

THE NEW YORK TIMES

Subversive Control Unit Gets Wider Role

WASHINGTON, July 15 (UPI)—The Nixon Administration has moved to strengthen the Subversive Activities Control Board, which has been under fire for lack of work, it was learned today.

An executive order by President Nixon gives the board the power to hold hearings to assist in determining what organizations should be classified as General.

The order was published in the Federal Register on July 7, one day after the board's chairman, John W. Mahan, conceded during a hearing in Congress that the board had heard only three witnesses last year.

At the same time, the Justice Department proposed legislation that would give the board subpoena and contempt-finding authority in connection with its new function. The legislation would also change the name to the Federal Internal Security Board.

The board is an independent, semijudicial agency that was created in 1950 at the peak of the cold war. In recent years its work has fallen off almost completely.

It is made up of five members, supported by a 10-man staff and a \$450,000 budget.

Proxmire to Act

Senator William Proxmire, Democrat of Wisconsin, said today he would try to block funds for the board this year. The Senate Appropriations Committee was expected to approve a bill containing money

for the board, possibly tomorrow, although an objection from one Senator could delay consideration until next week.

During last week's hearing on the board's appropriation, Senator Allen J. Ellender, Democrat of Louisiana, asked Mr. Mahan what he did "with the rest of your time," after the chairman testified about the board's little work.

"I spend some time in the House and Senate trying to correct the law so we can work more effectively," Mr. Mahan said.

"That's not what you're paid to do," replied Senator Ellender.

"We do not have enough to fill our time," Mr. Mahan said.

Until now, the Attorney General has had the sole responsibility for determining whether an organization seeks to overthrow the Government or unlawfully advocates violent acts to deny others their constitutional rights.

List Is Still Used

The Attorney General's list, which has about 300 names on it, has not been brought up to date since 1955. It is still used to some extent by Federal agencies in determining standards of employment.

President Nixon's order said: "The Subversive Activities Control Board shall, upon petition of the Attorney General, conduct appropriate hearings to determine whether any organization is totalitarian, Fascist, Communist, subversive, or whether it had adopted a pol-

icy of unlawfully advocating the commission of acts or force or violence to deny others their rights under the Constitution or the laws of the United States or of any state, or which seeks to overthrow the Government of United States or any state or subdivision thereof by unlawful means."

A.C.L.U. to Challenge

Melvin L. Wulf, legal director of the American Civil Liberties Union, said yesterday his organization would challenge in the Federal courts the constitutionality of the President's executive order expanding the powers of the Subversive Activities Control Board.

"The executive order empowers the Subversive Activities Control Board to blacklist political organizations almost at whim, to officially condemn membership in such organizations, to forbid any branch of the Federal Government from hiring members of those organizations and to require Federal agencies to fire any employe who joins those organizations," Mr. Wulf told a news conference.

Mr. Wulf said two Senators were planning to file an amendment to strike the \$450,000 proposed for the board from the appropriation for the Department of Justice.

He said that if this were done his organization probably would not file the suit, since the board would not be able to function without an appropriation.