

applicable so that the subparagraph would merely reiterate this fact. However, we offer no objection to its enactment.

Subparagraph (q) of the proposed section 5A defines classified information as that which is designated as such by an agency of the United States Government.

Although the official designation in Executive Order 10501,¹ and within the Department of Defense, is more detailed, we believe that the definition in the subparagraph is broad enough to encompass both the definition and that of the Executive order.

Subparagraph (r) would prevent any court of the United States from issuing an injunction which would have the effect of continuing employment or access of an individual after such access or employment had been denied, suspended, or revoked in the course of an industrial defense or industrial security proceeding. It would remove such proceedings from the jurisdiction of a Federal court until all administrative remedies had been exhausted. This provision reflects the Department's view. In the *Shoultz* case, cited above, we believe that the issuance of an injunction by the U.S. district court is undesirable. Our contention is that an applicant should exhaust his administrative remedies before he may bring suit in a Federal court. We have no objection to a statutory declaration of what we believe is a sound principle of administrative law.

Subparagraph (5) of section 1 of the bill expands the definition of affiliation contained in section 3 of the Subversive Activities Control Act to include a close working alliance or association between the individual and the organization. We offer no objection to this expanded definition.

Suparagraph (6) of section 1 of the bill amends subsection (k) (13) of the Subversive Activities Control Act to require that the Subversive Activities Control Board publish in the *Federal Register* the fact that its determination has become final. We defer to the Department of Justice and the Subversive Activities Control Board for comment on this provision.

This concludes my formal statement. I appreciate the opportunity to be heard.

Thank you a great deal for your time.

The CHAIRMAN. Well, I want to offer you my personal and official thanks for a very fine contribution here today.

Now, as I understand it, subject to discussions with counsel on the points we exchanged remarks on, you have no objection to the bill?

Mr. LIEBLING. No, not with the recommended changes we have, as you have just indicated.

The CHAIRMAN. Well, get together with counsel, will you?

Mr. LIEBLING. Yes, but generally we support the objectives of the bill.

The CHAIRMAN. We appreciate it very much.

Any questions?

Mr. ASHBROOK. I have no questions.

The CHAIRMAN. Mr. Culver?

Mr. CULVER. No questions, Mr. Chairman. Thank you.

The CHAIRMAN. Counsel?

¹ See appendix, pt. 2, pp. 1714-1728.