

tee is duty bound to report favorably on this measure; the Congress must approve it; our Nation must have its protection. These are perilous times. We must do all in our power to assure our people that America has an invincible shield against the constant assaults of the Communist conspiracy. Our people look to us in Congress for this protection, sir.

Twice within the last 3 months, the U.S. Supreme Court has attempted improvidently to strike down the legal protection we so diligently sought to establish. This Court, which seems intent upon jeopardizing America's ability to protect herself from the Communist threat from within, struck down a vital provision of the Subversive Activities Control Act. This same Court, seemingly intent to destroy the security of our national defense program, has not only repudiated the word of Congress, but also the President of the United States' power to protect defense facilities from infiltration by subversive elements. The members of the Court ask to be given specific instructions of congressional intent in these matters and this legislation proposes to do just that.

The CHAIRMAN. Let me say this, John. That I agree with you on your criticism of the Court. What the Court said in that case, the *Robel* case, was that this bill, the present Internal Security Act of 1950, of which I was the author of the latest amendment, overreached itself and was too vague in a definition of what constitutes employment in the national defense, national defense facilities, so I tried, and my staff tried, the best we could, to be specific in order to comport, if humanly possible, with that decision.

I hope that we have done the job and that even the Supreme Court will find this new version to be satisfactory. At least we did the best we could.

Now let me say this. Last year this committee reported out, the Congress passed, and on January 2 of this year the President signed another amendment of mine to the Internal Security Act of 1950.

That amendment would breathe new life into and sustain the life of the Subversive Activities Control Board. The Senate added a provision to the House bill that unless the Attorney General filed proceedings citing Communist outfits before the Board within a year, the bill would die.

In conference with this committee and the Senators, we made a report, and in the conference report we said that the Attorney General would have within that year to report twice to Congress what he was doing. Thus far he has done zero, goose egg. Nothing. Do you agree that he is delinquent?

Mr. RARICK. I most certainly do. Yes, sir.

The CHAIRMAN. Well he is to testify—not he, but someone from the Justice Department. I was telling them this morning I was all ready for them, but it is going to be tomorrow, and I am going to be in Louisiana, but I am going to tell them that—by the way, I am going to be perfectly frank with you and with the Department, I am going to put my cards entirely on the table.

I am a very tolerant, maybe sometimes too tolerant a man, but I am not going to bail him out. They tell me that the Appropriations Committee will be keeping a careful watch on them when they come for their appropriations, and give them the living devil for not doing the