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JUSTICE DEPARTMENT PREPARES MCCARRAN ACT CHARGES AGAINST NCLC LEADER CHRIS WHITE

New York, Mar. 3 (IPS)--The U.S. Justice Department is attempting to prepare McCarran Act proceedings against NCLC National Executive Committee member Christopher White, it was learned here today.

The Justice Department's Immigration and Naturalization Service (INS), which has reopened the White case after 18 months, informed Mr. White's attorney today that it intends to focus on White's political beliefs and activities at a hearing now scheduled for March 11. The INS' intention to make White's political beliefs and activities the prime focus of their investigation makes it clear that they have now finally decided to treat this as a political case under the McCarran Act statute.

White, a British national married to a U.S. citizen, has resided in the U.S. since 1974 while the Justice Department has refused to grant him permanent residence status.

The INS decision comes one week after the Government Accounting Office (GAO) released a fraudulent and incompetent report based on FBI "investigations" claiming that the NCLC is "violent," "subversive" and subject to investigations under the unconstitutional Smith and McCarran Acts. The NCLC is now preparing a Federal Court motion to enjoin the GAO and the FBI from circulating this libelous report.

The INS has already applied the McCarran Act provisions of the immigration codes in two previous situations, to Canadian citizens attempting to enter the U.S. Polly Skinner Johnson was originally denied admittance based on section 23 (c), charging that she is a member of "the Communist Party or other totalitarian organization." Mrs. Johnson is now living in Chicago and the INS has not yet either granted her resident status or initiated deportation proceedings against her.

Two members of the North American Labor Party, Francois Bierre and Carlo Dallavalla, were excluded from entering the U.S. and were charged with bringing New Solidarity, the newspaper of the U.S. Labor Party -- which is published in New York -- into the U.S. for illegal purposes. This case is still in court after the Labor Party forced the disqualification of the first trial judge for his anti-communist prejudice.

(more)

On Jan. 6, the NCLC applied to the State Department and the Justice Department under the Freedom of Information Act for all documents and memoranda used in determining that the NCLC and USLP fell under the McCarran Act. Predictably, both the State Department and the Justice Department have refused to supply these documents, since this would force them to attempt to prove an unprovable case.

The increasing harassment of the U.S. Labor Party electoral campaigns as exemplified by the frame-up arrest and jailing of USLP candidate for the U.S. Senate from Virginia, Alan Ogden, has raised the concern that the Justice Department is preparing a full Smith Act case against the Labor Party and the NCLC.

The Labor Organizers Defense Fund has issued an appeal for funds to fight this attempt to resurrect the Smith Act and McCarran Act. Estimated initial attorney's fees for the White case are \$800; further costs will arise as a suit is prepared against the Justice Department to prevent them from using the McCarran Act against Labor Committee members.