

Subversion Syndrome *Part 1/29/70*

The first bill to emerge from the House Internal Security Committee is precisely what you would expect: it is grotesque and dangerous. If any evidence were needed to demonstrate the folly of perpetuating the old Un-American Activities Committee under its current alias, it is abundantly presented in this legislative monstrosity, the Defense Facilities and Industrial Security Act of 1970.

The bill would give unreasonable power to the Secretary of Defense to determine who can hold a job at—or who can have access to—all manner of defense projects and facilities, *whether or not classified information is involved*. It would give the President almost unlimited power to order investigations of persons or organizations *whether or not they are under consideration for access to classified matter*. And under its sweeping, ambiguous language, the President, as Rep. Louis Stokes has pointed out, "would be justified in barring a worker employed in a defense industry because he took part in peaceful picketing of a chemical company in protest of its manufacture of napalm."

The bill is an undisguised attempt to overturn—or, to employ a more apposite term, to "subvert"—two Supreme Court decisions of recent years. Both decisions struck down so-called security screening procedures which flagrantly ignored the rights of individuals. Lawrence Speiser of the American

Civil Liberties Union was right when he said about this in a letter to congressmen opposing the bill, "It is time that Congress ceased to view Supreme Court decisions protecting constitutional rights of American citizens as the actions of an enemy institution. Upholding the rights of American citizens is something to be applauded, not deplored." But this is a view never comprehended by the Internal Security Committee either in its old or its new incarnation.

Behind this malevolent and maladroit piece of legislation lies the misconception that lay behind the McCarthy hysteria of the 1950s—the misconception that the way to promote national security is to mistrust all Americans and to judge their suitability for employment in terms of the conventionality of their ideas.

But security is not fostered by hysteria. In one of the decisions which the Internal Security Committee is trying to overturn, the Supreme Court said: "For almost two centuries, our country has taken singular pride in its Constitution, and the most cherished of those ideals have found expression in the First Amendment. It would indeed be ironic if, in the name of national defense, we would sanction the subversion of one of those liberties—the freedom of association—which makes the defense of the nation worthwhile."