

Getting a Liberal Infusion House Antired Committee

By MARJORIE HUNTER

Special to The New York Times

WASHINGTON, Jan. 22—The House Un-American Activities Committee, until now a bastion of right-wing conservatism, is getting a major liberal infusion, including the first Negro member in its history.

The following four moderate-to-liberal Democrats were named to the nine-member committee this week:

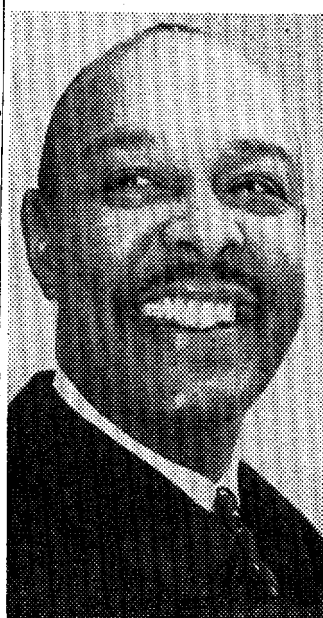
Louis Stokes of Ohio, a Negro freshman member of the House, the brother of Mayor Carl Stokes of Cleveland.

Claude Pepper, a Florida liberal who attributed his defeat for re-election to the Senate in 1950 to right-wing accusations that he had associated with Communists.

Richardson Preyer, a North Carolina moderate-to-liberal named to the Federal bench in 1961 by President Kennedy and subsequently defeated in his bid for Governor in 1964.

Edwin W. Edwards of Louisiana, generally regarded as a moderate on most issues aside from civil rights.

While they are outnumbered by the other more conservative members of the committee, the



Louis Stokes

newcomers are expected to temper the panel's right-wing reputation and its reputation for witch-hunting.

House liberals have frequent-

ly sought to abolish the committee. Some of the more militant liberals are expected to try again within the next few weeks, but are certain to fail.

Less militant liberals, finally, convinced that the House would not abolish the committee, helped engineer the change in H.U.A.C., as it is generally called by friend and foe alike.

The House Democratic leadership, too, embarrassed in recent years by the committee's disputed inquiries into left-wing causes, also insisted on the major shift.

New Image Sought

And the committee's new chairman, Richard H. Ichord, Democrat of Missouri, is known to have favored improving its reputation. While he is largely conservative, Mr. Ichord is far more temperate than many earlier chairmen, including the flamboyant Martin Dies Jr. of Texas and John E. Rankin of Mississippi.

Until this year, there had been few chances to change the committee's image, for it had been dominated by incumbent

Republicans and Southern Democrats.

While the committee usually included at least one liberal—even two on occasion—their voices were seldom heard.

Last session, John C. Culver, an Iowa Democrat, was the only liberal on the committee. Obviously frustrated in the assignment, he was taken off this year at his request.

The way was opened for the shift in membership this year by the death, resignation and defeat of three Southern Democrats.

Edwin E. Willis, of Louisiana, the chairman, was defeated for re-election. William M. Tucker of Virginia did not seek another term, and Joe R. Pool of Texas died.

The Republican members are John M. Ashbrook of Ohio, Richard L. Roudebush of Indiana, Albert W. Watson of South Carolina and John Buchanan of Alabama.

The smallest but most controversial of all Congressional committees, H.U.A.C. has had a turbulent existence in its pursuit of Communists, motion picture actors, educational

leaders, peace movements, the Ku Klux Klan and instigators of the riots at the Democratic National Convention last summer.

Its most famous investigation—the Alger Hiss case in 1948—brought national prominence for one of the committee's most junior members, Richard M. Nixon, then a first-term Representative.

Mr. Ichord announced recently that the committee's first order of business would be to investigate the Students for a Democratic Society in view of the group's "conducting classes in sabotage how to make Molotov cocktails and teaching violent guerrilla tactics."

He has also proposed that the committee's name be changed to the House Committee on Internal Security. The House has not yet approved the change.

In accepting assignment to the committee, Mr. Pepper pledged that he would not engage in "any witch hunt." He said he would "not investigate for the purpose of pillorying anybody or any organization."

Mr. Stokes, too, said today that he deplored witch hunts. He said he would

the committee an instrument "bridge the communication between the black and white the young and old, the strong and the weak and the other extremes of our society."

Mr. Stokes said he hoped to be "a staunch voice in behalf of the absolute protection of constitutional rights and freedom of play."

Rules Panel Backs HUAC Name Change

By United Press International

The House Committee on Un-American activities, repeatedly attacked by liberal forces as a panel of publicity-seeking witch hunters, is a step closer to the new name which its chairman hopes will give it a less sensational image.

The House Rules Committee agreed after hearings yesterday to approve HUAC Chairman Richard Ichord's resolution to call his panel the House Internal Security Committee.

But many congressmen, who want HUAC abolished entirely, are expected to fight the Missouri Democrat's proposal when it comes onto the House floor.

At the hearing, Ichord said he plans far-reaching hearings into the new faces of subversion in the United States.

He promised a "study in depth" of groups such as Students for a Democratic Society and of various "Marxist-Leninists" who are not members of the Communist party, traditional target of HUAC in the past.

WILLIAM F. BUCKLEY JR.

HUAC: Reforms Under the Knife

The House Committee on Un-American Activities is not much heard about these days, so intimidated is it, and its natural publicists, by the cumulative impact of years and years and years of derogation by those who would rather denounce a committee on un-American activities than un-American activities. When a week or so ago it transpired that Congressman Claude Pepper had become a member of HUAC, one could only recall the wonderful fantasy of 1964.

In those days American conservatives, dreaming of the glorious possibility of a Goldwater victory, envisioned the scene on the Capitol steps during the Inauguration ceremony. "Do you," said Supreme Court Justice Earl Warren, addressing President-elect Barry Goldwater, "solemnly swear to defend the Constitution of the United States?" Answered President Goldwater: "I do. You're under arrest, Warren."

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A Committee on Un-American Activities of which Claude Pepper is a member! As well a committee on ethical union practices of which James Hoffa is a member. Twenty years ago Sen. Claude Pepper was parroting the Communist party line as ardently as a seminarian recites the Apostles' Creed. But things have changed. Congressman Pepper now has a constituency heavily Cuban, and it would hardly be profitable to go about the country suggesting other than that Castro and those who succor him are un-American activities.

But let us also grant the probability, which is that Pepper laments his past attitudes; grant, even, the possibility that he hopes, in his new role as a member of HUAC, to in-

struct others who make such mistakes as he so robustly and noisily made during the 40s.

The big news is that a major effort will be made to abolish HUAC. Approximately 30 resolutions have been introduced to that effect, one of them, ironically, by a member-designate of HUAC, Louis Stokes, the brother of the eminent mayor of Cleveland. The committee has been under attack for so very long that the fiction is widely accepted that the committee has been useless throughout its career.

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In fact it has engineered important legislation; indeed only a season ago it drafted and got through Congress a bill making it illegal to collect funds for the benefit of the Viet Cong. Contributors to the volume published in 1962 entitled, "The Committee and Its Critics" adequately established that over a period of years the committee has investigated activity which Congress should investigate, and proposed legislation which Congress should enact.

Even so, the friends of the committee were, many of them, disposed to agree on one point, namely that the title of the committee was unfortunate: it is, though not impossible, difficult and always a little impudent to define the term "un-American." Accordingly, the chairman of the Committee, Richard Ichord of Missouri, has joined with John M. Ashbrook of Ohio to urge that the name of the committee be changed to "The Committee on Internal Security."

More important than nomenclature is the change in the proposed mandate, which drops the committee's power to investigate such activity as might be protected under the

First Amendment, for instance speeches, books, pamphlets, that kind of thing. The new mandate as proposed by Ichord and Ashbrook grants the committee the power to investigate the "extent, character, objectives, and activities" of such groups as would "establish or assist in the establishment of a totalitarian dictatorship within the United States," or which would attempt to overthrow the government by force or violence.

Moreover, to permit the committee to investigate, as any committee on internal security obviously should, the anarchistic or nihilistic groups, which think not so much of totalitarian dictatorship as of the lure of chaos, the mandate would also enjoin the investigation of "activities within the United States of organizations or groups, their members, agents and affiliates, which incite or employ, acts of force, violence, terrorism, or any unlawful means, to obstruct or oppose the lawful authority of the government of the United States in the execution of any law or policy affecting the internal security of the United States."

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And that means, e.g., that the committee could, as it certainly should do, investigate such organizations as the Black Panthers, and the S.D.S. and, even as before, the Ku Klux Klan. One suspects that those congressmen who vote against the Ichord-Ashbrook resolution will be doing so precisely because they desire to perpetuate those features of HUAC which are most vulnerable in order to seek, eventually, to destroy the whole of it, rather than to cleanse it of the main sources of their alleged aggravation.

Rules Unit Approves HUAC Name Change

By Warren Unna
Washington Post Staff Writer

"Communism is kind of old hat today."

This was a surprising comment from Rep. Richard H. Ichord (D-Mo.), chairman of the House Un-American Activities Committee (HUAC).

He was testifying before the House Rules Committee yesterday on his resolution to extend his Committee's authority under a new name, House Committee on Internal Security.

The Rules Committee gave Ichord its blessing, just as it had last year when the resolution first came up but never got to the floor for a vote be-

cause of the rush of final business.

This year it presumably will, but with considerable opposition. There are those who think Ichord's committee should be abolished entirely: those who see no need for a name change and those who see its crusade against subversion as a way of subverting the jurisdiction of the senior House Judiciary Committee.

Yesterday, Ichord told the Rules Committee he wasn't worried that any organization was going to overthrow the Government: "Power is too diversified and they could never do it without the help of some people across the

river." (He presumably was giving CIA a backhanded compliment).

But Ichord said he was worried by "the erosion of our liberties." He cited the Students for Democratic Society which, in Ichord's words, combine "communism, pacifism, nihilism and treachery" and confound everybody by "condoning violence" while not "advocating" it.

"The present mandate is admittedly ambiguous," Ichord told his Rules Committee colleagues. "It gives rise to the thought that the committee (HUAC) is concerned with political thought and ideas. What we are concerned about is political action . . . I am not interested in any witch-hunt . . . or pillorying anybody for unorthodox thoughts."

Ichord indicated he already had his investigation of the SDS under way and probably would be able to run the committee on the same \$375 million-a-year budget.

Rep. Thomas P. O'Neill Jr. (D-Mass.) wondered why the whole burden couldn't be turned over to the House Judiciary Committee. "You've brought crackpots and nuts before this (House Un-American Activities) Committee and caused more concern because of the inept way the HUAC has acted through the years," he told Ichord.

Reps. Don Edwards (D-Calif.) and Abner J. Mikva (D-Ill.), in a joint statement, declared: "Although the words would be different, nothing would be changed . . . What is sought to be maintained is a permanent standing investigating committee to investigate . . . members of the public to determine if they have said the wrong thing, joined the wrong group or violated the laws."

Edwards and Mikva also challenged Ichord's desire to authorize the Committee to investigate "treachery." If need be, they said, "treachery" could be interpreted to include a group willing to make a political deal to enlarge its own strength.

Rep. John C. Culver (D-Iowa) urged the Rules Committee to hold full hearings, transfer the HUAC to the Judiciary Committee and establish a "Code of Fair Committee Conduct." He was overruled.

February 18, 1969

H 957

Mr. CEDERBERG. Mr. Speaker, I take this time to commend Father Hesburgh, the president of Notre Dame University, for stating in no uncertain terms that he is not going to allow any of these campus radicals to upset Notre Dame University. He said very clearly they would be given 15 minutes to meditate and 5 minutes to change their minds, and if they carried their nonsense on after that, they would be expelled.

I think Father Hesburgh is taking just exactly the right positions. If more of our heads of colleges and universities would take the same stand, maybe we could restore order to the campuses of our country.

(Mr. LATTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

[Mr. LATTA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

LEGISLATIVE PROGRAM AND PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO HAVE UNTIL MIDNIGHT TO FILE REPORT ON H.R. 4214, COMMUNICATIONS SATELLITE ACT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file a report on H.R. 4214, the Communications Satellite Act, and such other reports as they may desire to submit.

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, and I do not intend to object, is it the intention to program this legislation this week?

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

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, under the unanimous-consent request, may I advise Members that the distinguished chairman of the Committee on Rules will call up various investigative authority resolutions tomorrow, and the gentleman from West Virginia (Mr. STAGGERS) has advised me he would ask by unanimous consent to bring up H.R. 4214, the Communications Satellite Act, on tomorrow.

I ask unanimous consent, Mr. Speaker, that I may insert in the RECORD a list of the resolutions from the Rules Committee and the bill from the Committee on Interstate and Foreign Commerce which will be on the program for tomorrow.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection. The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The lists referred to follow:

Committee on Rules: February 18, to consider the following resolutions:

H. Res. 143, investigative authority, Committee on Foreign Affairs;

H. Res. 131, investigative authority, Committee on Merchant Marine and Fisheries;

H. Res. 200, investigative authority, Committee on Education and Labor;

H. Res. 192, investigative authority, Committee on Science and Astronautics;

H. Res. 127, investigative authority, Committee on Agriculture;

H. Res. 189, investigative authority, Committee on Public Works; and

H. Res. 152, investigative authority, Committee on Banking and Currency, 10:30 a.m., H-313, Capitol.

Committee on Interstate and Foreign Commerce: H.R. 4214, Communications Satellite Act.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 15]

Anderson, Ill.	Hollifield	Passman
Arends	Howard	Pelly
Barrett	Jones, Ala.	Powell
Bell	Kuykendall	Quillen
Burton, Utah	Landgrebe	Riegle
Carey	Long, La.	Rosenthal
Casey	Long, Md.	Roudebush
Clark	Lujan	Rumsfeld
Davis, Ga.	Lukens	Ruppe
Delaney	McFall	Sandman
Diggs	Macdonald,	Scheuer
Evins, Tenn.	Mass.	Shriver
Feighan	Mailliard	Smith, Calif.
Flynt	Matsunaga	Stubblefield
Ford,	Moss	Sullivan
William D.	Murphy, N.Y.	Teague, Calif.
Gettys	Myers	Udall
Gray	Nichols	Waldie
Green, Oreg.	O'Hara	Watts
Hagan	O'Neal, Ga.	
Heckler, Mass.	Ottinger	

The SPEAKER. On this rollcall, 372 Members have answered to their names, a quorum.

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

CONSUMPTION TAXES ON OILSEED PRODUCTS IMPOSED BY EEC

(Mr. EDWARDS of Alabama asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. EDWARDS of Alabama. Mr. Speaker, I am introducing today a House concurrent resolution expressing the position of Congress in opposition to the imposition of consumption taxes on oilseed products by the European Economic Community.

The EEC is giving serious thought to imposing what they term an internal tax of \$60 per ton on imports of soybean oil, and a tax of \$30 per ton on soybean meal.

This action would cost our country an export market of nearly \$500 million a year at a time when we are endeavoring to solve a serious balance-of-payments problem.

This move would not technically violate the letter of agreements between this country and the EEC. But it would clearly violate the spirit of those agreements.

American farmers have depended on U.S. trade negotiators to provide agreements which result in fair balance of trade for the mutual benefit of the

United States and of our close friends in the European Economic Community.

If these agreements are sidestepped in ways such as this the consequences can be serious.

I urge prompt approval of this resolution.

ELECTION TO COMMITTEE

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 250) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 250

Resolved, That Shirley Chisholm, of New York, be, and she is hereby, elected a member of the standing committee of the House of Representatives on Veterans' Affairs.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FIRST REPORT OF NATIONAL SCIENCE BOARD—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, together with the accompanying papers, referred to the Committee on Science and Astronautics:

To the Congress of the United States:

I am pleased to submit to the Congress this first Report of the National Science Board, "Toward a Public Policy for Graduate Education in the Sciences," together with a companion volume, "Graduate Education: Parameters for Public Policy," which contains information and discussion supporting the basic Report. These documents have been prepared in accordance with Section 4(g) of the National Science Foundation Act, as amended by Public Law 90-407.

Graduate education is a critically important element in the educational process and one which is entering a particularly difficult period. As the Board points out, graduate enrollments are expected to double and the costs of graduate programs are expected to quadruple during the next decade. Thus it is most important that colleges and universities, state and local authorities, and the interested branches of the Federal Government all re-examine their role with respect to graduate education.

On several occasions, most recently when I increased the expenditure ceiling of the National Science Foundation for the fiscal year 1969, I have emphasized our nation's special debt to its scientists and its special responsibility to maintain an outstanding record in both basic research and technological advance. I emphasize here again that education in general and scientific development in particular will be among the highest priorities in this Administration. One measure of the greatness and vitality of a nation is manifested, I believe, in its readiness to explore the unknown.

The National Science Board has rightly concluded that adequate funding for graduate education and for academic science is only one of the problems we face. Of comparable importance is the

need to develop a new strategy for that Federal aid which may be required. I have recently instructed the Secretary of Health, Education, and Welfare to establish an interdepartmental study group to make an overall review of the Federal role in education, including higher education. The Report of the National Science Board will provide a useful resource for that review.

I know that the Congress, like the Executive Branch, will give the Report its careful consideration. I solicit your assistance in developing solutions to the problems which have been identified by this distinguished group of citizens.

RICHARD NIXON.

THE WHITE HOUSE, February 18, 1969.

AMENDING RULES, HOUSE OF REPRESENTATIVES, TO CHANGE NAME OF COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. COLMER. Mr. Speaker, I call up House Resolution 89 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 89

Resolved, That rule XI of the Rules of the House of Representatives is amended—

(1) by striking out clause 19;

(2) by renumbering clauses 11 through 18 as clauses 12 through 19, respectively; and

(3) by inserting immediately after clause 10 the following new clause:

"1. Committee on Internal Security.

"(a) Communist and other subversive activities affecting the internal security of the United States.

"(b) The Committee on Internal Security, acting as a whole or by subcommittee, is authorized to make investigations from time to time of (1) the extent, character, objectives, and activities within the United States of organizations or groups, whether of foreign or domestic origin, their members, agents, and affiliates, which seek to establish, or assist in the establishment of, a totalitarian dictatorship within the United States, or to overthrow or alter, or assist in the overthrow or alteration of, the form of government of the United States or of any State thereof, by force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means, (2) the extent, character, objectives, and activities within the United States of organizations or groups, their members, agents, and affiliates, which incite or employ acts of force, violence, terrorism, or any unlawful means, to obstruct or oppose the lawful authority of the Government of the United States in the execution of any law or policy affecting the internal security of the United States, and (3) all other questions, including the administration and execution of any law of the United States, or any portion of law, relating to the foregoing that would aid the Congress or any committee of the House in any necessary remedial legislation.

"The Committee on Internal Security shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

"For the purpose of any such investigation, the Committee on Internal Security, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of

such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary, Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member."

Sec. 2. (a) Rule X of the Rules of the House of Representatives is amended—

(1) by striking out clause 1(s);

(2) by redesignating clauses 1(k) through 1(r) as clauses 1(l) through 1(s), respectively; and

(3) by inserting immediately after clause 1(j) the following:

"(k) Committee on Internal Security, to consist of nine Members."

(b) Clause 31 of rule XI of the Rules of the House of Representatives is amended by striking out "Un-American Activities" and inserting in lieu thereof "Internal Security".

Sec. 3. As of the date of adoption of this resolution, all property (including records) of the Committee on Un-American Activities is hereby transferred to the Committee on Internal Security and shall be available for use by the latter committee to the same extent as if such property (including records) was originally that of the Committee on Internal Security.

Sec. 4. Nothing in this resolution shall affect (1) the validity of any action or proceeding of the Committee on Un-American Activities or of the House of Representatives before the date of adoption of this resolution, or (2) the validity of any action or proceeding by any officer or agency of the executive branch of the Government, or by any court of competent jurisdiction, based on any action or proceeding referred to in clause (1) of this sentence. Any action or proceeding referred to in clause (2) of the preceding sentence and pending on the date of adoption of this resolution shall be continued by the officer, agency, or court concerned in the same manner and to the same extent as if this resolution had not been adopted.

The SPEAKER. The gentleman from Mississippi (Mr. COLMER) is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the usual 30 minutes to the minority to the gentleman from Ohio (Mr. LATTI) and pending that use of the time I yield 10 minutes to the gentleman from Missouri (Mr. ICHORD) the chairman of the House Committee on Un-American Activities.

The SPEAKER. For debate purposes?

Mr. COLMER. The rule calls for 1 hour, and it is limited.

The SPEAKER. The gentleman from Missouri (Mr. ICHORD) is recognized for 10 minutes.

Mr. ICHORD. Mr. Speaker, I appreciate the courtesy of the distinguished chairman of the Committee on Rules in yielding me this time so that I might explain the purpose of House Resolution 89, a resolution to clarify the mandate of the House Committee on Un-American Activities and to change the name of the House Committee on Internal Security, a name which I think more clearly indicates the scope of the work of the committee.

House Resolution 89 is identical to a resolution that was reported out by the Committee on Rules during the last Congress. This is a rule that falls within the original jurisdiction of the Committee on Rules. It is identical to H. Res. 143 that last year was reported out by the Committee on Rules but which was not taken

up during the final hours of the adjournment of the House.

Mr. Speaker, the charge has been made that this resolution infringes upon the jurisdiction of the great House Committee on the Judiciary. I wish to state at this time, Mr. Speaker, that the resolution is not intended to infringe upon the jurisdiction of the House Committee on the Judiciary and I state without equivocation or any mental reservation whatsoever that it does not infringe upon the jurisdiction of the House Committee on the Judiciary. I think that the need for the resolution is readily apparent by a cursory examination of the present mandate of the House Committee on Un-American Activities. The present mandate of the House Committee on Un-American Activities reads as follows:

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution.

Admittedly, Mr. Speaker, this mandate is very vague and ambiguous on its face, and this is the reason why I offered this resolution 2 years ago and reoffered it this session. This vagueness has given some credence to the charge that the committee is not interested in subversive activities but has the power to investigate unorthodox political views and opinions. Also the vagueness has unnecessarily caused the committee to become involved in many legal actions.

Mr. Speaker, I do not believe it possible to accurately define the jurisdiction of the House Committee on Un-American Activities by examining the mandate itself. It is true however that the Supreme Court decisions surrounding the work of the House Committee on Un-American Activities have lent some definite meaning to the very ambiguous terms used in the mandate.

The change in the language of the mandate of the new committee, the House Committee on Internal Security, is contained in the last few lines on page 1 of the resolution and the first line on the top of page 2 thereof. It reads as follows:

11. (a) Communist and other subversive activities affecting the internal security of the United States.

Now, this is intended for bill reference purposes only. There are many bills that are introduced in this body dealing with Communist activities. Some may or may not be constitutional; they may or may not be wise and prudent as legislative measures. But this is for bill reference purposes only. There are however many such bills, and, traditionally these bills are sent to the House Committee on Un-American Activities.

(b) The Committee on Internal Security, acting as a whole or by subcommittee, is authorized to make investigations from time to time of (1) the extent, character, objectives, and activities within the United States

of organizations or groups, whether of foreign or domestic origin, their members, agents, and affiliates, which seek to establish, or assist in the establishment of, a totalitarian dictatorship within the United States, or to overthrow or alter, or assist in the overthrow or alteration of, the form of government of the United States or of any State thereof, by force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means.

This resolution if adopted would give the Committee on Internal Security jurisdiction over revolutionary groups which would work toward the change or the alteration of our institutions and systems of government through revolutionary means outside the democratic process. It is not concerned with change through the democratic process which is, of course, inherent in our system of government. But every democratic government has the responsibility to take the necessary steps to preserve and protect itself from unlawful subversion.

Now, it does not give the committee jurisdiction over espionage as such, which is properly lodged within the Committee on the Judiciary. "Espionage" as used in the resolution is merely a modifying word and is used to describe the type of revolutionary activity over which the House Committee on Internal Security will have jurisdiction as distinguished from efforts to change our institutions through the democratic process. The second part, part (2), reads as follows:

* * * the extent, character, objectives, and activities within the United States of organizations or groups, their members, agents, and affiliates, which incite or employ acts of force, violence, terrorism, or any unlawful means, to obstruct or oppose the lawful authority of the Government of the United States in the execution of any law or policy affecting the internal security of the United States.

This is for the purpose of giving the committee jurisdiction over such groups as the Klux Klux Klan and black militant groups that may not be revolutionary groups in the traditional sense.

What we have attempted to do here—and I submit, do accomplish—is to spell out in clear and precise legal language a limited but very important field of law—criminal subversion.

I think what has happened is that the House Committee on Un-American Activities has been caught—not only the House Committee on Un-American Activities, but the House of Representatives itself—has been caught up in a battle between two extreme views in this country, the extreme view on the one hand that people with unorthodox political thought, political ideas or political ideologies, should be taken out and eradicated and in some way disposed of, and the equally absurd view on the other extreme holding that Congress has no business legislating or investigating in the very important field of subversion. As I stated before, this is the basic right of every democratic government. Subversion is as old as the history of organized society and the threat may be one form of ism today and a different one tomorrow.

The resolution spells out and gives the House Committee on Un-American Activities the power to make investiga-

tions into the matter of subversion, to advise the House of the nature and the extent of such activities so that the House and the Senate can legislate within this very important field and still preserve the constitutional liberties which we all cherish as Americans.

Mr. Speaker, I hope that the House of Representatives will give the new committee and the membership of this new committee a chance to make an effective contribution to the internal security of the Nation.

I ask that the Members of the House vote in favor of the previous question and subsequently thereto in favor of H.R. 89.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield for a question?

Mr. ICHORD. I gladly yield to the distinguished gentleman from Ohio, the ranking member of the Committee on the Judiciary.

Mr. McCULLOCH. Mr. Speaker, I thank the gentleman for yielding.

I ask the gentleman from Missouri (Mr. ICHORD) if the Members of the House of Representatives can understand from the statement of the author of the resolution that it was meant to clarify, but neither to enlarge the jurisdiction of the to-be-created Committee on Internal Security, nor to diminish the jurisdiction so long exercised by the Committee on the Judiciary of the House of Representatives?

Mr. ICHORD. That is quite true, and I am very glad that the gentleman asked that question in order to properly establish legislative intent.

The SPEAKER pro tempore (Mr. MILLS). The time of the gentleman has expired.

(Mr. ICHORD asked and was given permission to revise and extend his remarks.)

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

(Mr. LATTA asked and was given permission to revise and extend his remarks.)

Mr. LATTA. Mr. Speaker, at the outset let me say that I support House Resolution 89, wholeheartedly even though I would have preferred to have seen the name of this committee remain the same.

At every session of the Congress since I have been a Member, there has been a certain group of individuals who have attempted to bring an end to this committee. This session is no exception.

There have been those who always make attacks on the appropriations for this committee. Today there will be attacks made on this proposed change of name for the committee and for clarification of the responsibilities of the same.

Mr. Speaker, let me say that the Communist Daily World is against this resolution that we are discussing today—and speaking only for the gentleman now in the well, I cannot think of a better reason why I should be for the resolution.

The purpose of the resolution is to do just as the gentleman who preceded me in the well has stated, and that is to change the rules of the House of Representatives in three instances, each concerning the existing Committee on Un-American Activities.

The name of the committee will be changed to the Committee on Internal Security.

The membership of the committee will remain at nine.

Turning to page 2 of the resolution, let us examine the jurisdictional grant of authority being made to the committee.

Certainly, items (1) and (2) do not necessarily broaden the present powers of the committee to investigate internal subversive and anti-Government activities. But they do clearly spell out specific kinds of activities that fall under the jurisdiction of the new renamed committee.

Subparagraph (3) is merely a restatement of current committee jurisdiction. On page 3 of the resolution there is provision for the granting of subpoena powers and the right to hold meetings while the House is in session.

Section 3 and 4 of the resolution are technical amendments to insure, first, that all published documents and so forth of the Committee on Un-American Activities are transferred to the renamed Committee on Internal Security, and second, that the adoption of this resolution will not invalidate or in any way hinder any action or proceeding currently in existence which has been initiated by the Committee on Un-American Activities.

Speaking about the duties and responsibilities of this committee during the 91st Congress, let me say that I hope that this committee will go into the matter of SDS activities on our college campuses.

When this resolution was before the Committee on Rules, I asked the chairman of the committee whether or not it was the committee's intention to do this, and I might yield to him now to ask him if it is his intention to investigate the activities of this SDS group which is causing so much trouble on our college campuses.

Mr. ICHORD. Let me say to the honorable and distinguished gentleman from Ohio that at the meeting tomorrow I intend to lay before the committee a proposal to make a study in depth of revolutionary violence within this Nation.

I have publicly stated that if the SDS is conducting classes in guerrilla warfare, the making of molotov cocktails and other explosives, as testified to by J. Edgar Hoover before the House Appropriations Committee—and I have complete confidence in Mr. Hoover's testimony—then SDS should be investigated by a committee of Congress. This matter will be laid before the committee and appropriate action taken.

Mr. LATTA. I wish to commend the chairman for taking this position and for making this statement as I do not know of a more pressing problem than the one dealing with the activities of certain groups on our college campuses.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield for a question?

Mr. LATTA. I am happy to yield to the gentleman from Ohio.

Mr. McCULLOCH. Would the gentleman say to the Members of the House that it is his opinion and the opinion of the members of the Committee on Rules,

so far as he could determine it, that this resolution is without condition, to clarify and not to enlarge the jurisdiction of the Committee on Internal Security which is hereby created nor to diminish the present jurisdiction of the House Committee on the Judiciary.

Mr. LATTI. In answer to the gentleman's question, I would like to say as the gentleman from Missouri did today that there is no intention to expand the jurisdiction of this committee or any intention to encroach on the jurisdiction of any other committee.

Mr. McCULLOCH. I thank the gentleman.

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

Mr. LATTI. I yield to the gentleman.

Mr. WATSON. If I may pursue that question one step further, as the gentleman from Ohio just said on the question as to whether or not there was any intention to diminish the authority of the distinguished Committee on the Judiciary, and the response was, "No"—likewise this resolution in no way is intended to diminish the jurisdiction of the former House Committee on Un-American Activities; is that not correct?

Mr. LATTI. That is absolutely true and the gentleman in the well would not be for the resolution if he had the slightest thought that it would be diminishing the jurisdiction of the Committee on Un-American Activities.

Mr. WATSON. I appreciate the gentleman's statement and I wanted to have that clarified in the Record. I thank the gentleman.

Mr. COLMER. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the Committee on the Judiciary.

The SPEAKER pro tempore (Mr. MILLS). The gentleman from New York is recognized for 5 minutes.

Mr. CELLER. Mr. Speaker, I rise to oppose House Resolution 89. I urge my colleagues to join with me in rejecting this resolution irrespective of whether they support or oppose the operations of the Committee on Un-American Activities.

Rule XI of the rules of the House contains the jurisdictional charter of each standing committee, marking the boundaries of its legislative and investigative powers. Such demarcation is essential to the orderly and efficient conduct of the business of the House. A change in the jurisdictional charter of a standing committee should be approved only after the most painstaking and detailed examination and upon a record clearly demonstrating the need for the proposed change. I am not persuaded that such an examination has been undertaken in the case of House Resolution 89.

Before approving an amendment to the jurisdiction of a standing committee, the House should consider the effect of such an amendment on the jurisdictional mandate of other standing committees. Such a comparison is essential to avoid conflicts. A grant of jurisdiction, which, by its terms or by implication, conflicts with another committee's jurisdiction will surely lead to confusion and disputes in the future and may impair the effective flow of legislative business in this Chamber.

We are told by proponents that House Resolution 89 merely intends to "clarify" and not expand the jurisdiction of the Committee on Un-American Activities. But the present-day intent of any Member cannot protect against broadened interpretations of the committee's mandate in the future.

On January 27, when I learned that House Resolution 89 would be considered by the Committee on Rules, I wrote to Chairman COLMER and urged that no favorable action be taken by the Committee on Rules until the need for the proposed amendment had been demonstrated on the record, nor until the committee had considered whether or not the adoption of House Resolution 89 would result in a division of legislative and investigatory jurisdiction between two or more standing committees of the House.

I would urge the Committee on Rules to reconsider, what must be obvious to all, is a vague and imprecisely drawn amendment to the rules of the House. I also would urge that a thorough and detailed comparison be made between the language of House Resolution 89 and that which is already set forth in the jurisdictional mandates of other standing committees under rule XI, including that of the Committee on the Judiciary.

I am not persuaded that any of these essential studies have been undertaken, and until they are, I would urge my colleagues to vote down House Resolution 89.

Mr. Speaker, I am not one of those who have ranted and railed against the Un-American Activities Committee. But on this occasion I cannot remain quiet because I feel that this resolution poaches on the preserves of the Judiciary Committee.

The gentleman from Missouri makes the assertion that this resolution clarifies the jurisdiction heretofore given to the Un-American Activities Committee. I take issue with that statement. I believe the vague and imprecise wording of the resolution further obscures the jurisdiction of Un-American Activities Committee. It creates grave doubt as to what the jurisdiction of that committee really is.

Mr. Speaker, at this juncture I ask unanimous consent to have printed in the Record the letter, to which I have already referred, which I sent to the distinguished chairman of the Rules Committee, the gentleman from Mississippi (Mr. COLMER) under date of January 27, 1969.

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

There was no objection.

The letter is as follows:

JANUARY 27, 1969.

HON. WILLIAM M. COLMER,
Chairman, Committee on Rules,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: I am writing to express my opposition to H. Res. 89, a resolution to amend the Rules of the House of Representatives to change the name of the Committee on Un-American Activities, and for other purposes, which is now pending before the Committee on Rules.

The proposed rule would do much more than change the name of the Un-American

Activities Committee to the "Committee on Internal Security." It would also describe the jurisdiction of the Committee in broad, vague language whose ultimate consequences cannot be predicted. If all that is intended is a restatement of existing jurisdiction, the amendment is unnecessary and is undesirable because it might create jurisdictional disputes between Standing Committees of the House. If, on the other hand, it is intended to increase the jurisdiction of the Committee and confer investigative authority over subject matter not heretofore covered, the amendment should be opposed because no need has been demonstrated for any such expansion and because the resolution does not make clear what transfer of jurisdiction from what other Standing Committees of the House is contemplated.

In this respect, H. Res. 89 departs from recent precedent. On October 20, 1967, the House, by amendment of its Rules, transferred jurisdiction over military and national cemeteries from the Committee on Interior and Insular Affairs to the Committee on Veterans' Affairs. That amendment made perfectly clear the precise impact of the change in the jurisdiction of both Committees. The resolution apparently resulted from the cooperative efforts of the Chairmen of both Standing Committees involved. It was approved without opposition.

Such precedent should be observed whenever changes in the jurisdiction of Standing Committees of the House are made.

Illustrative of the vague and imprecise character of H. Res. 89 is the language authorizing investigations by the Committee with respect to activities involving "... violence, treachery, espionage sabotage, insurrection, or any unlawful means ..." (p. 2, lines 8-10). A comparison with Rule XI, clause 19, dealing with the present investigative jurisdiction of the Committee on Un-American Activities indicates that the present jurisdiction is limited to "un-American propaganda." Read literally, the language in H. Res. 89 thus contemplates a substantial expansion of the investigative authority of the Committee.

Further, a comparison with Rule XI, clause 12, dealing with the jurisdiction of the Committee on the Judiciary indicates that insofar as espionage is concerned, subparagraph (c) of clause 12 specifically confers such jurisdiction on the Committee on the Judiciary. Traditional practice and custom also indicate that the Committee on the Judiciary, established in 1813, historically has exercised legislative jurisdiction over bills dealing with crime, espionage, sedition and penalties (Hines Precedents, vol. IV, sec. 4069 et seq., Cannon's Precedents, vol. VII, sec. 1747 et seq.). Paradoxically, one consequence of adoption of H. Res. 89 might be a division of legislative and investigatory jurisdiction between two Standing Committees of the House on the subject matter of certain crimes and penalties.

Changing the name of the Committee on Un-American Activities may or may not be appropriate. However, the aggrandizement of that Committee by the delegation to it of jurisdiction customarily exercised by the Committee on the Judiciary is a matter of critical concern to me.

I would appreciate it if you would make this letter part of your Committee's record on H. Res. 89.

Sincerely yours,

EMANUEL CELLER,
Chairman.

Mr. CELLER. Ordinarily, when the jurisdiction of a standing committee is changed, there is a hearing and a full record developed. There is careful inquiry and investigation made as to whether a change in the rules is justified. But there has been no record made here to support the proposed changes. We are not told even what jurisdiction, if any,

February 18, 1969

would be taken from one committee and granted to another. That question is left unanswered.

As one reviews the history of the House Un-American Activities Committee, he observes that the exercise of jurisdiction by that committee has not been unaccompanied by puzzlement and befuddlement. With the passage of this resolution, and as cases come before the courts, there will be even more befuddlement and more puzzlement and more confusion. I do not think even the distinguished chairman of that committee, for whom I have a deep and abiding affection and a high regard, is going to benefit very much by the adoption of the resolution.

For example, specific mention is made of espionage. Since 1813—for over 150 years—the Judiciary Committee has had jurisdiction over espionage. Espionage is also specifically mentioned in House Resolution 89. It is mentioned along with some so-called clarifying language. If a bill is offered that mentions espionage, what will the Parliamentarian do? What will the Speaker do? Will that bill be referred to this so-called new committee, the old House Un-American Activities Committee? Will it be referred to the House Judiciary Committee? We should not permit that doubt.

That uncertainty will hold good for many of the specific items mentioned in the bill, such as sabotage, insurrection, and so forth.

It is because of such doubts that I raise these questions. Therefore, I hope that the Members of this House, will carefully reexamine this question and reject House Resolution 89.

A change in name is proposed to be effectuated. Although I am not so much interested in the change of name, it is well to make one or two observations with reference thereto.

I remember that Lincoln once asked this question: "If you call a dog's tail a leg, how many legs will the dog have?" Someone answered, "Five legs."

Lincoln said, "No, the dog would still have four legs, because calling the dog's tail a leg does not make it a leg."

There is another old adage that is well to bring forward now: "An ass is an ass although his saddle cloth be satin." Whatever the committee is called the important thing is what is being done under the name of that committee. It is well to keep that in mind. It is what the committee has done that has caused all the contention and difficulty.

Therefore, I must perforce indicate my opposition to House Resolution 89.

Mr. LATTA. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio (Mr. ASHBROOK).

Mr. ASHBROOK. Mr. Speaker, I rise in support of House Resolution 89 which I am proud to cosponsor with the gentleman from Missouri and the gentleman from California.

As ranking minority member of the committee, I have given serious thought to the idea of a new mandate for the Committee on Un-American Activities for a number of years, have discussed it with the gentleman from Missouri as well as other committee members, and

have carefully studied his proposed new mandate.

Before stating the reasons why I urge adoption of House Resolution 89, I would like to make one important point. I believe it is essential that this point be very clearly stated at this time before, as I hope, the House confers a newly worded mandate on the Committee on Un-American Activities. The point is this:

Neither I nor any other member of the Committee on Un-American Activities, to my knowledge, believes that the present mandate is constitutionally infirm on the ground of vagueness or any other ground.

During the 30 years the present mandate has been operative as the authority of the Committee on Un-American Activities, it has been challenged over and over again in the courts of our land—more times than I can remember at the moment. It has survived each and every one of these challenges. Attorneys for the Communist Party and other enemies and critics of the committee have racked their brains for years to find some legal or constitutional point on which they might get the Supreme Court to nullify the present mandate as violative of the Constitution. They have never succeeded. In case after case, they have gone to courts of appeals and then on to the Supreme Court with their claims against the committee's mandate. In not one case have they been upheld.

The landmark Supreme Court decision on the question of the constitutionality of the present mandate is the 1959 *Baranblatt* case which settled once and for all—by rejecting it—the often heard claim, the one that is so frequently pressed, that the mandate is so vague that it can not be supported under our Constitution. The Supreme Court held, and I quote:

The rule cannot be said to be constitutionally infirm on the score of vagueness.

I stress the word "cannot."

This tribute to the present mandate should be a part of this record at the hour of what, I believe, will be its retirement. For 30 years, it has served the committee, the House, and the Nation well. The Court's words are a tribute to the judgment of the House. If we are to bury the mandate now—and I think my role as a cosponsor of House Resolution 89 makes me kind of an honorary pallbearer in the ceremony—it should be with respect and with pride. I for one, feel no shame for the old mandate of the committee.

But, why do we need a new mandate if the old one is constitutionally sound? My answer is this. When dealing with subversive activities, we are engaged in more than a purely constitutional and legal battle. We are also involved in a form of political propaganda, and psychological warfare, and in these areas, there are certain disadvantages in the name of the committee and the wording of its present mandate.

Despite the 10-year old *Baranblatt* ruling, the Communist Party, the fronts it has created to work for abolition of the committee, other Communist groups, and assorted individual, newspaper, and organizational enemies of the committee,

still obtain credibility with their claim that the committee's mandate is unconstitutionally vague because of the word "Un-American" in it.

Despite numerous holdings of the courts to the contrary, the same critics repeatedly claim—with some success—that the investigation of propaganda, another word in the committee's mandate, is a violation of the first amendment, an invasion of one's right to speak and write freely and to hold such political views as he chooses.

By their constant attacks on the committee on these two major points, Communists and other committee enemies have scored significant gains in what I have referred to as the political, propaganda, and psychological war this House is engaged in, in its efforts to combat subversion. Specifically, they have raised doubts and concern in the minds of many loyal and decent Americans who have no sympathy whatsoever with those people—Communists, Nazis, Fascists, or others—who would destroy this Nation with the help of hostile foreign powers, or even alone if they could. They have raised doubts, I say, in the minds of these people about the fairness and wisdom of the House in creating, and continuing the life of, the Committee on Un-American Activities.

The present mandate, in other words, has a few words and phrases in it that enable the enemies of this country to further their cause by effectively hanging certain "smear America" and "smear the Congress" propaganda operations on them.

Times change. Concepts and ideas, words and phrases, that were politically effective 20 and 30 years ago are not necessarily effective today. Developments in recent years have indicated that a change in the name and mandate of the committee might be advisable. This has been discussed within the committee for a considerable length of time and I know, for example, that the late former committee chairman, Tad Walter, a few years before his unfortunate death in 1963, gave serious thought to this, although he eventually decided not to act upon it.

While on this matter, it should be pointed out that it is not only the enemies of the committee who have been critical of the words and the phrases in its mandate I have referred to. William F. Buckley, Jr., for example, the well-known editor of the conservative *National Review*, who has also edited a book supporting the committee and its work, as well as some other friends and defenders of the committee, have raised questions about the wording of the mandate.

These are the reasons why, I believe, the House should act favorably on the measure now before us. A reading of the new mandate of the Committee on Un-American Activities, to be renamed the Committee on Internal Security, makes it clear beyond all doubt that, the wording is much superior to that of the old mandate. This is true not only from the legal and constitutional viewpoint, but also from the viewpoint of political reality. It is much more precise in spelling out just what the committee is empow-

ered to investigate. As the gentleman from Missouri has stated repeatedly—and I agree with him completely on this—it does not change the power or the authority of the committee. It retains for it all the authority it has had for the past 30 years under its old mandate, neither diminishing nor expanding it—authority, I should add, which the courts have consistently upheld as constitutional.

Periodically, over the last 25 years, it has been urged by a few Members that the investigation of subversive activities be turned over to the Judiciary Committee. Not once in the course of the 37 years during which the House has been investigating subversive activities, however, has this view been accepted. Time will not permit me to spell out now all the reasons why it would be most unwise to transfer the jurisdiction of the Committee on Un-American Activities to the Judiciary Committee. However, I do ask, Mr. Speaker, for leave to extend and revise my remarks so that this RECORD will clearly reflect why the House on various occasions in the past has not agreed to such a move and why it should not do so now.

I am certain that there is no doubt in the mind of the great majority of the Members of this House but that we should continue our 37-year practice, tradition—and duty—of investigating subversive activities so that the Congress—in the people's interest—will be enabled to take all legislative measures possible to protect the security of this Nation. It is my carefully considered view that House Resolution 89 is the best possible foundation for continuing this vital activity and I join with the gentleman from Missouri in strongly urging that it be passed.

Now I would like to address my remarks particularly to the question that was raised by my distinguished colleague from Ohio, the ranking minority member of the Committee on the Judiciary (Mr. McCulloch). He expressed the concern whether or not it was the intention on our part in any way to expand our jurisdiction or invade what might be called the prerogatives of the Judiciary Committee. I would say to the gentleman and to the Members of the House that there is no inclination on the part of any member of this committee to do so. It is our belief that there is nothing contained in this resolution which would allow us to do so.

I can say as the ranking minority member, there is no area that we intend to investigate that we could not now investigate. We are simply trying to clarify the mandate of our committee.

The contention that we will be invading the jurisdiction of the Judiciary and that our functions should be transferred to the Judiciary Committee are the basic arguments against House Resolution 89. I do not believe either contention should be accepted by this House.

In his appearance before the Rules Committee on February 4, the gentleman from Iowa (Mr. CULVER) advanced a number of arguments in support of House Resolution 211, which he had introduced to abolish the HCUA and transfer some,

but by no means all, of the functions of the Committee on Un-American Activities to the Judiciary Committee. Inasmuch as the same basic arguments will probably be made a part of the RECORD today, I will make the following observations concerning them.

The gentleman from Iowa said that one of the purposes of his resolution was “to consolidate internal security functions in the one Committee which presently has jurisdiction over espionage as well as the criminal code in general.”

Let us examine the two basic points in that argument—those relating to espionage and the criminal code.

We are all agreed, I am sure, that internal security functions should be consolidated in one committee, but why the committee that has jurisdiction over espionage?

It is true that during the 1930's, during the period of World War II, and for some time thereafter, the U.S. Communist Party was deeply involved in espionage. The Committee on Un-American Activities, however, played a major role in terminating its extensive activities in this area. The revelations of Whittaker Chambers, Elizabeth Bentley, and others before the committee in the latter part of the 1940's, along with subsequent committee hearings on the subject—and the trials of the Rosenbergs and others which were based on the work of the FBI—resulted in Moscow's instructing the U.S. Communist Party to divorce itself from the espionage business. Since that time, espionage in the United States has been the province of Soviet military intelligence, the GRU, and Moscow's civilian espionage agency, the KGB.

If it is intended that the House will continue to investigate all Communist and other subversive activities, then the Judiciary Committee's traditional jurisdiction over espionage legislation is no argument for transferring the functions of the Committee on Un-American Activities to that committee.

The Bolsheviks did not take over Russia through espionage; Moscow did not take over its satellites in Eastern Europe through espionage; the Communists did not take over China through espionage; Castro did not take over Cuba through espionage; and while espionage has been a traditional Communist weapon, the U.S. Communist Party has never hoped to take over this country solely or primarily through espionage.

This House first decided that investigation of communism was called for 39 years ago—in 1930. House Resolution 220 of the 71st Congress, second session, did not provide for an investigation of Communist espionage, however, but of Communist propaganda in the United States. Even then, the House recognized that the major danger in communism was not the theft of some Government secrets, but its attack on men's minds. Pursuant to that resolution, a special committee, since generally referred to as the Fish committee, was established to investigate Communist propaganda.

In 1934, House Resolution 198 of the 73d Congress authorized the creation of a Special Committee on Un-American Activities not to investigate Nazi and

certain other espionage, but “Nazi propaganda activities” and “certain other propaganda activities.” This was the so-called McCormack-Dickstein committee. It was chaired by the present distinguished Speaker of the House. The name of that committee and the wording of its mandate again demonstrated that, as far back as 35 years ago, the majority of the Members of the House perceived what was the real danger in the foreign “isms” that were trying to gain a foothold in this country.

In 1938, when the present Committee on Un-American Activities was first established as a special committee, it was created not because the House believed that the national problem requiring the attention of a special committee was Communist, Nazi, and Fascist espionage, but rather Communist, Nazi, and Fascist propaganda activities—again, the attacks of these foreign “isms” on the minds of the American people, their attempts to win adherents and agents in this country, to turn loyal Americans into traitors. This is why the original mandate of the committee contained the word “propaganda.”

To summarize, the great majority of the Members of the House, during the past 39 years, have exhibited a clearer understanding and comprehension of the evils and dangers of communism than some Members do today. They have realized that the Communist propaganda they have been rightly concerned about could—as it has—create Rosenbergs, Hisses, and Remingtons.

If it is to be argued that the functions of the Committee on Un-American Activities should be transferred to another committee, and to a committee which already has jurisdiction over an area in which there is continuing, significant, Communist activity, then it would be far more logical to transfer its functions to the Education and Labor Committee, rather than the Judiciary Committee. I say this because for the past 15 years or so, the Communist Party has been far more active in the field of education and labor than it has been in the field of espionage.

In addition, there are other clearly subversive groups in this country whose activities warrant investigation but which, so far as the public record shows, have never been engaged in espionage. I am referring, for example, to the openly Communist and revolutionary, Peking-oriented, Progressive Labor Party and also to certain black militant organizations which are openly advocating guerrilla warfare and are training and arming their members for this purpose. Nothing in the Judiciary Committee's mandate would justify a claim to jurisdiction over their activities.

The fact that espionage happens to be in the jurisdiction of the Judiciary Committee, therefore, is really—to those who know something about subversive activities in this country—no argument for transferring the broad functions of the Committee on Un-American Activities to that committee.

Espionage is as old as governments. It was a problem that existed many, many years before we ever heard of Com-

February 18, 1969

CONGRESSIONAL RECORD — HOUSE

H 963

munists, Nazis, or Fascists in this country. The House did not originally create the Committee on Un-American Activities to deal with any special problem caused by espionage and, although Communist espionage activities have always been recognized as being within its jurisdiction, that has never been considered by informed persons as a major reason for the existence of the Committee on Un-American Activities.

The argument that investigation of subversive activities should be turned over to the Judiciary Committee because that committee has jurisdiction over "the criminal code in general" is equally fallacious. Nowhere in the rules of the House is it stated that the Judiciary Committee has jurisdiction, exclusive or concurrent, over all statutes or bills containing criminal provisions. It is certainly erroneous to claim that it has jurisdiction over all such statutes except those assigned to the Committee on Un-American Activities.

In addition to the Committee on Un-American Activities, the Committees on Veterans' Affairs, Post Office and Civil Service, Merchant Marine and Fisheries, as examples, have been responsible for the enactment of various regulatory statutes in the area of their jurisdiction which provide criminal penalties for acts committed in violation of the statutes' provisions. No one has ever contended, however, that amendments to these statutes or new bills in these areas are the jurisdiction of the Judiciary Committee.

The mere fact that a bill has a criminal provision in it does not mean and has never meant that it is—or should be—referred to the Judiciary Committee. Bills and statutes dealing with subversive activities are generally recognized as being within the jurisdiction of the Committee on Un-American Activities, even though they may contain criminal provisions.

The gentleman from Iowa next argued that the committee's function should be transferred to the Judiciary Committee so that investigation of subversive activities would be assigned to Members "who are lawyers and can bring to bear the required judicial temperament in this highly sensitive area bearing so immediately on constitutional responsibilities and restraints."

As a lawyer myself, with appropriate respect for my profession and its members, I reject the idea that only lawyers are capable of judicious legislative behavior and of sitting in competent judgment on legislation dealing with subversive activities. I have been a member of the Committee on Un-American Activities for 6 years and have read its hearings and reports, going back many, many years. Analyzing the testimony received and numerous books on communism which I have read or with which I am familiar, the one thing that is clear beyond all doubt in my mind is that the persons in this country who are best informed about communism, those who are generally recognized as being authorities or experts on the subject, are for the most part nonlawyers.

Expertise on subjects within a committee's jurisdiction is most desirable.

But a law degree gives no one expertise on subversion and knowledge of it is essential to effective legislation and investigation. We would be denying the Committee on Un-American Activities valuable members if we were to make it compulsory that all members be lawyers.

There should always be a good proportion of lawyers on the Committee on Un-American Activities. The committee does deal not only with highly sensitive, but extremely complicated, constitutional issues. For this reason, I am glad that it is the policy of the Democratic Party to require that its members who are assigned to the Committee on Un-American Activities be lawyers. I believe it would be a grave mistake, however, for the Republican Party to do the same, or to transfer the committee's functions to a committee made up entirely of lawyers.

There is no profession or trade in this Nation that does not have a vital interest in protecting the security of our country and which does not have representatives far better informed about communism and other subversive activities than many lawyers are. To the greatest degree possible, the House committee investigating subversion should be representative of all walks of life, and not merely the legal profession. Breadth of vision, outlook, and interest is most desirable and needed on the committee.

Finally, it is urged that the functions of the Committee on Un-American Activities be turned over to the Judiciary Committee in order "to withdraw from this investigative activity the imprimatur of special legitimacy suggested by the designation of a standing committee."

This is asking the House to reverse a decision in which it has persisted—against all arguments—for 24 years. Of course, it is possible that the House could be mistaken in its judgment for such a length of time, but no facts have been presented to indicate that this is so.

And what must we and the American people think of the suggestion that protecting this country and its people from the operations of those who would destroy this Nation and the liberties of its people is unworthy of the same consideration given to problems of transportation, agriculture, veterans' affairs, and other matters which have the "imprimatur of special legitimacy" conferred by the jurisdiction of standing committees?

The Supreme Court itself has stated:

To preserve its independence, and give security against foreign aggression and encroachment, is the highest duty of every nation.

The Court of Appeals for the District of Columbia, in a decision on the Committee on Un-American Activities, has stated that the Government of the United States, of which this Congress is a part, has "a prime obligation to protect for the people that machinery of which it is a part."

I have no desire to disparage in any way the work of other standing committees of the House, or to underrate the importance of various other areas of our national life, but I know of no court decision which has ever conferred on any matter in the jurisdiction of other committees an "imprimatur of special

legitimacy" equal to that conferred on the Committee on Un-American Activities by the above-quoted, and numerous other, Court decisions.

Protecting this country from those who would destroy it from within, whether they be agents of foreign powers or indigeneous enemies of democracy, is a vital part of our overall defense effort. For 24 years, the House has taken the position that investigating the activities of such elements has the same legitimacy as its concern with our Armed Forces and the conduct of our foreign policy. No valid reason has been presented for a change in the position of the House on the subject.

Mr. Speaker, there are yet other reasons for opposing this transfer to the Judiciary Committee which has been proposed.

THE JUDICIARY COMMITTEE IS ALREADY OVERWORKED

On the average, 40 to 45 percent of House legislation emanates from the Judiciary Committee. In the 90th Congress, more than 38 percent of all bills introduced in the House—and they totaled over 24,000—were referred to the Judiciary Committee.

During the debate on the Legislative Reorganization Act of 1946, the present chairman of the Judiciary Committee protested that the reorganization bill would reduce the members on the Judiciary Committee from 27 to 25, even while imposing more work on the committee by giving it jurisdiction previously exercised by four standing committees.

He pointed out that as a result of its "avalanche of business," the Judiciary Committee had already been divided into five subcommittees and all five were then behind in their work because of the "tremendous number of bills" which were continually referred to the Committee on Judiciary. He enumerated the additional duties being imposed on the Committee, their complexity, the hundreds of additional bills it would have to consider each year because of them, and then stated:

How we are going to do all that work with 25 members is beyond my comprehension.

That, gentlemen, was 23 years ago. What is the situation today as far as the Judiciary Committee is concerned? The committee has had its membership enlarged to 35. Despite this, everyone knows that it is the most overworked committee in the House. It now has seven subcommittees and its jurisdiction embraces 19 different subjects. I can say without fear of contradiction, because it is known to everyone, that it is having difficulty—and has always had difficulty—keeping up with all the work that is assigned to it.

Imposing on the already overworked Judiciary Committee the numerous problems associated with the operations of the Committee on Un-American Activities would mean either one of two things: First, that much less would be done in the field of countering subversion; or second, that other vital matters which are already within the province of the Judiciary Committee would be neglected.

JUDICIARY COMMITTEE DOES NOT WANT JURISDICTION

At no time since the Committee on Un-American Activities was created has

1964

CONGRESSIONAL RECORD — HOUSE

February 18, 1969

the Judiciary Committee stated or indicated that it wished to take over the investigation of subversive activities.

At no time during the 20 years he has served as chairman of the Judiciary Committee has the present distinguished chairman of that committee asked or urged that the investigation of Communist activities and subversive activities in general be turned over to his committee. Moreover, over the years, not more than a handful of members of that committee have ever made such a suggestion.

Not a single member of the Judiciary Committee appeared before the Joint Committee on the Organization of the Congress during its 1965 hearings to urge that the Judiciary Committee be granted the authority of the Committee on Un-American Activities.

At no time during the debate on the Legislative Reorganization Act of 1946 did a single member of the Judiciary Committee recommend that the functions of the Committee on Un-American Activities be turned over to that committee.

In addition to the fact that the chairman of the Judiciary Committee has never asked for authority to investigate subversive activities, prominent members of that committee have consistently and strongly opposed the transfer of such authority to it.

The late Francis E. Walter served as a Member of Congress for 30 years. He was a member of the Judiciary Committee for 28 of those years and, for many years, the chairman of its Immigration and Naturalization Subcommittee. In addition to being chairman of the Democratic caucus and chairman of the Democratic patronage committee, he served on the Committee on Un-American Activities for 14 years and was its chairman for 8 years.

In February 1963, when the Rules Committee held hearings on a resolution which would transfer the functions of the Committee on Un-American Activities to the Judiciary Committee, Mr. Walter was in the hospital where he died a few months later of leukemia. Unable to testify before the Rules Committee, he addressed a letter to Judge Smith, its chairman, in which he strongly opposed the resolution and urged that the Rules Committee reject it. The Rules Committee did so.

Enemies of the Committee on Un-American Activities frequently point out that Mr. Walter had stated some years before that he was not irrevocably wedded to any particular structural organization for the unit of the House charged with investigating subversive activities and that he had said that, in his opinion, when the Committee on Un-American Activities was first established, it should have been as a Subcommittee of the Judiciary Committee.

In his letter to Judge Smith, Mr. Walter pointed out that these earlier statements "were on the purely theoretical level." He added:

When we consider the advisability of actually transferring the Committee's functions to another committee at this very late date, my experience as Chairman of the Committee for eight years has convinced me

that certain very practical considerations arise which strongly militate against such action.

He then listed six compelling reasons why he strongly opposed any move to transfer the authority of the Committee on Un-American Activities to the Judiciary Committee.

Our recent colleague, Edwin E. Willis, served in the Congress for 20 years. He was a member of the Judiciary Committee throughout those 20 years and, in addition, served as chairman of four of its subcommittees. Moreover, he was a member of the Committee on Un-American Activities for 13 years and its chairman for 5 years. Throughout his congressional career, he opposed and fought every move to transfer the functions of the Committee on Un-American Activities to the Judiciary Committee.

I submit there are no Members of this body who, by reason of experience, are better qualified than these two men to form a sound judgment as to the advisability of imposing on the Judiciary Committee the duties of the Committee on Un-American Activities. Tad Walter and Ed Willis were recognized as outstanding Members of the House. They were prominent on both committees for many years and devoted to both committees. They knew the problems of both committees well and, in their wisdom, always urged the retention of the Committee on Un-American Activities as a standing committee.

HOUSE HAS REPEATEDLY REJECTED IDEA AS UNSOUND

It is now being argued that, if the House will only give full and careful consideration to the idea of transferring the functions of the Committee on Un-American Activities to the Judiciary Committee, it will see wisdom in this step and decide to take it.

This argument deserves careful analysis because the fact is that the House has repeatedly considered the idea—directly or indirectly—over a period of many years and rejected it every time it has been proposed.

Just 3 years ago, in the 89th Congress, a Joint Committee on the Organization of the Congress was established pursuant to Senate Concurrent Resolution 2, adopted on March 11, 1965. The joint committee held lengthy hearings. It heard 199 witnesses, more than 100 of them Members of the Congress. Testimony received was published in 15 volumes, totaling 2,322 pages.

Two separate recommendations concerning the Committee on Un-American Activities were heard by the joint committee. Representatives of two Communist fronts and a representative of the ACLU urged that the committee be abolished. One Member of the House urged that the committee's functions be transferred to the Judiciary Committee.

On July 28, 1966, the joint committee published a 97-page report. The report rejected both the recommendation that the Committee on Un-American Activities be abolished and also the recommendation that its functions be turned over to the Judiciary Committee.

In 1963, as previously indicated, the Rules Committee held hearings on reso-

lutions introduced by three Members of the House to eliminate the Committee on Un-American Activities and transfer some of its functions to the Judiciary Committee.

On February 26, 1963, the Rules Committee, after due deliberation, voted 12 to 1 against reporting the resolutions.

In 1945 the House found itself in an unfortunate situation which interfered with, and strongly hampered, its effective operation as the legislative and investigative agency of the American people—that arm of Government which is the most immediate expression of the will of the people in the affairs of our Nation.

The House then had 48 standing committees—far too many. The Members of the 79th Congress wisely decided to do something to correct this situation, to reorganize and streamline this body, so that it could effectively meet the great challenges it faced in the period immediately following World War II.

A Joint Committee on Reorganization of the Legislature was formed. Senator Monroney, then a Member of the House and the vice chairman of the joint committee, described the situation which then prevailed in the House as "a sprawling, overlapping, crazy quilt" that presented the Congress with a "hopeless morass of legislative difficulties."

Five months of hearings followed the formation of this joint committee. These hearings comprised the most thorough analysis and review of the Legislature of this country, its basic and necessary functions, and the type organization needed to carry them out in the most sufficient possible manner that had taken place since our Government was established.

These extensive hearings and debates culminated in Public Law 601, the Legislative Reorganization Act of 1946, which, in effect, established the structure of the Congress as we know it today. Public Law 601 reduced the standing committees of the House from 48 to 19. It eliminated 29 standing committees as superfluous. At the same time, however, it retained the Committee on Un-American Activities as a standing committee even though the committee had enjoyed that status for only a year.

Most significantly, during all the debate on the Legislative Reorganization Act, no proposal was ever made that the function of the Committee on Un-American Activities be turned over to the Judiciary Committee. A proposal to abolish the committee mustered only 25 votes.

Now, let us go back to 1930 when the House undertook its first investigation of communism. It could have decided at that time to assign the task of investigating Communist propaganda to the Judiciary Committee. Apparently, however, seeing absolutely no logical reason or justification for doing so, it created the Fish committee, a special committee, to conduct the investigation.

The same thing happened in 1934 when the House, for the second time, decided to investigate subversive elements in this country. No one, apparently, believed there was any good reason to assign the task to the Judiciary Committee, and so the McCormack-Dickstein

February 18, 1969

CONGRESSIONAL RECORD — HOUSE

H 965

committee, another special committee, was set up to do the work.

And, of course, the same thing happened in 1938 when the Committee on Un-American Activities was first established as a special committee. This time, with the experience of two special committees behind it, it apparently never occurred to anyone in the House that there was some need, reason, or justification for assigning an investigation of this type to the Judiciary Committee.

In each of the succeeding Congresses, through the 78th, the House, instead of continuing the life of the Special Committee on Un-American Activities, could have conferred its authority on the Judiciary Committee. Instead, with due deliberation and thought, it voted in each Congress to renew the life of the Special Committee on Un-American Activities. Finally, in 1945, the year before the Reorganization Act, the House voted to make the Special Committee on Un-American Activities a standing committee. There was no hue and cry, no urging that the functions of the special committee be turned over to the Judiciary Committee rather than a standing Committee on Un-American Activities.

And so we have a clear and unbroken record of almost 40 years; we have a House tradition; we have a House policy which states, in effect, that on organizational, constitutional, or other grounds, there is no basis for a claim that investigation of subversion should be in the hands of the Judiciary Committee.

How can it be argued, in view of this history, that the House has not given careful thought to the idea in the past? Is it not true that each time the House considered the question of voting on a committee to investigate subversion during the past 40 years, its Members must have given serious thought about how best to do it, which committee and which kind of committee would be best suited to the task? At this point, it appears to me, as I am sure it must to many others, that further consideration of this question would serve no purpose except to waste the time of the House.

As a member of the Committee on Un-American Activities, I have naturally kept myself informed about the various proposals made affecting it. I have read and listened to the arguments pro and con these various proposals. I must say frankly that in the 8 years I have served as a Member of the House, I have not read or heard a single argument on this issue that provided any logical grounds for changing the reasoned and well-established policy of the House.

NONPARTISAN INVESTIGATION OF SUBVERSION
DESIRED

The House wisely decided years ago that its investigations into Communist subversion, no matter what form it took, should be as nonpartisan as possible and that, from the organizational viewpoint, steps should be taken to see that investigations would not become political footballs.

For this reason, the House deliberately created the Committee on Un-American Activities with a structure different from that of all other committees, to make it as nonpartisan and nonpolitical as pos-

sible. Throughout its life, except for a lapse during the 89th Congress, the House has given the majority and minority parties equal representation on the committee—four Republicans and four Democrats—with the chairman being a member of the majority party.

The record of the Committee on Un-American Activities has been excellent in keeping partisan politics out of its work. But we must all face the fact that if we were to give either party a significant majority on the committee, we would be creating a very real danger that investigations in this field could become partisan.

The Judiciary Committee, like all other committees except the Committee on Un-American Activities, is political, or partisan, in its structure. Its 35 members are now divided between the majority and minority parties on the ratio of 20 to 15.

It is vital that Congress and the American people have full confidence in the activities of the House in this area. They must know that its investigations are not politically inspired. The organizational setup of the Committee on Un-American Activities is designed to give them that assurance; the setup of the Judiciary Committee is not. For this reason, too, it would be an error to transfer the functions of the Un-American Activities Committee to the Committee on the Judiciary.

INVESTIGATION OF SUBVERSION SHOULD NOT BE
DOWNGRADED

The Communist Party and other subversive elements in this country have been working for the abolition of the Committee on Un-American Activities virtually from the day it was created. They want it eliminated completely.

Transferring the committee's functions to a Judiciary Committee subcommittee would not completely satisfy the Communists, but it would be a step in the direction they want because it would very clearly downgrade the importance this body attaches to protecting our internal security by thoroughgoing investigation of subversive activities. In this respect, it is most important to point out that not one of the various resolutions introduced over the years to transfer the investigation of subversion to the Judiciary Committee would have conferred on the new Judiciary Subcommittee all the power and authority exercised by the Committee on Un-American Activities. Each and every one of them, in one way or another, would have limited or curbed the authority the Committee on Un-American Activities has enjoyed for 30 years.

This question, therefore, must be examined in its real light. The proposals at issue have not been simply proposals to transfer authority. They have been, and are, proposals to abolish the Committee on Un-American Activities, to take away from the House an investigative power it has enjoyed for 30 years and supplant it with a much reduced authority.

HOUSE ORGANIZATION SHOULD NOT BE
IDEOLOGICAL

During the debate on the Legislative Reorganization Act of 1946, one Member of the House proposed that the Com-

mittee on Un-American Activities be eliminated as a standing committee.

Senator Monroney, the floor leader on the bill as well as vice chairman of the Committee on Reorganization, objected to the proposal on the grounds that it did not concern the "functional reorganization of Congress," but was rather a political or ideological consideration."

Obviously, the House should be organized in the manner best calculated to enable it to carry out its constitutional functions. Its organization should not be based on the ideology of a distinct minority of its Members. During the 30-year existence of the Committee on Un-American Activities, a relative handful of the thousands of Members who have served in the House have urged that its functions be turned over to the Judiciary Committee or that it be completely abolished.

When the arguments these Members have advanced in support of their position are studied, when their comments related to the committee and the investigation of subversive activities in general are analyzed, it becomes clear that their position is designed neither to improve the organization and the effectiveness of the Congress as such, nor to bring about more intensive and forceful effort against subversion in both the investigative and legislative fields. It becomes apparent—though I do not question their motives or the sincerity of their beliefs—that they want less done in this area and oppose the committee because, in their view, it does too much. They feel confident less would be done under the Judiciary Committee.

To put it in a nutshell, their recommendation, as Senator Monroney said of a similar one in 1946, is ideological or political. For this reason, it should be rejected.

HOUSE SHOULD NOT UNFAIRLY ATTACK ITSELF

All proposals to abolish the Committee on Un-American Activities and/or transfer its authority to the Judiciary Committee have been based on unfounded claims that the committee has continuously operated in an irresponsible, undemocratic manner; that it has failed to abide by rules of fair procedure; that it is a threat to the constitutional rights and civil liberties of American citizens and so on, ad infinitum.

The House has rightly rejected these charges for 30 years. For the House to affirm these unfounded accusations today by transferring investigation of subversion to the Judiciary Committee would be tantamount to admitting that the charges I have referred to have been true all along, that the House has been in error in rejecting them for the past 30 years and that the House has, in effect, condoned, financed and approved what were actually un-American operations by one of its own creatures.

There is no basis for such an admission. The charges are not true and I am certain that the Members of this House will not thus falsely condemn themselves and their former colleagues.

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

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

Mr. SCOTT. I thank the gentleman for yielding.

Mr. Speaker, in reading the resolution I see it refers to investigative authority of the committee.

Will the committees under this resolution have authority to originate legislation as well as to investigate?

Mr. ASHBROOK. Our committee has always had authority to make investigations and to offer such remedial steps as are necessary. This may demand legislative action or executive department action. In the past 10 or 15 years, I will say frankly, most recommendations we have made have dealt with steps to be taken in the structure of the agencies of the executive departments of the Government. For example, almost a decade ago when Bernon Mitchell and William Martin defected to the Soviet Union the House Committee on Un-American Activities conducted a thorough investigation. No legislation came as a result of this inquiry which was brought to the House but, even more important, recommendations were made to the President which resulted in a number of significant changes in security practices within the NSA. The late Allen Dulles edited a new book, entitled "Great True Spy Stories," which notes on page 67:

Investigation revealed that both Martin and Mitchell were sexually abnormal, a situation which should have alerted security agents, but Maurice H. Klein, NSA's Assistant Director and Personnel Chief at the time, insisted the agency enjoyed "as tight a security program as there is in the whole government." Unimpressed Congressional probers discovered it was loose enough for Klein himself to have fabricated some of the records in his own personnel file. He was forced out, and NSA took 22 steps to tighten its vigilance. It fired 26 suspected sex deviates on its roles and in mid 1962 told Congress it had reviewed the security file of every employee.

This example indicates, in answer to the gentleman from Virginia, that our functions have been those of all other committees—investigate, legislate, and oversee. They will continue exactly the same if House Resolution 89 is adopted today.

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

Mr. SCOTT. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. Speaker, will the gentleman yield?

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

Mr. SCOTT. Mr. Speaker, my thought was, can this committee under the authority of the resolution bring matters to the floor of the House just as any other standing committee by its own initiative, or does it merely investigate and then let the regular committee or the other committees of the House bring these matters to the floor?

Mr. ASHBROOK. We can obviously bring matters to the floor at any time, I will say to the gentleman. In sound practice, we are going to investigate the need before we bring a bill out. I do not know of any time that we have brought up a bill without a thorough investigation in advance and being able to show a specific need for the bill. We intend to continue on that exact course of action which we followed in the past.

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

Mr. ASHBROOK. I yield to the gentleman from Missouri.

Mr. ICHORD. I also wish to state that the resolution will give the House Committee on Internal Security a threefold function, as any committee of the House has: legislative, oversight, and investigatory. I point out that there are only three permanent investigating committees of the House, that is, the Appropriations Committee, the Government Operations Committee, and the House Committee on Un-American Activities.

(Mr. ASHBROOK asked and was given permission to revise and extend his remarks.)

Mr. COLMER. Mr. Speaker, I yield 6 minutes to the gentleman from Iowa (Mr. CULVER).

(Mr. CULVER asked and was given permission to revise and extend his remarks.)

Mr. CULVER. Mr. Speaker, I rise to urge Members to vote "no" on the previous question at the close of this debate. I urge this with gratitude to the gentleman from Missouri (Mr. ICHORD) for giving this House a much-needed opportunity to consider the vital question of reform of HUAC. However, only if the previous question is defeated will it be possible under our rules to offer an amendment which would cure what, in my judgment, are the serious deficiencies of House Resolution 89.

A large number of Members, including the author of House Resolution 89, are justifiably concerned over the ambiguous language of the present HCUA mandate of authority. Moreover, many Members are concerned over the past excesses of the committee which have fostered excesses on the part of its critics.

The time is opportune to consider anew how the Congress can best discharge its dual responsibilities of protecting the internal security of our Nation and guarding the civil liberties of our Nation's citizens. But we should not set sail here under a false flag—either we are genuinely interested in reform or we are engaging in political public relations.

In my judgment, House Resolution 89 is not reform; further, the measure's attempt at clarification of the HCUA mandate does not constitute a serious effort toward reform.

Meaningful reform in this area must involve a more precise and confining mandate for investigations concerning matters of internal security. Such an effort must at the least, in my judgment, seek to weigh the respective interests of internal security and civil liberty, and mark out as clearly as possible the respective boundaries of each interest, however wide or narrow.

House Resolution 89 fails to attempt such an effort. The author of the resolution has stated that his proposal "will preserve for the committee the full jurisdiction and all the powers it has possessed during the almost 29 years of its operation under the present mandate."—CONGRESSIONAL RECORD, January 18, 1967, page 725. After careful review, I must agree that his assessment is correct. House Resolution 89, in fact, does not

narrow the free-wheeling scope of operation of the proposed Committee on Internal Security in any way.

The difficulty with House Resolution 89, as with the present HCUA, is that the Congress grants investigating powers whose broad sweep is inimical to constitutional principles and unwise as legislative policy. For example, the following questions at a minimum are left unresolved by the proposal:

What does it mean to "incite" acts of "terrorism" to "oppose" the "policy affecting the internal security of the United States?"—page 2, lines 12-16.

What is a group's "character" and what relevance does this have?—page 2, line 1.

What does "treachery" mean?—page 2, line 9.

Moreover, whatever clarity can be distilled from such words is entirely dissipated by subparagraph 3, page 2, line 16—which would retain committee jurisdiction over "all other questions" that in some unspecified way might aid the Congress in any remedial legislation.

But the central weakness of the proposal, wholly apart from these ambiguities, is that once an organization falls within the category of organizations to be investigated, and this I want to emphasize, all activities—innocent ones as well as threatening ones—may be investigated. Such innocent activities are most often those of speech, association, and belief.

The very times in which we live suggest a pragmatic reason why the powers of investigation should be refined, not, as House Resolution 89 would have it, maintained intact. In the past the HCUA has often functioned under its overly broad powers to provide gratuitous publicity to those it purports to oppose. As these groups increasingly seek out rather than shun the spotlight of the mass media, the Congress needs some assurance that its committees will not become unwitting foils for publicity-seeking extremists.

There is another very important point of Congressional organization at issue here. The very attempt of House Resolution 89 to reword investigating authority in the field of internal security in general and espionage in particular raises serious questions of jurisdictional conflict between the successor to the HCUA and the Committee on the Judiciary, which has been so ably covered by the chairman of the Committee on the Judiciary, the gentleman from New York (Mr. CELLER).

Subparagraph (c) of clause 12 in rule XI explicitly grants jurisdictional authority over "espionage" to the Judiciary Committee. By granting authority over "espionage" matters—page 2, line 9—to another standing committee, as House Resolution 89 would do, jurisdictional conflict between two House committees is made inevitable.

By opening up and making clear for our consideration the possibility of a division of legislative and investigative authority between two standing committees of the House, House Resolution 89, in my judgment, provides the occasion for the House to effect meaningful and sound reform.

A consolidation of both investigative and legislative internal security functions

February 18, 1969

CONGRESSIONAL RECORD — HOUSE

H 967

within the Judiciary Committee, which has traditionally handled espionage and sedition matters as well as criminal matters in general, commends itself on grounds of sound congressional administration.

Furthermore, I believe that assignments in this highly sensitive area bearing so immediately on constitutional responsibilities and restraints should go to Members who are lawyers by education and who can bring to bear the required judicial temperament.

I might add that in choosing such a course of action the House would be following the precedent of the other body, as well as heeding the advice of a past HCUA chairman, the late Honorable Francis Walter, who advocated such consolidation as late as 1960. In trial testimony Mr. Walter stated:

I am one of the 42 men who voted against creating the committee. I thought that its functions should be within the framework of the Judiciary Committee, just as it is in the Senate, where this work is done by a subcommittee of the Judiciary Committee.

Q. Do you still feel that way?

WALTER. Of course. (*U.S. v. Yellin*, Mar. 9, 1960.)

Therefore, I urge Members to defeat the previous question, after which I would then hope to offer an amendment to House Resolution 89 which would first consolidate all internal security functions in the Judiciary Committee; and second, it would provide for a more precise mandate on the one hand to protect constitutionally privileged activities, and on the other to provide for the internal security needs of our country.

I believe my amendment would allow the House better to discharge its duties in this most sensitive area. But voting down the previous question does not commit Members to my amendment any more than it commits them ultimately to opposition to House Resolution 89.

In conclusion, there is no subject to which we as Members of Congress have a greater obligation than the protection of the very life of our Nation against those who would destroy it, along with the preservation of our constitutional freedoms against those who would defy them.

We should not delude ourselves that the problems spawned by the Committee on Un-American Activities will be solved even in part, if we merely change words and fail to grip the very serious root issues suggested by those words. So I urge you to defeat the previous question in order that we may consider meaningful reform. Thank you.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I rise to give notice I will support the substitute offered by the honorable gentleman from Iowa, if the previous question is defeated.

I have long believed that the activities and interests of the House Un-American Activities Committee rightly belong under the jurisdiction of the Judiciary Committee. The rules of the House and traditional practice have granted the Judiciary Committee jurisdiction over legislation dealing with espionage, sedition, crime, and punishment. The always-too-vague and all-embracing investigative powers of the HUAC have conflicted with that jurisdiction.

The proposed change in the mandate of the HUAC will not make that power less vague or indefinite. What could be more comprehensive than the phrase "all other questions, including the administration and execution of any law of the United States, or any portion of the law, relating to the foregoing that would aid the Congress or any other committee of the House in any necessary remedial legislation."

This mandate grants to the committee what we do not have the constitutional power to grant.

The Judiciary Committee, under its powers to investigate and propose legislation, has always concerned itself with real attempts to overthrow our Government by force. And this committee of able and dedicated lawyers has always weighed constitutional rights and protections in its efforts.

Through the years HUAC has brought disrepute to the House of Representatives. The coverage and elevation of ridiculous and farcical groups has not enhanced the reputation or the influence of the Congress, but has instead made a mockery of the important legislative and investigative powers and responsibilities.

The serious and meaningful work of the Congress is delegated to a lesser position when equal standing and power are given to a committee that exposes for exposure's sake and gives priority to hearings rather than meaningful legislation.

The Congress has been and should be concerned with the legislative process and the protection of constitutional rights. Yet we have allowed this committee, which has only dabbled in legislation and completely ignored constitutional guarantees, to continue unchecked and unabated.

The Judiciary Committee has been and is concerned with threats to the Government and our democratic system. They have been concerned with dangers from organized groups who wish to overthrow the Government by force, and they have been equally concerned with the dangers of slow steady erosion of our constitutional guarantees. These threats are equally serious. The HUAC, I am afraid, has encouraged the latter in often blind pursuit of the former.

The Judiciary Committee which has demonstrated its concern and knowledge regarding threats to freedom and democracy, should be given full and sole authority over these questions.

We are obligated to consider means as well as ends. If the means are unconstitutional, unfair, and morally objectionable, it matters little how worthy the ends. The Constitution and the Rules of the House have described and restricted procedure as much as substantive content. We should seek a studied, legal, and truly American approach to solving these problems and eliminating these dangers. Such an approach can best be found in the Judiciary Committee.

If the motion of the previous question is not defeated, I will vote "aye" and hope the changing of the name of the committee will help alleviate the stigma the Un-American Activities Committee has placed on the Congress and that the new committee and new members will reverse

the policies of the old committee and bring respect and honor to the Congress.

Mr. COLMER. Mr. Speaker, I now yield to the gentleman from Illinois (Mr. YATES) for the purpose of debate only.

(Mr. YATES asked and was given permission to revise and extend his remarks.)

Mr. YATES. Mr. Speaker, the trouble with some committee members is that they forget they have been appointed and believe they have been anointed. This is particularly true of the Committee on Un-American Activities. Since its origin, a great many members of that committee have assumed a messianic role of defining to the House and the country the limitations of what free Americans may think or say or do.

The letter we received yesterday from the chairman of the committee is a typical example of committee thinking. He writes:

Most of the opposition to the bill appears to come from the radically extreme left, as evidenced by the enclosed article from the Communist Daily World.

Although couched in innuendo, the intent is clear: If Members of the House dare oppose this bill, they are joining the radically extreme left. I thought the extreme left, being extreme, was as bad as could possibly be. Apparently, "the radically extreme left," to use the chairman's phrase, whatever that means, is much worse.

But, Mr. Speaker, the letter did serve a most useful purpose in making crystal clear that changing the name will not change the committee, for if the committee was known for one thing, it was name calling and guilt by implication. But name calling won't stifle opposition to this bill because it is a bad bill. The same nefarious practices and ambiguities which marked the committee's activities in the past are authorized and approved in this bill.

And changing the committee's name will not help. A bad committee is a bad committee, no matter what its name. Shakespeare said:

A rose by any other name would smell as sweet.

And obvious corollary would be:

A noxious weed by any other name would smell as foul.

We are all familiar with the legislative nonrecord of the House Committee on Un-American Activities—it has made virtually no substantive legislative proposals in recent years. It has expended more funds with less legislative return than any other committee in this body. In the process of conducting its investigations, HUAC has consistently played the dangerous game of confusing unorthodoxy with subversion and has sacrificed constitutional guarantees by extralegal actions. I would be the last one to suggest that the internal security of the United States is not of the utmost importance, but there is no evidence that HUAC has made any significant contribution to the maintenance of that security.

The time has come for us to repudiate HUAC, not to give it new life. The investigatory mandate of House Resolu-

tion 89 is no less ambiguous than that which has guided the uneven course of HUAC since its establishment as a standing committee. There is no reason to believe that a facelift for HUAC will magically endow it with the commonsense and appreciation of fairplay it has lacked for the past 24 years. HUAC as a committee has not served this House well, and House Resolution 89 retains that free-wheeling autonomy that has bred so many abuses in the past.

Many Members, myself included, have introduced legislation that would abolish HUAC and transfer its investigatory mandate to the Committee on the Judiciary, where it should be, because that committee now has jurisdiction under the rules over matters involving sabotage and espionage.

On a strictly procedural basis, the Judiciary Committee is the proper place for inquiries relevant to our internal security. Moreover, the Judiciary Committee is made up of men with the legal expertise necessary to conduct investigations with the proper regard for procedural due process. We could therefore achieve some additional assurance that its investigations would be germane to our internal security and not merely showcases for ideological polemics which breed discord. Moreover, there would be the combined wisdom and proud supervision of the full committee to oversee the actions of the subcommittee to protest against the kind of noxious investigations that marked its predecessor.

The parliamentary situation under which we are considering this legislation does not provide time for the kind of serious consideration necessary in order to make a reasoned judgment on the merits of this resolution. The procedure by which this matter was brought to the floor ought to be of concern to all of us. It is in a sense additional evidence that nothing is really changed by House Resolution 89.

In closing, I want to urge my colleagues to seize this opportunity to repudiate the past actions of HUAC. What is at stake here is nothing less than the constitutional guarantees of the Bill of Rights—not to mention the reputation of this body. I urge you to vote down the previous question and support the amendment offered by the gentleman from Iowa (Mr. CULVER) which would transfer the jurisdiction of the Committee on Un-American Activities to the Committee on the Judiciary.

Mr. COLMER. Mr. Speaker, I now yield 1 minute to the gentleman from California (Mr. BURTON).

Mr. BURTON of California. Mr. Speaker, I rise today in support of the position espoused by our distinguished colleague from Iowa (Mr. CULVER).

I have noted with approval that the debate, at least, on our side of the issue today, has not resembled a fictional Al Capp cartoon depicting the Dogpatch City Council meeting to resolve to rename the local skunk works as the Ozark Perfume Factory.

It was Shakespeare who said:

What is in a name? That which we call a rose would by any other name smell as sweet.

The renaming of this committee, if that is all the resolution does, is without purpose. But, if it seeks to enlarge the function and jurisdiction of this committee, it is then unthinkable. To the extent this resolution infringes or seeks to infringe upon or take away the jurisdiction of the Committee on the Judiciary and other committees, it should be flatly rejected.

Therefore, Mr. Speaker, I urge that the motion to close debate be rejected so that we may appropriately deal with this committee of the Congress.

Mr. COLMER. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. RYAN).

(Mr. RYAN asked and was given permission to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, House Resolution 89 would not only change the name of the Un-American Activities Committee to the Committee on Internal Security but extend its jurisdiction into areas of criminal jurisdiction which are the province of the House Judiciary Committee as was so well pointed out by the distinguished chairman of the Judiciary, the gentleman from New York (Mr. CELLER). Time and time again on the floor of this House, I have pointed out how the House Un-American Activities Committee serves no useful legislative purpose and how it has consistently violated our basic constitutional guarantees of due process, bringing discredit upon the House of Representatives.

House Resolution 89 seeks, according to its principal sponsor, the gentleman from Missouri (Mr. ICHORD), to strengthen the committee in every possible way, clarify its mandate and eliminate any possible misunderstanding and confusion about the specific powers and jurisdiction of the committee"—CONGRESSIONAL RECORD, January 18, 1967.

What would the practical effect of the approval of this resolution be? Let me turn first to the proposed change in its name.

During the past several years opposition to HUAC has increased steadily and grown more influential. More and more Members of Congress have begun to publicly express, their opposition to the committee, and a distinguished body of lawyers and jurists has urged that the committee be abolished. Larger and larger numbers of citizens are beginning to question the very concepts embodied in its authorizing mandate.

The attempt made through this resolution to cloak the committee's activities in a more euphemistic and respectable sounding name is directly related to this growing opposition. For the name of the committee has itself become a symbol of the vagueness and arbitrariness under which its activities are carried out. A change in name and expanded jurisdiction will create the impression that the committee has been given new certification by the House.

This resolution, which would enlarge the mandate of the present House Un-American Activities Committee, would give the committee significantly broader powers than are presently authorized by

rule XI of the Rules of the House. Rule XI currently gives the committee authority to investigate "the extent, character, and objects of 'un-American propaganda' activities in the United States," and to determine the diffusion of "un-American propaganda." Under the provisions of House Resolution 89, the committee's mandate would not be limited to investigation of "propaganda" but would explicitly extend into the activities of "organizations and groups." Contrary to the statements of the sponsors of this resolution, the language proposed in the mandate is no less vague than the language in the present mandate. For example, the new mandate would empower the committee to investigate organizations or groups which seek in the committee's view to overthrow or alter the Government by such means as "treachery." What does "treachery" mean? Beyond that, who establishes which groups or organizations seek to overthrow the Government by force or violence or "any unlawful means?" Will the committee decide what is "unlawful" activity? Again the proposed mandate is open ended.

These changes would give the committee the congressional sanction it seeks to initiate new investigations into civil rights, peace, student and other organizations which the House Un-American Activities Committee has already investigated under its old mandate. None of the committee's previous sallies into the activities of these organizations—which have made a mockery of the value and utility of respectable congressional investigation—suggests this extension of its powers would be in the interest of protecting the "internal security" of the United States.

In addition to broadening the investigatory authority, the proposed changes in the subject matter of the jurisdiction of the House Un-American Activities Committee would encroach upon powers already delegated to the Judiciary Committee. As the chairman of the Judiciary Committee, the gentlemen from New York (Mr. CELLER), pointed out in his letter to the Rules Committee opposing House Resolution 89, the powers invested in the Committee on Internal Security by paragraphs 11(b)1, 11(b)2, and 11(b)3 of the resolution clearly overlap the jurisdiction of the Judiciary Committee, which has long had responsibility for investigating matters of espionage, sedition, and the criminal penalties associated with these crimes. If this resolution is approved, a conflict in authority between the Judiciary Committee and the Committee on Internal Security will surely result.

Seven other members of the Judiciary Committee, including myself, outlined our reasons for opposing this resolution in a letter which we sent to our colleagues on February 13. Are all of these arguments, which ask only that no other committee of the House be granted powers which infringe upon the mandate of the Judiciary Committee, to be ignored? If there is any reason why the House Un-American Activities Committee is better qualified to carry out the duties already

February 18, 1969

CONGRESSIONAL RECORD — HOUSE

H 969

assigned to the Judiciary Committee than that committee, I suggest the sponsors of this bill make their reasons known. The sponsor of House Resolution 89, the gentleman from Missouri (Mr. ICHORD), has suggested that Chairman CELLER would not have time to take on the responsibilities outlined in his resolution. However, the chairman of the Judiciary Committee has never indicated any lack of willingness to carry out responsibilities already invested in the Judiciary Committee to investigate espionage or sedition. On the other hand, if the intent of House Resolution 89 is to create new areas of investigative responsibility, I would remind my colleagues that as yet no need has been demonstrated for the creation of such additional areas of inquiry. It is important to note that the present Committee on Un-American Activities since its inception has trespassed upon the jurisdiction of the Judiciary Committee as well as other House committees.

Mr. Speaker, this resolution cannot be considered in isolation from the record of the committee which is the subject of this bill. For that reason, I wish to very briefly discuss in "cost-effectiveness" terms, the legislative record of the House Un-American Activities Committee during the Congress just concluded, the 90th Congress.

In addition to the funds allocated under the Legislative Reorganization Act of 1946, which in past years has averaged more than \$150,000, the Un-American Activities Committee received \$725,000 in additional funds during the 90th Congress, the fifth largest sum allocated to any committee in the House. The Judiciary Committee, by contrast, received \$500,000 in additional funds.

The Un-American Activities Committee also had the fourth largest staff, employing more people—47—on its payroll through December 1968 than all but the Committees on Appropriations, Education and Labor, and Government Operations.

However, its budget bears no relation to its legislative productivity. While the Congress as a whole considered 17,180 measures during both sessions of the 90th Congress, only 32 bills were referred to the House Un-American Activities Committee. The average number of measures referred to each committee of the House, by contrast, was 1,211. Of these 32 bills referred to the House Un-American Committee, 23 were identical or similar to other bills, leaving it with a real workload of nine pieces of legislation. All of these nine bills properly belonged to the jurisdiction of other standing committees of the House.

Only one bill recommended by the House Un-American Activities Committee was approved by the 90th Congress. The lone bill extended the life of the previously dormant Subversive Activities Control Board, whose record of achievement is, appropriately, comparable to that of HUAC.

That is the record of the committee which House Resolution 89 asks be given new and broader powers of investigation.

One of the sponsors of this resolution, the gentleman from Missouri (Mr. ICHORD), in a letter to his colleagues

dated February 17, 1967, characterized the opposition to this resolution as coming from the "radically extreme left," which is demonstrated, he says, by the fact that an article in the Daily World criticized House Resolution 89.

If anyone had any doubt about how to vote upon this resolution, it should have been settled by that letter in which the gentleman from Missouri (Mr. ICHORD) attempts to equate opposition to House Resolution 89 with support for communism. The circulation of the article illustrates the shopworn technique of guilt by association which HUAC perfected over the years. I do not know whether the letter should be viewed as the last gasp of the old HUAC or the first squeal of the new HUAC. However, whether it is an epitaph or a birth announcement, it is in character.

Mr. Speaker, if any of my colleagues had any illusions that the nature of the committee might improve if the requested revisions in name and mandate were approved, I would only ask them to appraise the character of argument made in that letter. Issues as serious and sensitive as "internal security" require the utmost concern for due process, and this committee should not be authorized to extend its harassing and exposing tactics into new areas of concern. Far from meriting the extension on its life it seeks, it should be eliminated as a standing committee.

I urge that the previous question be defeated. Then it will be in order to consider alternatives to House Resolution 89.

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

Mr. LATTA. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from South Carolina (Mr. WATSON).

(Mr. WATSON asked and was given permission to revise and extend his remarks.)

Mr. WATSON. Mr. Speaker, my contribution to this debate—and I favor adoption of House Resolution 89—will be brief and to the point.

On November 12, 1957, Mr. J. Edgar Hoover, Director of the FBI, wrote a letter to the late Francis E. Walter, then chairman of the Committee on Un-American Activities. In this letter he stated:

Your Committee's role in safeguarding our freedoms is well known to every patriotic citizen, and real Americans are not going to be fooled or misled by efforts to discredit your vital task.

Two years later, the famed Director of the FBI, who knows more than anyone else about subversive operations in this country and what must be done to cope with them, wrote in part as follows to the late Clyde Doyle, who served as a member of the Committee on Un-American Activities from 1951 until his death in 1963:

The American people owe a great debt of gratitude to the work over the years of congressional investigating committees. These committees, day after day, secure information vitally needed in the consideration of new legislation. They are indeed indispensable parts of the American legislative process.

We in the FBI have the highest appreciation for the contributions rendered by con-

gressional investigating committees dealing with Un-American activities. . . .

I feel that both the FBI and congressional investigating committees, in the field of internal security, have important roles to play. We are working for the same goal—protecting our great Nation from enemies who seek to destroy us. Our work is not contradictory, but mutually helpful. That is as it should be.

In 1960, a famed American churchman and patriot, the late Cardinal Spellman, sent a telegram to Donald Jackson, then the ranking Republican on the Committee on Un-American Activities. In his telegram he stated:

I respect the fact that Congressman Walter, you and other members of your committee have rendered outstanding service in exposing Communist activities.

In August 1955, Bernard Baruch, distinguished elder statesman and adviser to Presidents, appeared at a House Committee on Un-American Activities hearing on Communist infiltration of the theater, which was being held in New York City, to congratulate the committee members for performing "a very difficult and very necessary job."

Mr. Baruch told Representative Francis E. Walter, then chairman of the committee:

You have a tough task to do and are doing it well. I have great respect for this Committee.

It is significant that, for the most part, these statements were made at times when, if you believe some of the present-day as well as past critics of the committee, the committee itself was engaging in all kinds of horrible and un-American practices.

And let's go back many years more to the days of the Dies committee, the Special Committee on Un-American Activities, which has been the subject of so much vilification by self-appointed and self-anointed saviors of America.

The American Federation of Labor, at its 1939 convention held in Cincinnati, Ohio, formally endorsed the work of the Dies committee and urged its continuation. Early the following year, when the House had to decide the issue of whether or not the Special Committee on Un-American Activities should be continued, William Green, president of the American Federation of Labor, wrote a letter to Members of the House in which he made the following statements:

I cannot conceive of anyone, other than those who may be exposed through association with Communist organizations and Communist front organizations, objecting to a thorough investigation into the activities of subversive groups by a congressional committee. Those who have no sympathy with these un-American groups, these subversive forces within our social order, who are constantly seeking to change our form of government and to promote revolution, can with perfect propriety give wholehearted support to the work of the Dies committee, and to the investigation it has made and which it can continue to make.

The people of our country are entitled to know the truth. We of the American Federation of Labor want them to know the facts. We want those who are undermining our form of government and those who are engaged in subversive activities to be exposed. Ridicule, denunciation, and sarcasm.

all directed toward the Dies committee by those who seek to suppress its activities and prevent it from carrying on its important work, can only be looked upon with suspicion.

We cannot permit those who engage in such tactics to prevent a thorough investigation and a public exposure of the actions and of the activities of individuals and groups who are engaged in un-American activities, and who are seeking either directly or indirectly the overthrow of our Government.

The preservation of freedom and democracy is a matter of vital concern to all those who believe in our form of government. We can protect ourselves if we know who and what it is that is undermining and attacking our governmental structure. Those who are with us need not fear, those who are against us ought to be exposed. The Dies committee is rendering a great public service. It should be continued until its investigation is completed.

I could go on. The words of many other respected and famous Americans could be quoted in praise of the Committee on Un-American Activities. But, it is not necessary to do this. The Members of this House have always voted overwhelmingly in support of the committee.

As J. Edgar Hoover wrote, "real Americans are not going to be fooled or misled" by efforts to discredit the committee.

It is interesting to note that the president of the American Federation of Labor, in his letter, made more than one reference to exposure of the enemies of this country. On more than one occasion, FBI Director J. Edgar Hoover has stated that exposure is the best weapon against communism. All experts on the subject are agreed on this. One of the most effective weapons of the Communists has been their ability to conceal the identity of their members and agents and also to keep hidden or secret their numerous conspiratorial operations, cloaking them under front organizations. "Exposure," which is no more than revelation or disclosure, strips them of this weapon.

We are all agreed, of course, that exposure for the sake of exposure alone is not a function of a congressional committee, but exposure for legislative purposes—the type the Committee on Un-American Activities has engaged in—is specifically a function of the Congress and all its committees.

Of course, exposure has become in recent years a nasty word in the American language—largely because of a continuing, intensive Communist and leftwing campaign against the Committee on Un-American Activities, a campaign that has had the purpose of ending the numerous valuable exposures of Communist operations by the committee because they have done so much damage to the Communist Party.

Unfortunately, there is something of a double standard existing on this question of exposure. On February 2 of this year, the Washington Post featured an interview with the distinguished chairman of the House Judiciary Committee, the gentleman from New York (Mr. Celler). The article mentioned the Judiciary Committee's forthcoming hearings on business conglomerates and it quoted the gentleman from New York as saying that these hearings "will focus the pitiless

light of publicity" on questionable practices of large corporations.

There was no Washington Post or New York Times editorial denunciation of the chairman of the Judiciary Committee for his statement that he was going to expose questionable practices of business conglomerates and that he intended to discredit them with the American people by "the pitiless light of publicity."

But what if the chairman, or a member, of the Committee on Un-American Activities had said that that committee was going to "focus the pitiless light of publicity" on Communists and others in this country who are engaging in traitorous activities and trying to subvert our Constitution? It is my guess that he would be denounced from one end of the country to the other in major editorials published in many of our so-called best newspapers.

It should be stressed that the courts have consistently upheld the type exposure carried out by the Committee on Un-American Activities. An effective answer to the exposure charge which is so often launched against the committee was presented by Ed Willis, former chairman of the committee, in a statement which he submitted to the Joint Committee on the Organization of the Congress on April 1, 1966. The text of his statement was as follows:

And what about the charge of "exposure"? In democratic societies, legislatures have an informing or educational function which is an integral part of, and basic to, their lawmaking function. Woodrow Wilson, a recognized authority on political science and constitutional law, who taught at Princeton University before his election to the Presidency of the United States, believed that the informing function of Congress was even more important than its lawmaking function. In his book, "Congressional Government," he wrote:
 " * * * even more important than legislation is the instruction and guidance in political affairs which the people might receive from a body which kept all national concerns suffused in a broad daylight of discussion * * *. The informing function of Congress should be preferred even to its legislative function."

All congressional committees, through their hearings and reports, perform an informing function, educating the American people about the major problems confronting the Nation and the means, legislative or otherwise, which might be used to solve them.

The important role this function plays in strengthening and preserving a democratic society is not open to question.

Curiously, however, when this committee carries out its informing function, certain people immediately accuse it of "exposure." But this is no more than a smear word for a legitimate and necessary congressional duty. "Exposure" is disclosure, revelation, informing the people about what they must know to govern themselves intelligently and preserve the Government which they have created for their own protection.

Supreme Court and court of appeals decisions upholding the rights of Congress to compel disclosure of Communist organizations and the activities and identities of individual Communists both by legislation and investigation were quoted in my reply to the last allegation (No. 3).

Last year the Supreme Court pinpointed the value of disclosure or "exposure" hearings by all governmental agencies in a decision upholding the right of the Federal Communications Commission to hold a public rather than closed hearing on a matter of public interest. The Court noted:

"The Commission observed that, in addition to stimulating the flow of information, public hearings serve to inform those segments of the public primarily affected by the agency's regulatory policies and those likely to be affected by subsequent administrative or legislative action of the factual basis for any action ultimately taken—a practical inducement to public acceptance of the results of the investigation. Also implicit in the Commission's discourse is a recognition that publicity tends to stimulate the flow of information and public preferences which may significantly influence administrative and legislative views as to the necessity and character of prospective action. The Commission further pointed out that public disclosure is necessary to the execution of its duty under section 4(k) of the Communications Act of 1934, as amended, 48 Stat. 1068, 47 U.S.C. section 154(k) (1958 ed.), to make annual reports to Congress. Significantly, this investigation was specifically authorized by Congress so that Congress might 'draw upon the facts which are obtained.'" (*FCC v. Schreiber*, 381 U.S. 279.)

A very telling statement on the role informing, revelation and disclosure (or "exposure") play in handling problems in a democratic society was made by President Truman's Committee on Civil Rights:

"The principle of disclosure is, we believe, the appropriate way to deal with those who would subvert our democracy by revolution or by encouraging disunity and destroying the civil rights of some groups * * *."

"Congress has already made use of the principle of disclosure in both the economic and political spheres. The Securities and Exchange Commission, the Federal Trade Commission and the Pure Food and Drug Administration make available to the public information about sponsors of economic wares. In the political realm, the Federal Communications Commission, the Post Office Department, the Clerk of the House of Representatives, and the Secretary of the Senate—all of these under various statutes—are required to collect information about those who attempt to influence public opinion. Thousands of statements disclosing ownership and control of newspapers using the second-class mailing privilege are filed annually with the Post Office Department. Hundreds of statements disclosing the ownership and control of radio stations are filed with the Federal Communications Commission. Hundreds of lobbyists are now required to disclose their efforts to influence Congress under the Congressional Reorganization Act. In 1938, Congress found it necessary to pass the Foreign Agents Registration Act which forced certain citizens and aliens alike to register with the Department of Justice the facts about their sponsorship and activities. The effectiveness of these efforts has varied. We believe, however, that they have been sufficiently successful to warrant their further extension to all of those who attempt to influence public opinion.

"The ultimate responsibility for countering totalitarians of all kinds rests, as always, with the mass of good, democratic Americans, their organizations and their leaders. The Federal Government ought to provide a source of reference * * * where private citizens and groups may find accurate information about the activities, sponsorship and background of those who are active in the marketplace of public opinion." (Report of the President's Committee on Civil Rights, 1947, pp. 52, 53.)

Laws are essential to any well ordered society. But in a democratic society, laws are not enough. Alone, they rarely eliminate any problem. An informed public is needed to supplement, by public discussion, debate and action, the sanctions imposed by law on the enemies of society.

For those Americans—and they number in the millions—who want "accurate information about the activities, sponsorship and background" of the subverters of freedom

February 18, 1969

CONGRESSIONAL RECORD — HOUSE

H 971

and democracy who are "active in the marketplace of public opinion," the House Committee on Un-American Activities has provided a reliable "source of reference" for 28 years.

In doing so, it has helped preserve the democratic process and prevent its corruption and debasement by those who, with totalitarian ends in mind, give only lip service to the principles of democratic society.

The court decisions referred to by the distinguished past chairman of this committee when he said he quoted them in reply to another allegation about the committee are as follows:

U.S. Supreme Court, the Communist Party case, 1961:

"Where the mask of anonymity which an organization's members wear serves the double purpose of protecting them from popular prejudice and of enabling them to cover over a foreign-directed conspiracy, infiltrate into other groups, and enlist the support of persons who would not, if the truth were revealed, lend their support, it would be a distortion of the first amendment to hold that it prohibits Congress from removing the mask." (367 U.S. 1.)

Justice Douglas, for the dissenting minority—except Justice Black—in the above case:

The Bill of Rights was designed to give fullest play to the exchange and dissemination of ideas that touch the politics, culture, and other aspects of our life. When an organization is used by a foreign power to make advances here, questions of security are raised beyond the ken of disputation and debate between the people resident here. Espionage, business activities, formation of cells for subversion, as well as the exercise of first amendment rights, are then used to pry open our society and make intrusion of a foreign power easy. These machinations of a foreign power add additional elements to free speech just as marching up and down adds something to picketing that goes beyond free speech.

U.S. Court of Appeals for the District of Columbia, Barsky against the United States, 1948:

"The prime functions of governments, in the American concept, is to preserve and protect the rights of the people. The Congress is part of the Government thus established for this purpose.

"This existing machinery of Government has power to inquire into potential threats to itself, not alone for the selfish reason of self-protection, but for the basic reason that having been established by the people as an instrumentality for the protection of the rights of people, it has an *obligation* to its creators to preserve itself. * * * We think that inquiry into threats to the existing form of Government by extra-constitutional process of change is a power of Congress under its *prime obligation* to protect for the people that machinery of which it is a part * * *.

"If Congress has power to inquire into the subjects of communism and the Communist Party, it has power to identify the individuals who believe in communism and those who belong to the party.

"* * * it would be sheer folly as a matter of governmental policy to refrain from inquiry into potential threats to its existence or security until danger was clear and present. * * * How, except upon inquiry, would the Congress know whether the danger is clear and present? *There is a vast difference between the necessities for inquiry and the necessities for action.*" (167 F. 2d 241, 246.) [Emphasis added.]

U.S. Senate, Committee on Rules and Administration, 1954:

"Committees of Congress must function in a world of realities. What might have been classified decades ago as private opinion of no concern to Congress, takes on a different connotation in the light of world events whose impact Congress may not disregard. The global Communist apparatus is neither a study group nor a debating society. It is an engine of destruction. Cunningly fashioned, its component parts are artfully disguised when disguise carries advantage. It is no answer to its challenge to say that the beliefs and associations of its members or suspected members are 'private,' and thus beyond the scope of legitimate inquiry by Congress.

"* * * we believe that Congress * * * has a legitimate function to perform in this field—that of informing itself and the public of the nature and extent of Communist penetration into our free institutions." ("Rules of Procedure for Senate Investigating Committees," Report of the Committee on Rules and Administration, 84th Cong., 1st sess., Senate Rept. No. 2, pp. 9, 10.)

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

Mr. WATSON. I yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Speaker, in view of the statement made by the gentleman from New York (Mr. RYAN) I ask unanimous consent to put the letter that I circulated to the Members in the RECORD at this point.

Mr. Speaker, there is nothing derogatory at all in that letter. I did not and do not mean it to be derogatory. I stand behind each and every word that is stated in the letter. Further, let me point out to the gentleman from New York City that even if the House Committee on Un-American Activities had twice the bad name that he thinks it has and if the gentleman from New York City was 10 times more adamantly opposed to the committee than he is, I would still offer this resolution for the reasons I mentioned on the floor of this House.

Mr. Speaker, I ask unanimous consent to insert the letter in the RECORD at this point.

The SPEAKER pro tempore (Mr. MILLS). Without objection, it is so ordered.

There was no objection.

The letter is as follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., February 17, 1969.

DEAR COLLEAGUE: Scheduled on the Calendar for consideration tomorrow is House Resolution 89, to clarify the mandate of the House Committee on Un-American Activities under the name of a new committee—the Committee on Internal Security. I am joined in the resolution by the ranking minority member, Mr. John Ashbrook and Mr. Del Clawson. H. Res. 89 is identical to H. Res. 148 which I introduced in the 90th Congress and which was reported favorably to the House by the Rules Committee last year, but was not considered during the rush of adjournment. It has again been considered by the Rules Committee which has original jurisdiction and reported favorably in the same form.

Interestingly enough, opposition to the change has been centered in both extremes of the political spectrum. No doubt, you have received mail from champions of the House Committee on Un-American Activities urging you to oppose this so-called liberal attempt to abolish HCUA. Presently, most of the opposition appears to come from the radically extreme Left as evidenced by the enclosed article from the *Communist Daily World*, the successor of the *Communist Daily*

Worker. They apparently wish to retain HCUA with the hope of winning crippling law suits in the courts and eventually its abolition, leaving no committee of the House to function in the field of communist subversive activities.

H. Res. 89 spells out in more clear and precise, legal language what constitutes subversive activities and gives the committee the usual legislative jurisdiction and the investigatory powers that have been exercised by the Committee on Un-American Activities.

I realize there are some members of the House (few in number, I believe) who would abolish the HCUA outright and transfer its jurisdiction to the Committee on the Judiciary. This could be done, but I seriously question whether our venerable Chairman, Mr. Celler, could possibly find time for his committee to perform these additional duties in view of the burdensome duties already imposed upon the Judiciary Committee by the rules. In this respect, may I say that it is the intent of H. Res. 89 to give the Committee on Internal Security only the authority that has traditionally been exercised by the present Committee on Un-American Activities. I assure you, as I did the members of the Committee on Rules, that it is not intended to infringe and *does not infringe* upon the exclusive jurisdiction of the Committee on the Judiciary.

Because the mandate of HCUA is admittedly vague on its face resulting in varying interpretations of its present jurisdiction, there seems to be some confusion surrounding my statement that H. Res. 89 gives the Committee on Internal Security only the authority possessed by the HCUA. I believe that the language of H. Res. 89 is sufficiently clear, but if you have any questions about the reach of the resolution, please feel free to give me a ring.

I hope you will see it proper to vote for the previous question and the adoption of the resolution when presented this week. The resolution is very much needed in order that a committee of the House can make an effective contribution to the internal security of the Nation.

Sincerely yours,

RICHARD H. ICHORD,
Chairman, House Committee
on Un-American Activities.

[From the Daily World, Sept. 18, 1968]

BILL WOULD ADD POWER TO HUAC

WASHINGTON, September 17.—A dangerous resolution to re-name and thus perhaps to deodorize the House Un-American Activities Committee is before the House.

The bi-partisan measure, known as House Resolution 148, would give the inquisitorial body the less offensive name of Committee on Internal Security. It is sponsored by Reps. Richard Ichord (D.-Mo.) and Del Clawson (R.-Calif.).

The resolution would substitute for the current description of HUAC's duties more sophisticated language permitting the same—if not more serious—violations of First Amendment rights which HUAC has been committing for years.

The proposed new wording of HUAC's mandate is specifically designed by the sponsors of the resolution to "preserve the full jurisdiction and powers" of the investigatory body.

The Emergency Civil Liberties Committee has urged all those concerned for civil liberties to write or wire their Congressman now to oppose passage of H.R. 148, and urge complete abolition of HUAC.

Mr. WATSON. May I say, Mr. Speaker, I appreciate the position of the chairman and his determination to be fair with all Members.

H 972

CONGRESSIONAL RECORD — HOUSE

February 18, 1969

As I recall the letter that he circularized, it simply stated that the Communist Daily World or Worker back in September opposed this very same resolution. Why are some of the opponents so upset about letting folks know that the Communists oppose this resolution. It is a rather simple proposition; I welcome their opposition and because of that fact any support of H.R. 89 is all the stronger.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and I hope we will overwhelmingly vote up the previous question and pass this resolution.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

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

The Chair recognizes the gentleman from Mississippi (Mr. COLMER).

Mr. COLMER. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. POBELL).

Mr. POBELL. Mr. Speaker, I would like to point out at this point that should the motion to order the previous question be defeated, the gentleman from New York (Mr. LOWENSTEIN) and I shall introduce an amendment to the present resolution which would abolish the Committee on Un-American Activities completely.

The text of the amendment is at the conclusion of my statement.

Mr. Speaker, since the Committee on Un-American Activities was given permanent status by this body on January 3, 1945, its checkered history has been an anathema to every true advocate of American jurisprudence.

The Dies committee, as it was then known, recommended dismissal of approximately 3,800 Government employees on grounds of disloyalty to their country. After a careful Department of Justice investigation only 36—or less than 1 percent of those denounced—were found to warrant dismissal. The some 3,764 unjustly accused have for the most part lived under a cloud of suspicion to this day. While some have been fortunate enough to have had the opportunity to vindicate themselves beyond a scintilla of doubt, others less fortunate have died or are living under the long shadow of the Dies committee.

Through the years the committee, in more or less flagrant fashion, has retained its shotgun approach to un-American attitudes and has besmirched the lives of many citizens without due process of right of appeal to higher authority. Being outside our judicial system the committee intrinsically lacks the fundamental safeguards of human rights built into that system from our magistrate courts to the Supreme Court. Furthermore, the committee serves no purpose which cannot be better served by our judiciary and executive branches and in ways which are entirely consistent with our constitutional heritage.

We have grown too mature as a nation and a society to need such an organ of government. We have become too well able to cope with internal security threats to require such activities on the part of a House committee.

Further extension of its prerogatives is a travesty upon this House and a shameful waste of Federal money, particularly in these times.

Mr. Speaker, the test of any government of free men is its ability to place internal challenge in perspective. Either a society is viable, commanding the respect of its citizens, or it loses their loyalty and must become a police state in order to maintain itself.

I believe we are a successful pluralistic society, standing firm upon the principle of participatory democracy. This House and its very essence are testimony to the vibrancy of our heritage and its meaningfulness to most Americans through our history. There is no need to rely upon such a broken crutch as the Un-American Activities Committee to keep America strong, safe, or free.

Thomas Jefferson placed his faith in the people and their institutions. In a time when institutions are under fire and the people seeking light, let us show the strength and freedom of this institution by abolishing this committee.

These words are uttered without malice. Nor are they designed to cast any aspersion upon any Member of this body. Rather they are a reaffirmation of my faith in our system and this institution.

Let us act to strengthen our institution, rather than allow such a shadow to continue to blot out the light that must come from this place to all our people.

Mr. Speaker, this committee, by any other name, would smell as it has these many years. I call today, therefore, for its abolition as a committee of the House of Representatives by amendment to House Resolution 89, as follows:

Amendment to House Resolution 89, as reported, offered by Mr. POBELL: strike out all after the resolving clause and insert in lieu thereof the following:

"That clause L(s) of rule X and clause 19 of rule XI of the Rules of the House of Representatives are repealed, and all references to the Committee on Un-American Activities contained in any other provision of the Rules of the House of Representatives are hereby deleted."

Mr. COLMER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. ECKHARDT).

The SPEAKER pro tempore. The gentleman from Texas is recognized.

Mr. ECKHARDT. I thank the gentleman.

Mr. Speaker, I take this time to ask one question of the author of the resolution. On page 2, line 16, item (3) in its original form provided: "all other questions, in relation thereto that would aid Congress in any necessary remedial legislation."

In part the language added was "or any committee of the House," after the word "Congress." That would indicate to me, at least on the face of it, that the committee would have authority to investigate matters that other committees would have authority to initiate legislation on. I hope that that is not the intent. I hope that the language intends to be the same thing as provided in the original item (3) and there is no intention to enlarge the authority of the committee so as to give investigatory au-

thority in areas where other committees have substitute authority.

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

Mr. ECKHARDT. I yield to the gentleman from Missouri.

Mr. ICHORD. There is no intention whatsoever to enlarge the jurisdiction of the present House Committee on Un-American Activities. I would point out to the gentleman that a great deal of the difficulty lies in the ambiguous language of "the House Un-American Activities Committee."

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

The Chair recognizes the gentleman from Mississippi.

Mr. COLMER. Mr. Speaker, this is the same old fight that we have been going through here since 1938 when the Committee on Un-American Activities was set up as a Select or Special Committee, and before it became a permanent committee by action of the House in 1945. There has been a constant fight made against the continuation of the committee.

For the life of me, I cannot understand how those who object to the passage of the resolution can explain their opposition other than upon one basis, and that is they are opposed to the concept of the committee itself.

I have heard a great deal said here today about voting down the previous question so that amendments can be offered. I have heard no one say, until the very last minute when I yielded to the gentleman from New York, just what amendment they expected to offer if the previous question was voted down. Finally, the gentleman from New York let us know. They would offer an amendment to abolish the committee—the same thing they have been trying to do since 1938.

The distinguished gentleman from New York (Mr. CELLER) the able gentleman from New York (Mr. CELLER) the astute gentleman from New York (Mr. CELLER) and the friendly gentleman and my good friend from New York (Mr. CELLER) says the resolution intrudes on the jurisdiction of his committee.

I have been here almost as long as the gentleman from New York (Mr. CELLER) has, and I am sorry my friend is not here now, because I do not want to say anything in his absence that I would not say in his presence, but I have never known the gentleman from New York (Mr. CELLER) to get excited about subversion or anything else in that field.

There is no conflict of jurisdiction here. This committee which the opposition would destroy, looks into subversiveness. This committee discovers and investigates the subversive agents that are operating throughout the country in an effort to destroy the Republic.

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

Mr. LATTA. Mr. Speaker, I yield the gentleman from Mississippi 2 minutes.

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for 2 additional minutes.

February 18, 1969

CONGRESSIONAL RECORD — HOUSE

H 973

Mr. COLMER. Mr. Speaker, I thank the gentleman from Ohio (Mr. LATTI) for yielding me 2 minutes.

Mr. Speaker, this committee makes its recommendations, and the Judiciary Committee is in a position to make its own recommendations. They can bring in any legislation they see fit within their jurisdiction.

This committee serves a good purpose. It is difficult, I repeat, to understand why the very people who have been opposing this legislation all of these years would not want the language clarified, when they have been hollering to high heaven in the past that it was too vague and too cloudy in its definition.

I have stated in the well of this House since 1945 that I was more apprehensive—and I repeat it here today—about what is going to happen to this glorious young Republic of ours from within than I am about what is going to happen to it from without. I am more concerned about communism in this country than I am about a Communist invasion from without.

Today these people are working among and with the young minds of this country, in the colleges and in the universities and even in the high schools. We need some watchdog, some committee to keep them under observation.

I hope this House will say by an overwhelming vote that they have confidence in this committee and that they have confidence in its able new young chairman, the gentleman from Missouri (Mr. ICHORD). I can assure you that the objectives of the committee are in good hands under his leadership. DRICK ICHORD is not only an able man—he is honest, conscientious, and dedicated. I predict he will do a good job as its chairman and will reflect honor and credit on the committee and the Congress.

Mr. MILLS. The time of the gentleman from Mississippi has expired.

Mr. LATTI. Mr. Speaker, I yield to the gentleman from California (Mr. DEL CLAWSON) for a unanimous-consent request.

(Mr. DEL CLAWSON asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. DEL CLAWSON. Mr. Speaker during the last Congress, and again this year, I have joined with my esteemed colleague from Missouri, the present chairman of the House Committee on Un-American Activities, RICHARD ICHORD, in the sponsorship of legislation which I believe will heighten the effectiveness of the House Committee on Un-American Activities. The fact that the committee is not popular in certain areas of American political thought is being cited as both a reason for continuing the committee and a reason for discontinuing it, or curtailing its powers, depending upon the point of view of the many authorities who are always ready to dictate to the House of Representatives how the troublesome problems of subversion and organized anarchy should properly be treated.

But I would like to emphasize the very real need to have a standing committee of the House with a continuing mandate in this field, and to remove obstacles to effective committee functioning. By perpetuating and strengthening the com-

mittee the House will serve notice that the Members of this body are aware of the continuing nature of the subversive forces in U.S. society, well organized either in fomenting disturbances or in turning turbulent events to their own destructive purposes. Vigilance in the face of this acknowledged activity is no more than prudent. It is but the execution of our obligation as members of the legislative branch of this Government to insure that the forces which attack our system are exposed to public view, so that effective remedies may be sought under the law to guard the internal security of this Nation.

It would be comforting if there were any discernible lessening of pressure, if there were reason to believe that the fanatic enemies of U.S. constitutional government had given up the fight. But they are to be observed on every college campus, clothed in righteous indignation over the prevalent disruptive issue, or donning the martyr's hair shirt as they are carted off to jail from the flag burning or the protest against the aspect of U.S. policy which seems to provide the most vulnerable target for invective at the moment. We are denied that comfort at this point in history. Accordingly, I urge my colleagues in the House to vote for the previous question and support the resolution on final passage.

Mr. THOMPSON of New Jersey. Mr. Speaker, the inescapable problem with the House Un-American Activities Committee is that it is basically an un-American instrument of government. No name change or hollow public relations attempt to spruce up its image can alter the fact that HUAC has not and cannot, in the future, under any name, function effectively in the democratic system.

Nor can a name change alter the fact that the business of internal security is the business of the House Judiciary Committee. HUAC is, therefore, a useless as well as a harmful appendage to the body politic.

No name change or public relations work will alter the harmful effects that now befall a citizen who has the misfortune to be called before HUAC, or change what my distinguished colleague from New York, Representative WILLIAM F. RYAN, labeled as the "vagueness and arbitrariness under which HUAC's activities are carried out."

The name change suggested today still fails to come to grips with the overriding questions of interference with civil liberties that has been the hallmark of HUAC.

Since no one has seriously challenged the ability of the Judiciary Committee to protect the internal security of the United States, there can be no quarrel with a resolution that would confirm the committee's jurisdiction.

Such a move would not only be correct within the framework of the Constitution and in the eyes of the citizens of this country, it would also be an act of economy. HUAC has already spent \$6 million in public funds since 1945 with little or nothing to show for it.

Transferring HUAC's responsibilities to Judiciary might also improve the actual protection of internal security. HUAC's record of nine successful con-

tempt citations in 23 years is not a record that would be difficult to improve upon.

Mr. LEGGETT. Mr. Speaker, I address myself to the question of the desirability of voting against the previous question on House Resolution 89.

It is my understanding that the defeat of the previous question is the only available method of permitting possible amendment of the resolution and securing the necessary extended discussion of the mandate, jurisdiction, and organization of the House Committee on Un-American Activities or some successor committee or subcommittee to be charged with the duty of investigating problems of internal security including the activities of persons or organizations seeking to overthrow our institutions of government by unlawful means or who seek to otherwise give aid and comfort to foreign enemies.

Certainly any fairminded person would concede that the limit of 1 hour of debate permitted prior to the vote on the previous question is an inadequate time to consider a question of the importance presented by House Resolution 89. I urge a "no" vote on the previous question not only to permit the fullest consideration of House Resolution 89 in its present form but also to permit possible alternatives to its proposed organization and mandate.

The author of House Resolution 89, the present chairman of HUAC, the distinguished gentleman from Missouri, (Mr. ICHORD) quite reasonably seeks to alter the present charter of HUAC which he described as "extremely vague and ambiguous" when he introduced a resolution similar to House Resolution 89 in 1967. If this quotation expresses his present attitude he is echoing the lead of the U.S. Supreme Court in two landmark cases.

In *Watkins* against United States, decided in 1957 the court was considering the validity of House rule XI, authorizing the House Un-American Activities Committee and defining its purposes and authority. The majority opinion stated:

It would be difficult to imagine a less explicit authorizing resolution. . . . An excessively broad charter, like that of the HUAC, places the courts in an untenable position if they are to strike a balance between the public need for a particular interrogation and the right of citizens to carry on their affairs free from unnecessary governmental interference.

On this ground the court set aside a contempt of Congress citation.

In the succeeding case of *Barenblatt* against United States, decided in 1959, the Court upheld a similar contempt citation in a partial retreat from the *Watkins* case on the basis that the long history of rule XI flushed out the vagueness of the rule itself. At the same time the majority opinion again restated its objection to the vagueness of the chartering rule.

Whatever the conflict of results in the *Watkins* and *Barenblatt* cases it must be conceded that the Supreme Court in both cases described the present charter of HUAC as vague, nonexplicit, and excessively broad and this conclusion is apparently concurred in by the author of House Resolution 89.

It is apparent that we are confronted with a major issue which goes far beyond the insubstantial issue of mere change of a committee name. Certainly we need more than 1 hour of discussion under rules which limit the recognition privilege to the chairman of a committee which is seeking to reform itself.

The author of the resolution should welcome extended debate and the assistance of members of the Judiciary Committee and other qualified lawyers on the floor in securing the best possible language of reform and the best possible organization for reform.

I support the right of Congress to oversee the problem of internal security and challenges to that security from abroad. My earnest desire is to create a vehicle in the House which will accomplish that function in the best possible manner.

Mr. HELSTOSKI. Mr. Speaker, today the House is called upon to vote on House Resolution 89 which would do more than just change the name of the Committee on Un-American Activities. It would also broaden its jurisdiction.

In the face of growing opposition to the House Un-American Activities Committee, I believe this resolution is merely an attempt to quell criticism of the committee by giving the impression that Congress has given it a different authorization to carry on its investigations. Rather than proposing effective and genuine reform in the work of this committee, in reality, this resolution attempts to improve the committee's public relations image.

However, the objections leveled at the House Un-American Activities Committee cannot be erased by changing the committee's name to that of the Committee on Internal Security. And, surely, the vague broadening of the committee's authority will only serve to increase the growing number of voices in opposition.

It is this new description of the jurisdiction of the House Un-American Activities Committee which causes me most concern. We should certainly do our utmost to protect the internal security of our country. However, care must also be taken so that, in our efforts to insure our internal security, we legislate no more broadly than required, and also insure against unnecessary threatening of our basic freedoms. The reconciling of these freedoms with internal security is a very exacting task. I do not believe that House Resolution 89 accomplishes this reconciliation. Rather, it broadens the mandate of a committee whose jurisdiction is already questionable, both with regard to constitutionality and usurping of another committee's responsibilities.

House Resolution 89 authorizes investigation by the House Un-American Activities Committee with respect to activities involving "violence, treachery, espionage, sabotage, insurrection, or any unlawful means." The committee's authority is additionally extended to investigate groups and organizations as well as propaganda. Once an organization falls within the classification of those organizations to be investigated, all activities, both innocent and threatening may be investigated. Speech, assembly, and thought are undoubtedly those in-

nocent acts which would be vulnerable to such investigation. I believe this to be an unnecessary threatening of basic freedoms.

The criticisms of this committee were not leveled primarily at its name, nor did they call for an increase in the scope of its powers. This resolution, with its vague language and dangerous infringement on civil liberties, can only serve to increase the already warranted criticism of the House Un-American Activities Committee and to further confuse its jurisdiction with that of the Judiciary Committee.

I will vote against House Resolution 89. This resolution compounds rather than solves the problems of the House Un-American Activities Committee. I have felt for some time that the responsibilities now held by this committee would more appropriately belong under the jurisdiction of the House Judiciary Committee, and no name can change or alter that fact. I will support the amendment by the Honorable JOHN C. CULVER, if it reaches a vote, to consolidate all internal security functions within the Committee on the Judiciary.

Mr. ANNUNZIO. Mr. Speaker, the new name and differently written mandate for the House Committee on Un-American Activities proposed in House Resolution 89 remove none of the reasons why I and many other Members oppose continuation of an investigating committee of this kind. We urge that this resolution be decisively rejected.

What are the reasons which make us oppose continuation of the Un-American Activities Committee or of the Internal Security Committee? The two most compelling reasons are the first and fifth amendments to our Constitution. This committee has most flagrantly violated the first and fifth amendments. And this committee, with whatever name, would surely continue to do so because of the very nature of its investigations.

Let none of us be deceived by the differently worded mandate in House Resolution 89.

Under its present mandate, the committee is authorized to investigate "the extent, character, and objects of un-American propaganda activities in the United States." Propaganda means dissemination of ideas and the expression of thought. And so the committee was authorized to investigate the dissemination of ideas and the expression of thought.

The first amendment says that:

Congress shall make no law . . . abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

In *Watkins v. the United States* (354 U.S. 178 (1957)), in which the Supreme Court reversed a contempt conviction arising from one of the committee's investigations, Chief Justice Warren, speaking for the Court, defined the investigative power of Congress. He said:

No inquiry is an end in itself; it must be related to and in furtherance of a legitimate task of the Congress.

This means that Congress can investigate in all the areas in which it can

legislate—the areas of the powers enumerated in article I, section 8. And this means that Congress cannot investigate in areas in which it is forbidden to legislate—and it is forbidden by the first amendment to make any law abridging the rights of speech and peaceful assembly. Hence, there is absolutely no way to avoid the conclusion that the present mandate of the committee, which authorizes it to investigate the dissemination of ideas and the expression of thought, violates the first amendment.

We have been told by supporters of House Resolution 89 that a primary purpose of the new mandate is to make it clear that the committee has no power "to investigate and suppress ideas and thoughts," and that it is limited to investigate "activities" aimed at subversion.

I should like to ask how it is possible to investigate activities without investigating thoughts and ideas. Every human activity is formed by the purpose it serves. Hence, the proposed mandate of the committee authorizes it to investigate the "objectives" of organizations and groups. But objectives and purposes are expressed by ideas. And so we are immediately invading the sacred area of first amendment rights.

The new mandate, moreover, gives the committee power to investigate the "character" of organizations and groups. But how else does any group acquire a character except by the objectives or purposes which its members have in mind? And so the proposed mandate confers as much power as the present mandate to do violence to freedom of thought and speech and assembly.

Let us not be so naive as to accept the distinction which has been proposed between activities on the one hand and the propagation of ideas on the other. Any group which seeks to change the present political or social order must necessarily undertake to do so by enlisting as widespread support as possible. It is impossible to bring about political or social change without widespread support. And how else can any group enlist widespread support except by seeking to change people's minds—except by bringing people to see things in a new perspective? So the Un-American Activities Committee or the Internal Security Committee must inevitably focus its investigations on the expression of thought and the dissemination of ideas if it undertakes to investigate the activities of groups and organizations to discover the purposes or objectives of those activities.

The committee's investigations violate the fifth amendment as well as the first. The fifth amendment guarantees that no person shall "be deprived of life, liberty, or property, without due process of law."

People who have suffered community rejection and ostracism and loss of jobs because they were compelled to appear before the committee have surely been deprived of liberty and property without due process of law. And by inflicting such penalties on individuals, the committee has usurped the duties of prosecutor—an executive function—and of judge and jury—judicial functions.

The Supreme Court said in the *Watkins* case:

February 18, 1969

CONGRESSIONAL RECORD — HOUSE

H 975

Abuses of the investigative process may imperceptibly lead to abridgement of protected freedoms. The mere summoning of a witness and compelling him to testify, against his will, about his beliefs, expressions or associations is a measure of governmental interference. And when those forced revelations concern matters that are unorthodox, unpopular, or even hateful to the general public, the reaction in the life of the witness may be disastrous.

We all know the circus atmosphere that too often surrounds the hearings held by this committee. In my own city of Chicago, for instance, hearings were held a few years ago by this committee which were referred to by many of our outstanding citizens as "star-chamber proceedings."

Msgr. George C. Higgins, Director of the Social Action Department of the U.S. Catholic Conference, in the Chicago archdiocesan newspaper *New World*, referred to the committee as useless and one which despotically denied the rights of American citizens. Its procedure, he wrote, is one "by which friendly witnesses are allowed to defame others without being subjected to cross-examination and by which those defamed are then subpoenaed and required to answer Committee questions but are not allowed to testify in their own behalf or to have others testify for them." We know, too, that witnesses are sometimes paid to come before the committee, and I think it highly irregular that they be paid a sum of money for making an appearance.

I am as interested as any of my colleagues in routing the Reds, and in fact, led the cleanup in 1947 on the Illinois State Industrial Union Council in Chicago when five of six places on the executive board of the central CIO body, representing 275,000 Illinois workers, went to avowed anti-Communists.

I cannot, however, agree in good conscience with the unfair tactics employed by the House Committee on Un-American Activities. It is highly questionable whether the committee serves any serious purpose other than exposure.

Therefore, when the first session of the 90th Congress convened in January of 1967, and again when the first session of the 91st Congress convened last month, I introduced legislation, along with many of my colleagues, calling for the discontinuance of the House Committee on Un-American Activities and the transfer of its duties and responsibilities to the House Judiciary Committee. I believe this is the most advisable course of action to follow and look forward to the day when a majority in the House will agree with me.

It is inevitable, Mr. Speaker, that the committee, acting under its new name and new mandate, would continue to bring about the punishment of individuals without due process of law, thus violating the fifth amendment, and would continue to curtail our first amendment freedoms of speech and press.

Congress must certainly establish the legal basis for protecting our form of government from violent overthrow by means of espionage, sabotage, and other overt acts. All such legislation is properly within the jurisdiction of the Judiciary Committee, and my resolution,

House Resolution 20, would amend House rule XI, clause 12, by adding explicitly to the Judiciary Committee's jurisdiction "sabotage and other overt acts affecting internal security."

I urge, Mr. Speaker, that the House abolish this committee which outrages the Bill of Rights and violates the separation of powers. A new name and a differently worded mandate will not change the character of this committee. They may change the name, but the game is the same.

Mr. FARBERSTEIN. Mr. Speaker, the resolution being considered today is to rename the House Committee on Un-American Activities and reword its mandate. This resolution was reported by the House Rules Committee and now comes before us for consideration. This resolution not alone seeks a change of name but also authorizes the committee to make investigations, which broadens its mandate. Though a difficult task, the Congress must protect the internal security of the United States on one hand while assuring the rights and liberties of the individual on the other. I fear the House Un-American Activities Committee has accomplished very little, if indeed anything at all, in protecting the internal security of the Nation. However, in pursuing its investigations in the past, the committee has been lacking demonstrably in assuring the individual his rights. This contradicts not only the word and spirit of the Constitution, but the very tenets upon which this Nation was founded.

The Supreme Court has stated that the "right of government to maintain its existence and self-preservation is the most pervasive aspect of sovereignty." I am certain, Mr. Speaker, that there is no one in this Chamber who would dispute this contention. It is a direct result of the Nation's security, both internal and external, that we are in fact able to enjoy our constitutional rights.

Yet, when the security of our Nation is not directly threatened, an individual's rights should not be violated. When they are violated, we are confronted with nothing but a mockery of everything this House truly stands for.

When the mere service of a subpoena brands an individual guilty of certain un-American activities, whether he is innocent or guilty, it is time for a change. A subpoena from the House Committee on Un-American Activities—or if changed, the newly named Internal Security Committee—automatically surrounds the individual with a stigma of guilt, especially when it is accompanied by a notice in the press stating that the individual is to be investigated for alleged subversion or various forms of treachery. These, Mr. Speaker, are my basic objections to the continuance of the committee.

I respectfully submit that this proposal would accomplish nothing new except that it would establish a new facade, changing the outward appearance of the committee and extending its powers, as aforesaid. I further submit that the mandate and function of the committee be first realistically and clearly defined, and then transferred to the Judiciary Committee. If this is done, the internal se-

curity of the country would still be protected while the constitutional rights of the individual would not be infringed upon.

A subpoena issued by the Judiciary Committee would not carry with it the same dark shadow of guilt that is associated with a subpoena and subsequent appearance before the House Un-American Activities Committee or the Internal Security Committee. This pillarization in the press compounds what already is a gross travesty of our great legal heritage.

The Congress should never forget that this great country was founded to protect the dignity and integrity of the individual citizen; and when his rights and liberties are violated, then the very foundation of this Nation is undermined. It is this consideration, above all else, that causes me to advocate the abolition of the Committee on Un-American Activities and the transfer of its functions to the Judiciary Committee whose capability, experience, and dedication, not only to the preservation of the security of this Nation, but also to the preservation of our constitutional rights and liberties, is beyond question.

Mr. SCHERLE. Mr. Speaker, the House Committee on Un-American Activities has, for many years, performed a valuable and useful function. Since its creation, our Nation has been faced with many internal enemies. These have included the pro-Nazi German American Bund, the Communist Party, and other organizations which have advocated the overthrow of our Government and the destruction of our freedom.

The investigations conducted by this committee has resulted in legislation designed to protect our society from those who would destroy it. Beyond this, the many valuable studies published under the auspices of this committee have helped to inform the American people of the true nature of the enemies we have faced.

From its inception, the House Committee on Un-American Activities has been the butt of stubborn opposition. This opposition has, of course, come primarily from those who were engaged in the kinds of subversive activities which were the responsibility of the committee to investigate.

The resolution being considered by the House today is to clarify the mandate of the committee, and to give it a new name. House Resolution 89 spells out in precise legal language what constitutes "subversive activities," and gives the committee the usual jurisdiction and investigatory powers that have been exercised by the Committee on Un-American Activities. The new name would be the "House Committee on Internal Security."

This resolution has been proposed in the interest of strengthening a committee which is vital to the maintenance of our democratic form of government. The radical left has been violently opposed to this change. The *Communist Daily World*, in its September 18, 1968, issue, stated:

The proposed new wording of HUAC's mandate is specifically designed by the sponsors of the resolution to "preserve the full juris-

diction and powers" of the investigatory body.

It is because they want to see the committee abolished or, at the very least, weakened, that the Communists have opposed this change.

There is increasing violence in our country. Our cities have been victimized by riots, and our campuses are in a virtual state of siege. Examples of such violence have been numerous. In recent days, the president of Swarthmore College died of a heart attack after being locked in his office by militant black students. New York Times editor James Reston was forced off the stage at New York University. Brandeis University was closed down, and campus buildings have been bombed at Berkeley and at Stanford. There is much material worthy of congressional investigation in these events, particularly the question of who is financing these radical student movements.

Rarely before has the need for an effective House committee to investigate such violence been so great. The changes included in this bill would strengthen the committee, and for this reason I support them.

The changes will also make certain that the rights of all witnesses are safeguarded and that due process will always be observed. In a society such as ours, means are ends in themselves. All committees must be clearly controlled and must operate by the rules. But Congress must also have the information it needs to legislate, and this is particularly true in the area of internal security. The proposed changes involved in this bill would make certain that both of these elements are preserved and protected.

Mr. DERWINSKI. Mr. Speaker, House Resolution 89 does clarify the mandate of the House Committee on Un-American Activities. I believe that the establishment of a new committee and name, the Committee on Internal Security, is a sound step. An objective review of House Resolution 89 clearly demonstrates that the new committee in more precise legal language will be vested with proper legislative jurisdiction and related investigatory powers.

May I state, Mr. Speaker, I do not believe that the House Judiciary Committee, whose members are bearing a far heavier than normal workload, can give this matter the attention and persistence which is required. In view of the fact that a number of the members on the majority side of the House Judiciary Committee are critical of the former House Committee on Un-American Activities they would hardly be expected to facilitate the operations of a new subcommittee under their full committee jurisdiction.

Therefore, I feel that the resolution is a practical one and that the new Committee on Internal Security will make a sound, constructive contribution to the internal security of our country, which continues to be beset by activities financed and stimulated by various Communist sources.

However, as a matter of legislative procedure, I did not vote for the previous

question since I feel the critics of the committee ought to be given an opportunity to more thoroughly express their views and offer substitute motions. The outcome of this battle is clear. Only the extreme liberal faction of the House, a small group indeed, is seeking to wipe out this essential committee. But, I do feel despite my strong support of the committee that its critics should have an opportunity to more thoroughly express their dissent.

Mr. SYMINGTON. Mr. Speaker, Representative RICHARD ICHORD of my neighboring district, the Eighth District of Missouri, having been named chairman of the committee under consideration has stated his desire to redefine its jurisdiction and conduct its operations to achieve a fairer, less sensational, and more businesslike performance. With this in mind he offered House Resolution 89. There are those who argue that this resolution would not or could not accomplish the desired result. If they are correct the House will have the opportunity to so judge and render such judgment when the committee's future is again considered as it periodically is. In the meantime it is my view that Mr. ICHORD, the new chairman's initiative deserves the benefit of the doubt, and he has the chance to chart a new, a better understood, and a more generally acceptable course for the committee.

Mr. BOLAND. Mr. Speaker, I think it essential that the House vote on the proposal sponsored by the gentleman from Iowa (Mr. CULVER) to place the activities of the present Committee on Un-American Activities under the jurisdiction of the House Committee on the Judiciary.

This is not a new idea; it has been advocated several times in the past. Without intending any disrespect for the present chairman of the committee, I do feel that this proposal has greater merit than the resolution of the chairman to change the name of the committee. That does not go far enough, in my estimation; nor do his proposed reforms go far enough. I am encouraged that the committee will no longer be investigating "propaganda," that is, speech in all its manifestations. Its past record in this area stands as a shabby testament to abuse of the investigation prerogative. But the stigma attached to this committee makes it imperative that the House be done with it and that its functions be transferred to the Committee on the Judiciary.

Clearly, Congress has the right of investigation. This was forthrightly acknowledged in *Watkins v. United States*, 354 U.S. at 187 (1957), when the Supreme Court stated:

We start with several basic premises on which there is general agreement. The power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes. It includes surveys of defects in our social, economic or political system for the purpose of enabling the Congress to remedy them. It comprehends probes into departments of the Federal Government to expose corruption, inefficiency or waste.

The Court continued:

But broad as is this power of inquiry, it is not unlimited. There is no general authority to expose the private affairs of individuals without justification in terms of the functions of the Congress. No inquiry is an end in itself; it must be related to, and in furtherance of, a legitimate task of the Congress. Investigations conducted solely for the personal aggrandizement of the investigators or to "punish" those investigated are indefensible.

Everyone is well aware that this opinion was delivered in reversing the conviction of Mr. Watkins for contempt of Congress because of his refusal to answer questions directed to him by the House Committee on Un-American Activities. These questions had to do with the alleged membership of certain persons in organizations considered subversive. Watkins declined to affirm or deny membership of any person whom he did not know as a member at the time of the inquiry. He declined, in other words, to identify persons as past members on the grounds that:

I do not believe that such questions are relevant to the work of this committee nor do I believe that this committee has the right to undertake the public exposure of persons because of their past activities.

The Court agreed with Mr. Watkins.

It was not until after World War II that the kind of inquiry for which the Committee on Un-American Activities gained its notoriety became commonplace. As the Court noted in *Watkins*—at 195:

This new phase of legislative inquiry involved a broad-scale intrusion into the lives and affairs of private citizens. It brought before the courts novel questions of the appropriate limits of congressional inquiry.

In effect, it raised the serious question of the legitimate scope of inquiry without trespassing on the rights and privileges of individuals as guaranteed in the Bill of Rights.

Regrettably, the Committee on Un-American Activities has been guilty innumerable times of overstepping the legitimate boundaries of congressional inquiry. It has exposed for exposure's sake. It has invaded the rights of free speech. It has laid itself open to disruptive, chaotic, and embarrassing hearings by calling witnesses and attempting to compel from them testimony which the committee knew full well would precipitate recalcitrance, anger, and demonstration. Too often its policy has been one of deliberate provocation for the purposes of gaining publicity. Too seldom has its policy been designed to further the legitimate ends of congressional inquiry. No better proof of these observations exists than in a comparison of its legislative record with its record for issuance of contempt resolutions. Only six pieces of legislation reported by the committee have become the law of the land. On the other hand, it has handed out more than 160 contempt citations since 1945.

The history of the committee does not merit its continuance. Moreover, the charter establishing the committee is loosely worded and permits the widest latitude for abuse. In *Watkins*—at 197—the Court stated:

February 18, 1969

CONGRESSIONAL RECORD — HOUSE

H 977

An investigation is subject to the command that the Congress shall make no law abridging freedom of speech or press or assembly.

Under its charter, the committee has violated that injunction.

The Court announced in *Watkins*—at 201–202:

It is the responsibility of the Congress, in the first instance, to insure that compulsory process is used only in furtherance of a legislative purpose. That requires that the instructions to an investigating committee spell out that group's jurisdictions and purpose with sufficient particularity.

And, in commenting on the charter of the committee, the Court said:

It would be difficult to imagine a less explicit authorizing resolution.

In the face of all this, it seems clear to me that the House would be well advised to adopt the proposal of the gentlemen from Iowa (Mr. CULVER). As he pointed out himself on February 6 of this year, his resolution responds to the criticism of the Court and guarantees that abuse of the investigating prerogative of Congress will not occur in the future during investigations of purported subversive activity.

It does this by clearly defining what the new subcommittee of the Judiciary Committee may probe in its investigations; that is:

The Committee is authorized to investigate for legislative purpose those activities of groups or organizations which involve espionage, sabotage, insurrection, force or other coercive acts when such activities attempt to alter or overthrow the lawful authority of the Government of the United States.

It could be stated no more clearly than that.

In summary, Mr. Speaker, I feel that the past record of the Committee on Un-American Activities does not justify its further existence as an independent body. The jurisdiction of a committee of this House investigating subversive activity must be narrowly drawn and must strike a sensible balance between the necessity of security and the precious rights of our citizens. The Culver resolution does this and we ought to have the opportunity to vote upon it. Accordingly, I urge defeat of the previous question and adoption of an amendment embodying the proposal of the gentleman from Iowa (Mr. CULVER). If the previous question succeeds, I will vote against the resolution seeking a change in the committee's name and extension of its mandate.

Mr. COHELAN. Mr. Speaker, I rise in opposition to House Resolution 89, a resolution to change the name and amend the mandate of the present Committee on Un-American Activities.

There has been a general recognition that the present mandate and procedures of the Committee on Un-American Activities require reform. In fact, the present chairman of the committee, the gentleman from Missouri (Mr. ICHORD), has forthrightly expressed this view.

Thus the need for reform is clear. The question is whether the new mandate contained in this resolution is that needed reform. It is my view that this resolution does not provide that reform. Accordingly, I will oppose it.

The gentleman from Missouri (Mr. ICHORD), and legal experts, including the staff of the Legislative Reference Service of the Library of Congress, have given their opinion that there is nothing that the old committee could have done under the old mandate that the new committee will not be able to do under the new mandate. The language of the new mandate is far from clear. The specific enumeration of subjects to be investigated overlaps the jurisdiction of the Committee on the Judiciary, as the chairman of that committee has so ably indicated.

For these reasons I have concluded that the new mandate is not the needed reform measure.

Moreover, I have for several years introduced legislation to abolish the present Committee on Un-American Activities and transfer its legitimate functions to the Judiciary Committee. It is my understanding that if this resolution is defeated an effort will be made to accomplish this abolition and transfer. For this additional reason I will oppose the resolution.

At this point, however, I want to make it clear that I strongly support the right of Congress and the House of Representatives to investigate matters pertaining to the internal security of the United States. I see this not only as a matter of right but of obligation.

I am equally concerned and convinced that the constitutional rights of all witnesses appearing before committees of the Congress must be scrupulously protected. It is clear that they have not always been so protected in the past.

In my judgment both obligations could be better met if the Committee on Un-American Activities were to be dissolved and the function of investigating in the area of internal security be assumed by the Committee on the Judiciary, as it is in the Senate.

In short, Mr. Speaker, I am for reform, and this resolution does not provide reform.

This resolution will change the name and the face of the Committee on Un-American Activities, but the body would remain the same. My objections are to the body, to the substance, to the unconscionable ways in which the committee has conducted certain of its past proceedings. In the past, the committee has conducted inquisitorial proceedings, needlessly pilloried witnesses, and has contributed nothing to the legislative process which could not have been supplied by orderly, objective, and civilized proceedings before the Judiciary Committee.

Mr. Speaker, I oppose this resolution.

Mr. GILBERT. Mr. Speaker, I shall vote against the previous question so that amendments can be offered to House Resolution 89 to change the name of the Un-American Activities to the Committee on Internal Security. First, let me say that I do not believe a change in the name of the committee will change its activities or improve committee procedures.

I will support the amendment to remove jurisdiction of the activities of the Un-American Activities Committee to the Judiciary Committee. I am one of the sponsors of this proposal.

Mr. Speaker, I am of the belief that the Un-American Activities Committee serves no useful legislative purpose. The committee's past record of performance is evidence of this. Any investigation of "un-American propaganda" should focus on activities protected by the Bill of Rights—those of speech, assembly, and thought. The committee has been consistently criticized for the manner in which it has conducted hearings.

The Judiciary Committee is composed of attorneys and the Judiciary Committee's jurisdiction extends to the protection of constitutional rights of the individual. It is my earnest and sincere belief the Judiciary Committee can meet the responsibilities of maintaining a proper balance between the protection of individual rights and the conduct of congressional hearings on legislation relating to the internal security of the United States.

Mr. SCHWENGEL. Mr. Speaker, I rise in opposition to the passage of this measure. Let me make it quite clear from the beginning that I do feel there are some valid areas of operation for a committee such as the House Un-American Activities Committee. And, indeed, some areas of the committee's work in the past may have had some value. However, on balance, the value of the committee certainly is questionable. There has been far too much of the "big brother" flavor about the committee's operations. In this era of ever-decreasing personal freedom, too often activities of the committee have been costly in terms of personal freedom, and have adversely affected the lives and reputations of the people being investigated by it.

It is my position that any legitimate functions of this committee can be more adequately and properly carried out by a subcommittee of the House Judiciary Committee. By transferring the legitimate functions to such a subcommittee, we would be placing this important but delicate assignment with a committee which is noted for handling its affairs with full regard for due process of law. Further, the transfer would give added prestige to legislation arising in this area. All too often, the present committee has been inclined to give short shrift to the basic rights of those persons under investigation.

Let us put this whole matter back in proper perspective, and under proper supervision, by transferring such of the functions as may be valid to a subcommittee of the House Judiciary Committee.

Mr. BROWN of California, Mr. Speaker, the Committee on Un-American Activities should be abolished. It should not be replaced. I firmly support the transfer of whatever valid and relevant legislative functions are now held by that committee to the Committee on the Judiciary.

In the 31 years since the first Special Committee on Un-American Activities was established, no other congressional committee has contributed so little of substantive value, yet created as much controversy. Of course, had the committee stayed only within its initial mandate—that of investigating "Un-American propaganda"—I believe it would have faded away long ago. But,

over the years, that mandate mysteriously has expanded into today's current monolith which more resembled a quasi-judicial operation than it does a constituted legislative body.

My argument is not with the concept of dealing with subversion. I quarrel with the means of dealing with that danger, not the end. And, in doing so, I believe that the objectives outlined under the mandate of the proposed Internal Security Committee already exist well within the traditional mandate of the Judiciary Committee.

We must not be deceived. The motion before the House today is not merely one of changing the name of a committee. Passage of House Resolution 89 creates an entirely new committee—a committee with overly broad and quite vague powers, powers which would seriously endanger our given rights of speech and association. Indeed, were House Resolution 89 approved, such action would be interpreted as a justification of all the previous infringements upon civil liberties perpetrated by the Un-American Activities Committee.

My own position is also strongly based on strict procedural grounds. Formation of an Internal Security Committee would cause major conflicts and jurisdictional disputes between that committee and the Judiciary Committee. I support the opinion of the respected chairman of the Judiciary Committee that "aggrandizement of jurisdiction customarily exercised by the Committee on the Judiciary is a matter of critical concern."

Yet, despite this deep concern by the senior Member of the House, the process which brings House Resolution 89 before this Chamber today has ignored other meaningful and significant proposals relating to other possible changes in the Un-American Activities Committee.

As a cosponsor of House Resolution 134, which calls for abolishing the Un-American Activities Committee and transferring its jurisdiction to the Judiciary Committee, I am disturbed that no major attention at all was given by the Rules Committee to that proposal—or any other than House Resolution 89. Nor am I pleased with the rule which permits no amendment to House Resolution 89 unless the previous question can be defeated.

I view today's debate over the future of the Un-American Activities Committee as a crucial point in the direction of the 91st Congress. Adoption of House Resolution 89, and creation of an Internal Security Committee, will forever serve as a stigma attached to the reputation of this Congress.

There can be no argument that subversion of the United States should be quickly halted. But I question whether gross trespassing on basic civil liberties of American citizens, in the name of routing subversion, is not an equal danger to our most dear principles of democracy and justice.

Mr. MOORHEAD. Mr. Speaker, I rise in opposition to House Resolution 89. I intend to vote against the motion which would cut off debate and prevent the offering of amendments. I intend to vote in favor of the amendment to be offered

by the gentleman from Iowa (Mr. CULVER) to consolidate all internal security functions within the Committee on the Judiciary.

I must oppose the attempt to change the name of the Committee on Un-American Activities to the House Internal Security Committee.

If I could be sure that with the switch in names Congress would also get a new committee in the sense that the questionable behavior of HUAC would give way to a more intelligent, less zealous and damaging investigation of internal security threats, I would support a name change.

But I am familiar enough with the dubious achievements of this committee to harbor little hope of an about face. And a turnaround is sorely needed, in light of the many past indiscretions committed by this group in their investigations—the overriding function of which serves more to garner publicity than to realize any substantive good for the country.

HUAC has abused its investigative mandate, totally rejecting any legislative role, and carried on forays against any number of citizens and groups involved in the legitimate pursuit of their civil liberties. Intelligent, rational inquiry is one thing, harassment for publicity sake is quite another. And it is the latter that has become HUAC's forte.

Certainly it is important for any democracy—including the United States—to guard against internal subversion which resorts to unlawful techniques intended to circumvent and destroy the will of the majority.

In the executive branch of our government this function is carried on primarily by the Federal Bureau of Investigation.

In the legislative branch—in the other body—this function is carried on by the Internal Security Subcommittee of the Judiciary Committee.

Neither of these institutions has caused the abridgment to freedom that the Committee on Un-American Activities have dealt the many subjects of their investigations.

Why is this?

I submit that it is because both institutions are subdivisions—important subdivisions—but nevertheless subdivisions of a larger institution whose primary objective is justice.

This means justice equally for the minority who want to exercise their constitutional rights of free speech and assembly, and justice for the majority who do not want to have their rights taken away.

The FBI is a subdivision of the Justice Department.

The Senate Internal Security Committee is a subdivision of the Judiciary Committee.

As subdivisions, their zeal for protecting the majority is tempered by the interest of their parent organization in protecting the minority.

In our House Committee on Un-American Activities we have no such tempering influence.

The mandate of HUAC from the House is to protect the majority from the minority and there is no built-in

balance which to protect the rights of minorities.

Making HUAC a subcommittee of the House Judiciary Committee would create such a balance wheel.

Accordingly, Mr. Speaker, I urge my colleagues to vote no on the previous question motion so that we all may vote on the Culver amendment to transfer the jurisdiction of the Un-American Activities Committee to the Committee on the Judiciary.

Mr. LOWENSTEIN. Mr. Speaker, during today's debate on House Resolution 148, it was announced that had the parliamentary situation permitted, I would have joined the gentleman from New York, Congressman POBELL, in moving to abolish the House Un-American Activities Committee.

My position stems from belief in the principal that the protection of first amendment freedoms is basic to our Constitution. Beyond the questionable constitutionality of investing Congress with powers of investigation into speech, association and ideas, there is the additional danger inherent in the vagueness of the committee's mandate. As the gentleman from Iowa, Congressman CULVER, a former member of HUAC, remarked:

Innocent activities are most often those of speech, association and belief . . . /the HUAC mandate/leaves too much room for subjective and highly political judgments in an area purposefully left free by the first amendment for seemingly unrespectable ideas.

The activities of the committee since its inception have further underscored the wisdom of adhering to this principle. The courts have upheld only 9 of the 133 contempt citations issued by the committee. Furthermore, the committee has often seemed not to understand—or at least not to accept—the constitutional distinction between advocacy and action, possibly because the jurisdiction over activities legitimately subject to congressional investigation resided in another standing committee of the House. The dean of the House, the gentleman from New York, Congressman CELLER, whose constitutional expertise has earned him great distinction as chairman of the Judiciary Committee, put this point very clearly:

Traditional practice and custom also indicates that the Committee on the Judiciary, established in 1813, historically has exercised legislative jurisdiction over bills dealing with crime, espionage, sedition and penalties.

Not only is the existence of such a committee questionable under the Constitution, and legislatively unproductive, but the cost of maintaining it has added to the already excessive burdens of the taxpayers. The committee has maintained an average staff of 46, at a cost of more than \$6 million, and has produced only five pieces of legislation since 1945. Contrast this record with the Ways and Means Committee which, operating with half as large a staff, as consistently considered a full 20 percent of the legislative output in each session of Congress.

It seems reasonable to conclude that a committee whose legitimate functions are encompassed by the mandate of another committee, whose activities have not brought credit to Congress, whose

February 18, 1969

CONGRESSIONAL RECORD — HOUSE

H 979

inquiries have resulted in damage to a substantial number of citizens and whose cost to the taxpayer has been excessive, should, after 20 years of such unsuccessful experimentation, be discontinued.

Mr. LATTI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 262, nays 123, not voting 46, as follows:

[Roll No. 16]
YEAS—262

Abbutt	Eshleman	Minshall
Abernethy	Evins, Tenn.	Mize
Adair	Fallon	Mizell
Albert	Fascell	Mollohan
Alexander	Findley	Monagan
Anderson,	Fish	Montgomery
Tenn.	Fisher	Morton
Andrews, Ala.	Flood	Natcher
Andrews,	Flowers	Nelsen
N. Dak.	Ford, Gerald R.	O'Konski
Arends	Foreman	Olsen
Ashbrook	Fourtain	Passman
Aspinall	Frey	Patman
Ayres	Fulton, Pa.	Pelly
Baring	Fulton, Tenn.	Pepper
Bates	Fuqua	Perkins
Battin	Galifianakis	Pettis
Beall, Md.	Garmatz	Philbin
Belcher	Gibbons	Pickle
Bennett	Goodling	Pirnie
Berry	Griffin	Poage
Betts	Griffiths	Poff
Bevill	Gross	Pollock
Biester	Grover	Preyer, N.C.
Blackburn	Gubser	Price, Tex.
Blanton	Haley	Pryor, Ark.
Boggs	Hall	Purcell
Bow	Hamilton	Quillen
Bray	Hammer-	Quinn
Brinkley	schmidt	Railsback
Brock	Hanley	Randall
Broomfield	Hansen, Idaho	Rarick
Brotzman	Harsha	Reid, Ill.
Brown, Mich.	Harvey	Reifel
Brown, Ohio	Hastings	Rhodes
Broyhill, N.C.	Hébert	Rivers
Broyhill, Va.	Henderson	Roberts
Buchanan	Hogan	Robison
Burke, Fla.	Hosmer	Rogers, Colo.
Burlison, Tex.	Hull	Rogers, Fla.
Burlison, Mo.	Hungate	Rooney, Pa.
Bush	Hunt	Roth
Byrnes, Wis.	Hutchinson	Ruppe
Cabell	Ichord	Ruth
Caffery	Jarman	Satterfield
Camp	Johnson, Pa.	Saylor
Carter	Jones	Schaderberg
Cederberg	Jones, N.C.	Scherie
Chamberlain	Kazen	Schneebeli
Chappell	Kea	Scott
Clancy	Keith	Sebelius
Clark	King	Shipley
Clausen,	Kleppe	Sikes
Don H.	Kyl	Sisk
Clawson, Del	Kyros	Skubitz
Cleveland	Landrum	Slack
Collier	Langen	Smith, N.Y.
Collins	Latta	Snyder
Colmer	Lennon	Springer
Conable	Lipscorn	Stanton
Corbett	Lloyd	Steed
Coughlin	McClure	Steiger, Ariz.
Cowger	McClure	Steiger, Wis.
Cramer	McCulloch	Stephens
Cunningham	McDade	Stratton
Daniel, Va.	McDonald,	Stuckey
Daniels, N.J.	Mich.	Symington
Davis, Wis.	McEwen	Taft
de la Garza	McKneally	Talcott
Denney	McMillan	Taylor
Dennis	MacGregor	Teague, Calif.
Devine	Mahon	Teague, Tex.
Donohue	Mann	Thompson, Ga.
Dorn	Marsh	Thomson, Wis.
Dowdy	Martin	Thomson
Downing	Mathias	Ullman
Butski	May	Utt
Duncan	Mayne	Vander Jagt
Edmondson	Meskill	Vigorito
Edwards, Ala.	Michel	Waggonner
Edwards, La.	Miller, Ohio	Wampler
Erlenborn	Mills	Watkins
		Watson

Watts	Wiggins	Wylie
Welcker	Williams	Wyman
Whalley	Wilson, Bob	Yatron
White	Winn	Young
Whitehurst	Wold	Zablocki
Whitten	Wright	Zion
Widnall	Wyatt	Zwach

NAYS—123

Adams	Foley	Mink
Adaabbo	Ford,	Moorhead
Anderson,	William D.	Morgan
Calif.	Fraser	Morse
Annunzio	Frelinghuysen	Mosher
Ashley	Friedel	Moss
Biaggi	Gallagher	Murphy, Ill.
Bingham	Gaydos	Nedzi
Blatnik	Glaimo	Nix
Boland	Gilbert	O'Neill, Mass.
Bolling	Gonzalez	Ottinger
Brademas	Greer, Pa.	Patten
Brasco	Gude	Pike
Brooks	Halpern	Podell
Brown, Calif.	Hanna	Price, Ill.
Burke, Mass.	Hansen, Wash.	Pucinski
Burton, Calif.	Hathaway	Rees
Button	Hawkins	Reid, N.Y.
Byrne, Pa.	Hays	Reuss
Cahill	Hechler, W. Va.	Rodino
Carey	Helstoski	Ronan
Chell	Hicks	Rooney, N.Y.
Chisholm	Horton	Rostenkowski
Clay	Howard	Roybal
Cohelan	Jacobs	Ryan
Conte	Joelson	St Germain
Conyers	Johnson, Calif.	St. Onge
Corman	Karth	Schwengel
Culver	Kastenmeier	Smith, Iowa
Daddario	Kirwan	Stafford
Dawson	Kluczynski	Stokes
Dellenback	Koch	Thompson, N.J.
Dent	Leggett	Tiernan
Derwinski	Lowenstein	Tunney
Dingell	McCarthy	Van Deerlin
Dwyer	McCloskey	Vanik
Eckhardt	McFall	Whalen
Edwards, Calif.	Madden	Wilson,
Eilberg	Meeds	Charles H.
Esch	Mikva	Wolff
Evans, Colo.	Miller, Calif.	Wyder
Farbstein	Minish	Yates

NOT VOTING—46

Anderson, Ill.	Hollifield	O'Neal, Ga.
Barrett	Jones, Ala.	Powell
Bell, Calif.	Kuykendall	Riegle
Burton, Utah	Landgrebe	Rosenthal
Casey	Long, La.	Roudebush
Davis, Ga.	Long, Md.	Rumsfeld
Delaney	Lujan	Sandman
Dickinson	Lukens	Scheuer
Diggs	Macdonald,	Shriver
Feighan	Mass.	Smith, Calif.
Flynt	Mailliard	Stagers
Gettys	Matsunaga	Stubblefield
Gray	Murphy, N.Y.	Sullivan
Green, Oreg.	Myers	Udall
Hagan	Nichols	Waldie
Heckler, Mass.	O'Hara	

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Nichols for, with Mr. Rosenthal against.

Mr. Gray for, with Mr. Scheuer against.

Mr. Hagan for, with Mr. Macdonald of Massachusetts against.

Mr. Davis of Georgia for, with Mr. Barrett against.

Mr. O'Neal of Georgia for, with Mr. Murphy of New York against.

Mr. Gettys for, with Mr. Matsunaga against.

Mr. Long of Louisiana for, with Mr. O'Hara against.

Mr. Long of Maryland for, with Mr. Diggs against.

Mr. Stubblefield for, with Mr. Powell against.

Mr. Flynt for, with Mr. Waldie against.

Until further notice:

Mr. Casey with Mr. Anderson of Illinois.

Mr. Delaney with Mrs. Heckler of Massachusetts.

Mr. Feighan with Mr. Mailliard.

Mr. Sullivan with Mr. Shriver.

Mr. Stagers with Mr. Rumsfeld.

Mr. Jones of Alabama with Mr. Bell of California.

Mr. Udall with Mr. Landgrebe.

Mrs. Green of Oregon with Mr. Burton of Utah.

Mr. Smith of California with Mr. Myers.

Mr. Roudebush with Mr. Lujan.

Mr. Dickinson with Mr. Sandman.

Mr. Kuykendall with Mr. Lukens.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the resolution.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 305, nays 79, not voting 47, as follows:

[Roll No. 17]
YEAS—305

Abbutt	Downing	Lennon
Abernethy	Dulski	Lipscorn
Adair	Duncan	Lloyd
Albert	Dwyer	McClure
Alexander	Eckhardt	McClure
Anderson,	Edmondson	McCulloch
Tenn.	Edwards, Ala.	McDade
Andrews, Ala.	Edwards, La.	McDonald,
Andrews,	Erlenborn	Mich.
N. Dak.	Esch	McEwen
Arends	Eshleman	McFall
Ashbrook	Evans, Colo.	McKneally
Aspinall	Evins, Tenn.	McMillan
Ayres	Fallon	MacGregor
Baring	Fascell	Madden
Bates	Findley	Mahon
Battin	Fish	Mann
Beall, Md.	Fisher	Marsh
Belcher	Flood	Martin
Bennett	Flowers	Mathias
Betts	Ford, Gerald R.	May
Bevill	Foreman	Mayne
Biester	Fourtain	McEeds
Blackburn	Frelinghuysen	Meskill
Blanton	Frey	Michel
Boggs	Friedel	Miller, Ohio
Bow	Fulton, Pa.	Mills
Bray	Fulton, Tenn.	Minish
Brinkley	Fuqua	Minshall
Brock	Galifianakis	Mize
Broomfield	Garmatz	Mizell
Brotzman	Glaimo	Mollohan
Brown, Mich.	Gibbons	Monagan
Brown, Ohio	Goodling	Montgomery
Broyhill, N.C.	Griffin	Morgan
Broyhill, Va.	Griffiths	Morton
Buchanan	Gross	Murphy, Ill.
Burke, Fla.	Grover	Natcher
Burlison, Tex.	Gubser	Nelsen
Burlison, Mo.	Haley	O'Konski
Bush	Hall	Olsen
Byrnes, Wis.	Hamilton	O'Neill, Mass.
Cabell	Hammer-	Passman
Caffery	schmidt	Patman
Camp	Hanley	Patten
Carter	Hanna	Pelly
Cederberg	Hansen, Idaho	Pepper
Chamberlain	Hansen, Wash.	Perkins
Chappell	Harsha	Pettis
Clancy	Harvey	Philbin
Clark	Hastings	Pickle
Clausen,	Hays	Pike
Don H.	Hébert	Pirnie
Clawson, Del	Henderson	Poage
Cleveland	Hicks	Poff
Collier	Hogan	Pollock
Collins	Horton	Preyer, N.C.
Colmer	Hosmer	Price, Ill.
Conable	Hull	Price, Tex.
Corbett	Hungate	Pryor, Ark.
Coughlin	Hunt	Pucinski
Cowger	Hutchinson	Purcell
Cramer	Ichord	Quillen
Cunningham	Jacobs	Quinn
Daniel, Va.	Jarman	Railsback
Daniels, N.J.	Joelson	Randall
Davis, Wis.	Johnson, Calif.	Rarick
de la Garza	Johnson, Pa.	Reid, Ill.
Denney	Jones	Rhodes
Dennis	Jones, N.C.	Riegle
Devine	Kazen	Rivers
Donohue	Kea	Roberts
Dorn	Keith	Robison
Dowdy	King	Rodino
Downing	Kirwan	Rogers, Colo.
Butski	Kleppe	Rogers, Fla.
Duncan	Kluczynski	Rooney, Pa.
Edmondson	Kyl	Rostenkowski
Edwards, Ala.	Kyros	Roth
Edwards, La.	Landrum	Ruppe
Erlenborn	Langen	Ruth
	Latta	Satterfield

Saylor	Stuckey	White
Schadeberg	Symington	Whitehurst
Scherle	Taft	Whitten
Schneebelle	Talcott	Widnall
Scott	Taylor	Wiggins
Sebelius	Teague, Calif.	Williams
Shipley	Teague, Tex.	Wilson, Bob
Sikes	Thompson, Ga.	Winn
Sisk	Thomson, Wis.	Wold
Skubitz	Tiernan	Wolff
Slack	Ullman	Wright
Smith, Iowa	Utt	Wyatt
Smith, N.Y.	Van Deerlin	Wydler
Snyder	Vander Jagt	Wylie
Springer	Vigorito	Wyman
Stafford	Waggonner	Yatron
Staggers	Wampler	Young
Stanton	Watkins	Zablocki
Steed	Watson	Zion
Steiger, Ariz.	Watts	Zwach
Stephens	Weicker	
Stratton	Whalley	

NAYS—79

Adams	Eilberg	Moorhead
Addabbo	Farbstein	Morse
Anderson, Calif.	Foley	Mosher
Annunzio	Ford	Moss
Ashley	William D. Fraser	Nedzi
Berry	Gallagher	Nix
Bingham	Gaydos	Ottinger
Bolland	Gilbert	Podell
Bolling	Gonzalez	Rees
Brademas	Green, Pa.	Reid, N.Y.
Brasco	Gude	Reuss
Brown, Calif.	Halpern	Ronan
Burton, Calif.	Hathaway	Rooney, N.Y.
Burton	Hawkins	Roybal
Byrne, Pa.	Hechler, W. Va.	Ryan
Carey	Helstoski	St. Onge
Celler	Howard	Schwengel
Chisholm	Karth	Stokes
Clay	Kastenmeier	Thompson, N.J.
Coholan	Koch	Tunney
Conyers	Leggett	Vanik
Corman	Lowenstein	Whalen
Culver	McCarthy	Wilson
Daddario	McCloskey	Charles H. Yates
Dawson	Mikva	
Dingell	Miller, Calif.	
Edwards, Calif.	Mink	

NOT VOTING—47

Anderson, Ill.	Heckler, Mass.	O'Hara
Barrett	Hollifield	O'Neal, Ga.
Bell, Calif.	Jones, Ala.	Powell
Blatnik	Kuykendall	Reifel
Brotzman	Landgrebe	Rosenthal
Burton, Utah	Long, La.	Roudebush
Casey	Long, Md.	Rumsfeld
Davis, Ga.	Lujan	Sandman
Delaney	Lukens	Scheuer
Diggs	Macdonald, Mass.	Shriver
Feighan	Mailliard	Smith, Calif.
Flynt	Matsunaga	Steiger, Wis.
Gettys	Murphy, N.Y.	Stubblefield
Gray	Myers	Sullivan
Green, Oreg.	Nichols	Udall
Hagan		Waldie

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Casey for; with Mr. Rosenthal against.

Until further notice:

Mr. Delany with Mr. Anderson of Illinois.

Mr. Murphy of New York with Mr. Sandman.

Mr. Davis of Georgia with Mr. Roudebush.

Mr. Macdonald of Massachusetts with Mr. Brotzman.

Mr. Waldie with Mr. Bell of California.

Mr. Feighan with Mr. Lukens.

Mr. Gettys with Mr. Rumsfeld.

Mr. Hagan with Mr. Burton of Utah.

Mr. Stubblefield with Mr. Kuykendall.

Mr. O'Neal of Georgia with Steiger of Wisconsin.

Mr. Nichols with Mr. Landgrebe.

Mr. Jones of Alabama with Mr. Myers.

Mr. Long of Louisiana with Mr. Smith of California.

Mr. Barrett with Mr. Mailliard.

Mr. Blatnik with Mr. Reifel.

Mr. Flynt with Mr. Shriver.

Mrs. Sullivan with Mrs. Heckler of Massachusetts.

Mr. Udall with Mr. Lujan.
Mr. Diggs with Mr. Scheuer.
Mr. Gray with Mr. Matsunaga.
Mr. Long of Maryland with Mrs. Green of Oregon.

Mr. O'Hara with Mr. Powell.

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ELECTION TO COMMITTEE ON INTERNAL SECURITY

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 251) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 251

Resolved, That the following-named Members be, and they are hereby, elected to the standing Committee of the House of Representatives on Internal Security: Richard H. Ichord (chairman), Missouri; Claude Pepper, Florida; Edwin W. Edwards, Louisiana; Richardson Preyer, North Carolina; Louis Stokes, Ohio; John M. Ashbrook, Ohio; Richard L. Roudebush, Indiana; Albert W. Watson, South Carolina; William J. Scherle, Iowa.

Resolved, That all bills, resolutions, executive communications, petitions and memorials heretofore referred to the Committee on Un-American Activities in the 91st Congress are hereby referred to the Committee on Internal Security.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERSONAL ANNOUNCEMENT

Mr. STEIGER of Wisconsin. Mr. Speaker, due to the press of other official business I missed the vote on House Resolution 89. I ask unanimous consent to insert in the RECORD at this point the statement that had I been present, I would have voted "yea" on the adoption of the resolution.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

COURT OPINION REFLECTS FREEDOM OF INFORMATION ACT

(Mr. MOSS asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. MOSS. Mr. Speaker, I have often stated that perhaps the most important feature of the Freedom of Information Act is the proviso that any person administratively denied access to a Government record has the right to ask a

Federal district court to rule on the propriety of such a refusal.

My faith in the effectiveness of the judicial review section of the act is again borne out by a ruling of the U.S. Court of Appeals as reported in the Washington Post this morning. Judge Edward A. Tamm's reported opinion in this case clearly reflects the letter and spirit of the Freedom of Information Act as intended by Congress and I wish to commend him for his insight. The news story follows:

APPEALS COURT RULES AGENCY'S SECRECY ILLEGAL

(By Thomas W. Lippman)

A Federal agency that takes action against a private enterprise on the basis of confidential staff memoranda is required by the Freedom of Information Act to make the documents public, the U.S. Court of Appeals ruled yesterday.

In an opinion that flayed the administrative practices of the Commerce Department's Maritime Subsidy Board, Judge Edward A. Tamm said the 1966 Act forbade "indiscriminate administrative secrecy."

Government employes may find it difficult to "operate in a fish bowl," he said, but those affected by the actions of those employes cannot "operate in a darkroom."

If an agency refuses to disclose the background for a ruling, he said, "this court is unaware of how a party can meaningfully prepare a request for reconsideration."

The issue arose in a steamship company's appeal of a Subsidy Board order demanding the return of \$3.3 million in Federal subsidies that the company received while allegedly carrying more crew members than necessary on nine ships.

American Mail Line Ltd. sought reconsideration of the order, and asked to be informed of the reasoning that led up to it.

The Board responded that "a memorandum dated Nov. 26, 1965, revised Dec. 20, 1967," was the basis for the ruling and refused to give the memorandum to the company.

The company went to court to seek access to the information, lost in U.S. District court and appealed. While the appeal was pending, Judge Tamm said, the Board released a fully detailed summary of its position and sought to have the appeal dismissed as "moot."

"The backwardness of appellee's administrative procedure is appalling," Judge Tamm said of this maneuver. "The issuance of the Board's decision does not render this cause of action moot for the simple reason that appellants' lack of need for the memorandum is irrelevant to their right to obtain it under the Act. . . . In short, we feel that the issuance of this decision compounds the Board's lamentable administrative practices and procedures."

The Subsidy Board found that 50 men, rather than 58, could have operated the ships. The ships were subsidized under the Merchant Marine Act because they had American crews instead of cheaper foreign crews. The merits of the dispute between the Board and the company were not before the court.

URBAN MASS TRANSPORTATION

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KOCH. Mr. Speaker, I have introduced today a bill to create an urban mass transportation trust fund and to provide a new program to meet the vital transportation needs of the residents of our cities.

House Changes HUAC's Name

By Bruce Galphin

Washington Post Staff Writer

The controversial House Un-American Activities Committee was abolished yesterday—but in name only.

By more than a 2-to-1 margin the House created in its place an Internal Security Committee with the same membership and, in the eyes of critics, with broadened jurisdiction.

On the key vote, a motion on whether to consider changing the panel's name anti-HUAC forces achieved the high-water mark of three decades of opposition. But they lost 262-to-123.

The motion to rename and redefine HUAC carried 305 to 79.

The face-lifting is not expected to alter the interests or procedures of the investigating committee. In debate yesterday Rep. Richard H. Ichord (D-Mo.), chairman of the old HUAC and the new HISC, reiterated his intention to take an early look at campus activities of Students for a Democratic Society. Rep. William Colmer (D-Miss.) said he was especially concerned about "Communists working with young people in colleges and even in the high schools."

According to HUAC advocate, the resolution adopted yesterday shifts emphasis in the committee's authority from investigating subversive propaganda to probing groups that seek unlawful overthrow

of the government or obstruction of its lawful authority. Supporters thus hope to circumvent limitations placed on HUAC's authority by Supreme Court free-speech rulings.

The new committee's jurisdiction includes espionage, and that prompted Rep. Emanuel Celler (D-N.Y.) to complain that HISC would be "poaching on the preserves" of the Judiciary Committee, of which he is chairman.

"Since 1881," Celler asserted, "the Judiciary Committee has had jurisdiction over espionage in all cases." Ichord denied any conflict.

In explaining the change of names, Ichord said "internal security" more accurately describes the panel's sphere of interests.

But supporters also were attempting to take some sting out of HUAC, which long has been the target of civil libertarians and a fighting word among some student activists.

The alteration did not pacify Celler. "An ass is an ass, although its loincloth is satin," he declared.

Principal speaker for opponents of the resolution was Rep. John C. Culver (D-Iowa), a former member of HUAC and a frequent dissenter from its conclusions. He argued that the "broad sweep" of HISC's authorization was a danger to constitutional liberties.

House Red Inquiry Is Renamed; Foes Fail in Move to Abolish It

By MARJORIE HUNTER
Special to The New York Times

WASHINGTON, Feb. 18—The House voted today to give its Committee on Un-American Activities a new name and, some said, a chance to a new public image.

Renamed the House Internal Security Committee, the panel thus abandoned its old, familiar initials, H.U.A.C., and acquired a brand new set, H.I.S.C.

"A rose by any other name . . ." longtime critics of the committee sputtered as they sought to block the name change in hopes of abolishing the committee entirely.

They failed, by a vote of 262 to 123. But while losing by a more than 2-to-1 margin, critics made their best showing in nearly 20 years of attempts to abolish the committee.

In previous years, opponents failed to muster more than 90 votes to abolish the committee.

Comic Strip Recalled

Scoffing at the contention that a name change would improve the committee, Representative Phillip Burton, Democrat of California, reminded colleagues of an Al Capp comic strip in which "the Dogpatch city council met to change the name of the skunk works to the Ozark Perfume Factory."

The smallest of all Congressional committees, the panel has had a turbulent career in its pursuit of Communists, educators, actors, peace leaders, Klansmen, alleged subversives and, most recently, instigators of the riots at last summer's Democratic National Convention.

First created in 1934 as a special committee to investigate the rise of "Hitlerism" in Germany, H.U.A.C. became a permanent House committee in 1945 and shifted its attention to ferreting out Communists or suspected Communists.

Its most famous investigation—the Alger Hiss case in 1948—helped to project Richard M. Nixon, then a young Congressman, into national prominence.

Through the years, the committee has been ardently liked by its supporters and violently disliked by its opponents, including civil libertarians protesting what they termed "witch-hunting."

After becoming chairman last fall, Richard H. Ichord, a Missouri Democrat, vowed to "improve the committee's image."

A first step came last month when four moderate-to-liberal Democrats were named to the nine-member committee. Included was the committee's first Negro, Louis Stokes of Ohio.

Mr. Ichord also assured the House today that the commit-

tee had adopted new rules that would more fully protect the rights of witnesses.

Urging the name change, Mr. Ichord noted that the committee's previous mandate to investigate "un-American propaganda" had been dropped.

"What is un-American?" he asked. "I, for one, am not capable to give it a definite meaning."

What Mandate Provides

Even under the revised mandate, the committee is still authorized to investigate the extent, character, objectives and activities of groups seeking to establish a totalitarian dictatorship within the United States or to overthrow or alter or assist in the overthrow or alteration of the Government by force, violence, treachery, espionage, sabotage, insurrection or any unlawful means.

The committee is also authorized to investigate groups or individuals who incite or employ "acts of force, violence, terrorism or any unlawful means to obstruct or oppose the lawful authority of the Government of the United States in the execution of any law or policy affecting the security of the United States."

Representative Emanuel Celler of Brooklyn protested that the committee's jurisdiction over espionage "poaches on the preserve" of his own Judiciary Committee.

Seeking to block the name change were two groups—one determined to abolish the committee entirely, the other to transfer its work to a Judiciary subcommittee.

Leading the forces seeking abolition were two Democrats, Bertram L. Podell of Brooklyn and Allard K. Lowenstein of Nassau County.

The transfer to a House Judiciary panel was urged by a former H.U.A.C. member, John C. Culver, Democrat of Iowa, but vigorously opposed by William M. Colmer, Democrat of Mississippi.

"I've been here nearly as long as Mr. Celler has," Mr. Colmer said, "and I've never known him to get excited about subversion or anything else in that field."

Protesting what he termed Communist activities in organizing young people on college campuses and high schools, Mr. Colmer said, "I'm more apprehensive about what will happen to this glorious country of ours from within than from without."

Final approval of the change in committee name came on a vote of 305 to 79 after opponents had failed to block consideration by the earlier vote