

Aroused by Snoopers: T-# 47744

Sen. Reed Demands Probe Of Censors in Kellems Case

Sees Civil Rights Threat in Interception Of Correspondence With Nazi Engineer

By WALTER TROHAN

Aroused by the threat to civil rights in the interception of correspondence between Miss Vivien Kellems, Connecticut manufacturer, and Count Frederick von Zedlitz, a Nazi engineer in Argentina, Senator Reed (R.), of Kansas, yesterday advocated a double-barreled congressional investigation of possible Post Office or censorship leaks.

The Senator, ranking Republican of the Senate Post Office and Post Roads Committee, said he will ask that group today to consider investigation of the "intercepts" and "submission slips" system of the Office of Censorship as well as possible illegal interception of the correspondence while it was in the hands of the Post Office.

Copies Letters

Under the mail censorship program, the Office of Censorship makes copies of all or parts of letters or other communications addressed to points outside of the United States and its possessions. "intercepts" are placed on

"submission slips" and directed to interested agencies of the Government.

The submission slips bear the legend "confidential" in large red type at the head and foot of each page. There is also a notation at the foot of the page stating that the matter contained is confidential and should not be made public in any way.

Covers Many Abuses

Intercepts are made concerning material which is not censorable, as well as stricken material. Senator Reed said he is prepared to challenge the interception of non-censorable material, if not of all material.

"It may be one thing to intercept information that a division of men sailed aboard a certain ship

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on a certain date for a certain destination or about a secret weapon," the Senator said. "Everyone recognizes the ground of national security, although that may cover many abuses.

"However, the interception of non-censorable material to smear opponents of the Administration is another thing. I see no justification for intercepts of such material and shall demand that the Senate be told what statutory authority exists for such invasion of privacy."

Intercepts in the Kellems case, it was said, went to the Justice, State and Navy Departments, among other Government agencies. In these departments various Government employes had access to the purported excerpts of the correspondence, which Representative Coffee (D.), of Washington, read on the floor of the House, and which Drew Pearson, columnist, read in a radio broadcast.

Most Serious Matter

"If some Government employe intercepted the intercept and violated the confidential communication, it is a most serious matter," said Senator Reed. "If the Government were building a case against Mrs. Kellems, premature revelation borders on treason. That is purely hypothetical, however.

"I do not know the penalty, if any, for breaking the confidential nature of the intercept. I know that in other Government departments there is provision for a fine of \$1,000 and two years' imprisonment, or both, for illegal release of confidential material. I assume the same penalty would hold for

information in the intercepts. I think Congress should find out."

Efforts to learn what precautions had been thrown about intercepts met with evasion. The Justice Department would not give an opinion as to what defense the censors would have if Mrs. Kellems were to bring a suit for damage because she had been held up for ridicule, probably through intercepts.

Nor would the department give an opinion on a purely hypothetical question as to what defense the censors would have if an intercept of a businessman's letter giving trade secrets fell into the hands of a competitor and the businessman brought suit for damages.

Alaskan Trouble

The question of intercepts provoked a mild storm in Congress in November 1942 after Congress had passed a bill extending censorship to Alaska, Hawaii and other territories and possessions. After the bill was passed the Senate Judiciary Committee discovered that such censorship had actually been in operation for a year without statutory authorization.

The committee called the bill back and staged a hearing at which Attorney General Biddle was subjected to pointed questioning. Biddle acknowledged that the reason for the introduction of the bill was to protect censors from possible action. The committee pigeonholed the bill. It has not been revived.