

The Subversive Activities Control Board

There are 5 honest men in town who earn \$36,000 a year for doing nothing. And, boy, are they concerned.

By John Carmody

The Subversive Activities Control Board has been in one tub of hot water after another ever since the day it was created, over President Harry S. Truman's veto, in the fall of 1950.

Right now, both the liberals on Capitol Hill and the not-so-liberals in the Nixon Administration's Justice Department are drawing separate but equally hot baths for SACB.

SACB has a unique reputation, even for Washington. Formed after four years of stormy congressional debate in the late 1940s (a co-sponsor of the original legislation was Rep. Richard M. Nixon), it has been criticized whenever it has sought to register a "Moscow-oriented" communist front, allegedly infiltrated union or Communist Party member. In 20 years this hasn't been very often, of course. Some 100 separate cases have come before it in that time, most of which have been ruled beyond their purview, eventually, by the courts.

But then the Board has been even more loudly criticized during its frequent dry spells—for doing absolutely nothing. Like right now, while the current two Democrats and three Republican Board members draw annual salaries of \$36,000 each.

Present complaints on Capitol Hill arise from a July 2 Executive Order issued by President Nixon. It would broaden SACB's mandate far beyond its existing authority, which presently is to examine through hearings any groups it believes are "Moscow-oriented." The new order would permit it to hold hearings on any groups or associations of Americans it judges to be "totalitarian, Fascist, Communist or subversive." The prior investigation and preparation of evidence will be done by the Justice Department, as it always has been.

This intended expansion covers a great deal of territory. Assistant Attorney General for Internal Security Robert Mardian has let it slip that Justice already has some 25 cases ready for the Board to peruse, involving such disparate groups as the Black Panthers, the Weathermen, SDS (Students for a Democratic Society) and the Minutemen.

Opponents of the Executive Order maintain that it jeopardizes the freedoms of expression and association guaranteed by the First Amendment, arguments that have plagued SACB since its inception.

In addition Sen. Sam J. Ervin (D-N.C.), and others contend that the Nixon order intrudes on Congress's power to legislate.

Initial reaction to the Executive Order was to attempt to kill the SACB entirely by refusing to vote its \$450,000 appropriation. The move, sponsored by Sen. William Proxmire (D-Wis.) failed by seven votes.

John Carmody is senior editor of Potomac.

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The Board, for its part, has gone ahead and drawn up regulations asked for in the Executive Order that would seem to liberalize the due process protections afforded respondents in any future hearings. They were recently published in the Federal Register.

(A suit filed here in early September by the American Civil Liberties Union on behalf of nine radical organizations would seek to enjoin SACB from conducting hearings, and the Attorney General from maintaining the "Attorney General's List".)

In addition, legislation—which is given little chance of survival—was sent to Congress by Attorney General Mitchell, in amending the Activities Control Act of 1950, it asks Mitchell for the power of subpoena for the Board and, incidentally, suggests a name change, SACB becoming the "Federal Internal Security Board."

Other legislation has been introduced in Congress to limit the power of federal employees from engaging in such investigative activities. Sen. Ervin has also drawn up a "sense of the Senate" resolution which condemns both the usurpation of First Amendment rights and the intrusion of executive power suggested in the Executive Order.

The "Attorney General's list" was first drawn up in 1939 by then Atty. Gen. Tom Clark at President Roosevelt's direction. Its ostensible purpose was to furnish federal agencies with names of subversive organizations, membership in which might pose individual security problems (the German-American Bund was at the height of its powers at the time). In 1950, the SACB was formed to rule on cases prepared by the Attorney General, after hearings, intended to place additional organizations on the "list." There are presently some 260 groups on it; many are defunct.

Board members, who privately admit that the prospects of public hearings at the moment involving such volatile respondents as the Black Panthers and SDS would be a mixed, if not hazardous blessing, expect that the Attorney General will submit, instead, over the next few months, some 60 cases involving groups already named on the "list."

This would give the Board, they contend, time to iron out its new, liberalized procedures, and simultaneously cull the aging "list."

The Board itself, as presently constituted, is not a particularly remarkable group. Over the years, Presidents have tended to name men (and occasionally a woman) who are out of office, somehow—an ex-Arkansas governor, an ex-senator, an ex-congressman—almost always with an eye towards pleasing the late and powerful Sen. Everett Dirksen, the longtime Senate Republican minority leader. (All five present members remember Sen. Dirksen fondly.)

By law, the Administration in power maintains a 3 to 2 majority, although in practice the rule is a little flexible. (When former Connecticut Democratic Rep. Frank Kowalski started spending his SACB weekends back home criticizing Lyndon Johnson's Vietnam policies, Mr. Johnson found a willing Republican, John Patterson, to take his place.) And certainly SACB Chairman John Mahan, a Montana Democrat, sounds much more like the ex-National Commander of the Veterans of Foreign Wars he is than the John F. Kennedy supporter he was.

The Board, in fact, has a national constituency that lies just a little out of national party boundaries. It is easy to generalize but one can imagine the enthusiasm for the SACB among American Legionnaires, in certain big city Catholic pariah halls, among Southwestern fundamentalists—that whole amorphous group that still sees a Red scare. It is a measure of the Board's real staying power that Congress, for all its criticism over the years, realizes that a great many of those people always vote back home.

John W. Mahan

Mahan, the only practicing attorney on the Board, had just sent the rules and regulations called for in President Nixon's executive order of July 2 over to the Federal Register for publication.

He has, he said, "tried to make them as fair as possible, although much depends on the passage of the bill submitted by the Attorney General in July that would give us the right of subpoena."

His rules would include the use of not more than three Board members for any hearing, with an automatic review by the full board on the findings and determinations of the hearing body. All testimony would be given under oath. There would be right of counsel and cross examination by defendants before the Board and public hearings. But defendants would not be required to reply if they didn't want to ("This would do away with opposition on the Fifth Amendment question," claims Mahan). He also hopes to have the automatic review (called for in the Attorney General's bill) to a U.S. Appeals Court on any adverse Board decisions.

Mahan sees the Board's role as primarily one of exposure. "It's the only goddamn thing left," he says.

"I firmly believe these ideas must be aired. My whole theory is exposure, just the same as Ralph Nader. He exposes defects in consumer goods, we expose revolutionary ideas—only I don't mean to oversimplify quite like that.

"We would merely be the judges on evidence presented by the Attorney General's office of organizations dedicated to the overthrow of this country by force and violence." (This is the new definition that would broaden the Board's purview.)

"The press," says Mahan, "apparently thinks only the press or TV should do the disclosure in this country. It should be non-partisan, with a court review. The Bill before Congress would give the defendants the right to subpoena. As a former defense attorney I know damned well it could help my client."

Mahan expects the Attorney General to submit a list of 25 new cases sometime after the rules are published in the Register. He also expects the list of what he estimates to be 260 organizations presently listed as subversive on the old Attorney General's list to be sent over for "culling."

"I think," he says, "the government ought to be able to hold hearings in an area like this. But with due process."

Mahan, who is a regular at conventions of veterans, as befits his former post, is fond of recalling what he told the American Legion in August down in Houston. "I told them I didn't think our Constitution is supposed to be a suicide pact."

So saying, he is quick to point out his liberal qualifications. He helped write Job Corps legislation for Vice President Humphrey in 1965. He helped draw up the

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Cold War Bill of Rights—which extended WWII benefits to men who served after 1945. "Johnson gave me one of the pens for that one," Mahan recalls. "Humphrey, Johnson, Kennedy, I got to know all those people when I was with the VPW."

And just as quickly he adds that he gets "along with all these people" on the SACB. "Actually John (Patterson) and Otto (Otepka) are the strong Republicans on the Board."

John Mahan has been mentioned as a possible Democratic gubernatorial candidate in Montana. There is no doubt he plans to return there when his present term is up—if not sooner. "Actually, the top jobs out there are already held by Democrats anyway," he points out.

A man who likes the hunting, fishing and boating life around Helena, Mahan says his appointment to the SACB was prompted by a need for a change of scenery following a near-fatal speedboat accident that claimed the life of his best friend.

"In 1961 I'd come back to Washington like a lot of young men and somebody took me to the Navy Department. John Connally (then Secretary of the Navy) asked me if I wanted to work for him. 'How long will I last?' I asked him, and he said, 'until either McNamara or I get mad at you.' And I thought, well, that's not very secure, and I went back home.

"I was introduced to President Johnson in 1965, and when he asked me if I'd go on the Board, I told him I'd never heard of the SACB. But after I accepted, he took me into the little office, the one with the three TV sets, and introduced me to Sen. Dirksen. He poured Dirksen a bourbon and water, mostly bourbon, and he never did offer me a drink. A strong friendship developed between Dirksen and me."

Mahan says he thought a job in Washington "would be fun" but admits that the endless controversy surrounding the Board and the almost continuous inactivity of the job have been something less than pleasurable. "Something like this, it's a matter of timing," says Mahan, the tone slightly wistful. "Oh, I believe in what I'm doing," he says. "And I've told people I'm not leaving until I think the job is done." Asked when that might be, Mahan will point to the regulations and the pending legislation on his desk. "I'd like to see this thing working before I left," he says.

"You know, if they knock us off, there is no way for the nation to know who its enemies are. It is essential this country keeps this Board functioning. Period. Who else can do it?"

"You can have an Attorney General who can go wild and start accusing everybody. The Board stands in the way of that possibility."

Mahan, like the other board members, is understandably chary on the possibility of future hearings involving, as has been reported, such organizations as the Black Panthers, the Weather people, Minutemen, the Students for a Democratic Society and others.

He will admit some trepidation over public hearings, based on recent disturbances in courtrooms around the nation. ("Maybe I'll bring in pro football players as guards," he'll half-joke). He says SACB has received one bomb threat over the years.

But he confines his public views to a statement he says he has made "many times" in the past, to his friends in veterans organizations around the country.

"I like to remind people that we had a blood bath in World War II and it was caused by men through in-temperate speaking. We all learned a great deal about people who stand on street corners getting other people aroused."

Otto F. Otepka

Otepka, who is the only Board member with professional experience in the security field, allows as how he's "been in this business a long time."

"I was a frequent visitor over here (the Board) when I worked at the State Department. I attended most of the (early 1960s) hearings on the Communist Party."

"I think there is a need for an organization like this. Certainly the events following World War II demon-

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strated this. You know, Congress went into this long before Senator (Joseph) McCarthy ever did."

His own experience at the State Department, says Otepka, "highlighted one thing: the way Communists infiltrated our society, our government, the State Department—in the postwar era.

"This goes back to the time of Elizabeth Bentley and Whittaker Chambers," Otepka said.

"The Communists operate through deception and trickery," he continues. "Their greatest success is in establishing communist fronts—organizations with high-sounding names and ostensibly good purposes—bent on the overthrow of the capitalist world. The United States is the biggest obstacle to this.

"The public," says Otepka, "still needs to know about what these fronts are. There are fronts today."

How, if the Board has been officially dormant for the most part in recent years, does he know there are fronts today?

"My personal experience in the past," says Otepka, "and by data made available to me through specific government channels now. There is material available to me that is available to anybody with the proper background."

Pressed on this, Otepka points to a daily copy of the "Foreign Broadcast Information Service" on his desk and adds: "Mr. Hoover testifies annually as the extent of penetration of the Communists in the United States. I have the right to access to authoritative publications in that area. I'm not talking about any case before the Board, now. I'm not making any judgments about any organization whatever.

"These are official publications I'm talking about. I will not identify them."

"There is communist penetration today," Otepka continues. "I say that unequivocally."

"No one, more than I, is a staunch believer in the right of confrontation," says Otepka. "The . . . alleged communist organization has the right to see the evidence, in open hearings, with a right to every aspect of due process of law. I feel very keenly about that.

"There's a non-Moscow communist movement now. You know the law originally limited the jurisdiction to Moscow-oriented organizations.

"But there are other types of organizations now. How do I know that? There are statements made by J. Walter Yeagley (former Assistant Attorney General in charge of internal security). He certainly had appropriate information. Robert Mardian (Yeagley's successor) this year. If he says these things are true . . . (Otepka shrugs) . . . I have faith in his judgments. He's got the investigators, he's got the potential for working up the cases. I won't label anyone."

Does the inactivity bother Otepka?
"I took this position on the premise there'd be work here," he says. "That's the reason I came. I was . . . in limbo at the State Department."

In February of this year, Otepka sued The New York Times for \$4 million in a libel action. Otepka claims it accused him of "criminal activity." Depositions are presently being taken on that case, he says.

Otepka insists he has retained the right to file a suit to recover his top post at the State Department—"the statute hasn't run out" but he doubts that he would pursue it now. "Some might say I've waited too long."

"When I fought my case at the State Department," he said, "I'd have been glad to have ACLU (American Civil Liberties Union) help. But that wouldn't have made us a Left Winger, would it?"

"I argue this whole idea. I don't like to be tarred with the ideology of someone who supports me. I learned a long time ago not to rely on generic labels. Not to judge a guy on whom he associates with."

"What the hell do I call myself? A moderate. Just say I'm strongly oriented to our Constitution and to our Bill of Rights."

Does the Subversive Activities Control Board protect those rights? Oh, yes. If I see any evidence it doesn't protect them, I'd be one of the Board's first critics."

Otepka says the Board exists to "advise the Presi-

dent professionally with respect to the factors of internal security on which an individual's employment may be judged, particularly with respect to assignment to a sensitive position. Certainly membership in the proscribed organizations should be a factor in determining a man's overall fitness. But it's only one factor."

Otepka denies that his \$36,000-a-year job is in jeopardy because of the Senate's failure to confirm his re-appointment. Adopting the air of a patient schoolteacher, he says:

"According to the Internal Security Act of 1950, as amended—a member of the Board whose term has expired shall continue to serve until his successor shall have been appointed and shall have qualified. Oh, I'm sorry, but I know about this business. I make more goddamned trips to Capitol Hill!"

Otepka can recite the committee votes, dates and subcommittee lineups in those trips. He also has an elephantine memory for his foes and their appearance at his hearings. ("Oh, Brother (Joseph) Rauh was there with his full entourage.") "They read the same goddamned script everytime," says Otepka. "That the John Birch Society supported me. That's supposed to make me a Bircher! If I support maybe one thing it stands for, that makes me a Bircher! I'd rather be me and be independent."

"Just call me a strong constitutionalist and a patriotic American. I don't know what labels are."

John S. Patterson

"I look at this job as the Internal Security Act outlines it," says Patterson, who has been around Washington long enough not to be too quotable. "Whenever the Attorney General has reason to believe he has cases to be adjudicated, he sends them over to us to be adjudicated—fairly."

Of the possibility that the Board may extend its review to militant organizations, Patterson will say only: "It seems to me if there is a case (against those organizations) we will adjudicate it. I consider myself willing and able to do this," he says, and adds: "It's in that area that I have hopes."

"I ascribe," says Patterson, "to the idea (the Board) is the only agency set up for disclosure of subversive activity and it is needed. Somebody said 'it's a deterrent.' I'd have to go along with this."

"You must remember, I have no preconceived ideas of cases we should be looking at. That's not our area. If they (the Attorney General's staff) have the facts, let us look at them. I only know what I read in the papers about the Black Panthers and the Weathermen and I'm not about to uncover a lot of things just because I read a lot of stuff in the papers."

Patterson, who was appointed in 1966 with the help of neighbor Dirksen ("it's the only time I ever called him for help, all the time I was in Washington"), replaced controversial Democrat Frank Kowalski, the former congressman from Connecticut.

Patterson, who admits the lack of work for SACB galls him, also has been around long enough to know when he's lucky.

He had been, he says, a "difficult" member of the Maritime Commission, in considerable disagreement with its chairman. "I wrote 24 dissents on 188 cases while I was on the Commission and 12 of them were upheld by the courts," he boasts.

When it was plain he wasn't to be renominated there he called "my dear friend Ev Dirksen." He was, he remembers, trying to get a post with the Federal Trade Commission. The Senator mentioned the SACB, but as Patterson recalls "I didn't know a darned thing about subversive activities." He also recalls Dirksen's advice at the time. "If you want to serve the President," the Minority Leader told him, "you serve where the President asks you to serve."

Patterson points out that he's had "every security clearance," dating back to his service on Eisenhower's National Security Council.

Patterson sees the Board as caught in a "three-way vise" between a Congress which is chary of appropri-

ing money to a "do-nothing agency," a succession of Attorneys General who have not passed on cases for the Board to adjudicate, and the courts, which in recent years have considerably limited the Board's powers. Patterson confines his criticism of this "vise" to the end-product, the charge against the Board of doing nothing for its \$36,000-a-year salaries.

"I've long been a believer," says Patterson, "in getting something done with a maximum of dispatch and a minimum of expense."

"And," he adds quickly, "I believe that in the matter of national security the principle of disclosure is very important."

"Forewarning," says John Patterson, "without frightening is a necessity to a democracy."

Simon F. McHugh, Jr.

Speaking of the Board, McHugh says "we have been pushing it, but with not much success. We have to give the Board more real viability today."

McHugh won't come out and say it but it is plain he is referring to the current agitation on the streets. "Is your major concern today the Communist Party?" he asks rhetorically.

"The way I look at it, if there are no more cases under the Act, no more outfits that meet the policy guidelines set down by Justice, what is the necessity for the Board?"

"I've been feeling around for an answer to that question. Maybe what is needed is one of the committees in Congress to have lengthy hearings on the Board, really discover what we should be doing." He suggests there are enough votes in Congress to keep the Board alive after such hearings. "And," he adds, "give us enough of a work load to be credible—something not to be ashamed of."

"I think the Act ought to be updated—the List culled, probably I know one thing: the work of the Board is not meant to be an expose." (This is a point on which McHugh disagrees, discreetly enough, with chairman Mahan, who feels one of the prime functions of the Board is disclosure. McHugh says its sole function is to provide a list for government use, of organizations which are subversive.)

McHugh considers himself a "moderate liberal." He is a registered Democrat in Montgomery County and admits he worked for the 1970 ticket out there. "We won everything," he says, but I'm not so sure the Nixon Administration would want to know."

McHugh says he joined the federal government after a friend in the Labor Department told him "government can be fun, especially if you can come in at the GS-14 level. You don't have some say in policy at that level, maybe, but you are in on some of the background for decisions."

He went to work, eventually, for Bernard Boutin, then the SBA head and a power in Connecticut Democratic politics. In 1966, he "started to go around with Vicki" who was then working for LBJ.

After their marriage late that year, President Johnson offered him the SACB post. McHugh is still sensitive on the subject, still a little put out. "The hatchet job that The Wall Street Journal did was really not aimed at me, it was aimed at Lyndon Johnson," he insists. "Someday maybe I'll tell my side of it. I know who put the reporter—a good man, incidentally—on to the story."

McHugh, who insists "you don't turn down a job offered by the President of the United States," says that when LBJ offered the job to him "I won't say I hadn't

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John W. Mahan

One of two Democrats on the five-man Board, Mahan is in his second term as SACB chairman.

The 47-year-old trial lawyer from Helena, Mont., served in World War II as a Marine dive-bomber pilot. At 34, he became the youngest National Commander the Veterans of Foreign Wars ever had. Today, he undoubtedly possesses the widest political constituency of any of the Board members.

Mahan headed national veterans organizations for both John F. Kennedy and Lyndon Johnson in their presidential campaigns. His role as a VFW leader long ago brought him into Richard Nixon's orbit. He considers the President "a personal friend." Mahan was named to the Board by Johnson in December, 1965, and reappointed by President Nixon last year.

Married to his high school sweetheart, he is the father of three girls and a boy, and the family maintains a home in Helena and Arlington.

A large tinted photograph of a Montana roadside is the first thing you see when entering the chairman's office; then the clusters of photographs and commissions collected over the years by a leader in the VFW—Presidents, Montana political figures.

A soft-spoken, tall man, he is proud of his liberal credentials, prouder still of his role in the VFW and that organization's view of things. Like all SACB members, he wears his particular brand of patriotism right out in the open. He knows by heart the voting stance on SACB of every member in the Senate. He is the unregenerate Westerner at heart. He scheduled a speech in Montana this fall to coincide with the opening of the bird hunting season.



Otto F. Otepka

Otepka, 56, was named to the Board by President Nixon in June, 1969, to complete the unfinished term of the late Edward Sweeney. He has yet to receive Senate confirmation to the post, for which he was renominated in August, 1970. He is probably the most widely-known, controversial member of the five-man panel.

Otepka was born of Czech immigrant parents in Chicago. While with the Civilian Conservation Corps (CCC) in the midst of the Depression, he passed an examination for a \$1,080 a year federal appointment as a clerk to the Farm Credit Administration here. He obtained a law degree at Columbus University School of Law, at Catholic University in 1942. He flunked the only District bar examination he took—soon after the war. During the war years he became a personnel security investigator with the Civil Service Commission, served with the Navy in a similar post. In 1953, he transferred from CSC to the State Department as top security officer.

In 1963 he was fired by then Secretary of State Dean Rusk for giving confidential documents to the Senate Internal Security Subcommittee. Otepka successfully fought the dismissal but remained at a substantially lower salary in makework posts for the next six years, becoming a cause celebre, in the process, to both liberals and right wingers.

Otepka and his wife live in Montgomery County. He is a Republican.

Otepka is a big burly man, swarthy, with an unsuccessful smile he uses when he is trying to make a point. On his office wall is a large, framed "Illegitimus Non Tatum Carborundum." On his book shelves, a lot of Ralph de Tolodano, an odd booklet called "The Nude Frontier" which turns out to be a heavy-handed satire of John Kennedy's administration written by "Juno."

Sometimes, when he talking on a favorite subject, a trace of accent creeps in—a reminder of the Chicago boyhood in the same immigrant neighborhood from which Anton Cermak rose to become Mayor of Chicago and to die in Miami, Fla., by an assassin's bullet intended for newly-elected Franklin D. Roosevelt. "I was a Democrat until 1955 or so," recalls Otepka, "You had to be, growing up where I did in Chicago."



John S. Patterson

Appointed by Lyndon Johnson in August, 1966, Republican Patterson is, at 69, the oldest member of the Board, and awaiting renomination by Mr. Nixon.

A native of Illinois, son of a well-to-do member of the Chicago Board of Trade, Patterson spent 25 years in trade association and public relations work. He served in the 1962 Eisenhower campaign in North Carolina, where he was a vice president of the J. P. Stevens milling textile firm. Two years later he was recruited by Booz, Allen & Hamilton to a post as deputy administrator of the Veterans Administration here. He has subsequently filled similar posts at the Office of Civil and Defense Mobilization, as a consultant to NASA and, from 1961-66 as vice chairman of the Federal Maritime Commission. For eight years during the 1930's, he was next door neighbor, in Pekin, Ill., of the late Sen. Everett Dirksen.

John Patterson is not ashamed to admit he has a knack for being the number two executive wherever he is ("being a deputy is damned tough"); nor that the present \$36,000 a year job is a blessing. "What are you going to do at my age?" he'll ask. "Go back into industry? You know, your arm gets shorter as you get older."

He is proud of his lifelong Republicanism, in part, undoubtedly, because he has in his time rubbed shoulders with a lot of the prominent ones. His father, he says, who once held a corner on the world egg market and made and lost a couple of fortunes, managed to serve as a treasurer of the Bull Moose Party. Patterson himself not only lived next door to Dirksen, he rode the Eisenhower campaign train through North Carolina in 1952. A picture of a very young Richard Nixon, inscribed to "Jack" from "Dick" is on his wall.



Simon F. McHugh, Jr.

At the age of 34, McHugh is the youngest board member and the only District of Columbia native.

A graduate of Georgetown University, he is presently pursuing a Masters degree in Business Administration at American University's night school. Prior to his SACB appointment in 1967, McHugh had worked for IBM and also as a partner in what he describes as a "land speculation" firm in Maryland. He was serving as special assistant to the associate administrator for investment at the Small Business Administration when named to the Board.

By default, McHugh became an extremely controversial board member. His 1967 appointment by President Lyndon Johnson was widely publicized as it followed on his marriage to Victoria McCammon, a Johnson secretary who was also a social friend of the Johnson family. Today McHugh lives in Rockville with his wife and two children.

With a redhead's white eyebrows and a thinning at the top, McHugh looks older than his 34 years. He has an almost gravelly voice. After three years in the wings of the Lyndon Johnson White House as a social friend, there aren't very many rough edges here. There is a lot of knowledgeable Washington talk and first-name use ("oh, Ramsey and I are good friends") that seems to be missing among the other SACB members. He says he reads a lot of history and politics; his idea of a swinging weekend is to take the family to Ocean City or the family farm in Pennsylvania. He is more serious than the press reports at the time of his appointment indicated. It is not hard to image him as, eventually, a top-flight Washington lobbyist.



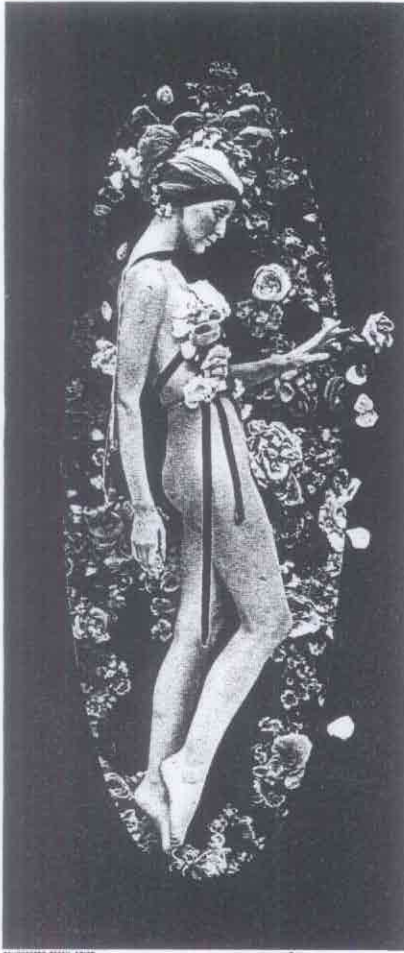
Paul J. O'Neill

O'Neill is a former Miami stockbroker who worked for years in the Dade County (Fla.) Republican organization attempting to bring the GOP into something resembling party in what many still consider Franklin D. Roosevelt country. Son of a New Jersey newspaper publisher, O'Neill inherited the business and eventually assumed a place in the Atlantic City establishment (including a directorate on the Miss America Pageant). After working with several major East Coast newspapers, O'Neill moved into the investment business in Atlantic City and eventually followed his investors to Florida. At the time of his SACB appointment, in November, 1969, he was manager of Hayden Stone's operations in Miami. Both he and his wife are still active in Republican politics (she is a former state committeewoman from Dade County and both ran, unsuccessfully, for several Florida legislative posts). In 1964 O'Neill lost a congressional runoff against Rep. Claude Pepper. He served in World War II. He and his second wife have four children. He lives in Northern Virginia. He is 58.

An earnest man, with a slow, careful way of speaking that has been molded behind the desks of cautious brokerage houses and before hundreds of meetings of fellow Republicans (who knew in advance what Paul O'Neill had to tell them and agreed wholeheartedly.) At the age of 58, his pepper and salt hair is slightly brushed; he has the air of a man who is good with balance sheets and buy orders. Underneath, there might be a zealot.

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**"I'm more attuned
to the business
world," says
McHugh. "Or some
part of the
government
concerned with
business."**

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heard of the Board, but I didn't know what it did.

"I read up on the law. I talked to John Mahan. He told me 'I hope you like a fight.' I took it.

"One of the agonizing things about this job," says McHugh, is the nothing-to-do aspect. I have no control of my destiny. It's frustrating. After all, this is a Board that can't institute hearings, can't investigate anything.

"But I think the Executive Order can make it viable," says McHugh. He makes a make-believe gesture of turning up his coat collar to hide. "I know one thing. I'd rather be able to say I was with the SAACB at some future date than go around like this.

"Now that we're here for another year, I can't see Congress not giving us our job to do," he says. "I think we've struck it now."

McHugh says that since he has been on the Board he has studied some seven or nine individual cases and has been in on several hearings. "It is not a work record I'm proud of."

McHugh, a reader of history and politics, does not expect to be renominated when his term expires in April of next year.

"I'm more attuned to the business world," he says. "If I leave I'd like to go into business. Or into some part of the government concerned with business. Business is a field I enjoy more."

Paul J. O'Neill

O'Neill is sensitive to the charges of do-nothingism and high salaries constantly leveled against Board members. He keeps an account book in his desk which shows, he says, that he had averaged \$39,966 a year from 1966 through 1968 at Hayden Stone, adding that "the Board salary was only \$28,000 when they talked to me.

"I have to think I made a sacrifice taking the job. I have four kids and the youngest now is 10. That's something you have to think about."

Recalling his appointment to the Board, O'Neill says: "My wife and I were pretty political down there (in Florida) for years. After Mr. Nixon was elected, a

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O'Neill has the air of a man who is good with balance sheets and buy orders. Underneath, there might be a zealot.

friend of mine from Florida in the White House called and asked me if I'd take a job up here.

"Hell! I told him, 'Who wants to live in Washington?' And he said 'Well, we want to get our kind of people up here.'

"I'll come if there's something on the Securities and Exchange Commission, I told him. That's my field after all. I think there's lots of work to be done in that area right now. I don't mean being a commissioner, but I'd like to get into budget and finance matters.

"My friend called me back and said, 'would you want the Subversive Activities Control Board?' and I said 'Isn't that the Board that has had so much trouble?'" Eventually, I got assurances that Attorney General Mitchell and President Nixon were going to increase the Board's activities."

O'Neill, who describes his wife and himself as "definite conservatives" worked in the successful reelection of Sen. Harry Byrd last year. They also have formed a teen-age Republican club which meets in their Alexandria home once a month, he said.

O'Neill insists he has "been pretty well occupied" since coming to the Board. "It's not as hard work as when I was in my company. I work quite a bit reading. I'm kind of 'going to school,' reading the back cases and the 1950 (Internal Security) Act and the 1968 amendments."

Like chairman Mahan, O'Neill is presently without a secretary. Still, O'Neill is the board member who tries to answer most of the 20 inquiries a week that come in from the public to the Board.

"I'm not a good typist," he says, "but I think the people deserve an answer. You'd be surprised at the inquiries we get. 'Can't you do something?' they ask. And of course we get letters from both of the far sides of the questions these days." O'Neill says he is also reviewing Congressional reports on government security and is available for speeches: "I'll speak anywhere." He recently appeared in Miami and before the Martha Washington Club here.

Still and all, O'Neill admits, "I'm not doing as much as I'd like.

"We have to protect people's rights under the Constitution. But we also have to see those rights aren't being taken away from others.

"We have a very important mission," says O'Neill. "I

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"The prime duty of a government," says Paul O'Neill, "is to preserve itself."

think the government has a definite responsibility to safeguard the government's own agencies and set criteria for employment and set up safeguards against subversion or organizations that want to overthrow or destroy our form of government. But we have to do that in the fairest possible manner—and with all due process available."

O'Neill sees a need for re-evaluating the 260 or so organizations presently listed on the Attorney General's list—some of which date back to 1939. "They're all so old," he notes. "I'm not sure some of them are relevant to the youth today."

"Listen," says O'Neill. "I like the idea of being able to talk to my children on the subject. Of being able to say to my son, 'Hey, P.J., this is what this organization is, what it really is trying to do.' A lot of the kids wouldn't join if they knew what an organization's objectives were. I'm sure of that. We should disclose those objectives."

"After all," says O'Neill, "those organizations can come back and ask to be taken off the list—if the new legislation goes through. They can come to us."

O'Neill has been in on two hearings since he joined the board, one on the Young Workers Liberation League in New York and the second, in Pittsburgh, Pa., on the Center for Marxist Education. Rulings have not been handed down in either case.

"I'm very aware," says O'Neill, suddenly seeming to remember old election wrongs, "of peoples' rights. I have seen how individuals, how the news media, how your opponents will vilify an individual, unethically, without justification—sometimes maliciously."

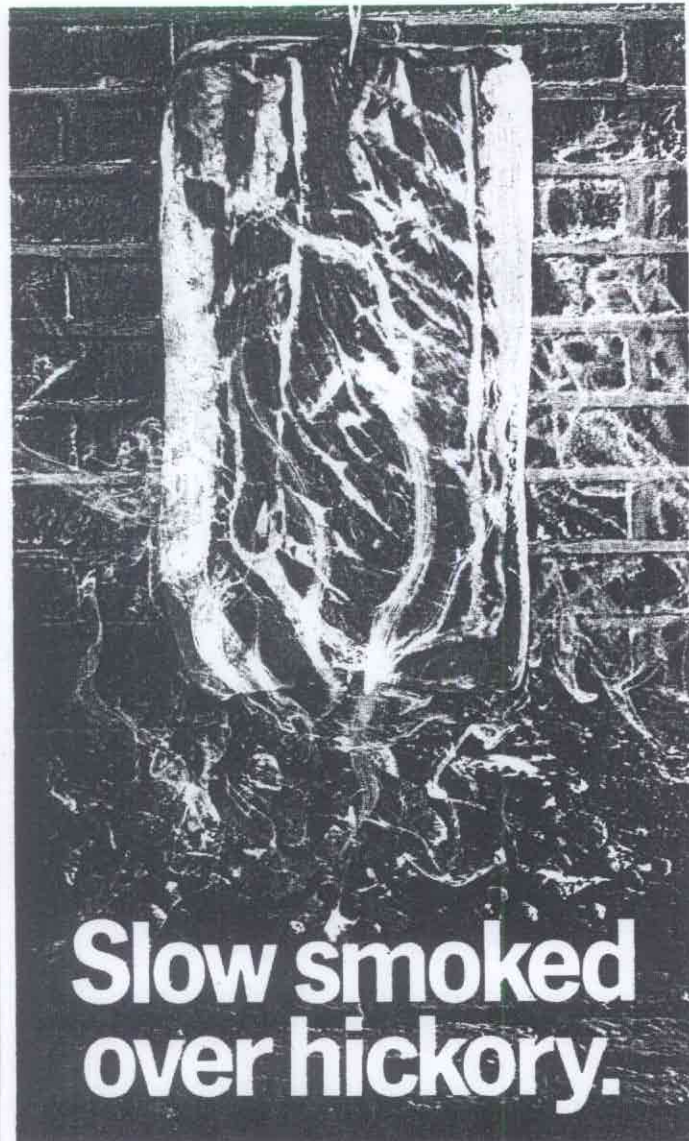
"And don't forget," he adds, "we're not the investigators in this field. The information is compiled for us by the Justice Department."

O'Neill says he is still interested in an SEC post. Nevertheless, he hastily adds, "Now that we've got what's been promised"—referring to the July 2 Executive Order and the pending legislation—"I'll stay."

"If they give us a chance, maybe they'll find out we've come up with a program which makes a fair approach to the problem. At the same time we'll satisfy those who feel the government has the responsibility to protect the citizen and be sure no citizens rights are violated."

"The prime duty of government," says Paul O'Neill, "is to preserve itself."

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