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### Outlawing the Communist Party

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Senator Mansfield (D-Montana)

OUTLAWING THE COMMUNIST PARTY

During past sessions of Congress many bills have been introduced into the House and Senate which would outlaw the Communist Party and similar organizations in the United States. As yet none of these proposed bills have gone beyond the committee stage.

Numerous events are today pointing to the outlawing of the Communist Party and such action should be taken during the 83rd session of Congress.

Outlawing the Communist Party would not be a violation of the fundamental right of people in the United States to organize and function through a political party as the Communist Party is not a legitimate political organization, any more than a group of doctors operating an illegal narcotics ring would constitute a legitimate medical enterprise. By its own declaration of aims and purposes, the Communist Party is engaged in a criminal conspiracy and operation: The advocacy and projected overthrow of the American Government by force and violence.

The outlawing of the party will destroy its false appearance of respectability as a political party within the constitutional limitations. The passing of such legislation would be no different than when the Nazi Bund was outlawed here in the early '40's.

One of the main arguments, if not the main one, given by FBI Chief J. Edgar Hoover in his testimony before Congressional committees has been his assertion that to outlaw the Communist Party would drive it underground. In new testimony before the House Appropriations Committee this year, Mr. Hoover states, "The investigative burden in covering the Communist underground has been increased tremendously as is shown by the fact that where 1 agent was formerly needed for proper coverage, we now require as many as 9 or 10 by reason of their greater security consciousness in carrying out their conspirational activities....."

He further states in the same testimony that, "Today, there are two types of Communist Party leadership: Open leadership comprised of people like William Z. Foster and a select group of others; and an underground leadership which actually has been assuming more and more authority and control to administer the entire party in the event it is no longer feasible to continue in the open."

These statements indicate to me that the Communist Party has gone underground, therefore the chief objection made by Mr. Hoover prior to this year is no longer valid. As to the extent of the conspiracy it might be well for us to note further testimony given by the Director of the FBI in which he says:

"Through the perfection of the underground apparatus, the party aims to preserve intact a hard core of militant Communists to carry



out the aims and objectives of the international Communist movement under all forms of adversity.

"The security measures which the Communist Party have taken in order to thwart the efforts of the FBI have been many and detailed in character. No longer are Communist Party membership cards issued; maintenance of membership records are forbidden; contacts of rank-and-file members are limited to from three to five -- the basic club unit. Most of the local headquarters have been discontinued and party records have been destroyed. No evening meetings are permitted in headquarters without staff members present. Conventions and large meetings are held to the absolute minimum. The use of the telephone and telegraph is avoided.

"No contact is had with families or friends; contacts between functionaries are arranged through frequently changed intermediaries; false drivers' licenses have been obtained; assumed names have been adopted; modification of physical appearance has been effected, such as dyeing hair and eyebrows, as was done by a member of the national committee who was apprehended by agents of the FBI in a hideout in the high Sierras in California last August.

"They have removed conspicuous means of personal identification such as moles; they have affected a new manner of walking, have changed their dress standards, have avoided old habits and even have avoided

old vices, and have avoided appearance in public places where their recognition would be probable.

"They communicate through couriers and avoid the use of written communications. They have instituted loyalty tests for all prospective underground personnel. They rotate the underground personnel to avoid detection. The underground staff is usually recruited from trusted Communist Party members, having at least 10 or 12 years' experience.

"They appear outside of hideouts only at night. They use different automobiles, and the cars frequently are registered in fictitious names and not names of party members; the license plates are frequently changed.

"They have used extreme precautions in regard to surveillance, making rapid and frequent changes of conveyances, entering and leaving subways and buses just before the doors close, and doubling back on their course.

"I cite these various security measures not only because they are of interest to the Committee but to show the stealth of the American Communists. It again shows the increased difficulty with which we are faced in trying to handle these investigations."

A group such as the Communists which is the servant of a foreign power and places the interests of a foreign power above those of our own country should be outlawed in the United States. Such a law would not

outlaw ideas, it would not outlaw thoughts, it would make illegal organized conspiracy against this nation.

The bill which I have just introduced reads in part "whoever knowingly and willfully becomes or remains a member of the Communist Party, or of any other organization having for one of its purposes or aims the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the Government of any State or political subdivision thereof, by the use of force or violence, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both."

The outlawing of the subversive groups is in line with the recommendations made by President Eisenhower in his State-of-the-Union Message. He said that any American convicted of conspiring to overthrow the government by force and violence should be stripped of his citizenship.

I submit that the Communist organization in the United States should be outlawed.