

Mr. CUNNINGHAM. I yield to the chairman of the committee.

Mr. DONDERO. I think the gentleman has already covered the ground, but is it not a fact that because of the conditions enumerated by the gentleman, many of the States have been unable to comply with the provisions of this act, which makes this bill mandatory in order to protect the States?

Mr. CUNNINGHAM. That is absolutely true. In addition, there would be tremendous waste, because the highway program would be stopped, and highways partly completed would be left in status quo until the Congress took some additional action.

Mr. COLE of New York. Mr. Speaker, I withdraw my reservation of objection.

Mr. ANGELL. Mr. Speaker, reserving the right to object, as one of the members of this committee, I had an opportunity to study this bill very carefully. The people in my particular area in the Northwest are very, very much in sympathy with this bill. I think what the chairman has said and what the gentleman from Iowa [Mr. CUNNINGHAM] has said is absolutely true, that this bill is essential for our road-building program.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That paragraph (d) of section 4 of the Federal-Aid Highway Act of 1944, Public Law 21, Seventy-eighth Congress, approved December 20, 1944, is hereby amended by striking out the term "one year" where it appears in said paragraph and inserting in lieu thereof the term "two years."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO CODIFY TITLE 18 OF THE UNITED STATES CODE, CRIMES AND CRIMINAL PROCEDURE

The Clerk called the bill (H. R. 3190) to revise, codify, and enact into positive law, title 18 of the United States Code entitled "Crimes and Criminal Procedure."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill the second time.

Mr. WALTER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER: On page 434, line 11, after the word "of", strike out "three" and insert "five."

[Mr. WALTER addressed the House. His remarks will appear hereafter in the Appendix.]

Mr. ROBSION. Mr. Speaker, this bill differs from the five codification bills which have preceded it on this calendar in that it constitutes a revision, as well as a codification, of the Federal laws relating to crimes and criminal procedure.

A bill similar to this passed the House unanimously in the closing days of the Seventy-ninth Congress but was not acted upon in the other body. I believe

that I should make a brief statement explaining the method of drafting the bill and its scope.

The work on this revision was commenced under the supervision of the former Committee on Revision of the Laws in 1944. That committee engaged the services of the West Publishing Co. and the Edward Thompson Co., two law-publishing companies that have assisted in the preparation of the original United States Code and every supplement and new edition of that code. These companies have worked continuously and closely with the Committee on Revision of the Laws and, since the beginning of this Congress, with the Committee on the Judiciary, and counsel for the committees. In turn, the companies supplemented their regular editorial staffs by engaging the services of a reviser who was long familiar with the operation and administration of these laws. In addition they assembled an outstanding group of men as an advisory committee who labored unselfishly toward achieving the best revision of the criminal laws. A number of these men—members of the bench and bar of the country—appeared before the Committee on the Judiciary and testified that in their opinion this bill is eminently worthy of favorable action by the Congress. The Department of Justice also designated a representative of the Criminal Division to cooperate in the preparation of this revision.

Several preliminary drafts of the revision were studied most carefully, word for word and line for line, by these various groups, culminating in the bill now up for consideration.

At the last Congress the Committee on the Revision of the Laws, through its chairman, appeared before a subcommittee of the Judiciary Committee and, in a number of sessions, pointed out and explained every change in substantive law made by the bill which had been reported by that committee. After full discussion the Committee on the Judiciary unanimously endorsed the then pending bill, which is similar to the bill before us today, and that bill was passed unanimously by the House on July 16, 1946, in the closing days of the session. The bill had received the endorsement of the Department of Justice and the Section on Criminal Law of the American Bar Association. I believe that I am not engaging in overstatement when I say that no bill of this magnitude ever came to the House with such a background of careful and painstaking preparation and critical appraisal by so many leaders in this branch of the law.

So much for the method of preparation—and I want to express our appreciation to the learned members of the bench and bar who contributed so much of their talent and time toward this work.

Now as to the scope of the bill.

This bill is a restatement of the Federal laws relating to crimes and criminal procedure in effect on April 15, 1947. Most of these laws are now set forth in title 18 of the United States Code and are based upon the 1909 Criminal Code—which was the last revision of criminal

laws enacted by the Congress—and subsequent laws on the subject. Of course, title 18 of the United States Code is only prima facie evidence of the law which is contained in numerous volumes of the Statutes at Large. Upon the enactment of this bill it will no longer be necessary to have recourse to those numerous volumes. All the law will be set out in one place and amendments in the future will be facilitated because of the orderly arrangement of the laws within one title.

Just a year ago with the adoption of the Federal Rules of Criminal Procedure many statutes became obsolete or superseded, but, of course, were not specifically repealed. These together with other obsolete, superseded, redundant, and repetitious statutes are repealed by this bill, and the effect of the rules is clearly set forth in the revision.

The law is restated in simple, clear, and concise language. Many sections of existing statutes are consolidated to facilitate finding the law. The advantages of codes are too well known to require any lengthy exposition on my part at this time.

You will find no radical changes in the philosophy of our criminal law in this bill. There is no attempt made here to coddle criminals and wrongdoers. Nor is this bill a subject of partisanship. Its predecessor which passed the House unanimously in the Seventy-ninth Congress had been reported unanimously by the Committee on the Revision of the Laws and had received the unanimous endorsement of the Committee on the Judiciary. This bill has also been reported unanimously by the Committee on the Judiciary.

Favorable action by the House today will constitute a big step toward an orderly and systematic code of laws and will prove a boon to the bench and bar and the public generally.

Mr. COLE of New York. Mr. Speaker, I rise in opposition to the amendment only for the purpose of suggesting that to some extent the gentleman's amendment is in violation of the understanding on which these bills were submitted to the House for passage today. It was understood that they were simply codifications of existing law and undertook to make no changes in existing law.

I understand that probably the gentleman's amendment has considerable merit, and I see several members of the Committee on the Judiciary on the floor. I certainly am not in a position and have no desire to raise any criticism of procedure or objection to it, but it does seem to be a violation of the understanding under which these bills were submitted.

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

Mr. COLE of New York. I yield.

Mr. ROBSION. I pointed out when I made my statement with reference to the first five bills that we considered, that they were purely a codification. But there are some changes in this bill (H. R. 3198), I mean, for instance, when we were considering this bill the Philippine Islands were a part of the United States. We had many laws applicable to the Philippine Islands when she was a part

of the United States that are no longer in force because the Philippines are no longer a part of the United States. Those laws we cut out.

We also found going through criminal law with the Department of Justice, the bar association, and the representatives of the Federal courts that Congress has passed many acts almost identical. In some of them the penalty was fixed at 5 years and in others, fixed at 6 months. We thought it wise to clarify and harmonize these.

Mr. COLE of New York. Mr. Speaker, so long as these distinguished gentlemen of the Judiciary Committee are satisfied with this procedure and with this bill, I shall not use the time of the House further.

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

Mr. COLE of New York. I yield to the gentleman from Michigan.

Mr. MICHENER. Mr. Speaker, I hold in my hand copy of the committee report which I wish the Members would look at carefully. Where there is any indication of change every one of these questions is fully explained in the report. If we start to amend now we are liable to get into trouble. I favor the bill suggested by the gentleman from Pennsylvania but I hope it will not be interjected here because it will upset the procedure which must be followed if we ever hope to accomplish this purpose.

Mr. COLE of New York. Is the amendment offered by the gentleman from Pennsylvania in the report accompanying this bill to which he has referred?

Mr. MICHENER. No; it is not.

The SPEAKER. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALTER].

The question was taken; and the Speaker being in doubt, the House divided, and there were—ayes 38, noes 6.

So the amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. STEVENSON asked and was given permission to extend his remarks in the Appendix of the RECORD and include a report to his constituents.

#### REVISION OF TITLE 28, UNITED STATES CODE

The Clerk called the bill (H. R. 3214) to revise, codify, and enact into law title 28 of the United States Code entitled "Judicial Code and Judiciary."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CURTIS. Mr. Speaker, reserving the right to object, this bill H. R. 3214 deals with the judiciary and judicial procedure and I wish to call attention merely to one part of it. That is the part which deals with The Tax Court of the United States. I do this at the specific request and direction of the chairman of the Committee on Ways and Means.

Mr. COLE of New York. May I inquire if it is the gentleman's intention to object to the passage of the bill in view of the question which he has raised?

Mr. CURTIS. If the gentleman will give me just 1 minute I expect to have it passed over.

Mr. COLE of New York. Why not do it now?

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

Mr. CURTIS. I yield to the gentleman from Kentucky.

Mr. ROBSION. Is not what the gentleman is driving at permitting persons other than lawyers to practice?

Mr. CURTIS. No; I have no reference to that at all. This bill establishes a new court, called the United States Tax Court, and it is given all the jurisdiction and powers vested in the Tax Court of the United States. But nowhere is it stated expressly that the new court is the successor of the existing agency. What will be the status of the present judges of the Tax Court is not determined. What will be the status of the cases pending before it is not determined. In addition to that, it provides that this administrative agency becomes a part of the Federal judiciary.

Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

Mr. CURTIS. I yield to the gentleman from Texas.

Mr. GOSSETT. In reply to the observations that the gentleman has made, this does not change the functions of the Tax Court in the least. It does not change the procedure in the least. It simply makes it a court. Whereas we call it a court, it has been in the administrative branch of the Government, and we now put it in the judiciary branch of the Government which, it seems to me, is highly desirable.

Mr. CURTIS. I do not think that matter has been studied sufficiently.

Mr. GOSSETT. Oh, yes; it has.

Mr. CURTIS. And I do not agree to the proposition that it makes no changes. It makes a lot of changes.

Mr. GOSSETT. The matter has been studied by a very distinguished committee of the bar and the bench. The Treasury has studied it, the Justice Department has studied it, our committee has studied it, and it has been studied backward and forward by everybody in the land almost who has any interest in the matter. Another thing, as a purely administrative agency, your taxpayer who may be aggrieved lacks certain rights of appeal which this bill gives.

Mr. CURTIS. I understood the gentleman to say it did not make any changes.

Mr. GOSSETT. Well, it does not make any change in the procedure except it makes it a court of record.

Mr. COLE of New York. Mr. Speaker, I ask for the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

#### MARKETING OF ECONOMIC POISONS AND DEVICES

The Clerk called the bill (H. R. 1237) to regulate the marketing of economic poisons and devices, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, reserving the right to object, when I first saw this bill it was my judgment that it was of such a nature and volume that it should be obliged to lie over for a while so that the Members could have an opportunity to study it and the public generally understand its provisions. The gentleman from Minnesota [Mr. ANDRESEN] assures me that the bill is very important, and although there are several other bills still on the Consent Calendar to be called, some of which are deserving of further explanation, I will not ask to have it passed over at this time if the gentleman from Minnesota can give us any assuring explanation.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, this is an important bill. It is a highly technical bill, and for the protection of the public. The bill proposes to replace and expand the Insecticide Act of 1910; in other words, to bring the present insecticide law down to date, so that the Federal Government can have some jurisdiction over many new insecticides that have been perfected during the past few years.

I will make a brief explanation of the bill. The Insecticide Act of 1910 was enacted at a time when insecticides and fungicides were comparatively simple, consisting largely of paris green, pyrethrum, bordeaux mixture, and similar materials. Rodenticides and herbicides were not then marketed to any great extent.

Since 1910 great changes have occurred in the field of economic poisons, and the present law is now inadequate. New plant materials and synthetic chemicals developed through research by both private industry and the Government have greatly increased the number of economic poisons and the scope of their usefulness. An important example at the present time is DDT (dichlorodiphenyltrichloroethane), which is revolutionizing many phases of the insecticide industry. Herbicides are becoming increasingly important in the control and eradication of weeds as the result of the recent development of 2-4-dichloro-phenoxy-acetic acid and other synthetic materials.

This bill embraces, in addition to insecticides and fungicides, rodenticides, herbicides, devices and preparations intended to control other forms of pests which are not subject to the present Insecticide Act of 1910. Rodenticides are being marketed in large quantities and many of them are weak and ineffective and have tended to imperil various rodent-control programs. The importance of rodenticides can readily be appreciated when it is realized that the estimated damage by rats alone has amounted to some \$200,000,000 annually.

Other important improvements and changes over the present law which would be provided by this bill are as follows:

First. A provision requiring the registration of economic poisons prior to their sale or introduction into interstate or foreign commerce.

Second. The inclusion of provisions for protection of the public against poisoning by requiring prominently displayed