

# REPORT FROM THE CAPITAL

## BAPTIST JOINT COMMITTEE ON PUBLIC AFFAIRS



The American Baptist Convention  
The Southern Baptist Convention  
The National Baptist Convention of America  
The National Baptist Convention, U.S.A., Inc.  
The North American Baptist General Conference  
The Baptist General Conference of America



1628 16th Street, N.W., Washington 9, D.C. ★ ★ ★ ★ ★ C. EMANUEL CARLSON, Ph.D., Executive Director

This monthly newsletter is sent free to editors, executives, and institutions. In order to cover cost of production and mailing a charge of \$1.00 per year is made to all others.

May 1956

### THE CURRENT SCENE

Senator Hubert H. Humphrey, Democrat of Minnesota, has announced that hearings will be held on Senate Resolutions 85 and 86 as received in the first session of the 84th Congress. Senator Humphrey chairs the subcommittee of the Senate Committee on Foreign Relations for the consideration of these resolutions which propose to establish an international "food bank" and an international "food and raw materials reserve."

In announcing the hearings Senator Humphrey said, "If nations of the world can work together in seeking to improve conditions for all people everywhere, they will soon be on common ground in seeking to avoid the horrors of war." Senator Humphrey said he is convinced that it can be done without antagonizing friendly nations and that objectives involving economic stability and wiser use of resources and productive ability to human needs should be considered together.

The plan proposes a "food bank" from which member nations could borrow foods or fibers or both and repay such loans when able, either in kind, in other raw materials, or in cash. The sponsors hope that they might prevent extreme price fluctuations in agricultural commodities and prevent famine and starvation while assisting in economic development plans.

In addition to Senator Humphrey as chairman, the other members of the subcommittee are Senators Fulbright, Democrat of Arkansas; Sparkman, Democrat of Alabama; Aiken, Republican of Vermont; and Capehart, Republican of Indiana.

House of Representatives Bill 10160 was introduced March 26, 1956 by Representative E. Y. Berry, Republican of South Dakota. This bill proposes to repeal the following statement:

"And it is hereby declared to be the settled policy of the Government to hereafter make no appropriation whatever out of the Treasury of the United States for the education of Indian children in any sectarian school."

This statement occurs in a bill approved March 2, 1917 dealing with current and contingent expenses of the Bureau of Indian Affairs.

May 1956

After studying the problem of treatment and rehabilitation of narcotic addicts, a Senate Judiciary subcommittee headed by Senator Price Daniel, Democrat of Texas, has recommended a change of policy in that matter. The Social Legislation Information Service excerpts the following significant paragraph from their report:

"That voluntary commitments to the Federal narcotics hospitals be abolished and that all admissions be processed through the appropriate district court of the United States for civil type commitment requiring a mandatory period of treatment, or by State court commitments under the conditions hereinafter outlined."

This Information Service summarizes the subcommittee's findings regarding treatment and rehabilitation as follows:

- "1. Less than 15 percent of the victims of drug addiction are being successfully cured today. This failure is largely the result of the voluntary 'come and go' system and the lack of community follow-through programs.
- "2. Seventy-five percent of the drug addicts who volunteer for treatment in Federal narcotics hospitals demand to leave before they fully benefit from medical and psychiatric treatment.
- "3. Voluntary admission is a loose, hodgepodge procedure, without Federal or State control or supervision.
- "4. State and local treatment facilities are meager, and State courts lack authority to commit drug addicts directly to Federal narcotics hospitals.
- "5. Community followup, or rehabilitation facilities and services for the discharged addict-patient are virtually nonexistent.
- "6. No facilities exist for isolating the chronic or 'incurable' drug addict."

According to the Religious News Service Joseph A. Adams, chairman of the Civil Aeronautics Board, defended the regulations permitting the serving of liquor aboard airplanes. Mr. Adams conceded that the Board had received "an unparalleled flood of protests" since the introduction of liquor service on domestic airlines about a year and a half ago, but did not feel that regulatory action to prohibit the service of liquor was justified.

Testimony against the practice was presented by Mr. Clarence M. Sayen, president of the Airline Pilots Association, and by Mr. Rowland K. Quinn, Jr., president of the Airline Stewards and Stewardesses Association. Mr. Sayen said that the pilots who fly commercial airlines strongly oppose the serving of liquor aloft and have experienced several "incidents." Mr. Quinn gave detailed instances in which stewardesses have been subjected to annoyance and humiliation by aggressive intoxicated customers. He said the stewardesses do not like to serve as "barmaids."

May 1956

## WHAT IS A CHURCH?

The Internal Revenue Service conducted a public hearing April 10, 1956, on the meaning of "church" when used in certain clauses in the income tax code. The hearing was occasioned by a number of objections to a definition published in the Federal Register on January 21, 1956.

The definition which was proposed by the Internal Revenue Service for administration of the 1954 income tax code read as follows:

"(11) The term 'church' includes a religious order or a religious organization if such order or organization (a) is an integral part of a church, and (b) is engaged in carrying out the functions of a church, whether as a civil law corporation or otherwise. In determining whether a religious order or organization is an integral part of a church, consideration will be given to the degree to which it is connected with, and controlled by, such church. A religious order or organization shall be considered to be engaged in carrying out the functions of a church if its duties include the ministration of sacerdotal functions and the conduct of religious worship. If a religious order or organization is not an integral part of a church, or if such an order or organization is not authorized to carry out the functions of a church (ministration of sacerdotal functions and conduct of religious worship) then it is subject to the tax imposed by section 511 whether or not it engages in religious, educational, or charitable activities approved by a church. What constitutes the conduct of religious worship or the ministration of sacerdotal functions depends on the tenets and practices of a particular religious body constituting a church. If a religious order or organization can fully meet the requirements stated in this subdivision, exemption from the tax imposed by section 511 will apply to all its activities, including those which it conducts through a separate corporation or other separate entity which it wholly owns and which is not operated for the primary purpose of carrying on a trade or business for profit. Such exemption from tax will also apply to activities conducted through a separate corporation or other separate entity which is wholly owned by more than one religious order or organization, if all such orders or organizations fully meet the requirements stated in this subdivision and if such corporation or other entity is not operated for the primary purpose of carrying on a trade or business for profit."

Appearing in opposition to the definition were a legal staff representing the Brothers of the Christian Schools, an order of the Roman Catholic Church, as well as representatives of the National Catholic Welfare Conference, of the American Unitarian Association, of the Association for the Advancement of Atheism, and of Protestants and Other Americans United for Separation of Church and State. Mr. Paul Blanshard, a member of the New York bar and special counsel for P.O.A.U., had studied the problem and was the main spokesman from the Protestant viewpoint.

The day's discussions made the issues adequately clear. Within what limits should a church agency be permitted to own and operate projects which produce "unrelated business income" on a tax exempt basis? The

May 1956

proposed definition, quoted above, would differentiate among religious orders, exempting only those which perform "sacerdotal functions."

The Roman Catholic legal counsel argued that all "orders" are structurally an integral part of "the Church", and that the Revenue Service has no legal justification for differentiating among them. Mr. Blanshard pointed out that the proposed definition did not include a statement of the nature or amount of "sacerdotal functions" required for exemption and argued that such agencies should be exempted strictly on the basis of their major functions.

The entire discussion pointed up some difficult problems in tax law, but also some far-reaching principles in church-state relations. Should any church or church agency operate a commercial radio station, a chain of motels, or a winery for income as a tax exempt business? If a business firm can turn its business over to a church agency which serves as "owner" while the management continues to run the business, gains are possible to all concerned by shifting the tax burden to other sources of income. A privileged status under law then is equivalent to a state subsidy.

The long range effect on the church itself and on the attitudes of business toward the church were not discussed in the hearing, but are worthy of careful study by church leaders and members.

Persons interested in a full copy of the testimony given by Mr. Paul Blanshard may address Protestants and Other Americans United for Separation of Church and State, 1633 Massachusetts Avenue, N. W., Washington 6, D. C., enclosing 25¢ to cover the cost of duplicating and mailing.

The Post Office Department announced recently that 108 post offices have been given permission to use a special cancellation die for mail May 1-27 bearing the slogan: "National Salvation Army Week--Fourth Week in May."

The department said that this did not constitute a change in its policy against the recognition of religious events or observances on U.S. postage. "The Salvation Army falls in the category of a social service organization such as the Red Cross, Community Chest, cancer, TB or heart crusades," a department spokesman said. "Their annual fund-raising drive in these 108 cities does not constitute, in our opinion, a drive for a religious organization, as such, since the aid is distributed from service centers without regard to race, creed or color."

On April 24, 1956, Spanish authorities seized some 30,000 Bibles and devotional books at the Madrid offices of the British and Foreign Bible Society. British Embassy sources reported that no reason was given for the seizure; Embassy officials have asked the Spanish government for an explanation.

Spanish authorities took similar action against the same society in 1940; at that time some 110,000 Bibles and other religious works shipped to Madrid by the British and Foreign Bible Society were seized.