

disease. Accordingly, we urge the unequivocal rejection of H.R. 15626, H.R. 15018, H.R. 15828 and similar bills.

The CHAIRMAN. Could you, in a thumbnail fashion, state why you don't think the bill satisfies the decision?

Mr. SPEISER. Well, initially, as far as it attempts to overturn *Robel*—H.R. 15626 would amend the Internal Security Act of 1950 and provide for barring from employment in defense facilities any member of an organization which is determined to be a Communist-action organization, who has knowledge or notice of its designation as a defense facility. This does not satisfy *Robel*, or the case of *Aptheker v. Secretary of State*, 378 U.S. 500, in which a similar provision making it a crime for an individual to apply for, or receive a passport with knowledge of, or notice that an organization to which he belongs has been denoted as a Communist organization by the Subversive Activities Control Board, was held unconstitutional. If *Aptheker v. Secretary of State* is good law, then this proposed revision of the Internal Security Act would be unconstitutional under that decision.

The CHAIRMAN. Is there any suggestion you would care to offer whereby it could be stripped out as a constitutional bill that would comport with the decision? Would you care to offer a suggestion?

Mr. SPEISER. No, I don't see how you can, Mr. Chairman.

The CHAIRMAN. In other words, so far as you are concerned, you don't want any legislation of any kind. That's the nutshell way of expressing it. Tell the truth about it.

Mr. SPEISER. I have never appeared before you, Mr. Chairman—

The CHAIRMAN. And you have never agreed with the committee, either.

Mr. SPEISER. —without telling the truth. May I continue? I would like to answer your question.

The CHAIRMAN. You would like to do what?

Mr. SPEISER. I would like to answer your question.

The CHAIRMAN. All right, all right.

Mr. SPEISER. No, I can't think of any legislation that would be constitutionally permissible, nor desirable, to accomplish the purpose that is attempted to be accomplished with this legislation. This may arise from a difference in what we conceive to be dangers to the country.

Mr. ASHBROOK. On that point, do you consider it dangerous to the country for Communists to have access to any secret information?

Mr. SPEISER. I think that is a relevant fact to consider, but that is not—

Mr. ASHBROOK. Wait a second. You either do or you don't. In other words, you don't.

Mr. SPEISER. No. Well, then, the answer is, no, I don't.

Mr. ASHBROOK. There is no information, anywhere, either in defense or defense industries, Justice, State Department, that you and your organization do not feel that any Communist should be entitled to, as much as any other American.

Mr. SPEISER. In the way you state it, Mr. Ashbrook, the answer is "No," based on the same kinds of distinction that the Supreme Court has made. That is, you don't brand a person as being a Communist and say, "That is the end of the question." You have to make a further