

APPENDIX TO HEARINGS RELATING TO H.R. 15626,
15649, 16613, 16757, 15018, 15092, 15229, 15272, 15336,
AND 15828, AMENDING THE SUBVERSIVE ACTIVITIES
CONTROL ACT OF 1950

Part 2

SUPREME COURT OF THE UNITED STATES

No. 8.—OCTOBER TERM, 1967.

United States, Appellant,	} On Appeal From the United States District Court for the Western District of Washington.
v.	
Eugene Frank Robel.	

[December 11, 1967.]

MR. CHIEF JUSTICE WARREN delivered the opinion
of the Court.

This appeal draws into question the constitutionality
of § 5 (a)(1)(D) of the Subversive Activities Control
Act of 1950, 50 U. S. C. § 784 (a)(1)(D),¹ which provides
that, when a Communist-action organization² is under
a final order to register, it shall be unlawful for any mem-
ber of the organization "to engage in any employment

¹ The Act was passed over the veto of President Truman. In
his veto message, President Truman told Congress, "The Department
of Justice, the Department of Defense, the Central Intelligence
Agency, and the Department of State have all advised me that the
bill would seriously damage the security and the intelligence opera-
tions for which they are responsible. They have strongly expressed
the hope that the bill would not become law." H. R. Doc. No. 708,
81st Cong., 2d Sess., 1 (1950).

President Truman also observed that "the language of the bill
is so broad and vague that it might well result in penalizing the
legitimate activities of people who are not Communists at all, but
loyal citizens." *Id.*, at 3.

² Section 3 (3)(a) of the Act, 50 U. S. C. § 782 (3)(a), defines
a "Communist-action organization" as:

"any organization in the United States (other than a diplomatic
representative or mission of a foreign government accredited as such
by the Department of State) which (i) is substantially directed,