

1388 AMENDING SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The CHAIRMAN. You agree with that?

Mr. LIEBLING. Yes.

Mr. NITTLE. Now take the second criteria, those facilities engaged in the fabrication or assembly of weapons, weapons or defense systems, missiles, rockets, projectiles, ammunition, explosives, military aircraft, United States naval vessels, armed vehicles, and specialized vehicles and their assemblies or components.

Turn to page 2 of H.R. 15626, where that paragraph is contained—now the question I want to ask is whether there are any defense facilities engaged in the projects described in paragraph 2 which would be so engaged without a Government contract?

Mr. LIEBLING. Oh, no. That is unlikely.

Mr. NITTLE. Take weapons, the manufacture of weapons. Would that be under Government contract?

Mr. LIEBLING. Yes, or a subcontract normally.

Mr. NITTLE. Are there any exceptions to that rule?

Mr. LIEBLING. I beg your pardon.

Mr. NITTLE. Would you purchase weapons that are not pursuant to contract?

Mr. LIEBLING. There may be facilities producing rifles and/or small arms and ammunition which may be used under certain emergency conditions, at a later date.

Mr. HAAS. They may not necessarily be classified contracts, sir.

Mr. LIEBLING. We are talking about contract. Yes, contract or subcontract, normally, it would be true, but it is possible to have facilities not under contract.

Mr. CULVER. Mr. Chairman, may I ask one question?

The CHAIRMAN. Yes.

Mr. CULVER. Mr. Liebling, wouldn't the status of a particular physical plant change from time to time depending upon what Government work was being currently done there?

Mr. LIEBLING. Yes, it could.

Mr. CULVER. For example, you could have a plant that is working on a top secret project 1 month, might just be turning out metal discs the next.

Mr. LIEBLING. Yes, the phasing out of a contract would bring that about.

Mr. CULVER. How would you envision their particular status to be with regard to this legislation?

Mr. LIEBLING. In this particular instance? I might envelope that by the reference I made that this would be a plant on a standby basis for emergency production because it does have the capability to provide us with some product.

Mr. CULVER. So that any industrial operation which—in the entire United States which could be determined then on the subjective basis of the Secretary of Defense could satisfy the criteria of a standby facility in the national interest?

Mr. LIEBLING. I presume that it could be used that broadly, but I would say it is probably unlikely that he would ever do that.

Mr. CULVER. It may be unlikely but he still has the legal authority to make such a sweeping categorization, is that true?

Mr. LIEBLING. It would have that broadness and breadth, yes.

Mr. CULVER. Then you would not envision this in this legislation or, indeed, in your administrative implementation of its directives, any