This is one of many blanket or basket provisions in the McCarran bill which authorizes any consul to bar anybody, if the consul does not like the cut of his clothes or the color of his eyes. And there is no appeal from a consul's decision.

I know that consuls are human beings like the rest of us. Most of them are sincere and honest men. Certain discretion must be left to them. But reasonable and recognizable standards should be established, and, in the case of necessary discretion, provision must be made for review.

I know that admission into the United States is a privilege and not a right of aliens. But the more privilege, the more careful we must be, that the award of this privilege is not capriciously or arbitrarily withheld, without real, factual, and probative basis. Otherwise we give our country an evil name when at the same time we are spending millions of dollars in propaganda to assure the world that America is the home of justice, of equality under law, and of a government of law and not of men.

Vesting arbitrary power, without review, in the hands of consuls or immigration officials who, like the rest of us, become tired and irritable—I know that the Senators from Connecticut sometimes become tired, but never irritable as I do—who are harassed and oppressed with red tape and many duties, and who have their own personal prejudices and frustrations, vesting such arbitrary and unreviewable power in the hands of individuals, at the lowest rung of the Foreign Service ladder, is, in my judgment, a terrible danger and an unmitigated evil.

There is another provision, for instance, which bars any alien who, at any time after entry, is "likely at any time to become a public charge." Present law already bars any alien who is likely to become a public charge. Period. This has been the chief bar against admission. It has been interpreted to mean any alien who is likely, in the near and predictable future, to become a public charge because he has no considerable resources, no assured source of income once he arrives in the United States, and no responsible relative or friend certain to look after him.

As now written in the law, this has been an effective provision. It is the chief hurdle which would-be immigrants must surmount. But now the McCarran bill proposes to change this hurdle into a blank wall, with the only door through that wall being the discretion and softheartedness of the consul and immigration officers.

The consul and the immigration officers are authorized to bar any alien on the basis of a sheer prediction that the alien is likely to become a public charge at any time in the future—not tomorow, not 3 years from now or 5 years from now, but 20, 30, or 40 years after his admission into the United States.

This is authority enough to bar anybody but an alien with $1,000,000 in United States bonds. And if there were evidence that he was the least bit extravagant, even such a man could conceivably be barred by this provision.

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

Mr. LEHMAN. I yield.

Mr. McMAHON. As the Senator from New York has pointed out, a consul might well hold that an alien was coming to this country to spend his money. He might hold that the alien intended to "blow it in" within 5 or 6 years, and on that basis he could keep him out of the country even though he had $1,000,000.

Mr. LEHMAN. There can be no question about that.

Mr. McMAHON. That is perfectly ridiculous.

Mr. LEHMAN. Speaking of authority, there is a provision in the McCarran bill, an unprecedented provision, section 212 (e), which would give the President of the United States the authority to bar any and all aliens, or any class of aliens, at any time the President felt such a move was required in the public interest.

This is plain authority for the President to shut off all immigration, at any time, or to reduce it at any time, or to shut off immigration from any country, at any time, in time of peace as in time of war.

I have heard, in recent days, great declamations and some pretty heated speeches concerning the dangers of granting unlimited powers to the President, or to any administrative official. Yet here it is proposed to enact a very detailed law concerning immigration, but including a provision authorizing the President to end all immigration or change its character at his discretion.

Certainly for times of emergency I am convinced that the President should be given broad powers, but those powers should be defined, and the conditions of emergency under which he may exercise them should be defined.

If the President is to be given the power to suspend immigration or a portion of immigration when emergency conditions warrant such action—and I would not quarrel with that if the powers and the conditions were adequately defined—he should also be given the power to admit more aliens, more immigrants, without regard to the limitations in the law, if that is required in the national interest, in a time of emergency.

However, the McCarran bill, so cautious about reserving power to admit immigrants, is completely careless and extravagant about granting power to exclude immigrants.

Of course, this theme runs all through the bill. Even if some of the worst provisions are removed, this characteristic will still remain to be remedied.

Thus, in the bill, there are 41 places—I point this out in answer to a question asked by the Senator from Connecticut—where the power to exclude or deport is dependent on the opinion of the consul or the opinion of the Attorney General, and there are in the bill 30 additional places where deportation or exclusion or other overt action in regard to aliens and even naturalized citizens is dependent on the satisfaction of the consul or the satisfaction of the Attorney General.

Mr. President, I could go on for hours. In this bill there are scores of incredible provisions affecting not only immigration, but also deportation; and all the bad features of present law affecting denaturalization are retained and enhanced in the McCarran bill.

Take the matter of deportation, for example. There are nearly 3,000,000 aliens in the United States, and there are 8,000,000 naturalized citizens. Provisions for deportation can affect any one or every one of the nearly 3,000,000 aliens. Many of the deportation provisions of the bill can affect many naturalized citizens, for under the McCarran bill, revocation of citizenship for naturalized citizens is made easier, and many new grounds for denaturalization are provided, some of them technical and unsubstantial.

In the McCarran bill deportation is treated as if it were a minor penalty, to be invoked almost indiscriminately, for scores of reasons, for minor offenses as well as for major ones, and in some instances as an expression of mere disapproval of attitudes, as well as of actions.

Deportation, I assure you, Mr. President, is one of the harshest penalties that can be invoked against most aliens in the United States. It is exile from the promised land. It means, in many cases, perhaps in most cases, exile from friends and, worst of all, from loved ones—from wife, from husband, from children, from parents. In many cases, it can be worse than a death penalty.

Consider an alien who has lived here 20 years, through all of his mature life. He has a wife, children, perhaps even parents in this country. If he writes to the editor of a local newspaper a letter criticizing the mayor or the chief of police, he may get that official or some influential politician aroused against him. The Immigration and Naturalization Service then may be asked to look into the alien's record. It may then be found that 10 or 20 years ago he was convicted of drunken driving or viclating OPA regulations or local sanitary ordinances. That man—it is hard to believe, but it is a fact—could be taken from his family, his home and his friends, and could be deported, on the basis of this long-forgotten conviction. So that there can be no misunderstanding, I wish to point out that the authority for such a deportation is found in section 241 (a) (4) of the McCarran bill.

Such deportation can be a cruel and unbearable penalty, and under this section of the McCarran bill it could happen in scores and in hundreds, even thousands, of cases, in the discretion of the Attorney General.

In the McCarran bill, there are many other grounds for deportation, equally or almost as vague and loose, and subject to abuse.

The point I wish to emphasize, Mr. President, is that deportation is a harsh penalty, as harsh as any there can be. Yet, under the McCarran bill, deportation is required not only for dope addicts,

pimps, prostitutes, hardened criminals, and true subversives, but also for those who have misrepresented a material fact in a visa application or who arrived in this country at a place other than the one duly provided by regulation—for instance, at Charleston, S. C., instead of at New York.

The McCarran bill requires the deportation of an alien who, at any time within 5 years of his entry into this country, enters a hospital because of a mental breakdown, regardless of whether the breakdown resulted from causes connected with his being in the United States, and regardless of whether the alien is able to pay for his own hospitalization. This provision is found in section 241 (a) (3) of the McCarran bill.

In such cases it seems to me that deportation would constitute punishment far beyond the metes and bounds of what would be deserved. The classic dictum of "let the punishment fit the crime" would be thrown completely overboard by all these provisions of the McCarran bill.

Indeed, Mr. President, I could speak on and on and on in regard to the defects of this bill. In this bill there are provisions which must shock the conscience of justice, itself.

I hope to speak at another time, or possibly at several other times, on other of these mischievous provisions. My only purpose in making these remarks is to set the stage and to indicate, as broadly as I can, that the McCarran bill is full of quirks and dangers which must be examined at length and should be examined in detail.

I say again that there is pending in the Judiciary Committee a bill which avoids most of the pitfalls so prevalent in the McCarran bill. That is the Humphrey-Lehman bill.

That bill is, in my opinion, far preferable to the pending one. However, that bill also—I wish to emphasize this point—needs to be studied and examined at length. I would not ask any Member of the Senate to buy a pig in a poke and to take my word for the excellence of the Humphrey-Lehman bill as compared to the McCarran bill.

Let us have hearings on Senate bill 2842, the Humphrey-Lehman bill, as well as hearings on the McCarran bill, Senate bill 2550.

Let us not rush into a subject so delicate, so dangerous, and so difficult as this one without due consideration and without full study of all phases of this complicated subject.

I want to see immigration legislation enacted this year, at this session of Congress. I have no desire to kill omnibus immigration legislation for the session.

We need to have a pooling of the unused quotas. We need very much to lift from the present law the racial restrictions which for so long have been a cause of bitterness in the Far East and have bred so much resentment against us.

No one is more eager than I to see these restrictions lifted and to provide for entry in to this country of reformed totalitarians.

There are in the McCarran bill some good things which I support, but which are included, I believe, in a more straightforward and effective way in the Humphrey-Lehman bill.

Let us not, in our eagerness to do these good things and to recodify our immigration law, give our stamp of approval to a huge mass of other provisions which would bring us to grief and would sound throughout the world the word that what we profess, we do not practice; that in extending the hand of friendship and the call to unity to the free nations and peoples of the world, we want the colored races of the world to know that we consider them fine as cannon fodder, but only scarcely beyond the pale insofar as immigration is concerned.

Mr. President, this is too delicate a matter to be dealt with hastily. Too much is involved. Too many lives, too many careers, too many securities, are at stake.

I hope the McCarran bill will be recommitted for further study and for hearings alongside the Humphrey-Lehman bill.

Mr. President, I yield the floor.

Mr. BENTON. Mr. President, on behalf of myself, the Senator from Minnesota [Mr. HUMPHREY], the Senator from New York [Mr. LEHMAN], the Senator from North Dakota [Mr. LANGER], my colleague, the senior Senator from Connecticut [Mr. MCMAHON], the senior Senator from Rhode Island [Mr. GREEN], the junior Senator from Rhode Island [Mr. PASTORE], the Senator from Michigan [Mr. MOODY], the Senator from Montana [Mr. MURRAY], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Oregon [Mr. MORSE], I submit 30 amendments intended to be proposed by us, jointly, to the pending bill (S. 2550).

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). The amendments will be received, printed, and will lie on the table.

## ACCELERATION OF THE WORK OF THE SENATE

Mr. McFARLAND. Mr. President, I had thought we would have a longer session today than now seems possible. I understand the Senator from Connecticut does not care to speak at this time.

Mr. BENTON. I have given notice that I would wait until tomorrow to speak. I hope to obtain the floor and to speak tomorrow afternoon. I am sorry I did not know that I would be able to get the floor as early as this this afternoon.

Mr. McFARLAND. Mr. President, I observe there are about 90 amendments to the pending bill, and the Senator from Connecticut has now sent to the desk further amendments to be printed and lie on the table. Under those circumstances, the Senate is simply going to have to work longer hours. While I had thought of having an all-day session tomorrow, starting at 10 o'clock, and had discussed it somewhat with Senators, I do not think sufficient notice has been given to enable us to do that. Several committees are scheduled to meet in the morning. But I now give notice that we shall have a longer session tomorrow; not a night session, but a session continuing until 6 or 7 o'clock in the evening.

The PRESIDING OFFICER. The Chair would inquire of the Senator from Arizona whether, by his mention of a longer session, he has in mind that the session would continue longer, but would commence at 12 o'clock.

Mr. McFARLAND. It would commence at 12 o'clock.

I shall ascertain overnight what committees are planning to meet on Thursday, and there is a possibility that I may announce tomorrow that on Thursday we shall meet at 10 o'clock.

The majority policy committee discussed today the advisability of trying to have an all-day session at least once a week. We did not accomplish a great deal last week. If the Congress is to adjourn at a reasonable time, it will be necessary for the Senate to begin working longer hours. We have placed on the agenda today the St. Lawrence seaway bill, which will require some time for discussion. There will also be before the Senate the mutual-security bill, which will be reported from the Armed Services Committee within a few days. The Senate will also have to consider the defense-production bill. All these bills represent important legislation on which we hope the Senate will have an opportunity to pass. Furthermore, most of the appropriation bills remain to be passed. I see no alternative other than that of working long hours from now on every day in the week.

Mr. McCARRAN. Mr. President, if the Senator from Arizona will yield, I hope he will on tomorrow give notice of convening the Senate at 10 o'clock, and I hope that that will continue until we shall have concluded the business presently before the Senate.

So far as I am concerned, I am willing to have the Senate meet at 10 o'clock and to continue in session until 10 or 12 o'clock at night, or even until the next morning, in order to conclude the consideration of the pending bill. It should be concluded, and I am going to oppose with every ounce of energy within me the displacing of this bill by any other bill, until this bill shall have been voted upon.

Mr. McFARLAND. So far as I know, there is no desire on the part of anyone to displace the pending bill. I do not think it does any good for the Senate to work at night, except as a last resort, and I do not think we have yet come to that, in our consideration of the pending bill. Senators have their mail to dispose of, and they also have committee work. But it is thought advisable that we should at least try, probably for the rest of the session, to convene at 10 o'clock in the morning and continue in session all day at least one day a week.

Mr. McCARRAN. I draw the majority leader's attention to the fact that up to this morning 85 amendments to the bill had been printed. In the early hours of today's session, there were at least 12 or 15, and perhaps as many as 20 additional amendments submitted.