

76TH CONGRESS  
3D SESSION

# S. 4132

---

## IN THE SENATE OF THE UNITED STATES

JUNE 12 (legislative day, MAY 28), 1940

Mr. REYNOLDS introduced the following bill; which was read twice and referred to the Committee on the Judiciary

---

## A BILL

To outlaw the Communist Party, the German-American Bund, and all organizations, groups, or individuals associated therewith who seek to overthrow the Government of the United States by force or violence through the advocacy of criminal anarchy, criminal communism, criminal nazi-ism, and criminal fascism.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That criminal anarchy, criminal communism, criminal nazi-  
4       ism, or criminal fascism are doctrines that existing forms of  
5       constitutional government should be overthrown by force or  
6       violence or by any other unlawful means, or by assassination  
7       of officials of the Government of the United States or of the



1 several States. The advocacy of such doctrines either by  
2 word of mouth or writing or the promotion of such doctrines  
3 independently or in collaboration with or under the guidance  
4 of officials of a foreign state or an international revolutionary  
5 party or group is a felony.

6 SEC. 2. Any person who—

7 (a) By word of mouth or writing advocates, advises, or  
8 teaches the duty, necessity, or propriety of overthrowing or  
9 overturning existing forms of constitutional government by  
10 force or violence; of disobeying or sabotaging or hindering the  
11 carrying out of the laws, orders, or decrees of duly constituted  
12 civil, naval, or military authorities; or by the assassination  
13 of officials of the Government of the United States or of the  
14 several States or by any unlawful means or under the guid-  
15 ance of or in collaboration with officials, agents, or representa-  
16 tives of a foreign state or an international revolutionary  
17 party or group; or

18 (b) Prints, publishes, edits, issues, or knowingly circu-  
19 lates, sells, distributes, or publicly displays any book, paper,  
20 document, or written or printed matter in any form, con-  
21 taining or advocating, advising or teaching the doctrine that  
22 constitutional government should be overthrown by force,  
23 violence, or any unlawful means; or

24 (c) Openly, willfully, and deliberately urges, advocates,  
25 or justifies by word of mouth or writing the assassination or



1 unlawful killing or assaulting of any official of the Govern-  
2 ment of the United States or of the several States because of  
3 his official character or any other crime, with intent to teach,  
4 spread, or advocate the propriety of the doctrines of criminal  
5 anarchy, criminal communism, criminal nazi-ism, or criminal  
6 fascism; or

7 (d) Organizes or helps to organize or becomes a mem-  
8 ber of or voluntarily assembles with any society, group, or  
9 assembly of persons formed to teach or advocate such doc-  
10 trines; or

11 (e) Becomes a member of, associated with, or promotes  
12 the interest of any criminal anarchistic, communistic, nazi-  
13 istic, or fascistic organization, or helps to organize or becomes  
14 a member of or affiliated with any subsidiary organization or  
15 associated group of persons who advocates, teaches, or ad-  
16 vises the principles of criminal anarchy, criminal communism,  
17 criminal nazi-ism, or criminal fascism;

18 Shall be guilty of a felony and upon conviction thereof  
19 be subject to imprisonment for not more than ten years or  
20 a fine of not more than \$10,000, or both.

21 SEC. 3. Whenever two or more persons assemble for the  
22 purpose of promoting, advocating, or teaching the doctrines  
23 of criminal anarchy, criminal communism, criminal nazi-ism,  
24 or criminal fascism, as defined in section 1 of this Act, such  
25 an assembly or organization is unlawful, and every person



1 voluntarily participating therein by his presence, aid, or insti-  
2 gation shall be guilty of a felony and upon conviction thereof  
3 shall be subject to imprisonment for not more than ten years  
4 or a fine of not more than \$10,000, or both.

5 SEC. 4. No owner, agent, superintendent, janitor, care-  
6 taker, or occupant of any place, building, or room, shall  
7 willfully and knowingly permit therein any assemblage of  
8 persons prohibited by section 3 of this Act, and if such  
9 person after notification that the premises are so used permits  
10 such use to be continued, he shall be guilty of a misdemeanor  
11 and upon conviction thereof subject to imprisonment for not  
12 more than one year or fine of not more than \$1,000, or  
13 both.

14 SEC. 5. Every editor or publisher of a book, newspaper,  
15 or serial and every manager of a partnership or incorporated  
16 association by which a book, newspaper, or serial is issued,  
17 is chargeable with the publication of any matter contained  
18 in such book, newspaper, or serial. But in every prosecu-  
19 tion therefor, the defendant may show in his defense that the  
20 matter complained of was published without his knowledge  
21 or fault and against his wishes, by another who had no  
22 authority from him to make the publication and whose act  
23 was disavowed by him so soon as known.



76TH CONGRESS  
3D SESSION

S. 4132

---

---

**A BILL**

To outlaw the Communist Party, the German-American Bund, and all organizations, groups, or individuals associated therewith who seek to overthrow the Government of the United States by force or violence through the advocacy of criminal anarchy, criminal communism, criminal nazi-ism, and criminal fascism.

---

---

By Mr. REYNOLDS

---

---

JUNE 12 (legislative day, MAY 28), 1940

Read twice and referred to the Committee on the  
Judiciary