or other person liable. On any such thing in action an action may be brought or continued against the personal representative of the deceased person, but punitive or exemplary damages shall not be awarded nor penalties adjudged in any such action. This section shall extend to a thing in action for wrongfully causing death arising under section 131 of title 4, and an action under said section 131 may be brought or continued against the personal representative of the tort feasor or other person liable. Where a thing in action arises simultaneously with or after the death of the tort feasor or other person who would have been liable if his death had not occurred simultaneously with the act, omission, circumstance, or event giving rise to such thing in action, or had not intervened between the wrongful act, omission, circumstances, or event and the coming into being of the thing in action, an action to enforce such thing in action may be maintained against the personal representative of such tort feasor or other person. Nothing in this section shall be construed as authorizing the transfer of any thing in action arising out of any tort against the person.

"§ 374. Survival of thing in action after death of person injured

"No thing in action sounding in tort, arising after the date of enactment of this section, shall be lost because of the death of the person in whose favor the thing in action arose. On any such thing in action an action may be brought or continued by the personal representative of the deceased person. The damages recovered in any action under this section shall form a part of the estate of the deceased. No thing in action for damages caused by any injury or wrong to a third person shall be lost because of the death of such third person. If an action be brought for physical injuries to a person, and a separate action be brought for his wrongful death arising out of the same wrongful act, omission, circumstance, or event, such actions shall be consolidated for trial on the motion of any interested party: *Provided*, *however*, That the award of damages appertaining to physical injuries shall not include prospective profits or earnings after the date of death of the person injured. Nothing in this section shall be construed as authorizing the transfer of any thing in action arising out of any tort against the person."

Approved August 23, 1954.

Public Law 636 CHAPTER 840

August 23, 1954
[S. 1184]

AN ACT

To authorize relief of authorized certifying officers from exceptions taken to payments pertaining to terminated war agencies in liquidation by the Department of State.

Certain State Department certifying officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is authorized and directed to allow credit in the accounts of authorized certifying officers of terminated war agencies, in process of liquidation by the Department of State at the time of the enactment of this Act, for the amounts of suspensions and disallowances, which have been, or may be, raised by the General Accounting Office on account of payments made in accordance with vouchers certified by such certifying officers: *Provided*, That the Secretary of State or his authorized representative shall certify that in his opinion there is no evidence of fraud or collusion on the part of the certifying officers in connection with the payments.

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SEC. 2. "Authorized certifying officers of terminated war agencies in process of liquidation by the Department of State" as used in this Act means certifying officers employed by terminated war agencies transferred to the Department of State for liquidation and certifying officers under the Department of State who certified payments for the activities of such terminated war agencies, or any terminated wartime activity of the Department of State from funds allocated to or made available to the Department of State by working funds or reimbursements pursuant to the provisions of section 686, title 31, United States Code, or other authority of law: *Provided, however*, That no certifying officer of the Department of State shall be released hereunder as to payments made from funds appropriated directly to the Department of State or as to payments made after the date of enactment of this Act: *Provided further*, That the authority granted under this Act shall expire not later than two years after the date of enactment of this Act.

47 Stat. 417.

Expiration.

Approved August 23, 1954.

Public Law 637 CHAPTER 886

AN ACT

August 24, 1954
[S. 3706]

To outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Communist Control Act of 1954".

Communist Control Act of 1954.

FINDINGS OF FACT

SEC. 2. The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to political parties, but denying to all others the liberties guaranteed by the Constitution. Unlike political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement. Its members have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of political parties, members of the Communist Party are recruited for indoctrination with respect to its objectives and methods, and are organized, instructed, and disciplined to carry into action slavishly the assignments given them by their hierarchical chieftains. Unlike political parties, the Communist Party acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence. Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a clear present and continuing danger to the