

Despite Watergate —

Nixon's most repressive legislative proposal

in 25 years — drafted in major part under

Attorney General John Mitchell . . .

is quietly moving through the U.S. Senate Judiciary

Subcommittee on Criminal Laws & Procedures. And, the

two Senators who make up this committee and are pressing

for speedy Senate approval — McClellan of Arkansas and

Hruska of Nebraska — are the same pair who helped push

through Nixon's disastrous "law and order" legislation

in 1970.

Under the guise of long overdue reform of the Federal

Criminal Code, Nixon's Bill — S. 1400 — H. R. 6046

called the "Criminal Code Reform Act of 1973," would turn

back the clock of justice on a wide range of progressive

judicial precedents and legislative enactments in the

area of criminal law.

See reverse side for a dozen features of Nixon's latest repressive legislative scheme: from wiretapping, entrapment of the innocent, restoration of the death penalty . . . to revival of the McCarthy era Smith Act, etc.

Here's what you can do:

Write your U.S. Representative and Senators!

- 1 Ask them to send you a copy of Nixon's Bill: S. 1400 (Senate)—H. R. 6046 (House)
- 2 Ask them what they are going to do about some part of the bill which you find particularly disturbing

Your Personal Letter is your best weapon!

Address them: U. S. Senate

Washington, D. C. 20510

House of Representatives

Washington, D. C. 20515

- 3 Please make a "Special Summer Contribution" to support our political actions against this Watergate government!

In Pursuit of First Amendment Principle to Abolish Inquisitorial Committees and Oppose Repressive Laws

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formerly National Committee to Abolish HUAC/HISC (House Committee on Internal Security)

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Nixon on "Law and Order"

Nixon's Letter to Congress & Broadcast on Submitting "Criminal Code Reform Act"—March 14, 1973

"There are those who say that law and order are just code words for repression and bigotry. This is dangerous nonsense. Law and order are code words for goodness and decency . . . the only way to attack crime in America is the way crime attacks our people—without pity."

"Top Secret Decision Memorandum—The White House—July 15, 1970"—Released May 14, 1973

"The President has carefully studied the special report of the Interagency Committee on Intelligence and made the following decisions: . . . MAIL COVERAGE . . . restrictions on covert [illegal] coverage are to be relaxed. SURREPTITIOUS ENTRY [burglary] . . . Restraints on the use of surreptitious entry are to be removed . . ."

Nixon's Most Repressive Legislative Proposal in 25 years

The "Criminal Code Reform Act of 1973": S. 1400—H. R. 6046

"I take great pleasure in introducing on behalf of myself and the distinguished senior Senator from Arkansas, John L. McClellan, S. 1400, the Criminal Code Reform Act of 1973 . . . The bill which I introduce today is recognized as a monumental effort by the Administration, including the Department of Justice . . . Particular accolades should go to former Attorney General John N. Mitchell . . ."

Senator Roman L. Hruska of Nebraska: Congressional Record—Senate—March 27, 1973

14 Features of Nixon's Latest Legislative Scheme

Death Penalty — Nullifies 1972 Supreme Court decision by making executions mandatory for certain crimes in certain conditions, without appellate review. (See Chpt. 24)

Smith Act — Revives McCarthy era witch hunt law which Supreme Court held unconstitutional. Provides 15 yrs.—\$100,000 fine for mere advocacy or membership in an organization that allegedly calls for revolutionary change "as speedily as circumstances permit . . . at some future time." (See Sec. 1103)

"Leading" a Riot — Redrafts 1968 law. Provides 3 yrs.—\$25,000 fine for the "movement of a person across a state" line [as at Wounded Knee], or for even the use of the mail or telephone "in the course of the planning, promotion" of a "riot." A "riot" is defined as "an assemblage of five" which "creates a grave danger" to "property." (See Sec. 1801)

Wiretapping — Reaffirms 1968 law permitting Nixon to wiretap domestic activities which he thinks are a "danger to the structure" of the government. Expands Attorney General's authority to wiretap alleged offenses related to First Amendment protected actions.—Permits 48 hr. "emergency" taps without court approval.—Forces telephone company workers & landlords to cooperate "forthwith" and "unobtrusively" with government wiretappers. (See Chpt. 206)

Secrecy — Provides 3 yrs.—\$25,000 fine for a federal employee who "communicates . . . classified [embarrassing?] information" to an unauthorized recipient, even if data was "improperly classified at the time." [Ellsberg & Russo]. (See Sec. 1124)—Provides 7 yrs.—\$50,000 fine for a person who receives "National Defense Information" and "fails to deliver it promptly" back. [N Y Times, Unitarian-Universalist press, Jack Anderson]. (See Sec. 1123)

Demonstrations — Virtually every kind of civil rights, peace & other protest action would be threatened with severe penalties under a series of vaguely drafted infringements on the right of assembly. (See Secs. 1111, 1115-7, 1302, 1328, 1335, etc.)

Contempt — Penalty for refusal to cooperate with Congressional Committees like HUAC/HISC & Eastland Committee is increased to 3 yrs.—\$25,000 fine. (See Sec. 1333)

Entrapment — Puts burden on defendant to prove that he was "unlawfully entrapped," even though undercover agent provocateur employed "deception," provided "a facility or an opportunity," and used "active inducement" in the commission of a crime. (See Sec. 531)

Obscenity — Makes criminals of all persons who in any way disseminate any material describing sexual intercourse or depicting nudity. Adds legislative sanction to recent Nixon Court decisions in this area, and offers easy vehicle for political censorship as well. (See Sec. 1851)

Insanity — Returns law to century-old primitive state. Would steer unequivocally sick people to jail rather than mental hospitals. (See Sec. 502)

Hand Guns — Rejects effective national control of such weapons.