

UNITED STATES *v.* ROBEL.

the designated facility—the history is persuasive against any congressional intention to provide for hearings or judicial review that might be attended with undesired publicity. We are therefore not free to imply limitations upon the Secretary's discretion or procedural safeguards that Congress obviously chose to omit. Compare *Cole v. Young*, 351 U. S. 536; *United States v. Rumely*, *supra*; *Ex parte Endo*, 323 U. S. 283, 299; *Japanese Immigrant Case*, 189 U. S. 86, 101; see *Green v. McElroy*, *supra*, 360 U. S., at 507.

*Third.* The indefiniteness of the delegation in this case also results in inadequate notice to affected persons. Although the form of notice provided for in § 5 (b) affords affected persons reasonable opportunity to conform their behavior to avoid punishment, it is not enough that persons engaged in arguably protected activity be reasonably well advised that their actions are subject to regulation. Persons so engaged must not be compelled to conform their behavior to commands, no matter how unambiguous, from delegated agents whose authority to issue the commands is unclear. *Marcus v. Search Warrant*, *supra*, 367 U. S., at 736. The legislative directive must delineate the scope of the agent's authority so that those affected by the agent's commands may know that his command is within his authority and is not his own arbitrary fiat. *Cramp v. Board of Public Instruction*, 368 U. S. 278; *Scull v. Virginia*, 359 U. S. 344; *Watkins v. United States*, *supra*, 354 U. S., at 208–209. There is no way for persons affected by § 5 (a)(1)(D) to know whether the Secretary is acting within his authority, and therefore no fair basis upon which they may determine whether or not to risk disobedience in the exercise of activities normally protected.

Section 5 (a)(1)(D) denies significant employment rights under threat of criminal punishment to persons simply because of their political associations. The Gov-