

## Franked Mail

Post. 10-9-43

Congressman Hamilton Fish has made an exceedingly curious reply to the American Legion charge that he abused the congressional franking privilege. Specifically, the Legion accused Mr. Fish of having granted the use of his frank as recently as last April to a Nazi sympathizer named C. Leon De Aryan, now under Federal indictment for sedition. In response, the Congressman caused to be printed in the *Congressional Record* certain extracts from the Postal Laws and Regulations which appear to afford a legal justification for his conduct. It is difficult to construe this in any other way than as a tacit confession of the charge.

Whatever the merits of Mr. Fish's legal defense, the morality of what he did seems very dubious indeed. "I was taken to task recently by the American Legion," he said, "for alleged abuse of the franking privilege because some individual whom I have never met or seen received and mailed some of my speeches. He had a perfect right to do so,

just as I had to have my speeches sent out for addressing and mailing. It makes no difference whether the individual to whom they are sent is black or white; Protestant, Catholic or Jew; indicted, arrested, convicted or in jail or out of jail."

These latter considerations may make no difference to Hamilton Fish. But most of his colleagues in Congress, we are confident, will feel somewhat more fastidious. If the postal regulations actually permit such latitude in the employment of the frank, then it is obvious that they invite abuse by any person of Mr. Fish's moral myopia. And it is equally obvious that they should be amended at once if Congress wishes to preserve the real purpose of one of its important prerogatives. Under Mr. Fish's interpretation of the law, the franking privilege, paid for out of public funds, can now be used with impunity to undermine the security of the United States even in time of war.

Just about two years ago Senator Wiley introduced a bill to require the inclosure of a personal letter in any franked mail sent by a member of Congress outside his own State or the District of Columbia. Commenting upon this favorably at the time, The Post remarked that "it is impossible to imagine a legislator giving his own letter of inclosure along with the frank to organizations and men charged with being in the pay of Nazi Germany." In view of Mr. Fish's attitude, we are no longer so certain that this is impossible. But Senator Wiley's proposal would at least impose some check on abuses of this nature. It deserves revival now.

Manifestly, however, it does not go far enough toward restricting the use of the frank within reasonable bounds. Other amendments to the postal regulations are necessary for the simple sake of economy. These need to be applied, of course, to the executive agencies of the Government as well as to Congress. Free mailing has its legitimate uses for the information of the American public. It is now high time to give these uses some common-sense definition.