

PAGE 2

Referred as an  
Post Office.

## FOR CRIMINAL ACTION

Attorneys Study  
'Viet Convocation'By JON KAMMAN  
Citizen Staff Writer

Criminal action against sponsors of the recent "Vietnam Convocation" loomed as a possibility today as Sen. Paul Fannin disclosed that both the Post Office and the U.S. Justice Department are looking into the antiwar, antidraft affair.

Apparently, government indictment of the organizers hinges on whether the Justice Department feels the convocation was called to "attempt to willfully obstruct the recruiting or enlistment service of the United States."

An attorney in the Post Office Department already has rendered an informal opinion that it was.

The convocation was held May 29 in a city park after the University of Arizona obtained a court injunction barring participants from assembling on campus.

Sponsored by the Campus Draft Opposition Committee under auspices of the Student Peace Association, its principal organizers were philosophy professor Dr. Robert Bretall and philosophy graduate student Mitchel Axler.

Fannin reported that the Post Office is checking to see if postal regulations and reduced-rate mailing privileges were violated by the Tucson Peace Center, a non-profit organization which, according to a constituent's complaint to the senator, helped distribute invitations to the rally.

The invitations, mailed to some 2,000 graduating males at the UA, asked men who "have decided not to participate in the war" to sign pledges refusing induction. Non-draft eligible persons were asked to sign similar pledges of their support for the other signers.

Fannin did not identify the person who complained about the convocation and the use of the mails.

The senator said he referred the material to the Post Office's general counsel, who in turn

passed it along to the Justice officials.

The Post Office counsel, Timothy J. May, wrote Fannin: "It is our opinion that the mailing... constitutes such an attempt (to obstruct recruiting) and, accordingly, is rendered nonmailable..."

May also said the Tucson Peace Center's permit as a non-profit organization also would be checked. The permit allows mailing letter-size printed material at 1.4 cents apiece or 11 cents per pound.

In Tucson, the center's vice president, Mrs. Betsy McDonald, said all original invitations to the convocation were mailed by the draft opposition committee at regular 6-cent rates.

She said the Peace Center is an incorporated educational organization which disseminates information locally about activities in the peace movement. As such, it mailed announcements and programs of the convocation, but not the original invitations to sign pledges, she said.

Mrs. McDonald said the center once before lost its permit to mail as a nonprofit organization soon after it was opened six or seven years ago, but the permit was reinstated when it was determined the revocation was not justified.

She and convocation leader Bretall expressed surprise that the Justice Department would review the Tucson affair.

"The wording was the same as what went out at Berkeley," Mrs. McDonald said. Bretall added that it was similar to letters mailed at a number of campuses, and publications prepared for wide distribution by a national draft resistance group.

Bretall, Axler, Mrs. McDonald and four other persons have filed suit in U.S. District Court against the UA for having denied them access to the campus for the event. They are asking damages of \$30,000 apiece.

An answer and counterclaim to the UA's injunction also is pending in Superior Court.