

1438 AMENDING SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The *U.S. v. Robel* decision last December creates a serious threat to our national security by striking down section 5(a)(1)(D) of the 1950 Subversive Activities Control Act.

This important section prohibited the employment in a designated defense facility of any member of a Communist-action organization under final order to register in accordance with other sections of the 1950 Act.

In view of our continuing commitment to Vietnam and the tremendous amount of defense material needed to supply our troops there, the Court's decision is exceedingly ill timed. Carefully planned sabotage in any number of our major defense facilities could have a drastic effect on our output of urgently needed war supplies.

In reviewing the Court's decision, it appears that the crucial point in question is not the individual's membership in the Communist Party, but rather whether he was an active member whose employment would threaten the security of the specific defense facility.

Denying an individual employment in a defense facility, if he were a member of a subversive organization without knowledge of its subversive purposes, would be a violation of the first amendment freedom of association according to the Supreme Court.

Quiet frankly I find the Court's reasoning in this case incredible. The Communist Party since its inception has been dedicated to world Communist domination, using whatever means are necessary and most expedient. I find it difficult to believe that a member of this organization could be so naively unaware of its subversive intent.

Without seeming paranoid about the dangers of communism, we need to bear in mind its basic purposes here and abroad and to act accordingly to protect our national security.

For this reason, particularly in view of the Vietnam war, the Congress must act soon to clarify and revise the 1950 statute to assure that there are effective means to bar the employment of Communists in defense plants.

H.R. 15018 sets down specific procedures for designating a plant as a defense facility by the Secretary of Defense. The President is then authorized to institute such measures and to issue necessary regulations to bar from employment in a designated defense facility any person about whom there are reasonable grounds to believe he would be likely to engage in sabotage, espionage, or other subversive actions against the plant.

In accordance with this provision, the President may authorize inquiries regarding the nature of an individual's affiliations and activities to determine if there are reasonable grounds to consider him a probable subversive.

Frequently such individuals refuse to answer any inquiry of this sort, and therefore failure to respond may be considered adequate cause for debarment.

However, anyone so barred must be furnished the reasons for the action taken against him and be allowed an opportunity to defend himself, in a hearing if so desired. The bill outlines specifically the procedures to be followed and allows the individual involved adequate opportunity to demonstrate that his employment in no way threatens the welfare and security of the designated defense facility.

A number of bills have been introduced dealing with this same problem and I am hopeful that workable legislation can be reported