated in the House of Representatives the following in connection with the introduction of my House Resolution 99 for the purpose of defining communism.

In my opinion, it is time that communism is defined so that there will be no question about its insidious influences and the effect it is having on the people of the United States.

I have introduced this resolution for the purpose of establishing a clear definition of communism that can be easily understood. Heretofore there has been no clear definition, and because of this, many people have sympathized with communism and have become influenced to believe in it. Communism, as a political policy, or as a way of life, is inimical to the people of the United States and incompatible with our form of government. It advocates deceit, conspiracy, confusion, subversion, revolution, and the subordination of man to the state. It is not a political policy alone, but it is an international conspiracy and an anti-Christian ideology that would destroy the purposes of the American Government as set forth in the Constitution and the Bill of Rights.

It is time the Congress recognizes the truth about communism, and sets forth a clear definition of it for the protection of the people of the United States.

The House Un-American Activities Committee has recently done this Nation a great service by exposing and revealing the activities of Gerhard Eisler reported to be the top Communist in this country. This committee now under Republican leadership is doing an outstanding job. Communism must be revealed and exposed and stamped out wherever it is found.

The State legislatures of the various States should study and review their statutes and outlaw the Communist Party in their States. Communism is not a political party, and it should not be be recognized as such by any State in the Union.

The people of the United States must be aroused to its dangers and the House of Representatives should clearly define it so that the people of the Nation will have no doubt as to its meaning.

Americanism and communism cannot mix. Christian democracy and communism are incompatible. Freedom and liberty as we know them cannot tolerate communism. We must be vigilant and alert to the wiles and insidious influences it is attempting to inflict upon us. In our schools, in the press, through the radio, and our motion pictures, its agents, and in many cases its unsuspecting adherents, are expounding the theories of communism.

It should be defined so that all will be aware of its dangers to our way of life in the United States.

I trust that the Members of the House will read this resolution, and urge its passage in the near future.

House Resolution 99 reads as follows:

Whereas communism as a political policy, or as a way of life, is inimical to the people of the United States; and

Whereas communism advocates deceit, conspiracy, confusion, subversion, revolution, and the subordination of man to the state; and, because of its practice of deceit and confusion, its real purposes and intentions are clouded and misunderstood to the extent that many persons in the United States have been influenced to believe in and sympathize with communism; and

Whereas there is a pressing need for a clear and easily understandable definition of communism in order to protect the people of the United States from its insidious influence: Now, therefore be it

Resolved, That communism be defined and declared to be not a political policy, but is an international conspiracy and an anti-Christian ideology which advocates and practices deceit, confusion, subversion, revolution, and the subordination of man to the state, and which has for its purpose and intention the overthrow of any democratic form of government by force and violence, if necessary; and be it further

Resolved, That any person, either citizen or alien, adhering to or expounding the purposes and intentions of communism, should be exposed and revealed as an enemy of the United States and dealt with accordingly.

I have consistently urged the adoption by Congress of legislation which could control Communist activities in the United States for the protection of our Nation. Since the end of hostilities in

World War II we have seen the Communist program in action carrying out its conquest through treachery, deceit, infiltration, espionage, sabotage, corruption, and terrorism in country after country, and it is an ever-growing threat to the national security of the United States.

The Un-American Activities Committee of the House reports that there is incontrovertible evidence of the fact that the Communist Party of the United States is dominated by such totalitarian dictatorship and that it is one of the principal instrumentalities used by the world Communist movement, in its ruthless and tireless endeavor to advance the world march of communism.

The city and county of Los Angeles have both adopted ordinances to control communism by registration of all those affiliated with communism.

Immediate measure for adequate control of Communists in the United States must be taken now. No longer can this Nation afford to delay. Our law-enforcement agencies must be empowered to require registration of members of the Communist Party and Communist foreign agents. The Communist registration bill should have been passed years ago. It must be passed now for the defense of our Nation.

Mr. CELLER. Mr. Speaker, if the Wood bill is bad, this conference report is worse. It combines the evil and the vice of both the Wood and McCarran bills. It is a marriage whose progeny will be chaos and confusion. In my long experience I have never seen such a hodge-podge of ill-thought-out and Draconian provisions.

Voting favorably is a way to achieve quick political capital out of the Communist fear and menace. I want none of such capital. The Constitution is knocked into a cocked hat. We are acting like children playing with dangerous instruments. We shall suffer and repent. Citizens will be ridden out on a rail. Bills of attainder will be filed against them. They will be deemed guilty by legislative fiat. Forgotten is Magna Carta and the Declaration of Independence and the Lincoln's inaugural addresses. We play ducks and drakes with the Bill of Rights. A day of reckoning must come. The future finger of shame will point to this House.

Many of the Members who will vote for this bill will make campaign speeches and addresses to all manner and kind of societies and organizations proclaiming the right of free speech, assembly, and press but it will be difficult for them to square their protestations with their favorable vote on this bill, which is a denial of those rights. They are like a man who wears two faces under one hat. Their votes belie their words.

Recently, Robert H. Jackson, Associate Justice of the Supreme Court, said, as follows:

> These are difficult times for the bench and the bar. The law works best in periods of calm. To work well it requires patient hearings, calm deliberation, and detached judgment.

No calm judgment, no patient hearing, attended this conference report.

Judge Jackson also said that disturbed times, such as those prevailing today, often require hasty decisions and sometimes seem to call for decisions based on zeal rather than an objective justice.

He remarked that it would be a deplorable thing if lawyers permitted the administration of justice and the punishment of subversive elements to get out of the hands of the regularly constituted legal authority.

What we do today is deplorable. We are indeed letting hypocrisy and hysteria govern our actions and allowing all caution and constituted authority to get out of hand. Judicial decency is thrown to the winds. We are making decisions in haste but we will have to repent and suffer thereby in leisure.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, I am supporting this bill. No loyal American has anything to fear from it. Any disloyal American, any traitor or subversive within our borders is put on notice that our Government will have the power to punish those who would destroy us from within. Understandably the bill is not popular with Alger Hiss or Harry Bridges. Neither is it popular with those who would not turn their backs upon the Hiss's and their crafty ilk. Of course it is not popular with Dean Acheson, nor with the phony liberals. The appeasement gang in Washington have lost sight of the country's security in their anxiety to preserve their own personal job security through the votes and the support of left-wing groups. This bill furnishes the tools to protect the Nation. The plumbers who will be expected to use the tools are a bungling lot, all thumbs and alibis; but, if they fail to use this bill for the protection of our country and our people they assume a terrible responsibility for which they must and will be held accountable.

Mr. WOOD. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I regret that I find it necessary in my humble judgment to take exception to the remarks made by the gentleman from Colorado [Mr. CARROLL]. When he made a statement in substance to the effect that the record would show that the northern and western Democrats had gone along with this program against communism, he left the implication, of course, very pointedly that the southern Democrats had not done so. He further implied that the Southerners had not opposed the gentleman from New York [Mr. MARCANTONIO] in his efforts in these matters, and, although I am not authorized to speak for the group on the left (the Republicans), he also implied that they had gone along with the gentleman from New York [Mr. MARCANTONIO].

I think the record will show that from the very beginning, if there was any group in this House, and I regret again that I have to speak in a sectional vein, which has consistently opposed communism, it has been that group in this House from the South. I confess we have had no monopoly on it. But if we are going to make comparisons and count noses, when the philosophy of the gentleman from New York [Mr. MARCANTONIO] was being opposed before it was popular to do so, and there was a little group in this House that consistently followed him, it was not the southern group. On the contrary, I take pride in the fact that the southern group has taken the leadership here in opposing that philosophy.

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

Mr. COLMER. I yield to the gentleman from Georgia.

Mr. COX. Does not the gentleman remember the story of the rascal with the chicken in the sack hollering "Stop, thief"?

Mr. COLMER. The contribution of the gentleman from Georgia is always appreciated.

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

Mr. COLMER. I must yield to the gentleman from Colorado.

Mr. CARROLL. I agree entirely with the gentleman. Certainly the southern Democrats, to the best of my recollection, in almost every instance, have voted to strengthen the international security of this Nation insofar as the Greek-Turkish loan, and the Marshall plan, and every program. If I left that impression, I did not intend to do so.

Mr. COLMER. I accept the gentleman's clarification. I am so glad that he has seen fit to correct what appeared to be a false implication.

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

Mr. COLMER. I am compelled to yield to my colleague from New York.

Mr. MARCANTONIO. I thank the gentleman for yielding to me, to give me an opportunity to make this short statement. I have refrained from making this statement for a long time. But I think the time has come for me to say this. I hate to speak of myself, but I am compelled to do it. I have stood by the fundamental principles which I have always advocated. I have not trimmed. I have not retreated. I do not apologize, and I am not compromising, and I am not running away as the others who now run away and apologize.

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

Mr. WOOD. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. WALTER] as much of the remaining time as he may desire to use.

Mr. WALTER. Mr. Speaker, if there has been any hysteria displayed in the consideration of this legislation, it comes from those who do not desire legislation in this field. For many months the Committee on Un-American Activities has listened to a perfect stream of witnesses disclosing beyond any peradventure of doubt their connection with a plot which, if permitted to extend, would overthrow the Government of the United States. We have listened ad nauseum to those people who are beneficiaries of this, the greatest form of government on the face of the earth, and the conclusion which the committee reached was not reached quickly. Nobody was hysterical. We have simply come to the conclusion that there were many things which had to be done in order to protect the blessings of this Republic.

I shall not direct my remarks to the entire bill. The distinguished chairman of the committee has given a very fine outline of it. However, I do wish to direct my remarks to those sections which amend the immigration and naturalization laws because there have been some charges made that those sections were incorporated in this measure without full and complete consideration.

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

Mr. WALTER. I yield.

Mr. MULTER. I think the gentleman would like to correct his statement, and to have the RECORD show that with one exception every Member of the House who voiced objection to this bill voted for the Celler substitute in order to accomplish, as we thought it could be accomplished, the desirable result to be obtained.

Mr. WALTER. But that was just your own opinion. You did not hear all of the witnesses which the Committee on the Judiciary heard and which the Committee on Un-American Activities heard. We reached a different conclusion. The gentleman is entitled to his opinion.

Mr. MULTER. I am simply directing my remarks to the gentleman's statement.

Mr. WALTER. Mr. Speaker, I decline to yield further.

Mr. Speaker, the immigration laws which are being amended, were enacted in 1917 and 1918 when nobody had the slightest idea of the extent of the international Communist plot, and of the methods of subversion it uses. Immigrants were prevented from coming to the United States if they were "advocating the forceful overthrow of the Government of the United States"—anarchists. Since that time there has been developed a different concept of world revolution. All that has been done by the conferees has been to bring the immigration and naturalization laws up to date. The sections with respect to deportation have been amended for the same purpose. We have recognized the fact that certain people have come to the United States with diplomatic visas and passports, who are here only for the purpose of committing acts of subversive plotting or of sabotage. The law has been amended so that with proper safeguards around those people, they can be excluded at our doors or directed to leave the country.

Then, again, there is this question of other countries refusing to take people who have been ordered deported. We attempted to do something about that in the Hobbs bill. I believe, with all due respect to my colleagues on the conference, that the Hobbs bill, as reported by the Committee on the Judiciary, was a stronger bill. However, the section which relates to the provision of the Hobbs bill, which is in this conference report, is a good one. But we have gone a step farther and we have provided for retaliation against those countries which refuse to take back their nationals who have been ordered deported. Should a country, upon request, deny or unduly delay acceptance of the return of its national or citizen, the Secretary of State is being instructed to order that immigration visas shall not be issued to citizens, nationals, or residents of such country. This retaliatory measure will, however, be applied only in the territory of such country, so that refugees, exiles, displaced persons, and so forth, who have been driven out from behind the iron curtain will not be penalized. It certainly seems to me that that is a very sensible provision.

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

Mr. WALTER. I yield.

Mr. STEFAN. My interest in the Hobbs bill was in the 102 Communist subversives, most of them from Russia, who have been guilty of violating the laws of this country, all the way from larceny to homicide, and who are running at large, out on bond and parole, well supplied with money—criminals running around the United States. We lost track of some of them. How do you safeguard them? The Hobbs bill provided for locking them up. Do you in this bill provide for locking them up?

Mr. WALTER. Yes. Under the provision of this conference report, where they have failed to depart, as ordered to do, prosecution can be lodged and the court within its discretion, can either direct that they be incarcerated, or can release them, under whatever terms are just and proper in the opinion of the court.

Mr. STEFAN. Do the provisions of the bill, on which we have conference report, satisfy the Attorney General and the immigration people as to these 102 subversives who are running around the country?

Mr. WALTER. I am quite certain that they do. More than that, there are 2,900 other people, criminal——

Mr. STEFAN. But I am referring to these 102 who have been convicted of crime, who are Communists, who are out on parole and out on bond, running all over the United States today. The immigration people and the Department of Justice want them locked up. Does this bill take care of that?

Mr. WALTER. It makes that possible, within the discretion of the court.

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

Mr. WALTER. I yield.

Mr. LODGE. The gentleman is making an interesting and informative statement. I would like to say that in the State of Connecticut we have almost 1,000 Communists, according to reliable reports. That is 67 percent more than in the rest of the country. We have 46 percent of the Communists in New England, and it is not a coincidence that we turn out 46 percent of the war production in New England. I believe there is a clear and present danger of sabotage in the State of Connecticut.

Mr. WALTER. I trust this bill will afford the protection which we hope it will provide.

In closing, I want to call your attention to this fact: The question of the constitutionality of the emergency detention title has been raised. During World War II the President of the United States by Executive order based on existing law, issued orders far more stringent than are the provisions under this Emergency Detention Act. There was no hearing for those people who were picked up only because their parents were Japanese. Those people had no redress whatsoever. Most of them were born in the United States, but under the provisions of the Emergency Detention Act, situations of that sort can be dealt with adequately, with proper safeguard to the rights of American citizens.

In one case involving an American citizen by the name of Gordon Kiyoshi Hiradayashi, who refused to register for evacuation and detention, the Supreme Court in a unanimous decision delivered by Mr. Chief Justice Stone on June 21, 1943, answered in the negative a question of law upon which the Circuit Court of Appeals for the Ninth Circuit desired instructions. The question pertained to unconstitutionality of the delegation by Congress of its legislative power in imposing certain restrictions upon American citizens. This is what the Supreme Court said:

> Since the Constitution commits to the Executive and to Congress, the exercise of the war power in all the vicissitudes and conditions of warfare, it has necessarily given them wide scope for the exercise of judgment and discretion in determining the nature and extent of the threatened injury or danger and in the selection of the means for resisting it. * * * Where, as they did here, the conditions call for the exercise of judgment and discretion and for the choice of means by those branches of the Government on which the Constitution has placed the responsibility of warmaking, it is not for any court to sit in review of the wisdom of their action or substitute its judgment for theirs.

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

Mr. WOOD. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

Mr. KEARNEY and Mr. MARCANTONIO demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 313, nays 20, not voting 96.

[Roll No. 280]

YEAS—313

Abbitt	Bryson	Davis, Tenn.
Abernethy	Buchanan	Davis, Wis.
Addonizio	Buckley, Ill.	Deane
Albert	Burke	DeGraffenried
Allen, Calif.	Burleson	Delaney
Andersen,	Burnside	Denton
H. Carl	Burton	D'Ewart
Andresen,	Byrne, N. Y.	Dolliver
August H.	Byrnes, Wis.	Dondero
Andrews	Camp	Donohue
Arends	Canfield	Doughton
Auchincloss	Carlyle	Durham
Bailey	Carnahan	Eaton
Barden	Case, N. J.	Elliott
Baring	Cavalcante	Elston
Barrett, Pa.	Chatham	Engle, Calif.
Bates, Mass.	Chelf	Evins
Battle	Chesney	Fallon
Beall	Chiperfield	Feighan
Beckworth	Clemente	Fenton
Bennett, Fla.	Clevenger	Fisher
Bennett, Mich.	Cole, Kans.	Flood
Bentsen	Cole, N. Y.	Fogarty
Bishop	Colmer	Forand
Blackney	Combs	Ford
Boggs, Del.	Cooper	Frazier
Boggs, La.	Corbett	Fugate
Bolling	Cotton	Fulton
Bolton, Md.	Cox	Gamble
Bolton, Ohio	Crawford	Garmatz
Bonner	Crook	Gary
Boykin	Crosser	Gathings
Bramblett	Cunningham	Gavin
Brehm	Curtis	Golden
Brooks	Dague	Goodwin
Brown, Ga.	Davenport	Gore
Brown, Ohio	Davis, Ga.	Gorski

Gossett
Graham
Granahan
Grant
Green
Gross
Guill
Gwinn
Hagen
Hale
Hall, Leonard W.
Halleck
Harden
Hardy
Hare
Harris
Harrison
Hart
Harvey
Hays, Ark.
Hays, Ohio
Hedrick
Heffernan
Herlong
Herter
Heselton
Hobbs
Hoeven
Hoffman, Mich.
Holmes
Hope
Horan
Howell
Hull
Irving
Jackson, Calif.
Jackson, Wash.
Jacobs
James
Jenison
Jenkins
Jennings
Jensen
Johnson
Jones, Ala.
Jones, Mo.
Jones, N. C.
Judd
Karst
Karsten
Kean
Kearney
Kearns
Keating
Kee
Kelley, Pa.
Kelly, N. Y.
Kennedy
Keogh
Kilburn
Kilday
Kirwan
Lane
Lanham
Latham
LeCompte
Lind
Linehan
Lodge
Lovre
Lucas
McConnell
McCulloch
McDonough
McGrath
McGregor
McGuire
McKinnon
McMillan, S. C.
McSweeney
Mack, Ill.
Macy
Madden
Magee
Mahon
Mansfield
Marsalis
Marshall
Martin, Mass.
Mason
Merrow
Michener
Miles
Miller, Md.
Miller, Nebr.
Mills
Mitchell
Monroney
Morgan
Morris
Morton
Murdock
Murray, Wis.
Nelson
Norblad
Norrell
O'Brien, Ill.
O'Hara, Minn.
O'Neill
O'Toole
Pace
Passman
Patman
Patterson
Peterson
Phillips, Calif.
Pickett
Polk
Preston
Price
Priest
Rabaut
Ramsay
Rankin
Reed, N. Y.
Rees
Regan
Rhodes
Ribicoff
Rich
Richards
Riehlman
Rivers
Robeson
Rodino
Rogers, Fla.
Rogers, Mass.
Rooney
Sadlak
St. George
Sanborn
Sasscer
Saylor
Scott, Hardie
Scott, Hugh D., Jr.
Scrivner
Scudder
Secrest
Shafer
Sheppard
Short
Sikes
Simpson, Ill.
Simpson, Pa.
Sims
Smathers
Smith, Kans.
Smith, Va.
Smith, Wis.
Spence
Staggers
Stanley
Steed
Stefan
Stigler
Stockman
Sullivan
Sutton
Taber
Tackett
Talle
Tauriello
Taylor
Teague
Thomas
Thompson
Tollefson
Towe
Trimble
Underwood
Velde
Vinson
Wadsworth
Wagner
Walsh
Walter
Weichel
Welch
Wheeler
Whitaker
White, Calif.
White, Idaho
Whitten
Whittington
Wickersham
Widnall
Wigglesworth
Williams
Wilson, Okla.
Wilson, Tex.
Winstead
Wolcott
Wolverton
Wood

NAYS—20

Aspinall
Biemiller
Blatnik
Burdick
Carroll
Celler
Chudoff
Dawson
Douglas
Eberharter
Huber
King
Marcantonio
Multer
O'Hara, Ill.
Powell
Roosevelt
Sabath
Wier
Yates

NOT VOTING—96

Allen, Ill.
Allen, La.
Anderson, Calif.
Angell
Barrett, Wyo.
Bates, Ky.
Bosone
Breen
Buckley, N. Y.
Cannon
Case, S. Dak.
Christopher
Cooley
Coudert
Davies, N. Y.
Dingell
Dollinger
Doyle
Ellsworth
Engel, Mich.
Fellows
Fernandez
Furcolo
Gillette
Gilmer
Gordon
Granger
Gregory
Hall, Edwin Arthur
Hand
Havenner
Hébert
Heller
Hill
Hinshaw
Hoffman, Ill.
Holifield
Javits
Jonas
Keefe
Kerr
Klein
Kruse
Kunkel
Larcade
LeFevre
Lichtenwalter
Lyle
Lynch
McCarthy
McCormack
McMillen, Ill.
Mack, Wash.
Martin, Iowa
Meyer
Miller, Calif.
Morrison
Moulder
Murphy
Murray, Tenn.
Nicholson
Nixon
Noland
Norton
O'Brien, Mich.
O'Konski
O'Sullivan
Patten
Perkins
Pfeifer, Joseph L.
Pfeiffer, William L.
Philbin
Phillips, Tenn.
Plumley
Poage
Potter
Poulson
Quinn
Rains
Redden
Reed, Ill.
Sadowski
Shelley
Smith, Ohio
Thornberry
Van Zandt
Vorys
Vursell
Werdel
Willis
Wilson, Ind.
Withrow
Woodhouse
Woodruff
Young
Zablocki

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Vorys for, with Mr. Klein against.
Mr. Murphy for, with Mr. Holifield against.
Mr. Perkins for, with Mr. Havenner against.
Mr. Hébert for, with Mr. Joseph L. Pfeifer against.
Mr. Nixon for, with Mr. Javits against.

General pairs until further notice:

Mr. Rains with Mr. Vursell.
Mr. Redden with Mr. Van Zandt.
Mr. Kruse with Mr. Withrow.
Mr. Heller with Mr. Angell.
Mr. Morrison with Mr. Ellsworth.
Mr. Howell with Mr. Fellows.
Mr. Dollinger with Mr. Hoffman of Illinois.
Mr. Lynch with Mr. Jonas.
Mr. Moulder with Mr. Werdel.
Mr. Kerr with Mr. Woodruff.
Mrs. Woodhouse with Mr. Reed of Illinois.
Mrs. Norton with Mr. Poulson.
Mr. Gilmer with Mr. Potter.
Mr. Gordon with Mr. William L. Pfeiffer.
Mr. Zablocki with Mr. Nicholson.
Mr. Young with Mr. Meyer.
Mr. Fernandez with Mr. Martin of Iowa.
Mr. Doyle with Mr. Case of South Dakota.
Mr. Buckley of New York with Mr. Coudert.
Mrs. Bosone with Mr. Engel of Michigan.
Mr. Breen with Mr. Hill.
Mr. Gregory with Mr. Mack of Washington.
Mr. O'Sullivan with Mr. Hinshaw.
Mr. O'Brien of Michigan with Mr. Hand.
Mr. Noland with Mr. Wilson of Indiana.
Mr. Miller of California with Mr. O'Konski.
Mr. Larcade with Mr. Barrett of Wyoming.
Mr. Bates of Kentucky with Mr. Gillette.
Mr. Davies of New York with Mr. Edwin Arthur Hall.
Mr. Dingell with Mr. Lichtenwalter.
Mr. Granger with Mr. Smith of Ohio.
Mr. Furcolo with Mr. LeFevre.
Mr. Patten with Mr. McMillen of Illinois.
Mr. McCarthy with Mr. Plumley.
Mr. Thornberry with Mr. Keefe.
Mr. Lyle with Mr. Kunkel.
Mr. Shelley with Mr. Allen of Illinois.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SCHOOL OPERATING EXPENSES IN AREAS AFFECTED BY FEDERAL ACTIVITIES

Mr. BARDEN. Mr. Speaker, I call up the conference report on the bill (H. R. 7940) to provide financial assistance for local educational agencies in areas affected by Federal activities, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 3109)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7940), to provide financial assistance for local educational agencies in areas affected by Federal activities, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"DECLARATION OF POLICY

"SECTION 1. In recognition of the responsibility of the United States for the impact which certain Federal activities have on the local educational agencies in the areas in which such activities are carried on, the Congress hereby declares it to be the policy of the United States to provide financial assistance (as set forth in the following sections of this Act) for those local educational agencies upon which the United States has placed financial burdens by reason of the fact that—

"(1) the revenues available to such agencies from local sources have been reduced as the result of the acquisition of real property by the United States; or

"(2) such agencies provide education for children residing on Federal property; or

"(3) such agencies provide education for children whose parents are employed on Federal property; or

"(4) there has been a sudden and substantial increase in school attendance as the result of Federal activities.

"FEDERAL ACQUISITION OF REAL PROPERTY

"SEC. 2. (a) Where the Commissioner, after consultation with any local educational agency and with the appropriate State educational agency, determines for the fiscal year beginning July 1, 1950, or for any of the three succeeding fiscal years—

"(1) that the United States owns Federal property in the school district of such local educational agency, and that such property (A) has been acquired by the United States since 1938, (B) was not acquired by exchange for other Federal property in the school district which the United States owned before 1939, and (C) had an assessed value (determined as of the time or times when so acquired) aggregating 10 per centum or more of the assessed value of all real property in the school district (similarly determined as of the time or times when such Federal property was so acquired); and

"(2) that such acquisition has placed a substantial and continuing financial burden on such agency; and

"(3) that such agency is not being substantially compensated for the loss in revenue resulting from such acquisition by (A) other Federal payments, or (B) increases in revenue accruing to the agency from the carrying on of Federal activities with respect to the property so acquired,

then the local educational agency shall be entitled to receive for such fiscal year such amount as, in the judgment of the Commissioner, is equal to the continuing Federal responsibility for the additional financial burden with respect to current expenditures placed on such agency by such acquisition of property, to the extent such agency is not compensated for such burden by other Federal payments. Such amount shall not exceed the amount which, in the judgment of the Commissioner, such agency would have derived in such year, and would have had available for current expenditures, from the property acquired by the United States (such amount to be determined without regard to any improvements or other changes made in or on such property since such acquisition), minus the amount which in his judgment the local educational agency derived from other Federal payments and had available in such year for current expenditures.

"(b) For the purposes of this section—

"(1) The term 'other Federal payments' means payments in lieu of taxes, and any other payments, made with respect to Federal property pursuant to any law of the United States other than this Act.

"(2) Any real property with respect to which payments are being made under section 13 of the Tennessee Valley Authority Act of 1933, as amended, shall not be regarded as Federal property.

"(c) Where the school district of any local educational agency shall have been formed at any time after 1938 by the consolidation of two or more former school districts, such agency may elect (at the time it files application under section 5) for any fiscal year to have (1) the eligibility of such local educational agency, and (2) the amount which such agency shall be entitled to receive, determined under this section only with respect to such of the former school districts comprising such consolidated school distrit as the agency shall designate in such election.

"CHILDREN RESIDING ON, OR WHOSE PARENTS ARE EMPLOYED ON, FEDERAL PROPERTY

"SEC. 3. (a) For the fiscal year beginning July 1, 1950, and for each of the three succeeding fiscal years, each local educational agency which provides free public education during such year for children who reside on Federal property with a parent employed on Federal property shall be entitled to an amount equal to the number of such children in average daily attendance during such year at the schools of such agency, multiplied by the local contribution rate (determined under subsection (c)).

"(b) For the fiscal year beginning July 1, 1950, and for each of the three succeeding fiscal years, each local educational agency of a State which provides free public education during such year for children who reside on Federal property, or who reside with a parent employed on Federal property part or all of which is situated in such State, shall be entitled to an amount equal to the number of such children in average daily attendance during such year at the schools of such agency, multiplied by one-half the local contribution rate (determined under subsection (c)). If both subsection (a) and this subsection apply to a child, the local educational agency shall elect which of such subsections shall apply to such child.

"LOCAL CONTRIBUTION RATE

"(c) The local contribution rate for a local educational agency for any fiscal year shall be computed by the Commissioner of Education, after consultation with the State educational agency and the local educational agency, in the following manner:

"(1) he shall determine which school districts within the State are in his judgment most nearly comparable to the school district of the agency for which the computation is being made: and

"(2) he shall then divide (A) the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which he is making the computation, which the local educational agencies of such comparable school districts made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year.

The local contribution rate shall be an amount equal to the quotient obtained under clause (2) of this subsection. If, in the judgment of the Commissioner, the current expenditures in those school districts which he has selected under clause (1) are not reasonably comparable because of unusual geographical factors which affect the current expenditures necessary to maintain, in the school district of the local educational agency for which the computation is being made, a level of education equivalent to that maintained in such other districts, the Commissioner may increase the local contribution rate for such agency by such amount as he determines will compensate such agency for the increase in current expenditures necessitated by such unusual geographical factors.

"LIMITATION ON ELIGIBILITY; LIMITATIONS ON PAYMENT

"(d) (1) No local educational agency shall be entitled to receive any payment for a fiscal year under subsection (a) or subsection (b), as the case may be, unless the number of children who are in average daily attendance during such year and to whom such subsection applies—

"(A) is ten or more; and

"(B) amounts to 3 per centum or more of the total number of children who are in average daily attendance during such year and for whom such agency provides free public education.

Notwithstanding the provisions of clause (B) of this paragraph, the Commissioner may waive the 3 per centum condition of entitlement contained in such clause whenever, in his judgment, exceptional circumstances exist which would make the application of such condition inequitable and would defeat the purposes of this Act.

"(2) Notwithstanding the preceding provisions of this section, where the average daily attendance at the schools of any local educational agency during the fiscal year ending June 30, 1939, exceeded 35,000—

"(A) such agency's percentage requirement for eligibility (as set forth in paragraph (1) of this subsection) shall be 6 per centum instead of 3 per centum (and those provisions of such paragraph (1) which relate to the lowering of the percentage requirement shall not apply); and

"(B) in determining the amount which such agency is entitled to receive under subsection (a) or (b), the agency shall be entitled to receive payment with respect to only so many of the number of children whose attendance serves as the basis for eligibility under such subsection, as exceeds 3 per centum of the number of all children in average daily attendance at the schools of such agency during the fiscal year for which payment is to be made.

"ADDITIONAL PAYMENTS DURING PERIOD IMMEDIATELY FOLLOWING IMPACT

"(e) Where—

"(1) a local educational agency is entitled under subsection (a) or (b) to receive a payment for any fiscal year with respect to the education of a child; and

"(2) under State law, the eligibility of such agency for State aid with respect to the free public education of such child is determined on a basis no less favorable to such agency than the basis used in determining the eligibility of local educational agencies for State aid with respect to the free public education of other children in the State; and

"(3) such agency is not yet eligible to receive for such child part or all of such State aid,

the payment under subsection (a) or (b), as the case may be, shall be increased by an amount equal to the amount of State aid for which such agency is not yet eligible.

"ADJUSTMENT FOR CERTAIN DECREASES IN FEDERAL ACTIVITIES

"(f) Whenever the Commissioner determines that—

"(1) a local educational agency has made preparations to provide during a fiscal year free public education to a certain number of children to whom subsection (a) or (b) applies; and

"(2) such number has been substantially reduced by reason of a decrease in or cessation of Federal activities,

the amount to which such agency is otherwise entitled under this section for such year shall be increased to the amount to which, in the judgment of the Commissioner, such agency would have been entitled but for such decrease in or cessation of Federal activities, minus any reduction in current expenditures for such year which the Commissioner determines that such agency has effected, or reasonably should have effected, by reason of such decrease in or cessation of Federal activities.

"CERTAIN FEDERAL CONTRIBUTIONS TO BE DEDUCTED

"(g) In determining the total amount which a local educational agency is entitled to receive under this section for a fiscal year, the Commissioner shall deduct (1) such amount as he determines such agency derived from other Federal payments (as defined in section 2 (b) (1)) and had available in such year for current expenditures (but only to the extent such payments are not deducted under the last sentence of section 2 (a)) and (2) such amount as he determines to be the value of transportation and of custodial and other maintenance services furnished such agency by the Federal Government during such year.

"SUDDEN AND SUBSTANTIAL INCREASES IN ATTENDANCE

"INCREASES HEREAFTER OCCURRING

"SEC. 4. (a) If the Commissioner determines for the fiscal year beginning July 1, 1950, or for any of the three succeeding fiscal years—

"(1) that, as the result of activities of the United States (carried on either directly or through a contractor), an increase in the number of children in average daily attendance at the schools of any local educational agency has occurred in such fiscal year, which increase so resulting from activities of the United States is equal to at least 10 per centum of the number of all children in average daily attendance at the schools of such agency during the preceding three-year period; and

"(2) that such activities of the United States have placed on such agency a substantial and continuing financial burden; and

"(3) that such agency is making a reasonable tax effort and is exercising due diligence in availing itself of State and other financial assistance but is unable to secure sufficient funds to meet the increased educational costs involved,

then such agency shall be entitled to receive for the fiscal year for which the determination is made, and for each of the two succeeding fiscal years (but in no event for any fiscal year ending after June 30, 1954), an amount equal to the product of—

"(A) the number of children which the Commissioner determines to be the increase in average daily attendance, so resulting from activities of the United States, in the fiscal year for which payment is to be made; and

"(B) the amount which the Commissioner determines to be the current expenditures per child necessary to provide free public education to such additional children during such year, minus the amount which the Commissioner determines to be available from Federal, State, and local sources for such purpose (not counting as available for such purpose either payments under this Act, or funds from local sources required to meet current expenditures necessary to provide free public education to other children).

The number of children which the Commissioner determines under clause (A) to be the increase in average daily attendance for any fiscal year shall not exceed the number of all children in average daily attendance at the schools of such agency during such year, minus the number of all children in average daily attendance at the schools of such agency during the preceding three-year period. The determination under clause (B) shall be made by the Commissioner after considering the current expenditures per

child in providing free public education in those school districts within the State which, in the judgment of the Commissioner, are most nearly comparable to the school district of the local educational agency for which the computation is being made.

"INCREASES HERETOFORE OCCURRING

"(b) (1) If the Commissioner determines in any fiscal year ending before July 1, 1954,—

"(A) that, as the result of activities of the United States (carried on either directly or through a contractor), an increase in the number of children in average daily attendance at the schools of any local educational agency has occurred after June 30, 1939, and before July 1, 1950; and

"(B) that the portion of such increase so resulting from activities of the United States which still exists in such fiscal year amounts to not less than 25 per centum (or to not less than 15 per centum where, in the judgment of the Commissioner, exceptional circumstances exist which would make the application of the 25 per centum condition of entitlement inequitable and would defeat the purposes of this Act) of the number of all children in average daily attendance at the schools of such agency during the fiscal year ending June 30, 1939; and

"(C) that such activities of the United States have placed on such agency a substantial and continuing financial burden; and

"(D) that such agency is making a reasonable tax effort and is exercising due diligence in availing itself of State and other financial assistance but is unable to secure sufficient funds to meet the increased educational costs involved.

then such agency shall be entitled to receive for the fiscal year in which the determination is made, and for each succeeding fiscal year ending before July 1, 1954, an amount determined as follows: For the fiscal year ending June 30, 1951, 100 per centum of the product determined as provided in paragraph (2); for the fiscal year ending June 30, 1952, 75 per centum of such product; for the fiscal year ending June 30, 1953, 50 per centum of such product; and for the fiscal year ending June 30, 1954, 25 per centum of such product.

"(2) The product referred to in paragraph (1) for a fiscal year shall be an amount equal to—

"(A) the number of children which the Commissioner determines to be the increase in average daily attendance at the schools of such agency, so resulting from activities of the United States, which still exists in such fiscal year (determined as provided in clauses (A) and (B) of paragraph (1)); multiplied by

"(B) the amount which the Commissioner determines to be the current expenditures per child necessary to provide free public education to such additional children during such year, minus the amount which the Commissioner determines to be available from Federal, State, and local sources for such purpose (not counting as available for such purpose either payments under this Act, or funds from local sources required to meet current expenditures necessary to provide free public education to other children).

The number of children which the Commissioner determines under clause (A) to be the increase in average daily attendance which still exists in any fiscal year shall not exceed the number of all children in average daily attendance at the schools of such agency during such year, minus the number of all children in average daily attendance at the schools of such agency during the fiscal year ending June 30, 1939. The determination under clause (B) shall be made by the Commissioner after considering the current expenditures per child in providing free public education in those school districts within the State which, in the judgment of the Commissioner, are most nearly comparable to the school district of the local educational agency for which the computation is being made.

"CERTAIN CHILDREN NOT TO BE COUNTED

"(c) In determining under this section (1) whether there has been an increase in attendance in any fiscal year and whether any increase in attendance still exists in any fiscal year, and (2) the number of children with respect to whom payment is to be made for any fiscal year, the Commissioner shall not count—

"(A) children with respect to whom a local educational agency is, or upon application would be, entitled to receive any payment under subsection (a) or (b) of section 3 for such fiscal year, and

"(B) children whose attendance is attributable to activities of the United States carried on in connection with real property which has been excluded from the definition of Federal property by the last sentence of paragraph (1) of section 9.

"LIMITATIONS ON ELIGIBILITY AND PAYMENT

"(d) Notwithstanding the preceding provisions of this section, where the average daily attendance at the schools of any local educational agency during the fiscal year ending June 30, 1939, exceeded 35,000—

"(1) such agency's percentage requirement for eligibility under subsection (a) shall be 15 per centum instead of 10 per centum, and its percentage requirement for eligibility under subsection (b) shall be 30 per centum instead of 25 per centum (and those provisions of subsection (b) (1) (B) which relate to the lowering of the percentage requirement shall not apply); and

"(2) in determining the amount which such agency is entitled to receive under subsection (a) or (b), the agency shall be entitled to receive payment with respect to only so many of the number of children for whom the agency would otherwise be entitled to receive payment under such subsection, as exceeds (A) in the case of subsection (a), 10 per centum of the number of all children in average daily attendance at the schools of such agency during the fiscal year for which payment is to be made, or (B) in the case of subsection (b), 25 per centum of all children so in average daily attendance.

"CONSULTATION WITH STATE AND LOCAL AUTHORITIES

"(e) All determinations of the Commissioner under this section shall be made only after consultation with the State educational agency and the local educational agency.

"METHOD OF MAKING PAYMENTS

"APPLICATIONS

"SEC. 5. (a) No local educational agency shall be entitled to any payment under section 2, 3, or 4 of this Act for any fiscal year except upon application therefor, submitted through the State educational agency and filed in accordance with regulations of the Commissioner, which application gives adequate assurance that the local educational agency will submit such reports as the Commissioner may reasonably require to determine the amount to which such agency is entitled under this Act.

"CERTIFICATION AND PAYMENT

"(b) The Commissioner shall, for each calendar quarter, certify to the Secretary of the Treasury for payment to each local educational agency, either in advance or by way of reimbursement, the amount which the Commissioner estimates such agency is entitled to receive under this Act for such quarter. The amount so certified for any quarter shall be reduced or increased, as the case may be, by any sum by which he finds that the amount paid to the agency under this Act for any prior quarter was greater or less than the amount which should have been paid to it for such prior quarter. Upon receipt of such certification, the Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, pay to the local educational agency in accordance with such certification.

"ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS

"(c) If the funds appropriated for a fiscal year for making the payments provided in this Act are not sufficient to pay in full the total amounts to which all local educational agencies are entitled, the Commissioner shall reduce the amounts which he certifies under subsection (b) for such year for payment to each local educational agency by the percentage by which the funds so appropriated are less than the total necessary to pay to such agencies the full amount to which they are entitled under this Act.

"CHILDREN FOR WHOM LOCAL AGENCIES ARE UNABLE TO PROVIDE EDUCATION

"SEC. 6. In the case of children who reside on Federal property—

"(1) if no tax revenues of the State or any political subdivision thereof may be expended for the free public education of such children; or

"(2) if it is the judgment of the Commissioner, after he has consulted with the appropriate State educational agency, that no local educational agency is able to provide suitable free public education for such children,

the Commissioner shall make such arrangements (other than arrangements with respect to the acquisition of land, the erection of facilities, interest, or debt service) as may be necessary to provide free public education for such children. To the maximum extent practicable, such education shall be comparable to free public education provided for children in comparable communities in the State.

"ADMINISTRATION

"SEC. 7. (a) In the administration of this Act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the personnel, curriculum, or program of instruction of any school or school system of any local or State educational agency.

"(b) The Commissioner shall administer this Act, and he may make such regulations and perform such other functions as he finds necessary to carry out the provisions of this Act.

"(c) The Commissioner shall include in his annual report to the Congress a full report of the administration of his functions under this Act, including a detailed statement of receipts and disbursements.

"USE OF OTHER FEDERAL AGENCIES; TRANSFER AND AVAILABILITY OF APPROPRIATIONS

"SEC. 8. (a) In carrying out his functions under this Act, the Commissioner is authorized, pursuant to proper agreement with any other Federal department or agency, to utilize the services and facilities of such department or agency, and, when he deems it necessary or appropriate, to delegate to any officer or employee thereof the function under section 6 of making arrangements for providing free public education. Payment to cover the cost of such utilization or of carrying out such delegated function shall be made either in advance or by way of reimbursement, as may be provided in such agreement.

"(b) All Federal departments or agencies administering Federal property on which children reside, and all such departments or agencies principally responsible for Federal activities which may occasion assistance under this Act, shall to the maximum extent practicable comply with requests of the Commissioner for information he may require in carrying out the purposes of this Act.

"(c) Such portion of the appropriations of any other department or agency for the fiscal year ending June 30, 1951, as the Director of the Bureau of the Budget determines to be available for the same purposes as this

Act, shall, except to the extent necessary to carry out during such year contracts made prior to the enactment of this Act, be transferred to the Commissioner for use by him in carrying out such purposes.

"(d) No appropriation to any department or agency of the United States, other than an appropriation to carry out this Act, shall be available during the period beginning July 1, 1951, and ending June 30, 1954, for the same purposes as this Act, except that nothing in this subsection or in subsection (c) of this section shall affect the availability of appropriations for the maintenance and operation of school facilities on Federal property under the control of the Atomic Energy Commission.

"DEFINITIONS

"SEC. 9. For the purposes of this Act—

"(1) The term 'Federal property' means real property which is owned by the United States or is leased by the United States, and which is not subject to taxation by any State or any political subdivision of a State or by the District of Columbia. Such term includes real property leased from the Secretary of the Army, Navy, or Air Force under section 805 of the National Housing Act, as amended, for the purpose of title VIII of such Act. Such term also includes real property held in trust by the United States for individual Indians or Indian tribes, and real property held by individual Indians or Indian tribes which is subject to restrictions on alienation imposed by the United States. Such term does not include (A) any real property used by the United States primarily for the provision of services to the local area in which such property is situated, (B) any real property used for a labor supply center, labor home, or labor camp for migratory farm workers, or (C) any low-rent housing project held under title II of the National Industrial Recovery Act, the Emergency Relief Appropriation Act of 1935, the United States Housing Act of 1937, the Act of June 28, 1940 (Public Law 671 of the Seventy-sixth Congress), or any law amendatory of or supplementary to any of such Acts.

"(2) The term 'child' means any child who is within the age limits for which the applicable State provides free public education. Such term does not include any child who is a member, or the dependent of a mmeber, of any Indian tribal organization, recognized as such under the laws of the United States relating to Indian affairs, and who is eligible for educational services provided pursuant to a capital grant by the United States, or under the supervision of, or pursuant to a contract or other arrangement with, the Bureau of Indian Affairs.

"(3) The term 'parent' includes a legal guardian or other person standing in loco parentis.

"(4) The term 'free public education' means education which is provided at public expense, under public supervision and direction, and without tuition charge, and which is provided as elementary or secondary school education in the applicable State.

"(5) The term 'current expenditures' means expenditures for free public education to the extent that such expenditures are made from current revenues, except that such term does not include any such expenditure for the acquisition of land, the erection of facilities, interest, or debt service.

"(6) The term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a county, township, independent, or other school district located within a State. Such term includes any State agency which directly operates and maintains facilities or providing free public education.

"(7) The term 'State educational agency' means the officer or agency primarily responsible for the State supervision of public elementary and secondary schools.

"(8) The term 'State' means a State, Alaska, Hawaii, Puerto Rico, or the Virgin Islands.

"(9) The terms 'Commissioner of Education' and 'Commissioner' mean the United States Commissioner of Education.

"(10) Average daily attendance shall be determined in accordance with State law; except that, notwithstanding any other provision of this Act, where the local educational agency of the school district in which any child resides makes or contracts to make a tuition payment for the free public education of such child in a school situated in another school district, for purposes of this Act the attendance of uch child at such school shall be held and considered (A) to be attendance at a school of the local educational agency so making or contracting to make such tuition payment, and (B) not to be attendance at a school of the local educational agency receiving such tuition payment or entitled to receive such tuition payment under the contract."

And the Senate agree to the same.

GRAHAM A. BARDEN,
TOM STEED,
ROY W. WIER,
SAMUEL K. MCCONNELL, Jr.,
CARROLL D. KEARNS,
Managers on the Part of the House.

LISTER HILL,
PAUL H. DOUGLAS,
HUBERT H. HUMPHREY,
ROBERT A. TAFT,
GEORGE D. AIKEN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7940) to provide financial assistance for local educational agencies in areas affected by Federal activities, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause. The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for both the House bill and the Senate amendment. The differences between the House bill and the substitute agreed to in conference are noted in the following outline, except for incidental changes made necessary by reason of agreements reached by the conferees and except for minor clarifying changes:

FOUR-YEAR LIMITATION

The House bill contained no limitation on the period during which appropriations were authorized to carry out the provisions of the bill. The provisions of the Senate amendment, however, related only to the 3-year period ending June 30, 1953.

The conference substitute limits the authorization of appropriations to carry out its provisions to the 4-year period beginning July 1, 1950, and ending June 30, 1954.

FORMULA FOR MAKING PAYMENTS

In general: In general, the conference substitute follows the formula of the House bill for determining the eligibility of local educational agencies and the amounts which they are entitled to receive. There are, however, two changes: The first relates to the eligibility requirements for all local educational agencies, and the second relates solely to large cities.

Eligibility requirements: Under the Senate amendment it was made more difficult for local educational agencies to qualify in certain cases, and, in addition, the amount which local educational agencies were entitled to receive was reduced in certain cases by requiring the agencies to "absorb" part of the federally caused attendance.

Under the conference substitute, the eligibility requirements under section 3 (a) are more difficult to meet than they were under the House bill in that an agency will be eligible for the full local contribution rate only with respect to those children who reside on Federal property with a parent employed on Federal property. Thus, under the conference substitute, some of the children with respect to whom the agency would have been eligible under the House bill for the full local contribution rate (that is, children who reside on Federal property, but not with a parent who is employed on Federal property) must now be counted under section 3 (b), where the rate of payment is one-half of the local contribution rate. Furthermore, the conference substitute contains, in section 3 (b), the restriction of the Senate amendment with respect to the employment of the parent (that is, that the employment of the parent must be on Federal property situated in the same State as the school district of the local educational agency concerned).

The above changes in the formula of the House bill bring the formula used more closely in line with the corresponding provisions of S. 2317 of this Congress, which relates to school construction in areas affected by Federal activities.

Cities with 1939 attendance in excess of 35,000: The second change in the formula of the conference substitute, as contrasted with the formula of the House bill, also brings the provisions of the conference substitute more closely in line with the corresponding provisions of S. 2317. Under this change, in the case of any local educational agency which had an average daily attendance of more than 35,000 in the fiscal year 1939, (1) the eligibility requirements for agencies qualifying on the basis of children residing on Federal property or on the basis of children of parents employed on Federal property are raised from 3 to 6 percent of the total average daily attendance of such agencies, and (2) the eligibility requirements for agencies qualifying with respect to sudden and substantial increases in attendance are raised from 10 to 15 percent of total average daily attendance for such increases hereafter occurring, and they are raised from 25 to 30 percent for such increases occurring prior to July 1, 1950. In addition, under the conference substitute the provisions which authorize the Commissioner of Education to waive the eligibility requirements under certain specified circumstances will not apply with respect to these larger local educational agencies.

Furthermore, those local educational agencies which had attendance in excess of 35,000 in fiscal 1939 are required to "absorb" part of the federally caused attendance. That is to say, in the case of children for whom payments are made by reason of their residence on Federal property or by reason of the employment of their parents, the local educational agencies will receive payment only for so many of such children as exceed 3 percent of their total average daily attendance. With respect to children for whom such agencies qualify by reason of a sudden and substantial increase in attendance hereafter occurring, such agencies will be entitled to payment for only so many of such children as exceed 10 percent of their total average daily attendance. Finally, with respect to children for whom such agencies qualify by reason of a sudden and substantial increase in attendance, occurring before July 1, 1950, such agencies will be entitled to receive payment only for so many of such children as exceed 25 percent of their total average daily attendance.

COMPUTATION OF FEDERAL CONTRIBUTION RATE IN SUDDEN AND SUBSTANTIAL INCREASE CASES

Section 4 of the conference substitute provides for Federal payments to local educational agencies having substantial increases in average daily attendance as a result of Federal activities. Subsection (a) of section 4 pertains to attendance increases during the fiscal years beginning after June 30, 1950, while subsection (b) pertains to increases that have occurred after June 30, 1939, and before July 1, 1950. In each case the Federal payment to educational agencies which meet the prescribed eligibility requirements is determined by multiplying the number of children constituting a federally caused increase in attendance by an amount equal to the current expenditure per child necessary to provide free public education to such additional children, minus the amount available for such purpose from Federal, State, and local sources. Under the House bill, the Commissioner of Education, in determining the amount available from local sources for the federally connected children, would have had to include a proportionate amount per child out of all the sums available from local sources, since presumably any sums available from local sources would be available alike for federally connected children as for all other children. Thus, under the House bill some local educational agencies might have had to operate with less money than they actually needed to educate all of their children, since all their local revenues would have been distributed evenly among all children (Federal or non-Federal) and they would have received from the Federal Government only enough additional money to enable them to meet the full cost of the children with respect to whom Federal payments are made. The Senate amendment, on the other hand, would have excluded from the calculation of sums available from local sources any funds required to meet current expenditures necessary to provide free public education to children other than those with respect to whom Federal payments were made under this section. The conference substitute follows the Senate amendment in this respect.

REDUCTION OF SECTION 4 (B) ELIGIBILITY REQUIREMENTS IN CERTAIN HARDSHIP CASES

Subsection (b) of section 4 of the conference substitute is designed to provide Federal assistance to school districts which experienced, between June 30, 1939, and July 1, 1950, a sudden and substantial increase in attendance caused by Federal activities. To be eligible for Federal assistance under this section, the federally caused increase in attendance must be not less than 25 percent of the total number of children in average daily attendance in 1939. Under the House bill this 25-percent requirement would have been reduced to 15 percent where the school district of the educational agency was formed at any time after 1938 by the consolidation of two or more school districts. The conference substitute changes this provision to permit a reduction in the requirement to not less than 15 percent whenever, in the judgment of the Commissioner, exceptional circumstances exist which would make the application of the 25-percent requirement inequitable and would defeat the purposes of the bill.

GRAHAM A. BARDEN,
TOM STEED,
ROY W. WIER,
SAMUEL K. MCCONNELL, Jr.,
CARROLL D. KEARNS,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that Mr. REES be given permission to extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. REES. Mr. Speaker, Common School District No. 178, known as the Planeview School, in my congressional district, was organized as a new school district in 1943 when thousands of workers came to the area to work in aircraft factories near Wichita.

A Federal public housing project was constructed at Planeview to house the workers and their families. This is a separate new district out in the country and away from the city. The boundaries are identical with the boundaries of the Federal housing project. Everything in the school district is owned by the Federal Government and the Government determines what local taxes shall be. Most of the people in this housing project work in private industry in that area.

As I understand it, it would appear that under the terms of section 3 (b) of this bill, the school district would receive one-half of the local share of the cost of educating children who live on the property but whose parents are employed on private property. A very large percentage of these men are employed at aircraft plants that have contracts with the Federal Government.

One-half of the local contribution rate in this bill is not sufficient to operate the schools in Planeview. This is true because the payments in lieu of taxes are deducted from the total amount of the Federal payment and the school district has no other way to collect local funds to meet the remaining share of the cost. This is true because the school district is all federally owned and the rentals on the property are paid to the Federal Government.

I hope you understand that the State and local authorities do contribute substantially to the support of these schools. I observe that the committees that considered this problem in their wisdom provided for the handling of exceptional circumstances in cases of this type.

Section 6 of the bill entitled, "Children for Whom Local Agencies Are Unable to Provide Education," says, and I quote:

SEC. 6. In the case of children who reside on Federal property—

(1) if no tax revenues of the State or any political subdivision thereof may be expended for the free public education of such children; or

(2) if it is the judgment of the Commissioner, after he has consulted with the appropriate State educational agency, that no local educational agency is able to provide suitable free public education for such children,

the Commissioner shall make such arrangements (other than arrangements with respect to the acquisition of land, the erection of facilities, interest, or debt service) as may be necessary to provide free public education for such children. To the maximum extent practicable, such education shall be comparable to free public education provided for children in comparable communities in the State.

This section is a special section to take care of situations that do not follow a normal pattern. Planeview school district does not follow the normal pattern of other school districts in the State or in most other States.

Now I am asking the question whether the plight of Planeview School that I have described will be taken care of under section 6 of this bill. If it is not covered by this section, then this school district will be unable to operate school services for more than 6 months.

In order that you may know the importance of this matter, Planeview is almost a city within itself, located several miles out of town near the big Boeing and Beechcraft plants, where thousands of workers are engaged in building planes and other war equipment. I understand the population of Planeview at present numbers more than 12,000 people. The school enrollment is approximately 3,000. You can understand the importance of this problem. I make this statement so you can understand the importance of this problem.

I should add further that under the original House bill, it was our opinion that Planeview would be adequately taken care of. Now we want to make sure that we are taken care of under this legislation as agreed upon by the conference committee.

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

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

Mr. BARDEN. Under the conference report, it was intended that one-half the local contribution rate would be paid to local school agencies that educate children who live on Federal property and whose parents are employed on private property. However, I believe it may be possible under the particular facts which exist at the Planeview district for the commissioner of education to afford relief under section 6 of this bill. A final answer will require more detailed information than is available at this time.

Mr. MCCONNELL. If the gentleman will yield, I would like to concur in the statement just made by the chairman of our committee.

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

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

There was no objection.

Mr. DONDERO. Mr. Speaker, in the Detroit, Mich., area and within a radius of 20 miles there are over 14,000 children on half-day sessions of school. There are 5,000 more who are attending school in basements, portables, and other kinds of makeshif schoolrooms, including the health and physical educational facilities of a penal institution and the County Training School for Delinquent Children.

Both the House and Senate have accepted the reports of the Committee on Education and Labor and have authorized the construction of educational facilities for educating children in war-impacted areas. The committee with the assistance of other Government agencies analyzed these needs most care-

fully and conservatively estimated the cost for maintenance, operation, and building construction at $200,000,000.

The conference committee has recommended an appropriation of much less than the amount needed to meet the requirements. This reduction will allow schools in my congressional district to secure but a pittance of their requirements. Because of State laws, boards of education cannot obligate the district for any educational purposes beyond actual receipts.

I would like to cite the Livonia Township School District as an example. The school population has increased 140 percent during the war period. These people tried to meet the housing needs of children brought into the district because of Federal activity by voting three bond issues within a 4-year period and increased their tax rate 17 mills above the constitutional limit. Also, they have bonded themselves within 1.6 percent of the constitutional limit.

For the foregoing reasons, I heartily support the findings of the House Education and Labor Committee's investigation and recommendation that an appropriation be made in a substantial sum of the authorization.

SENATE BILL 784—A WORTHY MEASURE

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

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

There was no objection.

Mr. MASON. Mr. Speaker, on August 31, under House Resolution 818, time was granted and part of it was to be allotted to rebut objections which had been presented to the House against S. 784. The objections were identical with and a repetition of the Maritime Commission's contentions alleged prior to 1946 as adverse to the right of the claimant companies to have the balance of their cash bond returned to them. These aforesaid contentions of the Maritime Commission have now been proven in courts and before congressional committees as sham and invalid fabrications. No opportunity to properly rebut the objections was had on August 31, because the time allotted therefor was mainly used up, "out of order," on political discussions of other matters. Consequently, I wish to now extend my remarks in support of this worthy measure of justice.

Mr. Speaker, S. 784, entitled "An act for the relief of the First, Second, and Third National Steamship Companies," is a meritorious bill that seeks to correct an injustice of long standing. Any attempts to fabricate contentions or conjure objections alleged as adverse to the clear purpose of the bill, S. 784, are based either on woeful, inexcusable lack of knowledge of the facts or on nonjustifiable disregard for all of the evidence now in the record and available to any Member of Congress.

The claims have not been before the House since all of this evidence was assembled. The fact remains that the efficiency of the congressional system of thorough investigations of all facts and circumstances connected with a case such as this, which is of public interest and warrants the attention of the Congress, has brought into the light all probative facts and factual circumstances. The congressional committees ascertained that the attempts to undermine the rightful status of the companies herein concerned were conjured by suppression of evidence, by distortion of facts, by invalid contentions; by disregard of evidence. These attempts have had the same pattern of motivation, namely, to prevent, or at least to procrastinate, the day when a return of the balance of their cash bond would be mandated by Congress, as now provided for in the proposed legislation in S. 784.

Mr. Speaker, the congressional committees have condemned these attempts at frustration of justice in no uncertain terms. The following excerpts from the exhaustive report No. 2135, published May 25, 1950, of the Committee on the Judiciary of the House of Representatives of this Eighty-first Congress are noteworthy. They deserve careful consideration and proper evaluation:

The salient facts and circumstances in this case were investigated in every respect, including reports and data from courts and all pertinent governmental departments.

* * * * *

There does not remain any excuse for misunderstanding of any phase of the subject matter; the evidence on record is comprehensive, exhaustive, and complete.

* * * * *

The case is before Congress because the Fleet Corporation's treasury did not return and refund all or any part of the cash sum that became due on January 5, 1921. After withholding all of this sum for 15 years, on October 7, 1935, the Fleet Corporation returned a part, to wit: $250,000 by its check for this amount, and to date has not yet returned the balance of the companies' cash security deposits, namely, the precisely ascertained sum of $384,256.26. The Government became the successor of the Fleet Corporation in 1936, by virtue of the Merchant Marine Act, passed June 29, 1936.

* * * * *

The above congressional reports record the fact that the Government as the successor in interest of the Fleet Corporation and as its liquidator still retains at present (May 1950) the companies' funds in the amount of $384,256.26, without moral, equitable, legal, or justifiable warranty; the restitution of these funds, as provided in S. 784, as a matter of fact and in reality, does not come from any source of public funds or taxpayer funds and is not a drain on such public funds; this restitution does only constitute, in effect, a return of private funds, of which the Government is a custodian without having any right to continue such custody.

The Fleet Corporation was discontinued by the mandate of Congress; it appears a matter of simple justice to have the Congress use its discretion to mandate the successor of the Fleet Corporation to return to the companies the balance of their cash surety funds which the Fleet Corporation should have returned when due. * * * Congress only can provide and order the return of such funds.

In the course of the debate preceding the unanimous passage of S. 784 by the Senate on July 6, 1949, when the matter was fully discussed by such able Senators as Senator McCarran, Senator McGrath, Senator Wherry, Senator Gurney, Senator Johnston, and Senator Hendrickson, the following noteworthy statements were made:

By Hon. CHAN GURNEY: "I am convinced that this money has been withheld too long, and that Congress should pass the bill and place the money back where it belongs."

By Hon. J. HOWARD MCGRATH: "The case stands out as one of the great injustices done to an American."

* * * * *

An attempt to object to the present bill, because in the past Executive disapproval frustrated the actions for relief by previous Congresses, is an unwarranted contention; it has now been thoroughly proven that veto of previous relief measures was based on misinformation and misapprehensions.

* * * * *

Two former Attorneys General and the incumbent Attorney General have recognized that the previous vetoes were brought about by misconceptions.

* * * * *

The attempt to construe the payment of $250,000 as a contention that its effect made this case a res adjudicata is wholly unwarranted as a justifiable reason for confiscating the companies' remaining unreturned funds of $384,256.26.

* * * * *

Attempts to object to the bill by the assertion of vexatious, invalid, inequitable, and fabricated pretexts and contentions, or by framed-up accounting, have been severely condemned by the competent Senate Committees on the Judiciary of the Eightieth and the Eighty-first Congresses, in their conclusions set forth in the above-named Senate reports; such attempts have been classified by the Senate committees as "ignoble" "not worthy of attention," "unworthy of consideration," "the opposite of fair dealing, justice, and equity," and "beyond serious consideration."

* * * * * * *

The aforesaid attempts would require an assumption that the evidence now gathered in the record is to be disregarded, that the President's statement as to the origin of the case is false; that the former officials of the Shipping Board-Fleet Corporation who informed the Internal Revenue Bureau, who also testified in court, whose testimony to date is unrebutted, all committed perjury, knowingly or by ignorance; and that the ascertainment of facts by the Internal Revenue Bureau is in error and to be set aside as untrustworthy and against the true interests of the Government, and that the taxes found by this dependable governmental bureau are based on false premises; and that the finding of facts by four congressional committees is condemned as found in error and be set aside; that the Board-Fleet Corporation's official reports to Congress in 1920–21 as to their heavy cash losses as a result of excess of operating costs of their vessels over income are wrong; that the Board's official reports to Congress as to the maritime conditions existing in 1920–21 were false; that the suggestions of former Attorney General Cummings and former Attorney General Jackson to leave the matter to the judgment and discretion of the Congress were not well grounded.

* * * * *

That such aforesaid assumptions are beyond serious consideration needs no comment.

Mr. Speaker, if the Members of this Eighty-first Congress will examine the evidence in this case and its history, they will approve the conclusions which the hundreds of esteemed Members of previous Congresses have expressed in their congressional reports and in their actions in previous Congresses. The Members of the House may be assured that their Committee on the Judiciary in its above-quoted report expressed the considerate opinion and findings of those competent members of the committee who made

adequate studies of the facts pertinent to this bill.

This bill is justified on equitable, legal, and moral grounds.

Mr. Speaker, the following excerpts from the House Judiciary Committee's report are also very noteworthy:

It is pertinent to remark that Schundler and his companies undeniably rendered a distinct service to the United States Government in saving the United States Government harmless from a serious loss during the period that his companies and he had the vessels under their management, custody, operation, and use. That his companies and he have been treated unjustly to date is undeniable.

* * * * *

It is incredible that the bill could be contrary to the President's program for the budget; the President could not want to endorse a policy of retaining in the custody of the Treasury Department for public use these private cash funds, withholding same without warranty, contrary to the constitutional law pertaining to private property.

* * * * *

The Congress has always pursued the policy that the foundation of good government rests squarely on justice. No President, no Attorney General, no conscientious Government official would knowingly permit the confiscation of the private property of a citizen. If perchance such would happen, Congress would correct it as soon as such injustice would come to its knowledge. The Congress has always maintained the policy that there cannot ever be finality on the part of the Government without justice.

In this case whenever an Attorney General has become acquainted with the actual facts he has endeavored to bring about justice.

Three Attorneys General have now declared their views to Congress that the relief is within the discretion and judgment of the Congress.

* * * * *

Congress has the prerogative and constitutional right to act as a tribunal in this case.

* * * * *

The Senate bill, S. 784, will correct the injustice inflicted on the companies for so many years.

Mr. Speaker, S. 784 simply proposes to correct an injustice of long standing. It proposes to, at long last, settle a claim in the only honorable way it can be settled. The bill should be passed unanimously by this House.

IF UN IS TO SUCCEED, MEMBERS MUST BACK IT WITH MORE THAN WORDS

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

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

There was no objection.

Mr. BURDICK. Mr. Speaker, I never did have any faith in the Atlantic Pact, and the reason was that I knew we would have to put up all the money and do the most of the fighting to help Europe save itself. France will not agree to our plan of making peace with western Germany and permit that country to arm herself. With the potential threat of Russia against all capitalistic countries, western Germany would be an important factor; but if we keep her virtually a prisoner of war, she cannot defend herself. The Germans are first-class fighters, as we all know, and with a world-wide contest possible, we should permit them to get into position to defend not only themselves but aid in defending all of the Atlantic Pact countries.

France should be told to get in line or be left out of any defense agreement. Other countries should agree to a plan of defense, or we should walk right off and leave them to their own resources. If this trouble starts in western Europe, those countries affected will have to work and bleed with the rest of the defenders. If they would rather be overrun by the Russians than to line up with us to defend them, they should be told that straight from the shoulder.

We should make peace with Japan at the earliest possible moment. We are holding her a prisoner with no chance to protect herself; the many good divisions that could be equipped in Japan will insure the protection of Japan, for which we are now responsible, and which will, in a war, contribute fighters who know jungle warfare. Why are we holding back on peace with Japan? If we wait until Russia agrees to a peace, we will be right where the United Nations is today. After a week of oratory, Russia sits down with a veto and there we are. With this Russian veto always in prospect, the United Nations can accomplish just exactly nothing. After one veto the members argue for another week only to be squelched with another veto. As far as actually doing anything, the UN is about as valuable to putting down invasions as a fifth wheel on a wagon.

Where would the defense of South Korea have been if all waited for the United Nations to send troops? Since we are to do all of the financing and most of the defending 10,000 miles from home, the United Nations should wake up and get into action.

Russia is probably counting on the impotency of the United Nations, but that impotency should end, and every nation which is a member contribute to a power which will stop aggression. Russia claims she is not mixed up in the Korean War. That ballyhoo will do to present to the Security Council, but the fact is, the whole aggression scheme was engineered by the Russians, and most of the world can see that.

When Russia discovers that we mean what we say and are not afraid to say it, she may be convinced that there is a limitation to her sphere of action. It should be well known in every nation that we do not seek the territory of any nation; all we want is peace. We do not want any Russian territory, nor do we intend or wish to interfere with the kind of government Russia wants for herself, but we do know that there can be no peace while Russia is fomenting aggressive action in other countries. This is a capitalistic Government, as are all of the governments of our allies. Personally I believe there is room enough on this globe for both the communistic and capitalistic governments to exist in peace, and there would be if Russia were content to remain within its own sphere of action. To preserve peace in this situation each form of government should know and observe its own limitations and permit other people to live as they choose to live.

We are satisfied with our own Government. It has stood the test of 184 years since the Declaration of Independence, and in this Government today the citizens have the greatest degree of independence and freedom of action of any government that ever existed. We fight among ourselves about the means by which we can make this Government more responsive to freedom, but when it is in danger of being destroyed, the people always have, and I hope always will rise up to defend it. If Russia knew the overwhelming desire of the people of the United States to keep the Government we have, she would understand that the chance of spreading her doctrine here is doomed to failure before it starts.

There is no occasion to be alarmed over the spread of communism in the United States. Why some people think so is because those who are satisfied with our Government, without bettering conditions and keeping this democracy directed against all appeals for a better life among the people, are so determined in their action that they brand everyone who seeks to make the Declaration of Independence mean what it says, as Communists, pinks, or left wingers. These self-styled patriots have means to carry on a propaganda campaign of smear against all progressives in the hope that the people will be willing to let them run the Government and throw out everyone who is guilty of thinking or uttering the least word of criticism against the Government. They have made some inroads, but when the people wake up to the fact that their Government is in danger of being supplanted by a dictatorship, this false propaganda will be known for what it is. Russian communism is responsible for much of this situation. By her conniving and dealing with agents and employees of this Government, to obtain information for her own advantage, she has made it possible to set up in this country a campaign of intolerance, fanaticism, and hysteria which does not stop with Communists, but millions of loyal American citizens who are guilty of no crime except thinking for themselves, have been engulfed in this wild and maddened hysteria.

If war comes, those who have been wrongfully smeared by the propagandists will be found fighting shoulder to shoulder with their accusers. The chances are that in the event of war the accusers will be waving the Stars and Stripes, and the accused will be doing the fighting. But whatever appellations have been placed upon progressive people, in this unthinking period of hysteria, they mean to defend this Government and contribute all they have to keep, maintain, and protect a Government that offers more liberty and freedom to every citizen than any government ever established on this earth.

WHERRY AMENDMENT

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my re-

marks at this point in the RECORD by including a letter from Mr. Omar B. Ketchum, of the Veterans of Foreign Wars.

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

There was no objection.

The letter is as follows:

Hon. JOHN E. RANKIN,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN: It is my understanding that on Wednesday, September 20, 1950, the House of Representatives will take up for consideration the conference report on the bill H. R. 9526, providing for supplemental appropriations for the fiscal year ending June 30, 1951, and for other purposes. It is also my understanding that the House will consider by separate vote the so-called Wherry amendment, which would deny economic or financial assistance to any country permitting the exportation of arms, armament, or military material to the Soviet Union or any so-called Soviet satellite country.

The fifty-first National Encampment, Veterans of Foreign Wars of the United States, meeting in Chicago, Ill., August 27 to September 1, 1950, had under consideration the subject matter of the Wherry amendment. Subsequently, the encampment adopted a 10-point security program, one of which would recommend to the President and the Congress that economic aid under the Marshall plan be withdrawn immediately from any nation supplying such strategic or essential materials to Soviet Russia and/or her satellites.

The amendment should and ought to commend itself to the favorable consideration of the Congress. How can we rehabilitate the economy of a nation within the framework of democratic capitalism if the nation's trade in turn enhances the growth of an economic and ideological system which is the antithesis of ours? Are we not then nurturing the seeds of our own destruction? If the economic rehabilitation of any democratic country is dependent upon the maintenance of traffic in arms, armament, or other military material with a nation behind the iron curtain, then the Congress may as well pause to reconsider the soundness of the whole European recovery program.

This paradox of the taxes of our people directly or indirectly strengthening the war potential of Soviet Russia and her satanic entente can be resolved only by the Congress taking a firm stand in support of the Wherry amendment.

In behalf of the Veterans of Foreign Wars of the United States, I strongly urge that you vote for this amendment when the conference report on H. R. 9526 is considered in the House on Wednesday, September 20, 1950.

Respectfully yours,
OMAR B. KETCHUM, *Director.*

SPECIAL ORDERS GRANTED

Mrs. ROGERS of Massachusetts asked and was given permission to address the House for 3 minutes today, following any special orders heretofore entered.

Mr. STAGGERS asked and was given permission to address the House for 5 minutes today, following any special orders heretofore entered.

STOP IRON-CURTAIN COUNTRY PRODUCTS NOW

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

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

There was no objection.

Mr. STAGGERS. Mr. Speaker, there is pending in the House a resolution calling for the appointment of a select committee to investigate and study the existing situation with respect to entry into the United States of goods produced in foreign countries, in order to determine what action by the Congress is necessary to prevent the importation of such merchandise.

May 15, 1950, I introduced House Concurrent Resolution 205, requesting that the President should take such action as may be necessary to rescind foreign trade agreements negotiated with any foreign country, if such country is Communist controlled. Several Members of Congress endorsed this resolution and introduced identical measures, but as yet we cannot obtain action on it.

We must realize the seriousness of flooding our markets with foreign-made glassware and other goods, particularly from Communist-controlled countries. If this action is not stopped we will seriously impair and endanger the means of livelihood of our own workers. Wages paid our skilled American workers average almost four times the wages paid to European workers outside the iron curtain. We, of course, have no figures on wages behind the iron curtain. We cannot stand this type of competition. American labor is high-priced labor, for which let us be thankful, since it means that we are more productive than other lands.

The small businesses of the United States cannot meet the competition of the countries behind the iron curtain. Because of the increasing importation of cheap-labor foreign-made products, our plants are working at only 50 percent of last year's rate. The workers are getting tired of promises. The time has come for Congress to take action.

We cannot compete with slave labor, which we know Soviet Russia and and her satellites are using. Why should we give trade preference to communistic countries when they are doing everything they can to block our endeavors to help the world recover from the ravages of war. We are spending millions of dollars for defense, yet we are leaving the back door open to communism by continuing our trade with Russia and her satellites.

THE TAX BILL CONFERENCE REPORT

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that I may have until midnight tomorrow within which to file a conference report on the bill H. R. 8920, the tax bill.

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

There was no objection.

EXTENSION OF REMARKS

Mr. HESELTON asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. LATHAM (at the request of Mr. MICHENER) was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. HAGEN asked and was given permission to extend his remarks in the RECORD in three instances and include extraneous matter, letters, newspaper excerpts, etc.

Mr. BECKWORTH asked and was given permission to extend his remarks in the RECORD and include two articles.

Mr. PACE asked and was given permission to extend his remarks in the RECORD.

Mr. LANE asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. FLOOD asked and was given permission to extend his remarks in the RECORD in three instances.

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD in two instances and include extraneous matter.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks and include extraneous matter.

Mr. GRAHAM asked and was given permission to extend his own remarks.

Mr. DAGUE (at the request of Mr. GRAHAM) was given permission to extend his remarks and include extraneous matter.

Mr. KEATING asked and was given permission to extend his remarks and include extraneous matter.

SUPPLEMENTAL APPROPRIATION BILL, 1951

Mr. CANNON. Mr. Speaker, I call up the conference report on the bill (H. R. 9526) making supplemental appropriations for the fiscal year ending June 30, 1951, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 3096)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9526) making supplemental appropriations for the fiscal year ending June 30, 1951, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 17, 18, 20, 21, 22, 29, 30, 33, 42, 47, 60, 64, 67, 80, 101, 107, 108, 117 and 118.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 10, 11, 12, 13, 23, 28, 32, 34, 35, 37, 43, 59, 61, 63, 65, 66, 70, 72, 73, 76, 77, 79, 81, 85, 86, 87, 89, 90, 91, 92, 93, 94, 95, 96, 98, 105, 106, 110, 111, 112, 113, 114 and 115, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "and including services as

authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), $100,000"; and the Senate agree to the same.

Amendment numbered 6; That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$9,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$50,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$63,855,850"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the first sum named in said amendment insert "$2,500,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$50,000"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"CONSTRUCTION

"For an additional amount, for 'Construction', $500."

And the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$375,000"; and the Senate agree to the same.

Amendment numbered 116: That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment, as follows: In lieu of the matter stricken by said amendment insert:

"(a) In making appointments in the government service the Civil Service Commission shall make full use of its authority to make temporary appointments in order to prevent increases in the number of permanent personnel and no employee in the Federal civil service promoted, transferred or appointed to a position of higher grade shall be eligible, in the event of separation from the service through reduction in force, to reinstatement at a grade above the grade held by such employee on September 1, 1950; and all reinstatements, transfers or promotions to positions in the Federal civil service shall be temporary and for positions subject to the Classification Act of 1949 shall be made with the condition and notice to the individual reinstated, transferred or promoted that the classification grade of the position is subject to post-audit and correction by the appropriate departmental or agency personnel office or the Civil Service Commission;".

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 9, 14, 15, 16, 24, 25, 26, 27, 36, 38, 39, 40, 41, 44, 45, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 62, 69, 71, 74, 75, 78, 82, 83, 88, 97, 99, 100, 102, 103, 104, 109, 119, and 120.

CLARENCE CANNON,
W. F. NORRELL,
JAMIE L. WHITTEN,
JOHN J. ROONEY,
J. VAUGHAN GARY,
LOUIS C. RABAUT,
JOHN TABER,
R. B. WIGGLESWORTH,
KARL STEFAN,
Managers on the Part of the House.

KENNETH MCKELLAR,
ELMER THOMAS,
RICHARD B. RUSSELL (except 40–41),
PAT MCCARRAN,
JOSEPH C. O'MAHONEY,
CHAN GURNEY,
HOMER FERGUSON,
KENNETH S. WHERRY,
GUY CORDON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9526) making supplemental appropriations for the fiscal year ending June 30, 1951, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER I

District of Columbia

Amendment No. 1, Office of Civil Defense: Appropriates $100,000, instead of $290,000 as proposed by the Senate and $30,000 as proposed by the House and adds language as proposed by the Senate.

Amendments Nos. 2 and 3, Office of Administrator of Rent Control: Appropriates $113,100 as proposed by the Senate, instead of $75,000 as proposed by the House and allows language as proposed by the Senate making $34,000 of the amount available for the payment of terminal leave only.

Amendment No. 4, Public Schools: Corrects typographical error.

Amendments Nos. 5 and 6, Health Department, operating expenses: Appropriates $9,000, instead of $18,000 as proposed by the Senate and adds new section title as proposed by the Senate.

Amendment No. 7, Operating expenses, Gallinger Municipal Hospital: Appropriates $50,000, instead of $71,000 as proposed by the Senate.

Amendment No. 8, Capital outlay, Gallinger Municipal Hospital: Deletes Senate proposal of $68,500 as proposed by the House.

Amendment No. 9, Public Welfare: Reported in disagreement.

Amendment No. 10, National Capital Parks: Appropriates $40,000 as proposed by the Senate.

Amendment No. 11, Audited claims: Appropriates $60,942 as proposed by the Senate, instead of $60,636 as proposed by the House.

Amendment No. 12, Judgments: Appropriates $1,203 as proposed by the Senate, instead of $1,171 as proposed by the House.

CHAPTER II

Legislative branch

Senate

Amendment No. 13: Inserts a heading as proposed by the Senate.

Amendments Nos. 14 and 15: Pertain to appropriations for the Senate and are reported in disagreement.

House of Representatives

Amendment No. 16: Provides for payment to beneficiary of a deceased Member, and is reported in disagreement.

Architect of the Capitol

Amendment No. 17, Completion of Rotunda Frieze, Capitol: Strikes out the proposal of the Senate for an appropriation of $20,000 for this purpose.

CHAPTER III

Department of State

Amendment No. 18, American Sections, International Commissions: Strikes out the Senate proposal to make an additional appropriation of $105,669 to be available for expenses of the Inter-American Tropical Tuna Commission.

Amendment No. 19, International Information and Educational Activities: Appropriates $63,855,850, instead of $62,655,850 as proposed by the House and $77,612,000 as proposed by the Senate. $1,000,000 of the increase over the House proposal is for Exchange of Persons and the remainder, $200,000, is for Libraries.

Amendment No. 20, International Information and Educational Activities: Authorizes the transfer of not to exceed $5,000,000 additional to other appropriations of the Department of State as proposed by the House, instead of $7,760,000 as proposed by the Senate.

Amendment No. 21, International Information and Educational Activities: Authorizes the use of not to exceed $15,212,000 in counterpart funds as proposed by the House, instead of $19,600,000 as proposed by the Senate.

Amendment No. 22, International Information and Educational Activities: Restores the House language.

Department of Justice

Amendment No. 23, Federal Bureau of Investigation: Appropriates $6,000,000 for salaries and expenses, including the purchase of two hundred additional passenger motor vehicles as proposed by the Senate.

Amendment No. 24, Immigration and Naturalization Service: Reported in disagreement.

Department of Commerce

Amendment No. 25, Civil Aeronautics Administration, Land Acquisition, Additional Washington Airport: Reported in disagreement.

Amendment No. 26, National Bureau of Standards, Construction of Laboratories: Reported in disagreement.

Amendment No. 27, Maritime Activities, Ship Construction: Reported in disagreement.

The Judiciary

Amendment No. 28, Other Courts and Services, Salaries of Judges: Makes the appropriation under this head in the General Appropriation Act, 1951, available for payment of the salary of the judge of the district court of Guam as proposed by the Senate.

CHAPTER IV

Treasury Department

Amendment No. 29, Salaries and expenses, Division of Disbursement, Bureau of Accounts: Strikes out the proposal of the Senate to appropriate the additional sum of $355,000 for this purpose.

Amendment No. 30, Salaries and expenses, Office of the Treasurer: Strikes out the proposal of the Senate to appropriate the additional sum of $27,000 for this purpose.

Amendment No. 31, Salaries and expenses, Bureau of Internal Revenue: Appropriates $2,500,000, instead of $3,760,000 as proposed by the Senate; and increases the amount available for stationery from $1,500,000 to $1,573,680 as proposed by the Senate.

Amendment No. 32, Salaries and expenses, Secret Service Division: Appropriates an additional amount of $76,700 and increases the limitation on the purchase of passenger motor vehicles from fifteen to twenty-one, as proposed by the Senate.

Post Office Department

Amendment No. 33, Requiring the Postmaster General to petition the Interstate Commerce Commission for rate increases on fourth-class mail: Restores the provision in the House bill. It is the opinion of the conferees that the inclusion of this language will strengthen the Post Office Department's position in connection with the rate increase applications on the part of the railroads before the Interstate Commerce Commission, in that the Commission will be aware of the intent of Congress to require the Postmaster General henceforth to fix the rates on fourth-class mail at a level to produce sufficient revenue to pay the costs thereof.

CHAPTER V

Amendment No. 34: Inserts a chapter heading as proposed by the Senate.

Federal Security Agency

Office of Education

Amendment No. 35: Inserts a heading as proposed by the Senate.

Amendment No. 36, Promotion and further development of vocational education: Reported in disagreement.

Amendment No. 37: Inserts a heading as proposed by the Senate.

Amendment No. 38, Salaries and expenses: Reported in disagreement.

Amendment No. 39, Salaries and expenses: Reported in disagreement.

Amendment No. 40, Payments to school districts: Reported in disagreement.

Amendment No. 41, Grants for surveys and school construction: Reported in disagreement.

Public Health Service

Amendment No. 42, National Institutes of Health: Strikes out the proposal of the Senate to appropriate additional funds under this heading for the fiscal year 1951.

Social Security Administration

Amendment No. 43: Inserts a heading as proposed by the Senate.

Amendment No. 44, Bureau of Old-Age and Survivors Insurance: Reported in disagreement.

Amendment No. 45, Grants to States for public assistance: Reported in disagreement.

Amendment No. 46, Salaries and expenses, Bureau of Public Assistance: Appropriates $50,000 instead of $250,000 as proposed by the Senate.

Amendment No. 47, Salaries and expenses, Children's Bureau: Strikes out the proposal of the Senate for an additional appropriation for this item.

Amendment No. 48, Grants to States for maternal and child welfare: Reported in disagreement.

Offices of the Commissioner and the Administrator

Amendments Nos. 49, 50, 51, 52, 53, 54, 55, 56, 57, and 58: Relate to appropriations for these offices, and are reported in disagreement.

CHAPTER VI

Department of Agriculture

Amendment No. 59: Changes chapter heading as proposed by the Senate.

Amendment No. 60, Bureau of Animal Industry, research facilities: Eliminates $24,500,000 inserted by the Senate for the construction of a laboratory for research on foot-and-mouth and other animal diseases.

CHAPTER VII

Department of the Interior

Amendment No. 61: Changes a chapter number as proposed by the Senate.

Bureau of Indian Affairs

Amendment No. 62, Health, education, and welfare services: Reported in disagreement.

Amendment No. 63, Payment to Choctaw and Chickasaw Indians: Appropriates $10,500 as proposed by the Senate.

Bureau of Reclamation

Amendment No. 64, General investigations: Strikes out the proposal of the Senate to appropriate $50,000. The planning work on the Weber Basin project may be accomplished with funds already available.

National Park Service

Amendment No. 65: Inserts a heading as proposed by the Senate.

Amendment No. 66, Management and protection: Appropriates $40,000 as proposed by the Senate.

Amendments Nos. 67 and 68, Construction: Strike out the proposal of the Senate to appropriate $3,000,000 but approve the proposal of the Senate to appropriate $500.

Territories and Island Possessions

Amendment No. 69, Construction of roads, Alaska: Reported in disagreement.

CHAPTER VIII

Executive and independent offices

Amendment No. 70: Changes a chapter number as proposed by the Senate.

Funds Appropriated to the President

Amendment No. 71, Expenses of defense production: Reported in disagreement.

Civil Service Commission

Amendment No. 72, Salaries and expenses: Appropriates an additional amount of $1,000,000 for this purpose and increases the limitation on travel expenses from $438,013 to $466,000 as proposed by the Senate.

Displaced Persons Commission

Amendment No. 73: Inserts a heading as proposed by the Senate.

Amendments Nos. 74 and 75, Relating to funds appropriated to the Displaced Persons Commission: Reported in disagreement.

General Services Administration

Amendment No. 76, Public Buildings Service, acquisition of land in the District of Columbia: Appropriates $525,000 for such purpose, as proposed by the Senate, instead of $500,000, as proposed by the House.

Amendment No. 77, Strategic and critical materials: Authorizes the use of not to exceed $14,000,000 of funds appropriated for this purpose for plant reactivation as proposed by the Senate, instead of $6,000,000 as proposed by the House.

Amendment No. 78, Emergency operating expenses: Reported in disagreement.

National Science Foundation

Amendment No. 79, Salaries and expenses: Appropriates $225,000 for this purpose as proposed by the Senate.

Selective Service System

Amendments Nos. 80 and 81, Salaries and expenses: Restore the provisions in the House bill fixing a limit of $50,000 for travel expenses of employees attached to National Headquarters and $400,000 for such expenses of employees attached to State Headquarters; and appropriates $20,476,000, as proposed by the Senate instead of $19,360,030, as proposed by the House.

Amendment No. 82: Reported in disagreement.

Tennessee Valley Authority

Amendment No. 83, Appropriation of additional funds: Reported in disagreement.

Veterans' Administration

Amendment No. 84, Automobiles for disabled veterans: Appropriates $375,000, instead of $300,000 as proposed by the House and $450,000 as proposed by the Senate.

CHAPTER IX

Civil functions of the Army

Amendment No. 85: Changes a chapter number as proposed by the Senate.

Amendment No. 86, Rivers and harbors, maintenance and improvement of existing river and harbor works: Appropriates $4,000,000 for this purpose as proposed by the Senate. This sum is provided for use exclusively for expediting work on the McNary and Chief Joseph dams and no funds are included in the bill for the Ice Harbor Lock and Dam.

CHAPTER X

Defense

Amendment No. 87: Changes a chapter number as proposed by the Senate.

Amendment No. 88, Quartermaster Corps, Clothing and equipage: Reported in disagreement.

Amendment No. 89, Medical Department: Appropriates $29,350,000 as proposed by the Senate instead of $11,446,000 as proposed by the House.

Amendment No. 90, Medical Department: Strikes out language proposed by the House.

Amendment No. 91, Expediting production: Strikes out language proposed by the House and inserts language proposed by the Senate.

Amendment No. 92, Construction of ships: Appropriates $163,450,000 instead of $160,000,000 as proposed by the House.

Amendment No. 93, Increase and replacement of naval vessels: Appropriates $40,000,000 as proposed by the Senate.

Amendment No. 94, Ordnance for new construction: Appropriates $21,550,000, instead of $25,000,000 as proposed by the House.

Amendment No. 95, Medical care: Appropriates $26,715,000, instead of $16,431,000 as proposed by the House.

Amendment No. 96, Medical care: Strikes out language proposed by the House.

Amendment No. 97, Department of the Navy: Reported in disagreement.

Amendment No. 98, Facilities: Strikes out words, "sections 355 and", as proposed by the House, and inserts the word "section", as proposed by the Senate.

Amendment No. 99, Acquisition and construction of real property: Reported in disagreement.

Amendment No. 100, Mutual Defense Assistance: Reported in disagreement.

Amendment No. 101, Section 106: Strikes out language proposed by the Senate.

Amendment Nos. 102, 103 and 104, Sections 107, 108 and 109: Reported in disagreement.

CHAPTER XI

Foreign aid

Amendment No. 105, Foreign aid: Adds chapter title as proposed by the Senate.

Amendment No. 106, Funds appropriated to the President: Adds section title as proposed by the Senate.

Amendment No. 107, Mutual defense assistance: Deletes language and $4,000,000,000 proposed by the Senate, as proposed by the House. A motion on this item will be offered in connection with amendment No. 100.

Amendment No. 108, International children's welfare work: Deletes language and $12,500,000 proposed by the Senate.

Amendment No. 109, International development: Reported in disagreement.

CHAPTER XII

Claims for damages, audited claims, and judgments

Amendment No. 110: Changes a chapter number as proposed by the Senate.

Amendments Nos. 111 and 112: Appropriate $35,001,053 for such purposes as proposed by the Senate instead of $34,339,115 as proposed by the House.

CHAPTER XIII

General provisions

Amendment No. 113: Changes chapter heading as proposed by Senate.

Amendment No. 114: Changes section number as proposed by Senate.

Amendment No. 115: Changes section number as proposed by Senate.

Amendment No. 116: Restores the language proposed by the House with clarifying amendments.

Amendments Nos. 117 and 118: Restores section numbers as proposed by House.

Amendments Nos. 119 and 120: Reported in disagreement.

CLARENCE CANNON,
W. F. NORRELL,
JAMIE L. WHITTEN,
JOHN J. ROONEY,
J. VAUGHAN GARY,
LOUIS C. RABAUT,
JOHN TABER,
R. B. WIGGLESWORTH,
KARL STEFAN,
Managers on the Part of the House.

Mr. CANNON. Mr. Speaker, briefly summarizing the conference report, the total budget estimates considered by the House aggregated $16,852,484,598. The bill as it passed the House carried total appropriations of $16,771,356,077.

The Senate increased the total amounts carried by the bill to $17,196,-735,669.

Total appropriations agreed to in conference thus far amount to $17,076,072,-285, and in addition to that amount the items (as passed the Senate) remaining in actual disagreement and herewith returned propose to add an additional $5,543,565.

The reduction effected by conferees below the Senate bill (exclusive of amounts in actual disagreement) total $115,119,819.

Reductions below Budget estimates (exclusive of amounts in actual disagreement) aggregate $221,042,784.

Of course the usual yardsticks do not apply as the bill is largely for the military establishment. All the moneys affected, or sought to be affected, are in the few nonmilitary items.

Mr. Speaker, if no one desires time for debate, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

Mr. CANNON. Mr. Speaker, there are a number of amendments that are in purely formal technical disagreement but on which there is general concurrence.

I ask unanimous consent that the House consider en bloc those amendments in technical disagreement upon which a motion to recede and concur will be offered, as follows: Nos. 14, 15, 16, 45, 48, 51, 52, 56, 69, 74, 75, 82, 83, 88, 97, 99, 102, and 103.

Mr. MARCANTONIO. Mr. Speaker, reserving the right to object, I am not familiar with these amendments and I doubt if many Members are. I understand there are some legislative provisions inserted in the Senate.

Mr. CANNON. No such provision is affected by the pending proposal.

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

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

Mr. TABER. There is nothing in these amendments that anybody should be much excited about. They are routine things, many of them items for the housekeeping affairs of the Senate that are beyond the pale of authority, and we had to bring them in in this way.

Mr. EBERHARTER. Mr. Speaker, reserving the right to object, did the gentleman from Missouri read amendment No. 44?

Mr. CANNON. Amendment No. 44 will come up separately. It is not included.

Mr. EBERHARTER. That is an amendment in agreement.

Mr. CANNON. For technical reasons we will offer a separate motion on 44. It is not included in this request.

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

There was no objection.

The Senate amendments referred to follow:

Senate amendment No. 14: Page 7, line 3, insert the following:

"SENATE

"The appropriation for salaries of officers and employees of the Senate contained in the Legislative Branch Appropriation Act, 1951, is made available for the employment of an additional clerk at the basic rate of $1,500 per annum by each Senator from the State of Alabama, the population of said State having exceeded 3,000,000 inhabitants."

Senate amendment No. 15: Page 7, line 10, insert the following:

"CONTINGENT EXPENSES OF THE SENATE

"Stationery: For an additional allowance for stationery of $300 for each Senator and the President of the Senate, for the second session of the Eighty-first Congress, $29,100, to remain available for obligation until January 2, 1951."

Senate amendment No. 16: Page 7, line 16, insert the following:

"For payment to Bessie L. Bulwinkle, widow of A. C. Bulwinkle, late a Representative from the State of North Carolina, $12,500."

Senate amendment No. 45: Page 20, line 12, insert the following:

"GRANTS TO STATES FOR PUBLIC ASSISTANCE

"For an additional amount for 'Grants to States for public assistance,' $80,000,000; and appropriations granted under this head for the current fiscal year shall be available for aid to the permanently and totally disabled as authorized by law."

Senate amendment No. 48: Page 21, line 1, insert the following:

"GRANTS TO STATES FOR MATERNAL AND CHILD WELFARE

"For an additional amount for 'Grants to States for maternal and child welfare,' $8,-250,000: *Provided,* That such additional amount shall be allotted on a pro rata basis among the several States in proportion to the amounts to which the respective States are entitled for the fiscal year 1951 by reason of section 331 of the Social Security Act Amendments of 1950."

Senate amendment No. 51: Page 21, line 16, insert the following:

"In the administration of title XIV of the Social Security Act, as amended by the Social Security Act Amendments of 1950, payments to a State under such title for any quarter in the current fiscal year after September 30 may be made with respect to a State plan approved under such title prior to or during such period, but no such payment shall be made with respect to any plan for any quarter prior to the quarter in which such plan was submitted for approval."

Senate amendment No. 52: Page 22, line 1, insert the following:

"Grants to States, next succeeding fiscal year: For making after May 31 of the current fiscal year, payments to States under title XIV of the Social Security Act, as amended by the Social Security Act Amendments of 1950, for the first quarter of the next succeeding fiscal year, such sums as may be necessary, the obligations incurred and the expenditures made thereunder for payments under such title to be charged to the appropriation therefor for that fiscal year."

Senate amendment No. 56: Page 22, line 21, insert the following:

"OFFICE OF THE GENERAL COUNSEL"

Senate amendment No. 69: Page 27, line 16, insert the following:

"CONSTRUCTION OF ROADS, ALASKA

"For an additional amount for 'Construction of roads, Alaska', $7,500,000, to remain available until expended."

Senate amendment No. 74: Page 31, line 12, insert the following:

"Funds appropriated for the expenses of the Displaced Persons Commission shall be available for use in connection with agreements with international agencies for the use of their transportation and other facilities for the transfer of persons as provided for in section 12 of the Displaced Persons Act as amended, and the Commission may make payment in advance or by reimbursement for expenses incurred by such agencies in rendering assistance to the Commission in carrying out the provisions of such act."

Senate amendment No. 75: Page 31, line 21, insert the following:

"Funds appropriated for the expenses of the Commission shall be available for loans as provided in section 14 of the Displaced Persons Act, as amended."

Senate amendment No. 82: Page 36, line 12, insert the following: ": *Provided further,* That the provisions of section 3679 of the Revised Statutes, as amended by section 1211 of the General Appropriation Act, 1951, shall not apply with respect to appropriations for funds available to the Selective Service System for the fiscal year ending June 30, 1951."

Senate amendment No. 83: Page 36, line 18, insert the following:

"TENNESSEE VALLEY AUTHORITY

"For an additional amount for 'Tennessee Valley Authority', $28,500,000, to remain available until expended: *Provided,* That the amount of the funds made available by the Independent Offices Appropriation Act, 1951, for administrative and general expenses of the corporation for the fiscal year 1951, is increased from '$4,026,000' to '$4,250,000'."

Senate amendment No. 88: Page 40, line 11, insert the following: ", and in addition to the amount herein appropriated, contracts may be made for the purchase of 100,000,000 pounds of raw wool, woolen garments, fabrics, and knitting yarns for use of all the armed services;"

Senate amendment No. 97: Page 45, line 14, insert the following:

"Section 201 of the act of August 25, 1941 (55 Stat 681) is hereby amended by adding a proviso at the end thereof as follows: '*Provided,* That a commissioned officer on the active list of the Navy, not below the rank or grade of rear admiral, appointed as Deputy Comptroller of the Navy, pursuant to section 402 (b) of the National Security Act amendments of 1949, shall, while so serving, if not otherwise entitled to a higher rank, pay, and allowances, be entitled to receive the pay and allowances of rear admiral, upper half: *Provided further,* That a commissioned officer on the active list of the Army not below the grade of colonel, assigned as special assistant to the Comptroller, Department of Defense, shall, while so serving, if not otherwise entitled to a higher grade, pay, and allowances, be considered to hold the

grade of brigadier general for all purposes and shall receive the pay and allowances of an officer of that grade'."

Senate amendment No. 99: Page 48, line 9, insert the following:

"For an additional amount, subject to the enactment into law of H. R. 9612, or S. 4118, Eighty-first Congress, for 'Acquisition and construction of real property', to enable the Secretary of the Air Force, subject to the approval of the Secretary of Defense, to carry out the purposes of the Air Engineering Development Center Act of 1949, Public Law 415, Eighty-first Congress, as amended, $25,000,000, to be available until expended, and, in addition thereto, the Secretary of the Air Force is authorized to enter into contracts for the purposes of H. R. 9612, or S. 4118, in an amount not to exceed $32,500,000."

Senate amendment No. 102: Page 51, line 19, insert the following:

"SEC. 107. Appropriations available during the fiscal years 1950 and 1951 for the pay and allowances of midshipmen appointed under paragraph (b) of section 3 of the act of August 13, 1946 (60 Stat. 1058), as amended (34 U. S. C. 1020b), shall be available for a 50 per centum increase of the pay of such midshipmen while in flight training or on other flight duty."

Senate amendment No. 103: Page 52, line 1, insert the following:

"SEC. 108. Funds appropriated under the head 'Civil engineering' in this, or any other Act, for the fiscal year 1951 shall be available in an amount not to exceed $3,000,000 for the purchase of passenger motor vehicles for additional as well as for replacement, requirements;".

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendments.

The Clerk read as follows:

Mr. CANNON moves that the House recede from is disagreement to the amendments of the Senate numbered 14, 15, 16, 45, 48, 51, 52, 56, 69, 74, 75, 82, 83, 88, 97, 99, 102, 103, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9: Page 4, strike out lines 16 to 19, inclusive, and insert:

"For all expenses necessary to continue a system of nurseries and nursery schools for the day care of school-age and under-school-age children in the District of Columbia through June 30, 1951, including personal services, $100,000."

Mr. NORRELL. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. NORRELL moves that the House recede from its disagreement to the amendment of the Senate No. 9, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert:

"For all expenses necessary to liquidate the system of nurseries and nursery schools for the day care of school age and under school age children in the District of Columbia by December 31, 1950, including personal services, $50,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24: Page 11, line 21, insert:

"IMMIGRATION AND NATURALIZATION SERVICE

"Notwithstanding the provisions of any law or any order, regulation, or agreement made or issued thereunder, any alien employed in the United States in 1949 pursuant to an agricultural labor contract made under the authority of the ninth proviso of section 3 of the Immigration Act of 1917, as amended, shall for purposes of such contract or any bond or agreement made by the employer of such alien in connection therewith be presumed, in the absence of evidence to the contrary, to have left the United States in accordance with the terms of such contract on or prior to March 31, 1950."

Mr. NORRELL. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

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

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

Mr. MARCANTONIO. Mr. Speaker, will the gentleman explain the motion he has made?

Mr. NORRELL. Mr. Speaker, this is an amendment that was included by the Senate. However, as I understand it, this question has been considered by the Agricultural Committee of the House. The amendment involves a number of bonds executed by the farmers to laborers from Mexico regarding the harvesting of last year's crop. One of the requirements of the bonds was that the farmers would return the laborers to Mexico when their contract had been fully executed. Among other things the bonds provided for the return of the Mexicans to their country, covering the expenses of the laborer back to Mexico not to exceed, I believe, $25.

The farmers last year were in great need of additional agricultural labor. The local labor was all used; it was all exhausted; they had none left, and they had additional crops to be harvested, otherwise they would have ruined. So, they arranged to execute these bonds and import Mexican labor with the provision in the contract that when the contract was fully executed they, the farmers, would technically see to it that the Mexicans were returned to their country. Now, the work was done; the wages were paid; everything as I understand it was done that was supposed to have been done under the bonds, except this one thing. A large number of the Mexicans, when they got their last pay check, decided they wanted to go home. The farmer had no way of detaining them. They had no way of corralling them and making them stay. They were free; they were in the great land of the United States, and under our system of government they were recognized as Mexican nationals. They were treated decently. They simply decided to go back home, many of them; in fact, I think most of them. Now, going back to their own country was not in strict technical compliance with the regulations of the Immigration and Naturalization Service. They should have been reported to the authorities at the Mexican border and complied with the required procedure. This is the only legal way of showing their return to their Nation. The bonds required that this procedure would be followed. However, many of the farmers who used this Mexican labor have written letters to many of these workers who returned to Mexico. The letters were written to them at their Mexico address. They were registered. Return receipts were requested. The return receipts have been received from many of them, and we know they have gone back to Mexico. But, Mr. Speaker, that was not in full compliance, with requirements of the Immigration Service, because when they entered their country they were supposed to be checked with the Immigration Service at Laredo. And, after going through this technical procedure, the bonds on these laborers would have been released or canceled.

The only thing this amendment does is to say: Now, then, these farmers in Texas and Arkansas and other States, whose Mexican labor had gone back to Mexico, you are not going to have to pay this bond to guarantee that they return because they are already there. But, if any are found anywhere in this country the Immigration Service under the bonds would call on the farmers to pay the amount due, and that relationship is not in any way changed. The only thing this amendment does is to relieve the farmers from the payment of the bonds when the Mexican nationals have gone back to Mexico.

Mr. ROONEY. Mr. Speaker, will the distinguished gentleman yield?

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

Mr. ROONEY. Mr. Speaker, I am unalterably opposed to this amendment which is solely legislation on an appropriation bill, has nothing to do with appropriations, and which was ill-advisedly inserted in the bill on the floor of the other body. I opposed as vigorously as I could the adoption of this language during the meetings of the conferees on this supplemental appropriation bill and I today refused to make the motion now made by my good friend the gentleman from Arkansas [Mr. NORRELL] that the House recede and concur in this Senate language.

I say to you that you might just as well do away with and abolish the bond which is presently, and for some time has been, in existence to guarantee the maintenance of status and the departure of these alien agricultural workers. The adoption of the language proposed by the gentleman from Arkansas would strike a veritable blow at American labor. It would be a renewal of the status and situation that existed before provisions were wisely made by this Congress to assure the decency, as human beings, of the persons who come across the Mexican border and work on our farms. I repeat, I am opposed to this amendment and I shall vote against it.

Mr. NORRELL. In connection with what the gentleman from New York has said, summing it all up in three or four words, this amendment means, Do you want the farmer to pay $25 to send Mexican labor back to Mexico, when he has already returned—actually is in Mexico now? I admire the gentleman from New York, JOHN ROONEY, but I differ with him on this matter, and I hope the amendment will be adopted.

Mr. ROONEY. If this language were to be adopted, the United States Treasury would not derive the substantial revenues it is entitled to as the result

of forfeiture of these bonds. This is strictly legislation on an appropriation bill. In this matter the other body has usurped the prerogatives of the House Legislative Committee, the Committee on the Judiciary, and its Subcommittee on Immigration and Naturalization. Legislation is every once in awhile inserted in a bill by the Appropriations Committee in order to save money for the taxpayers, but in this instance it is inserted in order to disburse some of the taxpayers' money which would rightly inure to the Treasury of the United States as the result of the violation of the conditions of these bonds.

I should advise the House that Mr. George D. Reilly, member of the legislative committee of the American Federation of Labor, telephoned my office this morning and stated that they were in receipt of a wire from William Green, their president, who is at the A. F. of L. convention in Houston, bitterly opposing this amendment.

I trust the House will vote down the pending motion to recede and concur so that we may further insist in our disagreement with the other body on this legislative amendment.

Mr. NORRELL. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, these people brought in laborers through the State Department to work on their farms. At the time they brought them in, they signed an undertaking with the Government, subject to a penalty on an average of $25 a head, that they would pay the expenses of getting these people back to Mexico.

I can see no reason why the United States Government should suffer a loss on this. Some of the workers ran away from the farms where they were left, and the farmers as a result cannot deliver them back. I do not see why we should pass any bill releasing them from any such amount of penalty as that, when we brought the workers over here for the purpose of helping out these same farmers. That is a little bit beyond me to understand.

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

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

Mr. ROONEY. Is not the pending amendment really in the nature of a private relief bill for the relief and benefit of all those who executed these bonds in favor of the United States Government?

Mr. TABER. All except the last part of the gentleman's statement is true. It is in favor of those people who have signed the bond.

Mr. ROONEY. That is exactly what I claim.

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

Mr. TABER. I yield.

Mr. WIGGLESWORTH. Is it not also true that if this temporary labor remains in this country indefinitely it will be unfair to American labor?

Mr. TABER. That is correct. We have no right to keep these people here forever. We made an agreement with them, with the Government of Mexico, to send them back and why we should at this time throw that agreement overboard and try to release these people for whose benefit this thing has been done, from their liability under the bond, if the liability should arise, is beyond me.

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

Mr. TABER. I yield.

Mr. CRAWFORD. The week before last, while I was visiting on a farm in my district in Saginaw County, six of these migratory workers were delivered to that farm one evening about 6 o'clock. I was there the next day at noon. Four of those workers slipped out under cover of darkness and left word with the two workers remaining that they were leaving for New Jersey. Now is it the proposal to make the Michigan farmer pay $100 premium on the four men who flew away from his farm and supposedly went to New Jersey? If so, I personally do not see any justice in making that farmer pay that money.

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

Mr. TABER. I yield.

Mr. MICHENER. What kind of bonds are given here? Are they surety bonds?

Mr. TABER. No, they are bonds signed by individuals. The individual is the one who is liable. It is not a surety bond.

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

Mr. TABER. I yield.

Mr. WHITTEN. I would like to answer the question raised by the gentleman from Michigan [Mr. CRAWFORD]. The bond would be forfeited. That is what the law provides now. This amendment would relieve him from forfeiting that bond. Your Michigan farmer would have to pay $25 unless he went and arrested these employees and held them and turned them over to the immigration authorities. If he did that, then he would be indicted and convicted of peonage. That is the reason for this language in this bill. The farmer is helpless to protect himself. The State Department needs to work out a better system than we have now.

Mr. TABER. Of course no one would be arrested for peonage. The fact of the matter is that where anyone knows that a crime has been committed he has the right to arrest someone who he knows and has seen commit the crime. These people by running away and evading the obigation which they owe to the farmer are in the United States illegally and in violation of the immigration laws.

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

Mr. NORRELL. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. PHILLIPS].

Mr. PHILLIPS of California. Mr. Speaker, if the Members of the House will listen to me carefully for about 3 minutes, I think I can explain what this argument is all about. It is very difficult for an eastern farmer to understand the problems of a western farmer. Yet the easterner is very glad indeed to have the food each year which is supplied from the areas in which this labor is needed.

To me, this is more of a bookkeeping transaction than it is anything else. It has no reference, as the gentleman from New York [Mr. ROONEY] suggested upon the conditions of labor under which these men work. The alternative to an amendment like this every few years, would be to put men in some kind of a corps, or behind wire fences, because a certain small percentage, usually averaging 3 to 6 percent, skip out of labor which is brought into the country under contract and sent back to Mexico. Investigation has shown that a large number of them go back into Mexico. They simply do not report to the farmer when they leave, nor to the Immigration Service. It is up to the State Department, the Justice Department, to help work this out with the farmers. The farmer is not trying to avoid his bond. This has nothing to do with the basic question of whether you believe that this imported labor is necessary or not. It is simply a question of whether you want to carry over a small number of skips from the bookkeeping of last year into the bookkeeping of this year or next year.

I am decidedly in favor of this provision because it will save money in the Department of Justice, and it will in no way relate to whatever feelings you may have for or against the problem of using imported labor.

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

Mr. PHILLIPS of California. I yield.

Mr. RICH. What is this going to do with the Justice Department or the State Department in trying to see that eventually these people are captured and returned to their own countries, rather than to permit them to run around this country, whether they are Mexicans or some other foreigners, filling up this country with foreign people who have no right here and who probably will later on apply for citizenship? Can we not stop this?

Mr. PHILLIPS of California. This has nothing to do with that, because the Immigration Service, whether you vote this or not, is constantly trying to get these Mexicans, in our case, and other nationals in other cases, returned to their own countries, and as long as we supply the money for that Service it will continue to carry out its duties.

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

Mr. NORRELL. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. PACE].

Mr. PACE. Mr. Speaker, the only reason I am imposing on your time is that I appear on behalf of the Committee on Agriculture. It happens that our committee went into this question some weeks ago rather fully. We had the State Department and the farmers before the committee. As a result, the committee set up a special subcommittee. The chairman asked me to act as chairman. We are going into the territory where this type of labor is used. I hope we will be able to consult with the Mexican Government and clear up this question.

I would like to tell the story, and I hope that you will understand it.

A California farmer or a New Jersey farmer or an Arkansas farmer is in a critical situation. His crops are being destroyed and he needs some help and he is unable to get it. The Mexican Gov-

ernment and the United States Government have an arrangement. The Mexican Government sends in, and the Immigration Service accepts, so many thousand Mexican workers to come in here every year. As a condition of that employment they now make the employer—not the Mexican—they make the employer give a bond for $25, guaranteeing the return of that Mexican worker to Mexico. The testimony before the committee was that the farmers came in and said: "We have asked to make the worker a party to it. They make us give give a bond. A man comes to our farm and we are required to provide adequate housing and to pay the prevailing wage, but we have no control over him. We cannot lock him up at night. If we did, we could be indicted for peonage. We cannot stop him if he wants to walk away, yet they make us give a bond of $25 for a person over whom we have no control, by which we are expected to guarantee to deliver him to the Mexican border."

They say, "We have asked the State Department and Immigration Service: Why do you not let us hold $25 out of the man's pay? We will give it to him when he leaves the country; we will insure accountability; let us make him a party and let us keep $25 or $50 out of his pay and if necessary turn it over to the Immigration Service and let it be delivered to the Mexican worker when he reports at the point of exit from the United States." "Oh, no! We cannot do that." Fortunately, we now have a man at the head of this Service there in the State Department who appeared before our committee; and if you will read the hearings you will see where he testified that the arrangement we have now is unsatisfactory and that he intends to devote his time to bringing about a correction of it. Our committee is working for that and we intend to keep on working for it. We hope to confer with the Mexican authorities. I for one would never approve of the arrangement we have whereby a worker could come to a farm and be free to leave when he pleases, yet saddle the farmer with responsibility for his appearance at a certain time and certain place but give him no control over the man.

I am told that although the Mexicans return voluntarily in the overwhelming majority of cases when these bonds are sought to be forfeited the Mexicans are back home, for they have sent letters down there to be signed by the addressee only and they were signed. At the time they want to forfeit the bond the Mexican is back home. Why should we exact the $25 per head guaranty from the farmer when the Mexican is already delivered of his own motion? Our committee went into it. The testimony is that all the conditions that have been required as to wages and all the conditions that have been required as to housing accommodations have been met. They are not always good, they are not the best, I admit that—this whole thing needs to be gone into, and I may say in passing, if she will pardon me, that the gentlewoman from California [Mrs. DOUGLAS], has been working on this problem and she is still working on it. I hope some sound, sensible program can be worked out to deal with this situation. I insist that under those conditions it is not right to hold the farmer responsible for a man's delivery back to a point yet give him absolutely no control over him, not even letting him hold back a little of his pay to be delivered to him when he returns to his country.

Our committee intends in October to go into this situation thoroughly and hold hearings in the West and Arkansas, Mississippi, Missouri, Tennessee. We will also go into New Mexico and Texas. I hope as a result of that investigation these things will be eliminated. I hope in its wisdom this House will approve this amendment and relieve these farmers.

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

Mr. PACE. I yield.

Mr. GATHINGS. I agree heartily in the remarks of the distinguished gentleman from Georgia who has been appointed the new chairman of the Migratory Labor Subcommittee of the Committee on Agriculture.

Mr. PACE. And the gentleman himself has been appointed a member of the subcommittee and is familiar with the matter.

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

Mr. PACE. I yield.

Mr. MARCANTONIO. I cannot understand why legislation of this character should be brought in in a conference report on a supplemental appropriation bill. This is not the only piece of legislation brought in here.

Mr. PACE. Of course, I have no comment as to that feature of it.

Mr. NORRELL. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Speaker, what the gentleman from Georgia [Mr. PACE] has said with reference to this proposal is very accurate, and I am in agreement with his statement.

The amendment should be agreed to.

The question has been raised here about not getting American labor to do this work. This proposal began during the World War when it was not possible to get American labor to go out and do this kind of stoop work. I may say very frankly that I would prefer to employ American labor if we could get it. We cannot get it today, and I doubt very much if we shall be able to get American labor to go out and work in the fields to do this stoop labor. It is not only down through the South where Mexican and other foreign labor is employed. We also need them in the canning industry, in the canning of fruits and vegetables, and we need them in the production of sugar beets and in the general production of vegetables that go to market as fresh vegetables and also as fresh fruit.

If we had the American labor in this country, I would say: Let us keep the others out of the United States.

If the laboring men of our country want to pay higher prices for their food, all they have to do is to shut out this foreign labor and we will not get the food produced in the United States. Unfortunately, the situation is such that we must have stoop labor in order to do this work. If those who have spoken against this proposal are willing to have their people go out and do this kind of labor, that is all right with me, but I would like to see them do it.

We had a very unfortunate situation with the Government of Mexico in regard to bringing Mexican laborers into this country. The State Department has worked out a very stringent contract that is hard to comply with in reference to providing housing and other conditions that must be met. I felt at one time that we should cut off negotiations with Mexico and get our foreign stoop labor from Jamaica and some of the other areas.

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

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. Will the gentleman advise the committee as to the number of Mexican laborers brought into this country annually under this proposal?

Mr. AUGUST H. ANDRESEN. I cannot do that. Perhaps some of my colleagues can answer the gentleman's question.

Mr. GATHINGS. In 1949 there were 111,000 who came over here to do this work in the various fields of endeavor.

Mr. WIGGLESWORTH. In what year?

Mr. GATHINGS. In 1949.

Mr. PHILLIPS of California. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from California.

Mr. PHILLIPS of California. That is the maximum. They come in for a brief time, then go back. The largest number would be used immediately adjacent to the border and the same men come over every year. They live just across the line and come over to do this work.

I would like to dispel the idea that this is advantageous economically. It is more costly. However, American labor does not do this kind of work.

Mr. AUGUST H. ANDRESEN. May I ask the gentleman from California if he can secure American labor for this kind of work?

Mr. PHILLIPS of California. No; we cannot get this kind of worker unless we make the statement that American labor is unavailable. We are not permitted to use this labor if American labor is available.

Mr. AUGUST H. ANDRESEN. The man who employs these Mexican laborers cannot lock them up overnight or have a policeman looking after them all the time.

Mr. PHILLIPS of California. The statement has been made on the floor that the number of these men involved is 2,000,000. That is incorrect. The largest number would be in the neighborhood of 100,000 men for an entire season. That is from the peak of the season until it dies off later.

Mr. AUGUST H. ANDRESEN. I understand only 3 percent are those who have stayed in this country.

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

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from New York.

Mr. ROONEY. Is it not a fact that there are over 2,000,000 so-called wet-backs, Mexicans, that cross the border during the course of a year?

Mr. AUGUST H. ANDRESEN. This has nothing to do with wet-backs.

Mr. ROONEY. It certainly has quite a lot to do with the wet-backs. Without a bond you are inviting Mexicans to cross the border, 2,000,000 and many, many million more, to compete with American labor.

Mr. AUGUST H. ANDRESEN. I may say to the gentleman that maybe it would be a good thing if we could get wet-backs over here to do this work, then we will not have to go to all of this trouble in order to get the laborers to produce the food.

Mr. GATHINGS. I want to say that the farmer would not send his trucks down there to the Mexican border and agree to house them, keep them, pay the transportation cost and the medical expenses, unless he absolutely needed that labor and could not get it from any other source.

Mr. AUGUST H. ANDRESEN. That is correct. Furthermore, I will say to the gentleman that the Mexican Government makes our employers go halfway down to Mexico City or further to pick up this labor. They cannot get them along the border.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. I wonder what the gentleman would do with the wool-growing industry where you have to have experienced men in charge of your flocks and to handle your flocks on the grazing lands. You have a big investment in 2,000 sheep. When the local employees walk out on you, what are you going to do about it?

Mr. AUGUST H. ANDRESEN. I recognize you must have this kind of labor to take care of sheep.

Mr. WHITE of Idaho. That is a very fine remark, and I certainly appreciate the gentleman's suggestion.

Mr. NORRELL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, this amendment simply tries to do justice. The State Department and Immigration Service worked out an impracticable agreement with the farmers which required those farmers to make a $25 bond per worker to get this Mexican labor. Well, the bonds were made and the Mexican labor came over. There was a great demand last year for Mexican labor. Some neighboring farmer could come over to this Mexican group and say, "Now, I will give you 25 cents a hundred more, or so much more a day if you will come over and harvest my cotton or work for me." And, the Mexican laborer would say, "All right, I will go and work for you." There was nothing that the farmer who made the bond could do to protect himself. Workers would go from one place to the other. The only reason the farmer entered into such an impractical and unworkable agreement was that he was desperate for labor. That labor harvested much of our cotton crop. So, in view of the fact that the farmer has done all he could to deliver the man back to the Immigration Service, and having had no control over him, it seems to me that in justice, all we can do is pass this amendment so you will absolve him from further responsibility under the bond. No one should have expected him to make it in the first place, because he had no control over the laborer.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

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

Mr. H. CARL ANDERSEN. I think the gentleman is entirely correct. I think it is very unjust to expect the farmer to become liable to the extent that he must pay when these men quit their employment, and certainly the farmer should be liable only to the extent that he should report immediately to the Immigration Service when these men disappear.

Mr. MAHON. They have done that. But, it is not a matter of leaving at night; they leave any time they want to if they get higher wages and the farmer has no chance to protect himself. This amendment, while it really does not belong in an appropriation bill, will take care of the situation.

Mr. NORRELL. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Speaker, I am of the opinion that this is a matter of considerable importance. Nobody will deny that it is substantive legislation. It certainly has no place in this bill. The Committee on Appropriations, in my opinion, had no right to tackle this subject at all. The Committee on the Judiciary or the Committee on Agrictulture is the committee to have handled this matter. We will be in session again very shortly, and this matter should go to a legislative committee. This is legislation in effect covering many, many hundreds of persons who want private relief from statutory law. Now, we all know that bondsmen in cases before the court must come to Congress in order to get relief from any bond that is put up in a matter before the Federal court where the bond has been forfeited. Here we are giving private relief to a great number of bondsmen, and certainly the matter is of enough importance to go before a legislative committee. It affects, in my opinion, the immigration laws of this country, I think it would be very unwise to approve the motion. I trust the Members will really consider this from the proper standpoint. We ought to have some safeguards against those foreign laborers who come here, some of whom do not want to go back to their home country. That is what many, many thousands are going to do in the future if we pass this blanket relief measure today. It will be a precedent not easily set aside.

Mr. NORRELL. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. SHEPPARD].

Mr. SHEPPARD. Mr. Speaker, I am not going to make any presentation here in behalf of trying to save $25 for some person in California or elsewhere because I do not think it is the thing for me to do under the circumstances in which this situation is being discussed. However, I do say this: We who are here functioning in legal concepts should take considerable thought when we saddle upon an American citizen an impossible situation, to wit, you ask the farmer to take charge of a body and then you put him in the penitentiary if he does not if our laws are applied. It does not look to me like good legislation.

Let me say to those who are protesting this proposal because of the possible results on our national economy, on my desk this morning was a report on the manpower available within the United States. It was supplied by one of our departments of Government. This report clearly indicates that insofar as the wartime requirements are concerned at present our ability to have agricultural help has reached a period of oblivion. We, in the West and the Midwest, who are using this system to get crops onto the market and produce them for the requirements that presently prevail have to have help from some source. If this Congress is going to quibble about jurisdiction over a proposal of this character, it is about time we folded up and went home.

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

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

Mr. WHITTINGTON. Is it not true that if this amendment is agreed to substantially the same situation will obtain as did obtain prior to a year ago, when this bond was first required?

Mr. SHEPPARD. There is no question about it.

Mr. PHILLIPS of California. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. PHILLIPS of California. The gentleman from Pennsylvania [Mr. EBERHARTER] said this would encourage people to come in in the future. The fact is that this refers only to the past season, not even to the present season. This is the mopping up of the little cases they were unable to trace down and send back.

Mr. SHEPPARD. That is all this proposal does.

Mr. NORRELL. Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Mrs. DOUGLAS].

Mrs. DOUGLAS. Mr. Speaker, one of the Members, the gentleman from Georgia [Mr. PACE], I believe, referred to the fact that I have been interested in migrant labor in our State of California. I have been interested in migrant labor—not just Mexican migrant labor, may I point out, but American migrant labor. Last winter children died in the San Joaquin Valley from starvation—the children of American migrant workers.

Mexicans, under an agreement with the Mexican Government, were brought into the United States as agricultural workers during the war because we did not have the manpower to produce the food that was essential to win the war. After the war was over we continued to bring Mexicans to the United States as agricultural workers. Actually, when we look at the figures we see that more Mexicans have come in illegally than

legally. We continued to import foreign labor even when we had unemployment in the fields.

This whole question as to whether or not we ought to continue to import agricultural labor has been heatedly debated for the past 2 years. It is a very big question. It is a question that affects not only the farmers, it is a question that affects farm employees, American men and women, who earn their living working in the fields.

In California we have had unemployment in the fields. Children died last winter from malnutrition.

The President has appointed a commission to study all the facts relating to labor in the fields and to make recommendations in relation to the further importation of Mexican labor.

I do not believe the pending amendment should be added to an appropriation bill.

Mr. NORRELL. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Speaker, I do not purport to be an authority in the field of migratory labor, but I do have a very keen recollection of the time not so long ago when the farmers of the South and West were so anxious to obtain this labor and were coming to the Congress and asking for help to obtain it from Mexico.

The Congress in effect, as I recall it, said: "Yes; we will be glad to help you to get Mexican labor, providing among other things, you sign a bond—a very small bond—to see to it that at the conclusion of the employment of any laborer that you hire, the laborer is returned across the border into Mexico."

The employers undertook that obligation freely. I am sure they were glad to undertake the obligation in order to have the benefit of the migratory labor from Mexico.

Now it is suggested that the present system is not practical, that it is not working fairly and that in place of the required bond it would be preferable to allow the employer to withhold part of the worker's pay as a guaranty of his return to Mexico.

There may be some better plan than that which is now in effect on the statute books, but if we agree to the motion now pending and the House recedes and concurs, the presumption will be that every migratory worker—every one of the hundreds of thousands of workers—who have come across the border from Mexico has returned to Mexico, in the absence of definite evidence to the contrary.

I think that is going altogether too far. I think it is unfair to American labor.

I think, as a previous speaker has suggested, that if there are any changes to be made in the present law, they ought to be made after consideration by a legislative committee and not in connection with this appropriation bill.

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

Mr. WIGGLESWORTH. I yield.

Mr. GATHINGS. The gentleman stated something about the hundreds of thousands of Mexicans at large in this country. I just want to say to the gentleman that there are only 10,000 of them that have been unaccounted for and have not gone back across the border through the regular channels of the Immigration Service. It is believed that 9,000 out of the 10,000 are back home with their families.

Mr. WIGGLESWORTH. If they are in fact back home, it would seem to be a very simple matter to establish the fact. I referred to the number of migratory laborers who have come across the border into this country.

Mr. GATHINGS. In every instance, every time the Immigration Service has apprehended one of these Mexican nationals, and have carried them back down there, the farmer has paid the cost of that transportation.

Mr. WIGGLESWORTH. I think the employers who signed the bonds ought to honor them.

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

Mr. NORRELL. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Speaker, I am certainly in favor of this amendment. I would like to ask the Members of the House where they think the farmers are going to get workers in the next 5 to 10 years to produce the foods, fats, and fibers needed in the United States? We are raising an army. You go out in the farm districts of the central West, and the Rocky Mountain region, and the Southwest and Southern States today and show me any supply of labor that you can depend upon. You will have to bring them in from old Mexico and from Jamaica, and from the British West Indies and from Puerto Rico, and from any other place that you can find farm workers, if you can get them at all. There is no reason why the farmer should have to pay what the amendment would cancel out. If the national has returned across the border into old Mexico, then there is no justice in our forcing the farmers to pay such a bond if a man has been returned; why is it so utterly impossible for an agricultural operator to get consideration in matters of this kind in the face of the fact that this Congress and previous Congresses have marched down the line and given labor their power under various collective bargaining agreements which pushes the price of manufactured products, which the farmer has to pay, higher and higher and higher? If you want him to support the economy, let the farmer live also. I do not have anything against organized labor or against any other group of our people, but I insist if you are going to do everything in the name of organized labor, if you are going to support your economy, once in a while you will have to think a little bit about the man who runs the farm and tills the soil of the United States, and the wage he is to get for his work.

I am for the amendment and hope it is adopted.

The SPEAKER. The time of the gentleman from Michigan [Mr. CRAWFORD] has expired.

Mr. NORRELL. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, I hope the Members will listen to me for just a moment so that I will have a chance to call attention to some facts in regard to the pending motion.

For many years we have had some Mexican laborers come into this country to assist in gathering our crops during peak seasons. Up until this past year they have worked that matter out on a different basis from that which prevailed last year. For last year the State Department required this bond. The Congress did not pass any law requiring this identical bond, but the State Department, in trying to work it out, worked out this bond. I want to call attention to the fact that the bond requires the farmer to turn these Mexican nationals back over to the immigration authorities else he forfeits $25. The farmer has no right to arrest such Mexican or to hold him or to take him, and if the man runs away the farmer is helpless to go and get him because he will not work or runs off home.

Let us see what this amendment does. The amendment does not free the farmer from paying the $25. It provides that "in the absence of any evidence to the contrary, it is presumed the man has gone back home." Under the amendment if there is any proof or rather any evidence that the Mexican national is not back home, the farmer would still pay the bond. But the State Department, in the exercise of its discretion and judgment, has held to a rather hard and fast rule. They have even held that the farmer had to pay the $25 bond, although the farmer had written a letter to the man at his old home in Mexico and the man had received it and the farmer had got his return receipt. But they held even then that the farmer had to pay the bond. That policy is too harsh and is unfair. So it was that this amendment was written, which says this, that in the absence of any evidence—not conclusive evidence, but in the absence of any evidence—if the man ran off and is gone, it is presumed that he went back home. If there is any evidence to the contrary, you can proceed with the collection of this bond.

Now, here is the one further fact you should consider: True it is, that if there is work to be done in this United States, we want American people to have the right to do it first. I tell you however that in the section I know of local labor will have the right to do the work first because if you have ever farmed and have had to go through the State Department and sign these contracts guaranteeing the type of houses, guaranteeing everything under the sun that they require, you would put up with even very trifling labor before you would go through that red tape to obtain Mexican workers. But we are in war. I just attended a meeting of the cotton people, where the demands of this Government for cotton production for next year were submitted. They are almost unbelievable. We cannot meet the Government's demands in that field or many other fields unless we use all the American labor available and such other as we may be able to get on the right kind of terms and conditions. If you will approve the pending motion. I believe

the Immigration Service will work out a sound program for the use of this labor this year. The system calling for this type of bond is impractical.

Mr. NORRELL. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas [Mr. NORRELL].

The question was taken; and on a division (demanded by Mr. ROONEY) there were: ayes 81; noes 34.

Mr. ROONEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken and there were—yeas 160, nays 172, not voting 97, as follows:

[Roll No. 281]

YEAS—160

Abbitt	Elliott	Murray, Wis.
Abernethy	Engle, Calif.	Norblad
Albert	Evins	Norrell
Allen, Calif.	Fisher	O'Hara, Minn.
Andersen, H. Carl	Frazier	Pace
Andresen, August H.	Fugate	Passman
Andrews	Gathings	Patman
Arends	Gore	Peterson
Aspinall	Gossett	Phillips, Calif.
Barden	Grant	Phillips, Tenn.
Battle	Gross	Pickett
Beall	Guill	Preston
Beckworth	Hagen	Priest
Bentsen	Halleck	Rankin
Blackney	Harden	Rees
Boggs, La.	Hare	Regan
Bonner	Harris	Richards
Boykin	Harvey	Riehlman
Bramblett	Hays, Ark.	Rivers
Brooks	Herlong	Robeson
Brown, Ga.	Hobbs	Rogers, Fla.
Brown, Ohio	Hoeven	Sanborn
Bryson	Holmes	Scrivner
Burdick	Hope	Scudder
Burleson	Horan	Sheppard
Byrnes, Wis.	Hull	Sikes
Camp	Jackson, Calif.	Simpson, Ill.
Cannon	Jackson, Wash.	Sims
Carlyle	Jenison	Smathers
Chatham	Jensen	Smith, Kans.
Chelf	Johnson	Smith, Va.
Chiperfield	Jones, Ala.	Smith, Wis.
Cole, Kans.	Jones, Mo.	Steed
Colmer	Jones, N. C.	Stigler
Combs	Judd	Stockman
Cooper	Kilday	Tackett
Cox	Kruse	Talle
Crawford	Lanham	Teague
Cunningham	LeCompte	Thomas
Curtis	Lovre	Thompson
Dague	McDonough	Tollefson
Davies, N. Y.	McMillan, S. C.	Trimble
Davis, Ga.	Mahon	Velde
Davis, Tenn.	Mansfield	Wheeler
Davis, Wis.	Marsalis	White, Calif.
Deane	Marshall	Whitten
DeGraffenried	Mason	Whittington
D'Ewart	Miles	Wickersham
Dolliver	Miller, Nebr.	Williams
Doughton	Mills	Wilson, Ind.
Durham	Mitchell	Wilson, Okla.
Eaton	Monroney	Wilson, Tex.
	Morris	Winstead
	Murdock	Wolcott

NAYS—172

Addonizio	Bolling	Carroll
Auchincloss	Bolton, Md.	Case, N. J.
Bailey	Bolton, Ohio	Cavalcante
Baring	Brehm	Celler
Barrett, Pa.	Buchanan	Chesney
Bates, Mass.	Buckley, Ill.	Chudoff
Bennett, Fla.	Burke	Clemente
Bennett, Mich.	Burnside	Clevenger
Biemiller	Burton	Cole, N. Y.
Bishop	Byrne, N. Y.	Corbett
Blatnik	Canfield	Cotton
Boggs, Del.	Carnahan	Crook
Davenport	Karsten	Price
Delaney	Kean	Rabaut
Denton	Kearney	Ramsay
Dondero	Kearns	Reed, N. Y.
Donohue	Keating	Rhodes
Douglas	Kee	Ribicoff
Eberharter	Kelley, Pa.	Rich
Elston	Kelly, N. Y.	Rodino
Fallon	Kennedy	Rogers, Mass.
Feighan	Keogh	Rooney
Fenton	Kilburn	Roosevelt
Flood	King	Sadlak
Fogarty	Kirwan	St. George
Forand	Lane	Sasscer
Ford	Latham	Saylor
Gamble	Lind	Scott, Hardie
Garmatz	Linehan	Scott, Hugh D., Jr.
Gary	Lodge	Secrest
Gavin	McConnell	Shafer
Golden	McCulloch	Short
Goodwin	McGrath	Simpson, Pa.
Gorski	McGregor	Spence
Graham	McGuire	Staggers
Granahan	McKinnon	Stanley
Granger	McSweeney	Stefan
Green	Mack, Ill.	Sullivan
Gwinn	Macy	Sutton
Hale	Madden	Taber
Hardy	Magee	Tauriello
Harrison	Marcantonio	Taylor
Hart	Martin, Mass.	Underwood
Hays, Ohio	Merrow	Wadsworth
Hedrick	Michener	Wagner
Heffernan	Miller, Md.	Walsh
Herter	Morgan	Walter
Heselton	Morton	Weichel
Hoffman, Mich.	Multer	Welch
Howell	Nelson	White, Idaho
Huber	O'Brien, Ill.	Widnall
Irving	O'Hara, Ill.	Wier
Jacobs	O'Neill	Wigglesworth
James	O'Sullivan	Wolverton
Javits	O'Toole	Wood
Jenkins	Patterson	Yates
Jennings	Polk	
Karst	Powell	

NOT VOTING—97

Allen, Ill.	Hébert	Patten
Allen, La.	Heller	Perkins
Anderson, Calif.	Hill	Pfeifer, Joseph L.
Angell	Hinshaw	Pfeiffer, William L.
Barrett, Wyo.	Hoffman, Ill.	Philbin
Bates, Ky.	Holifield	Plumley
Bosone	Jonas	Poage
Breen	Keefe	Potter
Buckley, N. Y.	Kerr	Poulson
Case, S. Dak.	Klein	Quinn
Christopher	Kunkel	Rains
Cooley	Larcade	Redden
Coudert	LeFevre	Reed, Ill.
Crosser	Lichtenwalter	Sabath
Dawson	Lucas	Sadowski
Dingell	Lyle	Shelley
Dollinger	Lynch	Smith, Ohio
Doyle	McCarthy	Thornberry
Ellsworth	McCormack	Towe
Engel, Mich.	McMillen, Ill.	Van Zandt
Fellows	Mack, Wash.	Vinson
Fernandez	Martin, Iowa	Vorys
Fulton	Meyer	Vursell
Furcolo	Miller, Calif.	Werdel
Gillette	Morrison	Whitaker
Gilmer	Moulder	Willis
Gordon	Murphy	Withrow
Gregory	Murray, Tenn.	Woodhouse
Hall, Edwin Arthur	Nicholson	Woodruff
Hall, Leonard W.	Nixon	Young
Hand	Noland	Zablocki
Havenner	Norton	
	O'Brien, Mich.	
	O'Konski	

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Whitaker for, with Mr. Murphy against.

Mr. Bates of Kentucky for, with Mr. Heller against.

Mr. Gregory for, with Mr. Havenner against.

Mr. Hébert for, with Mr. Miller of California against.

Mr. Morrison for, with Mr. Shelley against.

Mr. Gilmer for, with Mr. Klein against.

Mr. Kerr for, with Mr. Holifield against.

Mr. Larcade for, with Mr. Buckley of New York against.

Mr. Rains for, with Mr. Dollinger against.

Mr. Redden for, with Mr. Philbin against.

Mr. Perkins for, with Mr. Gordon against.

Mr. Cooley for, with Mr. Moulder against.

Additional general pairs:

Mr. Sadowski with Mr. Van Zandt.

Mrs. Norton with Mr. Nicholson.

Mrs. Bosone with Mr. Allen of Illinois.

Mr. Lucas with Mr. Jonas.

Mr. McCarthy with Mr. Woodruff.

Mr. O'Brien of Michigan with Mr. Withrow.

Mr. Thornberry with Mr. Vursell.

Mr. Sabath with Mr. Reed of Illinois.

Mr. Patten with Mr. Poulson.

Mr. Furcolo with Mr. Case of South Dakota.

Mr. Breen with Mr. Angell.

Mr. Lyle with Mr. Ellsworth.

Mr. Doyle with Mr. Coudert.

Mr. McCormack with Mr. Fulton.

Mr. Vinson with Mr. Fellows.

Mrs. Woodhouse with Mr. Meyer.

Mr. Young with Mr. Nixon.

Mr. Zablocki with Mr. Martin of Iowa.

Mr. Noland with Mr. Mack of Washington.

Mr. Fernandez with Mr. Gillette.

Mr. Dingell with Mr. Hand.

Mr. Willis with Mr. Vorys.

Mr. Dawson with Mr. Potter.

Mr. Allen of Louisiana with Mr. Hoffman of Illinois.

Mr. UNDERWOOD changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. ROONEY. Mr. Speaker, I move that the House insist on its disagreement to the amendment of the Senate No. 24.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 25: Page 13, line 3, insert:

"LAND ACQUISITION, ADDITIONAL WASHINGTON AIRPORT

"For expenses for the acquisition of land, interests therein, and appurtenances thereto, for the site and appurtenant facilities, for an additional public airport within or in the vicinity of the District of Columbia, as authorized by Public Law 762 of the Eighty-first Congress, approved September 7, 1950, to remain available until expended, $2,150,000, of which not to exceed $250,000 shall be available for administrative expenses of the Civil Aeronautics Administration in connection therewith, including personal services in the District of Columbia, printing and binding and services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a)."

Mr. ROONEY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. ROONEY moves that the House recede from its disagreement to the amendment of the Senate numbered 25, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"LAND ACQUISITION, ADDITIONAL WASHINGTON AIRPORT

"For expenses for the acquisition of land, interests therein, and appurtenances thereto, for the site and appurtenant facilities, for an additional public airport within or in the vicinity of the District of Columbia, as authorized by Public Law 762 of the Eighty-first Congress, approved September 7, 1950, to remain available until expended, $1,000,000."

Mr. ROONEY. Mr. Speaker, in behalf of the managers on the part of the House, I offer this motion to recede and concur with an amendment, which would reduce the amount for acquisition of land for the additional Washington airport from $2,150,000 to $1,000,000.

Most all legislation is finally arrived at as the result of compromise.

In this particular instance, the majority of the conferees, for whom I now speak, conscientiously felt that $1,000,000 would be sufficient at this time to start the project of acquiring land for the additional Washington airport. As far as I am personally concerned I see no saving in this reduction as the full amount will eventually have to be paid.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from New York [Mr. ROONEY].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 26: Page 13, line 17, insert:

"NATIONAL BUREAU OF STANDARDS

"CONSTRUCTION OF LABORATORIES

"For an additional amount to carry out the purpose of the appropriation 'Construction of laboratories' provided in the General Appropriation Act, 1951, $1,900,000, to remain available until expended: *Provided*, That this additional appropriation shall be in lieu of the amount appropriated and of the contract authorization for construction of a guided missile laboratory contained in the aforementioned act: *Provided further*, That this appropriation shall be available for modification and improvements to existing buildings and facilities at Corona, Calif., and such other expenses as may be necessary in relocating the National Bureau of Standards guided missile laboratory: *Provided further*, That upon this property being declared surplus by the Department of the Navy and its transfer and use being approved by the General Services Administrator, the Department of Commerce shall take full legal title thereto without reimbursement therefor."

Mr. ROONEY. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

Mr. PHILLIPS of California. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. ROONEY. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. SHEPPARD].

Mr. SHEPPARD. Mr. Speaker, I would like to call attention to what I consider a rather appealing factor involved in this proposal as it comes over from the Senate, and I would like in particular to address myself to those Members of the House who have been recognized as the economy bloc. At the inception of World War II the Navy requested appropriations for hospital facilities in California. There existed in California property that was very adaptable to their purposes. We of the Congress appropriated a total of $17,000,000-plus for the purpose of acquiring this property and converting it into a military hospital. In the early part of this year and due to the type of relinquishment orders emanating from the Secretary of Defense this particular property at Corona, Calif., was declared surplus to the requirements of the United States Navy. Shortly thereafter there appeared a request on the part of the Veterans' Administration for additional appropriations to construct a hospital in accordance with their plans of construction procedure they had in mind. Several Members, not all from California, called upon the Veterans' Administration to take advantage of the institution that was all ready to operate which had been paid for by taxpayers' funds. For some good reason I have never been able to ascertain, the Veterans' Administration rejected the opportunity to save the taxpayers of this country $17,000,000 plus, and are as far as I know at the moment continuing their plan to construct a new hospital some 42 or more miles from the present site of the Corona Hospital project. However, that is water over the dam so far as the situation seems to prevail at the moment.

There has been, as you know, provided in military requirements a large portion of electronic scientific investigation of laboratory character that is headed up in the National Bureau of Standards, and a large part of that electronics application has to do with guided missiles. We have on the west coast in Inyokern a project that is applying all of its effort to the development of long-range guided missile operations, and today you have millions of dollars invested in that operation. You have another operation at Point Mague, Calif., dealing with the shorter range factors of the same function. The Bureau of Standards operation would take place if this paragraph were permitted to remain in the bill within the mileage range of 62 miles plus from Inyokern and about 62 miles from Point Mague. We are confronted with a situation of saving some money, and I call this specifically to the attention of my friends on the committee and Members of the House. When you talk about economy, are you willing to practice it when everything is handmade to accomplish that purpose? We have here a department of government that already has under this proposal $1,900,000 to remain available until expended for the purpose of having the Bureau of Standards provide the wherewithal and structures to perform its function and its laboratorial requirements; on the other hand, you have this taxpayers' monument that is presently costing $28,000 plus a month to remain in a standby status.

I want to say to my friends on the right-hand side of the aisle, do not expect me to go back to California and try to defend the kind of an operation that causes unnecessary expense because I cannot and will not do it.

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

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

Mr. SHORT. I want to take this opportunity to tell the Members of the House that the gentleman from California [Mr. SHEPPARD], who is chairman of the Subcommittee on Appropriations for the Armed Services, has done a magnificent job, has always been open-minded, sympathetic, considerate, and kind to any of our claims.

Now in just about 7½ minutes we are going to meet over in the office of our distinguished chairman of the Armed Services Committee with the Secretary of War. This is not a clandestine meeting, although it is secret. I want the world to know that we are going to meet in there and we are going to consider this hospital situation. It is simply desperate. Without revealing any secrets I can say that the Air Force has only about one-third of its requirements, the Army has only 40 percent of its requirements, the Navy can pretty well take care of itself for the next few weeks unless it is called upon to furnish beds for others. This is something I am announcing now because every Member of the House on both sides of the aisle is going to hear a lot about it.

In closing I want to thank the gentleman from California [Mr. SHEPPARD], who has always fought in season and out of season for the rights and benefits that our veterans deserve.

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

Mr. ROONEY. Mr. Speaker, I yield the distinguished gentleman from California three additional minutes. Mr. Speaker, will the gentleman yield to me?

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

Mr. ROONEY. Mr. Speaker, I must compliment the gentleman from Missouri [Mr. SHORT] for the contribution he has made to this debate. He has just made the most convincing statement possible on behalf of the position taken by the House conferees with regard to this item, which I shall shortly explain in detail.

Mr. SHORT. Mr. Speaker, I do not want to trespass upon your time because I must leave shortly, but, Mr. Speaker, every single one of you who represent from 280,000 to 500,000 people is going to be confronted with this proposition. May I say, Mr. Speaker, that our casualties are far greater than most Members or the American people know. Again I want to thank the gentleman from California, HARRY SHEPPARD, who is in season and out of season, in Congress and out of Congress, seeing to it that we have adequate facilities. That is all I have to say.

Mr. SHEPPARD. I thank the gentleman from Missouri. I appreciate the courtesy he had shown me. However, I am not the chairman of the Armed Services Appropriations Committee. I have the distinction of being its vice chairman.

Mr. SHORT. The gentleman is a powerhouse.

Mr. SHEPPARD. I was chairman of the committee, with the acquiescence of this Congress, that appropriated the funds in the original $17,000,000 to buy the Corona hospital. And I say this to my friend the gentleman from Missouri [Mr. SHORT], I want it understood that I am not in any manner attempting to take away from the military its hospital requirements, and if you at this time are prepared to tell me that you and your committee are going to see that this $17,000,000 of expenditure is going to be used, I will back away from this issue. But, in the absence of an assurance, do not expect me to go out west ar any other place and try to justify this institution standing idle. I expect common sense to prevail to the extent this property is used by some department of Government especially for a hospital if demands justify its use for that purpose.

Mr. ROONEY. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. PHILLIPS].

Mr. PHILLIPS of California. Mr. Speaker, this is a very simple proposition. This property has cost the United States Government some 15 or 17 million dollars. It is not in use. It was used for a hospital, but it was not originally intended for a hospital. It is adapted to the use needed by the Bureau of Standards for war experiments. By this change of language, which appropriates no additional money, you tell the Department of Commerce to save the money which it would otherwise spend on duplicate buildings for the Bureau of Standards. You say it shall use buildings that are already owned by the Government. There is an immediate saving, Mr. Speaker, of at least $1,300,000 and all the subsequent savings which would come with the additions which the Bureau would request in the future.

The final sentence of the wording in the supplementary bill says that it must be approved by the General Services Administration, and if GSA believes it would be better used for some other purpose, it would not be approved for this. No additional money is appropriated. There is a marked saving of money by an aye vote upon my preferential motion.

Mr. Speaker, I understand—this is perhaps just rumor—that the principal argument advanced against using the buildings for the Department of Commerce was that the United States Government might sell them for 15, 16, or 17 million dollars. Mr. Speaker, that is neither correct in fact nor is it correct in experience. We know that the United States Government does not sell buildings it had during war for what it paid for them. We know that it sells for a small price and it sells at a discount up to 90 percent for educational or health usage. An economy vote on this bill is a vote for the preferential motion to recede and concur.

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

Mr. PHILLIPS of California. I yield to the gentleman from New York.

Mr. KEATING. Under whose jurisdiction is this building?

Mr. PHILLIPS of California. It was just released by the Department of the Navy in order that the Department of Commerce, which had requested it, might have it. It is now in the process of being requested by the Department of Commerce, which has the authority to build a brand new building, but the Bureau of Standards would prefer to use the building which exists. This change of language in the bill now before us supports the request.

Mr. KEATING. If the General Services Administration felt that it was more necessary as a hospital than for this purpose, it could still be used for a hospital under the gentleman's preferential motion?

Mr. PHILLIPS of California. The gentleman is correct. If the General Services Administration felt that it was not desirable for this purpose, the final sentence of the wording in the bill says that the approval of the General Services Administration must be given.

Mr. KEATING. In other words, do I understand this proviso is discretionary and not mandatory so far as the General Services Administration is concerned?

Mr. PHILLIPS of California. My friend from New York is saying that that is not so, but I say it is so.

Mr. KEATING. Which friend from New York is the gentleman talking about?

Mr. PHILLIPS of California. The gentleman from New York [Mr. ROONEY]. I say that that is so and the wording so indicates in that sentence which says "Provided, further, that this property being declared surplus by the Department of the Navy and its use approved by the General Services Administration." That approval by the GSA is the stipulation to which the gentleman from New York [Mr. KEATING] refers. I say that it will be used for the best purposes, and that the economy program will be served by my motion.

Mr. ROONEY. Of course, the gentleman from California knows we are talking about a laboratory for the guided-missile program of the National Bureau of Standards?

Mr. PHILLIPS of California. And other war experiments.

Mr. ROONEY. And surely the gentleman from California realizes that when we set up such a laboratory we are not going to set it up to have them move out in 4 or 5 months?

Mr. PHILLIPS of California. I know we are setting it up for permanent experimental work for the Department of Commerce.

Mr. ROONEY. Will the gentleman now change the answer he made to the question of the gentleman from New York [Mr. KEATING]? I am gratified that the gentleman from California indicates that I am correct.

Mr. PHILLIPS of California. If the Department of Commerce gets it, with the approval of the Government Services Administration, to be used for that, I know we will save a year and a half of valuable time in the war crisis which exists today. If the House, or any committee, feels it should be reopened for hospital use, then I hope some action to that end will be taken immediately. Today we have a $17,000,000 property standing unused in California.

Mr. ROONEY. Mr. Speaker, I now yield myself 5 minutes.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. ROONEY. I shall gladly yield to the distinguished gentleman from New York.

Mr. TABER. I should like to have the gentleman develop, if he can, just what the present situation is with reference to this laboratory, as to whether or not the money has been appropriated, where, and how this thing would operate. It is rather in a jumble.

Mr. ROONEY. I may say to the gentleman from New York that that is exactly what I am now going to attempt to demonstrate.

The National Bureau of Standards is admittedly in need of a laboratory building for its guided-missile program. The Committee on Appropriations and the subcommittee of which I have the honor to be the chairman is thoroughly in accord with the necessity for that program and its objectives. At the time of consideration of the regular omnibus appropriation bill for fiscal year 1951, the National Bureau of Standards, with the approval of the administration and the Bureau of the Budget, asked the committee for $1,900,000 to construct such a laboratory. The committee gave it to them in toto, as did the House and Senate, and the omnibus appropriation bill has now become a public law. The National Bureau of Standards, therefore, has $1,900,000, the total amount they asked for, for the construction of a new laboratory for their exact purpose.

The gentleman from California [Mr. PHILLIPS] would have us on this day and under the circumstances recounted by the gentleman from Missouri [Mr. SHORT] turn over to the National Bureau of Standards a palatial hospital in which the Government has a capital investment of $13,000,000 and which is not fitted for this purpose at all. Are you going to move part of the equipment of the National Bureau of Standards here in the District of Columbia out to this beautiful former hotel at Corona, Calif., the cost of replacement of which is about $40,000,000, and which has an outdoor swimming pool with a grandstand and indoor marble baths? Are you going to move the National Bureau of Standards insofar as this one project, guided-missiles, is concerned, out to this palatial hotel hospital, which has an artificial lake, when all they need is a brand new building fitted for their purposes, which they can construct for $1,900,000, which money they already have?

Further, let me point out in connection with using this beautiful hospital building on the west coast, the floor load there is only 50 pounds a square foot, while the floor load presently used by the National Bureau of Standards here in Washington is at least 150 pounds a square foot.

The gentleman from California, for whom I have the highest respect, my distinguished friend [Mr. SHEPPARD], said that this was an opportunity to save the taxpayers of this country $17,000,000-plus. That is not the fact. I regret that I must differ with him, because I know how hard he has worked to get the Bureau of Standards to take over the Corona property.

You have a valuable property at Corona owned by the Government, which could be sold for far in excess of $1,900,000, for which amount you would have a new building erected specifically for a laboratory. Or, in line with the remarks of the gentleman from Missouri [Mr. SHORT], this property can immediately, and for only $400,000, be reactivated as a 1,000-bed military hospital. It is right on the west coast. It does not need to be converted into a hospital. It can be reactivated as a 1,000-bed hospital at a cost of only $400,000.

The present request to take over this palatial and valuable California property is the idea of Dr. Condon, the Director of the Bureau of Standards, and is not as far as I know the idea of the Bureau of the Budget or of the administration.

There has been no approval of this request, although the matter had been

pending for some time, by the Bureau of the Budget. Furthermore, prominent doctors have said that it is the finest tuberculosis hospital in the world, a hospital which under present world conditions and with the military action now taking place in the Pacific, can be reactivated at a cost of only $400,000.

I further want to point out to the House that the area of this property at Corona, Calif., is 715 acres, with approximately 1,500,000 square feet of floor space. About 500,000 square feet is for warehouse purposes. Of the remaining 1,000,000 square feet, only 100,000 square feet would be used for the guided-missile laboratory. The National Bureau of Standards proposes to hold the other 900,000 square feet for possible new facilities that the Bureau might need for other work and for possible setting up of duplicate facilities to those they now have. Inasmuch as it is located near the coast, decentralization value is doubtful.

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

Mr. ROONEY. I yield.

Mr. GAVIN. I want to compliment the gentleman on his very fine statement. This morning we listened to the men who are in a position to know. And from what they tell us, this hospital situation is a critical one, and before we get through we will need every available hospital and every available hospital bed that we have. To make such a change now and convert this hospital, which would be available almost immediately for rehabilitation, and reactivation, into some sort of electronic laboratory would be a very drastic mistake. My friend the gentleman from Missouri, DEWEY SHORT, pointed out here a few moments ago that we are now going to assemble to discuss this hospital question. I want to state to the Members here that this situation is a serious one and under no circumstances should we tamper with this hospital, which can be made available for use any time the need may arise.

Mr. ROONEY. The gentleman is absolutely correct; I thank him.

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

Mr. ROONEY. I yield.

Mr. RICH. I congratulate the gentleman, too, on his very fine statement, because if we are going to take care of the veterans in line with the legislation that the Congress has already passed and in view of the demands that are going to be made to build hospitals, we do not want to give up any hospitals that we may now have for any other purpose of government. Furthermore, if what the gentleman says is correct, we are going to be able to build the building for a great deal less than what this hospital cost.

Mr. ROONEY. Yes; the new laboratory building will only cost $1,900,000.

Mr. RICH. It is about time the Congress of the United States got a little common sense here and tried to economize. This is the place to economize.

Mr. ROONEY. I thank the gentleman for acknowledging my common sense.

Mr. PHILLIPS of California. Mr. Speaker, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. PHILLIPS of California. The gentleman from New York knows that we do not resist the idea of a hospital. The gentleman from New York, however, should tell you, Mr. Speaker, that the departments to whom this has been offered as a hospital have turned it down as not being suitable for that purpose. It is more suitable for the purpose for which it is now proposed to be used. I want to ask the gentleman a question.

Mr. ROONEY. At this point may I say that the gentleman from California is again incorrect, because in the proposed agreement between the Navy Department and the National Bureau of Standards there is a recapture clause. The gentleman is familiar with that, is he not?

Mr. PHILLIPS of California. My question is this: You say that all that is involved is $1,900,000 on one side and the cost of this property on the other. The gentleman has been here a long time. Did he ever know any agency of Government to start out with only one building and then stop there? Has he not ever heard of them asking for more buildings and more buildings and more buildings? They would be available immediately, in this institution.

Mr. ROONEY. The gentleman well knows I am generally always suspicious of appropriations requests, and that I proceed on the premise that the department or agency must convince me as one Member of the House and of the Appropriations Committee that the amount they ask for is absolutely necessary. In this particular instance I am thoroughly convinced that we must as soon as possible have a guided-missile laboratory.

We have already given them the full amount requested for this purpose, $1,900,000. Let us have a new laboratory building built expressly for that purpose and not take over a palatial hotel, a $40,000,000 hotel, with swimming pool and grandstand and everything else, except a golf course.

Mr. Speaker, I now ask that the House vote down the motion of the gentleman from California to recede and concur, so that the House may further insist upon its disagreement with the other body insofar as this item is concerned.

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

Mr. ROONEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from California [Mr. PHILLIPS].

The question was taken; and on a division (demanded by Mr. PHILLIPS of California) there were—ayes 7, noes 84.

So the motion was rejected.

Mr. ROONEY. Mr. Speaker, I move the previous question on the motion to insist on the disagreement of the House to the Senate amendment.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from New York [Mr. ROONEY].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 27: Page 14, line 22, insert the following:

"SHIP CONSTRUCTION

"The appropriation and contract authority made available for 'Ship construction' by the General Appropriation Act, 1951, shall be available for the purchase or requisition of vessels under authority now or hereafter vested in the Secretary of Commerce."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 36: Page 18, line 10, insert the following:

"PROMOTION AND FURTHER DEVELOPMENT OF VOCATIONAL EDUCATION

"For an additional amount for carrying out the provisions of section 3 of the Vocational Education Act of 1946 (20 U. S. C. 15), section 4 of the Act of March 10, 1924 (20 U. S. C. 29), section 1 of the Act of March 3, 1931 (20 U. S. C. 30), and section 1 of the Act of March 18, 1950, Public Law 462, Eighty-first Congress, $3,457,240: *Provided*, That the apportionment to the States under the Vocational Education Act of 1946 shall be computed on the basis of not to exceed $23,267,00 for the current fiscal year."

Mr. FOGARTY. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 38: Page 18, line 22, insert the following:

"For an additional amount for 'Salaries and expenses,' Office of Education, $347,000: *Provided*, That this paragraph shall be effective only upon enactment into law of H. R. 7940, Eighty-first Congress."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 38, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$173,500."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 39: Page 19, line 1, insert the following:

"For an additional amount for 'Salaries and expenses', Office of Education, $665,000; *Provided*, That this paragraph shall be effective only upon enactment into law of S. 2317, Eighty-first Congress."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 39, and concur therein with an amendment, as follows: In

lieu of the sum named in said amendment insert "$332,500."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 40: Page 19, line 5, insert the following:

"PAYMENTS TO SCHOOL DISTRICTS

"For payments to local educational agencies for the maintenance and operation of schools as authorized by law, $23,000,000: *Provided*, That this paragraph shall be effective only upon enactment into law of H. R. 7940, Eighty-first Congress."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 40, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$11,500,000."

Mr. BARDEN. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. BARDEN moves that the House recede and concur in Senate amendment No. 40.

Mr. FORAND. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Speaker, Senate amendment No. 40 deals with the $23,000,000 that was put in by the Senate to take care of payments to the school districts as provided in the bill H. R. 7940. There is a provision following in amendment No. 41 that appropriates money for construction purposes.

This item was not before the House when this appropriation bill was considered in the House; it was inserted in the Senate. The Committee on Education and Labor has been working on this bill for a good part of the year, and subcommittees went all over the country, as you have heard before, and as you understood when the bill was passed.

There is a certain amount of cost involved in this, and this bill includes money for the operation of some of the schools on military bases that heretofore have been paid for 100 percent by the military, the Army, the Navy, and the Air Corps. These branches of the military service want to get out of the school business, and that is why this bill was passed.

When it comes to fixing the amount, the Budget Bureau cut it lower than we thought it could be operated on, which was $23,000,000. We took into consideration the fact that it would not be very long before the first of the year and that the balance of the amount probably could be appropriated later in the year.

What the conference did was simply to take a pencil and divide the amount by 2.

How are you going to operate a school, how are you going to employ teachers, how are you going to pay salaries if you cannot guarantee the operation of the school any longer than January 1? I am not afraid of anybody accusing me of being wasteful of public funds, because I do not know of anybody in the House who has been more conservative in that field that I over a long period of years, but to me it is perfectly absurd and foolish to take an appropriation of this kind and think you can provide a logical and practical application by simply taking a pencil and dividing by 2 what all the facts showed was a minimum amount to begin with. If someone could give me some information as to why they did it, I might reason with them; but this takes care of the funds that were provided in the Wier bill; this takes care of the funds that have heretofore been furnished by the Navy and the Army at these base schools, together with taking care of the impacts that are being created by reactivation of these various fields, and so forth. The local communities have suffered terrific impacts.

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

Mr. BARDEN. I yield.

Mr. BAILEY. The gentleman might also state that it includes appropriations for additional school facilities caused by the Wherry Housing Act.

Mr. BARDEN. Of course that is part of this; yes. We must take care of these emergencies. A certain percentage of the rents on this Government housing should be set aside to take care of these impacts caused by the Government, and that was the purpose of the legislation that we brought to the floor of the House: To have the Government take its share of responsibility when it stepped into a locality.

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

Mr. BARDEN. I yield.

Mr. THOMAS. Perhaps it takes 30 to 40 days to prepare the proper estimate of $23,000,000. It is common knowledge that within the next 6 to 12 months many other Federal institutions in the way of plants and so forth will be opened up that were not taken into account when this item of $23,000,000 was prepared.

Instead of $11,500,000 doing the job, it looks like it is going to take nearer thirty to thirty-five million dollars to do the job during the coming fiscal year 1951.

Mr. BARDEN. The gentleman is right. We have trimmed the bill as close as you could trim it. We estimated it would take somewhere in the neighborhood of that. When the Senate put the $23,000,000 in, we were a bit skeptical of that taking care of the direct obligation and responsibilities. Then when they took 23,000,000 and divided it by 2, thereby stating that $11,000,000 will do it, Mr. Speaker, I say it will not do the job. We are just simply nullifying the act.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. FOGARTY. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I am sure there must be some misapprehensions and misunderstanding on the part of the esteemed Appropriations Committee about this matter of Federal aid to those schools which have had to have Federal assistance as a result of the impact upon them because of Federal installations in those respective communities.

In brief, here is the picture: During the war it was found that these communities where thousands of defense workers were brought in could not operate without Federal assistance. In many instances small communities, where the Government had large shipyards, munitions factories, and other defense establishments, had their population doubled, tripled, and even quadrupled. Local revenues were, therefore, totally inadequate for the operation and maintenance of these schools. In fact, the Government even built school buildings running into millions of dollars in order to house this overflow of school population. The Government, also, built thousands of housing units to house these workers, thereby taking valuable property off of the local tax rolls.

The result was the enactment of the Lanham Act, wherein a provision was made for supplementing the budgets of these overcrowded communities for the operation of the swollen school systems. I take some humble pride in the fact that I was instrumental in having that provision written into the Lanham Act.

After the cessation of hostilities, unfortunately, for the school systems, these defense workers did not move out of the communities, and, although the war was over, the children were still in these communities to be educated. Therefore, for the past several years we have had to fight each year on the floor of this House to get adequate assistance to carry on these schools. These appropriations have run around an average of $7,500,000 a year.

But this year the Committee on Education and Labor appropriately saw fit to make a study of the whole situation and to bring in legislation of a permanent nature which would meet the situation.

As a result of this study and its resulting findings that committee introduced and this Congress passed H. R. 7940. Under this bill, in addition to the schools to which I have referred and which have received their assistance through the Lanham and Wier Acts, all other communities with Federal installations, which have heretofore received their funds through the several Appropriations Subcommittees, were brought into the picture. These included such communities and activities as the Atomic Energy Commission schools in Tennessee and the Army and Navy installations throughout the country. In other words, under this bill, H. R. 7940, all of these schools needing Federal assistance to supplement their local budgets as a result of the impact upon the communities from Federal installations were pooled in the one bill. This was an appropriate action.

Now, let us see what has happened and what the Appropriations Committee has done. The following summary gives the picture:

SUMMARY OF REASONS WHY APPROPRIATION RECOMMENDED BY CONFEREES IS INSUFFICIENT

1. Estimate of need by House committee before expansion of defense activities, $32,000,000.

2. Appropriation request by President of $23,000,000 plus $4,900,000 transfer, making total of $27,900,000, which is a minimum.

3. Senate approved this amount.

4. Conferees cut $23,000,000 in half, leaving $11,500,000, plus $4,900,000 transfer.

5. Reasons this is insufficient:

A. H. R. 7940 adds 200 new districts seriously in need but ineligible under temporary legislation of the past few years.

B. Estimate of $32,000,000 made before Korean War.

C. Wherry housing program will place 40,000 to 50,000 new Federal housing units on Federal reservations this year. School district gets no income for most of this housing.

D. Great expansion in existing defense and war production areas.

E. Reactivation of other areas.

It will be observed, therefore, that the Appropriations Committee, in its commendable zeal to make some economies, has just arbitrarily cut the figure placed in the bill by the Senate of $23,000,000 in half.

I repeat that the committee's zeal for economy is commendable. And I believe, further, that no one in this House familiar with my record will charge me with a lack of desire to econmize wherever possible. But it is difficult for me to understand how the Congress can appropriate billions for national defense and for assistance to foreign countries in this fight against communism and at the same time penalize the children of this country by denying them an opportunity for an education. For I emphasize, Mr. Speaker, that if the amendment offered by the distinguished and conservative gentleman from North Carolina, the chairman of the House Labor and Education Committee, does not prevail most of these schools will have to close after about a 4-month term.

Again, Mr. Speaker, I point out that if the committee's action in cutting these funds to $11,500,000 stands, the schools, heretofore receiving assistance under the Lanham and Wier Acts, will receive practically nothing because it is obvious that the children at the Atomic Energy and the Army and Navy installations are not going to be permitted to go without proper educational facilities. In fact, according to the Government agencies' recommendation of $32,000,000 for the over-all program, the eleven and one-half million would not be sufficient to care for the needs of these new items brought in under the new bill. And it is obvious, therefore, that the schools heretofore receiving assistance under the Lanham and Wier Acts would be lucky if they get one million rather than the seven and one-half that they have heretofore been receiving.

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

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

Mr. TABER. I am wondering if the gentleman could tell us what was paid out last year by our different departments for this purpose. I understand this year there is $4,900,000 in one place and there was in 1950 a total of $12,000,000, according to the justification submitted to the committee. Now, then, $4,900,000 plus the $11,000,000 would make approximately $16,000,000, which is more than the current year by quite a considerable amount.

Mr. COLMER. I do not know that I could answer the gentleman accurately or correctly under the circumstances here because I do not have those figures. However, I am informed that last year, for these additional units that I refer to, there was somewhere in the neighborhood of $17,500,000. Now, you bear in mind that in addition to that you have this Wherry housing bill which is for military installations. And, incidentally, all of these estimates were made prior to the Korean situation, so, therefore, you have a greater impact and a greater need for this school aid now than you had prior to the Korean situation.

Mr. Speaker, permit me to say to my colleagues that I think I know something about this problem, having wrestled with it through the past several years. In fact, this problem exists today in three separate communities in my district—Pascagoula, Biloxi, and Moss Point, Miss. And in this connection, Mr. Speaker, I desire to submit the following statement which was incorporated in the report of the Special Investigating Subcommittee of the Committee on Education and Labor with reference to my home town of Pascagoula. The statement, in brief, is as follows:

PASCAGOULA, MISS.

The Pascagoula rural separate school district is located in Jackson County, Miss., on the Gulf of Mexico. During the 1938–39 school year the population of the city was approximately 4,500 with a school enrollment of 920. On about February 1, 1939, the Ingalls Shipbuilding Corp. was established in Pascagoula for the purpose of building ships for the Maritime Commission. During the next 5 years the school enrollment increased to approximately 4,300 students, an increase of approximately 470 percent.

The 1940 census showed approximately 1,500 privately owned residential housing units in Pascagoula. Various agencies of the Government constructed some 5,200 housing units during the next 5 years. At the same time, much of the shipyard construction was built with Federal funds. The total result was a tremendously increased population living in federally owned, nontaxable housing, working at an industrial plant partially owned by the Federal Government and thus off the tax rolls.

The problem of financing the Pascagoula rural separate school district is just as serious today at it was during any of the war years, except that it is reduced in scope. There are currently 1,152 federally owned residential units available for renting. On October 1, 1949, 1,016 of these units were rented. The present schedule of the nontaxable Ingalls Corp. calls for the employment of hundreds of additional employees, with the result that the current school enrollment of 2,300 is expected to reach 2,800 by the end of the current school year. Presently, about 900, or approximately 40 percent, live in federally owned houses. Payments in lieu of taxes on this housing provide only approximately $18 per child to apply to their educational cost. This amount, together with all other funds payable from the State and other current sources because of the presence of these children in the school district, approximates $30 per child. With the estimated 1949–50 cost of $115 to $120 per child, this leaves approximately $90 per child for the school district to provide from local tax sources.

Both the local and State governments have made maximum efforts to provide funds for the operation of this school district. Maximum local levy for current operation is provided on assessed valuation, which has been increased approximately 350 percent. Current costs are maintained on a lower level than in other school systems of approximately the same size in the State. State aid has been increased 500 percent from approximately $12,000 in 1939 to $63,000 in 1949. Local tax collections have increased 400 percent from approximately $25,000 in 1939 to approximately $100,000 in 1949.

Facilities for housing the currently expanded school population were provided by the local district voting its legal limit in bonds and by construction of four other buildings with Federal funds. The 40 additional classrooms so provided and the existing facilities used on a double-shift basis (two sets of pupils per day in each room), have permitted a partially satisfactory educational program for these children. The half-day session (or double shift) was maintained in this district throughout the war period. Some children have gone through the first eight grades without having had the opportunity of a full-day schedule. Although beginning this year, half-day sessions were eliminated, the increasing enrollment will require half-day sessions again before the end of the current school year.

The financial problem in this school district is caused by a large housing project off the tax rolls, and by the exemption from local taxation of a substantial portion of the industry employing these people. This industrial establishment is operated by the Ingalls Shipbuilding Corp. on lease from the Maritime Commission. Exact figures on the value of these leased properties are not available but a conservative estimate indicates that if taxes were paid on these properties at the normal assessment rate, this income would go far toward solving the financial problem of this school district.

Under the conditions described above, it is impossible to finance a school program in Pascagoula without Federal aid. With a constantly shifting school population making school personnel needs uncertain, and with some 30 to 40 percent of the school budget dependent on the action of Congress on a year-to-year basis, experience shows that qualified teaching personnel is quite reluctant to accept positions under these circumstances. This coupled with the fact that local salary schedules are below those of competing school systems, creates a very difficult local situation.

In conclusion permit me to point out that this House overwhelmingly passed H. R. 7940 only a few months ago. There was little opposition to it. I do not believe that the House will now reverse itself by denying to these children, who they then found were entitled to these educational opportunities, this assistance which is so badly needed.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has again expired.

Mr. FOGARTY. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma [Mr. STEED].

Mr. STEED. Mr. Speaker, I want to address my remarks not only to this amendment, but the one which follows it, since the two subjects are so closely related.

In the first place, I would like to go back and remind you Members of the House of this fact: These two bills, H. R. 7940, which provided for maintenance and operation, and S. 2317, which provided for buildings, were brought here on the floor of the House, as you remember, after two subcommittees, composed of 10 members of the Committee on Education and Labor, spent many months working on them. And you were told at that time that at least 9 of these 10 committeemen represented congressional districts which had none of these projects in them. So, we have been working

on something which did not directly concern us. We told you that we had prepared legislation which would clear up this situation in about 500 or 600 school districts throughout the States. You took our word on that because those bills were passed through the House without any dissenting votes.

With this action here, I just want to tell you this one thing: With the appropriations cut as the conferees have cut them you simply are not going to have the problem solved like we thought it was going to be when we passed the bills. You do not have enough money here to do the job that we told you we were trying to do.

Both these figures are absolute minimums. Unless this difference is restored, you might just as well go back to the school districts in your district and tell them that the help they expect and that they deserve will not be forthcoming because it will be impossible to get it.

I wanted to get myself off the hook with the Members of this House by explaining to you that what we told you we were trying to do when the bills authorizing this were passed has now been defeated because sufficient money to carry it out has not been provided here.

The proposition is simply this: In passing this legislation you have declared that the Government of the United States has a certain responsibility to the school districts when it creates a certain problem in those districts. That has been made the law by act of Congress. Here you are refusing to set up sufficient funds to carry out what the Government has said it owes as a responsibility to these school districts. The ones who are going to suffer if this matter is not corrected are these 300,000 school children who are trying to get an education in these five or six hundred affected districts. They are the ones who are going to pay the price if we fail here to keep faith and carry out, by making enough money available, the two bills we have already passed in this session of Congress and that were brought to you after all this work.

I thought you ought to know that. I thought that in defense of those of us who worked on the subcommittees and who came in here and made certain representations to you as to what we had worked out for these districts, I should say that this will not be done unless the money is here provided for it. I did not want any Members of the House coming to me afterward and jumping on me saying that the matter was not as we had represented it to be. The key to it is right here. Unless these two items are restored to the amounts asked by the Senate, your district is not going to get the help you thought it was going to get when you passed those bills.

Mr. FOGARTY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. BURKE].

Mr. BURKE. Mr. Speaker, I had the good fortune to serve as chairman of one of the subcommittees that held hearings on this item. Our objective was to take this problem and draft legislation that would accomplish the purpose in two ways: First, we wanted to draft legislation that would meet the Federal responsibility adequately and fully, and secondly, we wanted to provide a standard, orderly way by which the Federal responsibility could be judged and paid for by the Federal Government.

Up until the subcommittee started work on this legislation the problem had been handled in a rather hodge-podge, hit-or-miss way. We wanted to gather together all phases of the problem and create a standard way by which the problem would be met. I think we have done that.

This amendment would cut to a figure below the amount the armed services are now spending or have been spending in the past for this purpose. Particularly at this time when the armed services are expanding, the morale problem that would be created by such a cut-back would cause a greater expense to our Federal Government than any savings that might be made in dollars and cents by the cut.

Mr. FOGARTY. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. Speaker, I want to join those who have spoken in behalf of this measure. The committee reduction is taking money out of the educational funds for the children of those who are making a sacrifice in our national defense efforts. This cut deprives their children of the chance to get a decent schooling. You are seeing by this cut the Congress repudiate and hack up, after 2 years' study, its own bill to straighten out the tangled and difficult matter of carrying the Government's rightful share of the load which the Government owes to these war-impacted communities.

After we have straightened this out through the Committee on Education and Labor, we find on 2 minutes' notice that the Committee on Appropriations with a lead pencil undoes this work and cuts in half the amount which is the bare minimum for these schools to exist.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MONRONEY. I yield.

Mr. BROWN of Ohio. I am very grateful for the remarks that the gentleman is making on this very important legislation, because I have taken a great deal of interest in it. I know that the members of the special subcommittee of the House Committee on Education and Labor spent many months in making these studies and surveys. They appeared before the Committee on Rules and brought before our country incontrovertible evidence of the need for these funds. The only thing the Congress has done in passing these two authorization bills is to correct an injustice and to provide that the Federal Government meet its obligations to these local school districts and to the children of America. I hope the House will restore these cuts which have been made, in my opinion, without justification, in this appropriation bill.

Mr. MONRONEY. I thank the gentleman for his contribution.

Mr. Speaker, this very bill, while it appropriates almost $17,000,000,000 for national defense, short-changes the children of the people who are doing the most to give us a decent national defense. The men in the services and the men in the defense plants will feel the damage of this cut. It throws back the load on communities which are already overbonded and overtaxed and which have exceeded their tax limitations to educate children of these defense areas. It throws the burden back on those communities. All you can do is put the kids out of the school. Instead of cutting funds in half we must realize the load has been doubled. We all should realize that the defense needs and impacts on these 600 school districts will grow greater, and not less in the next year as our rearmament program is expanded. I ask that we adopt the amounts allowed by the Senate.

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

Mr. FOGARTY. Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas [Mr. HAYS].

Mr. HAYS of Arkansas. Mr. Speaker, many of the things that I had planned to say have been said by previous speakers. It was, however, my honor to serve as chairman of the Committee of the Whole House on the State of the Union on the day that this provision for maintenance expense was passed upon. I heard every word of that debate. The gentleman from Oklahoma is correct. If we should fail to raise this appropriation in accordance with the motion of the gentleman from North Carolina, we will have reversed ourselves. The debate developed the fact that for the first time in the Eighty-first Congress the Committee on Education and Labor was completely unanimous in reporting a bill.

I want to make this point, Mr. Speaker, and if I am in error, I yield to anyone to correct me. If we fail to adopt the gentleman's motion, we will have failed to provide for the affected districts as that basic legislation authorizes. We will have reduced it by this action. On the other hand, if after this increase is voted it is found that the amount of money needed has been miscalculated by the gentleman from North Carolina [Mr. BARDEN] not one single dollar will be wasted. The ceiling is fixed and the formula is rigid.

The House of Representatives made no mistake in adopting that bill. You do not have to go back to your districts to find these critical situations. We read of them in the Washington newspapers and we can even observe the situations in Maryland and Virginia for example. I happen to know of situations where empty churches and dwellings are used because other buildings are not available. It is particularly important that we appropriate now the full fund because generally the schools are administered on an annual basis. They need to know now that the basic law will be lived up to.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Arkansas. I yield.

Mr. BROWN of Ohio. I have in my possession a telegram received from school districts in the Wright-Patterson Air Base, not in my district but in other districts, to the effect that those schools will be compelled to close by Christmas if they are not given help. Right now

they are conducting schools in old abandoned busses, attempting to house the children. The Federal Government, the great rich American Government, can spend money all over the world and yet it is unable to meet its own obligation to the children in those areas. I say it is a crying shame.

Mr. HAYS of Arkansas. The gentleman is correct. We are spending at the rate of $85,000,000 each day on our defense program, and here we are, having to plead for an appropriation for a year which represents only 5 or 6 hours cost of the defense program.

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

Mr. HAYS of Arkansas. I yield.

Mr. HOLMES. I fully agree with the sentiments expressed by the gentleman. The impact of these projects in certain areas is bringing on the terrific hardships and it is necessary that the Federal Government meet its obligation to many of these school districts.

Mr. HAYS of Arkansas. And it is the Federal Government's responsibility.

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

Mr. FOGARTY. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Speaker, I want to add my fairly meek voice, in this chamber of reverberation, to what has already been said. It is difficult for one of my make-up to follow such an array of people as have preceded me on this subject, but I want you to know that I am just as honest as you are and my problems are just as acute as are yours.

Where I come from we have a pretty tough proposition of schooling our children on our own. But when the Federal Government comes down there and superimposes upon us and upon our taxpaying districts a job which we cannot do, we think it is the Federal Government's obligation to correct that. We think it so strongly, and so does this House, that we passed two acts recently adopting the principle of making money available for this purpose, instead of coming here each year, hodgepodge, as we have, begging for money and fighting the Appropriations Committee.

Incidentally, in my district we have not only the largest naval base but we have a boot camp for the best police force in the world, the United States Marines.

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

Mr. RIVERS. I have got to yield.

Mr. RICH. If those Members who are talking about wanting this money appropriated for education would just stay on the floor, shortly we will have an opportunity to strike out $4,000,000,000 for aid to foreign countries and we might be doing something for the American boys and girls who are coming on.

Mr. RIVERS. And we will do something for your State if you will stick with us. We are glad to have you.

Now let me say this: The Congress has made permanent legislation, permanent authorization for this purpose. It is our duty to now make the money available. If we do not, the people in your district and in mine and the rest of the Nation will say, and will rightly say, that the Eighty-first Congress is the greatest bunch of hypocrites ever assembled under the name of the Constitution of the United States.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. FOGARTY. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. PRESTON].

Mr. PRESTON. Mr. Speaker, I would like to point out what I think is a typical example of the need for this money. It is not only typical but it is a glaring example as well.

In the district I represent the Federal Government owns 280,000 acres of land which was acquired in World War II. At the conclusion of World War II it maintained this land in an inactive status. This large body of land, the fourth largest purchase in the history of the United States, is adjacent to a town with a population of 1,500 people. The nearest city is 38 miles away. They have brought a thousand civilian employees into this camp. They have put 9,000 troops there, and are making preparation for a maximum of over 50,000. Here is this little town with a small schoolhouse faced with this proposition. They telephoned me and asked me: "What are you going to do about it?" I referred them to Mr. Cleveland Bailey's bill and told them what the Congress would do. I said: "You can borrow the money to keep the school operating; you can have faith in what Congress is going to do." Surely we are not going to break faith with them now.

Another factor in that situation: The commanding officer of the camp said, "You will need to have 15 additional teachers on the job." In all conscience we must keep faith with these people and provide the funds necessary.

This is not a dreamed-up figure that the Bureau of the Budget sent to Congress; it is based on the most careful calculation, based on evidence given to a subcommittee of the Committee on Education and Labor; it is a concrete figure; it is a firm figure. To recklessly cut it in half reflects on my own committee and shows indifference to the problem and not the intelligent approach to it that it deserves.

I hope we adopt these amendments and restore these funds to the bill as they should be.

Mr. FOGARTY. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Speaker, if at any time in the past or the future I have taken or shall take this floor to make an appeal it has not been or cannot be more earnestly than I do at this moment. I took 2 months of my time when I should have gone home last fall to spend on this committee. I visited the State of Massachusetts; I visited Michigan, Ohio, Kentucky, Georgia, South Carolina, Virginia, and all through this eastern part of the country. The testimony we heard and the conditions we saw and the efforts of the educators to give over 300,000 children in these United States a decent education or at least some significant part of an education was tragic.

What we have is some 300,000 little kids in this country who are in need of this education, who have no schools at the present time to go to, or in most cases they have only part-time schools.

At this time I make this one plea for 300,000 children of this Nation as well as the educators who participate in the almost unbearable situation of trying to provide those kids with an education. I plead with this House to restore the funds inserted by the Senate so that some word of encouragement can go out to these 300,000 children and the educators who are struggling with the problem of training them.

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

Mr. WIER. I yield.

Mr. CHELF. I commend the committee and the gentlemen for the great effort and time they have put into the study of this problem, and the perseverance they have devoted to it. I hope the House will sustain the gentleman in his effort.

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

Mr. WIER. I yield.

Mr. RICH. Does not the gentleman think that it will be a lot better to aid these children in this way than to tax each one of them $25 for the item you have in this bill to arm these foreign countries? It would be a whole lot better, would it not?

Mr. WIER. No; I cannot agree with the gentleman.

Mr. FOGARTY. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Mr. Speaker, I want to say just three things, if I may: To begin with, this is the first time I have ever seen in this House a subcommittee appointed as was this one, without a single man who had any interest in the subject matter for his own district. My hat is off to the committee and its members for the work they have done; it has been a wonderful job.

The second point is that so many of us from the South have supported this motion that I think the House should be assured that it is no case of sectionalism; it is simply a case of Uncle Sam's putting so many training centers and war industries in the salubrious climate and delightful temperatures of the South during the war, and this burden came to us inevitably.

The condition cited by the gentleman from Georgia [Mr. PRESTON] cannot compare with one case in my district, where in 1940 according to the last census we had a total of 503 people in one small community, yet within 60 days after the plants were built there were 27,000 workers employed, not counting their wives and children.

So it is absolutely impossible for Childersburg, Ala., a place that is as fine as they grow but which grew too fast to get along without the aid that this authorization bill provides. We are asking that both of these amendments so eloquently spoken for by the gentleman from Oklahoma [Mr. STEED] be adopted, because we know that there is no other way. Childersburg has 210 more children in grammar grades now than we had during the peak. The war plants

are completely shut down, except that they are being kept in a stand-by situation.

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

Mr. HOBBS. Of course, I am delighted to yield to the gentleman from Oklahoma.

Mr. STEED. Is it not true these children come from other sections of the United States; so they are not southern children, they are everybody's children from all over the United States?

Mr. HOBBS. Certainly. There are none of them local. We could educate our own. All these extra children were brought in by Uncle Sam and laid upon our doorstep. The third point is that school teachers must be contracted with on a school-year basis. We need the maintenance and operation $23,000,000 now for the superadded child-load of the Nation.

Mr. FOGARTY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. McCONNELL].

Mr. McCONNELL. Mr. Speaker, it is usually my objective in this House to cut down appropriations; however, I am up here for a different purpose today.

I am quite surprised, as I consider the work the Education and Labor Committee members have done; the unanimous way in which the bill was passed by both Houses of Congress, that suddenly at the last minute the House Appropriation Committee proposes to cut the original figure in half to an amount which I believe is lower than the amount needed to operate the program during the current fiscal year. When you consider that this program that we have put together on a permanent basis this year, really consolidates more permanently what has been done in a temporary way in the past, when you consider that we have spent in other years large sums of money—last year I believe the amount appropriated was about $17,000,000, now we are going to cut this to $11,500,000—it just does not make good sense to me. Therefore I plead with you that we use not only our heads and reason but also our hearts in considering the motion to restore the amount to $23,000,000, which the gentleman from North Carolina [Mr. BARDEN] has offered. I heartily endorse and support it.

Mr. FOGARTY. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. JACOBS].

Mr. JACOBS. Mr. Speaker, I rise in support of the motion offered by the gentleman from North Carolina [Mr. BARDEN]. I just want to make one point clear here this afternoon.

This is not an appropriation to give anybody anything. This is an appropriation to pay a just obligation, as has been said, technically for the local school communities in this country but actually what it is, is an obligation of the Federal Government to the children of school age who have been dislocated by virtue of Federal activities, whereby the Federal Government has taken up by purchase, property that would otherwise be taxed to provide for the education of these children.

Mr. Speaker, these children pass this way only once. If they do not get an education in childhood the chances are they do not get their education at all.

I simply want to express the opinion that I believe the Government should be as honest as it expects its citizens to be. This is an obligation that the Government owes, and it would be utterly disgraceful for us to adjourn without meeting that obligation.

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

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

Mr. BARDEN. I would like to call the attention of the gentleman to the fact also that these funds are not paid to the States or to the State central school system. These funds provided here go directly to the local communities and are justified on the basis of what happens in the local communities, and it is entirely to relieve them and not the State.

Mr. JACOBS. To relieve them of a tax base that was destroyed by the Government taking up the property in that community; that is correct.

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

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

Mr. SIKES. I think we should bear in mind that if what is proposed here prevails, for every million dollars that we spend to educate children, we are going to be spending $700,000,000 in this bill for war.

Mr. JACOBS. That is correct.

Mr. FOGARTY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. COMBS].

Mr. COMBS. Mr. Speaker, I want to compliment the Committee on Education and Labor and its subcommittees for the tremendously fine job they have done. Ever since I came to Congress nearly 6 years ago I have been interested in this problem of education and have observed the need of this kind of a program. This, for the first time, is a genuine approach that supplies a permanent base and sets up standards to meet the problem of increased school enrollment caused by governmental activity.

I want to call attention to one thing that may not be generally understood, and I am going to use my own State as an example. Down our way Texas helps to meet this problem in that these temporary children who come into a school district to be educated are treated exactly like the permanent children; that is, the school district receives the State apportionment for them. But in Texas, as in many other States, a large part of the educational cost falls on the local school district. In Texas, all of it falls on the districts for buildings and facilities, and a large part for operation. It costs about $110 per child for operation, and the State puts up about $55. There is a little district between Beaumont and Orange where people live but many work outside the district. At this time the district is bonded to the limit. Buildings are wholly inadequate. They have three classes meeting in school busses, three classes in each auditorium. Teachers are loaded, 60 children per teacher, trying to meet the problem created as a result of governmental activities in the area. Now, that local school district receives no tax benefits from these defense industries. That was a little community that was getting along fine, educating its children until these newcomers came in. They cannot close the doors of the schoolhouses to these children. Yet that is a problem that the Government created in the interest of national security and safety and defense. We ought to meet it, and I am heartily in favor of the amendment proposed by the gentleman from North Carolina. We will be doing simple justice by meeting an obligation which this Government owes to the people in such communities throughout the Nation. The adoption of the Barden motion will provide sufficient funds to meet the problem for the time being—and I hope it will be adopted.

Mr. FOGARTY. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma [Mr. MORRIS].

Mr. MORRIS. Mr. Speaker, it does seem to me that with such a vital thing as education, and especially with the set-up as it is, these authorization bills having come from the Committee on Education and Labor by unanimous report and coming from gentlemen who have no personal interest in this subject matter, and having passed this House so overwhelmingly—I believe the record shows by unanimous vote—it does seem to me that before we go along with any cut of the figures that were carefully assembled and were agreed upon by the Budget and by the committee and put in the bill by the Senate—before we should agree on a cut, that those who would cut should make a clear and convincing statement and argument based on figures and facts, as it relates to this vital problem, and not just on guesswork.

Certainly, as has been suggested here by several speakers, the work that has been done by this great Committee on Education and Labor and its subcommittee should not be thwarted, and our children should not go without proper educational facilities just on a hit-and-miss proposition. It has been clear and convincing to me and I believe to all of us that these original amounts are necessary to carry out this program. Unless these amounts are used instead of the reduced amounts, the authorization cannot be carried out, as called to our attention by the distinguished gentleman from Oklahoma, my colleague who is on the committee [Mr. STEED]. So I appeal to you that we should not go along with the cut but should be for the motion offered by the gentleman from North Carolina [Mr. BARDEN] to restore the original amounts.

Mr. FOGARTY. Mr. Speaker, I yield such time as he may desire to the gentleman from Missouri [Mr. IRVING].

Mr. IRVING. Mr. Speaker, I have asked for this time that I may point out to the Appropriations Committee and the Members of the House the necessity of restoring the full amount of funds that the Senate amendments to H. R. 7940 and S. 2137 called for.

I was a member of the subcommittee that held hearings and conducted surveys in various sections of the country in order that our full committee and the House might have the factual information with which to guide them in making the very important decisions that were called for. The legislation

that was drafted by our committee, as was brought out in the debates at the time of its passage, was conceded to be as fine and in as good shape as any that had been brought to the floor of the House this session. It took almost a year of hard work by the important House Committee on Education and Labor to complete its studies and drafting work. Mr. Speaker, again I say as a member of this great committee who participated in this work, that I feel competent to advise the Members of the House on this very important subject. It is with the utmost confidence because of the experience and knowledge gained through these exhaustive studies that I do so.

I feel that the conferees have not only acted unwisely but also surely not in the interests of economy or of the country.

In saying this it is not in any manner of being critical of them, because I realize that they are trying to do a job of saving money, for which I give them due credit. I have always gone along with any sound proposal for economy in the affairs of our Government. I have consistently voted and spoken for such measures and will continue to do so when I am convinced that the propositions I am called to vote upon will accomplish that end and still be in the best interest of our country. In this instance I feel that this would not be so, and would ultimately prove detrimental. Certainly such false economy will prove extremely costly in the long run, as I see it.

Again, Mr. Speaker, let me say that the great Committee on Appropriations and its distinguished and capable chairman, the Honorable CLARENCE CANNON, of Missouri, also all of its members and the many fine subcommittee chairmen, have done a tremendously good job in their efforts to bring about real economy and efficiency in the Government. No one should overlook the handicaps that they have worked under. First, an economy drive which at times was unrealistic, and then with the Korean situation bringing about almost the reverse type of thinking and pressure, they are to be complimented for their steadfastness of purpose. However, I feel sure that it will be developed here today before this discussion has ended that the conferees on this appropriation bill were not in the possession of the necessary facts relative to the scope of this legislation. By that I mean that it was aimed to bring, under this one law, all of the many items previously taken care of by many other public laws. Further, the purpose was to correct many inequities created by these various laws, also to take care of many old problems that had been overlooked as well as many new ones that have developed since the passage of these laws. Consequently, their estimate of the amount of money necessary for the proper and reasonable fulfillment of these intentions has been shown to be inaccurate and totally inadequate by many of the previous speakers.

In order that the Members of Congress may be in a better position to consider the situation of the Government in the aftermath of the last crisis, the present one or any future ones in its relation to our public schools as affected by its own activities, I will make a few well-thought-out observations of my own upon this subject. I feel that no emergency should interrupt the education of the children of this country. This, in my opinion, is one of the most fundamental responsibilities that any nation has and one that should be considered as a permanent obligation. While we are at war with dictators and all forms of totalitarianism as we were in the last war and as we now find ourselves in because of the present situation, we should actually be expanding our educational programs.

We are now discussing appropriations for two bills that are in no way general Federal-aid legislation but rather has to do only with the obligations and responsibilities of the Federal Government. These are definitely due to its military and defense activities and so, in all fairness and justice, cannot be sidestepped or only halfway taken care of.

I am sure that the various State and local educational groups, as well as those of the Federal Government, realize that while we are spending so freely for the defense of democracy, that all must be sure that its very sources are not neglected.

Many intelligent and well-informed people, along with numerous forward-looking groups, have expressed strenuous opposition to the curtailing of school expenditures during periods of national emergencies or temporary economic recessions. No one here will deny that the children of those who are fighting or are otherwise employed in the defense of our country should not have equal educational opportunities with those of parents not so engaged. No indeed. I feel that the sacrifices of these heroic and patriotic citizens cannot at all times be measured; nor can any recompense be offered them in the way of material rewards that would prove adequate. Certainly no monetary reward suffices, whereas the decent consideration of their families' general welfare, including the education of their dearest possessions—their children—will do a lot for their morale, as well as giving them additional confidence in the justice and righteousness of the cause they are so valiantly fighting to uphold.

Who would feel that they are not even more deserving? Surely no one here feels that they are not entitled to and must be provided with adequate and qualified teachers, along with proper school-plant facilities. This country owes those things to these parents and their children. Surely we cannot justify nor condone longer those emergency measures of World War II which, at most, should have been temporary ones. No one can say that abandoned school busses, hallways, boiler rooms, basements, shacks, converted commercial buildings, attics, ramshackle barracks, and numerous other makeshift school housing, with their improper lighting, heating, and toilet facilities, are warranted, justifiable, or economical. Terribly overcrowded classrooms, causing half-day sessions midst unhealthful, poorly ventilated, insanitary conditions, with too heavy teacher loads—with neither segregation of age groups possible nor recreation facilities available. Think of it. This has been going on for nearly 10 years in some instances. Yes; think what that means to those that have only been afforded half-day sessions. Well, you might say that they have been already deprived of 5 years of their elementary and secondary schooling. It seems to me that this is an indictment of the guardians of this future generation. What does this do to the conscientious, hard-working teachers? I would say that it would be discouraging and disheartening, to say the least. Is it any wonder that many gave up and were lured into the defense plants and other better-paying positions? Mr. Speaker, I intend to dwell a little more upon this phase of this serious problem later on in the course of my discussion. I feel that the Congress had previously taken an unequivocal stand in favor of adequate financial support of the schooling of these children when they passed these two pieces of legislation, namely, H. R. 7940 and S. 2137. They were, as you all know, passed by the House and Senate not so long ago with no opposition or very little, if there was any.

The members were well aware of the approximate cost, as the most accurate and reliable estimates that could be obtained were given them at that time. Does it seem reasonable or sensible for us to permit the conferees to force this body to accept an arbitrary cut of 50 percent in the Senate figures which would leave an amount that, in our best judgment, would prove totally inadequate? I am sure that if questioned about this matter that they would have to admit, because of the late passage of this legislation, which was after the main appropriation requests were studied, that it was necessary for the request for these funds to be included at practically the last moment in this supplemental appropriation bill that is before us. Therefore, it was impossible for either the Senate or House committee or the conferees to make any study or have any hearings that would indicate that our committee had made any errors in its estimation of the amount necessary. And certainly nothing can lend any credit to their action in deliberately attempting to cut this fund in half. This, my colleagues, is a very serious matter and should not be treated in such a callous manner. This is not true economy nor is it fair to those parents who desire only reasonable and equal opportunities for their children. It must be remembered that they are our future citizens, many of whom will be the leaders in business and the affairs of the Government. They must not be denied such opportunities because we have failed to meet our obligations. We have accepted this responsibility in the adoption of educational training provisions for many of the parents in the GI bills. Why not provide adequately for the normal or usual education of their children?

It cannot be denied that education provides greater possible opportunities for human progress, resulting in better living, fuller lives for all with a corresponding higher type of citizenry. It is a barrier against communism, and is as much a part of our national defense as bombs and bullets. Therefore, Mr.

Speaker, any pretext of economy, supposedly necessitated by national defense, is absurd. Let us examine the cost of illiteracy in this country. What does it do to our Armed Forces when a goodly percentage of those examined are rejected for this reason alone, besides those that cannot qualify because of their physical condition. Both the mental and physical rejections would be greatly lessened if decent educations had been had by these less fortunate boys and girls.

Mr. Speaker, if I may be permitted, I would like to digress for a moment or so from the precise phase of the subject that is now under discussion to one that is very closely related. I feel that there must be other Members of the House that are as keenly interested in the immediate solving of another serious educational problem that is not touched upon in these bills. Nevertheless, the situation is just as grave and was brought about by the last war and promises to become again equally aggravated by our present foreign crisis, teachers' salaries. Yes; that is the problem that I am so concerned about. The salaries of those responsible for the education of our children. We know from the surveys and reports how pitifully low they are in many rural sections, also in many of the towns and cities of this great Nation. What has happened is this. During the last war job opportunities in defense plants and other defense work, including Government, lured thousands of teachers away from that profession. While living costs have risen steadily and are still increasing, who can blame these underpaid teachers for bettering themselves so that they might live decently and with dignity. Many of the unskilled jobs were paying far more than these highly trained and well-educated men and women were paid. Many thousands of them found that these new jobs paid better and required less effort, less study, and far less attention and ability, along with shorter hours. Consequently, they have not and will not return to teaching as long as such inequities exist. What has this done? We all know what has happened. It has left a tremendous shortage of qualified teachers. Not only that, but fewer young people are choosing this as a profession. It does not take much looking about to discover that this condition still exists and very little progress has been made in the way of eliminating this crucial shortage. A few less qualified people have been employed but that will certainly prove detrimental to our educational program as it has already lowered the high quality of our standards in many instances. Who is to blame? Surely not the teachers. How long can our school system stand this constant drain upon an already diminishing supply of teachers without a serious break-down of elementary and secondary school systems. It is well known that the supply has not begun to catch up from the severe shock of the last war and now we are apparently confronted with another crisis.

It is not a mass-production problem nor an assembly-line proposition where we order the manufacture of thousands of teachers and have them turned out in a few months. No, my friend. You realize, as well as I do, that it takes years to prepare young men and women as first-class teachers. Mr. Speaker, and Members of Congress, let us do something now about this serious problem that confronts our beloved country before it is again too late. Let us not procrastinate any longer. Let us do something at once to make this age-old, time-honored, and highly respected profession at least halfway attractive from a financial standpoint so that those who occupy it may live respectably with dignity and a semblance of security. We cannot, as I have said before, afford to lose any more to other occupations and must be able to recruit others now and steadily in the future for years to come. It is our duty to find time to give recognition to their true worth and the invaluable service that they are rendering to this Nation. An assurance of a decent living with, shall we say, a saving wage so that they may put away something for a home and the time when they should retire in moderate comfort. Not too much I would say, for those who are charged with the responsibility of daily preserving our way of life. Yes, by building characters, molding and modeling good citizens, inculcating into the young minds of their students the treasured ideals left by our forefathers.

Mr. Speaker, a teachers' salary bill, H. R. 5939, which in no way could be considered discriminatory or controversial legislation, has for months been before our great House Committee on Education and Labor of which it is my privilege to be a member. I have, on numerous occasions, urged that action be taken on this vitally important legislation, both in speeches on the floor of the Congress and in our committee as well. We should act now before any salary or price controls are adopted or before the least amount of inflation or further rise in living costs can further adversely affect these people whose salaries are now most inadequate. They certainly fall within the category of the white-collared group or fixed-income group as far as salaries being fixed, is concerned. Almost universally they sign their contracts for at least 1 year and perhaps longer in some instances with no opportunity for adjustments. I hope that what I have said will impress upon the minds of those listening, the dire need for some affirmative action now.

In order to make this more impressive and to further substantiate some of the statements I have made here today, I would like to quote from a short magazine article by the noted CBS commentator, Edward R. Murrow:

> The latest Census Bureau figures show that half the adults in the country have not had as much as 2 years of high-school training. In the last 10 years half a million teachers left their jobs. * * * There are another 100,000 teaching jobs still unfilled. It is estimated that we are short 300,000 classrooms. * * * There appears to be little doubt that we must have the guns and the gear for the conflict that impends. But the choice in a free society is not between guns and butter; matters of the mind cannot safely be neglected.

Now, Mr. Speaker, these figures are astounding and should convince everyone of us that the House should support the motion of the gentleman from North Carolina, which calls for the restoration of the amounts called for in the Senate amendments and should also immediately consider the teachers' salary and a general school-construction bill as soon as possible. This is the sound and sensible thing for this body to do. Let us bolster the very cornerstones of democracy by such actions today by being fair to the children of this country. Let us do something far more constructive than investigating crime in this country by doing one of the things that will eliminate the direct cause of much of this crime. How will education do it? By cutting down the number of potential criminals who usually come from the illiterate and uneducated. That would be economy, as we know what the crime bill of this country amounts to yearly. It would go a long way toward paying for the things that I have suggested. Let us think it over and get busy now.

Mr. FOGARTY. Mr. Speaker, I yield such time as he may desire to the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Speaker, the motion to effect the restoration of the cut in the appropriations for assistance in the maintenance and operation expenses of schools in federally impacted areas has my complete support. The Education and Labor Committee gave full and thorough study and consideration to this subject. Their bill received the unanimous approval of the House, indicating that the measure was sound. The studies of the committee show clearly the need for this financial assistance by these particular schools. The Federal Government has a definite obligation in this field. Congress should appropriate sufficient funds to meet that obligation. The same can be said for the construction-aid funds which will come before the House after we vote on this item. I trust that the House will vote to restore the cuts.

Mr. FOGARTY. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. SCUDDER].

Mr. SCUDDER. Mr. Speaker, I rise in support of the matter now pending before us. The House approved H. R. 7940 in the belief that funds could be provided under its provisions for several hundred school districts throughout the Nation under pressure of Federal activities for maintenance and operation of their school facilities. The action of the conferees in reducing the $23,000,000 figure to half of that amount, or $11,500,000 plus certain transfers amounting to $4,900,000, will not be sufficient to carry out the intent of Congress in this field.

In my district in California there are several school districts—particularly in Marin County, adjacent to San Francisco—where Federal activity has resulted in huge increases in school enrollment. Not only is this true at Hamilton Air Force Base, where 500 units of Wherry Act housing have been approved, and of the other military installations in the county, but also at small communities like Two Rock, in Sonoma County. Half of the enrollment of this school now consists of children of military personnel. These military installations are, of course, not subject to local taxation. There is also the possibility

of reactivation of Camp Beale, the wartime military post in Yuba County.

The need is apparent for these funds, Mr. Speaker. I urge that the full amount be appropriated. To do otherwise would, in my opinion, be a case of false economy.

Mr. FOGARTY. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, I would ten times or a thousand times rather spend this money for the education of our American boys and girls in order that they might be prepared for the effect of this bill, on their future, proposing to spend $4,000,000,000 to arm the countries of Europe. Give this money to the boys and girls of America so they can save themselves. It is a matter of life or death with them. Unless you do that, God save America and save these children. I do not know why you do not do it.

Let me say that your responsibility goes further than that. When you come to vote this $4,000,000,000 to arm these countries just remember you are doing the wrong thing, and every one of you may be called upon to account for this at some future day.

Now is the time to educate our boys and girls so they can earn money, prepare themselves to follow suitable occupations, and know what to do, to get out of the great hole in which you are paving the way to leave them.

Mr. FOGARTY. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I do not know, but from the drift of things this afternoon, perhaps I am a voice crying in the wilderness. But I do feel and always have felt that we should know what we are doing so far as possible. I read from the justification submitted by the Office of Education:

> During the fiscal year 1950 the estimated expenditure for assistance to local school districts by the several departments of the Government was approximately $12,000,000. This amount included an appropriation to the Bureau of Community Facilities in accordance with the Wier Act of $7,050,000.

With the $11,500,000 which this bill carries and the $4,913,000 that is carried in the general apropriation bill there will be available for this purpose $16,500,000, an increase of 33⅓ percent, or a little more over what was had before. That $4,500,000 will take care of approximately 56,000 additional children. There is not a reason in the world why they cannot carry this thing along and get along all right with the amount of money which is carried here, together with the $4,913,000 which will be added to it.

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

Mr. TABER. I yield.

Mr. BARDEN. I have such great admiration for the gentleman and for the many fights he has put up for economy, but I am very sorry that he is not in full possession of the facts in connection with this.

Mr. TABER. Did not the Bureau of Education deliver the facts to the committee?

Mr. BARDEN. But the gentleman forgets the Bureau of Education did not give you all the facts. For instance, let me call this to the gentleman's attention. The Wier bill which the gentleman referred to as having taken care of all the situations, missed doing a complete job by a long shot, for the simple reason we put into the Wier bill a provision that the local schools must show a deficit. In a good many States of the Union, as is the case in my own State, we put folks in jail who make up deficit budgets. Therefore, we find the situation where at one base down there nearly 700 children did not get 1 penny because the official said, "We are not going to violate the State law."

Mr. TABER. Do you not think that the 56,000 extra children here provided for at $80 apiece, would take care of the situation?

I do not want to be stingy with the children, but it seems to me that we have amply provided for them.

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

Mr. FOGARTY. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, at the outset I think I should say that the Committee on Appropriations of the House has not had any time to give this subject any consideration. The bill authorizing the expenditure of funds for this purpose had not passed the House by the time the regular appropriation bill was before us. So as a result the Department of Education appeared before the Senate committee just a few days ago to justify this expenditure of money for the Department of Education. We have not had an opportunity to listen to any testimony or read the hearings which were held by the Senate Committee on Appropriations. I think in all frankness I should say, and I think it is the universal opinion of everyone in the House, that the subcommittee and the full Committee on Education and Labor have done a good job in bringing a bill before the House and having it passed; but at the same time, I think this is legislating and appropriating in a pretty fast way. This is a new program. We realize that the Budget presented a figure of $23,000,000 and that the Senate approved the full sum which was offered by the Bureau of the Budget.

But the hearings were not very complete over in the other body when they were held before the Appropriations Committee. I think as a result of the timing on this appropriation bill, and the vast amount that is entailed in the appropriation that we are called upon to make today, this sum of $11,500,000 will be sufficient. We must remember that we are not operating on a full year's program at this time. Here we are going into the 1st of October. This appropriation was based on a yearly sum of $23,000,000, but that amount, $23,000,000, will not be used, because we will be into October or perhaps November before any of this money is expended.

There are other things in this bill that I would like to have seen included in the appropriation bill we have before us at this time. There are many important items in this bill that I think deserve much more consideration than has been given to them.

There was an appropriation passed by the Senate, which the House conferees refused to go along with. We just passed two bills the 1st of August establishing two national institutes, one for rheumatism and arthritis, and metabolic diseases, and one for neurological diseases and blindness. When the Budget Bureau approved the sum of $13,000,000 to set up those two institutes, which were approved by the unanimous vote of this Congress only last August, the conferees even refused to appropriate a single dime for that purpose, even though we have 7,000,000 afflicted with arthritis and over 200,000 blind people that the Federal Government is helping. Then we have 700,000 children today that are afflicted with cerebral palsy. Those are some of the things that we could do if we wanted to help the youth of our Nation. That is a program that any Member of Congress could not conscientiously vote against, if he had an opportunity, but because of the parliamentary situation today, even though we did not have any hearings on this side of the Capitol, we were not able as a Committee on Appropriations to decide whether or not any funds should be appropriated for those purposes.

I am in full agreement with this program of education. My State is affected by it. They want this money, too, but in all serious consideration, I think the $11,500,000 is a pretty good start in this direction. We must remember that we are going to be back here in all probability after the elections in November, and if we are not, then we are going to reconvene in January. One of the first things the next Congress will take up will be the hearings on appropriations, because they will start immediately after the 1st of January.

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

Mr. FOGARTY. I yield.

Mr. HOBBS. Do you not have to contract with the teachers for a whole school year, and does not the school year just now start?

Mr. FOGARTY. In answer to that, if this bill had passed Congress last spring, and if we had considered and passed it last spring, I would say "Yes" to the gentleman from Alabama, but this authorization did not pass this House until after the school year had started this year. Here we are called upon within a week or two to come in and appropriate funds for a bill that has just passed the House and the Senate and signed into law at this time.

I submit in all seriousness, as a friend of this program, as one who is vitally interested in it, and as one who thinks that the committee has done a splendid job in bringing this bill to the floor of the House that the $11,500,000 is enough to start this program with. Let us see where we go from there.

The SPEAKER. The time of the gentleman from Rhode Island [Mr. FOGARTY] has expired.

The question is on the motion that the House recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. FOGARTY) there were: ayes 110, noes 18.

So the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 41: Page 19, line 11, insert the following:

"GRANTS FOR SURVEYS AND SCHOOL CONSTRUCTION

"For grants to the States for surveying their needs, and for planning construction programs, for elementary and secondary school facilities; and for grants for emergency school construction to school districts in federally affected areas, $24,500,000, to remain available until expended, and in addition contracts may be entered into in an amount not to exceed $25,000,000 for the purposes of this paragraph: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 2317, Eighty-first Congress."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 41, and concur therein with an amendment, as follows: In lieu of the first-named sum in said amendment insert "$12,250,000"; and, in lieu of the second-named sum in said amendment, insert "$12,500,000."

Mr. BARDEN. Mr. Speaker, I offer a privileged motion.

The Clerk read as follows:

Mr. BARDEN moves that the House recede from its disagreement to the amendment of the Senate numbered 47 and concur in the same.

Mr. FOGARTY. Mr. Speaker, in view of the vote on the last amendment I join in the motion to recede and concur.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 44: Page 20, line 2, insert the following:

"SALARIES AND EXPENSES, BUREAU OF OLD-AGE AND SURVIVORS INSURANCE

"The amount authorized to be expended from the Federal old-age and survivors insurance trust fund, for 'Salaries and expenses, Bureau of Old-Age and Survivors Insurance,' by the Federal Security Agency Appropriation Act, 1951, is increased from '$45,988,000' to '$60,488,000', and the limitation under this head in said act on the amount available for dues or fees for library membership is increased from '$404' to '$594.' "

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 44, and concur therein with an amendment, as follows: In lieu of the sum of "$60,488,000" named in said amendment insert "$53,988,000."

Mr. FOGARTY. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Speaker, I want to call the attention of the membership here to what the House conferees have agreed to in Senate amendment No. 44. I have a statement here which contains the facts and I would like to read it for the benefit of the membership.

Amendment No. 44—

This is the portion which the conferees agreed to—

reduces the supplemental amount to the Bureau of Old-Age and Survivors Insurance from $14,500,000 to $8,000,000.

This means that only one-half of the claims of the 1,000,000 additional beneficiaries under the Federal old-age and survivors insurance system can be acted upon during the present fiscal year.

Proper records cannot be established for the 10,000,000 persons brought into the Federal old-age and survivors insurance system.

Mr. Speaker, one of the finest acts that has been passed by this Congress, and I think it is so recognized by the people at large, were the amendments to the Social Security Act, wherein we brought under coverage an additional 10,000,000 persons, wherein we in some instances almost doubled the benefits and wherein in other instances we increased the benefits an average of 70 percent. That act and those amendments, under the appropriations contained in this conference report, cannot be properly administered. Plans cannot be properly made for administering the act, bringing in these 10,000,000 additional beneficiaries, and increasing the benefits of all those now on the rolls.

This reduction from $14,000,000 down to $8,000,000 is not, in fact, an appropriation. This is money that is already in the trust fund. It was recommended that $14,500,000 be taken from the trust fund in order to properly administer the act as amended and to make the payments. The House conferees have agreed to reduce that to $8,000,000.

Mr. Speaker, if we are going to cut the appropriations so that the people of the country at large will not get the benefit of the amendments to the Social Security Act that we passed this year, we are just nullifying one of the finest actions this House has taken in many, many years.

May I ask the chairman of the Subcommittee on Social Security Legislation, the gentleman from Rhode Island [Mr. FOGARTY], is it not a fact that at all times in the past, whenever the Budget Bureau approved these payments from the trust funds—it is nothing more or less than a calculation as to how much money will be needed to pay these benefits—that those requests have always been approved by the Appropriations Committee?

Mr. FOGARTY. They have always been approved to a certain extent, because they always knew they could get it next year. The money was there to get it. They had no trouble getting it whenever they needed it.

Mr. EBERHARTER. And this is more or less a sum they need because they only pay out of the trust fund valid claims. So what benefit would there be to reduce the appropriation from $14,500,000 to $8,000,000?

Mr. FOGARTY. So far as over-all effect on the national budget, it will have no effect at all.

Mr. EBERHARTER. So that this gesture is going to result in crippling the fulfillment of the Social Security Act amendments that we passed this year.

The Social Security statement also says:

Only one-half of the claims of the additional beneficiaries under the Old Age and Survivors Insurance program can be acted upon up to the end of next year.

Now, do you want to cut out the claims of 500,000 legitimate beneficiaries? That is what the action of the conferees does in this instance, and I submit that the Committee on Appropriations certainly should have found out these facts from the hearings and should have given this money to the Social Security beneficiaries because, as was said very well by the gentleman from Rhode Island, no effect is had whatsoever on the budget by this appropriation. So, I want the membership to know that, and I hope that when we reconvene, and I hope it will be within about 6 weeks, this situation will be corrected. My understanding is that because the conferees have reached agreement that no action can be taken today which will correct this very regrettable situation.

Mr. FOGARTY. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to proceed out of order, and to revise and extend my remarks.

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

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I have asked for this time, which has been so graciously granted me, and for permission to speak out of order, because the people of Ohio are shocked and angry over the speech made by Averell Harriman before a labor conference in Texas a day or so ago.

The Harriman speech was entirely in bad taste. It indicates that despite the grave crisis in which America finds itself at the moment that political considerations come first; Mr. Harriman's speech should not have been made by a man who has the record and the reputation of being the architect of the administration's appeasement policy toward Soviet Russia. Certainly, no man who sat as an adviser to Roosevelt at Yalta and participated in that tragic conference has the right to question the patriotism or Americanism of any citizen of the United States, let alone that of Senator ROBERT A. TAFT.

Mr. Harriman has been serving, as I understand it, as our ambassador at large to carry out the Nation's economic recovery program, which we have been told is a bipartisan program designed to bring peace to the world and to strengthen America in the fight against communism. Yet, Mr. Harriman stoops to the lowest form of political skullduggery in his attempt to smear Ohio's great senior Senator, ROBERT A. TAFT, and to misrepresent the position that he has taken on public issues.

It might be well for the record to show here that almost universally every news-

paper in the country except those with a pinkish tinge, is editorially condemning Mr. Harriman's action. As an example, I call your attention to the editorial in the Washington Star this evening, which I understand the gentleman from Pennsylvania [Mr. McCONNELL] has already put in the RECORD.

I also want to call your attention to Mr. Harriman's own unsavory record. Mr. Harriman comes from a line of railroad tycoons. His father was designated by the original Roosevelt, Theodore, as a "male factor of great wealth." Averell Harriman was a fellow student of Dean Acheson. He has long been a close friend and associate of Alger Hiss. He has followed the "pinko" line throughout the years. The radicals in this country have long boasted that Harriman was one of the millionaire captives of their group. For him to attempt to attack and smear the character of a man like Senator ROBERT A. TAFT has caused the people of Ohio to rise up in righteous indignation. I want to predict here and now, on the floor of the House, that tactics like those engaged in by Averell Harriman will assure the reelection of Senator TAFT.

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

Mr. BROWN of Ohio. I yield to the gentleman from Ohio.

Mr. JENKINS. I was about to ask the gentleman, is he not thoroughly convinced that this sort of a diatribe will result in a benefit to Mr. TAFT politically, because of all the things that anybody has ever said about BOB TAFT in the House, nobody has ever challenged his patriotism nor his honesty nor his ability?

Mr. BROWN of Ohio. That is entirely correct. Every newspaper in the country today, almost without exception, is editorially pointing that out.

Any citizen may disagree with BOB TAFT, as to some position he has taken, but no one can question his honor, his integrity, or his patriotism. I say to you, it is a shame and an outrage that a man holding high Federal office, such as that held by Mr. Harriman, should restort to such unfair and un-American tactics in a political campaign.

So I take the floor of the House to denounce Mr. Harriman's statement as a falsehood, and as part of the planned smear campaign being followed by the radicals in an attempt to defeat Senator TAFT. But the attempt to mislead the public by such attacks on Ohio's senior Senator will backfire. The people of Ohio will show their resentment of the Harriman viciousness by their votes for TAFT in November. On the 7th of that month the American people in Ohio and other States will reject and repudiate the plans of those who wish to change this country over into some sort of a socialized state.

Mr. FOGARTY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 49: On page 21, line 10, insert the following: "Salaries and expenses, Office of the Commissioner."

Mr. FOGARTY. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 50: On page 21, line 12, insert the following:

"For an additional amount for 'Salaries and expenses, Office of the Commissioner', $20,000, together with an additional amount of not to exceed $10,000 to be transferred from the Federal old-age and survivors trust fund."

Mr. FOGARTY. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 53: Page 22, line 9, insert the following: "Office of the Administrator."

Mr. FOGARTY. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 54: On page 22, line 10, insert the following:

"SALARIES, OFFICE OF THE ADMINISTRATOR

"For an additional amount for 'Salaries, Office of the Administrator', $32,000, together with an additional amount of not to exceed $24,000 to be transferred from the Federal old-age and survivors insurance trust fund."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 54, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SALARIES, OFFICE OF THE ADMINI TRATOR

"For an additional amount for 'Salaries, Office of the Administrator', $24,000 to be transferred from the Federal old-age and survivors insurance trust fund."

Mr. FOGARTY. Mr. Speaker, I should like the RECORD to show that we intend that the amount in this amendment be allocated for audit and regional office expcnses.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 55: Page 22, line 15, insert the following:

"SALARIES AND EXPENSES, DIVISION OF SERVICE OPERATIONS

"For an additional amount for 'Salaries and expenses, Division of Service Operations', $8,500, together with an additional amount of not to exceed $26,000 to be transferred from the Federal old-age and survivors insurance trust fund."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate No. 55, and concur therein with an amendment, as follows:

"SALARIES AND EXPENSES, DIVISION OF SERVICE OPERATIONS

"For an additional amount for 'Salaries and expenses, Division of Service Operations', $26,000 to be transferred from the Federal old-age and survivors insurance trust fund."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 57: Page 22, line 22, insert the following:

"For an additional amount for "Salaries, Office of the General Counsel", $20,825, together with an additional amount of not to exceed $61,845 to be transferred from the Federal old-age and survivors insurance trust fund."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 57, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

"For an additional amount for 'Salaries, Office of the General Counsel', $61,845 to be transferred from the Federal old-age and survivors insurance trust fund."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 58: Page 23, line 1, insert the following:

"For an additional amount for 'Salaries, Office of the General Counsel', $25,000: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 2317, Eighty-first Congress."

Mr. FOGARTY. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

Mr. CANNON. Mr. Speaker, in view of the lateness of the hour and in view of the fact that we have now disposed of all items under "Labor and Federal security," I ask unanimous consent that consideration of the remainder of the bill be deferred until tomorrow.

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

There was no objection.

EXCESS-PROFITS TAX

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

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

There was no objection.

Mr. RODINO. Mr. Speaker, I am a lawyer by profession, not a minister. But the time has come, I feel, when somebody in this august body should arise and deliver a requiem—a requiem for the patriotic fervor of our forefathers that apparently has expired even in these sacred chambers of Government.

This week, as I have watched Congress prepare to recess until after the November elections without facing vital taxation problems, I have asked myself, Would there be a United States of America today if the fathers of our country had placed their personal welfare above the welfare of a vast new land that was struggling for birth as a free nation?

And I have asked myself if there will be a United States of America tomorrow if we lawmakers continue to place our personal welfare and prejudices above the welfare of the 150,000,000 people we represent? Will there be a United States of America tomorrow if we lawmakers continue our ostrich-like behavior of refusing to face the unpleasant facts, of refusing to act on tax legislation which may be unpopular with certain segments of our constituents, but which, nevertheless, is vital to the future of our country?

Privately, I am sure, each of us will admit that, with the threat of communistic enslavement hanging over all the freedom-loving nations of the world, we must support with our lives and with our pocketbooks the democratic way of life to which we all are dedicated. No one will deny that we must have a powerful fighting force in readiness and we must continue to give aid to our less-fortunate allies if the depraved ambitions of the Kremlin are to be contained. And we will all agree that to do this, we must spend money—a great deal of money—and that the bill cannot be paid unless we pay the sacrifice in increased taxation.

But publicly, we seem unwilling to commit ourselves on the bitter facts which we admit to be the truth. For weeks, as a Member of Congress, I have watched as we have bickered and fought over one of the most vital points of our tax program—that of adequate excess-profits taxation.

Soak the little fellow. Let John Q. Citizen foot the bill. That seems to have been a prevailing philosophy among certain Members of Congress who have successfully scuttled all efforts at passage of the President's tax program. But there has been a prevailing reluctance to pass a law that would make big business foot its share of the bill.

I ask you, Why should big business be permitted to make huge profits in these dark days of national emergency? If the man on the street is going to have to tighten his belt and make sacrifices, big business should be asked to do no less.

In the future we are going to be funnelling billions of dollars in war-emergency contracts into the myriad industries of this Nation. Now is the time to make sure that much of this money be returned to the Government in the form of excess-profits taxes, in order that we, as a Nation, can operate on a pay-as-you-go basis as nearly as possible. If the average man is going to be asked to attempt to shoulder most of the cost of building a citadel against communism while big business pockets enormous profits, we as Members of Congress will be responsible for leading our future generations down the path to a fast and total bankruptcy.

Big business has as much a share in our way of life as does the man on the street. And we should make sure that big business does its share. I say that we Members of Congress will betray our people and our country if we recess at this time without completing action on the tax program, including the excess-profits proviso which so many seem to find such a bitter pill to swallow.

These are times that call for immediate decision and immediate action. The forces of evil in this world are not going to sit back and wait until we settle our petty differences here before they move against us. With American men fighting and dying on a distant battlefield to protect the principles of freedom, the least sacrifice we can make is to stay here on the job until we have licked this taxation bugaboo.

JOINT COMMITTEE ON DEFENSE PRODUCTION

The SPEAKER. The Chair lays before the House the following communication for the information of the House.

The Clerk read as follows:

Hon. SAM RAYBURN,
Speaker of the House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: Pursuant to section 712 (a) (2) of the Defense Production Act of 1950 (Public Law 774, 81st Cong.), I hereby appoint the following members of the Committee on Banking and Currency of the House of Representatives as members of the Joint Committee on Defense Production: PAUL BROWN, WRIGHT PATMAN, BROOKS HAYS, RALPH A. GAMBLE, HENRY O. TALLE.

Respectfully,
BRENT SPENCE, *Chairman.*

COMMITTEE TO INVESTIGATE EDUCATION AND TRAINING PROGRAM UNDER SERVICEMEN'S READJUSTMENT ACT

The SPEAKER. Pursuant to the provisions of House Resolution 474, Eighty-first Congress, the Chair appoints as members of the Select Committee To Conduct an Investigation and Study of the Education and Training Program Under the Servicemen's Readjustment Act the following Members of the House: Mr. TEAGUE, chairman; Mr. ENGLE of California, Mr. EVINS, Mr. BOLLING, Mr. CHUDOFF, Mr. KEARNEY, Mr. WEICHEL, Mr. BEALL, Mr. SCUDDER.

PALISADES DAM AND RESERVOIR PROJECT

Mr. PETERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2195) to authorize the Palisades Dam and Reservoir project, to authorize the north side pumping division and related works, to provide for the disposition of reserved space in American Falls Reservoir, and for other purposes, with amendments of the House thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Florida? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. PETERSON, MURDOCK, and SANBORN.

SETTLEMENT CONTRACTS WITH SIOUX INDIANS FOR CERTAIN LANDS AND RIGHTS, MISSOURI RIVER DEVELOPMENT

Mr. PETERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5372) to authorize the negotiation and ratification of separate settlement contracts with the Sioux Indians of Cheyenne River Reservation in South Dakota and North Dakota for Indian lands and rights acquired by the United States for the Oahe Dam and Reservoir, Missouri River development, and for other related purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Florida? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. PETERSON, MORRIS, and D'EWART.

PERMISSION TO ADDRESS THE HOUSE

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks, and I ask those remarks appear in the Appendix of the RECORD.

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

There was no objection.

[Mr. McDONOUGH addressed the House. His remarks appear in the Appendix.]

PALISADES DAM AND RESERVOIR PROJECT

Mr. PETERSON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report and statement on the bill (S. 2195) to authorize the Palisades Dam and Reservoir project, to authorize the north side pumping division and related works, to provide for the disposition of reserved space in American Falls Reservoir, and for other purposes.

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

There was no objection.

CRIMES AND CRIMINAL PROCEDURE

Mr. DURHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6480) to revise title 18, United States Code, entitled "Crimes and Criminal Procedure," with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That (a) the analysis of chapter 33 of title 18, United States Code, immediately preceding section 701 of such title, is amended by inserting, immediately after and underneath item 709, the following new item:

" '710. Cremation urns for military use.'

"(b) Title 18, United States Code, is amended by inserting immediately following section 709 of such title, a new section, to be designated as section 710, as follows:

" 'SEC. 710. Cremation urns for military use.

" 'Whoever knowingly uses, manufactures, or sells any cremation urn of a design approved by the Secretary of Defense for use to retain the cremated remains of deceased members of the Armed Forces or an urn which is a colorable imitation of the approved design, except when authorized under regulation made pursuant to law, shall be fined not more than $250 or imprisoned for not more than 6 months, or both.' "

Amend the title so as to read: "An act to amend title 18, United States Code, entitled 'Crimes and Criminal Procedure.' "

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain this amendment?

Mr. DURHAM. The bill H. R. 6480 is to enact a statutory provision for cremation urns for military use. It is a unanimous report from the committee, and the Secretary of Defense has requested this permission.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

TO AMEND THE ATOMIC ENERGY ACT OF 1946

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3437) to amend the Atomic Energy Act of 1946.

The Clerk read the title of the bill.

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

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman explain this bill?

Mr. DURHAM. Mr. Speaker, the main purpose of this measure can be stated briefly. Heretofore the General Manager of the Atomic Energy Commission has been appointed by the President, and with the consent of the Senate. It has been felt by the committee, and it is the unanimous report of the committee, that the General Manager should be placed under the authority of the Commission. This is the primary purpose of this bill.

The General Manager carries a heavy responsibility in carrying out his duties and must have a wide knowldege of industry requirements. At the present time he draws a salary of $15,000, under the original act. This would give the Commission authority, if trying to secure a man for this billion-dollar enterprise, to raise the salary up to $20,000 if they care to do so.

It will be recalled that we passed an act which raised the salaries of the Secretary of Army, Navy, and Air Force up to $18,000. This would raise four of the present Commissioners' salaries from $15,000 to $18,000. The Chairman of the Commission would draw $20,000 under this measure.

That is the primary purpose of the bill.

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

Mr. DURHAM. I yield.

Mr. RICH. I have great confidence in the gentleman from North Carolina, and I do not think that the things he is asking for are too much, considering the great amount of money we are spending under this program for the Atomic Energy Commission. But we Members of Congress, or at least I, know so little about what this program is or what we are doing that I would like to ask the gentleman from North Carolina this question——

Mr. DURHAM. I appreciate the kind words of the gentleman from Pennsylvania with reference to his confidence in me, and I may say to him that if I felt as well about all national-defense matters as I do about the job that has been done in this Commission I would feel much better.

I am not permitted to state the increase that has been made in this project, except to say that it has been satisfactory. These scientists especially, and the Commissioners also, are making sacrifices in taking these jobs; and I feel that the increase is justified. In some of the recent salary increase bills I think probably we have raised the salaries too high, but an Under Secretary is drawing this salary at the present time with probably but half the responsibility borne by a member of this Commission.

Mr. RICH. I may say that I am not at all questioning the salaries that have been asked for here. I think they are probably all right, but what I am interested in is to know from Members who are familiar with the operations of this Commission whether the great amount of money we are spending is for the best interests of our country.

Mr. DURHAM. I definitely feel that it is being spent wisely and with good judgment for primarily our own protection in the field of national defense. We know today we are supreme in this field and can assure the gentleman from Pennsylvania of this. I have a great admiration for the gentleman's desire to secure a dollar's worth for the expenditure of a dollar. I am grieved the gentleman is retiring from this body. I can say he has served his Nation nobly and well.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the next-to-last sentence of section 2 (a) (2) of the Atomic Energy Act of 1946 is amended to read as follows: "Each member, except the Chairman, shall receive compensation at the rate of $18,000 per annum; and the Chairman shall receive compensation at the rate of $20,000 per annum."

SEC. 2. Section 2 (a) (4) (A) of the Atomic Energy Act of 1946 is amended to read as follows:

"(A) a General Manager, who shall discharge such of the administrative and executive functions of the Commission as the Commission may direct. The General Manager shall be appointed by the Commission, shall serve at the pleasure of the Commission, shall be removable by the Commission, and shall receive compensation at a rate fixed in the Commission's discretion but not to exceed $20,000 per annum."

The bill was ordered to be read a third time, and was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. LANE asked and was given permission to address the House for 5 minutes today following any special orders heretofore entered.

PERSONAL ANNOUNCEMENT

Mr. O'SULLIVAN. Mr. Speaker, I was unavoidably delayed because the plane on which I was traveling this morning from Omaha did not arrive on time. I was not, therefore, present to vote on the conference report accompanying the bill H. R. 4940, the Internal Security Act of 1950. Had I been present I would have voted for the conference report.

The SPEAKER. Under previous order of the House, the gentleman from Rhode Island [Mr. FOGARTY] is recognized for 1 hour.

THE PARTITION OF IRELAND

Mr. FOGARTY. Mr. Speaker, at the present time there are pending before the Committee on Foreign Affairs several resolutions concerning the partition of Ireland. While hearings were held on these resolutions in April of this year, no formal action has been taken by the committee to report an appropriate resolution to the floor. I had hoped that the Members of the House might have had an opportunity long before this to express their approval of Ireland's right to unity, and I still hope that it may be possible before the present session of Congress is ended.

I can readily appreciate that there are many vital international situations with which the Congress is seriously concerned and which have demanded the immediate attention of congressional committees. However the mere fact that the situation in Ireland does not threaten world peace at this moment, nor present a dangerous Communist problem, nevertheless it is a serious problem and one that is filled with danger.

The parallel between the unjustifiable boundary which was created in Korea and the inexcusable partition of Ireland is too evident to call for comment. Let me emphasize once again that when Ireland was partitioned, no one in all Ireland desired the division of that country. It was only to satisfy the demands of British political intrigue and to maintain an unlawful stranglehold on Ireland to the benefit of British imperialism that the London Parliament passed the law,

which attempted to create two nations out of this small island people. No Irishman, sitting in that Parliament, voted for the act.

Ireland is a separate island with an historic unity and a oneness of her people, that is unequaled by any other nation in all of Europe. Only since 1920 has there been a division drawn between parts of the 32-county nation, with 6 of these counties cut off from the rest by a meandering line drawn across the countryside. That border is just as nebulous and as nonsensical as the line across the thirty-eighth parallel in Korea. No nation will long tolerate the unwarranted occupation or division of their country, but will instead constantly strive to regain the occupied territory and reunite the entire country.

The situation in Ireland is bound to continue to hamper amicable relations with Great Britain so long as the border remains. The time to remedy this condition is in advance of gunplay or other strife, and it is for this reason that I have urged that our State Department use what means it may properly employ to effect a solution of this matter now. The importance of a united Ireland is all too evident to even a casual student of European defense problems. The last war demonstrated that all too clearly, and if for no other reason than because of western European defense strategy, our State Department should take action.

Ireland was promised by Great Britain during the First World War that they would be given an independent form of government following the war. Relying on these promises 300,000 Irish volunteered for service in that war and 50,000 casualties were suffered in an effort to maintain the right of small nations to determine their own form of self-government and to retain their freedom. Rather than carry out those promises, so freely given, Britain instead used every means at her command to prevent the Irish from securing self-government, even to the extent of splitting up the country when it was realized that the establishment of the Republic of Ireland could not be prevented.

Today the situation in Europe remains a constant threat to the peace of the world. This situation is largely due to the manner in which Germany has been divided up, following the war, with each of the major powers being in control of a sector of that country. It is the partition of Germany which gives rise to the uncertainties and misunderstandings between east and west. In the event of armed conflict in Western Europe, military strategy will require the full cooperation of all the countries of western Europe. The present effort to rearm these nations on a uniform plan under the terms of the Atlantic Pact is a far-reaching effort to consolidate the defense forces of the west.

It is necessary to point out, however, that all this planning is of little avail, when the most important link in the northwest corner of the line of defense is not only left out of the Atlantic Pact, but is likewise left totally unarmed and without the means of adequately arming itself for even ordinary defense. Ireland is the most westerly of the European nations and so closest to the United States, the base of supply for European defense. Yet this island, of great strategic importance, is left open to attack and occupation by a hostile power. It is idle for the Foreign Ministers of the Atlantic Pact nations to discuss defense strategy, as they are now doing in New York this week, if they do not take into consideration the situation of Ireland.

Ireland is not, nor can be, a member of the Atlantic Pact nations, so long as Britain continues to occupy any portion of Irish soil. The terms of the Atlantic Pact require each member nation to guarantee the territorial integrity of each of the other nations for a period of 20 years. With Britain falsely claiming the six counties of northeastern Ireland as a part of her empire, Ireland cannot sign the pact and thereby renounce her rightful claims to sovereignty over all of Ireland. An attempt to do so by any Irish leaders would be immediately denounced and rejected by the people of Ireland, and rightly so. Hence, so long as partition continues in Ireland, Europe cannot look to Ireland as a supply base or a staging area from which to carry out the effective defense and protection of western Europe. Yet sound military planning demands that Ireland be included in any logical program for the defense of Europe against attack, the type of attack that can be expected in any future warfare in Europe. To bring Ireland into the defense picture, requires first that you bring all Ireland into a united whole, that partition be ended, and that British imperialism in Ireland cease.

I feel strongly on this subject because the position of Ireland in relation to the rest of Europe is of far greater military importance than that of England itself. Apart from this the moral right and legal justice demand that the expressed will of the Irish people to enjoy the full independence of their entire country should be recognized. We cannot honestly claim to be the champion of the rights of small nations to be free, and yet refuse to face the facts as they exist in Ireland. It is not antagonism toward Great Britain that motivates me. Quite the contrary, it is a desire to help Great Britain solve a problem that is both difficult and delicate. The United States can very properly initiate the steps necessary to bring about an end to the partition of Ireland and thus give to Great Britain an honorable and acceptable means of ending this controversy to the satisfaction of both Great Britain and Ireland.

In an effort to focus attention on the Irish border question, I offered an amendment this year to the Marshall plan legislation when it was before the House during March. The amendment, which I offered, was the same as the one which I had presented the year before. This amendment was a studied and deliberate effort to help Great Britain bring about an end of the Irish border if she was to continue to receive our financial assistance towards recovery. I believed then and I believe now that Britain would welcome an opportunity to gracefully terminate this division of Ireland and yet not impair her prestige in doing so.

The amendment I offered was accepted by this body in the Committee of the Whole by a very substantial vote. However, we did not press the issue when the legislation came to final passage, because of the assurances given to myself and my colleagues that this matter would be given prompt consideration by the Committee on Foreign Affairs. The distinguished chairman of that committee, the gentleman from West Virginia [Mr. KEE], in response to the question Congressman JAVITS, a member of the Foreign Affairs Committee, stated on the floor:

> Within 10 days after the passage of this bill (referring to the Marshal plan), I shall call a meeting of the Committee on Foreign Affairs and give a hearing upon these five resolutions which I hold in my hand with a view to the committee voting out one of them.

Subsequently the chairman did call a meeting of his committee and a full hearing was held. Not a single voice was raised at that hearing in opposition to the elimination of partition in Ireland, in spite of the universal publicity given to the matter.

Although those hearings were held on April 28, the Foreign Affairs Committee has not yet voted out any one of the resolutions, either in the original or a modified form. While I appreciate the many responsibilities of the chairman and the numerous problems before his committee, nevertheless, I hope that it may yet be possible for his committee to meet and take favorable action in this regard. I feel that the gentleman from West Virginia is not adverse to this legislation in view of his statement on the floor at the time he was urging that the amendment I had offered to the Marshall plan be withdrawn. At that time he said, on March 29:

> If the amendment offered by the gentleman from Rhode Island were a separate resolution, I think now that I would perhaps be glad to support it; but it really has no germaneness to the purposes of the bill.

In view of the attitude of the chairman [Mr. KEE] and because of the great interest of so many Members of the House, I urge the Committee on Foreign Affairs to take action on these resolutions and report one of them to the House for its consideration.

Much time and effort has been devoted to the question of the partition of Ireland. This work should not now prove of no avail. Instead we should be given an opportunity to complete the action on this matter and bring the issue to a vote in the House before the end of the present session. I am confident that an expression by the House of Representatives urging that all Ireland should be united, provided the majority of all the people of all of Ireland so indicate, would carry great weight before the British Parliament in London. This would be especially so, if our State Department would join in urging Britain to respond to the expression of the opinion of this body, both in the interests of the rights of the Irish people to their full independence as well as for the benefit of European defense and the mutual cooperation of all the western European nations in economic recovery. The time for action is now. For once let us anticipate possible

danger and disaster on the international front by eliminating the cause of trouble ahead of time.

I might speak at great length on this subject, but the equities of the case speak for themselves. The injustice of partition, the continuing friction it engenders, the threat to peace and harmony all demand prompt action. I do hope that we may have prompt and favorable action by the members of the Foreign Affairs Committee and that an appropriate resolution may be brought before the House for immediate consideration.

Mr. ROONEY. Mr. Speaker, will the distinguished gentleman yield?

Mr. FOGARTY. I yield.

Mr. ROONEY. Is it not the fact that at the hearing before the subcommittee of the House Committee on Foreign Affairs on April 28 last, not a single witness appeared in opposition to the resolution introduced by the gentleman from Rhode Island which was then under consideration before that committee?

Mr. FOGARTY. That is absolutely correct, and that was after a great deal of publicity had been given to the holding of the meeting on that day.

Mr. ROONEY. Mr. Speaker, I wish to commend my good friend, the gentleman from Rhode Island, upon the statement he has made to the House today. I agree with him that action should be taken by this House promptly on the matter of the abolition of partition in Ireland.

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

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

Mr. DAVENPORT. Mr. Speaker, I wholeheartedly endorse the sentiments expressed by the distinguished and able Congressman from Rhode Island. In my short period in the House I have consistently supported every movement which might tend to solve this unfortunate problem of partition which exists in the Irish Nation. I am satisfied that if only good will existed on both sides of the problem, as it certainly exists on the side of the Irish Republic, the question of partition could be solved with a minimum of friction. We, of the United States, are friendly with both parties to the dispute, and it has been a constant source of surprise to me that our good offices have not been utilized to mediate the question.

It seems to me that it would be in our own interests to act as arbiters and to achieve a friendly settlement of this long-standing issue. A solution would, as I have before stated in this House, in all probability bring Ireland into that circle of nations now known as the North Atlantic Pact. In that connection I would like to mention as matters are at present Ireland is one of the few nations in Europe that has no effective means of defense against the peril which overshadows Europe today. Some months ago I brought this question of defense of Ireland to the attention of the House Committee on Foreign Affairs dealing with the military-assistance program. I mentioned that Ireland is in need of arms, and I quoted for the information of that committee the text of a statement made by the Irish Minister for External Affairs on June 6 last to a United Press correspondent. With the permission of the House I should like to read that statement:

"Of all the European countries this side of the iron curtain Ireland is the most completely anti-Communist. We are probably the only western European nation with no Communist Party. In the event of war the Irish people would resist any attempted invasion more unitedly and determinedly than any other nation in Europe. For that reason I should think the United States would do well to furnish us with the necessary armaments beforehand," Sean McBride, Irish Minister for External Affairs, said. He also said that Ireland is unable to join the North Atlantic Pact while part of "our territory" remains under British rule. But he said that in any future conflict between Soviet Russia and the west she would resist Communist invasion with all her strength. "For that reason," he said, "I should think the United States would do well to furnish us with the necessary arms in advance."

It will be noted that Mr. McBride said that Ireland is having increasing difficulty in obtaining the armaments she requires from Great Britain. And that he suggests that it would be in the interests of both the United States and Ireland that an adequate supply of defense armament be made available to Ireland for defense in time of war.

I should like also to mention that Dr. O'Higgins, the Irish Minister for Defense, speaking in the Irish Parliament, mentioned that Ireland was deficient in the means of defense—that such weapons as the Irish Army had are obsolete and that they could only obtain new arms—and I quote the Minister's own phrase—"in driblets"—and that such arms as they were getting were being purchased in Great Britain. I might mention, also, that the Minister of Defense said that there is no arms industry in Ireland and that not even shotgun shells could be made in the country. Under the circumstances, it seems to me that the position of Ireland in regard to arms is a question which ought seriously to come under the consideration of this country.

It is my understanding that Ireland is in full sympathy with the objects of the Atlantic Pact. The reasons for nonadherence to this treaty are fully explained in a document recently published which gives the texts of exchanges between the State Department and the Irish Government relative to an invitation extended to Ireland to become a member of the Atlantic Treaty group. In the document the Irish Government expresses general sympathy with the aims and objects of the Atlantic Treaty and, in my interpretation, implies regret that because of the continued partition of the country by one of the signatories of the pact, it is not practical politics for the Irish Government to enter into any commitment involving military action jointly with the state responsible for the continuance of partition. The reasons adduced for not accepting the invitation to join the pact are in my opinion valid, but nevertheless, it is made clear that the Irish Government is, as I have previously stated, in favor of the objects of the Atlantic Treaty and, for that reason, I suggested to the House Foreign Affairs Committee that full consideration be given to the possibility of including Ireland's name in the program of military aid so that the country may have access to the proper arms necessary for defense. Some of the countries already in the list are farther from home and less important to the security of America than Ireland, our nearest neighbor to the east.

Some months ago, a retired officer of the British Navy, Brig. Gen. Eric Dorman O'Gowan, in a speech at the Overseas Writers Club here in Washington, mentioned that Ireland was in the present situation "a gap in our Atlantic wall of defense." This speech was inserted in the CONGRESSIONAL RECORD by a distinguished member of the Armed Services Committee, the Honorable PHILIP PHILBIN, of Massachusetts. Brigadier O'Gowan, speaking as a soldier acquainted with the difficulties of defense and speaking with the knowledge of long years of staff work, said that it was strategically unwise to consider Atlantic defense complete when it lacked Ireland as a defensive factor therein. He spoke of the necessity of approaching the problem of Ireland from a realistic point of view and with due deference to those who direct our foreign policy, I am of the opinion that it would be completely in the realistic interest of the United States if we could have Ireland armed with defensive weapons and I would urge that this gap in our defense wall be blocked by the provision of adequate defensive weapons to the Irish Nation.

There is no danger of communism in Ireland, and no danger that the arms will fall into communistic hands. The same, unfortunately, might not be said of other countries. If Europe should fall in the advance of the aggressor, we might well find that our best investment of arms and training would have been the relatively small amounts which we might expend in equipping the defense forces of the Irish Republic. That territory might conceivably be our last line of defense in Europe and indeed a springboard for reentry into Europe.

Today the Foreign Ministers of the three great western democracies, the United States, Great Britain and France, are considering in New York measures of security for Europe, and the Ministers of the Atlantic Pact countries are, I understand, also to meet and deliberate upon security measures to be taken for Europe. I would venture to recommend to them if it were our responsibility that in their deliberations they should consider the possibility of making a joint recommendation for the mediation of this partition problem so that Ireland as a united country may be enabled to join with them in their common cause.

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

Mr. FOGARTY. I yield to the gentleman from Massachusetts.

Mr. LANE. Mr. Speaker, I am happy to join with my colleague, the gentleman from Rhode Island [Mr. FOGARTY], in urging favorable consideration of the various resolutions now pending before the Foreign Affairs Committee. It has been my pleasure to have introduced one of these resolution concerned with ending the partition of Ireland. In fact, I believe that I was the first to introduce

such a resolution before the Congress, having been concerned over this situation for a long period of years. However, I am not in the position of one who insists upon favorable action on the resolution I have introduced nor even on the suggestion I have made for handling this controversy. I am willing to have the committee exercise its mature judgment as to the type and form which the resolution should take. But I do urge most strongly that action be taken at this time in order that the border question in Ireland may be speedily brought to an end.

Others have spoken of the military reasons for uniting Ireland as an added incentive to bringing about justice to a small nation, which is unable to wage war in order to achieve her rights and which is unwilling to resort to such means to accomplish her desire for unity. Ireland has been employing every peaceful and legitimate means at her command to end this controversy with Great Britain, and I am sure that our encouragement will mean much in helping to find a solution to this problem.

Not only is the unity of Ireland a necessity from strategic reasons, but it is also of primary importance to the economic welfare of Ireland herself. The existence of the border in Ireland has created numerous difficulties and has thwarted the full development of both sections of the Nation, industrially and agriculturally. Railroads, power projects, and highways, all are hampered by reason of the existence of this border.

The industrial area of Belfast should be an integral part of the industry of all Ireland, of which it constitutes nearly a half. The agriculture of the northeastern section can best be advanced in cooperation with the development of agriculture in the rest of Ireland. The six-county area is not economically self-sufficient, and only when joined with the rest of Ireland is the whole nation enabled to progress and develop as it should.

At the present time we are working to augment the resources of the European nations and to improve the economy of western Europe. Ireland can play an important part in this program as she has already demonstrated by the great strides she has made since the war, through her own efforts and our assistance. Through the unification of the entire country the same progress can be maintained in all 32 counties and the economic stability of the six county area be greatly enhanced. This area during the years of depression proved to be the No. 1 area of Great Britain and Northern Ireland. Recovery was slowest and suffering greatest in this theoretic country, which should have been allowed to remain part and parcel of Ireland, which it naturally is. More relief had to be granted to the six counties than any other so-called British area, and that largely because the area simply was not adequate to maintain itself.

In promoting the economic recovery of Europe, the unifying of Ireland is as important a step as is the mechanization of agriculture or the revitalization of the soil. In an effort to promote the economic recovery we should urge that this vital step be taken to reunite these two sections of Ireland in order to develop greater self-sufficiency. The economic reasons for unification are as strong as the strategic or military reasons. However the cause of justice itself is the most compelling of all reasons, and on this ground alone, we should urge the reunification of Ireland, without regard to other means of justification for our taking action in this regard.

Throughout the centuries Ireland has waged a constant battle for freedom. Unable to achieve freedom at home, her sons and daughters joined the fight for freedom in various countries throughout the world, but in none more than here in America. The action of this House in requesting that Ireland be granted an opportunity to reunite her country, would be small thanks indeed for the generous aid Ireland gave us in our struggle for freedom and independence.

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

Mr. FOGARTY. I yield.

Mr. McDONOUGH. Mr. Speaker, I join with my colleage the gentleman from Rhode Island in his appeal for action by the House Committee on Foreign Affairs on the resolution now pending before that committee on this very vital question. There are many parallels which can be drawn between the situation in Korea and Ireland. The one thing that is very glaring and which, to my mind, is no parallel at all, is that the United States acted quickly in the Korean situation and up to now we have done nothing so far as giving aid and comfort to Ireland in the matter of freedom of the six northern counties which have been separated from Ireland as a whole and for too long. I think the Committee on Foreign Affairs of the House has had plenty of opportunity to consider this question and if it were brought to the floor of the House for action, there is little question in my mind that there would be a favorable vote by the House which would make a great impression upon the need for the settlement of this age-old ancient question that has irritated the freedom of so many freedom-loving Irish people for so long. Freedom is dear to everyone, but it seems sometimes it is more dear to the Irishman who knows freedom and has fought valiantly for it across the world in practically every army of the world and for the freedom of practically every nation in the world, only to be denied that freedom in his own beloved Ireland. It seems to me that the very least we can do as a nation is to lend our support to helping Ireland obtain her fair and just rights to settle this long-delayed question of partition, by a free, uncontrolled nation-wide vote of all Ireland to settle once and for all the question of unity and freedom in this courageous and valiant nation, Ireland.

A glaring comparison between the Korean and the Irish situation is, in my opinion, best outlined in a letter recently written to President Truman by Mr. John J. Reilly, national vice president, American League for an Undivided Ireland, which I desire to insert in the RECORD in my remarks at this point, with the hope that this RECORD will be read by the Committee on Foreign Affairs, and that it will make an impression upon the obligation and duty that committee has to report this resolution to the House for action before this Congress adjourns.

The SPEAKER. Without objection, the extension may be made.

There was no objection.

The letter referred to is as follows:

The PRESIDENT OF THE UNITED STATES,
The White House, Washington, D. C.

DEAR MR. PRESIDENT: We are in complete agreement with the terms of your message to Congress proposing $150,000,000 in new economic aid for the Republic of Korea.

We are also in agreement, in principle, with the motives that prompt this and the many similar efforts that have distinguished your administration, and we hope that both Houses of Congress will continue to support you in your far-seeing plan to establish "peaceful and prosperous conditions in the world."

A comparison of the situation confronting the Republic of Korea with the situation that confronts the (de jure) Republic of Ireland reveals that both are in many respects identical. The two countries are struggling to overcome the result of long periods of occupation and exploitation by foreign powers, even while a portion of each is still forcibly occupied and partitioned—in the case of Ireland against the will of 85 percent of the populace.

The conditions in both cases are so strikingly similar that we have taken excerpts from your observations and recommendations in respect to Korea, and applied them to Ireland. We respectfully invite your attention to this application, as follows:

KOREA

"The people of the United States have long had sympathetic feelings for the people of Korea. * * * All Americans who have come to know the Korean people appreciate their fierce passion for freedom and their keen desire to become an independent nation.

"The debilitated state in which the Korean economy was left by the Japanese has been accentuated by the separation of the hydroelectric power, coal and metal and fertilizer industries of the north from the agricultural and textile industries of the south, and by the effects of continuing Communist agitation.

"Korea has become a testing ground in which the validity and practical value of the ideals and principles of democracy which the Republic is putting into practice are being matched against the practices of communism which have been imposed upon the people of North Korea. The survival and progress of the Republic toward a self-supporting, stable economy will have an immense and far-reaching influence on the people of Asia.

"Moreover, the Korean Republic, by demonstrating the success and tenacity of democracy in resisting communism, will stand as a beacon to the people of northern Asia in resisting the control of the Communist forces which have overrun them.

"The Republic of Korea, and the freedom-seeking people of North Korea held under Soviet domination, seek for themselves a united, self-governing and sovereign country, independent of foreign control and support and with membership in the United Nations.

"The United States has a deep interest in the continuing progress of the Korean people toward these objectives. The most practical aid which the United States can give toward reaching them will be to assist the Republic to move toward self-support at a decent standard of living. In the absence of such assistance there can be no real hope of achieving a unified, free, and democratic Korea.

"If we are faithful to our ideals and mindful of our interest in establishing

peaceful and prosperous conditions in the world, we will not fail to provide the aid which is so essential to Korea at this critical time."

IRELAND

The people of the United States have long had sympathetic feelings for the people of Ireland. All Americans who have come to know the Irish people appreciate their fierce passion for freedom and their keen desire to become an independent nation.

The debilitated state in which the Irish economy was left by the British has been accentuated by the separation of the manufacturing industries of the north from the agricultural industry and hydroelectric power of the south, and by the effects of continuing British interference and agitation.

Ireland has become a testing ground in which the validity and practical value of the ideals and principles of democracy which the Republic has put into practice are being matched against the police state practices which have been imposed upon the people of northeastern Ireland. The survival and progress of the Republic toward a self-supporting, stable economy will have an immense and far-reaching influence on friends and enemies of democracy alike.

Moreover, the Republic of Ireland, by demonstrating the success and tenacity of democracy in resisting communism (which, unfortunately, has obtained a foothold in the occupied portion of the country) and imperialism, will stand as a beacon to other oppressed peoples in resisting the forces that have overrun them.

The Republic of Ireland, and the freedom-seeking people of northern Ireland held under British domination, seek for themselves a united, self-governing and sovereign country, independent of foreign control and support and with membership in the United Nations and the Atlantic Alliance.

The United States has a deep interest in the continuing progress of the Irish people toward these objectives. The most practical aid which the United States can give toward reaching them will be to assist the Republic to move toward self-support at a decent standard of living. (These objectives can best be accomplished by the dissolution of the partition of their country). In the absence of such assistance, there can be no real hope of peacefully achieving a unified, free and democratic Ireland.

If we are faithful to our ideals and mindful of our interest in establishing peaceful and prosperous conditions in the world, we will not fail to provide the aid which is so essential to Ireland at this critical time.

The Irish partition grievance may popularly be considered of little relative importance, but while principles fundamental to justice and peace are being violated; while a friendly, democratic nation is assailed by another whose destinies we are safeguarding; while the helpless victim of that continued assault is thereby unable to accept membership in the North Atlantic Alliance, thus regretfully weakening our own security, we are forced to the conclusion that the matter is of serious consequence to us—so serious, indeed, that our immediate interest seems to justify and compel our intervention.

Because of the tremendous responsibilities of your office, Mr. President, and the grave matters to which your attention is daily devoted, it is possible that you have had little time to give to this question. We feel assured, however, that your administration, which has gained a reputation for candid and honest statesmanship, will concern itself with this age-old injustice. A demonstration of sincerity and good will in this instance will furnish additional proof of the readiness of your administration to cooperate generously in the solution of other major international disputes that may now seem insoluble.

Prompted by the warm feeling engendered among our people by your statement on Korea, may we express the hope that the honesty and forthrightness of your beliefs may in the near future be applied to the denial of basic human rights caused by the partition of Ireland.

Sincerely yours,

JOHN J. REILLY,
National Vice President, American League for an Undivided Ireland.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GORSKI] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. GORSKI. Mr. Speaker, Ireland is fundamentally a democratic and freedom-loving country—it has sent its missionaries throughout the world preaching the principles of Christian civilization and the democratic way of life.

Ireland wishes to be able to play its full part in protecting and preserving Christian and democratic principles and ideals but is confronted with a difficulty not easily surmounted. The occupation of her six northeastern counties by British forces against the will of the majority of the Irish people has presented a problem and is the only one outstanding cause of friction and misunderstanding between Ireland and Britain.

It is only fitting that we bring out, today, the unjust condition which exists. The Foreign Ministers of the Atlantic Pact nations are meeting in New York now. Ireland cannot join that pact because of the partition of her country. She could not afford to enter into an alliance with the state which was responsible for the partition of Ireland, which continues to occupy a portion of the country with its armed forces, and which supports the undemocratic practices of a dictatorship. Ireland was partitioned by an act of the British Parliament in 1920 and it has been resented not only by the native Irishmen but also by the Americans who have descended from that freedom-loving country.

The continuance of the partition of Ireland is a violation of Ireland's territorial integrity and is a denial in her case of the elementary democratic right of national self-determination.

It is important, therefore, that the House Foreign Affairs Committee take action on the resolution favoring the abolishment of partition.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield.

Mrs. ROGERS of Massachusetts. I only wish I were still a member of the Foreign Affairs Committee, in order that I might have an opportunity to fight in that committee to bring this resolution to the floor. Ireland has always fought for freedom in every country.

Mr. FOGARTY. I thank the gentlewoman.

The SPEAKER. The time of the gentleman from Rhode Island has expired.

CIVIL DEFENSE

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes, and to revise and extend my remarks.

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

There was no objection.

Mr. CANFIELD. Mr. Speaker, the President says legislation is necessary for proper civil defense and pending action by the Congress he indicates he will set up out of emergency funds a temporary or makeshift organization.

Ever since the report of the atomic explosion in Russia I have been urging the development of a national program of civil defense. Belatedly, the National Security Resources Board has appraised the danger facing so-called target cities and has made recommendations. Unlike taxes we cannot make civil defense retroactive and I contend Congress should meet its responsibility now.

I feel also that postponement of action to take the profits out of war and the shelving of the Hawaii-Alaska statehood bills may prove costly. I oppose the program to rush adjournment.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I know that the gentleman is one of the pioneers for a permanent national civilian defense program. I am delighted that the administration has decided to have one. I agree that the legislation should be passed now, and that we should not adjourn until action is taken on it. I introduced a bill for the purpose of creating a national civilian defense.

Mr. CANFIELD. I am aware of that, and I know the gentlewoman has always pioneered in this effort.

Mrs. ROGERS of Massachusetts. The gentleman has fought steadily day after day for it.

CIVILIAN DEFENSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute now, in lieu of the special order that I have been granted for later.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, as I stated recently, I am very glad the President has decided to create a Department of National Civilian Defense with a head in Washington. It is vital for the security of our country and for the mental security of our people. They have been very anxious over the situation. I think the Congress should not adjourn until this has been accomplished, and also until the bill that would give the veterans in hospitals their mustering-out pay. Apparently, unwittingly an error was made in the bill that passed the committee giving retirement instead of compensation discharge to the men, so they lost their mustering-out pay. It means an enormous amount to the men who are still in hospitals awaiting their discharge, because they will lose their mustering-out pay. That should be passed before we adjourn. No one will

object to it; it was an error in the legislation.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 20 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that on Thursday and again on Friday I may address the House for 20 minutes following the legislative program and any special orders heretofore entered for the respective days.

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

There was no objection.

(Mr. PATMAN asked and was given permission to revise and extend his remarks and include certain extraneous matter.)

EX-CONVICT ED RUMELY, THE SELF-APPOINTED MINISTER OF PROPAGANDA, KEEPS REPUBLICAN LEADER IN LINE

Mr. PATMAN. Mr. Speaker, I hold in my hand three tremendously interesting clippings from the Republican newspapers in the city of Providence, R. I.

The first clipping is from the Evening Bulletin dated Friday, September 1—3 days after I delivered a speech revealing once again the subversive activities of the ex-convict, Edward A. Rumely, and his committee for a Fascist government in the United States, alias Committee for Constitutional Government.

On page 1 of the Providence Evening Bulletin is this headline: "Dresser answers PATMAN attack on Rumely, self." To the credit of the Evening Bulletin, a Republican newspaper, let me say that they published, along with Robert Dresser's statement, a fair account of what I said on August 29 concerning Mr. Dresser, one of Rumely's oberleutnants. I had documentary proof that Dresser was part and parcel of Rumely's gang. In the 2 weeks that followed, the Rhode Island press and radio kept commenting on my remarks and Dresser's defense of Rumely and himself. Then, on September 15, top of page 1, there appeared this article I hold in my hand, with the headline "Dresser resigns R. I. GOP finance committee post" and the subheadline "Says he believes his action is what Levy, senatorial candidate, desires."

Three days later, in the Providence Evening Bulletin, on page 1, is the third article, Levy-Dresser Differences Not Resolved. The article contains a most significant statement from Republican senatorial candidate Levy which I quote:

> It is true that Mr. Dresser and I hold opposite views on fundamental matters of importance. In addition, there are differences of opinion as to how the campaign should be organized and conducted. I am concerned that these differences have not been relieved since Mr. Dresser published his letter of withdrawal.
>
> I believe that there is room within the framework of the Republican Party for all active workers and patriotic Americans who are concerned for our country's future.

And then, continued the article:

> While Levy declined to enlarge, his reply was interpreted in some measure as accentuating the clash between him and other Republicans of Dresser's beliefs concerning what the party should stand for in the campaign.

Mr. Speaker, in my remarks of August 29, I asked the question: Will the Republicans never turn their back on Ed Rumely and his ilk? I had questioned the strange kinship between the Republican Party and some of the principal owners and operators of that party with the proven Fascist, Edward A. Rumely, and his personal anti-American activities committee, alias the Committee for Constitutional Government. I had stated that Robert Dresser, prominent Providence, R. I., attorney, was part and parcel of Rumely's gang. I had also quoted in my remarks of the 29th a statement from the Providence Journal that Dresser admitted quoting in a letter to Guy Gabrielson, Republican National Chairman, from the writings of the long-time hatemonger, Joseph P. Kamp. Kamp, you will recall, was one of the pro-Nazis indicted by the Government for treason during World War II. Kamp, you will also recall, is in or just got out of jail for contempt of Congress, and on August 31 was cited again for contempt of Congress for failing to reveal the source of the money which enables him to carry on his nefarious activities. Dresser said in his statement:

> I am proud to be classed as a friend of Joe Kamp and to quote from his excellent writings.

One of the clippings I hold in my hand quotes James H. Readia, Jr., chairman of the finance committee, who said that Dresser's withdrawal from the committee is a very real tragedy to the party in Rhode Island.

Readia said, according to the article, that no man in the party has been more instrumental in raising campaign funds.

Just think of that, this valuable Republican, Dresser, an oberleutnant of Ed Rumely, proud to quote from the long-time hatemonger, is a vital cog in the Republican machine in Rhode Island and nationally.

But Republican senatorial candidate Austin Levy cannot stomach all this. Here is a man, a Republican, who does turn his back on the Rumelys, the Dressers, and the Kamps. He does not want the Republican Party to become a Fascist party. He says:

> I believe that there is room within the framework of the Republican Party for all active workers and all patriotic Americans who are concerned for our country's future.

Evidently, and quite accurately, he did not classify Rumely, Dresser, and Kamp among these. For his common sense and his patriotism, I, a Democrat, commend Austin Levy, the Republican.

But do we hear any statement from GOP Chairman Guy Gabrielson turning his back on such characters? From him there is an ominous, loud, and revealing silence.

Now, the gentleman from Michigan, CLARE HOFFMAN, during the course of his remarks in the House on September 18, inserted in the RECORD a statement from Mr. Dresser which quoted from my remarks of August 29 concerning Edward Rumely, his committee, and his oberleutnant, Robert Dresser. Then, after these quotations lifted out of context, the gentleman from Michigan says that they follow—

> The usual pattern used by those with which Mr. PATMAN runs. In place of a discussion of the issues on their merits, it substitutes vilification and abuse. It is the familiar smear technique of the New Deal.

Significantly, the gentleman from Michigan is paraphrasing what Robert Dresser said about my statement.

The Providence Evening Bulletin of September 1 said that the Patman attack, according to Dresser, "omits all discussion of issues on their merits and confines itself to vilification and abuse. It is the familiar smear technique of the New Deal."

Now, of course, both of these statements imply that I made charges without backing them up. Consequently, in fairness to all, I shall now quote what Dresser left out of context from my remarks of August 29 and which the gentleman from Michigan inserted in the RECORD. At the same time, I shall also quote from my remarks of August 29 the supporting evidence.

EFFORTS TO PREVENT PEOPLE GETTING THE TRUTH

It is a curious fact that the day after I delivered my remarks concerning Rumely, Dresser, and the Committee for a Fascist Government in the United States it was impossible to buy a copy of the CONGRESSIONAL RECORD. A member of my staff tried to do so but to no avail.

We learned that Rumely's friends had been to work and gobbled them all up so that neither the press nor the American people would be able to learn what I had revealed. I therefore welcome the opportunity to reply to Mr. Dresser's statement as inserted in the RECORD by the gentleman from Michigan. My remarks had been lifted out of context. I only hope that the press this time will be able to get ahold of today's RECORD and then send out across the land what anti-American activities Rumely, Dresser, and their friends carry on.

And I hope the press will not be intimidated by Rumely's gang. There are no libel suits when you tell the truth.

Dresser's first quotation from my speech, as put in the RECORD of September 18 by the gentleman from Michigan [Mr. HOFFMAN], is as follows:

> Mr. Speaker, I rise to warn the American people and the Congress of the United States about a man, an evil man, and an evil institution he directs. This man constitutes as grave a threat to the well-being and security of the United States as any Communist within our borders, yet he is no Communist.
>
> He does use their tactics; for example, the constant repetition of the big lie. He defies the constitutional authority of the House of Representatives just as the Communists have consistently done. He is as fraudulent as they are. He is at least as arrogant. He wraps himself up in the cloak of our Constitution, and he assumes a superduper patriotism. He pretends to be a defender of our freedom. Actually he would destroy it.
>
> * * * * *
>
> In years past I warned you about this man and his sinister purpose. I told you who Ed Rumely was. He was an American Fascist, plain and unadulterated, when I first revealed his un-American activities in 1944. Ed Rumely is the same plain, unadulterated native Fascist today and his committee for

a Fascist government in the United States, alias the Committee for Constitutional Government, is up to its old tricks of trying to fool all the people all the time on legislative matters of vital importance to the people of this Nation.

I shall now reinsert some portions of my speech which are pertinent to the aforementioned:

WHAT IS A FASCIST AND FASCISM?

Now, the word "Fascist," like the word "Communist," has been bandied about rather loosely in recent years. Ed Rumely and his crowd would call anyone a Communist who voted for any legislation designed to aid the general public. The Daily Worker would call anyone who disagreed with the Moscow party line a Fascist.

I will tell you precisely what I mean by Fascist and fascism, and in the course of my remarks you will learn that Ed Rumely and his extreme, reactionary committee fit the descriptions.

Just what is a Fascist? A Fascist is a man who is totally and absolutely antidemocratic. A Fascist is a man who in reality does not believe in the rights of man. A Fascist is a man who, ignoring all human rights, worships property rights and power. Such were the kind of men who put Hitler into power, and before Hitler, Mussolini.

Just what is fascism? The late, renowned Heywood Broun called it a "dictatorship from the extreme right, a government which is run by a small group of large industrialists and financial lords. The mere presence of the Supreme Court, a House of Representatives, a Senate, and a President would not be sufficient protection against the utter centralization of power in the hands of a few men who might hold no office at all."

Fascism cynically denies the ability of the people to govern themselves through their own chosen representatives. Under fascism, as under communism, the individual is a vassal of the state. Under fascism the rich get richer and the poor more downtrodden. Under fascism monopolies are handed over to the chosen few in the government hierarchy. Under fascism labor unions are used to suppress labor. Under fascism taxation is not based upon ability to pay; the tax load is thrown upon those least able to pay while the rich are encouraged to become wealthier. Under fascism any forward-looking legislation such as social security, soil conservation, veterans benefits, public housing, national health insurance—all such legislation is ridiculed and dubbed socialism or communism.

Under fascism, just as under communism, religions are ridiculed, because the individual would look to a higher power than the state. The state cannot tolerate people looking to any power higher than itself.

Gentlemen, practically every piece of propaganda turned out the past decade or more—running into tens of millions of copies of speeches, articles, and statements—from Ed Rumely's phony constitutional committee has been saturated with the obnoxious odor of fascistic bias. This propaganda, if we examine a single item, would not necessarily prove fascistic, but when you add all of the material together, you cannot escape the fact that what Ed Rumely and his committee are trying to perpetrate upon the American people is a violently reactionary government, which adds up to the Fascist state.

Let me repeat that: A single item from Ed Rumely's propaganda machine may or may not be fascistic, but through the years, adding all the component parts, he and his committee spell but one thing for America: fascism.

Now, regarding my remarks about Rumely being the disseminator of the big lie, let us see what I said on the subject which Dresser did not include in his statement inserted by Congressman HOFFMAN:

RUMELY, CCG, AND THE BIG-LIE TECHNIQUE

The big lie that Ed Rumely spews, hoping that by repeating it the people will come to believe it truth, is that everything that has happened in America since the advent of Franklin D. Roosevelt is socialistic and communistic, and he does not differentiate between new dealism, the Truman Fair Deal, socialism, or communism—this cruel untruth in spite of the fact that one major corporation in America last year made $600,000,000 net after all taxes. Rumely would have the people believe that white is black and black is white. He tries to frighten people with scare words. He is against rheumatism, socialism, communism. Well, who is not?

But let us see what he means by socialism or communism. Ed Rumely and his committee, which consistently through the years has worked against the best interests of the people of the United States, have fought, when badly needed, all rent-control and low-rent and veterans' housing bills. Such measures he calls socialistic or communistic. He tried to do away with the income tax on high-bracket incomes.

"SOCIALISM—COMMUNISM"

He fought labor's magna carta, the Wagner Act, using the same scare words: "Socialism—communism." Rumely wants labor to believe that unions are against their own interests, that the Taft-Hartley law is the finest thing that ever happened to labor. He tries to make people who are benefited by the minimum-wage law believe that those who favor such legislation are plotting to undermine the country and make them unemployed. The minimum-wage law is dubbed socialistic or communistic.

And so, too, every other forward-looking measure part and parcel of the Roosevelt and Truman programs. Day in, day out, year in, year out, he seeks to divide the country, to make the farmer believe that anything that benefits labor will work against the farmer and vice versa. Those measures designed to help the people are socialistic or communistic, and those who espouse such measures are Socialists, Communists, or planners and fellow travelers.

Gentlemen, if this renegade, Rumely, had his way and could succeed in abolishing all of our social legislation passed since 1933 under Roosevelt and Truman, we would have complete anarchy in America. We would have what the Communists pray for—revolution in America.

The big lie is contained all through his propaganda, about which I said:

HOW A FASCIST PROPAGANDA MILL OPERATES

Millions of dollars have been collected by Rumely to run his propaganda mill. In 1944 his committee issued a pamphlet which contains the following statement:

"In mobilizing and educating public opinion on constitutional issues, the committee has sent out since 1937:

"Eighty-two million pieces of literature—booklets, pamphlets, reprints of editorials and articles, specially addressed letters, and 760,000 books.

"More than 10,000 transcriptions, carrying 15-minute radio talks on national issues, besides frequent national hook-ups for representatives of the committee.

"Three hundred and fifty thousand telegrams to citizens to arouse them to action on great issues.

"Many thousands of releases to daily and weekly newspapers."

Rumely's auditor reported that in 1943 26,456,636 pieces of literature were printed. In lobbying reports on file with the Clerk of the House of Representatives, the Fascistic Committee for Constitutional Government lists the following expenditures:

1946	$216,575.39
1947	460,908.11
1948	450,000.63
1949	620,632.07
First 6 months (1950)	517,580.19

I repeated that he was a disseminator of the big lie in the following words:

He is completely antidemocratic and antisocial. He would destroy America's freedom. He would make the rich richer; the poor poorer. He is the willing and paid agent of the most selfish and short-sighted wealthy individuals in America.

Dresser quoted me as follows:

I am speaking to you today, hoping that my remarks will somehow get back to those unthinking, irrational millionaire suckers who are counting upon Ed Rumely and his ilk to save their America. I hope these foolish men wise up and dry up their contributions.

The following, which Dresser failed to quote, is pertinent to the afore-mentioned. It will indicate who some of Rumely's millionaire backers are.

Now let me quote from a telegram signed by patriarch Lammot du Pont, one of the most unreconstructed Tories in America, who has not learned that, if you do not throw a bone to a hungry dog, the dog might bite you. Mr. du Pont is one of the principal donors to any and all reactionary causes, including the lost cause of the GOP. Wires Mr. du Pont to a host of big corporation executives:

"Last year we and other Delaware citizens helped finance America's future. * * * Treasury ruled gifts deductible. Please make your company's check payable America's Future, Inc., care of William J. Laird, Wilmington Trust Co."

America's Future is one of Ed Rumely's phony front organizations.

THE THIN ODOR OF PEW AND OTHERS

Mr. J. Howard Pew, one of the principal owners and operators of the Grand Old Party, who for nearly two decades has thrown vast sums away in 48 States and nationally for the lost cause of the GOP, also worked hard sending telegrams for Rumely's front organization, America's Future.

Now, let us take a look at the ex-convict's stationery for his Committee for Constitutional Government. Partial list of advisory board:

"Edward H. Moore, Tulsa, Okla.: Ed Moore was a one-term Republican Senator who thought that the Congress of the United States operated exclusively for millionaires.

"Frank E. Gannett, Rochester, N. Y.: This New York publisher ran for the Vice Presidential nomination several times. Even the old guard wing of the GOP could not stomach this Fascist-minded gentleman.

"Louis J. Taber, Columbus, Ohio: An alleged farm leader whose advice to farmers has long been that of a glassy-eyed banker. Taber was a Hoover farm adviser, and you remember what happened to the farmers under the administration of the great engineer.

"J. H. Gipson, Caldwell, Iowa.: State director, Republican State Advisory Committee, in 1945.

"O. R. McGuire, Washington, D. C.: Was counsel for the National Association of Property Owners and Taxpayers, an arch-Republican outfit.

"Mrs. Henry Doorly, Omaha, Nebr.—Her husband owns and operates the Omaha World Herald that is so fiendishly Republican it frequently makes Colonel McCormick's Chicago Tribune look like a pro-administration newspaper by comparison."

And so on down the list it goes so far as Rumely's advisory board is concerned.

Now, it is a well-known fact that most upper-income people, particularly corporation heads and monopoly chietains, are Republicans. Let me quote from a letter, signed by Rumely, written to a Member of Congress:

"Attached hereto a booklet, Suggestions, by Robert B. Dresser, one of our trustees, of which the first 60,000 are going into circulation currently. One of our trustees, Harvey Fruehauf, is sending 6,600 copies to his stockholders, writing them, urging them to speak up to Congress. He is also writing to corporation presidents urging them to distribute this to their stockholders.

"Last spring the trustees voted to begin a long-range program of education on the tax issue. A copy of the resolution is enclosed. We distributed several hundred thousand Would You Like To Double Your Income? last spring and arranged in selected districts to have friends of the committee enlist 20 to 30 leading individuals to write to their Representatives."

The Harvey Fruehauf mentioned above is the wealthy trailer manufacturer on Rumely's advisory board who spends a fortune on lost causes, including the GOP. I cited the afore-mentioned letter because it shows how stockholders are fooled by such moral deviates as Rumely and his venal henchmen. Now, let me quote from a letter written to Mr. Fruehauf on November 19, 1948, signed by Ed Rumely:

"As we are asking you to write to the 17,000 corporation presidents, we asked Ed Hutton to write to 20,000 individuals worth $500,000 to $1,000,000 and over. Copy of his letter is attached. * * *

"If you care to, you might say 'This committee is in no way political. If it were, I would not support it * * * but it does try to shield public officials regardless of party from the revenge tactics of the rulers of labor monopolies. It distributes to the public nonpartisan educational material on vital constitutional and free-enterprise issues that are under consideration.'

"I do hope that we can have on Monday your O. K., for your letter is the only good key that we have to open the door to the most important group that we must reach immediately."

Parenthetically, I shall add that Mr. Edward F. Hutton, 61 Broadway, New York, N. Y., is the principal partner of E. F. Hutton & Co., one of the largest Wall Street brokerage houses. He also finances lost causes such as the GOP.

FIGHTERS FOR FREEDOM GROUP

Now I want to quote from a long letter, dated October 7, 1949, from Ed Rumely to former Republican Senator Albert Hawkes, who at one time was president of the National Association of Manufacturers:

"Your telephone call was a source of great encouragement.

"A grass-roots organization across the Nation is a major job which the committee could not undertake except for its 12-year-long background. During this period we have accumulated a list of about 75,000 who have given financial support aggregating a total of $5,500,000. Mainly, these same supporters have projected America's Future, contributing to it an additional $1,000,000.

"During the last 8 months we have been carefully, step by step, preparing the Fighters for Freedom movement."

Dresser lifts out of context the following:

This cancer on the American body politic, Rumely, and the coterie of blind Tories that support him are sending out across the Nation a book written by a psychopath named John T. Flynn. The book, The Road Ahead, has been called by America, the liberal Catholic magazine, the road to nowhere. Flynn proves in his book the big lie that Roosevelt, Truman, the Fair Deal, the New Deal, socialism, communism are indistinguishable.

The following from my August 29 speech is pertinent to the afore-mentioned:

RUMELY, CCG, JOHN T. FLYNN, AND THE "KINGDOM OF GOD" OFFEND PROTESTANTS

In this book Rumely distributes by the hundreds of thousands is a chapter called The Kingdom of God. I will quote from this chapter because I do not believe that the Republican Party wishes deliberately to offend the great mass of churchgoers in America. If they do not wish to do this, then the Republican Tories who keep Rumely going had better see that he at least eliminates part of chapter 10 before he mails it out so promiscuously and the Republicans endorse it so enthusiastically.

"There is an organization known as the Federal Council of Churches of Christ in America. Its constituent members are 25 Protestant denominations in America. These denominations claim to represent 142,354 local congregations with a membership of 27,000,000 Christian men and women and youth. This organization is governed by about 450 representatives—delegates from the constituent denominations. But the actual directing body is an executive committee of 80 members.

"What the political and social views of these 80 members may be I do not know. But I do know that this powerful council issues periodicals, pamphlets, books, and booklets and sends out preachers to preach the gospel, and that it is by all odds the most powerful apparatus in existence for propaganda among the Christian laity of America. And I know, moreover, and assert, that many of the men most powerful in directing its affairs are using its machinery to promote the interests of a Socialist revolution in America."

A postal card soliciting bulk purchases of The Road Ahead says:

"If you and others help distribute to millions this eye-opening book, they will see the perils ahead and reverse our movement into socialism."

Mr. John T. Flynn must enjoy poking into hornets' nests—and his buddy, Ed Rumely, too—because right now the most important single Protestant church organization in America is after them for spreading such lying propaganda as I have just quoted.

In America it is an accepted practice for political demagogs and crack-brained authors to malign their Government. But when two of such like Ed Rumely and John T. Flynn malign the Federal Council of Churches of Christ in America, our greatest Protestant organization, they may have started something they had not reckoned with. They may have cast the rope that will hang both of them.

I call this to the attention of my esteemed Republican colleagues so that they will not be led to the same scaffold.

RELIGIOUS INTOLERANCE

Speaking as a Baptist, I would be guilty of religious intolerance were I to denounce the Catholic Church. There is no danger of my doing so. I detest bigots. I risked my life to vigorously oppose and condemn the KKK at a time when the Klan was riding high, but speaking as a Protestant, I resent the Catholic John T. Flynn's denouncing leading, world-renowned members of the Protestant church, and furthermore I condemn vigorously the distribution of such false propaganda in the Protestant homes and Protestant churches throughout the United States as contained in the book the Road Ahead.

Dresser's defense statement as inserted into the RECORD by the gentleman from Michigan again lifts out of context the following:

You see, Rumely, the constitutional authority, was really interested in killing rent control and public housing to eliminate slums rather than in being what he claims to be, the great defender of American liberty and the Constitution. Dresser, bear in mind, is part and parcel of Rumley's gang.

The following from my August 29 remarks is pertinent to the above.

Ed Rumely wrote a letter to Mr. R. B. Dresser of Edward & Angel, 15 Westminster Street, Providence, R. I. I will not bother you with the full content of the letter. A few lines will certify the point that I wish to make. Mr. R. B. Dresser, incidentally, was a delegate to the 1944 and 1948 Republican Presidenial conventions of milk-of-human-kindness ROBERT TAFT.

Wrote Ed Rumely to Dresser:

"The committee spent almost $10,000 last June going back home to stir up support for killing the rent-control bill in committee. I did this on the urging of Chicago real-estate men."

Further on, Rumely complains to the Taft delegate:

"The real-estate people do not realize first that it takes money to fight a battle against union pressure with its vast treasuries, and second that they cannot expect individual small contributors to put up the funds needed for an effective campaign. When rent control and public housing come up in Congress at least 500,000, or preferably 700,000 or 800,000, people should be reached with literature and as many as possible aroused to speak up."

Dresser's statement quoting my remarks of August 29, inserted in the RECORD by the gentleman from Michigan, contained the following:

Mr. Speaker, I agree with Congressman DOYLE. Rumely is a plain fraud.

The afore-mentioned quote did not go on to say why I considered the man a fraud and why I agreed with Congressman DOYLE, of the House Lobby Investigating Committee. Rumely had contended before that committee that he was an educator and a publisher and, therefore, did not have to furnish records of those who put up the money for him to carry on his political propaganda mill. Here is the quote of Congressman DOYLE I used to show that Rumely is a fraud:

RUMELY THE FRAUD

Earlier in my remarks, I said that the former inmate of a United States jail, Ed Rumely, was a fraud. The subterfuges I have just presented to you show that I was not exaggerating. Here is some more proof.

Rumely says that his Committee for Constitutional Government is an "educational institution," and that he is really a publisher as well as an educator. My esteemed colleague, the gentleman from California, CLYDE DOYLE, a member of the House Select Committee on Lobbying Activities, gave the lie to this one. Said the gentleman from California [Mr. DOYLE]:

"The Committee for Constitutional Government is one of the heaviest spending lobbying groups on record. It has reported spending over $2,000,000 since the Lobbying Act went into effect, and yet has never revealed the identity of its big financial supporters.

"From time to time this organization has described itself as an ordinary commercial publisher. This lobbying organization dif-

fers from commercial publishers in many respects, some of which are:

"1. A commercial publisher takes the normal risks of operating a private business—he does not beg the public for money to help him carry on.

"2. A commercial publisher expects to pay income tax on his receipts—he does not seek tax exemption.

"3. A commercial publisher is in business for profit; he is not primarily an advocate. He does not constantly grind out pamphlets, leaflets, books, etc., which present only one side of the subject.

"4. A commercial publisher does not couple his publishing activities with incessant appeals to the citizenry to bring pressure to bear on Members of Congress in order to influence legislation.

"The commercial publishers of the United States are not governed by the Federal Lobbying Act in any way, and need not file reports under it. They are not attempting to influence legislation; they are attempting to make money. They should not be confused by attempts of out-and-out lobbying organizations to conceal their activities from Congress and the public.

"The Committee for Constitutional Government has also attempted to liken itself to educational institutions; but it ignores the following facts:

"1. An educational institution does not spend millions of dollars in pamphleteering campaigns designed to influence congressional action on legislation.

"2. An educational institution does not engage in a constant campaign for funds to carry on lobbying activities.

"3. An educational institution does not couple its activities with incessant appeals to the citizenry to bring pressure to bear on Members of Congress in order to influence legislation.

"4. An educational institution presents both sides of the question in an objective fashion for appraisal. It does not continually present only one viewpoint on each issue it considers.

"Considering all the afore-mentioned we can reach but one conclusion: Edward A. Rumely is not an educator. He is not a publisher."

As further proof that Rumely is a fraud, I also said, on August 29:

The Select Committee on Lobbying Activities discovered a subterfuge designed by Rumely's conniving brain to avoid revealing the source of large contributions from millionaires. The Committee for a Fascist Government, alias Committee for Constitutional Government, and its phony front organizations—such as Fighters for Freedom, America's Future, and the Constitution and Free Enterprise Foundation (note the patriotic names Rumely gives his enterprises)—print and distribute books, produce radio shows, and feed propaganda generally. Rumely, incidentally, gets a 4-percent commission (above $16,000 sales) on every book sold.

By law, the names of all contributors of $500 or more must be reported under the Lobbying Act. So Rumely calls money sent to him "contributions" only if it is less than $490. These contributions are used to distribute Rumely's propaganda booklets and to pay for his office overhead. If you send in more than $490, he will take it, but he will not call it a "contribution" even though you do. He uses it to finance the distribution of his books, just as he uses the small contributions, but this time he calls it a sale of books. He may or may not use it to pay office overhead, too. The Lobbying Committee could not find that out because he refused to give a constitutionally established committee of the United States Congress information that it was legally authorized to obtain.

Usually the purchaser of Rumely's "bunkum" does not know where the books, pamphlets, and other fascistic material are sent. Sometimes Rumely asks the mass purchaser to signify what schools and universities he would like to saturate with his poison. Very often the sucker complies.

The sale of books and literature operation has another purpose to the so-called Committee for Constitutional Government besides hiding the identity of its financial backers. It has been used as an inducement for individuals and corporations to supply the CCG with funds on the basis of a tax benefit to the purchaser—donor. The 1944 leaflet soliciting book purchases and direct contributions contains this statement:

"It is legal for corporation funds to be expended for the purchase of literature to educate employees, or the public, as to necessity for preserving those constitutional principles of law and order upon which the successful maintenance of free enterprise and the corporate activities of all stockholders depend."

* * * * *

INTERNAL REVENUE MOVES INTO CCG

The Bureau of Internal Revenue got wise to Rumely's fraud and ruled that CCG was not an educational institution and was, therefore, not entitled to a tax-exempt status and that contributions to it were not tax-exempt.

So the long-time conspirator, Rumely, figuring out another way to fleece Uncle Sam, came up with his ingenious device to make it profitable taxwise for the simple-minded fat cats to give their silly money to CCG. The amount involved in applying this device is not held to $490; it is unlimited. The purchasers of the books and pamphlets donate the con-man Rumely's propaganda to churches and universities for distribution and thus enjoy an income-tax exemption based upon such donations.

Rumely makes all the arrangements and handles all the money although Sumner Gerard is officially the treasurer or agent. The fat cat gets his tax exemption, and hoaxed schools and churches distribute the malicious misinformation and half-truths to students, teachers, and church members. As an example of how this deceitful man operates, I quote from a letter sent out in the fall of 1947 by CCG:

"If you have not yet used up your 15-percent tax deductible allowance, or if your company has not yet used its 5 percent of net allowance for educational and philanthropic work, make a contribution to colleges to distribute this book. Presidents of schools have asked for 65,000 copies, which we will supply as soon as donors have been found. For this special purpose, make your check payable to Sumner Gerard, agent. Mr. Gerard will earmark and make the funds available to colleges for purchase of Norton books. Committee for Constitutional Government, Inc."

Dresser's statement lifting the following quotations from my August 29 remarks, as inserted on September 18 by the gentleman from Michigan, is as follows:

Take the case of the wonderful friendship between Rumely and the crackpot anti-Semitic, self-admitted Fascist, Merwin K. Hart. Hart runs an equally violent propaganda outfit as the Committee for Constitutional Government—the National Economic Council. Frequently, Rumely and Hart have dinner together and discuss their mutual problems. I might add that they have mutual millionaire and big-business backers, including several members of the duPont family, Sears, Roebuck, Monsanto Chemical Co., John Raskob, William Volker & Co., Armco Steel Co., Gulf Oil Corp., Albert Hawkes, J. I. Case Co., Gen. Robert E. Wood, McCrory Stores, S. H. Kress & Co., Republic Steel, and others. They do have a lot in common.

* * * * *

Not infrequently, Rumely's CCG sends out some of Hart's weird stuff.

* * * * *

As chairman of the House Small Business Committee in the Seventy-ninth and Eighty-first Congresses, my investigators discovered how fraudulent were the National Small Businessmen's Association and the Small Business Economic Foundation, both run by one DeWitt Emery.

* * * * *

Now, it is a fact, that Rumely, Hart, Joe Kamp, DeWitt Emery, the NAM—all advocates of extreme reaction and/or actual fascism in America—team up whenever there is a job to do against the American people. These evil men and the antidemocratic groups they represent all work with one of the worst enemies of the people; Herb Nelson, executive vice president of and lobbyist for the National Association of Real Estate Boards.

The following quotations from my remarks of August 29 are pertinent to the afore-mentioned. Moreover, the hearings of the House Lobby Investigating Committee on Herb Nelson and the Real Estate Lobby, Merwin K. Hart, Joe Kamp, and Edward A. Rumely, recently printed in Government documents, give further ample proof of all allegations I made concerning the tie-up of these characters and their groups. I refer the Members of the House to those documents, which are now available.

Organizational connections have been maintained between Rumely and Hart through groups of which Hart was a member or of which he was cofounder with one or more of Rumely's stooges for his constitutional government set-up.

RUMELY, CCG, AND AMERICAN ACTION—FASCISTS ALL

Such a connection existed in American Action, whose cofounders were Hart and the Fascist-minded radio commentator, Upton Close. Sam Pettengill, one of Rumely's ex-lieutenants in CCG, was in at the beginning of American Action. Close's fascistic radio series was sponsored by the National Economic Council. His manager, Leo F. Reardon, was a former confidential adviser to Father Coughlin. Another strand in this web of fascism shows Thomas N. Creigh, former general counsel for the Cudahy Packing Houses, and head of the Chicago branch of Hart's National Economic Council, a founder of American Action. American Action financial supporters were Gen. Robert E. Woods, of Sears, Roebuck; Col. Robert R. McCormick, Ernest T. Weir, and you guessed it, Lammot du Pont.

Another organization in Rumely's black spider web of reaction is one I know about from personal experience. As chairman of the House Small Business Committee in the Seventy-ninth and Eighty-first Congresses, my investigators discovered how fraudulent were the National Small Businessmen's Association and the Small Business Economic Foundation, both run by one DeWitt Emery.

In a report issued by the committee of which I have the honor to be chairman, it is disclosed that Emery was indiscreet enough to boast of his big-business backers, including United States Steel, Sears, Roebuck, Republic Steel, Chrysler Corp., Goodyear Tire & Rubber, American Rolling Mill Co., Inland Steel, and B. F. Goodrich, plus the big oil companies: Standard Oil of New Jersey, Standard Oil of Indiana, Socony-Vacuum, and the Texas Co. Emery was one of Rumely's hand servants in the formation of

American Action, Inc., where Rumely was represented directly through Samuel B. Pettengill.

Mr. Speaker, Dresser's statement as printed in the RECORD lifted from the context the following:

Now, Mr. Speaker, I am going to present the sordid story of Ed Rumely, the convicted traitor. If all my words to this moment have been unconvincing, if everything I have said is dubbed a political smear, which it most certainly is not, what I am about to say and the documentary proof I am about to present should convince this august body that Ed Rumely deserves no more support than any of America's Judas Iscariots.

* * * * *

Some of you may say, "Well, he got a Presidential pardon from Coolidge," but, Mr. Speaker, that does not wipe the record clean.

* * * * *

Mr. Speaker, throughout my remarks I have called Ed Rumely an ex-convict. Before I finish, I promise to present the full story of how he was indicted, tried, and convicted of a most heinous crime, namely, violating the Trading With the Enemy Act in World War I.

* * * * *

Before I finish my remarks today, I shall call upon the Republican Members of this House to publicly denounce Ed Rumely, the notorious ex-convict—I will give details of his criminal past later in my remarks.

* * * * *

I reinsert my remarks pertinent to the aforementioned.

RUMELY, THE CONVICTED TRAITOR

Now, Mr. Speaker, I am going to present the sordid story of Ed Rumely, the convicted traitor. If all my words to this moment have been unconvincing, if everything I have said is dubbed a political smear, which it most certainly is not, what I am about to say and the documentary proof I am about to present should convince this august body that Ed Rumely deserves no more support than any of America's Judas Iscariots. Just as Judas turned against Christ, so did this man Rumely turn against his country in its time of great trial. You may discount, should your conscience permit, all of his fascistic activities since the formulation of his committee of black reaction, but you cannot discount the pertinent fact that this man was charged, tried, and convicted of trading with the enemy of the United States.

Some of you may say, "Well, he got a Presidential pardon from Coolidge," but, Mr. Speaker, that does not wipe the record clean. A thousand pardons cannot erase the fact that this subversive character, who deserves the affection and support of no man really interested in the welfare of his Nation, was charged, tried, and convicted of trading with the enemy even though his case went to the highest court in the land—the United States Supreme Court. Mr. Speaker, I will now tell the sordid story.

Edward A. Rumely was born in La Porte, Ind. He was of German descent and received strong Germanic home training. His early education in the United States was of the best, including attendance at Rensselaer College (Indiana) and 2½ years at Notre Dame. At the age of 18 he left for Europe to continue his education. He remained at Oxford, England, for over a year and then went to Germany. He studied at the University of Heidelberg for a year and then spent 3½ years at the University in Freiburg, where he took his degree in medicine in 1906. During his stay in Germany he made the acquaintance of many prominent German educators and industrialists. Being at an impressionable age, he became thoroughly indoctrinated with Germanic ideas with which he was daily in contact.

RUMELY WANTED TO PRUSSIANIZE AMERICAN YOUTH

Upon his return to the United States, Rumely had the urge to spread Germanic ideas in the United States. As a start, he founded the Interlaken School for Boys. The school's bulletin observed: "Dr. Rumely is carrying out in American form the soundest ideas of German education," and further remarked: "It is almost solely by the power of its new type of education that Germany has forged to the front in the last 25 years.

World War I soon came along and Rumely felt that the American press was not presenting the Kaiser's side of the war to the public. As Rumely himself expressed it: "There was a great deal of resentment against biased reports that were coming and that bias I had recognized was due to the absence of a news flow from the Central Powers." Rumely received $200,000 from Dr. Heinrich F. Albert, the fiscal agent of the Imperial German Government, which was used for an advertisement in the foreign-language press of the United States. It was entitled "An Appeal to the American People" and was against furnishing aid to the Allies.

After extensive conferences with pro-German groups in the United States, including agents of the German Embassy, a much larger sum of the Kaiser's money—$1,200,000—was also made available to Rumely for the purpose of purchasing a newspaper to disseminate pro-German propaganda to the American people. To avoid having the ownership of the newspaper—the New York Evening Mail—appear in the name of the German Government or in the name of an agent who was a German national, the transaction took the form of a loan to Rumely of funds which were used for the purchase of the paper.

Later, as I have indicated, Rumely was indicted, tried, and convicted of violating the Trading With the Enemy Act, and served a term in prison. Specifically, he was convicted of conspiring to defraud the United States by obstructing and preventing the United States from seizing the indebtedness which Rumely owed to the German Imperial Government and making false and misleading reports to the Alien Property Custodian by concealing the fact of such indebtedness.

THE COURT GIVES LIE TO RUMELY'S LIE

Rumely is no ordinary rabble-rouser, but is a shrewd and diabolical operator, sensitive to all phases of public relations work and the techniques of influencing public opinion. Like some of the political and economic prevarications that he has repeated through the years in the hope that repetition will result in belief, he has consistently maintained that he was not a German agent in World War I, knowing that public knowledge of such conduct would detract from the effect of his present propaganda work. Nevertheless, Rumely had a fair trial and was convicted by a jury of 12 of his fellow Americans. Rumely has denied, and continues to deny, the fairness of his trial. Here, in part, is what the United States circuit court of appeals had to say about his trial:

"The trial began on November 3, 1920, and occupied 30 court days. During the trial 166 witnesses were examined, 670 exhibits were received in evidence, and the record fills 4 volumes of 2,139 printed pages. There are 249 assignments of error, which occupy 116 printed pages. Of these assignments of error, 206 relate to the admission or exclusion of evidence, 24 to the charge to the jury, 7 to the denial of motions to set aside the verdict, 8 to the denial of motions to dismiss the indictment, and 3 to the denial of motions requiring the Government to elect on which counts it would go to trial. We have on several occasions condemned the practice of taking so numerous assignments of error. The practice is not conducive to the administration of justice in appellate courts. Many such assignments of error are inconsequential, and of so little importance that the court should not be asked to review them.

* * * * *

"The omission of comment upon all the errors assigned must not be construed as due to the failure of the court to consider them. We have examined this case carefully, the indictment, the admission and exclusion of evidence, the charge of the court, and whatever errors have been assigned. We have found no sufficient reason, in any of the errors assigned, which would justify this court in setting the judgment aside. The defendants had a fair trial under a valid indictment. The jury has found them guilty, and we cannot say that there was no evidence which could justify the verdict which has been rendered.

"Judgment affirmed."

May I call to the attention of those who are interested in the pertinent parts of the court testimony, included in my remarks of August 29, which show why Rumely was convicted of trading with a foreign enemy—the German Imperial Government. Of course, Mr. Dresser would not be interested in this matter. I suggest that members of the Republican Party look up that testimony I presented because I am sure that they do not want to be linked in any way with one convicted of trading with an enemy of the United States.

In closing, I will repeat the lines of the poet Byron which I quoted in my remarks of August 29. They apply so very accurately to this man, Ed Rumely, as well as to those who are closely linked to him. Dresser would ignore these lines; as would Joe Kamp, Merwin K. Hart, and Edward A. Rumely. It was similar men of another day that Byron described in these words:

There is no traitor like him whose domestic treason plants the poinard within the heart which trusted to his truth.

EFFECT OF A PARDON

The courts have held that a pardon far from wiping out guilt the acceptance of an executive pardon may imply a conviction of guilt.

Rumely and his Fascist gang are trying to threaten the press as disclosed in a statement inserted in the CONGRESSIONAL RECORD on page 15065 by the Honorable CLARE HOFFMAN, of Michigan. It is under the heading "Warning of libel" on that page. Incidentally, the statement about libel is not a correct statement. The gentleman from Michigan [Mr. HOFFMAN] has also told the House that a pardon relieves the punishment and blots out of existence the guilt of the offender to such an extent in the eye of the law he is as innocent as if he had never committed the offense. This is not according to the law as I read it.

OPINION OF AMERICAN LAW SECTION, LEGISLATIVE REFERENCE SERVICE

At my request, a statement has been prepared by the American Law Section of the Legislative Reference Service of the Library of Congress on the effect of an executive pardon. It is a very com-

prehensive statement and is inserted herewith:

THE LIBRARY OF CONGRESS,
Washington 25, D. C., September 20, 1950.

To: Hon. WRIGHT PATMAN.

From: American Law Section, Legislative Reference Service.

Subject: Effect of an Executive pardon.

Your inquiry is whether or not the Legal Opinions appearing on page 15066 of the CONGRESSIONAL RECORD for September 18, 1950, are correct. Insofar as these Legal Opinions (which consist with one exception of citations to American Jurisprudence and Corpus Juris) purport to demonstrate that a full executive pardon "blots out the existence of guilt" and restores the one pardoned to a state of complete innocence as if the offense had never occurred, they do not appear to be in accord—as a general proposition—with the more accepted view today as evidenced by authoritative decisions and commentators on the subject. We express no opinion, however, as to the reasons motivating the pardon involved in the discussion on pages 15065–15066 of the RECORD, supra, or as to the facts therein stated concerning the asserted innocence of the persons involved. In view of the limited time afforded for reply to your inquiry, we have confined this discussion to an examination of the general precedents, without attempting to state variations which may result in particular types of situations.

It is true that in *Ex parte Garland* ((1866) 71 U. S. 333), the Supreme Court made some very broad statements concerning the efficiency of a pardon to restore innocence. These statements have often been quoted generally in subsequent cases where a more precise statement was not necessary. See discussion in Williston, Does a Pardon Blot Out Guilt? ((1915) 28 Harv. L. Rev. 647); see, e. g., *Illinois Central R. Co.* v. *Bosworth* ((1890) 133 U. S. 92) and other cases cited in 39 Am. Jur., Pardon, Reprieve and Amnesty, section 51, note 15 (referred to in the "Legal Opinions" above); *Re Stephenson* ((1942) 243 Ala. 342, 10 So. (2d) 1); *State of Oklahoma ex rel. Cloud* v. *Election Board of State of Oklahoma* ((1934) 36 P. (2d) 20). And, admittedly, in a few jurisdictions these statements have been applied literally. See cases vited in *People* v. *Biggs* ((1937) 9 Cal. (2d) 508, 71 P. (2d) 214).

Nevertheless, the better view today seems to be that while a full pardon removes most of the legal consequences and disabilities of the offense and halts further punishment therefor, it does not bring to the pardoned man treatment equal in all respects to that accorded a person who has never committed the offense. In other words, an executive pardon does not erase the fact of a finding of guilt. *In re Spenser* ((C. C. D. Oreg. 1878) 22 Fed. Case No. 13,234); *People ex rel. Prisament* v. *Brophy* ((1941) 287 N. Y. 132, 38 N. E. (2d) 468, cert. den. 317 U. S. 625); *Lyons* v. *Goldstein* ((1943) 290 N. Y. 19, 47 N. E. (2d) 425); *People* v. *Biggs*, supra; *Boles* v. *Laws* ((C. App. D. C. 1930) 45 F. (2d) 669 (dictum that a pardon does not annul the act nor relieve from all consequences of it)); Williston, *op. cit.* supra; Humbert, The Pardoning Power of the President (1941) 76–79; Note ((1916) 4 Calif. L. Rev. 236). As stated in Note ((1913) 13 Col. L. Rev. 418), "The pardon * * * cannot obliterate the fact of the commission of the felony or of the moral guilt of the offender * * *." In Humbert, *op. cit.* supra, 77, the author, referring to *Ex parte Garland*, supra, said that the "Court's generalization that a pardon blots out guilt and makes the offender in the eye of the law 'as innocent as if he had never committed the offense' and 'makes him, as it were, a new man' is not only false but also contrary to early English precedents from which the generalization is derived." Similarly, in *In re Spenser*, supra, the court, after quoting from the Garland case, said: "I do not suppose the opinion is to be understood as going to the length of holding that while the party is to be deemed innocent of the crime by reason of the pardon from and after the taking effect thereof, that it is also to be deemed that he never did commit the crime or was convicted of it. The effect of the pardon is prospective and not retrospective * * *. But it does not change the past and cannot annihilate the established fact that he was guilty of the offense." After examining English authorities the court further said: "From these authorities it is plain that a pardon does not operate retrospectively. The offender is purged of his guilt, and thenceforth he is an innocent man; but the past is not obliterated nor the fact that he had committed the crime wiped out."

Some decisions of the Supreme Court since *Ex parte Garland* also indicate that this is the correct view. (Humbert, op. cit. supra, 76–79.) See *Bradford* v. *U. S.* ((1913) 228 U. S. 446), and particularly *Burdick* v. *U. S.* ((1915) 236 U. S. 79), where it was stated by the Court that one to whom a pardon is offered may reject "escape by confession of guilt implied in the acceptance of a pardon * * * preferring to be the victim of the law rather than its acknowledged transgressor—preferring death even to such certain infamy." The Court, in discussing the distinctions between legislative immunity and a pardon, also said:

"The latter carries an imputation of guilt; acceptance a confession of it. The former has no such imputation or confession. It is tantamount to the silence of the witness. It is noncommittal. It is the unobtrusive act of the law giving protection against a sinister use of his testimony, not like a pardon requiring him to confess his guilt in order to avoid a conviction of it."

Supporting this analysis of the general problem are statements from some leading State cases. In *People* v. *Biggs*, supra, the Supreme Court of California declared:

"Appellant relies largely upon a number of declarations by various authorities as to the general effect of a pardon. The following are examples: 'The power to pardon is something more than the power to release from servitude. "Pardon" is the remission of guilt, amnesty, oblivion, or forgetfulness.' *People* v. *Hale* (64 Cal. App. 523, 533, 222 p. 148, 152). 'The effect of a pardon (under the rules of the common law) is to make the offender a new man; to acquit him of all corporal penalties and forfeitures annexed to that offense for which he obtains a pardon; it gives him a new credit and capacity.' *People* v. *Bowen* (43 Cal. 439, 442, 13 Am. Rep. 148), quoting from Blackstone's Commentaries. 'A pardon reaches both the punishment prescribed for the offense and the guilt of the offender; and when the pardon is full, it releases the punishment and blots out of existence the guilt, so that in the eye of the law the offender is as innocent as if he had never committed the offense. * * * If granted after conviction, it removes the penalties and disabilities, and restores him to all his civil rights; it makes him, as it were, a new man, and gives him a new credit and capacity.' *Ex parte Garland* (4 Wall. 333, 380, 18 L. Ed. 366). Similar expressions may be found in numerous other cases.

"But the somewhat extravagant language occasionally employed must be contrasted with the actual decisions of the courts. It is universally established that a pardon exempts the individual from the punishment which the law inflicts for the crime which he has committed; and generally speaking, it also removes any disqualifications or disabilities which would ordinarily have followed from the conviction. To say, however, that the offender is 'a new man,' and 'as innocent as if he had never committed the offense,' is to ignore the difference between the crime and the criminal. A person adjudged guilty of an offense is a convicted criminal, though pardoned; he may be deserving of punishment, though left unpunished; and the law may regard him as more dangerous to society than one never found guilty of crime, though it place no restraints upon him following his conviction. The criminal character or habits of the individual, the chief postulate of habitual criminal statutes, is often as clearly disclosed by a pardoned conviction as by one never condoned. The broad generalizations quoted above are, if taken too literally, logically unsound as well as historically questionable."

Likewise, in *People ex rel. Prisament* v. *Brophy*, supra, the New York Court of Appeals, after referring to *Ex parte Garland*, stated:

"Literally, of course, an executive pardon cannot blot out of existence the guilt of one who committed a crime. At most it can wipe out the legal consequences which flow from an adjudication of guilt. In Ex parte Garland, supra, the court gave to the Presidential pardon no greater effect. The court decided only that 'the effect of this pardon is to relieve the petitioner from all penalties and disabilities attached to the offense of treason, committed by his participation in the rebellion. So far as that offense is concerned, he is thus placed beyond the reach of punishment of any kind' (4 Wall. 381). To illuminate a decision in which a bare majority of the court concured and which was rendered while the passions roused by the rebellion still clouded the judgment of most citizens, the court used, appropriately enough, a metaphor; but metaphors cannot appropriately be used to justify a conclusion which would follow logically only if the metaphor were not a figure of speech but an accurate description. The logical difficulties which must follow if the metaphor used by the court in Ex parte Garland were accepted as a premise from which legal consequences inexorably follow are made manifest by what was said and decided by the court in Matter of ———, an attorney, 86 N. Y. 563, especially at page 569.

"The Supreme Court of the United States, indeed, has itself rejected the implications lurking in the metaphor it used in Ex parte Garland. In *Burdick* v. *United States* (263 U. S. 79, 90; 35 S. Ct. 267, 269; 59 L. Ed. 476), the Court pointed out that, far from wiping out guilt, the acceptance of an executive pardon may imply a confession of guilt."

Further, in *Lyons* v. *Goldstein*, supra, the New York Court of Appeals also pointed out:

"Executive clemency does not eliminate the fact of conviction; it merely results in ending further punishment * * * 'A pardon proceeds, not upon the theory of innocence, but implies guilt. If there was no guilt, theoretically at least, there would be no basis for pardon. It is granted, not as matter of right, but of grace * * * A party is acquitted on the ground of innocense. He is pardoned through favor * * * If the judgment was erroneous, the remedy was by appeal or by application to set it aside, and not by pardon.'"

Moreover, in *Knote* v. *U. S.* ((1878) 95 U. S. 149), the Supreme Court pointed out that a pardon cannot make amends for the past and undo what has been done. And, if character of a stated kind is a necessary qualification for some post or office, the fact that an individual has been convicted of a crime and then pardoned does not necessarily make him eligible. Williston, op. cit. supra; note ((1916) 4 Calif. L. Rev. 236) (a pardon "does not restore the ex-convict to a state of innocence nor in any way represent that he is as honest, reliable, and upright as if he had constantly maintained the character of a law-abiding citizen"). As

stated in *State ex rel. Attorney General* v. *Hawkins* ((1886) 44 Ohio State 98, 5 N. E. 228):

"Whatever the theory of the law may be as to the effect of a pardon, it cannot work such moral changes as to warrant the assertion that a pardoned convict is just as reliable as one who has constantly maintained the character of a good citizen."

It may be noted also that the Legal Opinions here under consideration in three instances cite statements purporting to demonstrate that one who is pardoned may bring an action for libel or slander against one who refers to such offense as having been committed by the person pardoned. Without attempting any analysis of the law of libel and slander in this respect in the limited time afforded for reply to your inquiry, it may be observed that in 33 American Jurisprudence, Libel and Slander, section 16, cited in the Legal Opinions as authority for this view, the sole case there cited is referred to in the following manner: *Shipp* v. *McCraw* (7. N. C. (3 Murph.) 463, 9 Am. Dec. 611 (discussed, not decided)). The second reference in the Legal Opinions is to 39 American Jurisprudence, Pardon, Reprieve, and Amnesty, section 51, wherein the sole supporting case cited is *People* v. *Bowen* (43 Cal. 439, 13 Am. Rep. 148). As the above quotation from *People* v. *Biggs*, supra, demonstrates, this California case is one which the California Supreme Court later described as using somewhat extravagant language which the court in effect repudiated. The third reference is to 36 Corpus Juris, page 1196, section 106, wherein the supporting cases cited are *Shipp* v. *McCraw*, supra, and two English cases which we have not had an opportunity to examine.

ROBERT S. OGLEBAY,
American Law Section.

SEPTEMBER 20, 1950.

WHAT CHIEF JUSTICE MARSHALL SAID ABOUT PARDON

In the case of the *United States* v. *Wilson* (7 Pet. U. S. 150, 160 (1833)), Chief Justice Marshall said:

A pardon is a deed, to the validity of which delivery is essential and delivery is not complete without acceptance. It may then be rejected by the person to whom it is tendered and if it be rejected we have discovered no power in the Court to force it on him.

INCREASED INTEREST RATES OPPOSED

Mr. Speaker, permission having been granted, I am inserting in the CONGRESSIONAL RECORD at this time my statement, which was released to the press on Monday, September 18, 1950, with reference to the recent actions of the Federal Reserve System and its open-market committee. It is as follows:

I have been deeply interested in the recent actions of the Federal Reserve System and its open-market committee, as high-lighted in recent news stories. Since the Federal Reserve System is a creature of the Congress, it becomes incumbent upon the Congress to familiarize itself with Federal Reserve policies and their effects upon managing the Federal debt and the operations of the Federal Government generally.

I understand that the Treasury's current $13,570,000,000 refunding of debt on a 1¼ percent interest basis is in effect being refinanced at a higher actual rate to the taxpayers. It is reported that the Federal Reserve System is sustaining a loss in its open-market operations. This reduces the profit of the Federal Reserve System which normally is turned into the Treasury's general fund.

What has been the effect of this moderate action on the part of the Federal Reserve System? Has it helped to control inflation? What has been the price in terms of the cost of servicing our Federal debt of over $250,000,000,000? A rise of a full percentage point in interest rates involves an increase of $2,500,000,000 in the annual Federal budget. Even the relatively small increase in interest rates that has occurred in the last 5 years has been said to contribute substantially toward increasing the interest obligations of the Government by nearly a billion dollars a year, despite the fact that the total Federal debt is somewhat lower than in 1945. How much further should interest rates be allowed to rise, or should they be reduced?

Such are the questions that led me to ask the Joint Committee on the Economic Report to make an intensive examination of recent happenings in the short-term money market. The staff has been asked to present the facts with respect to recent changes in interest rates and especially their effects on business borrowing, commercial credit, costs of Government borrowing and inflation generally. Upon completion of the staff report this fall, members of the committee will decide whether or not hearings should be held and committee action taken.

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

OUR BEST DEFENSE AGAINST COMMUNISM

Mr. STAGGERS. Mr. Speaker, in this time of strife it is imperative that we look for moral guidance in the teachings of Christ. Our Nation was built on the faith of our founding fathers. Because of their reliance upon our Creator in meeting the problems which confronted them we are today a leader in the world. If we expect to continue as a great nation and the builders of peace we must look to our morals. Our only future lies in our spiritual wisdom.

Our best defense against communism is Christianity but we cannot achieve this with a willing spirit but weak hands. Surface cheerfulness alone is no effective defense against human problems. Something more substantial is needed. We have prized our religious heritage and it is necessary that we do not now neglect our moral goals or we will be faced with disintegration.

We must take our lessons from history and build our spiritual fences at home; in our family life and in our every day life. We would not now be faced with atom destruction of the world if every person had Christ in his life. We would have no fear of war or international problems if we had Christ in our hearts. Instead we would be thinking I am my brother's keeper. Under these conditions communism could not exist.

Culture and a high standard of living is not enough. These have existed with other nations that have fallen before the sword. Our right to vote would be of no avail if we do not have high Christian morals to live by. Democracy is an empty form of government if Christ is not in it. Without Christianity it is impossible to make democracy live.

I give to all Americans this little poem for a creed:

MYSELF

I have to live with myself, and so
I want to be fit for myself to know;
I want to be able as the days go by
Always to look myself in the eye.
I don't want to stand with the setting sun
And hate myself for the things I've done.
I want to go out with my head erect;
I want to deserve every man's respect.
But here in the struggle for fame and self
I want to be able to like myself.
I don't want to look at myself and know
That I'm bluster and bluff and empty show.
I never can hide myself from me
I see what others may never see;
I know what others may never know.
I never can fool myself, and so
Whatever happens, I want to be
Self-respecting and conscience-free.
And I hope you'll live your whole life through
The way I really wish to do;
So under the Blood of Christ I'll live
And He will grace and wisdom give.

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. LANE] is recognized for 5 minutes.

SPAIN PRESSURES UNITED STATES OLIVE OIL IMPORTERS AND CONSUMERS

Mr. LANE. Mr. Speaker, in June and July of this year American importers had contracted for 17,000 tons of olive oil from the new Spanish crop for $460 a ton.

These were contingent upon the issuance of export licenses by the Spanish Government.

As these licenses had never been held up before, some importers made contracts for future delivery in the United States.

Then, without fair warning, the dollar diplomats at Madrid announced on Monday, September 11, that no export licenses would be issued unless the price was jumped from $460 to $650 a ton, or a whopping increase of 41 percent.

It appears that the Spanish Government believes in leapfrog inflation, instead of the creeping variety. But the shock to American importers is one from which they may not recover unless the Spanish Government revises its drastic order. A gradual increase in the price of olive oil to which the contracting parties could adjust their purchases would seem to be the legitimate way of meeting this economic problem.

American importers freely admit that some increase was justified, since the price originally agreed upon for the Spanish crop was considerably below the prevailing prices paid for the same commodity in Italy and Tunisia. They also recognize that contracts between exporters and importers are conditional for their fulfillment upon the issuance of export licenses.

But a 41-percent hike, and jet-propelled, is something for which they were not prepared, and to which they cannot adjust themselves without a serious financial set-back.

They just cannot do business on such an explosive basis.

There are thousands of people in my district—and millions throughout the Nation—to whom olive oil is as essential in the preparation of a meal as butter is to others. Of an estimated United States consumption of 30,000 tons a year, more than half comes from Spain.

Price pressures within the American economy, as it changes to a semiwartime footing, have edged the cost of living up by a few percentage points, putting the squeeze on many family budgets.

You can imagine what would happen if the price of a necessity went up 41 per-

cent overnight. The consumers would revolt.

But on a small scale, and in respect to one commodity, that is exactly what another Government is doing to that section of our public for whom no meal would be worthy of the name without the tasty assistance of olive oil. For them it comes close to being an auxiliary staff of life.

The Spanish Government was ill-advised in taking such extreme action and without consulting the importers. It would have been reasonable to confer on this problem and to arrange for a gradual increase that would permit importers to make the necessary readjustments in their resale of the oil in the United States.

The impetuous action of the Spanish Government is hardly calculated to win friends and influence people in the United States.

At a time when Madrid expects financial assistance from us, as a matter of course, this trade blunder will be interpreted in certain quarters as impatient pressure tactics, to which our people will not react favorably.

I suggest that the State Department take up this matter with Spain and effect a workable compromise. Our importers must not be stuck on contracts which they made in good faith. Our consumers must be given some notice of the gradual price increases that may be necessary.

The Spanish Government should be politely reminded that international trade and international good will do not flourish in an atmosphere where one nation takes complete advantage of the other.

I am sure that if this problem is reconsidered, a compromise solution can be found that will be mutually satisfactory.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HELLER (at the request of Mr. MULTER) for an indefinite period, on account of illness.

To Mr. DOLLINGER (at the request of Mr. MULTER) for an indefinite period, on account of illness.

EXTENSION OF REMARKS

Mr. KLEIN (at the request of Mr. RODINO) was given permission to extend his remarks and include an editorial.

Mrs. DOUGLAS asked and was given permission to extend her remarks in seven instances and include extraneous matter.

Mr. RICH asked and was given permission to extend his remarks and include an article by Willard Edwards.

Mr. BOLLING asked and was given permission to extend his remarks and include extraneous matter.

Mr. KEOGH (at the request of Mr. DAVENPORT) was given permission to extend his remarks and include an address by Peter Campbell Brown, Assistant Attorney General.

Mr. BYRNE of New York asked and was given permission to extend his remarks in two instances, and in one to include a letter from friends in Albany relative to the reduction in tariff on paper-makers felts, and in the other a statement regarding the bill S. 784.

Mr. JENSEN asked and was given permission to extend his remarks and include matters pertaining to four watersheds in his district.

Mr. HOPE asked and was given permission to extend his own remarks.

Mr. MARTIN of Massachusetts asked and was given permission to extend his remarks and include a radio address by Mr. BROWN of Ohio.

Mr. JENISON asked and was given permission to extend his remarks in two instances and in each include extraneous matter.

Mr. CRAWFORD asked and was given permission to extend his remarks in two instances; and in one to include an editorial and in the other an affidavit.

Mr. FORD asked and was given permission to extend his remarks and include two editorials.

Mr. McCONNELL asked and was given permission to extend his remarks and include an editorial from the Washington Star.

Mr. BOYKIN (at the request of Mr. PATMAN) was given permission to extend his remarks in three instances; in two to include extraneous matter, and in the third to include a statement, notwithstanding the fact it will exceed two pages of the RECORD and is estimated by the Public Printer to cost $297.

Mr. HERLONG (at the request of Mr. BENNETT of Florida) was given permission to extend his remarks.

Mr. BLATNIK asked and was given permission to extend his remarks in two instances and include in each an article.

Mr. MOULDER (at the request of Mr. PRICE) was given permission to extend his remarks in two instances.

Mr. PHILLIPS of California. Mr. Speaker, yesterday I asked on behalf of the gentleman from California [Mr. NIXON] that he be permitted to extend his remarks and include certain extraneous matter which exceeds the amount allowed. I made the request on the wrong item, and now make it on the item on which I thought I was making it yesterday. The amount involved is $218.68. I ask unanimous consent that the extension may be made, notwithstanding the fact that in exceeds two pages of the RECORD.

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

There was no objection.

ENROLLED BILLS SIGNED

Mrs. NORTON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3995. An act for the relief of Annetta Bachis, Anna Bellani, Angelina Colombo, Maria Grazia Impari, Franca Porricino, and Antonia Tirabassi;

H. R. 4569. An act authorizing the transfer of Fort Des Moines, Iowa, to the State of Iowa;

H. R. 5083. An act for the relief of Sister Maria Emelia (Anna Bohn);

H. R. 5226. An act to amend paragraph 207 of the Tariff Act of 1930 and section 3424 (a) of the Internal Revenue Code.

H. R. 5731. An act to discharge a fiduciary obligation to Iran;

H. R. 7390. An act for the relief of Erika Kuebart and her minor son;

H. R. 7631. An act for the relief of Ottavia De Gaspare and Sandra De Gaspare;

H. R. 8396. An act to authorize Federal assistance to States and local governments in major disasters, and for other purposes;

H. R. 8452. An act for the relief of Ronald Mow and Angeline Cecilia Mow;

H. R. 8718. An act for the relief of Fred Hess;

H. R. 8769. An act for the relief of Annmarie Stritter and her minor daughter; and

H. R. 9084. An act for the relief of Hifumi Kato and her minor son, Kazuyuki Kato.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2477. An act to amend title 14, United Code, so as to equalize pay and retirement benefits of a certain class of commissioned officers of the Coast Guard;

S. 2609. An act to provide a system for the treatment and rehabilitation of youth offenders, to improve the administration of criminal justice, and for other purposes;

S. 2724. An act to amend the Armed Forces Leave Act of 1946, as amended, and for other purposes;

S. 2875. An act to extend for a period of 5 years the time for appropriating and expending funds to carry out the Federal Airport Act;

S. 3000. An act to amend the War Claims Act of 1948, as amended.

S. 3123. An act to amend section 5 of the act of February 26, 1944, entitled "An act to give effect to the Provisional Fur Seal Agreement of 1942 between the United States of America and Canada, to protect the fur seals of the Pribilof Islands, and for other purposes;

S. 3136. An act to authorize the Secretary of the Interior to transfer to the town of Mills, Wyo., a sewerage system located in such town;

S. 3398. An act to authorize the exchange of certain land for purposes of the Colonial National Historical Park, and for other purposes;

S. 3706. An act to amend the act of May 28, 1926 (44 Stat. 670), entitled "An act granting public lands to the county of Kern, Calif., for public-park purposes";

S. 3727. An act to authorize certain construction at Griffiss Air Force Base, and for other purposes;

S. 3728. An act to implement Reorganization Plan No. 20 of 1950 by amending title 1 of the United States Code, as regards publication of the United States Statutes at Large, to provide for the publication of treaties and other international agreements between the United States of America and other countries in a separate compilation, to be known as United States Treaties and Other International Agreements, and for other purposes;

S. 3768. An act to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans, and for other purposes;

S. 3889. An act to increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States.

S. 4088. An act to amend section 61 of the National Defense Act to permit the States to organize military forces, other than as parts of their National Guard units, to serve while the National Guard is in active Federal service; and

S. 4136. An act to include the Coast Guard within the provisions of the Selective Service Act of 1948 and to authorize the President to extend enlistments in the Coast Guard.

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 September 19, 1950:

H. R. 577. An act to correct possible inequity in the case of a certain application for letters patent of William R. Blair;

H. R. 1133. An act for the relief of Mrs. Merle Leatherbury Pyle and Patricia M. Pyle;

H. R. 1500. An act for the relief of Mrs. Barbara Guanapoulos;

H. R. 1601. An act for the relief of the La Fayette Brewery, Inc.;

H. R. 3012. An act for the relief of the Wyoming National Bank of Wilkes-Barre.

H. R. 3406. An act for the relief of Ellen Fullard-Leo, widow of Leslie Fullard-Leo, Leslie Vincent Fullard-Leo, Dudley Leinanie Fullard-Leo, and Ainsely Allen Kahealani Fullard-Leo, and the estate of Leslie Fullard-Leo, deceased, as their interests may appear.

H. R. 4901. An act authorizing the Eastern Band of Cherokee Indians, North Carolina, to lease certain lands for business purposes for a period not exceeding 25 years.

H. R. 5101. An act to provide for the transfer to Pierce County, Washington, of certain surplus land in the Fort Lewis Military Reservation.

H. R. 7722. An act to provide for the acquisition and preservation, as a part of the National Capital Parks system, of the Old Stone House in the District of Columbia.

H. R. 8062. For the relief of the legal guardian of Charles Spiller and Glenn T. Spiller, minors;

H. R. 8641. An act for the relief of Clyde L. Watson, junior, and Laverne F. Andrews;

H. R. 8677. An act to authorize and provide for the maintenance and operation of the Panama Canal by the present corporate adjunct of the Panama Canal, as renamed; to reconstitute the agency charged with the civil government of the Canal Zone, and for other purposes;

H. R. 8710. An act to provide for the improvement of stadium facilities at the Eastern Senior High School in the District of Columbia;

H. R. 8797. An act to exempt property of the Young Men's Christian Association of the City of Washington (incorporated under the act of Congress of June 28, 1864, 13 Stat. L. 411) from taxation;

H. R. 8847. An act to aid the development and maintenance of American-flag shipping on the Great Lakes, and for other purposes;

H. R. 9362. An act to provide for the exchange of certain national park land situated in the District of Columbia for certain lands owned by the New Temple Committee, Inc.;

H. R. 9430. An act to amend the act entitled "An act to authorize certain administrative expenses in the Government service, and for other purposes," approved August 2, 1946 (60 Stat. 806), to simplify administration in the Government services, and for other purposes; and

H. J. Res. 536. Joint resolution to provide for the reappointment of Harvey N. Davis and Arthur H. Compton as members of the Board of Regents of the Smithsonian Institution.

On September 20, 1950:

H. R. 3995. An act for the relief of Annetta Bachie, Anna Bellani, Angelina Colombo, Maria Grazia Impari, Franca Porricino, and Antonia Tirabassi;

H. R. 4569. An act authorizing the transfer of Fort Des Moines, Iowa, to the State of Iowa;

H. R. 5083. An act for the relief of Sister Maria Emelia (Anna Bohn);

H. R. 5236. An act to amend paragraph 207 of the Tariff Act of 1930 and section 3424 (a) of the Internal Revenue Code;

H. R. 5731. An act to discharge a fiduciary obligation to Iran;

H. R. 7390. An act for the relief of Erika Kuebart and her minor son;

H. R. 7631. An act for the relief of Ottavia De Gaspare and Sandra De Gaspare;

H. R. 8452. An act for the relief of Ronald Mow and Angeline Cecilia Mow;

H. R. 8718. An act for the relief of Fred Hess;

H. R. 8769. An act for the relief of Annmarie Stritter and her minor daughter; and

H. R. 9084. An act for the relief of Hifumi Kato and her minor son, Kazuyuki Kato.

ADJOURNMENT

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

The motion was agreed to.

Accordingly (at 5 o'clock and 27 minutes p. m.) the House adjourned until tomorrow, Thursday, September 21, 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. HART: Committee on Merchant Marine and Fisheries. H. R. 9538. A bill to amend subsection (1) of section 4551, of the Revised Statutes, as amended, to exempt additional vessels from the requirements thereof; with amendment (Rept. No. 3117). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 8851. A bill to authorize the Secretary of the Treasury to transfer by quitclaim deed to the Browns Point Improvement Club a small strip of land at Coast Guard light station facility, Browns Point, Pierce County, Wash., with amendment (Rept. No. 3118). Referred to the Committee of the Whole House.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 9322. A bill to clarify and consolidate the authority to require the establishment and maintenance of aids to navigation on private structures in or over navigable waters of the United States, with amendment (Rept. No. 3119). Referred to the Committee of the Whole House on the State of the Union.

Mr. HART: Committee on Merchant Marine and Fisheries. H. R. 9681. A bill to authorize the waiver of the navigation and vessel-inspection laws, with amendment (Rept. No. 3120). Referred to the Committee of the Whole House on the State of the Union.

Mr. PETERSON: Committee of conference. S. 2195. An act to authorize the Palisades Dam and Reservoir project, to authorize the north side pumping division and related works, to provide for the disposition of reserved space in American Falls Reservoir, and for other purposes (Rept. No. 3121). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ADDONIZIO:

H. R. 9704. A bill to assist the national defense by authorizing the provision of housing at reactivated military installations, and for other purposes; to the Committee on Banking and Currency.

By Mr. KEATING:

H. R. 9705. A bill to permit Civil War veterans to receive hospital treatment in hospitals of their choice if Veterans' Administration facilities are not available in their locality; to the Committee on Veterans' Affairs.

H. R. 9706. A bill to grant the benefits of section 217 of the Social Security Act, as added by the act of August 28, 1950 (Public Law 734, 81st Cong.), to veterans of the Korean war; to the Committee on Ways and Means.

By Mr. McMILLAN of South Carolina:

H. R. 9707. A bill to amend the District of Columbia Revenue Act of 1937 to provide for the transfer of registration of motor vehicles upon the death of owners thereof without payment of a new registration fee; to the Committee on the District of Columbia.

By Mr. CARROLL:

H. R. 9708. A bill to protect the internal security of the United States against certain un-American and subversive activities and to provide for the emergency detention of persons who may commit acts of espionage and sabotage, and for other purposes; to the Committee on Un-American Activities.

By Mr. HERLONG:

H. R. 9709. A bill to strengthen the common defense by providing for expansion and the production and processing of ramie in the United States; to the Committee on Armed Services.

By Mr. KLEIN:

H. R. 9710. A bill to assist the large cities of the United States in planning and constructing facilities designed to serve as garage and parking areas in time of peace and as protective shelters in time of atomic war, and for other purposes; to the Committee on Armed Services.

By Mr. O'NEILL:

H. R. 9711. A bill to provide free postage for members of the Armed Forces of the United States; to the Committee on Post Office and Civil Service.

By Mr. HUGH D. SCOTT, JR.:

H. R. 9712. A bill to authorize the President to permit certain persons from the Republic of Korea to receive instruction at the United States Naval Academy; to the Committee on Armed Services.

By Mr. COLE of Kansas:

H. R. 9713. A bill to confer jurisdiction upon the United States district courts with respect to claims against the United States of certain employees of the Bureau of Prisons, Department of Justice; to the Committee on the Judiciary.

H. R. 9714. A bill to provide for the payment of certain traveling expenses of retired employees of the Bureau of Prisons, Department of Justice; to the Committee on Post Office and Civil Service.

By Mr. WEICHEL:

H. R. 9715. A bill to amend section 1205 of title XII of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. BUCHANAN:

H. R. 9716. A bill to make a preliminary survey of certain tributaries of Turtle Creek, Pa., to prevent reoccurring flood damage; to the Committee on Public Works.

By Mr. CELLER:

H. R. 9717. A bill to authorize the Secretary of Agriculture to bring to Washington, District of Columbia, theater productions of land-grant colleges and universities; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. LANE:

H. R. 9718. A bill for the relief of Joseph Urban; to the Committee on the Judiciary.

By Mr. O'TOOLE:

H. R. 9719. A bill for the relief of Jose dos Barros Lopes; to the Committee on the Judiciary.

H. R. 9720. A bill for the relief of Antonio Felope Moises; to the Committee on the Judiciary.

By Mr. SMITH of Virginia (by request):

H. R. 9721. A bill for the relief of Dezso Szilagyi; to the Committee on the Judiciary.

By Mr. WHITE of Idaho:

H. R. 9722. A bill for the relief of the George B. Henly Construction Co.; to the Committee on the Judiciary.

SENATE

THURSDAY, SEPTEMBER 21, 1950

(Legislative day of Thursday, July 20, 1950)

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

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

O Thou God of our salvation, cause us to know Thy loving kindness in the morning; for in Thee do we trust. Give us, we beseech Thee, that lowly and humble heart, emptied of presumptuous pride which is the only shrine where any altar pleasing to Thee can be raised. In these molten times, waiting to be molded into the pattern of Thy purpose, make plain to us Thy plan and Thy way. May our own spirits be quarries out of which stones for the new temple of humanity may be fashioned. Reveal unto us the means Thou wouldst have us use to establish justice and peace among men in all the earth. Make our America, we pray, more and more the hope of all who suffer and the dread of all aggressors who would enslave the human spirit. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 20, 1950, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

SPECIAL JOINT REPORT OF FEDERAL SECURITY ADMINISTRATOR AND RAILROAD RETIREMENT BOARD—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Labor and Public Welfare:

To the Congress of the United States of America:

Pursuant to section 5 (k) (2) of the Railroad Retirement Act, as amended, I transmit herewith a special joint report of the Federal Security Administrator and the Railroad Retirement Board.

HARRY S. TRUMAN.

THE WHITE HOUSE, *September 21, 1950.*

(The report accompanied a similar message to the House of Representatives.)

RESOLUTIONS OF RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES, DEPARTMENT OF MARYLAND

Mr. O'CONOR. Mr. President, one of the factors which have made for continuing progress in our country, I am convinced, is the opportunity given to individuals and groups interested in betterment of any phase of Federal activities to present their views on matters which they consider important and to have these views given the consideration they merit by the responsible officials. Along with this fundamental American right to express themselves on matters which they consider of prime importance, members of the Reserve Officers Association of the United States, Department of Maryland, have forwarded to me four resolutions adopted at the annual State-wide convention held in Baltimore, Md., which deal with matters of immediate interest to the thousands of Reserve officers in the United States.

These resolutions not only represent the convictions of this very splendid group of loyal American citizens but they are an expression of opinion that is a result of the cumulative experience of the members of the association in the fields where improvement is sought.

They present an objective viewpoint on these questions which may prove to be very valuable and which certainly deserve the attention of our military leaders and of the country.

I present the resolutions for appropriate reference, and ask unanimous consent that they be printed in the RECORD.

There being no objection, the resolutions were referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Whereas it is essential that one vertical echelon be created in the Department of the Air Force to insure that matters of the Reserve are not lost in a maze of other important missions: Be it

Resolved, That this department, in convention assembled, favors the creation, by congressional action, of a Reserve Bureau to execute matters pertaining to the Reserve, and pending the passage of appropriate legislation, that a Reserve Command be created, by the Secretary of the Air Force, headed by a general officer charged with the single responsibility of administering the Reserve.

This is to certify that the above resolution was unanimously adopted on the 13th day of May 1950.

CHARLES S. SMITH,
Major, TC-Res, President.

Attest:

RALPH C. CELIA, Jr.,
Second Lieutenant, USAFR, Assistant Secretary.

Whereas it has been the traditional policy of this Nation to depend for its defense upon a small, well-trained, and well-equipped Regular Establishment supported by a large Reserve-type force: Be it

Resolved, That this department, in convention assembled, opposes the concept that the Reserve force is to provide "fillers" for other units and to provide an interim cadre and instructional staff until selective service adequately functions and favors the continuance of the policy, originating with General Washington, of depending for full defense upon well-trained and well-equipped Reserve-type units in being.

This is to certify that the above resolution was unanimously adopted on the 13th day of May 1950.

CHARLES S. SMITH,
Major, TC-Res., President.

Attest:

RALPH C. CELIA, Jr.,
Second Lieutenant, USAFR, Assistant Secretary.

Whereas an older and mature officer regardless of rank is capable of serving in staff and administrative positions in noncombat units: Be it

Resolved, That this department, in convention assembled, favors a restudy of over-age-in-grade provisions with the view toward their entire elimination as to all officers in noncombat units.

This is to certify that the above resolution was unanimously adopted on the 13th day of May 1950.

CHARLES S. SMITH,
Major, TC-Res., President.

Attest:

RALPH C. CELIA, Jr.,
Second Lieutenant, USAFR, Assistant Secretary.

Whereas it is essential that there be offices at the top echelon of the Departments of the Army, Navy, and Air Force to insure the role of the Reserve: Be it

Resolved, That this department, in convention assembled, favors the permanent creation of the office of assistant secretary for Reserve affairs and the office of assistant chief of staff for Reserve affairs in each of the three Departments of Army, Navy, and Air Force.

This is to certify that the above resolution was unanimously adopted on the 13th day of May 1950.

CHARLES S. SMITH,
Major, TC-Res., President.

Attest:

RALPH C. CELIA, Jr.,
Second Lieutenant, USAFR, Assistant Secretary.

BILLS INTRODUCED

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

By Mr. McCARRAN:

S. 4174. A bill for the relief of Cilka Elizabeth Ingrova; to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado:

S. 4175. A bill for the relief of Emma Burr; to the Committee on the Judiciary.

By Mr. LEHMAN:

S. 4176. A bill to amend the Social Security Act to provide more adequate Federal grants to Puerto Rico and the Virgin Islands for public assistance; to the Committee on Finance.

By Mr. LEHMAN (for himself and Mr. MURRAY):

S. 4177. A bill to improve the old-age and survivors insurance system, to add protection against disability, and for other purposes;

S. 4178. A bill to amend the Social Security Act to provide Federal grants-in-aid to the States for public assistance to needy disabled persons; and

S. 4179. A bill to amend the Social Security Act, as amended, to provide Federal grants to the States for medical care for public assistance recipients, and for other purposes; to the Committee on Finance.

S. 4180. A bill to amend the Public Health Service Act to authorize greater assistance to the States in extending and improving health services for the prevention and reduction of chronic diseases;