

1522 AMENDING SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

CIO) takes this opportunity to submit a statement of its views on H.R. 15626, and to request that this statement be made part of the record of the hearings on said bill. We recognize that the Committee has been favored with a number of comprehensive and meticulous section-by-section analyses of this proposed legislation. This statement will therefore be brief and will deal mainly with the Federation's views on the basic thrust of the bill.

The AFL-CIO's relentless opposition to Communism, and its sympathetic appreciation of the security problems caused by Communist subversive activities is beyond question and is, we are sure, well known to this Committee. Thus the ultimate goal of H.R. 15626 is one with which the Federation is in accord. Nevertheless, the AFL-CIO cannot support the bill in its present form. It cannot do so because H.R. 15626 is overbroad in two respects—in the number of workingmen and women it covers and in the criteria for denying clearance that it sets out. The AFL-CIO's Second Constitutional Convention, held in 1957, set out the essence of organized labor objections to overbroad security programs in the following terms:

"The American labor movement has a great heritage as a foremost champion of the preservation and extension of individual civil liberties in our land. We rededicate ourselves to the task of keeping inviolate the fundamental freedoms guaranteed to every American by the Constitution and the Bill of Rights.

"The AFL-CIO stands not only as a bastion of freedom but also as a bulwark against the threat of International Communism to our way of life and to the entire free world. In the face of this ever-present danger there is a need to maintain an effective security system against espionage and subversive activities by our totalitarian foes. This danger requires the maintenance of effective counter-intelligence for vigorous enforcement of criminal laws and for an effective security system administered with full safeguards of the individual liberties guaranteed by our laws."

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"RESOLVED, that the AFL-CIO welcomes the recent decisions of the U.S. Supreme Court dealing with loyalty and security. These decisions served to strengthen the individual liberties of all Americans.

"Properly, the application of the necessary security measures should be limited to persons having access to secret or highly classified information affecting national security. To go beyond this limit and to subject to security screening thousands of individuals employed in defense facilities and in the government establishments but having no access to security information is not only unnecessary but objectionable. We, therefore, are opposed to legislative proposals which would apply security screening wholesale to employees in such plants, establishments or facilities without regard to the access of such employees to top-secret and secret security information.

"We reaffirm our determination to preserve and defend American democracy from any and all enemies, within or without.

"We call on Congress and the public to be alert in opposition to any infringements of civil liberties in the administration of the security programs and in the conduct of congressional investigations."

The Federation has never deviated from this view and the intervening years have provided ample support for its position.

The reach of H.R. 15626 is such that it could cover all airline and railroad employees, a very high percentage of those in the aerospace, utility and educational fields, and a significant number of the employees engaged in general manufacturing and mining. The vast scope of the program threatens its efficient functioning. The volume of the work it entails tends to require cursory checks which would not be a source of discomfort to the dedicated subversive who has planned his life with the end in view of committing acts of sabotage. And the very size and scope of the assigned task is sure to engender bureaucratic errors, omissions and oversights which could make it possible for a dedicated subversive to slip through the security net and gain access to truly secret information. There is, in addition, a further potential loss to the smooth and efficient functioning of the government inherent in this bill. The United States needs skilled and intelligent people to man its defense establishment and to work in its defense industries. Many of the most able of these will assuredly look elsewhere for employment rather than run the gauntlet of checks provided for in H.R. 15626.

The authorization to run checks on so many workers also creates a serious and unwarranted threat to the right of privacy. As Mr. Justice Brandeis stated in his famous dissent in *Olmstead v. United States*, 277 U.S. 438, 478, which has