

Bridges 12380-14701



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No. 117

Senate

(Legislative day of Tuesday, May 28, 1940)

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

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty and ever-living God, before whom the generations come and go, whose mercies are infinite, whose love is eternal: We beseech Thee to bless our country and help us here and now to advance the onward march of Thy kingdom of right and justice by the increase of our devotion to our national ideals and the reign of law and self-discipline.

Thou has shown us Thy ways and we have forsaken them; Thou hast brought us to great honor and we have wearied of Thy service; nevertheless, we beseech Thee to spare us from adversity and restore to us the vision lost in paths apart from Thee. Grant to us such calm and measured wisdom in all our deliberations, that confidence may everywhere prevail, that our people may be of one mind and one purpose in fulfilling the destiny unto which Thou dost call us. We ask it in the name of our Lord and Saviour, Jesus Christ. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Wednesday, June 12, 1940, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 51) authorizing the enrollment with an amendment of the bill (S. 2598) for the relief of Kurt Wessely.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6207. An act to amend section 2810 (a), Internal Revenue Code, to exclude petroleum stills from the requirement of registration; and

H. R. 10055. An act making supplemental appropriations for the national defense for the fiscal year ending June 30, 1941, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1024. An act for the relief of Harriett Boswell, guardian of Betty Fisher;

S. 3578. An act for the relief of Edward Smith;

H. R. 6044. An act to regulate the number of warrant and commissioned warrant officers in the Marine Corps;

H. R. 8026. An act to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes;

H. R. 9209. An act making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes; and

H. R. 9848. An act to authorize the construction or acquisition of naval works, the construction of certain public works, and for other purposes.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Donahay	Lodge	Sheppard
Andrews	Downey	Lucas	Shipstead
Ashurst	Ellender	Lundeen	Slattery
Austin	George	McKellar	Smith
Bailey	Gerry	McNary	Stewart
Bankhead	Gillette	Maloney	Taft
Barkley	Green	Mead	Thomas, Idaho
Bilbo	Guffey	Miller	Thomas, Okla.
Bone	Gurney	Minton	Thomas, Utah
Bridges	Hale	Murray	Tobey
Brown	Harrison	Neely	Townsend
Bulow	Hatch	Norris	Truman
Burke	Hayden	Nye	Tydings
Byrnes	Herring	O'Mahoney	Vandenberg
Capper	Hill	Overton	Van Nuys
Caraway	Holman	Pepper	Wagner
Chandler	Holt	Pittman	Walsh
Chavez	Hughes	Radcliffe	Wheeler
Clark, Idaho	Johnson, Calif.	Reed	White
Clark, Mo.	Johnson, Colo.	Reynolds	Wiley
Connally	King	Russell	
Danaher	La Follette	Schwartz	
Davis	Lee	Schweikert	

lightly to give the man a hearing, but this was voted down. I am not here defending Communists, and I want that clearly understood. I do not want any Member to come back and say that I am right on the job in the defense of communism. My record speaks for itself. I am speaking, Mr. Speaker, only on the constitutional form of government, which provides that a man has a right to his day in court, which Bridges did not receive, and that is the point I am making before this House today.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?
Mr. DICKESTEIN. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. Is it not true that this man Bridges has four times applied for citizenship, then when the form was over he has withdrawn his application?

Mr. DICKESTEIN. I do not know Bridges, and I do not want to know him. But the fact remains that in the Bridges case, which is parallel with the Bridges case, the Supreme Court exercised Shryker. The Lands opinion exercised Bridges. I agree with the gentleman from New York [Mr. Frost] that we have the right, that the committee and the Congress have the right, but do you want to exercise that right and go that far? It would permit any Member to introduce a private bill to deport anyone in this country for some reason or other, and I do not think that this should be done without a hearing before a committee so that evidence may be presented to sustain the facts.

Mr. JOHNSON of Oklahoma. Did not the gentleman introduce some bills to import them?

Mr. DICKESTEIN. I do not yield. I hold you a moment ago—and I give the gentleman who injected that question to himself—that I have not introduced bills to import them. I have not introduced any bill to import anybody, and I do not question the right of the committee or the Congress to pass this bill. I am only appealing to your sense of justice that a man ought to have his day in court and he should be given a hearing. That is all I am presenting to you.

Mr. FRESH. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. Thompson], a member of the Dies committee.

Mr. THOMPSON of New Jersey. Mr. Speaker, back in March 1939 I introduced a resolution to impeach the Secretary of Labor and two of his assistants for their failure—I called it a conspiracy—to urge the necessary action which would result in the deportation of Harry Bridges. My resolution was referred to the Judiciary Committee, which carried on extensive hearings and made an investigation. The result was there was no reasonable doubt of the fact that he had done over the seas since then. I believe was reason that, as I was certain today for doing all you have to do to read the testimony given in the hearings before the Dies committee, I moved from it to a definite conclusion that Harry Bridges should be deported from the United States. I now want to read by the Dies committee. This is from volume No. 4. This is testimony given to the committee by Capt. John J. Keegan, chief of detectives of the Portland, Ore., police department, a man who has made a study of not only the Bridges case but Communist activity on the Pacific coast, and this is what Captain Keegan said to the committee:

We found that Harry Bridges, leader of the Longshoremen's Union on the Pacific coast, was an alien and a member of the Communist Party, was a Communist sympathizer, and also that Harold Fritch was a Communist sympathizer, and also that the Communist Party, U. S. A., is president of the International and Law Bill Workers' Union International, and that these two men have been on the Pacific coast and have acted in an organized manner on the Pacific coast and have been active in the Communist Party, and that, based upon the investigation and the evidence in the case, it is the opinion of the committee that he would be a danger to the national security, and that the Government and overthrow it by force and violence when the proper time comes.

Since we got that particular testimony, the Dies committee has received any amount of additional testimony which continues clearly shows that Harry Bridges is a Communist and a menace to our form of government and to the people of this country. This man Bridges is not only a menace to our institutions and to our Government but he is also a menace to the very people he says he represents—labor. He is more of a menace to labor in the United States than is any one other person in the country. He is doing an irreparable harm to this man deported than any other group in this country.

Mr. COLLEKER. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. Haverstick].
Mr. HAVENNER. Mr. Speaker, section 9 of article I of the Constitution of the United States contains the following statement: "No bill of attainder or ex post facto law shall be passed." The annotated Constitution, as published by the Government Printing Office, defines a bill of attainder as a legislative act which inflicts punishment without a judicial trial.

In this case the House committee in charge of the bill now before us refused to give the person to be punished even a hearing and ignored the fact that in a previous trial under the process he was acquitted from all the charges made against him and a warrant of deportation against him was denied.

The bill is clearly a bill of attainder within the meaning of the Constitution. Its passage would be a violation of the limitation of power imposed by the fact that no Committee which reported the bill refused, by a vote of 9 to 5, to give Bridges or his counsel any hearing at all. The committee report frankly states that it deliberately recommends the deportation of Bridges without giving any reason therefor.

Last year the Department of Labor issued a warrant for the arrest of Harry R. Bridges, an alien, on the ground that he was subject to deportation under the provisions of section 2 of the act of October 16, 1918, as amended by the act of June 6, 1920 (3 U. S. C. sec. 137). The specific charges made in the warrant against Bridges were as follows:

First, that, after he entered the United States, he became a member of an organization that advises, advocates, and teaches the overthrow by force and violence of the Government of the United States.

Second, that, after he entered the United States, he became subjoined with such an organization.

Third, that, after he entered the United States, he became a member of an organization that causes to be written, distributed, printed, published, and displayed, printed matter advising, advocating, and teaching the overthrow by force and violence of the Government of the United States.

Fourth, that, after he entered the United States, he became affiliated with such an organization.

Therefore, in the congressional district which I represent, hearings were conducted for a period of 11 weeks to enable Bridges to show cause why he should not be deported. Rarely has any defendant in a criminal action in this country been subjected to a more searching and extensive trial.

The trial examiner appointed by the Secretary of Labor to conduct this hearing was James N. Landis, dean of the Harvard Law School.

The testimony covers 7,724 pages, exclusive of 374 exhibits. As indicative of the time consumed respecting by the parties, a rough count would indicate 1,800 of these pages to have been read by witnesses by the Government, 5,900 to interrogatory of witnesses by the alien, 500 to interrogatory of witnesses by the hearing committee, and the balance of 180 were introduced by the Government and 130 by the alien.

Contrary to the usual procedure in such cases, the hearings were open to the public.

On December 28 last, the trial examiner, Dean Landis, reported to the Secretary of Labor that—

My conclusions are that the evidence does not permit the finding that Harry R. Bridges is either a member of the Communist Party or affiliated with that party.

In his report, the trial examiner, Dean Landis, made a very lengthy analysis of the testimony of all of the important witnesses who testified during the hearings, and set forth carefully the features of their testimony which led him to his conclusions.

The Committee on Immigration and Naturalization has completely ignored the trial and acquittal of Bridges. The bill now under consideration would authorize his deportation on an arbitrary act of Congress without giving any reason therefor. This is stated plainly in the committee report on this bill.

In other words, although Harry Bridges has been arrested, kept in jeopardy of deportation for a period of 11 weeks during one of the most searching and exhaustive trials in the history of American immigration law, and finally exonerated and acquitted by the findings of one of the most eminent legal minds ever employed in the trial of a criminal case, it is now proposed by this legislation to deprive him of his status and deport him forthwith without reason to right of appeal.

My opposition to this bill is not in any sense a plea for the leniency to the individual, Harry Bridges. My acquaintance with him is very slight.

But I am deeply concerned with the violence which such an action would do to certain fundamental American principles which I hold dearer than anything else in life. The intense indignation to which this man was subjected during his lengthy trial last year did not reveal a single ground upon which a criminal action could be brought against him. But he has been the leader of a powerful and militant branch of organized labor and has led the membership of his organization through several bitter strikes. I say to you without hesitation that the enemies aroused by his militant leadership in these industrial campaigns are primarily responsible for the determined campaign to deport him from this country. Whether the Members of Congress realize it at the time or not, if Harry Bridges is deported by this action it will be because he has been a militant leader of labor.

Congress could, and should, legally proceed, therefore, to punish and strip legal status from all labor leaders who have conducted strikes in which violence has occurred.

It is an approved method of preparing for national defense and it is a duty of the National Affairs Committee of the House if I have given you the reasons which are the program of expansion of national armaments support to the under consideration. If I believed for one moment that this continued presence of Harry Bridges in this country would be a danger to the safety of the Nation because of a danger that he might become a leader in a "fifth-column" activity, I would undoubtedly give my support to legislation designed to remove such a menace. But there is no justification for such a belief except the suspicions and unsupported accusations directed against him by those who hate his labor record.

I am under no illusions as to the unpopularity in certain circles of the position which it is my duty to assume here today. The gentleman from Louisiana, who is the author of this bill, said he could not conceive how any American could oppose it. I say to you that it is because I am an American—because the America I love, and which my fore-

fathers helped to create, is the America of tolerance of freedom from oppression, of refuge for political exiles, of rights of conscience for all—and because I fear that these sacred traditions of freedom would constitute the very heart of the America which I love are endangered by the exercise of the ruthless power such as is here contemplated—because of all these things I am constrained to ignore the criticism which I now hear is being made for me, and to appear here in opposition to this bill.

On January and forty-two years ago the Federalists, representatives of the Federal Government, were responsible for the adoption of the Alien and Sedition Acts. President Thomas Jefferson later declared the laws unconstitutional and section acts null and void and in violation of the Constitution.

Congress, in considering this measure, should remember the inscription on the Statue of Liberty: "Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shores; send these, the tempest-tost to me, I'll lift my lamp beside the golden door."

Does Congress wish this inscription on the Statue of Liberty to be erased? [Applause.]

Mr. FRESH. Mr. Speaker, I yield myself one-half minute, and I enclose the bill in my pocket.

Mr. FRESH. Mr. Speaker, Premier Reynaud's message to President Roosevelt, which was before his speech at Chattanooga, Tenn., said, "Italy has struck her neighbor in the back with a dagger." I hope that the time has not come in America when our President's state papers are dictated and copied from foreign capitals. [Applause.]

Mr. FRESH. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. Dickstein].
Mr. DICKESTEIN. Mr. Speaker, the gentleman from California, who preceded me, was clearly in error as to whether or not the Congress can deport Harry Bridges. Two times he has present himself to the Congress. The first one is our deport Harry Bridges? The second one is, should we rely upon constitutional provisions which prohibit a bill of attainder or an ex post facto law. Let us look for a moment at what Mr. Justice Field said in the case of *Cummings v. State of Missouri* (4 Wall. 277):

A bill of attainder is a legislative act which inflicts punishment without a judicial trial.

Without a judicial trial, the act is termed a bill of attainder and penalizes the offender without the usual process of law and penalties.

Remember that word "punishment" because that is vital. By an ex post facto law is meant one which imposes a punishment for an act which was not punishable at the time it was committed. It changes the rule of evidence in a case or directs testimony is evidence to convict when was required.

Let us see whether or not under that definition the bill before us constitutes a bill of attainder or an ex post facto law. I quote from the case of *Wong Wing v. United States* (163 U. S. 229, at p. 230), the opinion of Mr. Justice Sutherland, May 18, 1899:

The order of deportation is not a punishment for crime. It is not a punishment; that is where the gentleman from California fell into error.

It is not a punishment; that is where the gentleman from Illinois fell into error.

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It is not a method of enforcing the return to his own country... Mr. MARGANTONIO and Mr. GAVYMAN rose.

Mr. DIRKSEK. I have no time; I am sorry.

Now let me quote just a little further upon the availability and the wisdom and the authority of the judicial branch to impose any restriction upon the Congress in this matter...

The question whether and upon what conditions these aliens shall be permitted to remain within the United States being one to be determined by the political departments of an opinion upon the political expediency or the number of the measures enacted by Congress in the exercise of the powers conferred to it by the Constitution over this subject.

What more is necessary in answering question No. 1 as to whether the Congress can deport Henry Bridges? The Constitution says so, and it is neither ex post facto nor a bill of attainder.

The second question is, Shall we deport Henry Bridges? I think the answer to that can be found in the special report that was filed by Dean Landis on special appointment as trial examiner in the Henry Bridges case, and all you need to do is to read his conclusions regarding the activities of Henry Bridges. Here is what Dean Landis says:

Bridges' relationships to the Communist Party have already been ascertained at length. They are, in general, his well-documented... Mr. FLORES. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. DIRKSEK. Mr. Speaker, the language of Dean Landis himself, who rendered a 150-page opinion on this case, indicates that he was very definite in his opinion on this question, the United States and England. He says on one side that we can deport him, and I think the evidence is all on one side that he should be deported. As I make this statement I want to pay my friends testimony to the gentleman from Pennsylvania, Mr. Louis GRAYSON, on the Republican side, former United States District Attorney at Pittsburgh, former Assistant Attorney General of the United States, who has handled many deportation cases and who has dug out much of the law. I am willing to go along with that gentleman because he is an expert from long practice and from an experience of

38 years at the bar. When he says to me you can do it, and that he has done it, as a precedent matter, that resolves questions No. 1 and 2, I take the word of Dean Landis and it is an answer to you whether he should be deported.

Let me say that the bill before us ought to be modified in language so as not to be absolutely mandatory, so that there is no power in the act of government to stop these deportations now to amputate the station before us, the decisions are quite clear and uncontroverted that the element of punishment must be present to make a legislative act fall within the prohibition of the Constitution on bills of attainder and ex post facto enactment. Deportation in the language of the bill is neither a bill of attainder or an ex post facto act. Congress can therefore deport Henry Bridges.

As to the question of whether Congress should issue a legislative mandate to deport him, the record is abundantly clear on that point. His unavailability has been fairly well established.

Mr. COLMERE. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois (Mr. SHAWNEE).

Mr. SHAWNEE. Mr. Speaker, ladies and gentlemen of the House, I find myself, especially in the defense of Henry Bridges, or in opposition to the deportation bill pending before us, but notwithstanding the fact that I feel it my solemn duty to call attention to the House and the country that such legislation and the bill of Bridges.

United States with a lawyer of experience who is a Member of the House who will have the honor to claim that the bill will be held conditional. But notwithstanding this, they may and probably will support the bill, because it will do them no harm. They will have the courtesy to vote according to their innermost convictions.

However, Mr. Speaker, if ever there was a time to give real serious consideration to a measure before depriving in any way from our constitutional rights and privileges, this is the time. Bill, unfortunately, due to the well-organized and Madison-wide attacks upon this labor leader, and I deplore and regret the fact that he is not an American citizen. I fear the country believes him to be a dangerous person who should not be permitted to remain in the United States. One can hardly blame the people for being of this opinion in the face of a persistent and systematic campaign to have him publicized as an extreme and dangerous Communist. Unfortunately, those who ordinarily believe in fair and square dealing and just treatment never were able to obtain the side of the case.

The Committee on Immigration and Naturalization reported the bill without giving him the opportunity of a hearing. The bill was before the Rules Committee no one was given a chance to show that many of these charges and resolutions were not founded on facts. Personally, nearly all the labor organizations, unions, that are friendly to Henry Bridges to defend himself, but they were forced through without granting his appeals and requests. Only a few days ago I received a personal letter from Mr. Bridges, and I presume a similar letter was mailed to others, and I feel that you Members who are going to vote for the rule and his deportation may some day, after you have acted and have had time to peruse this letter, realize that Mr. Bridges clearly and positively denies all the accusations, and for that reason, I am going to ask unanimous consent to extend my remarks at this point and include this letter in the Congressional Record.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to extend his remarks and to include therein a letter from Henry Bridges. Is there objection? There was no objection.

Mr. SHAWNEE. Mr. Speaker, since obtaining the unanimous consent to insert Mr. Bridges' letter in the Record, the gentleman from New York (Mr. MARGANTONIO) has obtained unanimous consent to read the letter, and, likewise, to save space and prevent repetition, I shall not read the letter. It is an answer to you whether he should be deported.

Let me say that the bill before us ought to be modified in language so as not to be absolutely mandatory, so that there is no power in the act of government to stop these deportations now to amputate the station before us, the decisions are quite clear and uncontroverted that the element of punishment must be present to make a legislative act fall within the prohibition of the Constitution on bills of attainder and ex post facto enactment. Deportation in the language of the bill is neither a bill of attainder or an ex post facto act. Congress can therefore deport Henry Bridges.

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Mr. Speaker, I am informed that among others that will speak for this legislation will be the gentleman from Wisconsin (Mr. SHAWNEE) and I predict he will continue to assault Mr. Bridges as a Communist and as a danger to America. I am commending to strongly feel that this may be for the purpose of distracting attention from the activities of the "fifth columnists," namely, the Nazis.

Mr. Speaker, I have talked with several of the Members of Congress from the State of California, who know Mr. Bridges and of his activities, and with the exception of two Members, they all feel that the shipping interests are behind the movement to bring about this action which we are about to take.

The specific charges made in the warrant against Bridges were four in number:

- (1) That after he entered the United States, he became a member of an organization that advised, advocated, and aided the Government of the United States.
- (2) That after he entered the United States, he became affiliated with such an organization.
- (3) That after he entered the United States, he became a member of an organization that caused to be written, distributed, printed, published, and displayed printed matter advocating, promoting, and teaching the overthrow by force and violence of the Government of the United States.
- (4) That after he entered the United States, he became affiliated with such an organization.

Bridges went through 9 weeks of investigation and trial, and throughout he was courteous, respectful, and helpful to the court and investigators, frankly answering all questions, showing no resentment nor evasiveness at any time. The trial examiner was James M. Landis, dean of the Harvard Law School, especially selected by the Labor Department because of his recognized ability and standing with the American bar. His findings, covering 152 printed pages, was a complete exoneration of Bridges, and was as follows:

Conclusion: The evidence herebefore establishes that Henry Bridges is a person of American birth and of good character, and of the highest intelligence and ability. He is a native-born American citizen, and is entitled to the same rights and privileges as other citizens of the United States. He is not a member of any organization which advocates the overthrow of the Government of the United States. He is not a member of any organization which is engaged in any activity which is inimical to the interests of the United States. He is not a member of any organization which is engaged in any activity which is contrary to the laws of the United States. He is not a member of any organization which is engaged in any activity which is against the public interest of the United States. He is not a member of any organization which is engaged in any activity which is against the honor or the good name of the United States. He is not a member of any organization which is engaged in any activity which is against the safety or the well-being of the United States. He is not a member of any organization which is engaged in any activity which is against the peace or the tranquility of the United States. He is not a member of any organization which is engaged in any activity which is against the unity or the solidarity of the United States. He is not a member of any organization which is engaged in any activity which is against the progress or the development of the United States. He is not a member of any organization which is engaged in any activity which is against the prosperity or the welfare of the United States. He is not a member of any organization which is engaged in any activity which is against the freedom or the independence of the United States. He is not a member of any organization which is engaged in any activity which is against the dignity or the respect of the United States. He is not a member of any organization which is engaged in any activity which is against the honor or the good name of the United States. He is not a member of any organization which is engaged in any activity which is against the safety or the well-being of the United States. He is not a member of any organization which is engaged in any activity which is against the peace or the tranquility of the United States. He is not a member of any organization which is engaged in any activity which is against the unity or the solidarity of the United States. He is not a member of any organization which is engaged in any activity which is against the progress or the development of the United States. He is not a member of any organization which is engaged in any activity which is against the prosperity or the welfare of the United States. He is not a member of any organization which is engaged in any activity which is against the freedom or the independence of the United States. He is not a member of any organization which is engaged in any activity which is against the dignity or the respect of the United States.

ing today, but still under the flag of Great Britain. If we ourselves had not done this selfish thing among our home folks, all of us would be here.

If there had been 50 years of agitation, women today would not have the vote. Before the Constitution was amended to make woman suffrage constitutional, it was held that woman were not "people" within the meaning of the Declaration of Independence and the Constitution of the United States and therefore were not eligible to vote. But the women started agitating, resorting to such tactics as chaining themselves to lamp posts, and in other ways making themselves so disagreeable that their agitation finally brought results.

If there had never been any agitating, there would never have been any labor unions, and if there had never been any labor unions, workers would still be working 12 and 14 hours per day at pitifully small wages as they were in the 18th century. It was the agitation of the workers that made the unions and the workers so discomfited in improving their conditions and standards of living. Agitation has been responsible for every bit of progressive legislation that has been passed for every bit of representative government that has been established in this country.

Mr. SPEAKER, through I mention myself personally, cannot pass by a remark on the responsibility of the Constitution of the United States and the Bill of Rights, cannot bring myself to the point of which I believe is unjust, definitely unconstitutional and a violation of the Bill of Rights.

Mr. SPEAKER, I yield 5 minutes to the gentleman from Wisconsin (Mr. Severson).

Mr. SEVerson of Wisconsin addressed the House. His remarks will appear hereafter in the Appendix.

Mr. COLLEKER, Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. Macarcantonio).

Mr. MACARCANTONIO, Mr. Speaker, I think we ought to pause for a moment and analyze the procedure that we are following here and then ask ourselves the question as to whether or not we should feel ashamed of ourselves.

We are asking that the Congress of the United States, in all its dignified might, direct the deportation of one individual. The only basis upon which that request is being made is a statement contained in the supplemental report accompanying the bill to the effect that Bridges is a member of the I. W. O. In other words, we are asked to deport one individual—all of Congress regarded the report from this committee. Bridges was not even any hearing before the committee on immigration. He was not permitted to be heard before the Rules Committee. This is the first time in the history of this country that a man is being convicted and sentenced without having any opportunity to defend himself. Any alien, before deported, is given a hearing. He is given a hearing before the immigration officials. Then that is given a hearing. It is reviewed before a Board of Appeals of the Labor Department. Then that alien has an opportunity to go to court and be heard on a writ of habeas corpus. But in this case no hearing, no opportunity to be heard at all was afforded, and we consider that perfectly sound American procedure. If that is sound American procedure and the majority of Congress is going to put its stamp of approval on this type of procedure, I do not believe I am mistaken when I say that the day is not far off when these same Members who put their stamp of approval on this procedure will be ashamed of the action that they are about to take today. We all know the real reason for this shameful deportation of Bridges. Bridges organized the workers on the

west coast and made the labor exploiters pay decent wages. Now, taking advantage of the war hysteria, these labor exploiters seek his deportation and our Congress for this foul job.

I have before me a letter from Harry Bridges. I think it is only fair that Bridges be accorded this opportunity to have some Member of Congress read in answer to the charges that have been made against him. unanimous consent, Mr. Speaker, that I be permitted to read this letter which is seven pages long. I would like to read this letter, if not at this time, the SPEAKER pro tempore (Mr. Thompson). The gentleman from New York asks permission to read a letter and that it not be taken out of the time for debate on this resolution. Is there objection?

Mr. THOMPSON, Mr. Speaker, I object.

Mr. DUNN, Mr. Speaker, a parliamentary inquiry.

Mr. SPEAKER pro tempore, Does the gentleman yield for a parliamentary inquiry? I yield.

Mr. DUNN, I would like to know if it is in order to make a motion to that effect? The Chair will state that it can only be done by unanimous consent.

Mr. MACARCANTONIO, Mr. Speaker, since objection has been heard—

Mr. BRIDGES, Mr. Speaker, I withdraw my objection. The SPEAKER pro tempore, The gentleman from New York (Mr. Macarcantonio) is recognized. The gentleman from New York (Mr. Macarcantonio) requests of the gentleman from New York (Mr. Macarcantonio)?

Mr. HAWKES, Mr. Speaker, I object. The gentleman from New York is recognized. Mr. Speaker, I am not going to comment on the objections that have been made to my request, but I do think that now it becomes very, very obvious to every member in this Chamber that you are asked to convict a man without giving him an opportunity to be heard. I am a Member of Congress and I have a responsibility to the floor of the House, leave alone the fact that I have already denied him every opportunity to be heard.

Mr. MACARCANTONIO, Mr. Speaker, I ask unanimous consent that I be permitted to read the letter dated June 1, commencing 7 pages, addressed to me by Harry Bridges.

Mr. BRIDGES, Mr. Speaker, I object. This man has had 20 months there already, and the sooner you find that out the better.

Mr. MACARCANTONIO, You would not hear him before the committee. Why? Do you not want the Congress to have his side before it?

Mr. SPEAKER pro tempore, The time of the gentleman has expired. Mr. Speaker, I move that the gentleman from New York be given 15 minutes additional for the SPEAKER pro tempore, The Chair cannot recognize the gentleman to make such a motion. Under the rules the gentleman from New York. The gentleman's motion is not in order. It can only be done by unanimous consent.

Mr. LEBAND M. FORD, Mr. Speaker, I withdraw my objection.

Mr. EBERHARTER, Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore, The regular order has been demanded. The regular order is, Is there objection to the request of the gentleman from New York to read this letter? There was no objection.

The SPEAKER, The gentleman from New York (Mr. Macarcantonio) is recognized. [Applause.]

Mr. MACARCANTONIO, Mr. Speaker, the letter from Harry Bridges reads as follows:

INTERNATIONAL LONGSHOREMEN'S AND WAREHOUSEMEN'S UNION, San Francisco, Cal., June 1, 1936.

Dear Sir: My purpose in addressing this communication to you is in order that you may know certain facts concerning the activities and personal background that may not be generally known. First, as to my personal record in connection with immigration. On March 20, 1926, Representative Murray (Mr. Brown) passed a resolution in the American Legion magazine. This letter was full of misstatements and innuendoes and unverified conclusions. The magazine article was a reprint from a newspaper daily newspaper and the statement is made that this article itself provides sufficient evidence of my untrustworthiness.

I first filed application papers for citizenship in 1921. In 1923, I was granted citizenship. I have never been deported, nor have I ever been deported from the city of San Francisco and after the application had been sent to Washington, was notified to appear in the United States District Court in San Francisco with witnesses to receive my citizenship. I appeared with witnesses at the time and place indicated by the notice and was then notified by the local immigration authorities that all final steps, including the actual granting of final papers, had been completed. I was notified to appear at the district court with a notetaker in red pencil on the notes by the immigration authorities to pay particular attention to the date as my papers, even to appearing at court with witnesses. I have since been informed by my attorney that the district court received as long as my application and final papers were filed, as I was, prior to the expiration of the first papers.

Immediately following this I filed another application for citizenship. This application was denied, of course, on the ground that I had been deported. I was then notified by the immigration authorities that I had been deported. I was then notified by the immigration authorities that I had been deported. I was then notified by the immigration authorities that I had been deported.

I had been and was still in difficulties with the company union. At that time it took me 3 or 4 weeks to earn 50¢, and I had a wife and two children to support.

Mr. Speaker, I ask unanimous consent that the gentleman from New York (Mr. Macarcantonio) be allowed to proceed for 7 minutes without it being taken out of this time.

The SPEAKER pro tempore, The gentleman from Wisconsin has withdrawn his objection. Does the gentleman from New York wish to renew his unanimous-consent request?

of all votes cast to be elected. Both primary and final elections in the United States are held on the same day. In the last 3 years I have been unopposed for other legislative purposes. In the last 3 years I have been unopposed for other legislative purposes. In the last 3 years I have been unopposed for other legislative purposes.

During the past few years in California our men protested bitterly against the quantity of war material being shipped to the Pacific coast. It is a well-known fact that the Pacific coast is the main supply route for the Japanese navy and army. It is a well-known fact that the Pacific coast is the main supply route for the Japanese navy and army.

We have an enormous oceanic zone everything possible to bring to the attention of the Pacific coast. We have an enormous oceanic zone everything possible to bring to the attention of the Pacific coast. We have an enormous oceanic zone everything possible to bring to the attention of the Pacific coast.

I had no defense of Dean Landis, the Immigration Department, or any other concerned, but this fact remains that no one Government witness in the hearing could point to a single example, even though I have been unopposed for other legislative purposes.

The point is made in connection with the present alien deportations bill that it is a well-known fact that the Pacific coast is the main supply route for the Japanese navy and army. It is a well-known fact that the Pacific coast is the main supply route for the Japanese navy and army.

I should like to mention simply the fact that at present we are engaged in negotiations attempting to secure a contract covering the work on the Pacific coast. For some months past we have been engaged in negotiations attempting to secure a contract covering the work on the Pacific coast.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield? The SPEAKER. The gentleman's time has expired. Mr. ALLEN of Illinois. Mr. Speaker, may I inquire how the time stands? The SPEAKER. The gentleman from Illinois has 8 minutes remaining.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. Leland M. Ford). Mr. Leland M. Ford. Mr. Speaker and my colleagues, particularly the gentleman from New York (Mr. Marcus M. Mott), I may say that he is not the first man who has been misled by Harry Bridges.

I believe that Harry Bridges is one of the most destructive labor leaders who has ever hit the United States. Many good labor people have been misled by Mr. Bridges. I think Dean Landis, wherein he sought to whitewash but did not exonerate Harry Bridges, had to go to great lengths to make the decision he did, and I am going to quote some page numbers wherein you may verify that.

Mr. Leland M. Ford. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. Leland M. Ford). Mr. Leland M. Ford. Mr. Speaker and my colleagues, particularly the gentleman from New York (Mr. Marcus M. Mott), I may say that he is not the first man who has been misled by Harry Bridges.

his declaration before the clerk of the United States District Court of Northern California, he stated under oath that he was married and that his wife's name was Agnes McCloy Bridges. That was in 1928. On May 2, 1928, 8 years later, he filed out a preliminary form for declaration of intention and signed it. In the above form he stated that he was married on May 1, 1924, at San Francisco. Bridges stated that he was married on December 2, 1923, under the name of Harry Hamilton Bridges to Agnes McCloy Bridges.

There is your answer to Mr. Bridges' defense. That is the complete statement. He could not defend himself because he did not have any defense. Mr. GERTNER of California. Mr. Speaker, will the gentleman yield? Mr. LELAND M. FORD. No. Mr. GERTNER of California. I thought so. Mr. LELAND M. FORD. You just thought so to get your nose in.

The regular order was demanded. The SPEAKER. The regular order is: The gentleman from California (Mr. Leland M. Ford) will proceed. Mr. LELAND M. FORD. Now this man comes before us and he holds and he screams for his rights under the Constitution of the United States. I read into the record, in the N. I. R. hearings, some of the letters written by his crowd, in which he said to himself:

I also read in here the letters that went to the workers: You are going to come into our union, and if you do not come in, you had better take a look at some others who refused to come in. And those others had broken arms, their own arms broken over their knees, or jaws with broken bones that stuck out in two or three places—fingers mangled by the things of Harry Hamilton Bridges. I ask you what consolation did he give to the rights of others? It seems to me that in this country individual rights are interpreted to mean that you can do what you please and go provided you do not hurt anyone. Here is a man who has no respect for others. In self-down strikes, they go into those plants and set there. They did not own those plants. I ask you, is that the process of law when you take possession of the other fellow's property? You people scream for the rights of Harry Bridges; you scream for the rights of these others, but I ask you to square the actions of those men with their requests for recognition. Mr. Speaker, I am very sorry I have not 25 minutes longer to discuss this matter.

Mr. COLEMAN. Mr. Speaker, I yield 4 minutes to the gentleman from West Virginia (Mr. Ramochari). Mr. RANDOLPH. Mr. Speaker, George Washington, the Father of our Country, made a strikingly significant and unforgettable statement when he said: Citizens by birth or choice of a common country; that country has a right to concentrate your affections. We are increasingly becoming aware in this Nation that there are far too many individuals who, with rings and chains and false property, are spreading discord in the ranks of labor, bringing about unnecessary strikes, and tearing apart the solidarity of the American system of government. [Applause.]

LEGISLATIVE NOTICE WILL BE SERVED. The Congress of the United States, by favorable action on the bill to bring about the deportation of Harry R. Bridges, will serve notice, not only to him but other thousands in this country, that we are finally alert to this problem. Far too many of such persons are allowed to continue to live in the Republic and accept the privileges, the profits, and the protection of America, but assume none of the responsibilities of citizenship at the same time. [Applause.] Facts will be adduced in the debate later today which will bring clearly to our attention and to the attention of the Nation the reasons why the Federal Government should be especially forthcoming in many States of the Union that have large populations of aliens, and I want to make myself clear on that score.

Naturalized citizens are just as important to America as are native-born citizens. I have added scores of men and women to receive their papers of citizenship in the United States. They have all sworn to the Constitution of the United States. They are all sworn to the fact that others are depending on the good name of those who are responsible for the challenge of real citizenship. All of us are descended from those who came to our shores, either as an early or late date, and in fighting for true Americanism we fight in a common cause. In the State of Pennsylvania, to cite an example, there are today reported to be 130,000 aliens. That is not the most distributive figure. It is that only 21 percent of those 130,000 individuals have even squatted or declared their intention of becoming citizens of the country in which they reside. The percentage is believed to be approximately correct. That about the 79 percent? What is their answer? Those individuals have remained as residents of the United States on an average of from 15 to 17 years. That is a tragic situation.

Mr. Speaker, today there is more at stake than merely membership of the House of Representatives. There is a call to the Nation on the issue of Harry R. Bridges. There is a call to the Nation on the issue of Harry R. Bridges. There is a call to the Nation on the issue of Harry R. Bridges.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. Jernigan). Mr. JERNIGAN. Mr. Speaker, it has been said that Mr. Bridges has not had his day in court. He is saying that day in court is the only forum in this land which has the right to exact laws defining the rights of an alien to come in the right to remain. He is here by agreement, and then shall not have the understanding that is the right to say when one is out of the room and put him out.

I have read Mr. Landis' report upon the record made in this case, and the findings and opinion of Mr. Landis are the finest example of a combination of ideas and a dissection of words that I ever saw in my life. As a matter of fact and of law, it is hard to prove some offenses of which men are guilty. One of those offenses is fraud, which is akin to the activities of Mr. Bridges since he has been here. One great judge once said that— "Fraud is hidden in secret; it hides in the hollow of a tree, and, if a trial is made, it cannot be traced by the stone which it leaves behind." The facts of the Bridges investigation amply justified Mr. Landis in ordering his deportation. That he is a Communist is shown by his associations, his subversive activities, and his devious moves with respect to naturalization. He has "wormed in and wormed out and endeavored to leave everyone in doubt as to whether the stake that made the track was counting in or backing out." It would be interesting to inquire just what stake of facts would lead Mr. Landis to conclude that an undesirable alien should be deported. The anomalous thing about that—

as party trial and ex parte condemnation is not the foundation upon which our country has prospered.

The evidence which the committee has should have been submitted to the Department of Labor for further action by its instance of another warrant and another hearing. If the committee believes the evidence to be as strong as it claims before the Department of Labor would be an order for his deportation. That is the American way.

There has not been cited one precedent in support of this special bill. Never before has individual or special legislation singled out for deportation one individual or even a few individuals. It has provided a procedure for deportation of undesirable classes of aliens, separating the deportation of individuals from the general hearing held by the Department of Labor. At each hearing the alien was given a full opportunity to present his defense against the charges leveled at him. Today, for the first time in our history we propose to deport one individual without conforming to the usual procedure and without giving him an opportunity to be heard in his own defense.

More than any other Member in this House, I stand to gain from the deportation of aliens who are members of or affiliated with the Communist Party. My record and my stand with respect to communists are clear. I was elected a Member of this House at a special election held on February 6 of this year. Unlike my Republican opponent, I openly declared my hostility toward communism and successfully defeated the Communist candidate, Earl Browder, by an overwhelming majority. While the deportation of alien Communists would improve my political position, what I have to consider here, however, is not what is the easy way for me, which is to vote with the majority, but what is the proper way for me to act on this bill even though it be not the way for the majority.

If it were common to deport a single individual upon ex parte accusations, I would, of course, vote for this bill, but that is not my conception of the conception of most people in this country of democracy. We must remember that this same change would make against Bridges and that I am not holding myself out as a precedent here. The Government and the principles which underlie our democracy if I cast my vote for the passage of this bill. I trust that a majority of this House will not support this bill, because there is no evidence to justify its adoption, because it contradicts the establishment of a vicious precedent in these troublesome days, and because it clearly is a violation and contradiction of our democratic way. [Applause.]

THE CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent Mr. Starnes was granted permission to revise and extend his remarks.)

Mr. LESINSKI. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. MARTIN J. KENNEDY].

Mr. MARTIN J. KENNEDY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

THE CHAIRMAN. Without objection, it is so ordered. There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Chairman, I am opposed to this bill (H. R. 9786) because I think the entire procedure is absolutely wrong. This bill contains but few lines and it enacted into law it will create a precedent which I think will be extremely bad. This bill is the first bill of its kind to be presented for consideration since the beginning of the Republic.

I am willing to concede for the sake of argument that Mr. Bridges is a most undesirable person, but I believe we have the power in the law at the present time to deal with him, and if we do not have the necessary power let us amend the law generally and not for a specific case. I do not believe in case legislation because there is no telling how far-reaching it will be in its ultimate effect.

Today we have heard employees of the Department of Labor criticized because Harry Bridges was not deported. I think it is unfair to criticize the average citizen in the Department. We all know Mr. Shaughnessy down there and his assistants, and we know how hard they work. I feel sure that there is not an employee in the Department that we know and with whom we come in contact that is responsible for the faulty administration of this law. Our Secretary of the Department should be directed to Madison Bridges case, let us place the responsibility on her shoulders. If they are all and were the law and that about aliens do not believe there is any plan to bring any law in, in this debate. We have been trying to bring every law in, in this country within the shadow of our flag. We want it to be good Americans to be loyal sons and daughters of America, but I do not think we are going to help in that direction by passing legislation of this type aimed at one individual. Especially when the whole argument in favor of this bill seems to be that Bridges is an "alien," and the sponsors of this legislation do not like the alien and never did. It is unfortunate that they have such poor understanding of the alien and his problems. Today it is Bridges—conrow it may be John Doe, et cetera, and individuals.

For these and other important reasons, I am opposed to this bill. I am opposed particularly on principle. My parents were both born in Ireland and because of that I have known many aliens from Ireland as well as from every other country. In my whole experience, I have met very few aliens who were not good neighbors and devoted friends. Let us be sympathetic in dealing with this matter, and I am sure we will do much to promote good will and understanding between all of our people here in the United States.

Mr. MASON. Mr. Chairman, I yield 4 minutes to the gentleman from Louisiana [Mr. STARNES].

Mr. STARNES. Mr. Chairman, this is an unusual procedure for the House and necessary because of the unusual conduct of the other side of the Federal Government in failing and refusing to deport undesirable aliens. [Applause.] No one here has stated that Harry Bridges is a desirable person to live within the United States. The Congress has the power to pass whatever legislation it desires or feels necessary to protect the best interests of the country; hence this bill before us today. Those who criticize the procedure may be honest and sincere, but they have voted time and time again for private bills amending basic law in order to keep aliens in the United States. Oftentimes they have voted for private bills to permit aliens to remain in this country who entered unlawfully and who had been convicted of crime. Now, however, when it becomes necessary to pass a private bill, or a bill of this character, in order to get rid of an undesirable alien, these same people rise in great horror and cry out on the floor of the House, "Undemocratic! Un-American!" [Applause.]

There has been sufficient evidence advanced before congressional committees—more than one of them—to the effect that Harry Bridges has associated with and has cooperated with Communists, and there is very strong evidence in the records of congressional committees given under oath by the records of congressional committees to the effect that a Communist and that he has been convicted of a crime. No one can point to a single record that he had done anything would entitle him to the reward of being allowed to continue to live in this country. He has done more to disturb the peace and the security of certain sections of our country than any alien we have ever had. He has done more to destroy the merchant marine of this sovereign Government of ours than the Confederate States did during the war between the States; yet there are those who would like to keep him in the United States. I cannot understand the spirit or psychology motivating those who want to keep him here. It is ridiculous to assert that the United States does not have the power to protect itself by deporting undesirable aliens.

It may be true that Dean Leavitt is a learned lawyer. It may be true that his students have a great regard for him, but I venture the assertion here and now there is not a Member of this House who thought Dean Leavitt would hold other than he did in the Bridges case in order to take the best off of somebody else. [Applause.]

The gentleman from Louisiana [Mr. ALLEN] is to be commended for his untiring efforts to give us protection from undesirable aliens. He has been a leader in the fight for selective and restrictive immigration. In his fight to preserve America for decent, law-abiding, and God-fearing people he is deserving of our praise and support. [Applause.]

Mr. LESINSKI. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. LEAVITT].

Mr. LEAVITT. Mr. Chairman, I voted in the affirmative on this bill. I intended to vote in the negative on the passage of this bill, but it remains in the condition it now is. If it is amended in the manner in which it is now amended, I am in a conundrum. I think really very in my humble judgment. I am not going to find fault with any of my colleagues who differ with me in their conclusions, and I want to say that it would be the easier way for me in the congressional district that I represent, being far removed from the coast and having virtually no C. I. O. labor in it, to vote as the great majority evidently will vote from the expressions we have heard; but I cannot in good conscience, consistent with my oath as a Member of this House, likewise as a member of the bar of the State of Washington, of the Supreme Court of the United States, and also as a judge of a court of general jurisdiction for 10 years before coming here, bring myself to the belief that this legislation is constitutional, much as I might feel that Mr. Bridges should not be here, feeling as this way, it is my plain duty to vote against it if it remains as it is now written.

It is unconstitutional, in my judgment, upon two grounds: First, it is a bill of attainder, which Congress is prohibited from enacting. I shall cite the same authority cited by the distinguished gentleman from Illinois [Mr. DREWES], to wit, Cummings against Stanton: "A bill of attainder is a legislative act which inflicts punishment upon a particular individual without a trial. It has been most usually passed in England in times of rebellion, or of gross anarchy, in which all nations are more liable, as well the rights and liberties of citizens." These bills are generally directed against individuals by name, but they may be directed against a whole class. (Cummings v. Missouri, 71 U. S. (4 Wall.) 277, 339, 12 U. S. 401, 340.)

It is well at this very moment, when freedom and prejudice run so high, to ever be mindful of the rich and wholesome restraining admonitions of our Constitution. Even the wisest, noblest human being must not be denied the rights secured by that sacred document, which has guided us through our entire national existence and is now the beacon light of hope to every individual, and collective body. Mr. C. I. O. Leavitt, in supporting the Commerce case, Cummings against Missouri held unconstitutional an act passed by the legislature of Missouri that denied, not to an individual, but to a class, ministers of the gospel, the right to preach the gospel unless they took an oath that they had not been afflicted with the Confession during the period of the Civil War. A Catholic priest saw fit to violate the law in Missouri. He was arrested. His name was Cummings. The case went to the Supreme Court on the issue that the law was in the nature of a bill of attainder. It was held to be a bill of attainder and in violation of section 9, article I of the Federal Constitution.

Mr. Chairman, this bill is unconstitutional also because it is a denial of due process under the fifth amendment to the Constitution and I want to take the argument that is so repeatedly made here this afternoon that, as an alien has no rights. As an alien resident in this country, if he is convicted in here, has every right of judicial trial, every protection, and every safeguard that the Constitution gives to every man being if he lawfully came in. If the unlawfully came

in them he has not acquired rights and if you will follow the authorities, and there is a wealth of material on this you will find that no alien nonresident has the right to say that he could come to America. The Congress alone has that. It is a privilege extended or withheld, but when once extended and he comes to the country, that privilege opens into a right and no person can be denied or deprived of his rights without due process of law and that irrespective of citizenship. We have set up a quasi-judicial tribunal to try anyone not a citizen charged with being here unlawfully. We go even further than that. We say to that individual, "The burden is upon you to show cause why you should not be deported." But when we seek to deny him the right to any form of hearing we deny him the rights of due process as defined in the fifth amendment to the Constitution. I am frank to say that the seven-page letter read here today written by Mr. Bridges in his own defense did not convince I will violate the Constitution as I see it and support this legislation to meet the popular clamor of the moment.

In my humble judgment, Mr. Chairman, it would be a serious mistake to pass legislation of this kind. [Applause.] (Here the gavel fell.)

Mr. MASON. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, I shall support this bill. I believe Harry Bridges and all of his kind should be deported. He is a troublemaker of the first order and America is not the place and now is not the time for troublemakers. In answer to the argument advanced by the distinguished gentleman who just preceded me on this floor, may I say that I believe this bill is constitutional. Much has been said concerning a bill of attainder, but I remind you that this is not an action that inflicts punishment for a crime. It is an act by the legislative body against a single individual, but deportation is not punishment for a crime. Deportation is a civil proceeding, not a criminal prosecution.

Mr. DREWES. Will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Texas.

Mr. CURTIS. I yield to the gentleman from Texas.

Mr. CURTIS. I yield to the gentleman from Texas.

Mr. DREWES. Whether there is any evidence to sustain it or not, he has no right of appeal? The prohibition in the constitution of ex parte facto laws, and bills of attainder refers to criminal proceedings and not to civil proceedings. As has been said, deportation is not punishment for a crime, but a civil proceeding.

This bill comes here with almost the unanimous support of the Committee on Immigration and Naturalization. The distinguished gentleman from California [Mr. LEAVITT M. FOLEY], presented this matter to the committee in a general bill and as a result of his able presentation of the facts, the gentleman from Louisiana [Mr. ALLEN], introduced this bill before the Congress.

Mr. Opposition in the vote on international law, says: "Just as a state is competent to refuse admission to an alien, so the country which is territorial sovereign, it is competent to refuse admission to any alien who has been admitted into the territory." It is an accepted maxim of international law that every sovereign nation has the right to refuse in sovereignty and essentially to admit to its territory any alien who has been admitted into the territory as it may see fit to prescribe.

That statement was made by the Supreme Court of the United States in a case involving the constitutionality of the Immigration Act of March 3, 1891.

The absolute right of control over immigration by a nation is essential to the preservation of its national existence. The expulsion of aliens is necessarily embraced in the power to regulate their admission and exclusion.

Mr. DREWES. Is there any difference in principle between this bill and the many private bills that have been introduced by the Immigration Committee and supported by many

word in defense of this man, I would not know him if I saw him—the precedent that we will establish will plague every citizen as long as there is a Congress held under the Constitution of the United States. This is a time when we must see on the score of this bill, because it says that he would be deported, in the manner provided by sections 155 and 156 of the United States Code, as a matter of fact, the bill would really be ineffective as of bill to deport him.

Mr. MITCHELL of Utah. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON. In a moment. This bill provided as originally drawn for deporting him in accordance with the provisions of those sections. Those provisions give the man a right to be tried, and find out whether or not he is guilty of the things that would cause him to be deported. Everything was a question of fact there. Section 156 provided for the conspiracy which is met by the gentleman from Michigan [Mr. McCreary] when he asked, Supporting Australia refuses to accept him? Australia does not accept him, but that has been eliminated. If Australia does not accept him, you can keep him here in jail until the vote, by the amendment now proposed.

Mr. JOHNSON of Oklahoma. He needs to rot.

Mr. JOHNSON. That is not the question. We are dealing more with law than a man. It is not necessary for me to tell you that this is a government not of men, but a government of law, unless we have lost our heads and senses. Such legislation leads to a breaking down of the fundamental principle that the founders of our Constitution gave us. I fully realize that the word "alien" today seems of itself to be a slur on the nation, and that it should not be used unless we are sure that it is just. It should not be used unless we are sure that it is just. It should not be used unless we are sure that it is just. It should not be used unless we are sure that it is just.

We still have a government by law. I have gone through some of this in 1917. Yes, Mr. Chairman, among other things I have seen notes take a man out on the street and make him beg the flag or else be hanged. For what? Because the used more bread than the local committee thought he ought to have used. These are the things that will live to plague us in the future.

We have got something at stake here today much bigger than Harry Bridges. Of course, I will agree with my friend, I think he ought to rot. The gentleman is right. But that is not the case. Do you want your Constitution to become punctured with holes like this, by reason of which it will gradually be broken down? My friends, this is a serious problem. I would not know something about our Constitution. I do know that our Constitution and laws are above men. This man will be gone in years to come; perhaps shortly. People will forget him. But the precedent we are establishing this afternoon will live up to plague us in the future. It will plague the Congress in the future.

Mr. MITCHELL of Utah. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON. I yield.

Mr. MITCHELL. My question is this: Certainly the gentleman does not take the name of Harry Bridges will be recorded any kind of trial of the original bill is passed? That is the very thing the bill is to be passed for—to deny that right of trial.

Mr. JOHNSON. Yes, I agree with the gentleman from Utah that that is the purpose of the bill; but, in my opinion, the one who drafted the bill slipped a cog. For if you read the language of the bill you will find it says that Bridges will be deported in the manner provided by sections 155 and 156. Now, section 155 goes into detail and sets forth the various acts for which an alien may be deported. Now, if we pass this bill, before such deportation could take effect, he would

have to be arrested and charged with a violation of section 155, and, when so charged, necessary proof would be required. Consequently it would mean a sort of trial or, in other words, some evidence would be required to support the arrest. Section 156 deals with the part to which the alien may be deported, and costs of transportation, and so forth. I fully realize that no such procedure was contemplated by the author of this bill, but, as I said before, I think the bill is subject to such interpretation, and, as I said, I do not think that it is a fair trial.

Mr. JOHNSON. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close at 5 o'clock.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I move to table the motion was agreed to.

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The CHAIRMAN. A substitute for the pending amendment would be in order.

Mr. O'CONNOR. I offer a substitute for the pending amendment.

The CHAIRMAN. The gentleman from Montana is recognized for 1 minute.

Mr. O'CONNOR. I offer a substitute for the pending amendment.

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The CHAIRMAN. The gentleman is correct. If the Committee will include the Chair, the Chair will state that the Chair has a list of eight Members who were on their feet at the time the gentleman from Montana offered his substitute amendment. Without objection the Chair will recognize these gentlemen in the order in which they appear on this list.

The gentleman from Missouri [Mr. Anderson] is recognized.

Mr. ANDERSON of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows: Amendment offered by Mr. Anderson of Missouri to the amendment...

Mr. ANDERSON of Missouri. Mr. Chairman, I demand yeas and nays.

The yeas and nays were taken, and on a division yeas 66, nays 87.

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The yeas and nays were taken, and on a division yeas 66, nays 87.

I did not think things would come to such a pass that I should ever hear a member of the Rules Committee so flout the principles of democracy as to make such a statement as I heard in that committee the other day when this bill was being considered.

The gentleman from New York [Mr. First] stated, "The Congress needs no reason for deporting a man. It is enough if we do not like the color of his eyes."

This coming from a high-ranking minority member of that powerful committee. It is an indication of the shifting effect of keeping the Congress in session during these critical days than I say the sooner we do have the better.

Which has been said against this man and the labor organization he heads. He has been proved by a Justice I thought I was fully acquainted with, and then after the process of law was being hurried through by the methods of the Democrats.

Can we protect ourselves by destroying it?

Mr. COVENS of Washington addressed the Committee. His remarks will appear hereafter in the Appendix.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Voorhis] for one-half minute.

Mr. VOORHIS of California addressed the Committee. His remarks will appear hereafter in the Appendix.

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It is a shocking thing, that such a step is taken as to correct that situation.

This is a shocking thing—the passage of a bill, an alien act, that represents the determination of America to do something about a situation they do not approve.

They are tired of sit-down strikes, they are tired of the workers. They are tired of alien workers.

They are tired of the rights and desires of the workers. They are tired of the rights and desires of the workers.

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The Chair sustains the point of order.

All time has expired. The question is on the substitute amendment offered by the gentleman from Montana (Mr. O'Connor) to the amendment offered by the gentleman from Pennsylvania (Mr. Van Zandt).

Mr. O'CONNOR. Mr. Chairman, I ask unanimous consent that the amendment may again be reported so the Members may know what it provides.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection. The Clerk again read the O'Connor amendment.

The CHAIRMAN. The question is on the substitute amendment.

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. Van Zandt).

The amendment was agreed to.

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

The question is on the Van Zandt amendment.

The amendment was agreed to.

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

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

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

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

Mr. MARTIN of Massachusetts. Mr. Speaker, a parhymenon.

Mr. MILLER. The gentleman will state it.

Mr. MARTIN of Massachusetts. Mr. Speaker, I should like to know who has the privilege of offering a motion to recommit.

The SPEAKER. If a gentleman on the minority side is ready to offer a motion to recommit, he is not entitled to recognition for that purpose.

The SPEAKER. The rule is that a minority Member who qualifies as being opposed to the bill is entitled to recognition if that point is raised. Does the gentleman raise that question?

Mr. MARTIN of Massachusetts. Yes; I certainly do.

The SPEAKER. Is the gentleman from Connecticut opposed to the bill?

Mr. MILLER. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows: Mr. Martin moves to recommit the bill H. R. 9766 to the Committee on Immigration and Naturalization.

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

The motion to recommit was rejected.

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

Table with columns for names of members and their respective districts, including names like Anderson, Quinn, and others.

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So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Barton of North Carolina (for) with Mr. Magnuson (against).

Unfil further notice:

Mr. Woodrum of Virginia with Mr. Cullin.

Mr. O'Connell with Mr. O'Connell.

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Mr. CLARK from the Committee on Rules, submitted the following privileged resolution, which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution, it be in order to move that the House resolve itself into the Committee on the Whole House on the state of the Union for the consideration of Senate Joint Resolution 300, a joint resolution to make emergency provision for the maintenance of domestic personal liberty.

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