

to a newspaper article quoting a book which asserted that the Member had permitted the use of his frank by a man of questionable character. The Speaker pro tempore<sup>(8)</sup> then recognized the Member on the question of personal privilege.

**§ 31. Published Charges Involving Patriotism**

*Generalized Allegations and Innuendos*

**§ 31.1 A letter addressed to several newspapers and to Members of the House to the effect that in Russia a certain Congressman would have been liquidated long ago as an enemy of his country, gave rise to a question of personal privilege.**

On July 3, 1947,<sup>(9)</sup> Mr. Clare E. Hoffman, of Michigan, offered as involving a question of personal privilege a letter addressed to several newspapers and Members of the House which stated that, "In Russia, Congressman Hoffman would have been liquidated long ago as an enemy of his country." Upon hearing Mr. Hoffman's

8. John W. McCormack (Mass.).

9. 93 CONG. REC. 8260, 80th Cong. 1st Sess.

statement, the Speaker<sup>(10)</sup> recognized him for one hour.

**§ 31.2 An article in a newspaper charging a Member of the House as being "the most un-American politician" was held to present a question of personal privilege.**

On Jan. 29, 1941,<sup>(11)</sup> Mr. Clare E. Hoffman, of Michigan, on a question of personal privilege, called the attention of the House to a newspaper article in which he was identified as being "about the most un-American politician that ever went to Congress." The Speaker<sup>(12)</sup> granted the Member recognition, saying:

The Chair thinks that the gentleman has stated a question of personal privilege. . . .

The Chair bases his opinion upon the words that the gentleman from Michigan refers to in this article, which refer to his un-Americanism. The Chair thinks those words present a charge which entitles the gentleman to rise to a question of personal privilege.

**§ 31.3 Language in a newspaper asserting that a Member was among those who would divide the Nation and that he was a spokesman for**

10. Joseph W. Martin, Jr. (Mass.).

11. 87 CONG. REC. 348, 77th Cong. 1st Sess.

12. Sam Rayburn (Tex.).

**the forces of betrayal was held to involve a question of personal privilege.**

On June 3, 1943,<sup>(13)</sup> Mr. Clare E. Hoffman, of Michigan, rising to a question of personal privilege, called the attention of the House to a newspaper article which stated:

Because labor recognizes this for what it is, the fatal policy of defeat and disaster, labor too has been the target of the slander of those who would divide our Nation in its hour of crisis and peril. The Hoffmans, the Dieses, the Rickenbackers, and the forces of betrayal for whom they speak, have conspired against and viciously attacked the millions of men and women who are today providing the weapons needed by the armed forces of democracy.

In his ruling on the question of personal privilege, the Speaker<sup>14</sup> stated:

The Chair must assume some latitude. It is only by implication, the Chair may say, that this impugns the honor and integrity of the gentleman from Michigan [Mr. Hoffman]. It is a very close question. The Chair will recognize the gentleman, but he wants it understood that it is a very close question.

### ***Fascist Sympathies***

#### **§ 31.4 Language in a publication accusing a Member of**

13. 89 CONG. REC. 5294, 78th Cong. 1st Sess.

14. Sam Rayburn (Tex.).

**being one of the most influential spokesmen for America's fascists, isolationists and labor baiters gave rise to a question of personal privilege.**

On Jan. 13, 1948,<sup>(15)</sup> Mr. Clare E. Hoffman, of Michigan, rising to a question of personal privilege, read the statement below from a news paper:

All during the war and since its end, Hoffman's record has been one of constant support for the crackpot fringe of native fascism. A report on his activities by the Friends of Democracy (vol. 3, No. 20) says:

America's Fascists, pro-Fascists, isolationists, and labor-baiters have long recognized Representative Hoffman as one of their most influential spokesmen. The sharp-tongued Congressman first gained attention from Fascist circles in 1937 when he had served in Congress 3 years. From that time on, Hoffman, whose arch enemies have been Roosevelt, Stalin, Britain, world cooperation, labor, and aliens, has steadily risen to top prominence with the Nazi lovers.  
. . .

Today, this same Congressman is embarked on the boldest campaign of intimidation of newspapermen yet undertaken by any individual or group in the Congress, including the Committee on Un-American Activities. With few exceptions, the press whose freedom he would curb maintains a monumental silence.

After hearing the objectionable remarks, the Speaker pro tem-

15. 94 CONG. REC. 121, 80th Cong. 2d Sess.

pore<sup>(16)</sup> granted the Member recognition.

**§ 31.5 A Member having been charged in a newspaper article with seeking to pave the way for fascism rose to a question of personal privilege.**

On Mar. 9, 1944,<sup>(17)</sup> Mr. Martin Dies, Jr., of Texas, claiming the floor on a question of personal privilege, read from a newspaper article in which he was accused of seeking to pave the way for fascism in the United States. Interrupting the Member's recitation of the article, the Speaker<sup>(18)</sup> interjected, "The Chair thinks the gentleman has gone far enough to establish a question of privilege."

**§ 31.6 A statement in a newspaper article to the effect that a Member had repeated an "insinuation of Fascist propaganda concerning liberated Poland" and that he "spoke like Goebbels" was held to give rise to a question of personal privilege.**

On Feb. 21, 1945,<sup>(19)</sup> Mr. Alvin E. O'Konski, of Wisconsin, pre-

- 16. Charles A. Halleck (Ind.).
- 17. 90 CONG. REC. 2434, 78th Cong. 2d Sess.
- 18. Sam Rayburn (Tex.).
- 19. 91 CONG. REC. 1323, 79th Cong. 1st Sess.

sented as involving a question of personal privilege a newspaper article which contained statements to the effect that he "had repeated a dirty insinuation of Fascist propaganda concerning liberated Poland" and that "from the tribune of the House of Representatives he spoke like Goebbels." The Speaker<sup>(20)</sup> granted the Member recognition, saying, "The Chair thinks the gentleman is entitled to speak on the question of personal privilege under the statement made by him."

**§ 31.7 Language in a pamphlet charging a Member of the House with being a fascist was held to give rise to a question of personal privilege.**

On Apr. 30, 1949,<sup>(1)</sup> the Speaker<sup>(2)</sup> recognized Mr. Clare E. Hoffman, of Michigan, on a question of personal privilege following the Member's presentation, as the basis for raising the question, of a pamphlet identifying him as a fascist.

**§ 31.8 A newspaper article charging a Member with being a fascist and asserting**

- 20. Sam Rayburn (Tex.).
- 1. 91 CONG. REC. 3955, 79th Cong. 1st Sess.
- 2. Sam Rayburn (Tex.).

**that he stands for the violent overthrow of the government by force was held grounds for a question of personal privilege.**

On Jan. 27, 1944,<sup>(3)</sup> Mr. Clare E. Hoffman, of Michigan, on a question of personal privilege, called the attention of the House to a newspaper article which referred to him as a fascist and asserted that he stands for the violent overthrow of the government by force. The Speaker<sup>(4)</sup> then recognized him on a question of personal privilege.

**§ 31.9 A newspaper article asserting that a Member was wanted for questioning by a federal grand jury that already had indicted several Nazi sympathizers was held to give rise to a question of personal privilege.**

On Apr. 13, 1942,<sup>(5)</sup> Mr. Clare E. Hoffman, of Michigan, on a question of personal privilege, called the attention of the House to a newspaper article which stated:

Hoffman is wanted for questioning by the Federal grand jury that already

3. 90 CONG. REC. 816, 78th Cong. 2d Sess.
4. Sam Rayburn (Tex.).
5. 88 CONG. REC. 3449, 77th Cong. 2d Sess.

has indicted George Sylvester Vierick, Nazi propagandist; George Hill, Fish's former secretary-clerk; and several others for helping spread the gospel according to Hitler in the United States of America.

The Speaker,<sup>(6)</sup> observing that the statement as read presented a question of personal privilege, recognized Mr. Hoffman for one hour.

**§ 31.10 Newspaper remarks that a Congressman by his actions in Congress was rendering a service to nazism was held to challenge the Member's patriotism and to raise a question of personal privilege.**

On May 28, 1942,<sup>(7)</sup> Mr. Clare E. Hoffman, of Michigan, rose to a question of personal privilege to call attention to a newspaper article which stated "Congressman Hoffman, by his present actions in Congress, is rendering a service to nazi-ism." On hearing the objectionable language, the Speaker<sup>(8)</sup> stated:

The Chair holds that the language printed in the Michigan paper, which contains the words "Congressman Hoffman, by his present actions in Congress, is rendering a service to nazi-ism," challenges the patriotism of the

6. Sam Rayburn (Tex.).
7. 88 CONG. REC. 4724, 77th Cong. 2d Sess.
8. Sam Rayburn (Tex.).

gentleman from Michigan and raises a question of personal privilege.

**§ 31.11 A pamphlet charging that for four years a Member and his committee have obscured activities of the Nazi network, that their tactics have been the tactics of Goebbels and that they jeopardized national unity, gave rise to a question of personal privilege.**

On Sept. 24, 1942,<sup>(9)</sup> Mr. Martin Dies, Jr., of Texas, claiming the floor as a question of personal privilege, read from a pamphlet which asserted that for four years Mr. Dies and his committee had obscured activities of the Nazi network, that their tactics had been the tactics of Goebbels and of seditionists, jeopardizing national unity. Upon concluding his statement, the Member was recognized by the Speaker<sup>(10)</sup> on a question of personal privilege.

***Conduct Inimical to National Security***

**§ 31.12 A newspaper story to the effect that a Member was barred as a security risk from all naval districts and from witnessing nuclear tests**

9. 88 CONG. REC. 7441, 77th Cong. 2d Sess.

10. Sam Rayburn (Tex.).

**gave rise to a question of personal privilege.**

On July 14, 1953,<sup>(11)</sup> Mr. Robert L. Condon, of California, on a question of personal privilege, called the attention of the House to two newspaper articles which asserted that not only was he barred from witnessing an atom bomb test as a security risk but also that the Navy notified the commandants of all naval districts that he was to be considered persona non grata. The Speaker,<sup>(12)</sup> after ruling that Mr. Condon had presented a question of personal privilege, recognized him for one hour.

**§ 31.13 Newspaper editorials charging that a Member was playing low-grade politics and that he had participated in wrecking the country's defense gave rise to a question of personal privilege.**

On July 1, 1955,<sup>(13)</sup> Mr. Adam C. Powell, of New York, rose to a question of personal privilege and presented two newspaper editorials charging that he was playing lowgrade politics and that he clearly had a part in wrecking the

11. 99 CONG. REC. 8790, 83d Cong. 1st Sess.

12. Joseph W. Martin, Jr. (Mass.).

13. 101 CONG. REC. 9741, 84th Cong. 1st Sess.

country's defense. In his ruling granting the Member recognition, the Speaker<sup>(14)</sup> stated:

The Chair thinks that the editorials indicate that the gentleman from New York [Mr. Powell] is trying to wreck the defense program and entitles him to the floor on the question of personal privilege.

***Collaboration With a Foreign Enemy***

**§ 31.14 A statement in a newspaper implying that a Member collaborated with convicted Nazi agents and indicted fifth columnists gave rise to a question of personal privilege.**

On Mar. 27, 1944,<sup>(15)</sup> Mr. Clare E. Hoffman, of Michigan, rose and proposed as a question of personal privilege to call attention to a newspaper article in which it was implied that he had collaborated with convicted Nazi agents and indicted fifth columnists. Having presented a matter of personal privilege, the Member was recognized by the Speaker pro tempore<sup>(16)</sup> to address the House on the question.

**§ 31.15 A publication stating among other things that a**

14. Sam Rayburn (Tex.).

15. 90 CONG. REC. 3128, 78th Cong. 2d Sess.

16. John W. McCormack (Mass.).

**Member was "working with Hitler and his agents in this country" was held to give rise to a question of personal privilege.**

On Jan. 22, 1945,<sup>(17)</sup> Mr. Clare E. Hoffman, of Michigan, rising to a question of personal privilege, read from a publication which stated that he "was working with Hitler and his agents in this country to defeat the President's policy of preparing America in the time of dangerous world conditions." In ruling on the question, the Speaker<sup>(18)</sup> gave his opinion that Mr. Hoffman had stated a matter upon which he deserved recognition on a question of personal privilege.

**§ 31.16 A newspaper article containing the statement that a labor union required no defense against a Congressman "who would cover up for a gang of conspirators against our Nation" was held to give rise to a question of personal privilege.**

On Mar. 23, 1945,<sup>(19)</sup> Mr. Clare E. Hoffman, of Michigan, claiming the floor as a question of personal

17. 91 CONG. REC. 417, 79th Cong. 1st Sess.

18. Sam Rayburn (Tex.).

19. 91 CONG. REC. 2665, 79th Cong. 1st Sess.

privilege, read from a newspaper article a statement which in reference to him said: "The C.I.O. requires no defense against a Congressman who would cover up for a gang of conspirators against our Nation." On hearing the objectionable words, the Speaker<sup>(20)</sup> recognized the Member on a question of personal privilege.

**§ 31.17 A pamphlet identifying a Member and his committee as "the secret weapon with which Adolf Hitler hopes to soften up our Nation" gave rise to a question of personal privilege.**

On Feb. 1, 1943,<sup>(1)</sup> Mr. Martin Dies, Jr., of Texas, presented as involving a question of personal privilege a pamphlet which described the Member and his committee as "the secret weapon with which Adolf Hitler hopes to soften up our Nation for military conquest." Upon his presentation of the objectionable material, the Member was recognized by the Speaker<sup>(2)</sup> for one hour.

**§ 31.18 A newspaper editorial referring to a Member as one who cooperated with the**

20. Sam Rayburn (Tex.).

1. 89 CONG. REC. 474, 78th Cong. 1st Sess.
2. Sam Rayburn (Tex.).

**Nazi propaganda ring was held to give rise to a question of personal privilege.**

On Mar. 2, 1943,<sup>(3)</sup> Mr. Clare E. Hoffman, of Michigan, rising to a question of personal privilege, read from a newspaper editorial the following statement:

Representative Clare Hoffman, of Michigan . . . who cooperated with the Nazi propaganda ring before Pearl Harbor, wants to investigate us.

In his ruling granting recognition to the Member, the Speaker<sup>(4)</sup> declared, "The Chair thinks the gentleman states a point of personal privilege and he may proceed."

**§ 32. Published Charges Impugning Veracity**

*Presenting Falsehoods*

**§ 32.1 A newspaper editorial charging a Member with falsehoods gave rise to a question of personal privilege.**

On Feb. 28, 1956,<sup>(5)</sup> Mr. Craig Hosmer, of California, claiming the floor on a question of personal

3. 89 CONG. REC. 1490, 78th Cong. 1st Sess.
4. Sam Rayburn (Tex.).
5. 102 CONG. REC. 3477, 84th Cong. 2d Sess.