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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. ZeBarney 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	Donahey	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	Schwellenbach	

The SPEAKER. Without objection the RECORD and Journal will be corrected accordingly.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. EATON. Mr. Speaker, I ask unanimous consent that I may be permitted to address the House at the close of the proceedings today for 15 minutes.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and any other special orders, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

DEPORTATION OF HARRY RENTON BRIDGES

Mr. COLMER. Mr. Speaker, I call up House Resolution No. 511.

The Clerk read as follows:

House Resolution 511

Resolved, That immediately upon adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of H. R. 9766, a bill to authorize the deportation of Harry Renton Bridges. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Immigration and Naturalization, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. Speaker, I yield myself 5 minutes.

The SPEAKER. The gentleman from Mississippi is recognized for 5 minutes.

Mr. COLMER. Mr. Speaker, this is an open rule on the so-called Bridges resolution. This is frankly an unusual piece of legislation; but, equally frankly, it is to meet an unusual condition. And I wish at the outset to compliment the distinguished gentleman from Louisiana [Mr. ALLEN] for his industry and patriotism in sponsoring this legislation.

Harry Bridges has been a guest of the United States for approximately 20 years. He is an alien, a resident of Australia, and is within the borders of the United States as a guest of this country. As such he, of course, is amenable to the laws of the country and certainly should comport himself as a guest and comport himself with the laws that govern our own American citizens. I do not have time to go into all of the details of the history of the sojourn of Mr. Bridges in this country. Suffice it to say that he has been a troublemaker. He has not comported himself in the manner that has met with the approval of American citizens generally. He has been a disturbing factor and ought to be deported from this country.

We are now in the process of expending billions of dollars of the people's money to prepare this country to meet any eventuality. The first thing we ought to do in this country is to get our own house in order and to see that we do not have within our own borders those who are guilty of or who likely would be guilty in time of a national crisis of sabotage and subversive activities. We do not want to have to wait in this country until we are spilling the lifeblood of our own nationals in defense of the country in order to rid ourselves of unwelcome guests.

I think this man ought to have been deported a long time ago. Although the conclusion of the Landis report was that he should not be deported, I say that in that report he is indicted as an unwelcome visitor to this country.

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

Mr. COLMER. I am sorry, my time is rather limited.

I say that the Landis report shows that while he is not an admitted Communist, he has associated intimately with and has been in conference with and has gone along with the leadership of the communistic element within the borders of this country. This being true, he having alined himself with this communistic element within the country, he has not comported himself with proper respect for the institutions of our country and its Government.

CONSTITUTIONAL QUESTION

There can be no doubt that the power of Congress to regulate and control the admission, rejection, and deportation of aliens is an absolute one (*Hawe May* v. *North*, 183 F. 89 (C. C. A. 9th, 1910), cert. den., 223 U. S. 717 (1911)).

This is true even though an alien is entitled to the protection of the fourth, fifth, sixth, and fourteenth amendments (*Skeffington* v. *Katzleff*, 277 F. 129 (C. C. A. 1, 1923)). The rights of an alien to these protections does not deprive the Congress of its power to order the deportation of an alien whose presence in the country is deemed hurtful (*Ng Hung Fo* v. *White*, 259 U. S. 276 (1922)).

It must be remembered that there is no constitutional limit to the power of Congress to exclude or expel aliens—see Skeffington against Katzleff, supra. As a matter of fact, Congress may exercise this power, even in times of peace, for any reason it may deem sufficient (*Chay Chan Ping* v. *U. S.*, 130 U. S. 581 (1889)). In addition to this power that may be exercised at any time, it has been held that an alien acquires no rights by a domicile in this country that will relieve him of the effect of a decision ordering deportation by an agent of Congress, the Department of Labor (*Ex parte Crawford*, 165 F. 830 (D. C. N. Y. 1908)).

From the above it can be seen that the power of Congress with regard to the control of aliens is practically absolute. The question then is whether or not the exercise of this power violates article I, section 9, of the Constitution, which reads:

No bill of attainder or exposed facto law shall be passed.

A bill of attainder has been defined as a legislative act which inflicts punishment without a judicial trial. However, if the punishment is less than death, the act is termed a bill of pains and penalties. In its interpretation of this provision, though, the Supreme Court has held that the bill of attainder includes the bill of pains and penalties. *Cummings* v. *State of Missouri* (4 Wall. 277, 323 (1867)). In that case the Supreme Court held unconstitutional a provision of the Missouri constitution that required a so-called expurgatory oath for any person in the position of trust or responsibility. The oath was the result of the high feeling engendered during the War between the States. In holding the provision unconstitutional the Supreme Court, through Mr. Justice Field, said:

It [the constitution] intended that the rights of the citizen should be secure against deprivation for past conduct by legislative enactment, under any form, however disguised. * * * *Cummings* v. *Missouri* (supra, at 325).

From the quotation thus given it can be seen that the concern of the Supreme Court was directed toward the invasion of rights of citizens, not of persons who had not attained the status of citizenship. This construction is borne out by the constitutional debates where the founding fathers were concerned principally with the bills of attainder that had originated in England and had been applied for the purpose of banishing various persons that had become undesirable. This bill was used in England for the last time in the case of Sir John Fenwick. See Hutchinson, the Foundation of the Constitution 138, 157. Bills of attainder were not unknown in the colonies, as they had been used on several occasions to secure the banishment of undesirable persons. Several colonial constitutions prohibited these bills prior to the adoption of the provision in the Constitution above referred to.

It appears clear that these bills had been aimed at persons who were citizens, as otherwise they would have been unnecessary, due to the control that is inherent in a sovereign

State over its alien population. Thus the purpose of the framers of the Constitution must have been to protect the rights of citizens from being invaded by the legislature through the enactment of bills of attainder.

The absolute control of Congress of the exclusion and ejection of aliens, plus the fact that the constitutional provision prohibiting bills of attainder could only have been aimed at the protection of citizens, make it clear that an alien may be ordered to be deported by the Congress without infringing the constitutional prohibition against bills of attainder.

[Here the gavel fell.]

Mr. COLMER. Mr. Speaker, I yield myself 1 additional minute.

The SPEAKER pro tempore (Mr. NICHOLS). The gentleman from Mississippi is recognized for 1 additional minute.

Mr. COLMER. We are going to hear a lot during the debate on the rule and the bill it makes in order about hysteria, about civil rights, civil liberties, and so forth. But let me point out to you that this man is an undesirable alien, that for 20 years he has stirred up trouble in this country. One of the first things we ought to do at this time is to get our own house in order. We should be controlled neither by hysteria nor false sentiment. False sentiment should not lead us to try to protect aliens in this country who work against the interests of the country. If this man were an American citizen rather than a guest of the country and we had the laws to deport him, he ought to be deported. If that unfortunate time should come that we get into a great international crisis, this man, even though he were a citizen of the United States, would be interned.

I think the rule ought to be adopted. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this is a bill to remove Madam Perkins' Bridges. [Applause.] You will probably hear a great deal during the discussion of this rule and the bill that follows as to the constitutional powers of the House of Representatives to act. This is not exactly a new matter with me. Ten years ago when I was chairman of the Committee to Investigate Communist Activities and Propaganda in the United States the committee unanimously urged the deportation of alien agitators. I submit, Mr. Speaker, that the Congress has the power to deport any alien agitators. I do not care whether they come from the left or the right; whether they are Communists, Nazis, or just alien agitators. Even if we did not like the color of their eyes or the color of their hair, the Congress has full power under the law and the Constitution to deport them; and we have the power today to deport Harry Bridges as an undesirable alien. You do not have to prove that he is a Communist; you do not have to prove anything else except that he is an alien agitator and an undesirable alien. And I go even further: You do not even have to prove that he is an undesirable alien if the Congress thinks it is in the interest of America and our institutions to deport such a person as Harry Bridges. We not only have the right to do so, but it is our duty to do so.

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

Mr. FISH. For a question.

Mr. MARCANTONIO. Does not the gentleman believe that a person should be deported pursuant to the statutes the Congress has enacted? And if Congress feels that those statutes are inadequate, should we not have proper remedial general legislation rather than to have the entire Congress of the United States set itself up against one man?

Mr. FISH. We are not setting ourselves up against one man.

Mr. MARCANTONIO. That is what you are doing.

Mr. FISH. This man is a symbol; he is a symbol of un-American activities and the "fifth columnists" in our midst. My only regret is that we have delayed so long. We should have enacted this bill 5 years ago. [Applause.] The trouble with Congress is that we tolerate these un-American activities too long. No other nation in the world would tolerate the insidious activities of an alien agitator like Harry Bridges in its midst. The time has come to find out whether Harry Bridges, an Australian alien, or the Congress of the United States runs this Government. [Applause.]

Mr. ALLEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. ALLEN of Pennsylvania. Is not the Constitution designed to defend its citizens and not its enemies?

Mr. FISH. Certainly. And we have more to fear from our enemies from within than from our enemies from without. [Applause.] We have spent a lot of our time talking about our enemies from without, but it is time to clean our house from our enemies from within.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. With reference to the statement made by the gentleman from New York about the general immigration law, is it not a fact that although we have a general immigration law covering importation of aliens, we do import many aliens under special acts of Congress? This Congress has imported many aliens under special acts for which the gentleman from New York voted. Only last week the gentleman voted for such alien-import bills on the Private Calendar. If we can import aliens by special acts of Congress, we can export them by special acts.

Mr. FISH. There is no question about the power of Congress to do this. Article I, section 1 states:

Congress shall have the power to establish uniform rules of naturalization.

We have this power and we also have the power to regulate deportations. Many years ago I went as far as to say, and I believe it today more than ever before, that we do not even have to say that an alien is a Communist, we do not even have to say he is a "fifth columnist," we do not even have to say he is an undesirable alien or an agitator; all we have to say is we do not want him in this country. We may even say we do not like the color of his hair. I hope the Congress will use its constitutional and legislative power and send this alien agitator, Harry Bridges, back to Australia where he belongs. [Applause.]

[Here the gavel fell.]

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

(Mr. DICKSTEIN asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. DICKSTEIN. Mr. Speaker, I do not take the floor at this time to defend Bridges, nor do I take the floor to argue or persuade you to vote down the rule. I take the floor in defense of democracy and in defense of our constitutional form of government. I will give a man a chance to speak freely and I will defend that man under our Constitution. I loathe Communists as much as any Member of this House. They have no business here, and we should provide proper procedure to solve the problem by statute in order to dispose of our enemies from within. This is a problem I have talked about in this Congress for 6 long years. My appearance on this floor today is solely to bring out the fact that I do not question the right of the committee to vote out this bill, nor do I infer any bad motives. I have the highest regard for every member of my committee, and I respect their opinions. They saw the thing one way, and I may have seen the matter in another way.

The only fact I want to bring to your attention at this time is, regardless of whether it be Bridges or anyone else, he ought to have his day in court. Although I might have agreed with the committee that Bridges is an undesirable alien and should be deported, it is my contention and I still believe that Bridges should have received a hearing at the hands of the committee so that he could present, as I understand he wanted to do, his side of the case. It seems to me that this sort of procedure is wrong. I have pleaded with the members of my committee, whose opinions I regard

highly, 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, about our 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. DICKSTEIN. 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 storm was over he has withdrawn his application?

Mr. DICKSTEIN. I do not know Bridges, and I do not want to know him. But the fact remains that in the Stryker case, which is a parallel with the Bridges case, the Supreme Court exonerated Stryker. The Landis opinion exonerated Bridges. I agree with the gentleman from New York [Mr. FISH] 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. DICKSTEIN. I do not yield. I told you a moment ago—and I want the gentleman who injected that question to listen—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.

[Here the gavel fell.]

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

Mr. THOMAS of New Jersey. Mr. Speaker, back in March 1939 I introduced a resolution to impeach the Secretary of Labor and two of her assistants for their failure—I called it conspiracy—to take 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 impeachment. But a lot of water has gone over the dam since then. If there was reason then, as I was certain there was, to deport Harry Bridges, there is more reason today for doing so. All you have to do is to read the testimony given in the hearings before the Dies committee to come to a definite conclusion that Harry Bridges should be deported from the United States. I now want to read some of it to you—a paragraph from the published hearings held 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, Oreg., 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 Longshoremens' Union on the Pacific coast, was an alien and a member of the Communist Party of the United States of America, and also that Harold Pritchett was a Canadian subject and also a member of the Communist Party. He is president of the Timbermens' and Saw Mill Workers' Union International; and that these two men have been active in and around the Portland area as well as in other areas on the Pacific coast; and that while they are working under the guise of labor leaders, they are in reality both members of the Communist Party; and that, based upon his investigation and the affidavits which he is in a position to furnish to the committee, he would say that their real purpose, in my belief, is to undermine 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 conclusively 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 labor. I think that labor should be more interested in having this man deported than any other group in this country.

May I say in conclusion that the people of this Nation are sick unto death with the way we have pussyfooted on this question of "fifth columnists." They are disgusted at the way the Department of Labor has coddled this man Bridges. They know he has been the blond-haired boy of the Department of Labor for the last number of years. They now want action. They are certain that the only place they can get action is in this body, the House of Representatives, so I think that today we must take favorable action not only on the rule but also on the bill in order to forthwith deport Harry Bridges, and make him an example to the entire country. [Applause.]

[Here the gavel fell.]

Mr. COLMER. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HAVENNER].

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 due process he was acquitted from all the charges made against him and a warrant of deportation against him was dismissed.

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 Constitution upon Congress, a violation made flagrant by the fact that the committee which reported the bill refused, by a vote of 9 to 3, 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 5, 1920 (8 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 affiliated with such an organization.

Third. That, after he entered the United States, he became a member of an organization that causes to be written, circulated, 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.

Thereafter, 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 274 exhibits. As indicative of the time consumed respectively by the parties, a rough count would attribute 2,900 of these pages to interrogation of witnesses by the Government, 3,600 to interrogation of witnesses by counsel for the alien, 500 to interrogation of witnesses by the examiner and the balance to proceedings of a miscellaneous nature. Of the 274 exhibits, 138 were introduced by the Government and 136 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 by 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 scholars in America who acted as the trial examiner, it is now proposed by this legislation to disregard all of these facts and deport him forthwith without regard to right or justice.

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 inquisition 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 enmities aroused by his militant leadership in these industrial conflicts 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, logically proceed, therefore, to punish by special legislation all labor leaders who have conducted strikes in which violence has occurred.

I am an advocate of complete preparedness for national defense, and as a Member of the Naval Affairs Committee of the House I have given my wholehearted support to the program of expansion of national armament which is now under consideration. If I believed for one moment that the continued presence of Harry Bridges in this country constituted a menace 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 forefathers helped to create, is the America of tolerance, of freedom from oppression, of refuge for political exiles, of civil liberties for all—and because I fear that these sacred institutions of freedom which constitute the very heart of the America which I love are endangered by the exercise of ruthless power such as is here contemplated—because of all these things I am constrained to ignore the criticism which I know is in store for me, and to appear here in opposition to this rule.

One hundred and forty-two years ago the Federalists, representative privileged and money classes, were responsible for the adoption of drastic Alien and Sedition Acts. President Thomas Jefferson later drafted resolutions declaring the alien and sedition 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 be free, the wretched refuse of your teeming shore; send these, the homeless, the tempest-tost to me; I lift my lamp beside the golden door.

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

(Mr. HAVENNER asked and was given permission to revise and extend his remarks in the RECORD.)

Mr. FISH. Mr. Speaker, I yield myself one-half minute, and I ask unanimous consent to proceed out of order.

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

There was no objection.

Mr. FISH. Mr. Speaker, Premier Reynaud's message to President Roosevelt, made well before his speech at Charlottesville, said, "Italy has struck her neighbor in the back with a dagger."

President Roosevelt in his speech Monday night said, "Italy has driven a dagger into the back of her neighbor."

I hope that the time has not come in America when our President's state papers are dictated and copied from foreign capitals. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. 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 questions present themselves to the Congress. The first one is, can we deport Harry Bridges? The second one is, should we deport Harry Bridges? Those who say we cannot do it rely upon constitutional provisions which interdict 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 prejudicial trial.
>
> If the punishment be less than death, the act is termed a bill of pains and penalties.
>
> Within the meaning of the Constitution, bills of attainder include bills of pains 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, or imposes additional punishment to that then prescribed, or changes the rule of evidence by which less or different testimony is sufficient to convict than 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. 236), the opinion of Mr. Justice Shiras, May 18, 1896:

> 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 banishment in the sense in which that word is often applied to the expulsion of a citizen from his country by way of punishment.

It is but a method of enforcing the return to his own country of an alien who has not complied with the conditions upon the performance of which the Government of the Nation, acting within its constitutional authority and through the proper departments, has determined that his continuing to reside here shall depend.

So it is not a punishment for a crime. Get that in mind. Congress is clearly within its authority. This is not an ex post facto law or a bill of attainder.

Mr. MARCANTONIO and Mr GAVAGAN rose.

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

Now, let me quote just a little further upon the advisability and the wisdom and the authority of the judicial branch to impose any restriction upon the Congress in this matter, quoting now from the case of *Li Sing* v. *United States* (180 U. S., p. 486), the opinion of Mr. Justice Shiras:

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 the Government, the judicial department cannot properly express an opinion upon the wisdom, the policy, or the justice of the measures enacted by Congress in the exercise of the powers confided to it by the Constitution over this subject.

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

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

Bridges' relationships to the Communist Party have already been sketched at length. They are, in general, his well-defined opposition toward "red" baiting; his acceptance of aid and assistance in his industrial struggles from the Communist Party—indeed, his solicitation of that aid; his expressed disinclination to disavow that help; his association with persons admittedly Communists, an association that derives primarily from his requests for and acceptance of such aid. There are, specifically, his support of the Western Worker during the 1934 maritime strike; his requests for aid in connection with such issues as the King-Ramsay-Connor and Modesto cases and the United Labor Party ticket; his not infrequent conferences with the Communist officials on the Pacific coast in regard to these and other matters; his admiration of the sincerity of persons in the trade-union movement, some of whom were avowedly Communists; and his willingness to work with them in the realization of his trade-union ideas.

This evidence, however much it may disclose lack of judgment or associations that may be regarded by others as reprehensible or unfortunate, falls short of the statutory definition of affiliation. Persons engaged in bitter industrial struggles tend to seek help and assistance from every available source. But the intermittent solicitation and acceptance of such help must be shown to have ripened into those bonds of mutual cooperation and alliance that entail continuing reciprocal duties and responsibilities before they can be deemed to come within the statutory requirement of affiliation. Judge Chase, in *Kettunen* v. *Reimer* (79 F. (2d) 315), and the other judges in the cases heretofore reviewed, insist upon the application of this standard. To expand that statutory definition to embrace within its terms ad hoc cooperation on objectives whose pursuit is clearly allowable under our constitutional system, or friendly associations that have not been shown to have resulted in the employment of illegal means, is warranted neither by reason nor by law.

[Here the gavel fell.]

Mr. PLUMLEY. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. DIRKSEN. Mr. Speaker, the language of Dean Landis himself, who rendered a 150-page opinion in this case, indicates to all the world the answer to the second question, the undesirability of keeping Harry Bridges in the United States.

The authorities are clearly all 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 gracious testimony to the gentleman from Pennsylvania, Mr. LOUIS GRAHAM, 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 we can do it and that he has done it, as a practical matter, that resolves question No. 1 whether we can deport Harry Bridges.

On question No. 2, take the record of Dean Landis and it is an answer as to whether he should be deported.

Let me add that the bill before us ought to be modified in language so as to make it absolutely mandatory, so that there is no power in or out of government to stop these deportation proceedings. [Applause.]

Now to summarize the situation before us, the decisions are quite clear and unequivocal 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 enactments. Deportation in the language of the court is not a punishment. Therefore, the measure before us is neither a bill of attainder or an ex post facto act. Congress can therefore deport Harry 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 undesirability has been fairly well established.

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

Mr. SABATH. Mr. Speaker, ladies and gentlemen of the House, I fully appreciate, especially at this time, that it will be very unpopular to say anything in the defense of Harry Bridges, or in opposition to the deportation bill pending before us, but notwithstanding that fact, I feel it my solemn duty to call attention to the House and the country that such legislation is in violation of the Constitution of the United States and the Bill of Rights.

I feel there isn't a lawyer of experience who is a Member of the House who will have the temerity to claim that the bill will be held constitutional. But notwithstanding this, they may and probably will support the bill, because it will subject them to the lesser amount of criticism. I predict there will be very few who will have the courage 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 deviating in any way from our constitutional restrictions and privileges, this is the time. But, unfortunately, due to the well-organized and Nation-wide attacks upon this labor leader, and I deplore and regret the fact 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 his side of the case.

The Committee on Immigration and Naturalization reported the bill without giving him or his attorney a minute's time, and even when the bill was before the Rules Committee no one was given a chance to show that many of these charges and accusations were not founded on facts. Personally, I have received hundreds of telegrams and letters from nearly all the labor organizations, urging that opportunity be granted Mr. Bridges to defend himself, but it was of no avail. The resolution, same as the bill, was 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 Harry Bridges. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, since obtaining the unanimous consent to insert Mr. Bridges' letter in the RECORD, the gentleman from New York [Mr. MARCANTONIO] has obtained unanimous consent to read the letter, and, therefore, to save space and prevent repetition, I shall not avail myself of the unanimous consent, because that letter will appear in Mr. MARCANTONIO's remarks.

In lieu of his letter, I will quote extracts from an editorial by Chester Rowell, one of the most prominent editors on the Pacific coast, which appeared in the San Francisco Chronicle May 24, 1940, and which is entitled to our thought and consideration:

Congress is still playing with the idea of deporting Harry Bridges by bill of attainder, regardless of the constitutional prohibition of such a process. It is a curious paradox that those who shout most loudly for the Constitution are often those least familiar with its provisions and least concerned for granting to others the rights it guarantees to themselves. In this case, since the effort to deport Bridges by due process of law failed on a finding of want of proof, it is proposed to substitute undue process of attainder. For surely, these objectors conclude, Bridges is an "undesirable alien," since they do not desire him. And if it is pointed out that there is no general law for the deportation of aliens merely because they are "undesirable," what could be simpler than a special law for the deportation of this particular undesired one?

* * * * * * *

The general right of an alien who legally entered the country to remain here unless found guilty of deportable offense cannot be taken away by a special legislative act declaring him guilty of that offense without hearing and imposing on him a penalty not thereby applied to others. This is the exact "bill of attainder" which the Constitution forbids. It had been a real evil, under despotic governments in England. It has since passed so far out of use and memory that most people had forgotten even the constitutional provision against it. This Bridges resolution is the first time it has been proposed in American history.

In these times, when feeling runs high and when the "fifth column," which has proved so dangerous elsewhere, may have to be dealt with here, it is especially important that we realize the importance of proceeding against only actual evils, and not even against them by denying rights whose protection is important to all of us. There was too much of that, under less provocation, in the last war. The temptation may be greater now, which is the greater reason for being on our guard against it.

Mr. Speaker, I wish to repeat what I have said on the floor a dozen times, that I am just as much opposed to communism as nazi-ism, and you know my position on nazi-ism and fascism. But this man, whom we are about to order deported, positively states that he is not a Communist, and that he believes in a democratic form of government. The fact that his son has served and has reenlisted in the Army of the United States, and in view of the further fact that he, himself, by telegraph, nearly 2 years ago called attention of the President and the Department of Justice to some of the subversive activities of the real culprits, namely, certain members of the German Bund and the Nazi organizations, should satisfy anyone that he cannot be a Communist.

He admits that he has received aid from many organizations, religious and political leaders, including even Communists, in his effort to organize the International Longshoremen's and Warehousemen's Union, which he accomplished and which is one of the strongest and most democratic and representative labor organizations in the United States today. Not only does he make clear that although every effort has been made to bribe him, he remained steadfast in his duties towards his coworkers, which brought about higher wages and shorter hours. I view this fight as one angle of the eternal effort of great and powerful employers to descredit organized labor—as only that and nothing more.

Some day, in the near future, the country will know what organization or what men are really guilty of subversive activities specialized in by agents of the "fifth column." In fact, in the last few days it has been made clear that it is the Nazis and the Fascists in our country who are the dangerous elements within our midst, but, as I stated sometime ago, in their shrewd and clever manner, they continue to insinuate and accuse every progressive labor leader of being communistic so as to divert attention from their own subversive activities.

Mr. Speaker, I am informed that among others that will speak for the resolution will be the gentleman from Wisconsin [Mr. SCHAFER], and I predict he will continue to assail Mr. Bridges as a Communist and as a danger to America. I am commencing 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 advises, advocates, and teaches the overthrow by force and violence of the Government of the United State.

(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 causes to be written, circulated, distributed, printed, published, and displayed printed matter advising, advocating, 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 finding, covering 152 printed pages, was a complete exoneration of Bridges, and was as follows:

Conclusion: The evidence therefore establishes neither that Harry R. Bridges is a member of nor affiliated with the Communist Party of the United States of America.

Out of the hundreds of telegrams and letters that I have received protesting the passage of this bill I will tax the RECORD with but a few:

We vigorously urge the House Rules Committee to reject and bury H. R. 9766. The matter of the deportation of Harry Bridges has been acted upon by the recognized judicial bodies of this country and his innocence has been duly established. For your committee now to recommend any action contrary to the decision handed down by those judicial bodies would, in our opinion, be a miscarriage of justice and a violation of basic democratic principles.

SAN FRANCISCO-OAKLAND NEWSPAPER GUILD,
CHARLES L. IRVINE, *Executive Secretary.*

Five hundred marine radio officers, members American Communications Association, protest against and urge defeat of H. R. 9766, intended to deport Harry Bridges, C. I. O. director in California, as nullifying the Bill of Rights and denial of civil liberties.

AMERICAN COMMUNICATIONS ASSOCIATION,
Local 2, New York City.

International Woodworkers of America, representing 100,000 organised woodworkers in 23 States, unqualifiedly denounce H. R. 9766 as being not only discriminatory and designed to crush organized labor but as unconstitutional and opposed to the democratic rights on which our governmental structure is based.

B. J. MCCARTY,
Secretary-Treasurer, Seattle, Wash.

Some of the speeches here today are suggestive of that state of hysteria that was prevalent in this Chamber in the days preceding the vote that put us in the World War. Calm judgment becomes almost impossible where hysteria exists.

Some of the speakers painted Bridges as the foremost lawbreaker of the country. If he has broken even one of our laws, why has he not been arrested, convicted, and put in jail?

Most of the speakers say that he was an agitator, and that he made people discontented. Every single step of progress that the human race has achieved since the curtain rose on the dawn of civilization was the result of agitation. If there had not been agitation by Patrick Henry, Thomas Jefferson, and a lot of others, we would not be under the American

flag today, but still under the flag of Great Britain. If we ourselves had not done a little agitating among our home folks, all of us would still be down on the farm, or to say the least, we would not be here.

If there had not 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 women 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 steel mills before organized labor succeeded through agitation in making the workers so discontented they went on strikes until thereby they finally succeeded in improving their conditions and standards of living. Agitation has been responsible for every bit of progressive legislation that has ever passed this House of Representatives in which we today have been so vehemently decrying and denouncing agitation. When agitation ceases, all reforms and improvements will cease, and we will become a decadent people and Nation.

Mr. Speaker, though I know the bill under consideration will pass by a tremendous majority, I, myself, personally, conscious of my oath of office to uphold the Constitution of the United States and the Bill of Rights, cannot bring myself to the point of being willing to take the responsibility of voting for this bill which I believe is unjust, definitely unconstitutional, and a violation of the Bill of Rights.

Mr. PLUMLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. SCHAFER].

[Mr. SCHAFER of Wisconsin addressed the House. His remarks will appear hereafter in the Appendix.]

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

Mr. MARCANTONIO. 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 regarded by the framers of this bill as a menace to the interests of this country. In other words, we are asked to deport one individual—all of Congress against this one individual—based on the conclusion contained in the report from this committee. Bridges was not given 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 being given an opportunity to defend himself. Any alien, no matter how heinous the crime may be for which he is being deported, is given a hearing. He is given a hearing before the immigration officials. Then that hearing is reviewed. 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 those 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 attempted 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 same labor exploiters seek his deportation and use Congress for this foul job.

I have before me a letter from Harry Bridges. I think it is only fair that Bridges be accorded just this opportunity to have some Member of Congress read an answer to the charges that have been made against him. I now place this proposition before the House: I ask unanimous consent, Mr. Speaker, that I be permitted to read this letter, which is seven pages long, and that it not be taken out of my time.

The SPEAKER pro tempore (Mr. NICHOLS). 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. ELLIOTT. Mr. Speaker, I object.

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

The Speaker pro tempore. Does the gentleman yield for a parliamentary inquiry?

Mr. MARCANTONIO. I yield.

Mr. DUNN. I would like to know if it is in order to make a motion to that effect?

The SPEAKER pro tempore. The Chair will state that it can only be done by unanimous consent.

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

Mr. ELLIOTT. Mr. Speaker, I withdraw my objection.

The SPEAKER pro tempore. The gentleman from California withdraws his objection. Is there objection to the request of the gentleman from New York [Mr. MARCANTONIO]?

Mr. HAWKS. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from New York is recognized.

Mr. MARCANTONIO. 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 and sentence a man without giving him an opportunity to even have a Member of Congress read a letter which presents his answer to the charges that have been made on the floor of the House, leave alone the fact that you have already denied him every opportunity to be heard.

Mr. THOMAS of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman.

Mr. THOMAS of New Jersey. I agree with the gentleman that he should be given an opportunity to read the letter, and I hope the gentleman will ask permission to read it under general debate.

Mr. MARCANTONIO. I would be denied this privilege under general debate.

Mr. MASON. Will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. MASON. I want to suggest that the gentleman will have plenty of time to read that letter when the bill is being read, by striking out the last word, and I hope he does it.

Mr. MARCANTONIO. May I say to the gentleman that I will be in no different position then than I am now. When the bill is being read for amendment all I will have is 5 minutes and I will have to make the same request which has been objected to.

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

Mr. MARCANTONIO. All right. Let us proceed with the legislative lynching.

Mr. HAWKS. Mr. Speaker, I withdraw my objection, to the gentleman's request.

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MARCANTONIO] be allowed to proceed for 7 minutes without it being taken out of his 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?

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

The SPEAKER pro tempore. Is there objection?

Mr. LELAND M. FORD. Mr. Speaker, I object. This man has had too much time already, and the sooner you find that out the better.

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

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BENDER. Mr. Speaker, I move that the gentleman from New York be given 15 minutes' additional time.

The SPEAKER pro tempore. The Chair cannot recognize the gentleman to make such a motion. Under the rules the time is controlled by the gentleman from Mississippi and the gentleman from New York. The gentleman's motion is not in order. It can only be done by unanimous consent.

Mr. LELAND 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. MARCANTONIO] is recognized. [Applause.]

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

INTERNATIONAL LONGSHOREMEN'S AND WAREHOUSEMEN'S UNION,
San Francisco, Calif., June 1, 1940.

Hon. VITO MARCANTONIO,
House of Representatives, Washington, D. C.

DEAR SIR: My purpose in addressing this communication to you is in order that you may know certain facts concerning the attempts at my deportation and certain facts in connection with my official and personal background that may not be generally known.

First, as to my personal record in connection with citizenship. On March 26, 1940, Representative LELAND M. FORD placed a letter in the CONGRESSIONAL RECORD including an article that appeared in the American Legion magazine. This letter was full of misstatements and inferences and unwarranted conclusions. The magazine article was a reprint from a metropolitan daily newspaper, the Capitol Daily, of Washington, D. C., of February 15, 1939, and the statement is made that this article itself provides sufficient evidence of my undesirability.

I first filed application papers for citizenship in 1921. In 1928, prior to the expiration of my papers, I filed for second or final papers in 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 final papers.

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, must be taken prior to the expiration of first papers. I have the records to prove this, including the notice to appear at the district court with a notation in red pencil on the notice by the immigration authorities to pay particular attention to the date as my papers expired soon.

The point is that I almost completed the getting of my final papers, even to appearing at court with witnesses. I have since been informed by my attorneys that the advice that I received at that time was faulty and that I was legally entitled to go ahead as long as my application for final papers was filed, as it was, prior to the expiration of the first papers.

Immediately following this I filed another application for citizenship papers but was forced, of course, to wait 2 years under the law until I could apply for second or final papers.

Two years later—that is, when it was time for me to again apply for second and final papers—the country as a whole and myself were affected by the depression. Very frankly, from 1930 and the following several years the necessary money, around $20, to secure final papers was beyond my ability to raise.

I had been and was still in difficulties with the company union on the water front and suffered blacklisting and discrimination for that reason.

At that time it took me 2 or 3 weeks to earn $20, and I had a wife and two children to support.

Late in 1932, September to be exact, and from then on through 1933 and 1934 my activities along organizational lines became very much the concern of the company union and the shipowners on the water front.

My second set of first papers expired in 1935. From 1935 I was active in union matters, and the union was engaged in a [illegible] of disputes with the shipowners. Because of my activities in these disputes, the shipowners were out to get me.

At the particular period my papers should have been procured the maritime unions were engaged in a sympathetic boycott or strike in support of British Columbia water front workers, and I, together with other officials, was called back to Washington, D. C., by Assistant Secretary of Labor Edward F. McGrady on this matter.

Incidentally, at this time I was publicly being accused of being a British secret agent concerned with disrupting American shipping to the advantage of British shipping inasmuch as British ships were able to ply to and from the ports of British Columbia but the American ships refused to handle strike-bound or unfair cargo in support of the striking B. C. workers.

All in all, at this time my own conclusions, together with advice and information from sources I had no reason to doubt, were that I would be denied citizenship if I attempted to complete my application, mainly for the reasons I have stated here.

There were other reasons, none of them, however, the reasons charged against me by my enemies.

In addition, numerous charges had already been made against me by employer groups, the American Legion subversive activities committee headed by one Harper Knowles, and others, and again it was definitely my opinion, based on advice of many to whom I went, that I would have a hard time procuring any citizenship papers until these charges were investigated by immigration authorities or some other governmental authority and I was cleared of these charges.

I was afraid to risk being refused citizenship, knowing that such refusal based on false statements would react against me and my union activities.

The American Legion article claims other acts that make me undesirable, namely, not behaving as a person of good moral character, and second, by swearing to false statements.

These charges are made on the basis of conclusions not drawn from facts but on baseless assumptions regarding my marriage and the legitimacy of my daughter.

The facts are as follows: I have two children—one a stepson and one my own daughter. My stepson, Kenneth McCley, was born on July 27, 1916, in Marshfield, Oreg., and my daughter, Betty, was born December 26, 1924, in San Francisco. It should be noticed that the immigration official checking the records merely stated that he found no records and from this failure to find records the deduction is made that I am not married, and therefore my daughter is illegitimate. It is also claimed that I have made false statements, because on one set of papers I said I had one child and on the other set that I had two children.

It is correct that on one set of papers, the recent ones, I stated I had one child living at home, my own daughter. My stepson at that time had left home. He left home to join the United States Army, and in the last 2 or 3 weeks has just reenlisted for his second period and is now stationed at the San Francisco Presidio.

My marriage is legal. I have my marriage certificate. I should not be held responsible for failure of investigators working secretly to find such records. At no time was I asked or approached by any Government official to produce the records.

I might also mention that at no time did I make any effort to conceal anything from the local immigration authorities in San Francisco and that I sought their advice regarding the filling out of my application papers for citizenship.

Certain other matters should be mentioned. In addition to being an organising force in the trade-union movement on the west coast, I have engaged in other forms of activity in connection with my official position.

No one can deny the improvement in the conditions of the maritime workers since they were organized. No one can deny that the organization of the longshoremen in 1934 led to the organization of all other maritime unions where before that time none existed. Through organization the Pacific coast longshoremen have won American wages, hours, and working conditions, and eliminated longshore unemployment. The method of hiring and dispatching longshoremen to so equalize the work, create jobs, and relieve unemployment was made the subject of a study by the United States Government, and the conclusions reached by this study enthusiastically endorsed the progress made through waterfront organization and the beneficial effect on the maritime industry.

All charges of union dictatorship and gangsterism that have been made can best be answered by simply pointing out that I have taken the lead and been mainly responsible, together with other of our union leaders and members of the rank and file, in building what is, as far as we know, the most democratic union in the America labor movement.

All officials of our international union, including myself, are subject to an initiative petition of recall that can immediately remove us from office, upon being signed by any 15 percent of our membership in good standing.

The recall can remove any official, including myself without a trial and our union constitution prevents any retaliatory steps being taken against those persons or groups that initiate the recall petition. After the recall petition is circulated, the officials are immediately removed and then placed on trial. If necessary, the results of the trial can be referred by the petition signers to a secret ballot of our entire membership.

All officials including myself must be elected each year by a secret ballot of our entire membership and must receive a majority

of all votes cast to be elected. Both primary and final elections are held in order to assure a majority of votes being received by the elected officials.

In the last 3 years I have been unopposed for office despite numerous nominations made against me, all of whom declined.

In addition to union activities, organizations, etc., given solely to the matters of hours, wages, and working conditions, we have also been in the forefront on issues of a somewhat different nature.

It is less than 2 years ago that I wired the President of the United States concerning Nazi spy and sabotage activity in west coast aircraft plants. I personally sat down with Congressman JERRY VOORHIS on this matter and did everything possible to bring it to the attention of the proper governmental authorities, including the Department of Justice. It was also brought to the attention of the Government that the brother of one of the German agents that was arrested in the New York spy ring some time ago was still at that time holding an important position in the Boeing Aircraft plant in Seattle, together with other Nazi bund members.

I attempted to bring to the attention of the Federal Government and also stated to Congressman VOORHIS that our union people in the aircraft plants had noticed that German and Japanese agents apparently buying airplanes had easy access to airplane manufacturing plants in California, whereas many American people were closely questioned and excluded from these plants.

It should be remembered that my telegram to the President of the United States concerning this Nazi activity was dispatched just a few hours prior to the crash of the Douglas plane at the Douglas flying field in southern California, when it developed that a so-called Douglas mechanic turned out to be a French Army officer flying in the plane in complete violation of the law. We knew at that time that the same had occurred with agents of other foreign governments.

During the Italian campaign in Ethiopia our men protested bitterly against the quantity of war materials that were being shipped over Pacific coast water fronts to the Italian forces and Government, although ostensibly destined for the Italian Red Cross.

On numerous occasions we bitterly opposed placing aboard American and Japanese ships huge shipments of scrap iron, airplane engines, chemicals, and other war materials for shipment to Japan to be used against defenseless and innocent Chinese people. Our men have handled, against their will, thousands of tons of this material, knowing well what it was to be used for, and knowing well that at some time in the future it might be returned to us from Japanese airplanes in the form of Japanese bombs and from Japanese cannon in the form of shells.

We have on numerous occasions done everything possible to bring to the attention of the public and authorities the extent of Japanese spy activities in the Pacific coast fishing fleets. We know and everyone should know that oceangoing fishing craft with a cruising radius of some 6,000 miles, powerful, up-to-date, two-way radios, better mine- and submarine-detecting equipment than is carried on United States naval craft, operate along the entire Pacific coast seaboard. On numerous occasions our fishermen organized into the C. I. O. have observed these craft in forbidden waters, such as naval anchorages, mine areas, etc.

My supporters in the union and I were of the opinion that the thorough airing of the charges in the 9 weeks' trial on Angel Island had cleared the way for me to gain citizenship. This hearing has been attacked as a "whitewash" on the part of Dean James M. Landis.

I need make no defense of Dean Landis, the Immigration Department, or any others concerned, but the fact remains that no one Government witness in the hearing could point to a single example, even though they were asked to, or any statement or action by me or our unions tending to undermine or overthrow the American form of government, or to any action of the unions that could be considered un-American.

The main witness who was employed by the steamship interests of the Pacific coast to build a case against me, no matter what methods must be used, we found impossible to get on the witness stand, namely, Stanley Morton Doyle, an employers' labor spy who utilizes his badge of membership in the American Legion to cover and further carry on his activities.

The decision of Dean Landis, his reasons, and the record in this case speak for themselves. The charges were found to be merely hearsay charges originating with the employers' paid labor spies and agents and sympathetic officials in the police department and governmental agencies of some Pacific coast cities.

The point is made in connection with the present alien deportation bill that I admitted association with "known Communists."

Of course, being on the witness stand and under oath, I told the truth in every detail without attempting to evade any question. I explained that as the ranking official of the International Longshoremen's and Warehousemen's Union and, in addition, as the west coast C. I. O. director of all the Pacific Coast States, it was my official duty to meet with politicians and persons representing every type of organization.

I can give instances where I have had associations with numerous political and religious leaders that did not at all commit me to their policies. The same is true as to meetings with any Communist officials. I accepted help from any source, including Communists, if I believed that such help was given in good faith and was of benefit to our union movement.

In not a single instance has it been shown that such associations were for any other purpose or used for any other purpose.

I should like to mention finally the fact that at present we are engaged in negotiations attempting to secure a contract covering longshore work on the Pacific coast. For some months past we have attempted to have American shipowners and operators execute a contract for a period of at least 3 to 5 years, aimed at preventing any stoppages of work or strikes between longshoremen and employers for this length of time.

Our union membership and I well know that the present attempts to railroad me out of the country simply because I am undesirable to a minority group of American people is being used to prevent the successful negotiating of this contract.

I have never been, and I am not now, concerned with my own personal welfare in these matters. In 1934 I was offered, first, $50,000, and then an offer to name my own price if I would betray the union. This offer came from those interests who have constantly sought my deportation under false charges.

I am a resident in this country by choice, not by accident, and I am very familiar with American institutions, civil liberties, and American democracy, and I appreciate and support them.

I myself sought the investigation and hearing by the Government into the charges against me with a view of getting them out of the way so that I could complete my citizenship. Those forces that howl so much against my not being a citizen are the same forces that will leave no stone unturned to prevent me from becoming naturalized.

The passage of the Alien bill will be a victory for powerful minority forces. It will certainly not be a defeat for me or what I represent. The defeat will be to American civil liberties and democracy and will be looked back on in the future, if successful, as such acts that occurred in the last World War were ultimately regarded, such as the changing of the name of "hamburger" steak to "liberty" steak, etc.

In concluding this somewhat lengthy communication I merely want to repeat what I said at the outset, that I believe that the Representatives in Congress should know the facts of this case. The facts as I have stated them here are correct and are a matter of official record in some form or another.

With the personal appreciation of myself and the full appreciation of our union membership for your past efforts on our behalf, I trust that everything possible will be done in the interests of the American labor movement and American democracy to prevent the passage of this piece of private-interests legislation.

Very truly yours,

H. R. BRIDGES, *President*.

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

Mr. MARCANTONIO. If I have any time.

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, and the gentleman from Mississippi 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. MARCANTONIO], 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. See footnotes and pages 122, 124, 125 clear through to page 151 of the Landis report where he refused to deny his communism. Time will not permit me to go into this as much as I would like to. I just want to say that the gentleman from New York read a lot of words into the RECORD, but not a word in Harry Bridges' defense. He did not present it because he did not have any, he just simply did not have any, and I am going to read the record on this, too. He went to great lengths to say that the Department of Immigration did not know anything about his marriage. Of course, the Department of Immigration would not know, but he did not say anything about the registrar of vital statistics. I am going to read the record. On May 7, 1920, Harry Bridges came to the United States and registered as an alien. On July 13, 1921, he filed his first papers for application for American citizenship. On August 9, 1928, he again filed his first papers. Now, there was a reason for that. He did not mention marriage in his first application. He got afraid. There was a very logical reason why he filed again. This time making

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 McClay Bridges. That was in 1928. On May 2, 1936, 8 years later, he filled out a preliminary form for declaration of intention and signed it. In the above form he stated that he was married on May 1, 1934, at San Francisco. Bridges stated that he was married on December 2, 1923, under the name of Harry Renton Bridges to Agnes McClay Bridges.

We had this matter looked up by the registrar of vital statistics of California, whose duty it is to find out these things, and here is what he says:

> There is no record in California of Harry Renton Bridges and Agnes Bridges, or McClay, having been married either on December 2, 1927, May 1, 1934, or on any other date between July 1905 and June 30, 1938.

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. GEYER of California. Mr. Speaker, will the gentleman yield?

Mr. LELAND M. FORD. No.

Mr. GEYER of California. I thought so.

Mr. LELAND M. FORD. You just thought so to get your nose in.

Mr. GEYER of California. I think——

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 hollers and he screams for his rights under the Constitution of the United States. I read into the record, in the N. L. R. B. hearings, some of the letters written by his crowd, in which he said to business:

> We are going to call on you, and your men are going to come peacefully to our union, or, if they do not, it is just going to be too bad.

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 peacefully, 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—injuries inflicted by the thugs of Harry Renton Bridges. I ask you what consideration did he give to the rights of others? It seems to me that in this country individual right is interpreted to mean that you may do what you wish to do provided you do not infringe on the rights of others.

Here is a man who has no respect for others. In sit-down strikes, like in the Douglas strike, they moved into those plants; they got into those plants and sat there. They did not own those plants. I ask you, is that due 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.

[Here the gavel fell.]

Mr. COLMER. Mr. Speaker, I yield 4 minutes to the gentleman from West Virginia [Mr. RANDOLPH].

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 lying tongue and false prophecy, are spreading discord in the ranks of labor, bringing about unnecessary strikes, and tearing apart the solidarity of the American system of government. [Applause.]

AFFIRMATIVE 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, 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 citizenry of this Republic the reason why favorable action on this measure should be speedily forthcoming. In many States of the Union there are large populations of aliens, and I want to make myself clear on that score.

NATURALIZED CITIZENS ARE VALUABLE

Naturalized citizens are just as important to America as are native-born citizens. I have aided scores of men and women to receive their papers of naturalized citizenship. I know their loyalty and faith centers in the United States. They join hands today in patriotic union with native-born citizens as we all awaken to the fact that aliens are besmirching the good name of those who are responsive to the challenge of real citizenship. All of us are descended from those who came to our shores, either at 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 disturbing figure. It is that only 21 percent of those 130,000 individuals have even signified or declared their intention of becoming citizens of the country in which they reside. The percentage is believed to be approximately correct. What 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.

AMERICA FOR AMERICANS

Mr. Speaker, today there is more at stake than merely acting on the case of Harry R. Bridges. There is a call to the membership of this House, regardless of party, to so publicize our position clearly at this hour that the country and the world will know that we have come to the time in the history of this Nation when we mean to make America safe for Americans. [Applause.]

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Speaker, it has been said that Mr. Bridges has not had his day in court. He is having his day in court in the only forum in this land which has the right to enact laws defining the rights of an alien to come in here and his right to remain. He is here by sufferance, not by right. We have the undoubted right to say that an alien shall not come in. Coupled with that is the right to say when one is undesirable we may put him out.

A reference has been made here to the finding of Mr. Landis. I have read Mr. Landis' report upon the record made in that case, and the findings and opinion of Mr. Landis are the finest example of a constipation of ideas and a diarrhoea of words that I ever saw in my life. As a matter of fact and of law, it is hard to prove some offences of which men are guilty. One of those offences is fraud, which is akin to the activities of Mr. Bridges since he has been here. One great judge once said that—

> Fraud is hatched in secret; it hides in the hollow of a tree, and, like a snail, it must be trailed by the slime 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 snake that made the track was coming in or backing out." It would be interesting to inquire just what state of facts would lead Mr. Landis to conclude that an undesirable alien should be deported. The anomalous thing about

a man like Bridges is that he assails with pick and crowbar the foundations of our institutions, then when he is caught in un-American activities he flees to the courts and lays hold of the horns of the altar and appeals to the laws and institutions which he seeks in season and out of season to destroy.

As a matter of fact, this is a long-delayed action. Bridges has sinned away his day of grace. His deportation is long overdue. It is the beginning of what must be a concerted move on the part of the Congress, and that is to delouse the body of Uncle Sam of these undesirable aliens like Bridges. [Applause.] Then, when we have done that, let us give the body politic a good, strong dose of legalistic vermifuge and clean out the internal parasites that now afflict us. [Applause.]

[Here the gavel fell.]

Mr. COLMER. Mr. Speaker, I yield the balance of the time on this side to the distinguished gentleman from Texas [Mr. DIES]. [Applause.]

Mr. DIES. Mr. Speaker, from the testimonies of former members of the Communist Party who sat with Harry Bridges in Communist meetings, from his own public statements, and from information which has come to me from reliable sources, I am convinced that Harry Bridges is a Communist and, therefore, subject to deportation. My opinion is not based upon biased testimony or hearsay evidence, and it is confirmed by the fact that Bridges has religiously followed the Communist Party line. Naturally, it is difficult to prove by membership books the affiliation of any Communist with the party. This is because the Communist Party conceals its records and, under existing laws, we are unable to compel them to produce these records. It is also the practice of the party to classify certain influential members as members at large, known only to the top-ranking Communists in this country and in Russia. The evidence received by our committee justifies and compels the finding that Bridges is a Communist and an undesirable alien. He should have been deported years ago. When Secretary Perkins selected Mr. Landis to pass upon this question, I predicted that Bridges would not be deported. No one will deny that there was ample evidence before Mr. Landis to authorize the deportation of Bridges.

Bridges could have been deported under existing laws and, in the interest of America, he should have been deported. As an alien, he occupies the status of a guest. The courts have held repeatedly that Congress has a right to terminate the stay of an alien guest at any time and for any reason. The argument that this bill is unconstitutional is without merit. If I thought for a moment that it was unconstitutional or came under the classification of bills of attainder, I would vote against it. I do not believe that we should violate the Constitution or the Bill of Rights in our determination to rid this country of undesirable aliens, but the status of an alien is wholly different from that of a citizen. It is unfortunate that we have been compelled to resort to a private bill to expel Bridges from this country. It should have been done by the Secretary of Labor in the enforcement of existing laws. It is also regrettable that we cannot secure additional legislation along the lines of the bill which I recently introduced, which would make it mandatory for the Department of Justice to deport all undesirable aliens in this country. But since the laws were not enforced and it is improbable that we can secure the necessary general legislation at this session there is no other alternative left to the Congress. The very people who are opposing this bill have favored or introduced similar bills to exempt aliens from deportation. They have gone on record in favor of withholding the deportation of aliens who are mandatorily deportable and have been ordered deported by the Department of Labor.

I do not think that it can be justly said that the deportation of Harry Bridges constitutes punishment. He has shown that he does not appreciate the hospitality which America has extended to him as a guest. He has shown that he does not believe in our form of government, and he has not hesitated to denounce it. In view of this attitude, it should be a favor to Mr. Bridges to get him out of a country that he does not like. It is fairly certain that passage of this bill in the Senate will be prevented. But favorable action by the House will serve notice upon the enforcement agencies of our Government that the Congress is determined to rid this country of undesirable aliens. This will have a wholesome effect upon the entire country, and it will remove any doubt in the minds of any Government official with respect to the overwhelming desire of the American people to expel Communist, Fascist, and Nazi aliens.

Harry Bridges has become a symbol of the kind of aliens who are not wanted in America. The passage of this bill by an overwhelming vote may bring about a fearless and honest enforcement of our deportation laws.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 352, nays 20, not voting 59, as follows:

[Roll No. 150]

YEAS—352

Alexander	Colmer	Griffith	Leavy
Allen, Ill.	Connery	Gross	LeCompte
Allen, La.	Cooper	Guyer, Kans.	Lesinski
Allen, Pa.	Corbett	Gwynne	Lewis, Colo.
Andersen, H. Carl	Costello	Hall, Edwin A.	Lewis, Ohio
Anderson, Mo.	Courtney	Hall, Leonard W.	Luce
Andresen, A. H.	Cox	Halleck	Ludlow
Andrews	Cravens	Hancock	Lynch
Angell	Crawford	Hare	McAndrews
Arends	Creal	Harness	McCormack
Arnold	Crowe	Harrington	McDowell
Austin	Crowther	Hart	McGehee
Ball	Cullen	Harter, N. Y.	McGregor
Barnes	Cummings	Harter, Ohio	McKeough
Barry	Curtis	Hartley	McLaughlin
Barton, N. Y.	D'Alesandro	Hawks	McLean
Bates, Mass.	Davis	Healey	McLeod
Beam	Delaney	Hendricks	McMillan, Clara
Beckworth	Dempsey	Hennings	McMillan, John L.
Bell	Dies	Hill	Maciejewski
Bender	Dingell	Hinshaw	Magnuson
Blackney	Dirksen	Hoffman	Mahon
Bland	Disney	Holmes	Maloney
Bloom	Ditter	Hope	Mansfield
Boehne	Dondero	Horton	Marshall
Boland	Dozey	Hull	Martin, Ill.
Bolles	Dworshak	Hunter	Martin, Iowa
Bolton	Eaton	Jarman	Martin, Mass.
Boren	Edmiston	Jarrett	Mason
Boykin	Elliott	Jeffries	Massingale
Bradley, Mich.	Ellis	Jenkins, Ohio	May
Bradley, Pa.	Elston	Jennings	Michener
Brewster	Engel	Jensen	Mills, Ark.
Brooks	Englebright	Johns	Mills, La.
Brown, Ga.	Evans	Johnson, Ill.	Mitchell
Brown, Ohio	Faddis	Johnson, Ind.	Monkiewicz
Bryson	Fenton	Johnson, Luther	Moser
Buck	Ferguson	Johnson, Lyndon	Mouton
Buckler, Minn.	Fernandes	Johnson, Okla.	Mundt
Bulwinkle	Fitzpatrick	Johnson, W. Va.	Murdock, Ariz.
Burdick	Flaherty	Jones, Ohio	Murray
Burgin	Flannery	Jones, Tex.	Myers
Byrne, N. Y.	Ford, Leland M.	Jonkman	Nelson
Byrns, Tenn.	Ford, Miss.	Kee	Nichols
Byron	Fries	Keefe	Norrell
Caldwell	Fulmer	Kefauver	O'Brien
Camp	Gamble	Kelly	O'Connor
Cannon, Fla.	Garrett	Kennedy, Martin	O'Leary
Cannon, Mo.	Gartner	Kennedy, Md.	Oliver
Carlson	Gathings	Kennedy, Michael	O'Neal
Carter	Gavagan	Keogh	Owners
Cartwright	Gearhart	Kerr	O'Toole
Case, S. Dak.	Gehrmann	Kilburn	Pace
Celler	Gerlach	Kilday	Parsons
Chapman	Gibbs	Kinzer	Patman
Chiperfield	Gifford	Kitchens	Patton
Church	Gilchrist	Kleberg	Pearson
Clark	Gillie	Knutson	Peterson, Fla.
Clason	Goodwin	Kocialkowski	Peterson, Ga.
Claypool	Gore	Kramer	Pierce
Clevenger	Gossett	Kunkel	Pittenger
Cluett	Graham	Lambertson	Plumley
Cochran	Grant, Ala.	Landis	Poage
Coffee, Nebr.	Grant, Ind.	Lanham	Polk
Coffee, Wash.	Green	Larrabee	Powers
Cole, Md.	Gregory	Lea	Rabaut

Ramspeck	Schafer, Wis.	Sparkman	Van Zandt
Randolph	Schiffler	Spence	Vinson, Ga.
Rankin	Schuetz	Springer	Vorys, Ohio
Rayburn	Schulte	Starnes, Ala.	Vreeland
Reece, Tenn.	Schwert	Steagall	Ward
Reed, Ill.	Scrugham	Stearns, N. H.	Warren
Reed, N. Y.	Secombe	Stefan	Weaver
Rees, Kans.	Secrest	Sumner, Ill.	West
Rich	Seger	Sweet	Wheat
Richards	Shafer, Mich.	Taber	Whelchel
Robinson, Utah	Shanley	Talle	White, Ohio
Robsion, Ky.	Shannon	Tarver	Whittington
Rockefeller	Sheppard	Taylor	Wigglesworth
Rodgers, Pa.	Short	Terry	Williams, Del.
Rogers, Mass.	Simpson	Thill	Williams, Mo.
Rogers, Okla.	Smith, Maine	Thomas, N. J.	Winter
Romjue	Smith, Ohio	Thomas, Tex.	Wolcott
Routzohn	Smith, Wash.	Thomason	Wolfenden, Pa.
Rutherford	Smith, W. Va.	Thorkelson	Wolverton, N. J.
Ryan	Snyder	Tibbott	Woodruff, Mich.
Sandager	Somers, N. Y.	Tinkham	Youngdahl
Sasscer	South	Treadway	Zimmerman

NAYS—20

Casey, Mass.	Ford, Thomas F.	Keller	Sheridan
Dickstein	Geyer, Calif.	Marcantonio	Smith, Conn.
Dunn	Havenner	Miller	Smith, Ill.
Eberharter	Hobbs	Murdock, Utah	Voorhis, Calif.
Edelstein	Isac	O'Day	Wadsworth

NOT VOTING—59

Anderson, Calif.	Drewry	McArdle	Smith, Va.
Barden, N. C.	Duncan	McGranery	Sullivan
Bates, Ky.	Durham	Mass	Sumners, Tex.
Buckley, N. Y.	Fay	Merritt	Sutphin
Burch	Fish	Monroney	Sweeney
Cole, N. Y.	Flannagan	Mott	Tenerowicz
Collins	Folger	Norton	Tolan
Cooley	Hess	Patrick	Vincent, Ky.
Crosser	Hook	Pfeifer	Wallgren
Cullkin	Houston	Risk	Walter
Darden, Va.	Jacobsen	Robertson	Welch
Darrow	Jenks, N. H.	Sabath	White, Idaho
DeRouen	Kean	Sacks	Wood
Doughton	Kirwan	Satterfield	Woodrum, Va.
Douglas	Lemke	Schaefer, Ill.	

So the resolution was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. Fay with Mr. Hess.
Mr. Barden of North Carolina with Mr. Mott.
Mr. Woodrum of Virginia with Mr. Cullkin.
Mr. Cooley with Mr. Douglas.
Mr. Merritt with Mr. Cole of New York.
Mr. Burch with Mr. Mass.
Mr. Flannagan with Mr. Kean.
Mr. Drewry with Mr. Jenks of New Hampshire.
Mr. Smith of Virginia with Mr. Welch.
Mr. Darden of Virginia with Mr. Andrews of California.
Mr. Hook with Mr. Darrow.
Mr. Doughton with Mr. Lemke.
Mr. Vincent of Kentucky with Mr. Risk.
Mr. Robertson with Mr. Fish.
Mr. Houston with Mr. Schaefer of Illinois.
Mr. Wood with Mr. Monroney.
Mr. Walter with Mr. Sumners of Texas.
Mr. Jacobsen with Mr. Sweeney.
Mr. Crosser with Mr. Bates of Kentucky.
Mr. Sutphin with Mr. Tolan.
Mr. Pfeifer with Mr. Folger.
Mr. Collins with Mr. McArdle.
Mrs. Norton with Mr. Wallgren.
Mr. Sullivan with Mr. Duncan.
Mr. McGranery with Mr. Tenerowicz.
Mr. Buckley of New York with Mr. Patrick.
Mr. Satterfield with Mr. DeRouen.
Mr. Kirwan with Mr. Sachs.
Mr. Durham with Mr. White of Idaho.

Mr. CONNERY changed his vote from "yea" to "nay."

Mr. FISH. Mr. Speaker, how am I recorded?

The SPEAKER. The gentleman is not recorded.

Mr. FISH. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Does the gentleman qualify?

Mr. FISH. No, Mr. Speaker; I do not qualify.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. CHAPMAN. Mr. Speaker, my colleague——

Mr. CANNON of Missouri. Mr. Speaker, I very much regret that I shall have to object to any statement as to how a colleague would have voted if present.

Mr. McLEAN. Mr. Speaker, my colleague the gentleman from New Jersey, Mr. KEAN——

Mr. CANNON of Missouri. I am sorry to have to object to any announcements as to how colleagues would have voted. It is a flagrant violation of the rules of the House, is unfair to other absent Members, places a trying obligation on spokesmen for other delegations, wastefully consumes the valuable time of the House, cumbers the RECORD, encourages delinquency, is in effect proxy voting, against which there is strict law, and, in addition, renders no real service to the absent Member whose solicitous colleague, usually without his knowledge or consent, impose on the Speaker and the House by making such announcements. In response to sentiment throughout the membership of the House, I am constrained to raise the point of order against all such inconsiderate, unwarranted, and unwanted breaches of order.

The SPEAKER. The gentleman from Missouri objects to such announcements.

Mr. LESINSKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9766) to authorize the deportation of Harry Renton Bridges.

Mr. MARTIN J. KENNEDY. Mr. Speaker, in view of the great interest in this bill, I ask unanimous consent that the time for general debate be extended 1 hour, the time to be equally divided and controlled by the gentleman from Michigan [Mr. LESINSKI] and the gentleman from Illinois [Mr. MASON].

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

Mr. RAYBURN. Reserving the right to object, Mr. Speaker, it is very necessary in order that the program may go along that the consideration of this bill be completed today. Under the rule, there is an hour of general debate, which would certainly take until 4:15 to conclude. There will be at least two roll calls, I understand, on the motion to recommit and on the passage of the bill. This would run us up until in the neighborhood of 5:30 even though there were no debate under the 5-minute rule. I understand several amendments are to be offered. If the time for general debate is extended, we may be here until 6 or 7 o'clock. As far as I am individually concerned, I am not going to object, but I do want to call attention to the situation.

Mr. RAMSPECK. I object, Mr. Speaker.

Mr. MASON. I object, Mr. Speaker.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 9766, with Mr. CALDWELL in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. LESINSKI. Mr. Chairman, I yield myself 2 minutes.

When the bill was introduced for deportation of Harry Bridges, the Committee on Immigration and Naturalization discussed this question at its several committee meetings, and by majority vote, voted the bill out for further consideration of the House.

In the discussion by members of the committee on Immigration and Naturalization, the committee members had not been satisfied with the findings of the Secretary of Labor and feel that if private bills are passed by Congress for relief of aliens, then that Congress has the same power to deport undesirable aliens.

Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. ALLEN].

Mr. ALLEN of Louisiana. Mr. Chairman, the bill which we are today considering, proposes to deport immediately the famous alien, Harry Renton Bridges. His activities are known all over the United States. Incidentally, I understand that he has sometimes given his name as "Albert" instead of "Harry." But a whole Nation knows the person against whom this bill is directed.

Four times the Immigration Committee has had this bill before it, and each time a vote was taken either upon the bill as a whole or upon some phase of the legislation—and

let it be said to the eternal credit of that committee that in spite of all the pressure that has been brought to bear to stop this bill, the committee never wavered in the least. When the roll is called today, I think you will still find every member of the committee standing behind the bill except two. I am especially indebted to my colleague JAMES VAN ZANDT for his able assistance and full cooperation in this matter.

The Immigration Committee went almost in a body to the Rules Committee and that fine committee also took a courageous position and granted a rule by a unanimous vote to bring the bill to the floor of the House.

I desire to pay tribute here to my colleague the gentleman from Mississippi, BILL COLMER, who handled the bill for the Rules Committee on the floor. He remained steadfast in his determination to press for action on this bill and rendered invaluable service not only to his own Rules Committee but to the entire Congress. He deserves the gratitude and support of patriotic Americans for his vigorous action and able support of this bill and other legislation to rid America of undesirable aliens.

And so, today we have the bill here. I think the Members of this House are sufficiently aware of the tremendous pressure that has been brought to bear to keep the bill from coming to a vote. I have been astounded at the influence and strength manifested by elements seeking to destroy this legislation. I have been receiving a great deal of correspondence from all over the United States on this bill and I am happy to say that the writers, for the most part, are anxious to see the bill passed. However, I have received some very severe criticism from Communists and their sympathizers. The following quotation from a letter is typical:

> By your introduction of the bill to deport Harry Bridges you have started an action which may finish your political career. The C. I. O. will help to retire you to political oblivion.

My answer to that, Mr. Chairman, is that I am going to place my country first and I will not be intimidated by Communists, Nazis, Fascists, nor any other subversive element bent upon destroying our country.

Mr. Chairman, if certain high public officials had discharged their plain duty, there would have been no necessity for this bill. We had hoped that Madam Perkins would change her attitude toward the undesirable alien question, but our hope was in vain. Finally, the President, evidently noting the increasing resentment in Congress and in the country toward the Secretary of Labor, removed the Bureau of Immigration from the safe haven of that official. I believe that the introduction of this bill contributed to that decision and has thus served a very useful purpose. I trust that the situation will be better in the Justice Department; certainly, it could not be worse.

If I correctly read the mind of Congress on this question dealing with undesirable aliens and subversive elements, Congress is tired of the sham that has been perpetrated upon the American people, and I believe that it is ready to take such action as it necessary to remedy this situation. Let us in this bill solemnly but courageously notify not only Harry Bridges, but all of his kind, that America cannot and will not tolerate them. Let them know that Congress has a way, or will make a way, to protect America. Let the message go to Hitler, to Stalin, and to Mussolini that their parachutists will not land in the waiting and welcome arms of those who would destroy this Republic. Let us see to it that if they undertake to land here the reception committee will consist of good, honest-to-God Americans, appropriately dressed and properly outfitted to give them such a reception that even the "Mad Man of Munich" may not fail to understand.

Here today is an opportunity to translate into action the verbal protests which have been rising from all over America. We are called upon to answer a universal demand. Failure to take decisive, affirmative action to rid this country of undesirable aliens will meet the condemnation which it deserves. A vote against this bill today will properly be construed as a license to these undesirable alien elements to pursue their dirty work of striking down America from the rear. I cannot overemphasize the importance of this vote and what it means to the security of our Nation. It is a direct step, a bold action, to route the enemy within. The fact that it is new is no argument against it. To the charge that the remedy is drastic, I answer that the disease is serious. Ask the bleeding nations of Europe, overrun by enemy aliens, if they would consider the remedy too drastic. The fact that the Maritime Federation of the Pacific, largely controlled by Bridges, went on record a few days ago in opposition to the defense program speaks for itself. But I say to him and his kind that we are rearming so that this land of the free will never become a part of the Russian Soviet Union. We have been called upon even this week to vote billions of dollars to defend this country and the Congress has cheerfully done so. It is as necessary to rid this country of enemies within as it is to arm to protect it from the enemy without. So, Mr. Chairman, this is purely an American bill. It was introduced in the American Congress, to be voted upon by Americans for the American Nation. Let no man evade his responsibility today. There is no middle ground. Pretext will satisfy neither the conscience nor the people. We have just witnessed the fall of Norway, Belgium, Holland, and Luxemburg—accomplished largely by the work of alien enemies. The great French people, stabbed in the back, today are struggling against insurmountable odds, and perhaps before the sun sets, Hitler may be marching through the streets of Paris. Gentlemen of the Congress, this is no time to temporize, no time to theorize, no time to speculate. Selfish ambition and desire should go. One motive and only one motive is worthy in this House today, and that is to do the thing that is best for America.

Whence comes the defense of Harry Bridges and other alien enemies? What voices are raised for them? Can any person say that Harry Bridges wants to defend America? Does he love America? Will he fight for our institutions? Nay, gentlemen. Read the record in this case. It is bristling with evidence which leads me to the irresistible conclusion that Harry Bridges was and is a Communist. The evidence is as clear as the noonday sun that he is a very undesirable alien. Even the report of Dean Landis is most damaging to Bridges. I quote from the dean's report, and he certainly put it in the most favorable light possible for Bridges:

> There is no doubt but that Bridges had at that time (1934) and has since, friends and associates who are Communists. At no time was he hesitant to admit these associations nor to deny that on occasion he has sought the help of the Communist Party.
>
> Bridges has also refused to adopt any policy whereby his unions would exclude or discriminate against any person upon the ground of membership in the Communist Party. * * * Bridges offered no apologies for the Communists that were in his unions. He regarded them, in the main, as "militant and sincere" and as good union men.
>
> Bridges admitted that he had occasionally dropped in at the Communists' headquarters when they were at 37 Grove Street, but that all he had done on those occasions was to purchase some pamphlets at the bookstore that they maintained in that building.

Time does not permit me to go into the evidence offered by the Government. To my notion, that was conclusive that he was a Communist in belief, in sympathy, and in action. Here is a case of a man who has been in this country more than 20 years and has never made a serious attempt to become a citizen of the United States. The Dies committee, which has rendered a great patriotic service to America, took a great deal of testimony upon the Bridges case, and all of that testimony was incorporated in and made a part of the hearings by the Committee on Immigration and Naturalization of the House. No fair-minded person can read that report, I think, without reaching the conclusions that Bridges is not only a dangerous radical alien, wholly undesirable as a citizen, but also a Communist.

Mr. Chairman, this House will without doubt take this important step to defend America. I want the vote to be decisive. I want it to be a warning to those who come here and abuse the privileges of American hospitality. [Applause.]

(Mr. ALLEN of Louisiana asked and was given permission to revise and extend his remarks in the RECORD.)

Mr. MASON. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I want to summarize the Bridges case for the benefit of the Members of the House as calmly and as dispassionately as I know how to do it, and this summary is based upon the evidence that is contained in the records of the Dies Committee.

First. Bridges is an alien, a guest within our gates, and he has become, by his actions, a very undesirable guest, as judged by a great majority of the American people. To illustrate, if I am a guest in your home and I criticize the way you run your home and I demand that you change the method of operation in your home, you have the right to say to me as your guest, "If you do not like the way I run my home you should get out."

Now, a guest in your home only has the privileges that you grant to that guest. He has no rights as a member of the family, and an alien only has privileges granted to him and no rights by virtue of being a citizen.

Second. Bridges, according to the evidence, is a Communist and has advocated the overthrow of this Government by force. Twice he has been picked up to face deportation proceedings and the first time the proceedings were canceled by the Secretary of Labor. The second time the proceedings were postponed, waiting a decision from the Supreme Court in the Strecker case.

Now, to the lawyers in this House the Strecker case was not a parallel case to the Bridges case. The Strecker case was based entirely upon past membership in the Communist Party and whether past membership in the Communist Party was a deportable offense under our laws. The Supreme Court ruled that it was not, and therefore the Bridges case was brought to trial. But was it brought to trial in front of the court—the Federal court—and the Federal judge by whom Bridges was to be tried?

No; that Federal judge had ordered the deportation of others that were indicted before that court for the same offenses that Bridges was indicted, and the Department of Labor demanded a special judge in this case, and Judge Landis, the dean of the Harvard Law School, and I am told, one of the best legal minds in the United States, was selected as the trial judge. The Department of Labor, through its agents, prosecuted the case. The Department of Labor presented much flimsy and contradictory evidence in the case before Judge Landis, and the Department of Labor neglected to present real evidence that was available in that case, and Judge Landis, as any other judge, cannot go beyond the evidence presented in his court in deciding the case. He must decide it upon the evidence presented and Judge Landis decided that the case against Bridges as to being a Communist, was not substantiated by the evidence presented to him and he cleared Bridges of that indictment and therefore Bridges was permitted to go free.

[Here the gavel fell.]

Mr. MASON. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, I shall vote for this bill when it reaches that final action. I shall vote for it, despite the fact that there may be serious question in the minds of some lawyers as to what ultimate decision may be made of it should it finally be enacted into law when it reaches the Supreme Court of the United States. The subject is one for intrigue to a lawyer to investigate and study whether or not this proposed legislation may be in contravention and in violation of the Constitution. However, my own studies upon the subject as a lawyer have convinced me that if the matter is finally fairly presented to the Supreme Court there is a fair chance that the Court will hold this legislation to be constitutional, and for that reason I intend to support it.

There is another reason why I intend to support this legislation, and that is because it shall serve as a notice to the people of America that the Congress of the United States is finally, and at last, going to respond to the demands of the people that something be done to rid our Nation of those who are out to destroy it. [Applause.] Would you expect Harry Renton Bridges to admit that he is a Communist? No. I am surprised that the gentleman from New York [Mr. MARCANTONIO], in reading the statement that was presented to him by Harry Bridges, did not investigate a little bit further into the situation in connection with the report of Judge Landis, and had he done so he would have very clearly found that from the mouth of Harry Bridges himself he made admissions before the committees of this Congress in which he admitted his cooperation with Communists. Moreover——

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

Mr. KEEFE. I have only 5 minutes.

Mr. MARCANTONIO. The gentleman mentioned my name.

Mr. KEEFE. The gentleman's name has been mentioned many times, and I expect will be mentioned many times more in connection with this throughout the entire country. I ask the gentleman to let me finish. I refuse to yield. If you read the report of Judge Landis you will observe that one of the bases for the charge by the Department of Labor for his deportation was that he had become affiliated with Communist organizations. Judge Landis listened to the testimony on the subject of his affiliations, and he also listened to the testimony on the subject of his membership. He found that he was not a member and further found that he had not been affiliated with Communist organizations under the very strained and technical rules of law by which he interpreted the use of the term "affiliation"; and you will find his discussion in that regard on page 133 of his report, in which he uses these words:

> Persons engaged in bitter industrial struggles tend to seek help and assistance from every available source. But the intermittent solicitation and acceptance of such help must be shown to have ripened into those bonds of mutual cooperation and alliance that entail continuing reciprocal duties and responsibilities before they can be deemed to come within the statutory requirement of affiliation.

And he held that there was no evidence to show that there was cooperation between Harry Bridges and the Communist Party, and as the basis of that he held that there was no proof of an alliance between Bridges and the Communist Party. Harry Bridges was before the Committee on Merchant Marine and Fisheries in May.

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

Mr. MASON. Mr. Chairman, I yield the gentleman 1 more minute.

Mr. KEEFE. When he was before that committee he was examined by members of that committee, including the distinguished gentleman from New York [Mr. O'BRIEN] and the distinguished gentleman from Alabama [Mr. BOYKIN]. He said in answer to questions which were asked him:

> Mr. BOYKIN. Have you ever counseled with them—referring to Communists—or cooperated with them?
>
> Mr. BRIDGES. I have.

That will be found in the record of the proceedings, and there from the mouth of Harry Bridges himself is his own statement that he not only has counseled with Communists in connection with his work as a labor leader, but that he cooperated with them, the very thing that Judge Landis used as the basis of his decision in holding that he was not affiliated with the Communist Party. I take it from the mouth of Harry Bridges himself. [Applause.]

Mr. MASON. Mr. Chairman, I yield one-half minute to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, the question of doubt raised by the gentleman from Wisconsin [Mr. KEEFE], in respect to the constitutionality of this action is best answered by Mr. Justice Brandeis in the case recorded in Two Hundred and Fifty-ninth United States Reports, page 276, May 29, 1922. This is Mr. Justice Brandeis talking:

> Congress has power to order at any time the deportation of aliens whose presence in the country it deems hurtful and may do so by appropriate executive proceedings.

Similar language was used by the Court on May 12, 1913, in the case of *Bugajewitz* v. *Adams* (228 U. S. 585) in which Mr. Justice Holmes used the following language as reported on page 591:

> It is thoroughly established that Congress has power to order the deportation of aliens whose presence in the country it deems hurtful.

Here are the opinions of two outstanding liberals which I deem to be squarely in point on the issue before us.

Mr. LESINSKI. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. SHERIDAN].

Mr. SHERIDAN. Mr. Chairman, I have sat here for many months watching my colleagues in the House, and I think I will take this occasion to disagree with the potential majority vote on this bill. I cannot reconcile myself to the position that where a man has been tried under our Federal constituted jurisdiction and procedure and found not guilty that this House should deport him. I do not think there is one man in this House who questions the integrity of Dean Landis, of the Harvard Law School. If he did, I do not think there is a Harvard man who would permit his—Dean Landis'—continuance in that high position. I may say for your information I am not a Harvard man.

I sometimes wonder whether you are fair and honest, because I do not know Bridges from Adam; but why take these proceedings piecemeal? How many Members of this House have read the incorporated report upon which Dean Landis has predicated his decision? I will wager not 10 percent of the House has read it. He was in a position to see the demeanor and the facial expression of the witnesses appearing before him. Many of the witnesses were perjurers and paid witnesses, as disclosed by the testimony. Upon that testimony you want to deport Bridges. It is not Bridges that is involved here. It is the American principle, our procedure of government. If we pass this bill, it will be an indelible blot upon this House, not on Bridges, because I do not think this bill will ever pass the Senate. That is my own conclusion. But we can never erase the blot on this House.

I heard my colleague from Wisconsin state "that the strange and technical principles of the law." I happen to be a lawyer myself. I know it always has been a principle of our law that he who affirms must prove. There is no duty devolving on Bridges or any other person who comes before our Federal procedure that he has to answer one iota. Many times, as lawyers, we assume the obligation of not putting our clients on the stand when we feel that the Government has not proved its case.

[Here the gavel fell.]

Mr. MASON. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Chairman, for the first time in the history of our Government, Congress is called upon as representatives of the people to direct the Attorney General of the United States to deport without equivocation one who is recognized as an undesirable alien and a serious menace to the welfare of our Nation. Gentlemen, I refer to Harry Renton Bridges.

For years the American people have been menaced by the presence of such alien influences who have been permitted to spread their poisonous doctrines and false philosophies unmolested.

In the case of Harry Renton Bridges, public sentiment long ago demanded that he be deported. Why was he not deported? Simply because certain officials in responsible positions in our Government adopted a sympathetic attitude that ended with a complete whitewashing of charges that would have been sufficient cause for deporting anyone else so charged.

In considering this type of legislation there is unfolded before our eyes the workings of a real democracy. The American people, through their form of government, are immune from the wanton neglect of any appointed official to discharge the duties of his office. Hence, Congress is called upon to recognize the will of the American people by deporting this undesirable alien.

This brazen individual has from time to time defied the American people by preaching doctrines that are incompatible with American institutions and the American way of life. He has had the gall to declare war against that great veteran organization—the American Legion—composed of more than a million men and women whose services during the last World War are a source of pride and honor in the history of our country.

The American Legion has a right to speak in defense of real Americanism because many of its members learned what it means to fear death in the form of an enemy submarine, a burst of shrapnel, the deadly fire of a machine gun, or the sudden explosion of a hand grenade. They know what it is to seek shelter from the hail of lead in the mud and filth of a stinking trench. They know the utter weariness and the hunger of suffering, of endless marches under the cover of darkness. They know, too, the scream of a dying comrade—crucified on a cross of barbed wire because he was willing to give his life to protect our Americanism.

The American Legion has no selfish interest in advocating that this so-called agent of Moscow be deported and is not alone in its crusade to ferret out individuals of his stripe.

The American Legion supports this bill and is upheld in its course by 99 percent of the American people. They know, and we Members of Congress should be quick to realize, that aliens of the Bridges type are accountable for the admitted existence in our country of such a despicable group as the "fifth column."

Every American citizen is conscious of the danger of the "fifth column," recalling with vivid memory the fate of Czechoslovakia, Poland, Belgium, Holland, Norway, and other countries. While it was Hitlerism in those lands, in this country it is the scourge of communism.

The adoption of this bill will sound the death knell to such vultures from Moscow who are bent on enjoying the privileges of a democracy, and, on the other hand, are engaged in destroying a form of government that represents a masterpiece of statesmanship.

The action of this House in approving this measure should also convey to the heads of our Government, and especially to the Department of Justice, that they must redouble their efforts to purge the Federal pay rolls of hundreds of Communist fellow travelers who openly boast of their affiliation with such Moscow-minded organizations while receiving their livelihood from the taxpayers of America.

These followers of Stalin who receive annual salaries ranging from $1,080 to $10,000, for a total of $1,800,000, are a serious threat to not only our form of government but are preparing now to worm their way into responsible positions in the national-defense program.

Gentlemen, I repeat again, this is an eventful moment in the history of the United States. As representatives of the people, this Congress has a grave responsibility. By passing this bill we can demonstrate that we are alive to the danger that the "fifth column" presents to our national existence.

Our duty is clear and unmistakable. Let us move promptly in banishing from our shores such un-American trash that too long have been permitted to enjoy a hey-day at the expense of liberty-loving America.

On June 14 we as a nation will observe Flag Day and pay tribute to Old Glory. I can think of no greater observance than to rededicate ourselves to the principles for which our flag stands in keeping America for Americans, and thereby recall the words of Theodore Roosevelt:

> Above all, we must stand shoulder to shoulder for the honor and greatness of our country.

[Applause.]

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

Mr. EDELSTEIN. Mr. Chairman, I have been sitting here listening to those gentlemen who are in favor of the passage of this bill. Thus far I have heard nobody utter one word, one fact which would justify the passage of this bill. Our duty as Members of the House of Representatives is to act upon legislation being considered by this body only after due

deliberation and upon full information. I do not believe that anybody can reasonably say that this House is considering this bill with due deliberation and upon proper information.

I hold no brief for Bridges. Assuming that he is all the proponents of this bill claim that he is, the principle involved in the passage of this bill is more important than Bridges or a thousand Bridges. That principle is whether this House is proceeding, in the traditional, Democratic, American way, whether we are proceeding in accordance with the principles of justice and democracy which underlie consideration of all special legislation, for that is what this bill is. I am not concerned at this time with whether or not this bill is unconstitutional because it is a bill of attainder. We may be all convinced that it is, but I am willing to leave that for the decision of the Supreme Court, within whose jurisdiction it properly is. What I do object to is the establishment by this bill of a precedent which is dangerous, which is harmful, which is undemocratic, a precedent which is the first step along the road toward the adoption of that form of Government which now prevails on the greater part of the European continent. If we adopt this bill, if we can do this to Bridges now, there is no reason why we cannot do it to anybody else with or without a reason. That, I say, is the principle involved in the matter now before us. Let me illustrate the proposition.

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

Mr. EDELSTEIN. I cannot yield. I only have 3 minutes.

Mr. MAGNUSON. Will the gentleman yield for a question?

Mr. EDELSTEIN. I cannot yield. I only have 3 minutes.

On June 6 I wrote a letter to the chairman of the Committee on Immigration and Naturalization and I said:

> MY DEAR COLLEAGUE: I note that in the report filed on behalf of the committee to accompany H. R. 9766, the last paragraph therein reads as follows:
>
> "Special evidence was produced before the committee in the hearing of a general bill in which the record of this alien was fully set forth. Such record was felt sufficient to justify the introduction of this bill."
>
> I am desirous of acquainting myself with the evidence offered to support that conclusion, and, upon inquiry, find no printed report was made. Will you please be kind enough to direct the clerk of your committee to lend me a copy of the minutes of that hearing wherein testimony was taken with reference to the conclusion stated in the said report?

Mr. ALLEN of Louisiana. Will the gentleman let me answer the question? You want some evidence. I am going to give it to you.

Mr. EDELSTEIN. I do not yield. Ever since I sent that letter I have not been able to obtain a copy of the record. I have not been able to examine the record in order to determine for myself that the claim which is contained in the last paragraph of the report of the committee is justified by the contents of the hearings which they held. In other words, I have been asked to vote for a bill on the ground that there is evidence heard by the committee which justifies deportation from this country of a named individual, and yet I have not been able to see and examine that evidence for myself. Although I have made a persistent and continuous effort to obtain even for a short space of time a copy of the minutes from the office of the clerk of the Committee on Immigration and Naturalization, I have not been successful in doing so.

Mr. ALLEN of Louisiana. Does the gentleman want to see the report?

The regular order was demanded.

Mr. EDELSTEIN. As I have said, at no time could I obtain the evidence upon which the committee made its decision and without which I cannot conscientiously and honestly make my decision. Let us consider what is the acknowledged evidence with respect to the deportation of Bridges.

We all know that Mr. Bridges was arrested upon a warrant issued by the Department of Labor for his deportation on the ground that he was, or is, a member of, or affiliated with, an organization whose primary objective is the overthrow of our democratic form of government. I have no sympathy, nor is any Member of this House in sympathy, with anyone who would overthrow our form of government, or effect any change in that form of government except in the constitutional way provided for making such changes. The hearings were conducted before a special trial examiner, James M. Landis, who is now dean of the Harvard Law School, and who before that was Chairman of the Securities and Exchange Commission and whose adherence to democracy and our constitutional form of government cannot be doubted by anybody. Mr. Landis conducted a long and careful hearing, at which both the Government and the alien were permitted to present their side of the matter in full detail.

At the end of that hearing Mr. Landis took the record, sat down with it, and prepared his decision based upon what had taken place at the hearing and what he found in the record. His careful and scholarly report I recommend to all of you as required reading in voting upon this bill. Mr. Landis came to the conclusion that he could not find Mr. Bridges to be a Communist or affiliated with the Communist Party. This conclusion he based upon the fact that the evidence offered by the Government, that is, the testimony of the Government's witnesses, on the whole, was unreliable, contradictory, and not worthy of belief. While he did not entirely agree with all the testimony offered on behalf of the alien, pointing out contradictory and weak points in the testimony offered on behalf of Bridges, he found that the Government had not proven its case; that Bridges had made out a strong case that he was not a Communist, but, rather, one whose philosophy of life was based upon democratic principles and whose only fault was, as far as the evidence before Mr. Landis showed, that he was a strong and active trade-union leader.

I have recited what took place before Mr. Landis not because I believe that Mr. Bridges is an angel or a paragon of all the virtues, but because there are people, of whom I am one, who are inclined to the belief that this effort to deport Mr. Bridges is based upon his active role as a trade-union leader rather than upon any connection which he may have with an organization which intends to overthrow our democratic form of government. If we deport Bridges, who is an active leader in one trade-union, there is no reason why we cannot deport an active trade-union leader of another organization, nor why we cannot deport all of them. If we can deport a trade-union leader, we can deport a person because we do not like the race from which he comes, or do not like the church in which he worships our Creator, or because we do not like the color of his hair; in fact, just because we do not like him.

From time to time in this country we are subject to waves of anticlien hysteria. Any Member of this House who cares to consult the files of the Committee on Immigration and Naturalization, the Committee on the Judiciary, the Committee on Interstate and Foreign Commerce, the Committee on Labor, can readily see the great number of bills against the employment of aliens and realize that we are again in the midst of such a period.

We must, of course, take necessary measures to defend our country, to prepare against attack from without and within, but that is no reason why we should throw away all judgment and attack everybody merely because a label has been pinned upon him. Such a procedure is un-American, undemocratic, and a terrible indictment of the way in which democratic processes function under strain.

If the committee which considered this bill received evidence which shows Bridges is a Communist or is affiliated in any way with the Communist Party the course of action is clear. Our immigration laws provide for the deportation of such individuals upon service of a warrant and upon a fair hearing. The committee states that in hearings upon a general bill it received sufficient evidence to justify the introduction of this special bill. I am reliably informed that although several of the members of the committee requested that Mr. Bridges be called to appear before the committee to answer such evidence that the majority of the committee objected to calling him. I do not think that such procedure is democratic or American. I do believe that it violates every tenet and every tradition of our system of justice. It might be possible perhaps that this evidence was so strong nothing Mr. Bridges might say would overcome it. In that case certainly such evidence should have been made public. Even if it were that strong Mr. Bridges should have had an opportunity to appear before the committee to answer such evidence. An

ex parte 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 it, for issuance of another warrant and another hearing. If the committee believes the evidence to be as strong as it claims then certainly the only result of the hearings on this warrant 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 Congress by special legislation singled out for deportation one individual or even a few individuals. Always it has provided a procedure for deportation of undesirable classes of aliens, specifying the conditions which determine undesirability. Always undesirability has been determined by a quasi-judicial hearing held by the Department of Labor. At such hearings 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 traditional 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 communism 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 of the majority.

If it were consonant with American principles, American traditions, American democracy, to deport a single individual upon ex parte accusations, I would, of course, vote for this bill, but that is not my conception, or the conception of most people in this country, of democracy. We must remember that this same charge was made against Bridges and that upon a fair and full hearing the charge was not sustained. I cannot hold my self-respect and assert hereafter that I believe in the American way, in our constitutional form of 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 constitutes 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. EDELSTEIN 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 unanimouse 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. 9766) because I think the entire procedure is absolutely wrong. This bill contains but five lines and if 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 class 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 employee 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 criticism of the Department should be directed to Madam Secretary. If she is responsible for the break-down in the Bridges case, let us place the responsibility on her shoulders. Do not come here and wave the flag and talk about aliens as if they are all potential enemies of our Government. I do not believe there is any place for it, or basis for it, in this debate. We have been trying to bring every person living in our country within the shadow of our flag. We want them 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 the bill seems to be that Bridges is an "alien," and the sponsors of this legislation do not like aliens and never did. It is unfortunate that they have such poor understanding of the alien and his problems. Today it is Bridges—tomorrow it may be John Doe, et cetera, ad infinitum.

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.

[Here the gavel fell.]

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

Mr. STARNES of Alabama. Mr. Chairman, this is an unusual procedure, but it has been made necessary because of the unusual conduct of the officials 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 adduced 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 responsible and reliable witnesses to the effect he is a Communist and that he has been sympathetic with their program. No one can point to a single good thing he has done which 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 the United States does not have the power to protect itself by deporting undesirable aliens.

It may be true that Dean Landis 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 Landis would hold other than he did in the Bridges case in order to take the heat 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. LEAVY].

Mr. LEAVY. Mr. Chairman, I voted in the affirmative on the rule. I intend to vote in the negative on the passage of this bill if it remains in the condition it now is. If it is amended so as to come within what in my humble judgment is constitutional, I shall gladly vote for it.

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 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. DIRKSEN], to wit, Cummings against Missouri:

> A bill of attainder is a legislative act which inflicts punishment without a judicial trial. "Bills of this sort," says Mr. Justice Story, "have been most usually passed in England in times of rebellion, or of gross subserviency to the Crown, or of violent political excitements, periods in which all nations are most liable, as well the free as enslaved, to forget their duties and to trample upon the rights and liberties of others." 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, 323, 18 L. ed. 356.)

It is well at this very moment, when passion and prejudice run so high, to ever be mindful of the rich and wholesome restraining influences of our Constitution. Even the meanest, lowliest human being must not be denied the rights secured by that sacred document, which has carried us through our entire national existence and is now the beacon light of hope to a weary, unhappy, and suffering world.

Mr. Chairman, there is an unbroken line of authorities supporting the Cummins case. Cummins 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 affiliated with the Confederacy during the period of the Civil War. A Catholic priest saw fit to violate the law in Missouri. He was arrested. His name was Cummins. 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 an alien has no rights. An alien resident in this country, if he lawfully came in here, has every right of judicial trial, every protection, and every safeguard that the Constitution gives to any human being if he lawfully came in. If he unlawfully came in then 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 fixes that. It is a privilege extended or withheld, but when once extended and he comes to the country, that privilege ripens 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 right 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 me that he carried the burden, but that does not mean that I will violate my oath to uphold 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. DIES. Will the gentleman yield?

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

Mr. DIES. Is it not a fact that an alien cannot even appeal a deportation order?

Mr. CURTIS. That is right.

Mr. DIES. Whether there is any evidence to sustain it or not, he has no right of appeal?

Mr. CURTIS. That is right. The prohibition in the constitution of ex post 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. LELAND M. FORD], 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. Oppenheim in his work on international law, says:

> Just as a state is competent to refuse admission to an alien, so, in conformity with its territorial supremacy, it is competent to expel at any moment an alien who has been admitted into its territory.
>
> It is an accepted maxim of international law that every sovereign nation has the power, as inherent in sovereignty, and essential to self-preservation, to forbid the entrance of foreigners within its dominion, or to admit them only in such cases and upon such conditions 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. DIES. 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

of these gentlemen who are now opposing this bill? We have had many bills where aliens were mandatorily admitted. The Congress said notwithstanding the law and notwithstanding the fact you made other aliens leave the country under like conditions, yet we, the Congress, withhold deportation of the alien. What is the difference in principle?

Mr. CURTIS. There is no difference in principle and in fact it is an established rule where authority to do a certain act the authority to do the contrary is implied. We have court decision after court decision that says that if a certain official has power to appoint subordinates, he likewise has the power to discharge, and it follows that if we have the authority to disregard the general law and admit an individual alien, we have the right to expel an individual alien.

Charles Hyde, in his work on international law declares that a—

state may doubtless decide for itself whether the continued presence within its territory of a particular alien is so adverse to the national interests that the country needs to rid itself of him. If such be its decision, the right of expulsion must be acknowledged. A conclusion in favor of expulsion need not necessarily coincide with one to which the state of which the alien is a national would, under like circumstances, assent.

[Here the gavel fell.]

(Mr. CURTIS asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. LESINSKI. Mr. Chairman, I yield 4 minutes to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Mr. Chairman, I have the highest regard for the gentleman from Louisiana [Mr. ALLEN], the author of this bill, and for the members of the committee who have seen fit to report it favorably. I have the highest regard for the membership of this House, which has just now almost unanimously voted the adoption of the rule for its consideration.

I have the highest regard for the gentleman from Pennsylvania [Mr. VAN ZANDT], and I wish to take his opening remarks as the text of mine. He said, and I am sure that he would not have so stated unless he had ascertained that the statement was true, that this is the first time in the history of our Government that a bill aimed at one man has been brought before Congress.

Mr. Chairman, without any passion, without any prejudice whatsoever, heartily favoring the deportation of Harry Bridges, loving everyone in this House, I must call your attention, if I am to be honest with myself, to the fact that this is supposed to be a Government "of laws and not of men"; that bills of attainder, ex post facto laws and the like, are outlawed by our Constitution; that the legislative branch of our Government should not usurp the prerogative of our judicial or administrative tribunals, if we would preserve our historic, constitutional doctrine of separation of powers. Yet today, for the first time in our history, if the gentleman from Pennsylvania [Mr. VAN ZANDT] is correct, we have a bill before us aimed exclusively at one, named, man.

It is so perilously near being a bill of attainder as to be almost indistinguishable from one. It is almost, if not quite, an ex post facto law. The Constitution of the United States says:

No bill of attainder or ex post facto law shall be passed. (Art. I, sec. 9.)

I happen to have been the chairman of a special subcommittee of the Committee on the Judiciary, charged with the duty of making the investigation under the resolution for the impeachment of the Secretary of Labor, the Commissioner of Immigration and Naturalization, and the Solicitor of Labor. In that investigation we read every word of the evidence in the files of the Labor Department, and the report of the Dies committee, against Harry Bridges. I doubt if anything could be said in condemnation of Harry Bridges which I would question. Not only do I have a fixed conviction that he should be deported, but I have tried assiduously to accomplish that desirable end by drawing and assisting in drawing legislation under which he could not escape deportation. This House passed one of the bills to which I refer in May 1939, when we passed the Smith bill, H. R. 5138, with only 48 dissenting votes. I sincerely hope and pray that it will be passed by the Senate and become a law at this session of Congress.

I cannot quarrel with anyone for supporting the bill before us now, but I simply cannot go along. [Applause.]

None of my reasons is based on technicality. It would be unworthy of this occasion, a crisis in the legislative history of our Nation, to deal in technicalities, or fine-spun theories. I favor, strongly, the end. I deplore, strongly, the proposed means. I could not bring myself to take this position unless my reasons were, in my opinion, well grounded and impelling. Here, we are face to face with a challenge to do a legislative job in a workmanlike manner. We all wish that job done. Yet, by this bill we confess our inadequacy—we admit that we cannot draw a bill which will do that job in accordance with the time-honored landmarks of our profession. With the best of motives, this bill frankly transgresses one of the cardinal principles which our founding forefathers would have died to preserve inviolate. Rarely, if ever, since the Barons of Runnymede wrung Magna Carta from the unwilling hand of King John, has any such piece of legislation been seriously considered.

Even the alien and sedition laws, of odious memory, did not name the objects of the then legislative wrath.

Is the bill under consideration (H. R. 9766) a bill of attainder?

A bill of attainder is a legislative act which inflicts punishment without a judicial trial. "Bills of this sort," says Mr. Justice Story, "have been most usually passed in England in times of rebellion, or of gross subservience to the Crown, or of violent political excitements, periods in which all nations are most liable, as well the free as enslaved, to forget their duties and to trample upon the rights and liberties of others." 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, 323, 18 L. Ed. 356.)

The term "bill of attainder," within the meaning of the Federal Constitution, included a general statute passed after the Civil War, which required all attorneys at law to take an oath that they had never voluntarily borne arms against the United States, or given aid, countenance, counsel, or encouragement to persons engaged in armed hostilities thereto, as a condition to their right to practice in the Supreme Court of the United States. In this leading case the majority opinion was written by Justice Field, and was based to a large extent upon a prior decision in the same term of *Cummings* v. *State of Missouri* (4 Wall. 277), in which the statute of Missouri, requiring ministers of the gospel to take a similar oath as a condition to their right to exercise the privileges of their profession, was held unconstitutional. Mr. Justice Miller, on behalf of himself, the Chief Justice, and Justices Swayne and Davis, delivered a dissenting opinion in Ex parte Garland, which is expressly made applicable not only to that case but to the case of *Cummings* v. *State of Missouri*, in which he says "the word 'attainder' is derived by Sir Thomas Tomlins, in his law dictionary, from the words 'attinctu' and 'attinctura,' and is defined to be 'the stain or corruption of the blood of a criminal capitally condemned; the immediate inseparable consequence of the common law on the pronouncing the sentence of death.' The effect of this corruption of the blood was that the party attainted lost all inheritable quality, and could neither receive nor transmit any property or other rights by inheritance. Upon an attentive examination of the distinctive features of this kind of legislation, I think it will be found that the following comprise those essential elements of bills of attainder, in addition to the one already mentioned, which distinguish them from other legislation, and which made them so obnoxious to the statesmen who organized our Government: (1) They were convictions and sentences pronounced by the legislative department of the Government instead of the judicial. (2) The sentence pronounced and the punishment inflicted were determined by no previous law or fixed rule. (3) The investigation into the guilt of the accused, if any such were made, was not necessarily or generally conducted in his presence or that of his counsel, and no recognized rule of evidence governed the inquiry." The conclusion of the majority of the Court was denied by the dissenting judges on the ground that the laws in question did not contain the essential requirements, in the definition of "bill of attainder," of working a corruption of blood, or in describing any person or class of persons by name or description. (Ex parte Garland, 71 U. S. (4 Wall.) 333, 387, 18 L. Ed. 366.)

A bill of attainder is a legislative act which inflicts punishment without a judicial trial. If the punishment be less than death, it is a bill of pains and penalties. As the term "bill of attainder" is used in the Federal Constitution, it includes both bills of attainder particularly, and bills of pains and penalties. (*Cummings* v. *Missouri*, (71 U. S. (4 Wall.) 277, 18 L. Ed. 356); *Drehman* v. *Stifle* (75 U. S. (8 Wall.), 595, 601, 19 L. Ed. 508); *Pierce* v. *Carskadon*, 83 U. S. (16 Wall.) 234, 239, 21 L. Ed. 276.)

Quoting further from the dissenting opinion in ex parte Garland:

It is no cause for wonder that men who had just passed successfully through a desperate struggle in behalf of civil liberty should feel a detestation for legislation of which these were the prominent features. The framers of our political system had a full appreciation of the necessity of keeping separate and distinct the primary departments of the Government. Mr. Hamilton, in the seventy-eighth number of the Federalist, says that he agrees with the maxim of Montesquieu, that "There is no liberty if the power of judging be not separated from the legislative and executive powers."

And others of the ablest numbers of that publication are devoted to the purpose of showing that in our Constitution these powers are so justly balanced and restrained that neither will probably be able to make much encroachment upon the others. Nor was it less repugnant to their views of the security of personal rights, that any person should be condemned without a hearing, and punished without a law previously prescribing the nature and extent of that punishment. They therefore struck boldly at all this machinery of legislative despotism, by forbidding the passage of bills of attainder and ex post facto laws, both to Congress and to the States.

The dissenting opinion in the Garland case attempts to justify its contention by saying that the act of Congress there in question did not contain the name or any designation of a person or persons, and that the barring of attorneys from the practice of their profession who had not taken a prescribed oath, was not a punishment for a criminal offense. But the prevailing opinion of the Supreme Court of the United States swept aside these contentions and held the act to be unconstitutional and void; saying:

The statute is directed against parties who have offended in any of the particulars embraced by these clauses. And its object is to exclude them from the profession of the law, or at least from its practice in the courts of the United States. As the oath prescribed cannot be taken by these parties, the act, as against them, operates as a legislative decree of perpetual exclusion. And exclusion from any of the professions or any of the ordinary avocations of life for past conduct can be regarded in no other light than as punishment for such conduct. The exaction of the oath is the mode provided for ascertaining the parties upon whom the act is intended to operate, and instead of lessening, increases its objectionable character. All enactments of this kind partake of the nature of bills of pains and penalties, and are subject to the constitutional inhibition against the passage of bills of attainder, under which general designation they are included.

But wholly aside from the question whether or not the pending bill is unconstitutional because a bill of attainder or a bill of pains and penalties or because it is an ex post facto law, please permit me most earnestly to call your attention to the following considerations:

First. In this bill Harry Bridges is not charged with any deportable offense, nor with any offense at all. Far from being denied, this fact is asserted with evident satisfaction in the report accompanying the bill. See Report No. 2200.

Second. The motivating predicate of this bill, as set out on page 2 of the report, is as follows:

Bridges is regarded by the framers of this bill as a menace to the interests of this country. His close association with known Communists was brought out and admitted by him in the Government's warrant hearing in his deportation case during the summer of 1939.

Thus do we revert to the days of the original alien and sedition laws, which constituted so sad a chapter in the history of the American Congress. But now it is boldly admitted in this report that what was then declared unconstitutional when asserted by mere innuendo has become a legislative virtue. This frankness is commendable. It does not, however, change the fact that this bill would order the deportation of Harry Bridges without charging any offense whatsoever save that he is regarded by the framers of this bill as a menace to the interests of this country.

Third. This bill denied Bridges the right to any hearing whatsoever, although even an alien, as has been repeatedly held by the Supreme Court of the United States, is entitled to due process of law under the fifth amendment to the Constitution of the United States.

Fourth. This bill utterly ignores our traditional doctrine of the separation of the powers of government among the three independent, coordinate branches of our Government—legislative, executive, and judicial. It is a flagrant attempt to have the legislative branch usurp the judicial prerogative hitherto exercised exclusively by administrative or judicial tribunals.

Finally, brethren, whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report; if there be any virtue, and if there be any praise, think on these things.

In my opinion, Harry Bridges is a menace to the interests of this country, just as the framers of the pending bill regard him. He should be deported. But I maintain that he should be deported by due process of law. His banishment should be decreed for cause, ascertained by legally constituted tribunals—not by legislative usurpation.

He should be deported for what he is: an alien termite seeking to destroy our Government. He should not be magnified by being dealt with in a special, personal bill, even if it were constitutional. But we should not destroy the house of our government of laws to rid the house of one termite.

Lynching is frequently defined as the taking of the law into unauthorized hands. In the light of this definition, may not the passage of this bill be called lynching? [Applause.]

Mr. GAVAGAN. Mr. Chairman, I ask unanimous consent that the gentleman from Alabama may proceed for 10 additional minutes.

The CHAIRMAN. The time has been fixed by the House, and the Committee of the Whole cannot extend the time.

(Mr. HOBBS asked and was given permission to revise and extend his remarks in the RECORD.)

Mr. LESINSKI. Mr. Chairman, I yield the remainder of my time to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I was too late in securing time, therefore I cannot discuss the constitutional phase of this bill.

I voted for the rule. I usually vote for a rule to bring a bill before the House for consideration. But having practiced law since 1904, having served upon the bench, and having appeared before the various courts of this country, I cannot this afternoon, regardless of what the sentiment is here, support a bill such as this containing the provisions it does. We are dealing with something bigger than a man; we are dealing with the fundamental principles of this country. We are dealing with the laws and with the Constitution of this country. Bridges may come and Bridges may go, but it is our hope that the Constitution of the United States will go on forever. [Applause.]

[Here the gavel fell.]

Mr. MASON. Mr. Chairman, I yield the balance of the time on this side to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, certainly I see no reason why the membership of this House should get excited about this matter. I realize, as you do, that it is important, but after all has been said on this measure, each of us can vote as we feel about it. We may use our own reason for voting for or against it.

Mr. Bridges, according to his statement, came to the United States 20 years ago last April. He has never become a citizen of the United States. He has never availed himself of the right to appear before any one of our courts for a hearing, as provided by law, asking that he be granted the rights of citizenship. And yet he has been here for 20 years. He said in his statement, that was read by the distinguished member from New York, that in 1921 he filed his declaration to become a citizen of the United States. That he permitted the period of 7 years, as provided by law, to elapse before he thought of filing his petition for a hearing before a court to ask for the granting of a certificate of citizenship. Just a little strange that a man who could read and understand the English language, and who claims to be interested in the affairs of Government, would neglect so important a matter. The cost of a certificate of arrival is $2.50 and the cost of filing the petition is $5.

Furthermore, according to his statement, he almost immediately after his declaration of intention had expired, filed a new declaration, for which he paid the sum of $2.50. Then he says in the statement that we have before us this after-

word in defense of this man, I would not know him if I saw him—the precedent that we will establish will plague every Congress as long as there is a Congress held under the Constitution of the United States. This is a time when we must keep our feet on the ground. This bill as originally drawn might give a man a chance for a trial, 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 itself to deport him.

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

Mr. O'CONNOR. In a moment. The 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 contingency which is met by the gentleman from Michigan [Mr. MICHENER] when he asked, Supposing Australia refuses to accept him? Section 156 would meet that, but that has been eliminated. If Australia does not accept him, you can keep him here in jail until he rots, by the amendment now proposed.

Mr. JOHNSON of Oklahoma. He needs to rot.

Mr. O'CONNOR. 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 principles that the founders of our Constitution gave us. I fully realize that the word "alien" today seems of itself to bring to the surface emotions that tend to override our deliberate judgment. This should not be the case unless we are descendants of Indians as we are all descendants of, at one time, aliens. I do not believe we should be squeamish about the word "alien." Aliens have the same Constitutional rights and the same rights to due process of law as have citizens. It might be of interest to read United States Code of 1934, title 18, article 52.

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 mobs take a man out on the street and make him kiss the flag or else be hanged. For what? Because he used more bread than the local committee thought he ought to have used. Those 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 Bridges if I met him in the road, branded, but I do know something about our Constitution. I do know that our Constitution and laws rise 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 rise up to plague us in the future. It will plague the Congress in the future.

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

Mr. O'CONNOR. I yield.

Mr. MURDOCK of Utah. My question is this: Certainly the gentleman does not take the position that Harry Bridges will be accorded any kind of a trial if the original bill is passed? That is the very thing the bill is to be passed for—to deny the right of trial.

Mr. O'CONNOR. 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 a trial or, in other words, some evidence would be required to support the arrest. Section 156 deals with the port 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 the bill would accomplish his deportation without trial.

[Here the gavel fell.]

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

The motion was agreed to.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, during the past 2 hours of heated discussion on the pending bill to deport the radical Communist agitator, Harry Bridges, the burden of the argument of those Members who are so violently opposing this legislation is, first, that the bill is unconstitutional, and, second, that they fear the far-reaching effect of this legislation on the future of this country. I shall, therefore, confine my remarks primarily to an effort to answer these two arguments.

Answering the first argument, which has been stressed, as I recall, by every opposition speaker, let me say I yield to no man in my love and devotion to the Constitution of the United States. I believe sincerely that our forefathers were inspired by divine guidance when they wrote that great, sacred document. It is unquestionably the greatest and most profound document of its kind ever penned by mortal man. [Applause.]

During my several years' service in the Congress I have to the best of my ability endeavored to support the spirit as well as the letter of the Constitution of the United States. But I must confess that I am somewhat surprised to find gentlemen here who have never raised a constitutional question against any other bill during their sojourn in this Congress until this day. It is amusing to hear men stand in the well of this House and plead for the Constitution of the United States who, during the past several years, never thought of raising the question against dozens of other important measures when the question of constitutionality had been seriously raised. It would seem that it depends altogether upon whose ox is being gored as to whether some Members of this body are really concerned as to the constitutionality of legislation under consideration.

The gentleman from New York [Mr. MARCANTONIO], with a husky voice and almost with tears in his eyes, pleads for Harry Bridges in the name of the Constitution of the United States. He has suddenly become very much exercised lest the Congress of the United States might pass an unconstitutional act.

The fact is that this House has been very charitable in permitting him to read into the RECORD a long, belabored address supposedly prepared by this ex-Communist leader, whose only excuse for not taking out naturalization papers in the 19 years that he has been an unwelcome guest from his native Australia is that he feels that the courts are all bad and prejudiced against him and would not give him a square deal. Frankly, my own feeling is, from a study of his record, that if he had received a square deal that Bridges would have been deported by this Government years ago. [Applause.]

That this body is willing to hear that long statement of defense of Bridges which begs the question and attempts to inject prejudices and side issues into the discussion is a compliment to our democratic form of government. I have repeatedly said that in my judgment we have been entirely too tolerant with the alien enemies within our midst.

Another distinguished gentleman from New York [Mr. DICKSTEIN] talked with a tearful voice about the Constitution of the United States. He, too, has suddenly become deeply concerned about the Constitution. He read into the record a case decided by the court in an effort to prove his contention

that this Congress has no legal right under the Constitution to deport an undesirable alien. You will recall I asked the gentleman how he reached the conclusion that Congress is forbidden under the Constitution to deport an alien while at the same time he himself has introduced more bills than any other Member of Congress to import aliens into the United States and to keep them here after they have been imported. [Applause.]

I have noticed that a number of our learned legal lights of this body, most of whom freely admit that they are great constitutional lawyers, when a bill is presented here in which the public is particularly interested that does not suit them and they can find no other excuse for opposing it, some of them will rush to the well of this House, declaring over and over that they are not against the purposes of the bill but their great legal training prevents them from giving their full support to a measure because they are so fearful that the Supreme Court of the United States might declare such legislation unconstitutional.

I have sometimes said that I can take a stick as long as my two fingers and write that one word, "unconstitutional," on the end of it and scare some of the so-called big lawyers on both sides of this aisle almost out of this Capitol.

Let me say in passing that I do not pretend to be a great constitutional lawyer, as so many here today profess to be. I have seriously studied that Constitution since I was a small child. I was taught to memorize not only the preamble but many of its provisions before I was old enough to go to school. I have studied constitutional law all of my life. I have read the constitution of many of the States of the Union and of many of the countries of the Old World. I have studied constitutional law, not only in our schools in America but in one of the best law schools in the Old World, and the more I study our own great Constitution of the United States, the more I am impressed with the necessity of carrying out not only the letter but the spirit of our Constitution. [Applause.] It occurs to me that if the framers of that great document could be listening in on this debate that they would be amazed and somewhat chagrined that Members of the Congress of the United States would actually have the gall to defend an alien enemy who has caused more disturbance in our laboring groups and done more to tear down the spirit of the Constitution of the United States than any other man in America during the past generation. I sincerely believe that the spirit of our beloved and heroic forefathers, if here today, would impel us to send not only alien agitators but all of his kind back to the country from which they came. [Applause.]

But I must not spend all of my time talking about the Constitution. The other point that so many have stressed as to the far-reaching effect of this legislation must not be overlooked. Yes; I agree that this bill, when passed and signed by the President of the United States, will have a far-reaching effect. There is no question about that. It will have the effect of saying to thousands of other alien agitators and racketeers to cease their activities or be prepared to be deported to their home lands. It will have the far-reaching effect of giving notice to the dictators and other enemies of democracy everywhere that there is no room for those who advocate the overthrow of our Government or preach any other ism than old-fashioned Americanism. [Applause.]

It will have the far-reaching effect of giving notice to that entirely too large army in the United States, which we now call the "fifth column," that the Trojan horses in America on which they ride, will not in the future, have such green pastures on which to graze. [Applause.]

Now just a word about the committee amendment.

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

Mr. JOHNSON of Oklahoma. I will be glad to yield.

Mr. CURTIS. As a matter of fact, this committee amendment merely clarifies what the original bill intended to do. It does not deny the right of habeas corpus to determine the question of the right of Congress to pass this bill.

Mr. JOHNSON of Oklahoma. Undoubtedly the gentleman is correct. Let me say here that no Member of this House, so far as I know, would deny anyone their civil rights. And all this talk about denying a citizen or even an alien the right of habeas corpus is absurd and beside the issue. Of course the Congress has the right to pass a bill to deport an alien within our gates. They are hereby the grace of our great benevolent Government. To those aliens who appreciate the protection of American institutions I have nothing but a most kindly feeling, but to that horde of undesirable aliens, who accept the protection of our Government and yet owe their allegiance to a foreign country are in a poor position to whine about their inalienable rights. [Applause.]

My own feeling is that Harry Bridges should count himself lucky to be only deported. In months to come enemy aliens will undoubtedly be dealt with more harshly than just being deported. But bear in mind that is the only thing this committee is now asking—just deport an un-American radical agitator; to send him back to the country that he really loves; send him back to the country that he undoubtedly owes his first and only allegiance. We do not need him and his kind here. Oh, yes; his deportation will have a far-reaching effect, all right. [Applause.]

The record is that Harry Bridges came here in 1921. It took him 7 years to decide that he wanted to take out his second papers, and then when the storm blew over he decided he did not want to become a citizen. Four times he has taken out his first papers and four times he decided he did not think enough of this country to become a citizen of the United States. He has been warned over and over. Again, I say he is fortunate, considering his shameful record, to be only deported back to his homeland. [Applause.]

A few years ago I visited most of the so-called Lowland Countries of Europe. For years all of them have tolerated "fifth column" agitators. Leaders in those countries actually thought such a policy was the liberal thing to do. It was the enemy within their gates that attributed most to their defeat. Surely we have learned a valuable lesson from what we have seen and heard in those little countries of Europe.

Let the word be flashed around the world that the American Congress has finally decided that our Nation will no longer tolerate alien enemies, parasites, or "fifth column" agitators, spies, saboteurs, and other enemies within our borders. They hate our American Constitution, yet when trouble befalls them would use it to protect their dastardly deeds. From henceforth let our motto be lifted high like a beacon light, so that all who run may read, "America for Americans." [Applause.]

[Here the gavel fell.]

Mr. MICHENER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MICHENER. Is the amendment now pending in the form of a substitute?

The CHAIRMAN. The amendment now pending strikes out all after the enacting clause and inserts other language.

Mr. MICHENER. If that is the case, if this amendment when voted upon is carried there will be no opportunity for further amendment.

The CHAIRMAN. Not if the amendment is adopted.

Mr. MICHENER. So that all debate must be had on this amendment. The motion to close debate was on this amendment and all amendments thereto. The result, as I understand it, is to close debate on the whole resolution unless the amendment should perchance be voted down.

The CHAIRMAN. It is the opinion of the Chair that if the substitute is agreed to under the rule the committee would rise and report the bill to the House.

The Chair has a list of eight Members who have asked for time on this amendment. Sixteen minutes remain. Without objection, the Chair will recognize these gentlemen in the order in which their names appear on this list, for 2 minutes each.

Mr. O'CONNOR. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. O'CONNOR. Is an amendment to the substitute in order? I have a substitute for the pending amendment.

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

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

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR as a substitute for the amendment offered by Mr. VAN ZANDT: Strike out lines 3, 4, and 5, and insert "That the Attorney General of the United States be, and he is hereby, directed to immediately institute proper proceedings in the proper court to deport Harry Bridges, an alien, in accordance with sections 155 and 156, title VIII, U. S. Code."

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

Mr. O'CONNOR. Mr. Chairman, in support of this amendment permit me to call attention to the fact that only recently the President of the United States transferred from the Department of Labor to the Department of Justice all matters dealing with immigration. This plan was approved by the Congress. Why? Because the Congress had confidence in the Department of Justice.

If this amendment is adopted, the Attorney General is directed—he would have no discretion—he is directed to institute proper proceedings for the deportation of this man in accordance with the laws of this country.

Mr. MURDOCK of Arizona. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. MURDOCK of Arizona. I am heartily in sympathy with the gentleman's amendment and shall support it. I wish Bridges and many others like him were out of the country. We have laws and we have courts. If our laws are inadequate, let us make them adequate and then depend upon our courts to see that due process of law is carried on. Let us not do the right thing in the wrong way by passing an unconstitutional bill. It should be amended.

Mr. O'CONNOR. I thank the gentleman. He is always right. I hope the other Members of the House will also vote for the amendment. Such proceedings would be in accord with our laws.

The CHAIRMAN. The gentleman from California [Mr. LELAND M. FORD] is recognized for 1 minute.

Mr. LELAND M. FORD. Mr. Chairman, I have heard many men raise their voices here today in defense of Harry Bridges. But do you realize there are hundreds of thousands, yes, millions of people in this country whose rights have been violated? I have not heard these men raise their voices in their protection.

I want to say to you that Harry Bridges by his own handwriting, by documentary evidence, has perjured himself, according to the record I have read here today. He is guilty of perjury, he is guilty of moral turpitude, he is guilty of disturbing the peace, he is a lawbreaker, he is a "fifth columnist."

It is difficult to conceive that a man can go out on the Pacific coast and blockade that whole coast, all the ports on the Pacific coast, and that man still be allowed to remain in the country. I cannot understand this thing. I do not understand the attitude of you people who defend him.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. LELAND M. FORD. No; I have only a short time.

If this is a special bill I say to you that by his actions Harry Bridges has created a special lot of trouble for this country and should be taken out on that account. [Applause.]

[Here the gavel fell.]

Mr. MASON. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Illinois, a member of the committee, rise?

Mr. MASON. To submit a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MASON. Is the substitute motion before us now, or the committee amendment?

The CHAIRMAN. The substitute for the amendment offered by the gentleman from Pennsylvania.

Mr. MASON. And all time for debate on the committee amendment and the substitute will expire at 5 o'clock?

The CHAIRMAN. The gentleman is correct.

If the Committee will indulge 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: After the word "deport", in line 4, strike out the remainder of the bill and insert the following: "any undesirable alien who advocates the overthrow of the Government of the United States."

Mr. ANDERSON of Missouri. Mr. Chairman, the amendment speaks for itself, and I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. ANDERSON].

The question was taken; and on a division (demanded by Mr. ANDERSON of Missouri) there were—ayes 66, noes 87.

Mr. ANDERSON of Missouri. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. ANDERSON of Missouri and Mr. LESINSKI to acts as tellers.

The Committee again divided; and the tellers reported that there were—ayes 76, noes 119.

So the amendment was rejected.

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

(Mr. GEYER of California asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. GEYER of California. Mr. Chairman, I do not agree with my good friend, the gentleman from California [Mr. LELAND M. FORD] very often, and again I do not agree with him. I want to read a telegram which shows that not all the people on the Pacific coast feel just exactly as my friend, the gentleman from California [Mr. LELAND M. FORD].

This telegram reads as follows:

SAN FRANCISCO, CALIF., *June 5, 1940.*

Hon. LEE GEYER,
House Office Building, Washington, D. C.:

Understand House Immigration Committee has just sought to force H. R. 9766 to floor of House. Also understand Congressman KRAMER stated "7,000,000 people in California suffering from the activities of Bridges." We have wired Congressman KRAMER that 200,000 members of Labor's Nonpartisan League of California seriously disagree with him. Opposition to Bridges comes from employer group only. Millions of California workers have benefited directly and indirectly from organizational work of Bridges, who has acted in accordance with law and whose record is without a blemish. His deportation is attack on wages, working conditions, and civil liberties and is without legal or moral justification. Request you inform Congress of incorrectness KRAMER's statement and do all possible to defeat this bill.

E. E. WARD,
State Secretary, Labor's Nonpartisan League of California.

Mr. Chairman, oh, patriotism, what crimes are committed in thy name.

I cannot say that I know Harry Bridges personally as I have met him only casually on two occasions.

I do know this, that several thousand members of his union living in my district have implicit faith in him. They attribute to him the fact that working conditions and wages they receive are much better than before he took the leadership of their organization.

To this fact add that even now this union is negotiating a new contract and you will have the real reason why some deem him to be undesirable. Boiled down to the last analysis we do not hesitate to state that this is the old battle between the union and the employers. Is this Congress going to take sides in this controversy? Are we going to fail to face the issue squarely? Or will we, under the cloak of Americanism, violate those very principles of democracy that we claim to espouse?

I maintain that this body should be the last in the world to succumb to hysteria and establish such a precedent as this just because it is good politics in an election year.

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. FISH] 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. If this is an indication of the stabilizing effect of keeping the Congress in session during these critical days then I say the sooner we go home the better.

Much has been said against this man and the labor organization he heads. He has been proved by a judicial procedure not to be guilty as charged. In the United States I thought only the guilty were punished and then after due process of law. We are importing Hitler methods. Can we protect democracy by destroying it?

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. COFFEE].

(Mr. COFFEE of Washington asked and was given permission to revise and extend his own remarks in the RECORD.)

[Mr. COFFEE 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.]

(Mr. VOORHIS of California asked and was given permission to revise and extend his own remarks in the RECORD.)

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. McDOWELL].

Mr. McDOWELL. Mr. Chairman, I have been gathering material for 2 years to write a speech about Harry Bridges, and now I get a half minute to make it in. I shall vote for the Van Zandt amendment.

[Here the gavel fell.]

(Mr. McDOWELL asked and was given permission to revise and extend his own remarks in the RECORD.)

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, much has been said about this bill becoming a precedent. Let it be a precedent and let those who should, take warning.

Today happens to be the day when, I understand, the Bureau of Immigration goes over to the Department of Justice. Let it also be the day when America takes charge of her own destiny and says that we have the right to combat the "fifth column" according to the means that we find necessary in order to preserve the integrity and the life of the United States. [Applause.]

We have been told by the chairman of the Dies committee that the "fifth column," so-called, presents a new problem in the life of nations; that Norway was unable to meet it successfully; that other nations have found it difficult to meet.

I do not maintain that the passage of a bill that singles out one solitary individual for deportation is the answer to the problem—far from it, yet it is the only opportunity that has been given this body to speak what America thinks of this thing—the insidious penetration of our institutions by aliens who seek to undermine the country whose guests they are. They come here as guests; they should not pull down the pillars of the house.

There is only one reason that legislation of this kind is here before us today. It is that the American people have the overwhelming conviction that someone whose job it was to administer certain immigration and naturalization laws has fallen down on the job in the face of a threatening situation.

It is a similar conviction that finally reached the head of the present administration that resulted in the reorganization order that transferred the Bureau of Immigration from the Department of Labor to the Department of Justice, which is effective today. Four-sevenths of the personnel of the Labor Department will be transferred under that order, I am told. It is a shocking thing, that such a step is taken as a [illegible] to correct that situation.

This is a shocking thing—the passage of a bill to [illegible] one alien, but it represents the determination of Ame[illegible] do something about a situation they do not approve.

They are tired of sit-down strikes fomented by [illegible] leaders who disregard the rights and desires of a [illegible] jority of the workers. They are tired of aliens who [illegible] glad to come here to reap what they can, but who avoid [illegible] vows and the responsibilities of citizenship. We have [illegible] told here today that this man Bridges four times took out his first papers, but as many times went no further.

This bill may be unconstitutional; the lawyers here seem divided on that question; the balance of us can only reg[illegible] the heart and mind of America on the broad question involved.

Can an alien come to this country, engage in I. W. W. activities when the country is at war, as Bridges did in 1918; file false statements regarding his marital relationships, as Bridges did; work himself into control of destructive radical labor groups and lead them into sit-down strikes, taking possession of the property of other persons, violating the rights and desires of other workmen to work, disrupting the country's ability to produce and to carry its produce even in a time of national emergency—can a man, an alien, do these things and retain the welcome of the country where he is a guest?

Cannot the Congress which passes laws, both general and individual, that permit an alien's entry, also pass a law to deport the alien who outrages the hospitality he accepts?

That, as far as the American public is concerned, is the principle involved. And in this time when America is looking to her defenses, there is only one answer. We have been told that the passage of this bill would be a blot on our history. The blot in history will be of those democracies that fail to assert the inherent rights in sovereignty of keeping out or kicking out those aliens who are or who become enemies of national security. Let this be known as the day when America takes charge of her own destiny. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. MAGNUSON].

Mr. MAGNUSON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. MAGNUSON: Strike out all after enacting clause and insert "That any alien who, at any time after entering the United States, is found to have been at the time or entry, or to have become thereafter, a member of the Nazi, Fascist, or Communist Party, or who advises, advocates, or teaches the doctrines of nazi-ism, fascism, or communism, or who is a member of, or affiliated with, any organization, association, society, or group, that advises, advocates, or teaches the doctrines of nazi-ism, fascism, or communism, shall, upon the warrant of the Secretary of Labor, be taken into custody and deported in the manner provided in the Immigration Act of February 5, 1917."

Mr. LESINSKI. Mr. Chairman, I doubt that that amendment should be voted on, as it is general legislation, and we have before us a private bill, not general legislation. The amendment is not germane to this bill.

The CHAIRMAN. Does the gentleman from Michigan make a point of order against the amendment?

Mr. LESINSKI. I do, Mr. Chairman.

Mr. MAGNUSON. That is why I have submitted the amendment. I think there should be general legislation on this subject rather than specific legislation.

Mr. LESINSKI. I agree with the gentleman that there should be general legislation, but it is a private bill we are discussing today, and the amendment is not germane to this bill.

The CHAIRMAN. Does the gentleman from Washington desire to be heard on the point of order?

Mr. MAGNUSON. Yes. The amendment of the gentleman from Missouri [Mr. ANDERSON] was in the nature of general legislation.

The CHAIRMAN. No point of order was made against the amendment. If one had been made, it would have been sustained.

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 Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CALDWELL, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee having had under consideration the bill (H. R. 9766) to authorize the deportation of Harry Renton Bridges, pursuant to House Resolution 511, he reported the same back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the Van Zandt amendment.

The amendment was agreed to.

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

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

Mr. MILLER. Mr. Speaker——

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

Mr. MARTIN of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. 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. If a gentleman on the minority side is ready to offer a motion to recommit, is he 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. MILLER 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. The question is on the passage of the bill.

Mr. MASON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 330, nays 42, answered "present" 1, not voting 58, as follows:

[Roll No. 151]

YEAS—330

Alexander	Anderson, Mo.	Austin	Beam
Allen, Ill.	Andresen, A. H.	Ball	Beckworth
Allen, La.	Angell	Barnes	Bell
Allen, Pa.	Arends	Barry	Bender
Andersen, H. Carl	Arnold	Bates, Mass.	Blackney
Bland	Fernandez	Kinzer	Rees, Kans.
Bloom	Fish	Kitchens	Rich
Boehne	Fitzpatrick	Kleberg	Richards
Boland	Flaherty	Kocialkowski	Robinson, Utah
Bolles	Flannery	Kramer	Robsion, Ky.
Bolton	Ford, Leland M.	Kunkel	Rockefeller
Boren	Ford, Miss.	Lambertson	Rodgers, Pa.
Boykin	Fulmer	Landis	Rogers, Mass.
Bradley, Mich.	Gamble	Lanham	Rogers, Okla.
Bradley, Pa.	Garrett	Larrabee	Romjue
Brewster	Gartner	Lea	Routzohn
Brooks	Gathings	LeCompte	Rutherford
Brown, Ga.	Gavagan	Lesinski	Ryan
Brown, Ohio	Gearhart	Lewis, Colo.	Sandager
Bryson	Gehrmann	Lewis, Ohio	Sasscer
Buck	Gerlach	Ludlow	Schafer, Wis.
Buckler, Minn.	Gibbs	Lynch	Schiffler
Bulwinkle	Gifford	McAndrews	Schuetz
Burdick	Gilchrist	McCormack	Schulte
Burgin	Gillie	McDowell	Schwert
Byrne, N. Y.	Goodwin	McGehee	Scrugham
Byrns, Tenn.	Gore	McGregor	Secombe
Byron	Gossett	McKeough	Secrest
Caldwell	Graham	McLaughlin	Seger
Camp	Grant, Ala.	McLean	Shafer, Mich.
Cannon, Fla.	Grant, Ind.	McLeod	Sheppard
Cannon, Mo.	Green	McMillan, Clara	Short
Carlson	Gregory	McMillan, John L.	Simpson
Carter	Griffith	Maciejewski	Smith, Maine
Cartwright	Gross	Mahon	Smith, Ohio
Case, S. Dak.	Guyer, Kans.	Maloney	Smith, W. Va.
Chapman	Gwynne	Mansfield	Snyder
Chiperfield	Hall, Edwin A.	Marshall	Somers, N. Y.
Church	Hall, Leonard W.	Martin, Ill.	South
Clark	Halleck	Martin, Iowa	Sparkman
Clason	Hancock	Martin, Mass.	Spence
Claypool	Hare	Mason	Springer
Clevenger	Harness	Massingale	Starnes, Ala.
Cluett	Harrington	May	Stearns, N. H.
Coffee, Nebr.	Harter, N. Y.	Michener	Stefan
Cole, Md.	Harter, Ohio	Mills, Ark.	Sumner, Ill.
Colmer	Hartley	Mills, La.	Summers, Tex.
Cooper	Hawks	Mitchell	Sweet
Corbett	Healey	Monkiewicz	Taber
Costello	Hendricks	Moser	Talle
Courtney	Hinshaw	Mouton	Tarver
Cox	Hoffman	Mundt	Taylor
Cravens	Holmes	Murray	Thill
Crawford	Hope	Myers	Thomas, N. J.
Creal	Horton	Nelson	Thomas, Tex.
Crowe	Houston	Nichols	Thomason
Crowther	Hull	Norrell	Thorkelson
Cullen	Hunter	O'Brien	Tibbott
Cummings	Jarman	O'Leary	Treadway
Curtis	Jarrett	Oliver	Van Zandt
D'Alesandro	Jeffries	Osmers	Vinson, Ga.
Davis	Jenkins, Ohio	O'Toole	Vorys, Ohio
Delaney	Jennings	Pace	Vreeland
Dempsey	Jensen	Parsons	Ward
DeRouen	Johns	Patman	Warren
Dies	Johnson, Ill.	Patrick	Weaver
Dirksen	Johnson, Ind.	Patton	West
Disney	Johnson, Luther	Pearson	Wheat
Ditter	Johnson, Lyndon	Peterson, Fla.	Whelchel
Dondero	Johnson, Okla.	Peterson, Ga.	White, Ohio
Doxey	Johnson, W. Va.	Pittenger	Whittington
Dworshak	Jones, Ohio	Plumley	Wigglesworth
Eaton	Jones, Tex.	Poage	Williams, Del.
Edmiston	Jonkman	Polk	Williams, Mo.
Elliott	Kee	Powers	Winter
Ellis	Kefauver	Rabaut	Wolcott
Elston	Kelly	Ramspeck	Wolfenden, Pa.
Engel	Kennedy, Md.	Randolph	Wolverton, N. J.
Englebright	Kennedy, Michael	Rankin	Woodruff, Mich.
Evans	Keogh	Rayburn	Youngdahl
Faddis	Kerr	Reece, Tenn.	Zimmerman
Fenton	Kilburn	Reed, Ill.	
Ferguson	Kilday	Reed, N. Y.	

NAYS—42

Barton, N. Y.	Ford, Thomas F.	Leavy	Sabath
Casey, Mass.	Fries	Luce	Shanley
Celler	Geyer, Calif.	Marcantonio	Sheridan
Cochran	Hart	Miller	Smith, Conn.
Coffee, Wash.	Havenner	Murdock, Ariz.	Smith, Ill.
Connery	Hennings	Murdock, Utah	Smith, Wash.
Dickstein	Hill	Norton	Terry
Dingell	Hobbs	O'Connor	Voorhis, Calif.
Dunn	Isac	O'Day	Wadsworth
Eberharter	Keller	O'Neal	
Edelstein	Kennedy, Martin	Pierce	

ANSWERED "PRESENT"—1

Magnuson

NOT VOTING—58

Anderson, Calif.	Cooley	Duncan	Jenks, N. H.
Andrews	Crosser	Durham	Kean
Barden, N. C.	Cullen	Fay	Keefe
Bates, Ky.	Darden, Va.	Flannagan	Kirwan
Buckley, N. Y.	Darrow	Folger	Knutson
Burch	Doughton	Hess	Lemke
Cole, N. Y.	Douglas	Hook	McArdle
Collins	Drewry	Jacobsen	McGranery

Mass	Sacks	Sutphin	Walter
Merritt	Satterfield	Sweeney	Welch
Monroney	Schaefer, Ill.	Tenerowicz	White, Idaho
Mott	Shannon	Tinkham	Wood
Pfeifer	Smith, Va.	Tolan	Woodrum, Va.
Risk	Steagall	Vincent, Ky.	
Robertson	Sullivan	Wallgren	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

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

Until further notice:

Mr. Fay with Mr. Hess.
Mr. Robertson with Mr. Mott.
Mr. Woodrum of Virginia with Mr. Culkin.
Mr. Cooley with Mr. Douglas.
Mr. Merritt with Mr. Cole of New York.
Mr. Burch with Mr. Mass.
Mr. Flannagan with Mr. Kean.
Mr. Drewry with Mr. Jenks of New Hampshire.
Mr. Smith of Virginia with Mr. Welch.
Mr. Darden of Virginia with Mr. Anderson of California.
Mr. Hook with Mr. Darrow.
Mr. Doughton with Mr. Lemke.
Mr. Vincent of Kentucky with Mr. Risk.
Mr. Satterfield with Mr. Knutson.
Mr. Walter with Mr. Keefe.
Mr. Steagall with Mr. Andrews.
Mr. Buckley of New York with Mr. Tinkham.
Mr. Wood with Mr. Monroney.
Mr. Jacobsen with Mr. Sweeney.
Mr. Crosser with Mr. Bates of Kentucky.
Mr. Sutphin with Mr. Tolan.
Mr. Pfeifer with Mr. Folger.
Mr. Collins with Mr. McArdle.
Mr. Sullivan with Mr. Duncan.
Mr. McGranery with Mr. Tenerowicz.
Mr. Kirwan with Mr. Sacks.
Mr. Durham with Mr. White of Idaho.
Mr. Schaefer of Illinois with Mr. Wallgren.

Mr. MAGNUSON. Mr. Speaker, I have a pair with the gentleman from North Carolina, Mr. BARDEN, and therefore I withdraw my vote of "nay" and answer "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The title was amended.

PRIZE-FIGHT FILMS

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

House Resolution 524

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 2047, an act to divest prize-fight films of their character as subjects of interstate or foreign commerce, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

VESSELS AFFECTED BY THE NEUTRALITY ACT OF 1939

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

House Resolution 523

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of Senate Joint Resolution 260, a joint resolution to make emergency provision for the maintenance of essential vessels affected by the Neutrality Act of 1939, and for adjustment of obligations with respect to such vessels. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled between the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

AMENDMENT OF MERCHANT MARINE ACT, 1936

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

House Resolution 522

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 6572, a bill to amend the Merchant Marine Act, 1936, as amended, to provide for marine war-risk insurance and war-risk insurance and for marine-risk insurance, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled between the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

MEDITERRANEAN FRUITFLY ERADICATION

Mr. CLARK, from the Committee on Rules, submitted the following privileged resolution (S. Con. Res. 40), which was referred to the House Calendar and ordered to be printed:

Senate Concurrent Resolution 40

Whereas pursuant to Senate Joint Resolution 177, Seventy-sixth Congress, first session, a subcommittee of the Committee on Claims of the Senate has held a hearing with respect to the losses sustained by certain persons in the State of Florida as a result of the Mediterranean fruitfly eradication and quarantine campaign conducted in the State of Florida by the United States Government; and

Whereas in the opinion of such subcommittee a satisfactory showing has been made to justify and require an accurate and dependable determination of the actual losses sustained as a result of such campaign, the nature and character of such losses, and the persons by whom such losses were sustained: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That there is hereby created a special joint congressional committee to be composed of three members of the Committee on Claims of the Senate, to be appointed by the chairman thereof, and three members of the Committee on Claims of the House of Representatives, to be appointed by the chairman of such committee. It shall be the duty of such special committee to make a full and complete investigation with respect to the losses sustained as a result of the Mediterranean fruitfly eradication and quarantine campaign conducted in the State of Florida in 1929 and 1930 by the United States Government, with a view to determining, among other things, the nature, character, and amount of such losses, the circumstances under which such losses occurred, and the persons by whom such losses were sustained. The committee shall report to the Congress at the earliest practicable date the results of its investigation, together with its recommendations, if any, for necessary legislation.

For the purposes of this concurrent resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-sixth and succeeding Congresses, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of the committee, which shall not exceed $10,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers approved by the chairman of the committee.

NONRECOGNITION OF TRANSFER OF ANY GEOGRAPHIC REGION IN WESTERN HEMISPHERE

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 525), which was referred to the House Calendar and ordered to be printed:

House Resolution 525

Resolved, That immediately upon adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of House Joint Resolution 556, a joint resolution approving nonrecognition of the transfer of any geographic region in the Western Hemisphere from one non-American power to another non-American power, and providing for consultation with other American republics in the event that such transfer should appear likely. That after general debate, which shall be confined to the joint resolution and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the 5-minute rule.