



**A DEMOCRATIC  
SOCIETY**

**OR**

**A POLICE STATE  
IN AMERICA**

**WHICH WILL IT BE?**

**To: Delegates and Guests 1972 Democratic Convention**

Civil liberties and rights are currently under massive attack by the Nixon Administration. It is in today's repressive atmosphere that the break-in and attempted bugging of the Democratic National Committee Headquarters in Miami has occurred. The incident is only one indication of the extent to which democratic freedoms are in jeopardy.

A growing federal "Big Brother" is probing into the personal lives and political activities of millions of Americans. A Senate sub-committee found that the names of U.S. citizens appear 2.8 billion times in government files; the average citizen probably is in the files of at least a dozen agencies.

The U.S. Army has been "spying" on civilian activities for nearly 10 years, and has a "subversive file" of 25 million Americans — one out of eight citizens. Otto Kerner and Adlai Stevenson of Illinois are among these millions, as well as other prominent liberals. The Civil Service Commission has a "blacklist" of 1.5 million; the Passport Office has a "subversive" file of over 200,000; the FBI maintains 194 million sets of fingerprints, and no one knows the details of its political surveillance.

**REPRESSIVE LAWS & INQUISITORIAL COMMITTEES**

In addition, a whole series of laws which repress basic democratic rights have been enacted in recent years; for example, authorization for expanded wiretapping and surveillance, for "no-knock" entries into people's homes by police officers, for jailing of "special dangerous offenders" up to 25 years in addition to normal sentencing, and the undercutting of the Fifth Amendment right to freedom from self-incrimination.

First Amendment rights to freedom of speech and political associations continue to suffer under attacks from the House Internal Security (former Un-American Activities) Committee, the Senate Internal Security Subcommittee, the (so-called) Subversive Activities Control Board, and other Inquisitorial Committees.

The present Supreme Court, with four Nixon appointees, can no longer be expected to safeguard civil liberties. Already the Nixon Court has eroded a number of basic legal rights. Up to, during, and after the coming elections, it is essential that the Congress and the people work to repeal repressive laws, outlaw bugging and surveillance, and abolish thought-control committees.

Without such an effort, our country is headed towards a police state. This brochure is prepared by the National Committee Against Repressive Legislation. Our program for legislative action is inside. These proposals were presented to the Democratic Platform Committee on June 12.

# Abolish House Internal Security Committee

In 1971, the Democratic Study Group made a special report on the House Internal Security Committee (formerly, Un-American Activities Committee). Facts compiled by the DSG and others indicate why HUAC/HISC should be abolished:

In 33 years, the Committee has produced only one piece of legislation that still stands — authorizing the moribund Subversive Activities Control Board. HUAC/HISC has reported out only six bills in its history which became law; of 15,434 bills introduced to the 91st Congress, only 5 separate bills went to the Committee.

Yet the rate of spending per committee member exceeds that of all other House Committees. HISC ranks 5th in total appropriations, and in the 91st Congress outspent the combined budgets of the Armed Services, Foreign Affairs, Interior and Ways and Means Committees. HISC maintains one of the largest staffs in the House.

The chief task of HISC is the unauthorized maintenance of some 754,000 index cards on individuals and organizations engaged in political activities. These files are used by over 40 federal agencies to blacklist people from employment. Yet the information in the files is uncorroborated, un-cross-examined testimony, often consisting of nothing more than gossip.

"Some Day Maybe The Government Will Do Something About Your Internal Security"



Rep. Robert Drinan, a member of HISC, contends it should be abolished. He says it is a waste of taxpayer's money, a violation of the Constitution, and has no legislative purpose as a standing committee. On March 1, 108 members of the House voted to cut off all funds for HUAC/HISC. In addition, the following 69 Representatives have introduced Resolutions to abolish HISC, strengthen the jurisdiction of the Judiciary Committee, and seal the HISC files in the Archives:

## THESE SIXTY NINE (69) REPRESENTATIVES HAVE INTRODUCED RESOLUTIONS TO ABOLISH HISC

Burton, Calif	Annunzio, Ill	Harrington, Mass	Howard, N J	<u>Reid</u> , N Y	Tiernan, R
Corman, Calif	Collins, Ill	<u>Morse</u> , Mass	Thompson, N J	Rosenthal, N Y	Abourezk, S
Danielson, Calif	Metcalf, Ill	Conyers, Mich	Abzug, N Y	Scheuer, N Y	Anderson, T
Dellums, Calif	Mikva, Ill	Diggs, Mich	Badillo, N Y	Wolff, N Y	Eckhardt, T
Edwards, Calif	Yates, Ill	Ford (Wm), Mich	Bingham, N Y	Ashley, Ohio	McCormack, C
Hawkins, Calif	Jacobs, Ind	Nedzi, Mich	Carey, N Y	Seiberling, Ohio	Meeds, Wash
Leggett, Calif	Culver, Iowa	<u>Riegle</u> , Mich	Chisholm, N Y	Stokes, Ohio	Aspin, Wisc
<u>McCloskey</u> , Calif	<u>Schwengel</u> , Ia	Bergland, Minn	Dow, N Y	Vanik, Ohio	Kastenmeier, R
Rees, Calif	<u>Gude</u> , Md	Fraser, Minn	<u>Halpern</u> , N Y	Eilberg, Pa	Reuss, Wisc
Roybal, Calif	Mitchell, Md	Karth, Minn	Koch, N Y	Green, Pa	Fauntroy, D
Waldie, Calif	Boland, Mass	Clay, Missouri	Podell, N Y	St Germain, R I	
Evans, Colo	Drinan, Mass	Helstoski, N J	Rangell, N Y		

(Underlining = Republican)

If your Representative is listed, write your THANKS ! If not, ask WHY ?

# Restrictive Laws that Should be Repealed

**The Subversive Activities Control Act** (Public Law 81 – 831; Title I. Amended in 1968: Public Law 90 – 237. Extended by President Nixon's Executive Order 11605 on July 2, 1971)

*Note:* This is the surviving remnant of President Nixon's original proposal as a member of HUAC in 1948 (Mundt – Nixon Bill), finally to become the Internal Security Act of 1950. By unanimous decision of the Supreme Court (11/15/65), and several subsequent decisions, the original law was held to be unconstitutional and unenforceable. Likewise, the 1968 effort to revive the SACB was held by the Courts to be "Contrary to the first amendment." In addition to the Act's inherent violations of the 1st Amendment and constitutional strictures against Bills of Attainder, President Nixon's recent Executive Order has been challenged for its violation of the separation of powers, in usurping Congressional prerogatives to enact legislation. *On June 15, the Senate voted 42 – 25 to cut off all funds for the SACB; the House had voted \$450,000 for the agency on May 18. The issue is pending before a conference committee of the House and Senate, probably to be decided following the Miami Convention.* *Legislation:* House Judiciary Committee Chairman Emanuel Celler and Abner Mikva have introduced S 2466, to deny funding and implementation of EO 11605. Meanwhile, the House has approved (246 – 125) the House Internal Security Committee's HR 9669, to change the name of the SACB, validate the Nixon Executive Order, and give new powers to the SACB.

**The Wire – Tapping and Electronic Surveillance Law, embodied in the Omnibus Crime Control and Safe Streets Act of 1969** (Public Law 90 – 351, Title III).

*Note:* Since passage, the Courts report 622,292 tapped conversations of 61,400 people, exclusive of national security bugs that are unreported. According to an analysis prepared for the American Civil Liberties Union by Professor Herman Schwartz, "the percentage of convictions per people overheard is so small as to be virtually *de minimis*." *Legislation: none yet introduced; in drafting repeal legislation, care should be exercised to preserve statutory safeguards which have been previously enacted.*

**The No – Knock Laws of the D.C. Court Reform & Criminal Procedure Act of 1970** (Public Law 91 – 358, Chapt 5, Subchpt VI) and the **Comprehensive Drug Abuse Prevention and Control Act of 1970** (Public Law 91 – 513, Title II, Pt E, Sec 509).

*Note:* These violate 4th Amendment guarantees to the people against unreasonable searches and seizures. Originally patterned for only the District of Columbia, it was subsequently made applicable to all Federal jurisdictions. In practice, the law has invited sloppy police and detective work, resulting in several break-ins on innocent parties with resultant injuries to both police and "wrong parties." *Legislation: None yet introduced.*

**The Anti – Riot Act of 1969** (Public Law 90 – 284) 18 U.S.C., Secs 2101 – 2102), which classes as a "conspiracy" interstate travel with the intent to organize a demonstration, here to be construed as a "riot."

*Note:* Former Attorney General Ramsey Clark refused to prosecute under this law, charging that the statute was unconstitutional and would not "really reduce riots in the United States." Former Attorney General John Mitchell used the law in a number of controversial cases and indicated that it would be used further if pending constitutional challenges could be successfully surmounted. *Legislation:* Rep. John Conyers, Jr. introduced appropriate repeal bill in 91st Congress: HR 11567 (5/2/69)

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**The Preventive Detention Law of the D.C. Court Reform & Criminal Procedure Act of 1970**  
(Public Law 91 – 358, Chapt 13, Subchapter II).

*Note:* This law violates 6th Amendment guarantees to the people's right to a speedy and public trial by an impartial jury, and the 8th Amendment's protections of the right to bail. *Legislation: None yet introduced.* Although admittedly not working in the District of Columbia, the Administration is pressing for its extension to all Federal jurisdictions.

The following Sections of the **Organized Crime Act of 1970** (Public Law 91 - 452): (a) *Special Grand Jury* (Title 1, 216); (b) *General Immunity* (Title II); (c) *False Declarations* (Title IV); (d) *Litigation on Sources of Evidence* (Title VII); (e) *Special Dangerous Offender Sentencing* (Title X).

*Note:* The title of this law is itself misleading, as no where in the Act is there a definition of "Organized Crime" and most of its repressive features could be and are being loosely applied. As the House Judiciary Committee dissenters (Reps Conyers, Mikva, and Ryan) stated: "it demonstrates an antipathy towards, and impatience with, the exercise of constitutional rights which reflects another grim chapter in the attempts to uplift expediency to the level of constitutional legitimacy." *Legislation: none yet introduced.*

*We urge the 1972 Democratic Party Convention, delegates and guests, to consider these legislative recommendations and to initiate a program to protect civil liberties and restore those already restricted by the Nixon Administration's repressive policies.*

This literature prepared by the Southern Office of the National Committee Against Repressive Legislation, located in Memphis, Tennessee. For more information during July 10 – 14 Convention Week in Miami, contact the Southern Office Director, Mike Honey, at 949 – 6596.

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