

NATIONAL COMMITTEE TO DEFEAT THE MUNDT BILL
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House Resumes Hearings May 2

The Un-American Activities Committee, six of whose members are now in Hawaii, will re-open hearings on the Mundt-Nixon bill May 2.

First to testify will be the National Lawyers Guild. Other opponents asking for time include the Communist Party, N.A.A.C.P., National Association of Colored Women, and Women's International League for Peace and Freedom, whose appearances before the committee are not yet definitely arranged.

Rep. Francis E. Walter (Dem., Pa.), acting chairman in the absence of Rep. John S. Wood (Dem., Ga.) assured this committee all opponents would be given a chance to testify. Any influential organization which has not yet done so should wire its request at once to Chairman Wood, with a duplicate wire to Rep. Walter, both c/o House Office Building, Washington, D. C.

Report on Delegations and Field Activity

Over 150 delegates from 11 states came to Washington on April 17, 18 and 19 in response to the call by the National Committee for representative delegations from key states. States represented were: California, Connecticut, Florida, Illinois, Indiana, Kentucky, Maryland, Massachusetts, New York, Ohio and Pennsylvania.

Reports from delegates following their meetings with Senators indicate increasing support for reconsideration of the Mundt bill by the Senate Judiciary Committee. On the House side, delegates informed the National Committee that Representatives Eberharter (Dem., Pa.) and Huber (Dem., Ohio) have announced opposition to the bill.

At the same time that delegations were present in Washington, representative groups in New Jersey and Vermont had appointments to see their Senators at home. Connecticut and Pennsylvania are planning meetings with their Senators at home to supplement the activities of delegates in Washington. The Chicago Chapter, National Committee to Defeat the Mundt Bill, reports that a large representative group will meet with Senate Majority leader Lucas in Chicago.

Reports are now coming in state by state on meetings with Congressmen during the Easter Recess. The Philadelphia Committee to Defeat the Mundt Bill reports the following statement from Rep. William A. Barrett (Dem., Pa.)

"I, as a Catholic, recognize the danger of this bill. It could be the most dangerous legislation ever enacted in the United States."

Two other Congressmen from Philadelphia, Representatives Green (Dem.) and Chudoff (Dem.) have also announced their opposition to the bill.

Material Now Available

The National Committee to Defeat the Mundt Bill still has available the following literature:

HEY BROTHER (16-page popular analysis, with list of Mundt-Nixon opponents and their statements). Price 5¢, or \$4.00 per 1,000 (reduced rate, effective at once).

SENATE REPORT (Senator Langer's legal analysis). Handling costs only.

Civil Liberties Union of Massachusetts (6-page analysis). Price 2¢, or \$10 per 1,000 (reduced rate, effective at once).

A general 1-page statement opposing the Mundt-Nixon bill, for signature by leading citizens in your community, was sent you March 31 in Action Bulletin #4. You were requested to notify us of the names and identifications of persons signing this statement. Few of these have yet been reported. Please reproduce the statement locally, and send us the names by May 13. It is essential that this statement be available for release at the earliest possible date.

A similar statement for signature by officials of labor unions has already been mailed to some of the cities where coordinating committees against the Mundt-Nixon bill are functioning. If you have not received this statement and can use it, please notify us immediately. Statements should be returned by May 20.

New material available:

SAMPLE AD: The national committee has prepared a sample ad with space reserved for a list of local sponsors and a coupon for donations and literature requests to your local committee. A proof of this ad will be mailed in a few days to our chief contacts in the principal cities. If you wish a copy for use in your local paper, let us know. Ad was designed for a full-page in a tabloid-size newspaper, but can be altered to suit your requirements.

RADIO RECORDING: The national committee is preparing a radio broadcast, suitable for a 15-minute program on your local station. It is expected to take the form of an interview by Jerry J. O'Connell with Senator William Langer (Rep., N. Dako.) and Rep. Vito Marcantonio (ALP, N. Y.) on the dangerous provisions of the bill. Let us know if you are interested in receiving a recording of this program for local rebroadcast.

NOVELTY LEAFLETS: A small sheet of paper with a map of America "under the Mundt-Nixon bill." When a cigarette is applied to the center, a swastika is slowly burned on the map. Available in bulk at nominal cost, and suitable for factory-gate or street distribution.

Perspective on the Bill

The wave of resentment from the American people which followed the Senate Judiciary Committee's report last month has slowed the drive for passage of the Mundt-Nixon bill in recent weeks. The time has now come for opponents of this repressive legislation to take the offensive, and insure the measure's defeat by an avalanche of protest. During the period immediately ahead of us, it is necessary to translate the top-level opposition already expressed by the most diverse organizations into effective rank-and-file action, which will command the attention of every member of Congress. For this reason, it is appropriate again to emphasize the importance of establishing local coordinating committees, wherever these have not yet been set up. Each local committee, if possible, should include representatives of the national organizations opposing the bill.

Every day that Congress remains in session carries the danger of a sneak attack by supporters of the Mundt-Nixon bill, utilizing some domestic or international crisis as the basis for whipping up the hysteria that would provide an atmosphere conducive to its passage. There must be no relaxation of your efforts to strengthen the resistance to Mundt-Nixon in both houses of Congress.

Statement by Chancellor Hutchins

One of the strongest statements yet filed with the Un-American Activities Committee is the following comment on the Mundt-Nixon bill by Robert M. Hutchins, Chancellor of the University of Chicago, one of the Nation's outstanding educators:

"I should like to be recorded as among the numerous citizens of all political parties and all points of view who are united in believing that the Mundt-Nixon bill is foolish, stupid and dangerous. I hope that Congress will display its intelligence, and its faith in freedom and democracy, by overwhelmingly defeating the measure."

Excerpts follow from statements filed by Professors Mark deW. Howe and Zechariah Chafee, jr. of Harvard Law School, and William G. Rice of the University of Wisconsin Law School.

Professor Howe: "...First, I see no reason to believe that our national interest will be furthered by the adoption of new statutes to prevent the people, through fear, from associated action to reform some of the evils of our society...If legislation is grounded in fright administration will soon be enforced by terror...Secondly, the text of the Mundt-Ferguson bill seems to me to be riddled with unconstitutional provisions. It is written on an assumption which I believe to be clearly wrong - that a Congressional pronouncement that danger is immediate establishes beyond question that disaster is upon us. The only clear and present danger that I can see is that the folly of Congress will bring the destruction of American freedom. The devious ingenuity of the Mundt-Ferguson Bill conceals the fact that it grants the broadest authority to administrative agencies to penalize the expression of unorthodox opinion. Men of honor and integrity would be compelled either to violate the law or to settle down to irresponsible silence. A healthy society is not made up of such men as that...An adverse report by your Committee might do much to restore balance to public opinion and to discredit finally those who chase their nightmares through the Halls of Congress."

Professor Rice: "...The apparent purpose is to cause disclosure of communist activity. The method chosen largely defeats this purpose, for the bill provides penalties for disclosure as well as for nondisclosure. If disclosure is desired, then rewards - or at least no legal penalties - should be attached to disclosure. For example, Sec. 5, 6, and 12 should be reversed. Contributions to registered organizations should be deductible for income tax purposes (if the organization is charitable, educational, etc.) and members should be in the position as other persons who seek jobs or passports. Registration might be even rewarded as by providing that a registered party may not be barred from the ballot in any state, which would facilitate disclosure of communist leaders and plans...What is set up here is not a normal trial of individuals for a public crime according to the law of the land, but a semipenal administrative adjudication resulting in penalties due to association...The most fundamental objection to the bill is that the standards it lays down are so vague that a partisan Board could use its power to cripple any group that it disliked...For the test "the extent to which its views and policies do not deviate from those of such foreign government" can easily be used by a Board containing two Senator McCarthys to debilitate such an organization."

Professor Chafee: "...My main objection to this bill is that I see very little evidence to support the recital that the world Communist movement presents 'a clear and present danger...to the existence of free American institutions.'...Anybody who is wicked enough to be a spy and willing to brave the severe penalties of the espionage statutes will not shrink from violating a law which requires him to register as a communist. If the present statutes against spying are thought to be defective, the proper remedy lies in amending those statutes so as to aim directly at spies, and not in roaming all over the lot against thousands of people, most of whom would never dream of being spies. ...To sum up in two sentences this survey of the present United States Code: If American communists and fellow-travelers are as dangerous as the supporters of this bill makes out, then there is enough legislation already with teeth in it to take care of these people; so no new law is needed. If, on the contrary, existing statutes are now violated by what these people are saying or doing, then they can't be very dangerous; so no new law is needed...Shades of Valley Forge and Iwo Jima! If we no longer want to be the land of the free, at least let us be the home of the brave...The cure for internal disaffection is not sedition laws, but normal federal and state statutes to redress genuine grievances...It is impossible to justify the sweeping provisions of this bill by saying that it reaches only particular groups who don't deserve to have any freedoms anyway. You never know whom a sedition bill is going to hit until the authorities start shooting with it...If we enact a new sedition law like this bill, it will do us great harm among our natural friends in the United Nations. They know well how much suppression is made possible by the vague definitions in this bill. We just can't defend such a sedition law against the bitter attacks of our opponents, and still less against the distrust of our friends. Our professions of love for open discussion will ring hollow in their ears...It will be a crime for two men to agree that one of them will run for Congress on a platform which a particular jury considers to involve a

totalitarian dictatorship...Every omitted name or address, every inaccuracy, may mean two years in prison for the party officers. Imagine what this would mean if it had to be done by the Republican Party or the Democratic Party!... But those are good parties, the supporters of the bill may say, and the bill hits only bad parties. Sifting bad parties from good parties is the job of the voters, by the American tradition, and not the job of Congress or government officials...If we look back over our national history, we see that many of the most significant political and social changes began with the efforts of some small informal group, which started as the object of considerable dislike on the part of the ordinary run of citizens...When the membership and policies of an opinion-forming organization can be judged and controlled by outsiders with governmental power, all sorts of opportunities for the suppression of legitimate ideas arise. The officials, being outsiders, may be rather unsympathetic with the legitimate purposes of the organization. There is a tremendous temptation to opponents of those legitimate purposes to influence the selection and the behavior of the controlling officials. The presence of extremists can easily be made an excuse for outlawing an organization when the real reason for getting rid of it is not fear of the extremists but hatred of the legitimate purposes. The organization is suppressed, not because it might promote a revolution, but because it might win elections and produce legislation. There are many important public questions to be settled in this country today, on which much can be said on both sides. In order to attain a wise solution of these questions, we need to preserve the unimpeded flow of discussion. Examples of such questions are these: Should we (a) oppose the totalitarian regime in Spain, or (b) resume normal diplomatic and commercial relations with Spain? Should we (a) give some measure of legal recognition to the present government of China, or (b) continue to supply billions of dollars to Chiang-Kai-Chek? Should we (a) do our best, in spite of tremendous handicaps, to cultivate friendship with the Russian people and explore every possible opportunity for peaceful adjustment of differences, or (b) assume the inevitability of a devastating war? Should we (a) decrease financial and military aid to Western Europe, or (b) continue or increase such aid? Should we (a) refuse to arm Western Germans for fear of a revival of the Nazis, or (b) arm them as a bulwark against the Soviet Union? These are vital questions, on which honest and reasonable men differ. They cannot be wisely decided unless individuals and opinion-forming organizations on one side are left as free to present their views as are those on the other side...What is significant for the purposes of this bill is that in every one of these questions an organization which takes the (b) side cannot possibly be touched while any organization which takes the (a) side can conceivably be outlawed. Although there are plenty of honest reasons why many patriotic American citizens stand for the (a) side, it happens in every case that this side coincides with the views of the Soviet Union and its supporters, whose reasons are quite different. Now, one of the factors which the Subversive Activities Control Board can take into consideration in determining whether an organization is 'Communist-front' is, by section 14 (b) (4), 'the extent to which the positions taken...by it... on matters of policy do not deviate from those of any...Communist foreign government...' Thus the bill loads the dice against organizations which condemn Spanish totalitarianism or the wastefulness of Chiang-Kai-Chek, which urge all possible steps to avoid an atomic war, etc. Not only does this bill leave organizations on the (b) side untouched, no matter if they include fascists, anti-Semites, and advocates of religious and racial hatred, but also the bill greatly aids those on the (b) side by silencing a large number of their most vigorous opponents. Insofar as there are errors on the (b) side, you will be increasing public danger enormously by making it very difficult for those errors to be combated by reason. It seems to me a frightful mistake to create such a warping of public opinion at the very time the nation needs, more than ever before, to stand firmly by the principles of Thomas Jefferson...I predict that many other kinds of prying besides opening letters will be rampant if this bill is to be effectively enforced. The hearings before the Subversive Activities Control Board cannot help being inquisitions into men's 'dangerous thoughts.' Conversations will be reported by participants, so that men will begin wondering whether it is safe to say anything to supposed friends. People will eavesdrop on their neighbors. Secret police will be multiplied, to catch all these new crimes. Spies will be introduced under-cover into suspected organizations in the hope of collecting evidence...If there was one thing which the framers of the First Amendment hated and meant to get rid of, it was peacetime sedition laws."