

Public Law 85-269

AN ACT

To amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses.

September 2, 1957
[S. 2377]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 223 of title 18, United States Code, is amended by adding a new section 3500 which shall read as follows:

Title 18, U. S. Code, amendments, 62 Stat. 832.

“§ 3500. Demands for production of statements and reports of witnesses

Witnesses. Statements and reports.

“(a) In any criminal prosecution brought by the United States, no statement or report in the possession of the United States which was made by a Government witness or prospective Government witness (other than the defendant) to an agent of the Government shall be the subject of subpoena, discovery, or inspection until said witness has testified on direct examination in the trial of the case.

“(b) After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce any statement (as hereinafter defined) of the witness in the possession of the United States which relates to the subject matter as to which the witness has testified. If the entire contents of any such statement relate to the subject matter of the testimony of the witness, the court shall order it to be delivered directly to the defendant for his examination and use.

“(c) If the United States claims that any statement ordered to be produced under this section contains matter which does not relate to the subject matter of the testimony of the witness, the court shall order the United States to deliver such statement for the inspection of the court in camera. Upon such delivery the court shall excise the portions of such statement which do not relate to the subject matter of the testimony of the witness. With such material excised, the court shall then direct delivery of such statement to the defendant for his use. If, pursuant to such procedure, any portion of such statement is withheld from the defendant and the defendant objects to such withholding, and the trial is continued to an adjudication of the guilt of the defendant, the entire text of such statement shall be preserved by the United States and, in the event the defendant appeals, shall be made available to the appellate court for the purpose of determining the correctness of the ruling of the trial judge. Whenever any statement is delivered to a defendant pursuant to this section, the court in its discretion, upon application of said defendant, may recess proceedings in the trial for such time as it may determine to be reasonably required for the examination of such statement by said defendant and his preparation for its use in the trial.

“(d) If the United States elects not to comply with an order of the court under paragraph (b) or (c) hereof to deliver to the defendant any such statement, or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness, and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.

“(e) The term ‘statement’, as used in subsections (b), (c), and (d) of this section in relation to any witness called by the United States, means—

“Statement”.

“(1) a written statement made by said witness and signed or otherwise adopted or approved by him; or

“(2) a stenographic, mechanical, electrical, or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement made by said witness to an agent of the Government and recorded contemporaneously with the making of such oral statement.”

The analysis of such chapter is amended by adding at the end thereof the following:

“3500. Demands for production of statements and reports of witnesses.”

Approved September 2, 1957.

Public Law 85-270

AN ACT

September 2, 1957
[H. R. 4144]

To provide that the commanding general of the militia of the District of Columbia shall hold the rank of brigadier general or major general.

D. C. Militia.
25 Stat. 773.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act entitled “An Act to provide for the organization of the militia of the District of Columbia”, approved March 1, 1889 (D. C. Code, sec. 39-201), is amended by inserting after “brigadier general” the words “or major general”.

31 Stat. 671.

SEC. 2. The Act entitled “An Act to authorize the detail of an officer of the retired list of the Army as adjutant-general of the District of Columbia militia”, approved June 6, 1900 (D. C. Code, sec. 39-205), is amended by striking out “brigadier-general commanding” and inserting in lieu thereof “commanding general of”.

Approved September 2, 1957.

Public Law 85-271

AN ACT

September 2, 1957
[H. R. 6562]

Relating to the north half of section 33, township 28 south, range 56 east, Copper River meridian, Alaska.

Alaska.
Revocation of
withdrawal order.

48 USC 353a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the withdrawal and reservation of the north half, section 33, township 28 south, range 56 east, Copper River meridian, near Klukwan, Alaska, by an order of the Secretary of the Interior dated April 27, 1943, for school, health, and other purposes, under the provisions of the Act of May 31, 1938 (52 Stat. 593), is hereby revoked.

SEC. 2. The reservation established by Executive Order Numbered 1764, dated April 21, 1913, and amended as to the boundaries thereof by Executive Order Numbered 3673, dated May 15, 1922, for the use of the natives of Alaska residing near the village of Klukwan, is hereby enlarged to include the north half of said section 33.

Chilkat Indian
Village.

25 USC 473a; 48
USC 358a.

25 USC 396a-
396f.

SEC. 3. Said reservation, as so enlarged, may be leased for mining purposes by Chilkat Indian Village organized under the provisions of the Act of June 18, 1934 (48 Stat. 984), as amended by the Act of May 1, 1936 (49 Stat. 1250), with the approval of the Secretary of the Interior, in accordance with the provisions of the Act of May 11, 1938 (52 Stat. 347), as amended or supplemented.

Approved September 2, 1957.