

THE NORTHERN CALIFORNIA DISTRICT
OF THE COMMUNIST PARTY
Structure—Objectives—Leadership

US Doc 2,791

HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH CONGRESS
SECOND SESSION

PART 1
MAY 12, 1960

Printed for the use of the Committee on Un-American Activities

(Index in Part 3)

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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946]; 60 Stat. 812, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *
17. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *
(q) (1) Committee on Un-American Activities.
(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 86TH CONGRESS

House Resolution 7, January 7, 1959

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(q) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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* * * * *

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

SYNOPSIS

Current operations of the Communist Party in Northern California—in terms of tactics, leaders, and techniques to avoid detection—were the focus of committee hearings held in San Francisco, May 12–14, 1960.

Extensive evidence of party actions on the national level was also received as party documents were put into the record tracing the activities of Northern California Communist leaders up to their roles at the Communist Party 17th National Convention in New York City, December 10–13, 1959.

A total of 46 witnesses testified before the committee in its first hearing in the area since the party, in 1957, reorganized and elevated its Northern California membership into a “district”—separate and distinct from the Southern California party apparatus.

Karl Prussion, who left the Communist Party in August 1959, after 26 years’ membership, testified that Communists sought to fulfill “prerequisites” for the overthrow of the American form of government by “the infiltration of social, economic, and political organizations” in this country. By the process of infiltration, Mr. Prussion stated, Communists hope not only to gain leadership in the organizations but also to arouse in non-Communists hatred against big business and against the Government.

A former dedicated Communist who later became an informant within the party for the Federal Bureau of Investigation, Mr. Prussion described, from his own experience in party cells in the Los Altos, Mountain View, and Palo Alto communities, how Communists have concentrated on infiltrating non-Communist, community-level groups. The witness said the Communists in his cell joined a “splendid” local civic organization dedicated “to the principles of our American way of life” and managed to make an impact on its policies. Specific Communist attempts to exert influence from within parent-teacher associations and political organizations were also described by the witness.

Communists were directed to ditch the party-controlled political organization, the Independent Progressive Party, after the 1952 elections and to become active in the Democratic Party, Mr. Prussion stated. He named a number of Communists who became active in the California Democratic Clubs in the Palo Alto and Stanford areas as a result of this shift in party policy. Ed Ross, Los Altos salesman whose principal party assignment was activity in local Democratic Clubs according to Mr. Prussion, appeared as a witness before the committee but invoked his constitutional privilege against self-incrimination in response to questions dealing with party affiliation. Another witness called during the hearings was William Reich, of Oakland, who also invoked the fifth amendment when asked if he

made his Communist Party affiliation known to the 8th Congressional District Democratic Council, which he served as corresponding secretary.

The aforementioned Ed Ross was also closely questioned by the committee regarding his contacts as a ball-bearing salesman with plants in missile and allied industries. Mr. Prussion had testified that Mr. Ross boasted to fellow Communist cell members on one occasion that he knew when and where missiles were fired, as well as the types of missiles and the direction of firing. Mr. Ross refused to affirm or deny Mr. Prussion's testimony.

Efforts to recruit non-Communist supporters for party policy and activities through front organizations created by the party were illustrated by the activities of the Palo Alto Peace Club. Set up by the party in 1949, this Communist front still uses "peace as a means of disarming, pacifying, and placating the citizenry of a nation," Mr. Prussion testified. Its official organ, *The Flashlight*, serves as the "megaphone of the voice from the Kremlin," the witness declared.

Doris Dawson, identified by Mr. Prussion as a fellow Communist cell member and one-time president of the Palo Alto Peace Club, was called as a witness before the committee but invoked her constitutional privilege against self-incrimination in response to various committee questions, including that of whether she had been a paid functionary of the Communist Party.

Communist documents distributed to delegates to the party's 17th National Convention were introduced in the course of the hearings. The documents, which have been reproduced in an appendix to the printed hearings, verify that the party faithful, not only in California but throughout the Nation, are being called upon for intensive effort in infiltrating non-Communist organizations, with special emphasis on those dealing with labor, the Negro, youth, politics, and farmers. The documents include an important policy statement by the party's national leader, Gus Hall, and proposed resolutions for action by the convention. They were analyzed at the hearings by Mrs. Barbara Hartle, who testified on the basis of many years' previous experience as a full-time, paid functionary of the Communist Party. Mrs. Hartle declared that the Communist Party continues to exploit the privileges of democracy and, despite various public statements to the contrary, the party has not altered its basic belief in the seizure of power by force. The party, she said, looks forward to "mass action," to—

breaking through the bourgeois laws, traditions and conventions, and doing by force and by mass action, by sheer bodily weight and numbers, what you cannot accomplish through using the laws, the Constitution and the democratic rights

* * *

Considerable testimony dealt with varied techniques employed by Communists to obscure technical membership in the party. These techniques pose difficult legal problems which are under continuous study by members of the committee. Mr. Prussion described four types of party "membership":

1. They have one type of member who attends cell meetings, pays his dues.

2. They have another type of Communist, because he doesn't want to identify himself with the cell for fear of exposure by an informant such as myself, who has a courier pay his dues.

3. Then there are many, many Communists who have dropped out of the Communist Party, conveniently, so that they can hide their identity and in that way are better able to carry out the revolutionary work.

4. There is a fourth type of Communist who is never associated with a cell, but he is a Leninist, and so imbued with the forthcoming revolution that he works diligently wherever possible and keeps contact with Communist leaders on the higher level.

This type of a Communist is usually a doctor, a lawyer, a political officer, and in the professional field of life.

The witness said that, in his experience, as many Communists have technically dropped out of the party to hide their identity in recent years as have remained in it as formal cell members. He described the chief purpose of these technical withdrawals as desire to hide Communist connections in view of the individual's occupation and to avoid the impact of security laws. He cited as illustrations two fellow cell members: William King, who resigned from the cell and retained party contact only on an upper level because he wanted to continue working as an electronics engineer in a local plant; and Elliott Wilson, who was the subject of a fraudulent expulsion from the party so that he could apply for a teaching license from the state and swear he was not a member of the party.

Mrs. Hartle also testified to the existence of a "large group of Communist followers or associates" who do not have formal party membership, pay dues, or attend meetings but, nevertheless, follow the discipline of the party insofar as their activities and field of work are concerned.

Quite another type of formal dissociation from the Communist Party was demonstrated to the committee as details of the "Vernon Bown case" were unfolded during the hearings. In 1959, as the result of a policy disagreement with higher party officials in the Northern California District, Bown was unwillingly ousted from his job as organizer for an important party section in San Francisco embracing party members affiliated with the unions traditionally in the AFL. He was finally expelled from the party itself.

Documents written by Bown and a Communist section associate, Leibel Bergman, on the details of this internal party conflict were obtained by the committee from sources within the party and made part of the hearing record.

The documents provided striking corroboration of testimony regarding the totalitarian nature of the Communist Party organization. The written complaints of Bown and Bergman noted that Bown had been ousted from his party office and the party despite the support of other Communists in his club and section; that he was convicted at a party "trial" which neither he nor any of his representatives were allowed to attend; and Bown was never fully informed of the nature of the charges against him. There was better observance of the principles of justice in a Nazi court than in the Communist Party, the complainants observed in an appeal that went all the way

to the National Convention of the party without results. Called as witnesses before the committee, Mr Bown and Mr. Bergman invoked the fifth amendment in response to all questions relating to this party controversy. Similar stands were taken by two other witnesses, Jack Weintraub and John Andrew Negro who, according to committee information, supported Bown in the inner party councils. Witness Prussion summed up the "democracy" in internal operations of the party as follows:

Within the Communist Party there is total disregard for law * * * there are rigged trials, forced confessions, provocations of suicides of Communists who have deviated, reprisals of Communists who might deviate even on party strategy.

The committee called as witnesses five of the nine Communist Party functionaries who represented the Northern California District at the party's National Convention in New York City in December 1959. Despite party documents inserted into the record to show their participation in the convention, the following delegates uniformly refused to answer pertinent questions by the committee:

Archie Brown, San Francisco longshoreman and, according to committee information, the second-ranking Communist in the Northern California District; his official party post is district committee member in charge of trade union matters.

Ralph Izard, of San Francisco, active in Communist propaganda work in addition to serving on the San Francisco County Committee of the party.

Joseph Figueiredo, active party official in Massachusetts until his transfer to Northern California party activities. He served on the district committee of the party in 1957.

Saul Wachter, of Berkeley, active in the party's East Bay region Political Committee, according to the committee's information.

Douglas Wachter, student at the University of California and a leader in Communist work among youth.

Other witnesses subpoenaed to appear before the committee on the basis of committee information respecting their leading roles in Northern California Communist echelons included the following individuals who, in every instance, invoked their constitutional privilege against self-incrimination and refused to answer pertinent questions: Merle Brodsky, Oakland; Noel Harris, Eureka; Ann Deirup, Berkeley; Elizabeth Nicholas, Sunnyvale; Donald H. Clark, San Jose; Morris Graham, San Jose; Sally Attarian Sweet, Hayward; Lillian Ransome, Wheatland; Ruben Venger, Cotati.

Six individuals employed as teachers were subpoenaed before the committee on the basis of information that they have also been active in the Communist Party. Martin Irving Marcus, public school teacher of Pacific Grove; Lottie L. Rosen, teacher from Berkeley; Betty Halpern, a teacher in a Berkeley private school; and Travis Lafferty, Oakland teacher, invoked the fifth amendment when questioned regarding past and present Communist Party membership. Tillman H. Erb, a teacher at the Campbell School in Santa Clara County, California, stated he was willing to discuss his own activities but would not testify regarding others associated with him. When the committee did not agree to such qualifications, Mr. Erb declined to answer all questions concerning Communist Party activities on the

ground of possible self-incrimination. John Allen Johnson, a high school mathematics teacher of Ukiah, California, also declared he had decided to "offer a certain degree of cooperation" to the committee by answering questions concerning his own associations but not those of other individuals. Claiming that disorderly demonstrations against the hearings had altered his plans, Mr. Johnson proceeded to respond to all questions by invoking the fifth amendment.

Two other witnesses with teacher training, but employed in other capacities, were called before the committee as a result of information that they have been affiliated with the Communist Party. Ralph Johnsen, of Berkeley, presently a machinist, admitted he had resigned as a teacher in 1950 rather than subscribe to loyalty oath requirements but had finally agreed to sign such an oath in 1958. He denied present party membership but invoked the fifth amendment when asked whether he had been a member prior to 1958. Louis Zeitz, a graduate student at Stanford University holding teaching credentials he has never used, invoked his constitutional privileges in response to all questions concerning Communist activity.

Karl Prussion, in a resumption of his testimony in Washington, D.C., on June 10, emphasized that the Communist Party is a party of Leninism and that party members, as disciples of Lenin, strive to bring about the prerequisite conditions that will make it possible for them to overthrow the Government by force and violence and set up a dictatorship of the Communist Party. Mr. Prussion outlined the four prerequisites of Communist revolution as follows:

1. The establishment of a dedicated Communist Party nucleus which is strong enough to lead an insurrection to overthrow our Government by force and violence.

2. Disunity in the Government of our Nation; dissension within the executive, legislative, and judicial branches of our Government on vital current issues.

3. A chaotic economic situation in which the Communists, through their leadership in social, economic, and political organizations, could successfully carry out a revolution. This situation could be a depression or an inflationary spiral.

4. The establishment of a trade-union movement which the Communists can successfully actuate into a political strike.

Mr. Prussion expressed the opinion that current Communist Party strength of approximately 10,000 hard-core, formal members, plus (his estimate) its equal number of secret members, is sufficient to carry out an insurrection "if the other prerequisites are attained."

He quoted as evidence for this belief a report by Communist Party official James S. Allen to the National Executive Committee of the party on May 9, 1958. In that report, Mr. Allen stated:

Yet, in seeking to chart our road to socialism, we are in a much better position than the Marxists in the period before the Great Russian Revolution, which pioneered the road, or than we were before World War II, before a number of countries took that road.

Mr. Prussion explained that, to the Communists, all Communist Party activity is "revolutionary" in nature, whether it be in political, economic, or social organizations and even though, on the surface, it would appear to be "peaceful work within our Constitution and within our Bill of Rights."

Mr. Prussion gave examples of how the Communists are now working in the United States to achieve each of the four prerequisites of revolution, emphasizing in his testimony Communist methods of infiltrating various social, political, religious, and trade-union groups without arousing the groups' suspicions.

One such example was the Communist infiltration of the South Palo Alto Democratic Club. Mr. Prussion identified 14 of the 25 charter members of this club as persons known to him as Communist Party members.

He revealed how the Communists have used a campus group for student recruitment purposes. Of a Stanford University organization called Political Forum, Mr. Prussion stated:

This organization is a good, bona fide organization. I don't believe it has any Communist control. They invite speakers of all description from the extreme right to the extreme left.

The Communists, he pointed out, send several party members to the Political Forum meetings and they take note of those students who ask questions which lead the Communists to believe they would be good prospects for recruitment into the Communist Party:

They befriend such a student and will invite such a student down to a social study group in one of the homes of the Communists.

In a similar way, Mr. Prussion testified, the Communists try to use PTA, religious, and other grassroots community organizations to promote their line and to attempt to win additional converts to their cause.

In explaining the Communist "peace" appeal and campaign, Mr. Prussion stated:

The only peace that the Communist Party and the Communist International want is the "peace" that can come only through Communist triumph all over the world * * *.

Mr. Prussion revealed that the Communists in his area have held their secret meetings in members' homes, in public parks, and often in public buildings. He recalled examples of secret Communist gatherings in the basement of the City Hall at Sunnyvale, Calif., the Community Center in Palo Alto, and the South Palo Alto Library:

Even a room in the Civic Auditorium in San Jose has been used. * * *

As a matter of fact, the Communists have a sense of humor and even their sense of humor has a class angle. When they refer to the Sunnyvale banquet room in the City Hall of Sunnyvale, they call it Smolny Institute No. 1 and they call the community building in Palo Alto Smolny Institute No. 2.

The Smolny Institute, he explained, was the Moscow headquarters of the Bolshevik Party during, prior to, and after the Russian Revolution.

Mr. Prussion also testified that persons known to him as Communist Party members have falsely signed affidavits that they were not members of any subversive organization in order to run for public office and school board positions.

He also stated that a Communist Party member, Michael Shapovalov, had written a book entitled "Soviet Union," which is being used in the public schools of San Mateo County "at the present time."

In evaluating what he considered to be the major weaknesses of the American public in regard to the operations of the Communist Party, Mr. Prussion stated:

I think the Communist Party, especially through their peace campaign and their campaigns of peaceful coexistence, have had a major success in creating a public apathy and indifference to the menace of the Communist conspiracy. This apathy should be changed to an acute awareness by our citizenry of this danger, and this awareness should express itself in such a manner that there will be proper legislation passed that would facilitate the containment and the ultimate destruction of this conspiracy. Appeasement of the Soviet Union on their "peaceful coexistence offensive" today can only mean the complete capitulation of the American way of life to Leninist materialism and dictatorship tomorrow.

Continuing the committee's study into the entry of foreign Communist propaganda and its dissemination within the United States, the committee heard testimony in San Francisco from Irving Fishman, Deputy Collector of Customs in New York City.

Mr. Fishman reiterated the need for amendments to the Foreign Agents Registration Act of 1938. The act, according to Mr. Fishman, is directed primarily at forcing disclosure of those persons who act within the United States as propaganda agents of a foreign power. A second purpose of the act is to require the identification of political propaganda so that the American public can appraise and evaluate material disseminated by propaganda agents in the light of their foreign relationships.

Mr. Fishman estimated that in the year 1959 over 10 million individual propaganda items which had entered the United States from Soviet-bloc countries were submitted to his units throughout the country for examination. According to Mr. Fishman, the Foreign Agents Registration Act does not, at the present time, appear to provide that this material be properly labeled at the time of importation.

A provision in the Foreign Agents Registration Act, as interpreted by the Attorney General in 1940, calls for establishment of an agency relationship between the sender and the foreign government before any action can be taken in connection with this propaganda. Mr. Fishman pointed out that this is difficult to prove when the Soviet propaganda machine directs to the United States material printed in, or sent through, other free countries of the world.

With the assistance of Mr. Stephen K. Louie and Mr. Harlin Wong, of the San Francisco office of the Customs Service, Mr. Fishman focused particular attention on the influx into California of Communist propaganda from the mainland of China and North Korea. After analyzing some of this material, Mr. Fishman stated that the Chinese Communists have concentrated on the overseas Chinese, with special attention to attracting overseas Chinese students for study in Red China. Mr. Fishman testified that the volume of propaganda

produced in Europe for dissemination in this country has decreased while the Asian Communist material has been on the increase.

The committee completed its 3-day hearing in San Francisco under the most trying conditions possible. Identified Communists, sympathizers, and students, numbering in the hundreds, engaged in protest demonstrations within and outside the committee hearing chambers in a tragic sequence of events which culminated in outright rioting.

It is a matter of record that the Communist apparatus has decided that if its operations in the United States are to be more successful, it must intensify its campaign to get rid of the House Committee on Un-American Activities, and at the same time try to discredit the Director of the Federal Bureau of Investigation and generally weaken the F.B.I.'s influence and powers. This campaign is spearheaded by two Communist-front organizations, the Emergency Civil Liberties Committee (ECLC), with headquarters in New York, and the Citizens Committee To Preserve American Freedoms (CCPAF) on the West Coast.

One of the moving forces of the CCPAF is Frank Wilkinson, an identified Communist whose job has been to incite resistance to and trouble for the committee in locations where hearings are scheduled. The CCPAF's "Operation Abolition" campaign against the committee was brought into San Francisco by Wilkinson, who freely admitted to newsmen covering the demonstrations that he was there to "organize protests."

The long-time classic Communist tactic by which a relatively few well-trained, hard-core Communist agents are able to incite and use non-Communist sympathizers to perform the work of the Communist Party was again made evident.

Demonstrations within the hearing room on the first day of the hearing completely disrupted normal committee procedure time and time again and, at one point, forced a halt in the proceedings for over 40 minutes. The principal agitational demand of the Communist demonstrators and their followers was that the hearing room doors be opened so that more agitators could gain entry.

As film coverage of the hearing reveals, the committee, in an effort to be fair, had made every possible concession to those interested in viewing the proceedings. After every seat in the hearing room had been filled for the opening morning session, the committee, in violation of its normal procedure, permitted an additional 100 to 140 spectators to enter the room to view the proceedings while standing in the aisles and along the rear and side walls. The demonstrations were carried on in spite of this and, in order to put a stop to them and restore order, the chairman was forced to order evicted from the hearing room Archie Brown, Ralph Izard, Merle Brodsky, Saul Wachter, Morris Graham, Juanita Wheeler, Sally Attarian Sweet—all subpoenaed witnesses and active Communists in the area, according to committee information. Several students were also ejected.

Because of this development, the aisles were cleared that afternoon and during the remaining 2 days of the hearings. However, a rotation seating procedure was adopted in an attempt to permit as many as possible of the spectators waiting in the hallways to observe the proceedings. Because the agitators engaged in repeated outbursts, dem-

onstrations, and disruptive behavior in spite of this arrangement, the hearing room had to be carefully patrolled by police and sheriff's officials for the duration of the hearing.

On the second day of the hearing, the committee, at the request of the police and sheriff's department, had loudspeakers set up across the street from City Hall in an attempt to placate the crowds trying to gain entrance to the hearing room. (Due to the limited seating capacity only several hundred people could be admitted to the actual hearing room.)

As was the case on the previous day, several professional Communist agitators directed the activity of students and others waiting in the hallways. The demonstrators there became so loud that, after two judges in their chambers on the third floor had complained that they were unable to conduct court proceedings because of the noise, Presiding Superior Court Judge Clarence Morris, who had been experiencing the same difficulty, ordered the sheriff and police officials to clear the City Hall. When an attempt was made to carry out the order, rioting broke out. One student, according to the police officers on the scene, provided the spark that touched off the violence when he attacked a police officer with a night stick. In order to remove the demonstrators from City Hall, fire hoses had to be used.

Among those arrested during the riots were a few trained Communist agents. The others were the unwitting dupes of the party who had, in their demonstrations against the committee, performed like puppets—with the trained Communists manipulating the strings—even to the point of wilfully and deliberately defying law and order.

Thomas Cahill, Chief of Police; Michael J. Maguire, Police Inspector; and Matthew C. Carberry, Sheriff, all of the City and County of San Francisco, testified before this committee on the last day of the hearings regarding the demonstrations and riots. Each of these men discussed their participation in the events just described. All of these officials agreed that the student demonstrators were infiltrated by a number of professional Communist agitators who were able to incite the students to riot. The committee praised these officials for exercising restraint, caution, and attention to the rights of all persons during the events which took place at the hearings.

The unprecedented disorder and violence surrounding the hearings led the committee to renew its appeal for legislation providing penalties for misbehavior before congressional committees. Communists and their dupes were able to disrupt committee hearings with virtual impunity. Under existing law, the committee cannot set in motion any type of judicial process aimed at punishing (and thereby also preventing) misbehavior which obstructs orderly congressional inquiry.

Immediately after the San Francisco hearings, the chairman of the committee introduced H.R. 12366, which would make it a misdemeanor for anyone to misbehave in the presence of either House of Congress or any one of their committees. The legislative proposal is discussed in detail in House Report 2228, submitted by the chairman of the committee to the House of Representatives. Film footage of the riots in San Francisco taken by TV stations KRON and KPIX of that city and made into a documentary film by Washington Video Productions, Inc., was made a part of this report.

THE NORTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Structure—Objectives—Leadership

(Part 1)

THURSDAY, MAY 12, 1960

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
San Francisco, Calif.

PUBLIC HEARINGS

A subcommittee of the Committee on Un-American Activities met, pursuant to call, at 9:30 a.m. in the Supervisors Chambers, City Hall Building, San Francisco, California, Hon. Edwin E. Willis (chairman of the subcommittee) presiding.

Subcommittee members present: Representatives Edwin E. Willis, of Louisiana, and August E. Johansen, of Michigan.

Staff members present: Richard Arens, staff director; William A. Wheeler, investigator; and Fulton Lewis III, research analyst.

Mr. WILLIS. The subcommittee will please be in order.

The hearings which begin today in San Francisco are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress, which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress, to exercise continuous watchfulness of the execution of any laws, the subject of which is within the jurisdiction of the committee.

In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion. In addition, the committee has before it numerous proposals to strengthen our legislative weapons, designed to protect the internal security of this Nation.

I shall now read the resolution of the Committee on Un-American Activities authorizing and directing the holding of the instant hearings:

APRIL 5, 1960.

The following resolution was unanimously adopted :

BE IT RESOLVED, that hearings by the committee or a subcommittee thereof, to be held in San Francisco, California, or at such other place or places as the chairman may designate, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following subjects and having the legislative purposes indicated :

1. The extent, character and objects of Communist infiltration and Communist Party activities in Northern California, for the legislative purpose of obtaining additional information for use by the committee in maintaining surveillance over the administration and operation of the Internal Security Act, the Communist Control Act, and other security legislation.

2. The past form, structure, organization and activities of the Communist Party and members of the Communist Party, whether in California or elsewhere, for the purpose of enabling the committee to interpret the significance of the present form, structure, organization and activities of the Communist Party, for the legislative purpose of obtaining information for use by the committee in consideration of proposed amendments to the security laws relating to the term "member of the Communist Party," possible use in legislation of the term "under Communist Party discipline," and for use by the committee in consideration of a proposed amendment to Section 4 of the Communist Control Act of 1954, prescribing penalties for knowingly and willfully becoming or remaining a member of the Communist Party with knowledge of the purposes or objectives thereof.

3. The entry into and dissemination within the United States of foreign Communist Party propaganda, the legislative purpose being to determine the advisability of amendments to the Foreign Agents Registration Act, designed to counteract Communist devices now used in avoiding the prohibitions of that act.

4. Techniques, strategies, tactics, and devices used by members of the Communist Party for the purpose of evading the impact of present security laws, the legislative purpose being to reveal factual situations to the committee which may require remedial legislation in the interest of national defense and internal security.

5. Any other matter within the jurisdiction of the committee which it, or any subcommittee thereof, appointed to conduct these hearings, may designate.

I shall now read the order of appointment of the subcommittee to conduct these hearings:

APRIL 6, 1960.

To : Mr. RICHARD ARENS,
Staff Director, House Committee on Un-American Activities.

Pursuant to the provisions of the law and the rules of this Committee, I hereby appointed a subcommittee of the Committee on Un-American Activities, consisting of Representative Edwin E. Willis, as Chairman, and Representatives Morgan M. Moulder and August E. Johansen as associate members, to conduct hearings in San Francisco, California, Monday through Thursday, May 9, 10, 11, and 12, 1960, at 10:00 a.m., on subjects under investigation by the Committee and take such testimony on said days or succeeding days, as it may deem necessary.

Please make this action a matter of Committee record.

If any Member indicates his inability to serve, please notify me.

Given under my hand this 6th day of April, 1960.

FRANCIS E. WALTER,
Chairman, Committee on Un-American Activities.

I wish it were possible for the Congress of the United States to pass a single law which would for all times solve the threat to our security posed by the Communist operation in this country. Unfortunately, however, the problem with which we are confronted by communism is too complex and has too many ramifications to be coped with by a single panacea.

Anyone who has had experience in dealing with Communists knows that they are constantly changing their strategy and tactics, constantly revising their forms of attack and constantly maneuvering in order to avoid the impact of those legislative weapons which we have devised to protect this Nation against their machinations.

Accordingly, ours is the task to pursue the trails of the Communists wherever they may lead and in whatever form they appear, in order that we can continuously appraise our security laws in their administration and operation, and where the facts warrant to amend or revise those laws.

What are the present strategies and tactics of the Communist operation in this general area? What techniques are the hard-core Communists pursuing in order to avoid detection as they pursue their nefarious work? What are the lines of control and communication between the various Communists' nests here and elsewhere in the Nation? What loopholes or weaknesses exist in our present security laws? How may those laws be strengthened? These questions shall be uppermost in our minds as we elicit testimony during these hearings.

May I emphasize that the purpose of the subcommittee here is to sample factual material with reference to types and patterns of activity, and not to attempt to exhaust the subject matter. We have not subpoenaed witnesses for these hearings merely to put on a show, nor shall we attempt to interrogate in these hearings even a significant percentage of all possible witnesses on whom we have compiled information.

It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he desires, for the purpose of denying or explaining any testimony adversely affecting him. It is also the policy of the committee to accord any witness the privilege of being represented by counsel; but, within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

I would remind those present that a disturbance of any kind or an audible comment during the hearings will not be permitted, as it cannot be. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty.

I may say that it is not a pleasant task. We are here pursuant to an act of Congress. The House of Representatives, each Congress, has ordered our continuance. So far as I know, no Member of Congress has ever voted against our authority to act.

I would like to announce that by instruction of the authorities here, there cannot be smoking in the room. I am sure you understand that. People here have been kind enough to make these facilities available, and we certainly want to respect that, so there cannot be any smoking, please.

Mr. Arens, please call your first witness.

Mr. ARENS. The first witness, if you please, Mr. Chairman, will be Mr. Irving Fishman, Deputy Collector of Customs at the Port of Entry in New York City, who is accompanied and will be assisted in his testimony today by two of his colleagues whom he will introduce at the appropriate time on this record.

Mr. Fishman, will you kindly stand while the chairman administers the oath?

Mr. WILLIS. Will the three of you stand?

Please raise your right hands. Do you solemnly swear that the testimony that you will give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FISHMAN. I do.

Mr. WONG. I do.

Mr. LOUIE. I do.

TESTIMONY OF IRVING FISHMAN, HARLIN WONG,
AND STEPHEN K. LOUIE

Mr. WILLIS. Proceed.

Mr. ARENS. Mr. Fishman, will you kindly give us a word of identification of yourself, your duties, your personal background, and then, if you please, I would request that your two colleagues, likewise, give a word of identification of themselves.

Mr. FISHMAN. I am Deputy Collector of Customs assigned to the Port of New York. My duties include exercising control over the importation of printed matter into the United States which may be considered as prohibited under various Federal statutes.

I have been with the Customs Service for over 32 years and have been engaged in the enforcement of the provisions of law which deal with the importation of political propaganda for some 8 or 9 years.

The Customs Service, in cooperation with the United States Post Office Department, has set up several control units in the United States, among which is the unit attached to the Office of the Collector of Customs in San Francisco, California.

Mr. ARENS. Would you kindly now introduce your two colleagues.

Mr. FISHMAN. To my left is Stephen K. Louie, who is in charge of the unit which examines printed matter imported through this port.

To my right is Harlin Wong, who is one of the translators and reviewers of this material assigned to this port.

Mr. ARENS. Mr. Fishman, did you and the United States Customs Service make a study, in the course of the last several months, of the Communist propaganda which is coming into the United States via the port at San Francisco, California?

Mr. FISHMAN. We have.

Mr. ARENS. Before we get into the specifics of your statistics, would you care to give us an overall appraisal as to the quantity or volume of the Communist propaganda which is imported, and has been imported in the course of the last year, via this port of entry?

Mr. FISHMAN. Actually, this propaganda floods the country. It emanates in the Soviet-bloc countries and in Communist China. I have prepared a statement for submission to the committee which presents to some degree the background and basis for our operation.

Mr. ARENS. Mr. Fishman, I respectfully suggest to the chairman that the statement which you have prepared be incorporated into the body of this record and then we will proceed to interrogate you on the highlights of your statement, if that meets with the approval of the chairman.

Mr. WILLIS. Let the statement be incorporated at this point.

(The statement referred to follows:)

STATEMENT BY IRVING FISHMAN, DEPUTY COLLECTOR OF CUSTOMS, BEFORE THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES, SAN FRANCISCO, CALIF., MAY 12, 1960

As the subcommittee of the Committee on Un-American Activities is aware, the United States Customs Service has a responsibility for the examination of merchandise imported into the United States. As a matter of law, Federal statutes which deal with imported merchandise are enforced by our Service. In the Tariff Act of 1930 there are prohibitions against the importation of treasonable material, material which invites insurrection against the United States or advocates the overthrow of the United States Government. There is also responsibility with respect to printed materials which contain foreign political, Communist propaganda. So far as the mails are concerned this responsibility, we believe, is shared with the Post Office Department. In the treatment of printed matter which contains political Communist propaganda, our agencies base this responsibility, to a degree, upon the Foreign Agents Registration Act of 1938. This Act is directed primarily at forcing disclosure by persons who act within the United States as propaganda agents for foreign governments or foreign political parties. A second purpose of the Act is to require the identification of political propaganda so that the American public can appraise and evaluate material disseminated by propaganda agents in the light of their foreign relationships.

Based upon the Foreign Agents Registration Act and the rulings of the Attorney General supplementing the same, agents registered with the Department of Justice who disseminate political propaganda are required to identify the same as to source. Specifically, under the Attorney General's opinion of December 10, 1940, a person in a foreign country acting on behalf of a foreign principal who sends political propaganda to this country is considered as though this action took place in the United States.

We should like to make it clear that there is no intent in connection with our work to deprive citizens of political information, even if this information should be propaganda of a foreign government or a foreign principal. However, we do feel that Congress did intend to bring out into the open the activities of persons engaged in disseminating Communist propaganda and to make known the source of the propaganda.

To aid in the enforcement of these provisions of law, the United States Customs Service and the Post Office Department have set up three control units, staffed with personnel having language abilities, to examine printed materials entering the United States. These units are located at the ports of New York, San Francisco, and New Orleans. Mail from the Soviet-bloc countries, for example, is directed to our New York Control Unit, and mail from the mainland of China and North Korea is directed to the port of San Francisco. It may be of interest to the committee to know that our unit at the port of New Orleans was established only recently and concerns itself for the most part with Communist propaganda shipped via certain Latin American countries into the United States.

To conclude the formal part of my statement, we should like to give the subcommittee some idea of the volume of printed materials submitted to our units by the Post Office Department. In 1959 at all three control units there were received from the Post Office Department approximately 6 million packages containing over 10 million items of printed matter.

This constituted an 18% increase over the printed materials submitted for 1958, and in comparison with the 1955 figures the volume in 1959 has practically doubled. At San Francisco, specifically, the 1959 figures indicate the receipt of over a million mail articles of printed matter submitted by the Post Office Department for examination. These figures do not include redefection material which is received via first-class mail. It has been estimated that 125,000 individual envelopes are received each month at the port of New York alone, or approximately 1,500,000 a year, of this latter type of material. This material is printed in Russian,

Byelo-Russian, Georgian, Ukrainian, Estonian, Latvian, Lithuanian, and Rumanian.

To pinpoint material directed to students or the youth of this country, there have been continuing increases in the volume of this matter at a rate of almost 40% a year. In 1959 there were 380,000 packages, containing 580,000 items. Interestingly enough, the European propaganda volume has dropped, while the Asian Communist material has been on the increase. This same situation was referred to in an article appearing in the Scripps-Howard newspapers on April 13, 1960, entitled "Reds Beating U.S. in Asian Propaganda." The lead sentence of the article reads, "The United States is being trounced soundly by the Communists on Asia's propaganda battlefields, a survey of Far Eastern leaders disclosed today." Similar comment was made editorially by this same newspaper chain on April 14, 1960. A sentence in this editorial is worth repeating, "Propaganda is no less important than foreign aid in cold war strategy."

To reflect this situation, the committee may wish to know that the number of copies of "China Pictorial" in the English language sent to the United States increased by almost 50%; the magazine "Chinese Literature" by 100%; publications entitled "Korea Today" and "Korea," in English are new to a degree, but there have been quantities of these publications submitted to us. As a sidelight, it may be of interest to note that "People's China" in the Esperanto language was sent in very small quantities to the United States in 1958. There was, however, a marked increase in the number of these publications forwarded to our country in 1959. We have prepared, and there are before the members of the subcommittee, samples of some of the material intercepted here, together with translations. The context of propaganda publications has changed considerably in recent months, due in a great measure to the upcoming summit meetings. This change is reflected to a degree in the pronouncement of the Soviet Government. It has been evident, at least until this week, that the spirit of Camp David has affected the propaganda line from Moscow, except perhaps as it relates to East Berlin. There has been a marked cessation of the harsher type of vilification and innuendo and a perhaps more gentle, guarded approach to the issues to be misrepresented.

This change has, however, been restricted to the Moscow line. The Chinese news service has taken a much tougher stand, both in material sent here from the China mainland and transmitted through friendly Latin American sources. For example, the Prensa Latina news service in Cuba, a propaganda outlet, combines its efforts with Red China's North China News Agency functioning through Czechoslovakia. This is also evident in the volume of scientific and technical printed materials exported to the United States.

It is almost as though the Chinese fear that they are being overshadowed in this field.

The Chinese Communists through their propaganda press have concentrated on the overseas Chinese. A discussion of the many facets of the program would take up more time than is available here. An interesting angle, however, relates to students around the world. For example, great efforts have been made to increase pro-Peking teaching in the Chinese schools in southeast Asia. Special attention has been given to attracting overseas Chinese students for study in China, and there has been some success resulting from an appeal to patriotism and by subsidizing those who wish to return to the mainland. Students from abroad are welcomed to China with great fanfare and receive preference in college placements. The main motive in attracting students has been to make use of their skills in development programs and Peking desires to attract students from abroad to fill its growing universities. Because of unfavorable reports from students who have gone to China, enlistments have fallen off in recent years.

To refer very briefly on the overall affect of the overseas Chinese propaganda effort, I have asked Mr. Harlin Wong, of the San Francisco office, to comment on this issue.

Mr. ARENS. Mr. Fishman, where are the principal control points or processing points in the United States for Communist propaganda emanating from the Iron Curtain countries and from Red China?

Mr. FISHMAN. AS I have indicated in my statement, the Treasury Department, Bureau of Customs, and the Post Office Department consider it a responsibility of the respective agency to concern itself with the importation of any foreign printed matter which contains Communist political propaganda.

The responsibility stems from the Foreign Agents Registration Act. The problem of how to control this propaganda and still stay within the limits of our appropriation was one that we considered for a number of years and finally set up units on the East Coast—in New York, in Chicago, and one on the West Coast, in San Francisco.

The Chicago unit was subsequently incorporated with the one in operation at the Port of New York, and a new unit opened at the Port of New Orleans, Louisiana, to take care of the huge volume of propaganda which was flooding the United States through friendly countries in Latin America.

We would like to make it clear that our agencies, in the treatment of this material, are fully aware of our responsibility. It is our feeling that the Foreign Agents Registration Act is primarily a disclosure statute and that it makes it necessary for a foreign government which, through any of its agents, sends political propaganda into the United States, to disclose the source of the information.

That is to make the information readily available to the reader—who should know, when he reads material, or has access to it—just where it emanates from and just who is responsible for it.

Mr. ARENS. May I interrupt to rephrase—as I understand your statement of the law, is in a rather summary vein. See if this is substantially correct, namely, that the Foreign Agents Registration Act requires that Communist propaganda which is being sent into the United States be labeled “Political Propaganda” and that those persons in the United States who are disseminating this Communist propaganda must, themselves, register with the Department of Justice.

The law does not require anything further. The law does not attempt to stop the importation of the propaganda. It only requires a labeling, a disclosure that it is political propaganda and that the person who is disseminating it into the United States is the agent of a foreign power; is that correct?

Mr. FISHMAN. That generally relates to the provisions of law with which we are concerned here this morning.

Mr. ARENS. The theory of the law is similiar to the theory of the law we have respecting food and drug commodities, is it not?

Mr. FISHMAN. That is right.

Mr. ARENS. Namely, that there be a labeling so that the recipient will know that the material which is being transmitted in the United States is political or Communist propaganda; is that correct?

Mr. FISHMAN. That is correct. The Congress saw fit in both the Foreign Agents Registration Act and also in the Internal Security Act to include a proviso that this material be properly labeled, both on the material and on the mailing wrapper.

Mr. ARENS. How long did you say you had been in the Customs Service?

Mr. FISHMAN. Some 32 years.

Mr. ARENS. During the course of that time, you have examined probably millions of specimens of Communist propaganda coming into the United States, have you not?

Mr. FISHMAN. That is correct.

Mr. ARENS. You have before you now exhibits of propaganda which have been sent through the Port of San Francisco in the course of the recent past; is that correct?

Mr. FISHMAN. That is correct.

Mr. ARENS. Does any of this material which is presently before this committee bear the labeling "Political Propaganda," as required by the law?

Mr. FISHMAN. None that I have been able to discover.

Mr. ARENS. In the course of your 32 years' experience in the United States Customs Service in charge of the examination of Communist propaganda coming into the United States via the various ports of entry, which I believe you have characterized as coming in flood proportions, have you ever seen a single piece of Communist propaganda labeled in accordance with requirements of the Foreign Agents Registration Act?

Mr. FISHMAN. Not at the time of importation.

Mr. ARENS. Can you give us, first of all, the summary statistics on the volume of Communist propaganda which, we will say over the course of the last year, has been beamed or directed into the United States from the Communist countries?

Mr. FISHMAN. We have estimated, and we keep fairly accurate statistics at the three control units, that in 1959 approximately 6 million parcels of mail, containing over 10 million individual items of printed matter, were submitted to our units for examination by the Post Office Department as having emanated in the Soviet-bloc countries.

Mr. ARENS. Will you kindly tell us through what conduits this Communist propaganda comes into the United States and through what conduits the Customs Service is prohibited from making a determination to ascertain if Communist propaganda is coming into this country?

Mr. FISHMAN. A provision of the Foreign Agents Registration Act and the interpretation placed on this Act by the Department of Justice makes it almost mandatory that before any action can be taken in connection with this material that we be in a position to establish an agency relationship between the sender and the foreign government, so that any of this material which is shipped through a friendly country cannot come under our surveillance. Our interest necessarily must be directed to that which comes from the Soviet-bloc countries.

Mr. ARENS. May I interrupt so that we can keep our record clear as we go along?

The statistics which you have just revealed respecting this flood of Communist propaganda coming into the United States unlabeled, although required to be labeled by the law, does not include Communist propaganda which the Communists in the Iron Curtain countries are transshipping into the United States via free countries; is that correct?

Mr. FISHMAN. That would be correct.

Mr. ARENS. Mr. Fishman, on the basis of your examination, study, and investigation of this subject, are the Communists utilizing to any appreciable extent free countries of the world as transshipment points for the shipment of Communist propaganda into the United States?

Mr. FISHMAN. There is very ample evidence to that effect.

Mr. ARENS. Would you give any further specific characterization of the extent to which the Communists are using free countries as transshipment points for their propaganda and thereby evading surveillance by the Customs Service?

Mr. FISHMAN. There is no doubt in our minds that, knowing our limitations, the Soviet propaganda machine has directed much of its material through countries such as Canada—material printed either in Canada or directed to Canada—and then into the United States.

Mr. ARENS. How about Mexico?

Mr. FISHMAN. The Soviet Embassy in Mexico maintains huge printing plants for the purpose of preparing and disseminating anti-American propaganda both in the United States and in Latin American countries.

Mr. ARENS. Does this Communist propaganda in flood proportions, as you characterized it, go through the United States mails?

Mr. FISHMAN. A lot of it does.

Mr. ARENS. Does the postage which is paid for this propaganda by the Communist countries pay for the shipment in total of the propaganda from the point of origin to the point of ultimate destination?

Mr. FISHMAN. I have no expert information on that score; but since the Post Office Department is subsidized, it would follow that the carrying of this mail and the payments provided for this service would hardly pay for its cost.

Mr. ARENS. Then is it a fair interpretation that part of the cost of shipping this Communist propaganda in flood proportions into the United States at these various ports of entry is paid for by the United States taxpayers who subsidize the mails?

Mr. FISHMAN. I think that would be a fair statement.

Mr. ARENS. Through how many ports of entry in the United States does the Communist propaganda enter this country?

Mr. FISHMAN. There are some 45 ports of entry and a number of sub-ports. Of course, we have, with Post Office Department cooperation, directed much of it to the three units I mentioned.

Mr. ARENS. That is for channeling purposes?

Mr. FISHMAN. That is for channeling purposes.

Mr. ARENS. Is the volume of Communist propaganda emanating from abroad which is subject to your surveillance increasing or decreasing?

Mr. FISHMAN. It has been increasing steadily. In 1958 we had a total of some 4,897,000 odd mail parcels. So the figure for 1959 reflected an increase of some 18 percent. To come more specifically to the Port of San Francisco, where we have just recently completed our study, in 1959 there were over one million mail parcels containing some 2,032,000 pieces of printed matter.

In 1958 there were only 945,000 mail parcels, so here, too, we reflect an increase. None of these figures, of course, includes the return-to-

the-homeland or redaction material which comes in the first-class mail.

Mr. ARENS. I expect to pursue that line of inquiry with you in just a moment, Mr. Fishman. I want the record to reflect those areas which are subject to your surveillance and those areas which are not subject to your surveillance.

Does the Customs Service, which maintains at least a watchfulness over this flood of Communist propaganda, have access to what we call first-class mail?

Mr. FISHMAN. No. Under the Constitution, first-class mail is not subject to examination.

Mr. ARENS. Does the Customs Service have access, in a surveillance pattern, to Communist propaganda channeled by diplomatic routes?

Mr. FISHMAN. By reciprocal agreements, we do not have access to diplomatic mail.

Mr. ARENS. Does the Customs Service have access to Communist propaganda which comes in bulk shipment for redistribution to dissemination points which, in turn, distribute the material outside the United States?

Mr. FISHMAN. No; we have no control over that either.

Mr. ARENS. Then there are vast areas in which Communist propaganda is coming into the United States which are not subject to official scrutiny, let alone official censor or official labeling; is that correct?

Mr. FISHMAN. That is correct. I would like to add a very specific avenue, and that is by way of the agents who are registered with the Department of Justice. They may, of course, bring in tons of it without any control by any Government agency.

Mr. ARENS. I want to make the record clear on that. A person in the United States who is registered with the Department of Justice under the Foreign Agents Registration Act and comes forward and says "I am a foreign agent of the Soviet Union"—or Red China or any one of the captive countries—"and am regularly receiving Communist propaganda for redistribution," can receive an unlimited quantity, can he not?

Mr. FISHMAN. That is correct.

Mr. ARENS. He can distribute an unlimited quantity under our existing laws and procedures, can he not?

Mr. FISHMAN. That is correct. The Congress contemplated that by registration these people would be brought out into the open, their activities would be well known, and that that would suffice.

Mr. ARENS. But in the course of your experience in the United States Customs Service, including your most recent examination of this quantity of Communist propaganda which you have brought for display purposes here to this committee, you have yet to see a single piece of Communist propaganda being brought into the United States which is labeled as Communist propaganda in accordance with the provisions of the Foreign Agents Registration Act; is that correct?

Mr. FISHMAN. That is correct.

Mr. ARENS. Are you in a position to give us, first of all, the range of the recipients of this Communist propaganda? Is it directed to schools and colleges in the United States?

Mr. FISHMAN. Yes. We have some general idea of how the material is directed. It is directed, of course, primarily and principally to people who have their heritage in the countries now under Communist domination and control. It is directed to colleges, universities, and secondary schools, to every organization associated with these schools.

Mr. ARENS. Whether or not they solicit it; is that correct?

Mr. FISHMAN. For the most part, this material is unsolicited. It is merely sent to them with or without their consent.

Mr. ARENS. Specifically, does this Communist propaganda that you have displayed here say "This is Communist propaganda" or does it give any overt indication that it is part of the propaganda apparatus of the world Communist conspiracy?

Mr. FISHMAN. No. Much of this material bears absolutely no indication of origin. A good deal of it does, of course, but it is not labeled as contemplated by the law.

Mr. ARENS. To the uninitiated reader who does not know the various Communist lines in the various areas of the world and the objectives of the apparatus in each of the segments of our society, does it reveal to him that it is Communist propaganda?

Mr. FISHMAN. No.

Mr. ARENS. How about the material which is being sent into the United States from international Communist fronts which are based in the free countries of the world?

Mr. FISHMAN. Much of that material bears absolutely no indication that the publisher or the production of the material has been subsidized by the Communist movement.

As I mentioned a few minutes ago, a great deal of material is directed to the youth of this country and also to the youth of every other democratic country. But a great deal of that latter material comes from places other than the Soviet-bloc countries.

Mr. ARENS. Can you tell us the segments of our society which are the principal recipients of this Communist propaganda? If you please, state first of all those in the San Francisco area.

Mr. FISHMAN. Here in San Francisco, the fertile ground, of course, would be the overseas Chinese.

Mr. ARENS. How many overseas Chinese are there?

Mr. FISHMAN. Our last information, and perhaps it is not authentic, is that there are some 12 million overseas Chinese around the world. Just how many there are in the Western States we do not know. The last census, I think, for this particular area was some 40,000. That may be way off, judging by the volume of this mail which now comes to San Francisco.

But that would be a fertile ground here in this area. In other areas—for example, in the Illinois area—it would be the people working in industry who perhaps came originally from Poland or Czechoslovakia.

Mr. ARENS. In a ludicrous vein, let me ask you a question before it slips my mind. Does the international Communist apparatus let down its bars and let American material, material propagandizing other people respecting the cause of freedom, enter the Iron Curtain countries freely without restriction, without labeling?

Mr. FISHMAN. Not to my knowledge. We have some understanding with regard to one magazine that goes into the Soviet Union and

one, perhaps, that goes into Poland. But every effort made to establish a quid-pro-quo exchange agreement has never been very successful.

Mr. ARENS. Are some of these magazines which you have on display here designed for women's groups?

Mr. FISHMAN. Yes. I doubt whether any facet of our democratic life has been ignored.

Mr. ARENS. They hit all segments of our society?

Mr. FISHMAN. Including the young children; and, of course, every phase of life is covered, women, young women, the worker.

Mr. ARENS. What is the nature of the line that they are propagandizing in each of the principal areas of their activity?

Mr. FISHMAN. That is a little difficult to describe in a brief time. Actually, right at this moment, and until last week, I guess, the propaganda material which emanated in the Soviet Union had pretty much been toned down.

Mr. ARENS. Is it becoming more subtle; is that what you mean?

Mr. FISHMAN. It became more subtle and gave the overtones of the Camp David spirit. The material from the mainland of China, however, never varies. It continues just about as tough as possible. That is reflected in the material here which emanates in China and now in Communist Korea.

Mr. ARENS. Mr. Fishman, I see you have some mail sacks which you have brought in. Can you tell us what these mail sacks are? If we are not violating some regulation, is there a mail sack which you could open at random to determine the nature of the contents of the sacks?

Mr. FISHMAN. As the committee has suggested, we have here a number of mail sacks submitted to our unit in the past 2 days by the Post Office Department and which we have not yet reached for examination. Any of them are available for examination by the committee, but we do have a restriction against exhibiting the name and address of the recipient.

Mr. ARENS. Is it permissible and can you open a mail sack now before the committee in order to give us an indication of the percentage, we will say first of all, the percentage of the mail coming into San Francisco from Red China which is outright Communist propaganda and the percentage which has redefection material and the percentage which has other material?

Mr. FISHMAN. We will be glad to open a sack.

Mr. ARENS. I would suggest, if you please that you just take a fair sampling, so we do not consume any more time than ought to be used.

Will you just proceed at your own pace to give us a word description of what you find in that mail sack?

Mr. FISHMAN. This particular sack comes directly from the mainland of China. We have several that come by way of Hong Kong. I will have to depend on Mr. Louie for translation of the contents of these packages.

Mr. ARENS. May I suggest you just do a sampling of two or three of them?

Mr. FISHMAN. This is a copy of "China Reconstructs."

Mr. ARENS. Is that being sent to an individual recipient or an institution?

Mr. FISHMAN. This is addressed to an individual here in California.

Mr. ARENS. Is there any indication on the literature which is being sent that it is in compliance with the Foreign Agents Registration Act?

Mr. FISHMAN. Nothing that I can see on the wrapper.

This is a newspaper in the Chinese language, entitled "People's Daily," printed on the mainland of China. There are quite a few copies of this newspaper in this lot.

Here are two copies of "Evergreen," the magazine of Chinese youth and students. It is addressed to someone in Portland, Oregon.

This envelope is addressed to Comanche, Iowa. It contains a copy of Evergreen, the magazine of Chinese youth and students, and a copy of China Reconstructs.

Mr. ARENS. Is there any advertising in these magazines which you are displaying which would give any indication that they are paid for by advertisers or sustained in a businesslike manner?

Mr. FISHMAN. No; there is no advertising whatsoever in these magazines, which indicates quite clearly that the publication is completely subsidized.

Mr. ARENS. Completely subsidized by the Communists?

Mr. FISHMAN. Yes.

Mr. ARENS. How do these various magazines compare in quality of presentation, from the standpoint of pictorial content and the like, with other magazines?

Mr. FISHMAN. They compare quite favorably. They are probably very expensive to produce.

Mr. ARENS. Would you kindly take a moment to characterize some of the typical material you have on display there, which I understand has been processed by the San Francisco Port of Entry in the course of the last few weeks?

Mr. FISHMAN. Similar publications are with the members of the committee.

This one, "Communist" No. 4, 1960, which is a publication of the Central Committee of the Communist Party of the Soviet Union, contains, of course, the usual type of attack on SEATO and CENTO; but we picked this out particularly because of an article dealing with the congressional Committee on Un-American Activities.

Mr. ARENS. Mr. Fishman, you have visited certain areas of the world making a study of the world Communist propoganda drive relating not only to that material which goes into the United States but into other areas of the world; is that true?

Mr. FISHMAN. That is right.

Mr. ARENS. You have done so at the behest of the Committee on Un-American Activities and have submitted certain summary factual statements to the committee respecting the results of your survey; is that correct?

Mr. FISHMAN. That is correct.

Mr. ARENS. Can you give us an overall appraisal, first of all, of what the Communists are doing worldwide, let us say near home in the Caribbean? Do you have any information on what they are doing out of San Juan, Puerto Rico, with propoganda beamed into the Spanish-speaking countries of this hemisphere?

Mr. FISHMAN. A great deal of Communist propoganda material is printed in the Spanish language. Actually, that reflected here on

the table is prepared in Mexico and is directed to Central, South, and Latin America, and also into the San Juan area. Much of it is anti-American and tends to foster hate for Americans and for our foreign policies.

Mr. ARENS. Does this spirit of Camp David that you alluded to a moment ago prevail in the Communist propaganda which they are beaming into other countries of the world?

Mr. FISHMAN. No. It is directed and concentrated specifically to material which comes here from the Soviet Union into the United States.

Mr. ARENS. Do you have an estimate as to the dollar expenditures by the Communists—a rough estimate—in the one single drive which they are beaming in literature of this kind which is being quarter-backed or controlled by the Communists out of San Juan, Puerto Rico, into the Latin American countries?

Mr. FISHMAN. No. We had to depend pretty much on information which is supplied by the U.S. Information Service.

Mr. ARENS. What is the nature of that information, in summary form, as to the dollar expenditures? It has to be rough because we are translating rubles into dollars.

Mr. FISHMAN. I seem to recall that they talked about \$10 million being expended in one specific program.

Mr. ARENS. Just one program out of Mexico?

Mr. FISHMAN. That is correct.

Mr. ARENS. Do they have similar programs in every nook and corner of the globe?

Mr. FISHMAN. Yes.

Mr. ARENS. Does the line of the Communists vary in accordance with their particular objective in a specific area of the world?

Mr. FISHMAN. There isn't any doubt about that. Right now, for example, there is a great deal of cooperation being exhibited between the Soviets and Cuba, and jointly prepared anti-American propaganda is being disseminated.

Mr. ARENS. We have so much material we want to cover in the course of our relatively brief stay here that I would like to ask you just a question or two respecting the redefection program from Red China and respecting the pressures which the examination by the Customs Service indicates are presently being exercised by the Communists in Red China against American citizens of Chinese extraction here in the United States.

Would you kindly give us a brief summary comment on that? Then we would like to hear from your two colleagues.

Mr. FISHMAN. There is no question but that a great deal of effort is being made to concentrate on overseas Chinese. We have observed from the material which reaches here in San Francisco that every effort is made to explain to overseas Chinese the advantages of a return to the homeland, for example.

This program, this redefection program, is not new to us. It has been in existence from the Soviet-bloc countries for many years. As I mentioned before, the information which we had given, the statistical information, did not include the redefection program.

Mr. ARENS. Which comes through the first-class mail?

Mr. FISHMAN. That is right. We estimated that, in a given year, a million and a half first-class letters are sent to people who have their origins in foreign countries, pointing out the advantages of redefection and also playing on their sentiments and their attachment for their homeland.

Mr. ARENS. Is there a solicitation of funds?

Mr. FISHMAN. We have some evidence to that effect; but as I mentioned before a good deal of this information, in order to be verified, would have to be taken from first-class mail. We have no access to first-class mail and our only basis for examining a piece of first-class mail would be on the ground that we suspected that it contained a prohibited article.

In such a case, under the law and under the joint regulations between the Post Office and the Treasury Departments, we would have to go to the addressee and get his written permission to open the mail. We have done that in many cases in connection with redefection material.

The committee may be interested in knowing that many of the answers we have received are to the effect that we should keep the mail from the addressees. They want no part of any of this mail. Most of the recipients seem to be afraid that this is an effort to contact them for one purpose or another.

They have, to a great extent, indicated to us that in leaving their homes and countries they had escaped control. But now here they are being followed. I have one or two of these letters to which I would like to make reference.

Here is a letter from one individual in which he says:

Please do not allow anything from Communist countries to be sent on to me.

Here is a letter authorizing us to open an envelope and saying:

I do not know what it is all about, and don't give my address to the sender under any circumstances.

Mr. WILLIS. Those letters are addressed to you as an American official?

Mr. FISHMAN. That is right, addressed to us in response to our request for permission to open the package.

Here is a letter, "I am an Estonian and I hate communism and fear Communists. When we lived in New York I dropped out of the Estonian group because there were Communist spies in it. This piece of mail from East Germany I presume is an effort to maintain contact and I do not want it. Please destroy it immediately," and so on.

We have dozens of other letters. One reads:

If this package contains any Communist papers or other matters, just dump it in the trash or transmit it to the FBI. Don't send me anything.

In other words, many of these people are just scared to death every time they hear from these areas.

Mr. ARENS. Mr. Fishman, this committee has had under consideration and has made recommendations, from time to time, to the House of Representatives and to the administrative agencies respecting proposals which the committee had in mind for attempting to label—as the law requires—the Communist propaganda which is sent in here. Of course, we know the Communists and the Communist dupes and the suckers say we are trying to engage in censorship.

I would like to ask you if it would help you in your attempts to control this flood of Communist propaganda if the law provided that the labeling take place prior to the actual physical reception of this material on American soil?

Mr. FISHMAN. The agency I represent, of course, has an official viewpoint, and so have many of the other administrative agencies. Personally, and from my own experience with this work, I believe an amendment to the Foreign Agents Registration Act in two respects would be of great help. One, of course, would be in connection with this general work. We operate very much on the basis of an opinion of the Attorney General given in 1940, which has been criticized by lawyers' groups, and perhaps to some degree justly.

The Foreign Agents Registration Act does not, at the present time, appear to provide that this material be properly labeled at the time of importation, a requirement which attached to many other classes of merchandise such as you mentioned, food and drugs and products from foreign countries and so on.

These products require compliance with existing law at the time of importation and not after the material reaches the United States. Presently a foreign agent, for example, may import tons of this material and the requirement that he label it properly doesn't attach until he disseminates it in the United States. We think it would be of immeasurable help to the administrative agencies if this requirement attached at the time of importation.

I think another angle that should be explored, and perhaps amendments to the law made, would deal with the issue of how to control Communist propaganda materials coming from friendly countries.

Mr. ARENS. We have virtually no surveillance over that?

Mr. FISHMAN. No. I think if it were not mandatory for us to establish an agency relationship between the sender and the foreign government, we would be in a position to control a good deal more of that type of material.

Mr. ARENS. Do you have any suggestions, Mr. Fishman, which you could make to the committee respecting any control devices on Communist propaganda which is being shipped in transit, say from Mexico up through Texas, via New Orleans, and on to the Spanish-speaking countries of the hemisphere?

Mr. FISHMAN. That would require a review of the International Postal Union Agreement.

Mr. ARENS. Is this transshipment of Communist propaganda in transit in considerable quantity?

Mr. FISHMAN. It is in very large quantities. The issue before the administrative agencies and the enforcement agencies is the permission granted in the International Postal Union Agreement, which contemplates that member nations carry closed mails through their countries.

Much of this propaganda we speak of is in closed mails. We have no access to it and we have no way of doing anything about it. So as I say, that agreement, to which the Soviet Union is a signatory, should be given some review by the Congress, perhaps with a view toward providing access to the closed mails, especially when we know it is prohibited matter. Of course, the other facet of the Foreign Agents Registration Act which may be of some help is that which

contemplates that on representation by a South American republic to this country, we could stop this in-transit flow.

These are both provisions of law which should be reviewed if we are to have any help.

Mr. ARENS. I should like, if it meets with the chairman's approval, to interrogate briefly Mr. Wong, who is Mr. Fishman's associate, on one facet of this problem.

Mr. WILLIS. Proceed.

Mr. ARENS. Mr. Wong, you have been sworn by the chairman on this record.

Mr. WONG. Yes, sir.

Mr. ARENS. Would you kindly move closer to the microphone? I am sure the committee cannot hear you, Mr. Wong.

Would you give us, please, sir, just a word of your own personal background?

Mr. WONG. I have been employed by the United States Customs Service for 4 years, and previous to that I was employed at the Immigration Service as an interpreter.

Mr. ARENS. For purposes of identification, you are of Chinese extraction?

Mr. WONG. That is right.

Mr. ARENS. And you read the Chinese language?

Mr. WONG. Yes, sir.

Mr. ARENS. I take it that part of your duty, if not all of your duty, is to maintain a look-out on the processing of the Red Chinese Communist propaganda which is being beamed via this port of entry; is that correct?

Mr. WONG. That is right.

Mr. ARENS. Mr. Wong, I would suggest in the interest of brevity that you proceed at your own pace to tell the committee the significant items of information which, in your judgment, ought to be on this public record.

Mr. WONG. I am assigned to the Restricted Merchandise Unit here in San Francisco as a reviewer of printed materials in the Chinese language. I have been asked to comment on the effect of the Chinese publications sent to the United States, intended for distribution among people of Chinese origin.

There has been a great deal of material, mostly anti-American, and a general discussion of many kinds and types imported would take a great deal of time. I would, however, like to mention one particular phase of this program.

This has to do with the effort made by the Communist line to explain to overseas Chinese that the Government of China affords excellent opportunity for overseas Chinese returning to China and that their problems can be made quite simple for both these returned Chinese and their families.

Mr. ARENS. Mr. Wong, do you live in San Francisco?

Mr. WONG. Yes, sir.

Mr. ARENS. What is the effect, if you are able to tell us, of the propaganda which is emanating from Red China, let us say on the first generation Americans of Chinese ancestry?

Mr. WONG. Well, the effect has been considerable. Most Chinese, prior to 1954, did not like the Government of China because of the

fact that they were blackmailed and the members of their families tortured. But since they feel by reading this propaganda that the present regime is interested in their welfare, that they don't have unemployment in China—they feel that China is very good.

I heard some Chinese remark "Who says the Government of China is no good?"

Mr. ARENS. The Chinese propaganda coming into the country, and I say this facetiously, of course, does not reveal the commune system which is in existence there, in which families are split up; it doesn't reveal the millions which have been destroyed, body and soul, by this awful regime in Red China, does it?

Mr. WONG. Well, not generally.

Mr. ARENS. Describe a commune, Mr. Wong?

Mr. WONG. A commune is an organization formed in a particular district or area of China in an attempt to maintain economic self-sufficiency, that is, people live together, work together, for the greater part of the day, and they have just barely enough to live by.

Mr. ARENS. Are they forced to do so, or is it a voluntary process?

Mr. WONG. Normally they are supposed to enroll according to their own will, but pressure is exerted against them for them to join.

Mr. ARENS. Mr. Wong, do you have any other comment you would like to make on this record before we proceed to other matters?

Mr. WONG. No.

Mr. ARENS. Does Mr. Fishman's other colleague, Mr. Louie, have any comment which he would like to make on this record?

Mr. LOUIE. I don't have any.

Mr. ARENS. Mr. Fishman, is there any other significant item of information that you would like to supply at this time?

Mr. FISHMAN. No; we have nothing to add to that which we have already submitted. We plan to prepare and draft for the committee a complete report on the results of our study.

Mr. ARENS. I have one area that I forgot to ask you about; namely, the extent to which the Communists are intensifying their drive to condition the minds of the youth of this country.

Mr. FISHMAN. That program has become an intense one, and absolutely no effort or expense has been spared in covering every college, university, and secondary school in the United States.

The volume of student material continues to increase and from what started out to be a mere handful of material now occupies a very significant part of all of the overall picture. There isn't a language which has been ignored. There are Soviet youth program materials in Chinese, Hungarian, every other language used in the Soviet-bloc countries as well as English.

Of course, as you probably may recall, there has been a concentration of effort and the expenditure of a great deal of money in arranging for student meetings in the various countries of the Soviet bloc.

Mr. ARENS. Of course, they masquerade under the guise of peace, friendship, and so on; is that correct?

Mr. FISHMAN. The front organizations are the International Union of Students and the World Federation of Democratic Youth. Both print their material and indicate the place of publication, varying from Hungary to Czechoslovakia, and so forth.

But there isn't any question, judging by the class of the material, the nature of it, and the low cost, that it is entirely subsidized. One can subscribe, for example, to a youth publication for \$1 a year.

Mr. ARENS. The Communist propaganda, the Communist technique, and the Communist line are to masquerade behind a facade of humanitarianism, is it not?

Mr. FISHMAN. That is true.

Mr. ARENS. You never see in the Communist propaganda a revelation of the conspiracy, do you?

Mr. FISHMAN. No.

Mr. ARENS. J. Edgar Hoover, in his book "Masters of Deceit"—I believe he quite pointedly used that title—said that the Communists use propaganda to condition the minds of people, masquerading behind a facade of that which would be appealing.

Mr. FISHMAN. That is a basic tenet of the program.

Mr. ARENS. I have just been advised by one of our staff members that there is a demonstration going on right around this building against this committee by people—

Mr. WILLIS. That will not be tolerated, that applause from the audience.

Mr. ARENS. —by people who have been enlisted by the Communists in response to the propaganda which they have received respecting this committee. Is that the technique which you see revealed in the propaganda which you have displayed to this committee today?

Mr. FISHMAN. There have been considerable and ample evidences of that.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. I have one or two questions.

Mr. Fishman, how long did you say you have been connected with the Federal Government?

Mr. FISHMAN. Over 32 years.

Mr. WILLIS. How long have you been engaged in watching over the operation and administration of the Foreign Agents Registration law?

Mr. FISHMAN. Approximately 10 years.

Mr. WILLIS. I suppose you have sampled, or supervised the sampling of, considerable propaganda material, certainly running into the millions; is that right?

Mr. FISHMAN. That is right.

Mr. WILLIS. That is, propaganda material which you have talked about. Is that correct?

Mr. FISHMAN. That is correct.

Mr. WILLIS. You did open several magazines which you took out of the sack, and I see you have considerably more spread out on the table before you. Did I understand you to say that the magazines that you sampled this morning did not contain advertising?

Mr. FISHMAN. None of these on the table here today contains any advertising, other than indicating how to subscribe for the particular material.

Mr. WILLIS. Has that been the pattern that you found and saw over the years under your experience?

Mr. FISHMAN. I don't recall in all of my experience ever seeing a publication of any type from the Soviet-bloc countries or from China which contained any advertising at all.

Mr. WILLIS. Do I understand, then, that these publications are not really self-supporting, but are purely propaganda material?

Mr. FISHMAN. That is obvious. As a matter of fact to indicate to you that no facet of this program has been ignored, there are a great many scientific and educational books and magazines sent to the United State and sold in bookshops which are connected in some way with the Communist movement.

These highly technical books retail for prices which make it obvious that they could not possibly cover the cost of production.

Mr. WILLIS. From your testimony, I gather that the present law that you have been engaged in trying to enforce is wholly deficient in this sense; that it is not workable; is that right?

Mr. FISHMAN. It doesn't provide the legal basis we think we should have in order to function properly and adequately.

Mr. WILLIS. You certainly have given us evidence to indicate that should be the subject of serious consideration in the shape of amendatory legislation.

Mr. FISHMAN. Thank you.

Mr. WILLIS. Mr. Johansen?

Mr. JOHANSEN. I have one question, Mr. Fishman. One matter I would like to pursue just a little further.

You have some examples and made some references to first-class mail, the recipients of which, in returning it, indicated a great concern that they not receive further mail of that type or that their forwarding addresses not be given to the senders of the mail; is that correct?

Mr. FISHMAN. That is correct.

Mr. JOHANSEN. You spoke of what seemed to me to indicate a fear of this mail on the part of the recipients. Could you elaborate a little as to the nature of it? Is it fear of continued involvement with Communists abroad? Is it fear of efforts to control or utilize these persons now in the United States? Is it fear of blackmail, extortion? Is it fear of what might happen to their relatives in the Iron Curtain countries?

Mr. FISHMAN. All of those are no doubt true. The addresses are obtained by the propaganda machine through the medium of organization listings. For example, there is one organization, the Polish-American Congress, which has some 50,000 members.

By obtaining the roster you have 50,000 people that can be written to from Poland, or from any other Soviet country. The people who receive this material, or who are advised of its presence here, have probably reached a point in their lives in the United States where they feel no attachment to any organization or any government other than the United States.

All of a sudden they receive a letter which asks them to do a number of things, to give information, for example, or comment on life in the United States, and so on, and each one of these people, without knowledge of the other having been contacted, feels that he has been singled out as a contact point.

Mr. JOHANSEN. In other words, it is a genuine fear of dangers they envision from these Communist countries?

Mr. FISHMAN. That is right.

Mr. JOHANSEN. It is not a fear that the FBI or the Un-American Activities Committee will hound them because they received this mail, is it?

Mr. FISHMAN. No. On the contrary, I think publicity as is given to this redefection program by a hearing such as this and by observations made by the House Committee on Un-American Activities in the past, has allayed many of these fears. People realize this is part of one great Communist program and it is not just something directed to the individual.

Mr. JOHANSEN. In view of some of the allegations of the terror tactics of this committee, I wanted the record to be very clear as to what quarter they directed their fears.

Mr. ARENS. Mr. Chairman, I believe Mr. Wong has an additional comment he wanted to make, if you please.

Mr. WONG. Sir, a little while ago you asked me if the Chinese here in the United States know of the communes. What I was saying is that they don't actually know the inner organization of the communes, but they have heard of the communes.

The Communist Government is very subtle in hiding what they actually have to do in a commune. All the Chinese Government tells them is that in a commune system they live very well and have nurseries taking care of their children and that their wives are free for work, for construction, and that they are living in government quarters, eating in communal mess halls, and they have no worries.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of these three witnesses.

Mr. WILLIS. Thank you very much, gentlemen.

The committee will take an informal recess of 5 minutes.

(A short recess was taken. Present at time of recess, Representatives Willis and Johansen.)

(At the expiration of the recess the following members of the subcommittee were present: Representatives Willis and Johansen.)

Mr. WILLIS. The subcommittee will please come to order.

I would like again to admonish all in this room to cooperate and not applaud either in disapproval or approval of anything that goes on. We are perfectly happy to have all of you.

I notice we have people standing in the aisles, which we do not usually permit, out of orderliness. I certainly do not want to do anything to alter that privilege of being our guests, but I must repeat that we cannot afford to have demonstrations.

Mr. ARCHIE BROWN (from the audience). Well, why did you send cards only to your friends? Why didn't you send cards to our friends? Why didn't I get some cards to send to my friends here? There isn't a Negro person in this hall. There are only white people. How come you didn't give me cards to give to my friends?

Mr. WILLIS. Will you escort the gentleman out of the room please?

Mr. BROWN. Are you going to enforce my subpoena? Are you going to cooperate with me?

Mr. WILLIS. One more demonstration and we will have to clear the aisles.

Mr. Counsel, please proceed.

Mr. ARENS. The next witness, if you please, will be Mr. William Wheeler.

Please come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand. Do you solemnly swear that the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WHEELER. I do.

TESTIMONY OF WILLIAM A. WHEELER

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. WHEELER. William A. Wheeler, Los Angeles, Calif.; investigator for the House Committee on Un-American Activities.

Mr. ARENS. Mr. Wheeler, how long have you been engaged as an investigator by the House Committee on Un-American Activities?

Mr. WHEELER. Eleven years.

Mr. ARENS. Give us, if you please, sir, just a thumbnail sketch of your employment prior to the time that you became an investigator for the Committee on Un-American Activities.

Mr. WHEELER. A Deputy United States Marshal, Los Angeles, Calif.; United States Secret Service, Los Angeles and Washington, D.C.; United States Military Intelligence, both service in the United States and overseas; back to the United States Secret Service; and with the committee since August 1948.

Mr. ARENS. Mr. Chairman, I wonder if we could have a little more order. It is very difficult for me to hear the witness, and I am sure it is difficult for him to hear me with the hubbub here.

Mr. WILLIS. We cannot hear the witness up here. We must have order. I regret to say that if there will be any more demonstrations I will have to clear the aisles. You must agree to be quiet.

Mr. ARENS. Mr. Wheeler, did you, in the course of the recent past, from confidential sources of unimpeachable integrity, procure certain documents?

Mr. WHEELER. Yes, sir.

Mr. ARENS. Do these documents relate to the proceedings of the 17th National Convention of that conspiratorial organization on American soil which masquerades behind the facade of the Communist Party?

Mr. WHEELER. Yes, sir.

Mr. ARENS. Did you, in addition, procure as an investigator of this committee, from confidential sources of unimpeachable integrity and reliability, the list of the delegates to the [17th] National Convention of the Communist Party who were delegates from the State of California?

Mr. WHEELER. Delegates from the Communist Party, Northern District of California.

Mr. ARENS. That is what I meant to say. I beg your pardon. With that correction, did you likewise procure that information?

Mr. WHEELER. I did, sir.

Mr. ARENS. Was the source of your information an intelligence source of unimpeachable reliability and integrity?

Mr. WHEELER. I consider it as such, sir; yes, sir.

Mr. ARENS. Is it a source concerning which we cannot make a revelation on a public record because of security reasons?

Mr. WHEELER. Yes, sir. The source should not be identified in public session.

Mr. ARENS. Are you satisfied, on the basis of your integrity, upon your investigative techniques, that the documents which you have procured from this source are bona fide in every respect?

Mr. WHEELER. Yes, sir.

Mr. ARENS. Would you kindly, without characterizing the contents of the documents at this time, identify those documents so that they may be properly identified and incorporated in our record?

Mr. WHEELER. I will initial the documents.

Mr. ARENS. I prefer, if you please, that you mark them Exhibit 1, 2, 3, 4, and so forth. Exhibit No. 1 would be what document, Mr. Wheeler?

Mr. WHEELER. Exhibit No. 1 is "Let Us Set Our Sights to the Future," which is a keynote address by Gus Hall at the 17th National Convention, CP, USA.

Mr. ARENS. Mr. Chairman, I respectfully suggest, if it meets with the approval of the chairman, that each of these documents, as Mr. Wheeler identifies them, be appropriately marked and incorporated in an appendix to this record.¹

Mr. WILLIS. Let them be so marked and so incorporated.

(Document marked "Committee Exhibit No. 1," see App. p. 2205.)

Mr. ARENS. Now, will you proceed with your identification of the documents?

Mr. WHEELER. Document No. 2 is entitled "Introduction." Do you want me to explain what it is?

Mr. ARENS. Just the general subject matter. We expect to pursue the contents of the document and the interpretation of the document by the testimony of succeeding witnesses.

Mr. WHEELER. It was a proposed introduction to resolutions passed by the 17th National Convention of the Communist Party in New York City. By the way, it was held December 10-13, 1959.

This introduction to the resolution and Gus Hall's speech are very much the same. This introduction to the resolution makes an assessment of the situation that Khrushchev's visit, the search for release of world tensions through the summit meeting, creates an opportunity for the Communist Party in this country to make a big leap forward.

(Document marked "Committee Exhibit No. 2," see App. p. 2212.)

Mr. WHEELER. The next document is entitled "General Principles." It sets forth a proposed statement of the general principles of the Communist Party of the United States.

(Document marked "Committee Exhibit No. 3," see App. p. 2216.)

Mr. WHEELER. No. 4 is entitled "Peaceful Co-Existence."

(Document marked "Committee Exhibit No. 4," see App. p. 2219.)

Mr. WHEELER. The next document is "Competition Between the Two Systems."

¹ The Communist documents designated as Committee Exhibits 1 through 27 and Exhibit 29 in the Appendix were in packets passed out to all delegates to the Communist Party's 17th National Convention in New York City, December 10-13, 1959. Although many are self-explanatory, it should be made clear that Exhibits 2-23 consist of policy statements proposed for adoption by the convention. A comparison with resolutions finally adopted and subsequently publicly released shows that some of the proposed policy statements were substantially revised while others were subject only to minor changes in language.

(Document marked "Committee Exhibit No. 5," see App. p. 2222.)

Mr. WHEELER. Number 6 is entitled "The Current Struggle and the Socialist Aim."

(Document marked "Committee Exhibit No. 6," see App. p. 2224.)

Mr. WHEELER. Number 7 is "Defense and Extension of Democracy."

(Document marked "Committee Exhibit No. 7," see App. p. 2228.)

Mr. WHEELER. Number 8 is "Curbing the Monopoly Power."

(Document marked "Committee Exhibit No. 8," see App. p. 2231.)

Mr. WHEELER. Number 9 is "Class and Strategic Alliances."

(Document marked "Committee Exhibit No. 9," see App. p. 2240.)

Mr. WHEELER. Number 10 is "Independent Political Action."

(Document marked "Committee Exhibit No. 10," see App. p. 2243.)

Mr. WHEELER. Number 11 is "The Problem of Class Collaboration."

(Document marked "Committee Exhibit No. 11," see App. p. 2248.)

Mr. WHEELER. Number 12 is "The Communist Party."

(Document marked "Committee Exhibit No. 12," see App. p. 2252.)

Mr. WHEELER. Number 13 is "Draft Declaration of Aims and Tasks."

(Document marked "Committee Exhibit No. 13," see App. p. 2256.)

Mr. WHEELER. Number 14 is a proposed "Resolution on Cuba."

(Document marked "Committee Exhibit No. 14," see App. p. 2264.)

Mr. WHEELER. Number 15 is entitled "The Worker," which is the Communist publication in New York City.

(Document marked "Committee Exhibit No. 15," see App. p. 2266.)

Mr. WHEELER. Number 16 is a "Farm Resolution."

(Document marked "Committee Exhibit No. 16," see App. p. 2268.)

Mr. WHEELER. Number 17 is a proposed "Resolution on the Work and Status of Women."

(Document marked "Committee Exhibit No. 17," see App. p. 2270.)

Mr. WHEELER. Number 18 is a suggested "Resolution on the Youth Question."

(Document marked "Committee Exhibit No. 18," see App. p. 2272.)

Mr. WHEELER. Number 19 is headed "17th Convention Resolution on the Negro Question in the United States."

(Document marked "Committee Exhibit No. 19," see App. p. 2276.)

Mr. WHEELER. Number 20 is a proposed "Resolution on the 1960 Elections."

(Document marked "Committee Exhibit No. 20," see App. p. 2286.)

Mr. WHEELER. Number 21 is "Draft Resolution on Trade Union Problems."

(Document marked "Committee Exhibit No. 21," see App. p. 2290.)

Mr. WHEELER. Number 22 is a proposal for a "Resolution on Puerto Rican Work in the United States."

(Document marked "Committee Exhibit No. 22," see App. p. 2300.)

Mr. WHEELER. Number 23 is "Draft Resolution on Party Organization."

(Document marked "Committee Exhibit No. 23," see App. p. 2302.)

Mr. WHEELER. Number 24 is "Disarmament and the American Economy." This is a report of Hyman Lumer, National Education Director of the Communist Party, USA, to the 17th National Convention.

(Document marked "Committee Exhibit No. 24," see App. p. 2308.)

Mr. WHEELER. Number 25 is "Preconvention Discussion," which outlines, more or less, what the draft resolutions are going to be, and which the Communist Party convention would follow.

(Document marked "Committee Exhibit No. 25," see App. p. 2316.)

Mr. WHEELER. Number 26 is the "Report of Constitution Committee, Proposed Changes to Party Constitution."

(Document marked "Committee Exhibit No. 26," see App. p. 2335.)

Mr. WHEELER. Number 27 is "Some Comments on the Draft Resolution, By Pettis Perry."

(Document marked "Committee Exhibit No. 27," see App. p. 2338.)

Mr. WHEELER. Number 28 is a document entitled "For the Information of the Party."

(Document marked "Committee Exhibit No. 28," see App. p. 2350.)

Mr. WHEELER. Number 29 is a reprint of some publication entitled, "On the Jewish Question," by A. Waterman.

(Document marked "Committee Exhibit No. 29," see App. p. 2379.)

Mr. ARENS. Do you likewise have, Mr. Wheeler, the list of the delegates to the 17th [National] Convention of the Communist Party who were delegates from the Northern District of the Communist Party of California?

Mr. WHEELER. I do, sir. They are not in the form of a document. They are in the form of a report based on our intelligence sources.

Mr. ARENS. Are those intelligence sources of unimpeachable reliability and integrity?

Mr. WHEELER. Yes, sir.

Mr. ARENS. I suggest you mark that document and I respectfully suggest, Mr. Chairman, that it likewise be incorporated in the Appendix to this record.

Mr. WILLIS. It shall be so incorporated.

(Document marked "Committee Exhibit No. 30," see App. p. 2383.)

Mr. ARENS. Does that complete the listing of the documents?

Mr. WHEELER. No, sir. There is one additional document. It is the members of the National Committee, CPUSA, which is a list of the 25 delegates-at-large of the Communist Party, USA, and the various members of the National Committee from the various Communist districts throughout the United States.

Mr. ARENS. That has been procured by you in the course of your official duties as an investigator of this committee from sources, intelligence sources, of unimpeachable reliability and integrity; is that correct?

Mr. WHEELER. That is correct.

(Document marked "Committee Exhibit No. 31," see App. p. 2384.)

Mr. ARENS. Mr. Chairman, does the record reflect the chairman's order that these documents be incorporated in the Appendix to this record?

Mr. WILLIS. Yes, I did, but in passing from one to another, if I did not make it plain, all the documents identified by this witness will be properly marked and made a part of the Appendix to the record.

Mr. ARENS. That will conclude the interrogation of this witness, Mr. Chairman, if you please.

The next witness, if you please, Mr. Chairman, will be Mrs. Barbara Hartle.

Please come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. HARTLE. I do.

Mr. WILLIS. Proceed, Mr. Counsel.

TESTIMONY OF BARBARA HARTLE

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. HARTLE. I am Mrs. Barbara Hartle. I live at Evans, Wash., and I am a poultry raiser by occupation.

Mr. ARENS. Mrs. Hartle, have you ever been a member of the Communist Party?

Mrs. HARTLE. Yes.

Mr. ARENS. Would you kindly, in very succinct form, give us the highlights of your career in the Communist Party?

Mrs. HARTLE. In the latter part of 1933 or early 1934, that winter, I joined the Communist Party, and I was a member of it until I broke with the Communist Party in the spring of 1953.

During that time I was active in very many of the activities of the party, and during the latter eight years was a district official of the Northwest District of the Communist Party, with headquarters in Seattle.

I was a member of the Northwest District Committee, the Northwest District Board, the organizational secretary of the district for a time, for several years, and educational director of the district for several years.

For nine years, up until 1950, I was a paid, full-time functionary of the party. For two years I was a partly subsidized underground member of the Communist Party.

Mr. ARENS. Did you, subsequent to your break with the Communist Party, or in the process of breaking, I should say, make available to your Government information respecting this conspiratorial force on American soil?

Mrs. HARTLE. Yes; I did.

Mr. ARENS. Just in passing, before we proceed further, as soon as you broke from the Communist Party did you, like many others, receive the smears and innuendoes and character assassinations from members of this conspiratorial force and from the suckers and dupes whom they are able to enlist in front of them?

Mrs. HARTLE. Yes.

Mr. ARENS. Mrs. Hartle, we have made available to you in the course of the last several weeks copies of these documents which have been identified by Mr. Wheeler in the course of the last several minutes on this record, have we not?

Mrs. HARTLE. Yes.

Mr. ARENS. Based upon your background and experience as a member of the Communist Party in the high echelons of the party, and your familiarity with party semantics and party techniques, did you, at the request of this committee, make an extensive study of these documents

and of other security information respecting the activities and program of the Communist Party of the United States?

Mrs. HARTLE. Yes, I did.

Mr. ARENS. Before we proceed further in the specifics, I should like to ask you, were you arrested as a one-time hard-core member of the Communist Party under the Smith Act?

Mrs. HARTLE. Yes.

Mr. ARENS. Were you actually sentenced under the Smith Act as a hard-core conspirator of the party itself?

Mrs. HARTLE. Yes.

Mr. ARENS. You have, have you not, broken irrevocably from this conspiratorial force?

Mrs. HARTLE. That I certainly have.

Mr. ARENS. You have found your way back to God and patriotism; is that correct?

Mrs. HARTLE. Yes.

Mr. ARENS. Mrs. Hartle, before we proceed further, may I ask you a general characterization, based upon your study of these documents which have been made available to you, how serious now, this instant, is the Communist operation on American soil?

Mrs. HARTLE. The Communist operation in this country at the present time, in my opinion, based on studying this material and other material—the Communist movement is carrying on very serious activity, is very enthusiastic about the gains that it can make, and based on the contacts which it is able to make again, and the dupes that it is able to recruit as members, is indeed, a rising menace and peril to our country.

Mr. ARENS. How does the menace, the strength and the force of the Communist conspiracy on American soil, compare now, say, with the past 10 or 15 years?

Mrs. HARTLE. It is a greater menace now than at any time in that last period.

Mr. ARENS. I would like to clarify the record on that point, if you please. So many dupes of the Communists and uninformed say that we have relatively little to fear from the Communist Party as a formal entity, and they use the illustration of the glass of water. They say, "Let this glass of water, which I now have in my hand, represent the 180 million people in the United States."

Then they say, "Drop into that glass of water a few drops of red ink representing the Communists in the Communist Party. All you see is a slight discoloration. Therefore, on a percentage basis, proportionately, there is little to fear from this operation."

Mrs. Hartle, based upon your experience in the conspiracy, and upon your study of the operation, what is your appraisal of this analogy? Is it fallacious or is it valid?

Mrs. HARTLE. It is a highly fallacious argument because it apparently is made by persons who have no idea of the nature of the organization that calls itself the Communist Party.

It is a very closely knit, highly organized, highly disciplined group that works more like an Army than it does like a political party.

Mr. ARENS. Is the formal entity, known as the Communist Party, all of the Communist operations on American soil, or is it only a part of the total Communist operation on American soil?

Mrs. HARTLE. The Communist Party, as such, is only one facet, one organization, one form of activity of the Communist conspiracy.

Mr. ARENS. Are there any Communists under Communist discipline doing the work of the Communist conspiracy, consciously doing it, who do not have formal membership in the sense that you and I might have a membership in a church or in a club?

Mrs. HARTLE. Yes. There is a large group of Communist followers or associates who do not have and maintain formal membership, the paying of dues or attending the various regular meetings, or even carrying out all of the regular discipline that pertains to all the activities. But they are persons who do follow the discipline of the Communist Party insofar as their activities are concerned and their field of work is concerned, and they are responsive to the party.

Mr. ARENS. I have been engaged in this work with congressional committees, developing information on the Communist operation, for 14 years. I am constantly amazed, at the extent to which a relatively few trained, dedicated, hard-core conspirators, masquerading behind the facade of humanitarianism, can suck in and use and condition non-Communists.

Can you give us from your own experience in the conspiracy the techniques which are used by the few Communists, to condition non-Communists to do their dirty work?

Mrs. HARTLE. Yes, I can, because that really is the central work of the Communist Party. Building its own organization, recruiting members into the Communist Party and keeping it going is not for itself alone.

The Communist Party, itself, says that; that the Communist Party is a vanguard organization, it is a leadership organization. It is the hub of the wheel that turns all the other organizations that it is connected with through its members.

The Communist Party told me when I first joined that a member in the Communist Party would not be a good member or an effective one unless he had at least 100 people who would follow him on one issue or another, and that a really good Communist is capable of leading and influencing thousands of persons.

This is done through members of the Communist Party being in trade unions—

Mr. ARENS. Does the party instruct its comrades to make known to the non-Communists, whom they expect to condition and to use, that they are Communists?

Mrs. HARTLE. No. That is part—that is a very important part of the united front technique. It goes this way: We will work for Negro rights, or we will work for youth needs and, therefore, we will try and interest youth or Negro people, and other persons interested in that issue, to go along on some question.

It is understood in united front work that you can't come out and say you are a Communist, because that would be work of the Communist Party in its own name.

Mr. ARENS. That brings us to a difficult problem that this committee is constantly confronted with, and I would like to ask your reaction to it.

When this committee pursues a Communist, say, a schoolteacher, the comrades and those suckers in front of the comrades and those who

they have duped say we are investigating education. When this committee pursues a hard-core Communist in a labor organization, the comrades and the suckers and those they can condition in front of the suckers, put up the cry that we are investigating labor.

When this committee pursues a Communist conspirator in any area of our society, the comrades, those in front of the comrades and the suckers in front of those, start the same cry, and they are successful in conditioning the minds of a great number of people.

Based upon your experience, Mrs. Hartle, as a hard-core conspirator yourself, at one time in the Communist Party, tell us how that process is evolved by the comrades.

Mrs. HARTLE. In the course of united front work, the Communist Party teaches its members how to combat what it calls red-baiting, and it teaches the Communist Party members the technique of how to get across to broader masses of people, non-Communists, that pursuing Communists in an organization is not really for the purpose of getting the Communists, but it is for the purpose of smashing that organization or that aim. They say that that is red-baiting that organization.

Communists say that the committee, for example, is trying to smash the schools, not the Communists in the schools, or it is trying to smash the unions, not the Communists in the unions.

Mr. ARENS. Do they explain in any of the sessions of the comrades, and I say this facetiously, that this committee is after Communists, after conspirators, and that is our sole and exclusive function? Do they make that clear?

Mrs. HARTLE. No, they don't make that clear even in the Communist Party, because even there they continue to carry on the line that the efforts of this committee will hurt the other fields more than the Communist Party, although I must say that in the higher echelons of the Communist Party the masks are taken off and assignments are made and forces are assigned, and finances are turned over, and a program is laid out, to stop such a committee as this; whereas, across the street, maybe another committee is doing a lot of harm to some other field of something, or apparently doing a lot of harm, and they don't even know about it, much less do anything.

Mr. ARENS. I would like to ask you to comment on what those, who have watched this conspiracy work in all segments of our society over the course of many years, call Communist semantics.

Can you tell us, first of all, what is meant by "semantics"? Secondly, how this is used in the propagation of the conspiratorial force on American soil, that every expert says is weakening our society with greater speed every day, causing this society to have the impact of the world conspiracy with no less than our freedom and our lives at stake?

Would you kindly give us your observation on Communist semantics?

Mrs. HARTLE. Well, the most ordinary word that I can think of for semantics is just weasel-wording or just playing around with words that apparently mean one thing when they mean another, or mean one thing to one person and something else to somebody else.

Mr. ARENS. Let's take the term "peaceful coexistence." Based upon your background and experience and study of the world Communist movement, can the Communists, if they remain Communists,

be adherents to peaceful coexistence as we in the free world interpret that term?

Mrs. HARTLE. No, they couldn't possibly, because they are dedicated to achieving world communism.

Mr. ARENS. If Khrushchev and his international Communist apparatus, of which the operation on American soil is one facet, in truth and in fact wanted peaceful coexistence as we interpret that term, Khrushchev and the international Communist apparatus would, by that fact, cease to be Communists, wouldn't they?

Mrs. HARTLE. Yes; they would cease to be Communists. They would have to repudiate Marx, Engels, and Lenin.

Mr. ARENS. Mrs. Hartle, may I ask you to proceed at your own pace to tell us the processes by which the Communists use and enlist non-Communists for their specific objectives in procuring petitions, in participating in Communist fronts, in participating in demonstrations, in creating youth groups, masquerading behind an appealing facade and the like? Would you proceed at your own pace to tell us about that?

Mrs. HARTLE. Well, the Communist Party starts by saying that this is the united front tactic; it says that we must all master the united front tactic. It says it is a tactic.

The way the Communist Party operates the united front is to have Communists lead and influence non-Communists. A very simple example is to have a Communist Party member have a petition which says, "I would like to see that there will be no more atomic bomb explosions," such as the Stockholm Peace Appeal was at one time.

That member takes it out to his church, his PTA, or his neighborhood, or to friends and relatives, and says "Don't you think this is a splendid idea, that there will be no more atomic explosions? We will call upon our government not to have any more atomic explosions of any kind."

The person will probably say "Yes." They know them and halfway trust them and don't pay much attention to it, so they sign it. Sometimes they don't even look at it. Sometimes they get the same persons two or three times. I think the committee might look those petitions over sometimes. The same person will sign them more than once, if you happen to check into them.

Then that petition is sent in. Then later on an organization is formed and these people are contacted to be in the organization. It goes on that it is a peace organization. Then all of a sudden along comes the House Un-American Activities Committee and says, "Well, there is a Communist in this organization," and the Communists say, "Look, they are trying to wreck our peace organization."

So these people get mad because they are trying to wreck the peace organization, and that is the way they get the dupes in—in just the simplest way or form.

Mr. ARENS. The Communists or the Communist fronts profess to be those who are strong adherents to constitutional safeguards and the like, and they have been successful, I regret to say from my study of the operation, in convincing vast number of Americans, many of whom are sincere, that this committee is out to destroy the Constitution.

Can you tell us the techniques by which they are able to accomplish that result?

Mrs. HARTLE. Well, the techniques that they use are—they appeal to the right of free speech, assembly, press, all of our traditional democratic freedoms that we love and cherish in this country. When the House committee or similar bodies object to Communists organizing and using these democratic liberties for the purpose of destroying them, they point the finger and say, “You are trying to destroy the liberties.”

Mr. ARENS. May I inquire on one other point, and then I want to get into these documents with you, Mrs. Hartle.

When we subpoena a Communist, a hard-core, identified conspirator before us to interrogate him, the hue and cry goes up that we are undertaking to suppress his political beliefs, his political opinions, that we are involved in thought control and the like.

Based upon your background and experience, is a Communist a person who is an adherent to a political philosophy as such, or is he a part of a world conspiratorial apparatus?

Mrs. HARTLE. He is a part of a world conspiratorial apparatus.

Mr. ARENS. Is the Communist Party a political party or is it a tentacle of the world conspiracy?

Mrs. HARTLE. It is an arm of the world Communist conspiracy. It is not a political party in the sense that we or other countries have a political party.

Mr. ARENS. I want to explore one other area with you, and that is this: We occasionally have this experience Mrs. Hartle. We will subpoena a person who has been identified to us by competent intelligence sources as a member of the conspiracy, engaged in conspiratorial operations on American soil. In the course of the interrogation, we will say, “Are you now a member of the Communist Party?” (referring to the moment of appearance) and with great indignation he says, “No.” Then we say, “Were you a member of the Communist Party any time since the subpoena was served upon you?” and he invokes constitutional guarantees.

Is there a technique by the conspirators to resign technical membership even in the formal entity known as the Communist Party in order to avoid the impact of the work of this congressional committee?

Mrs. HARTLE. Yes; there is the technique of formally resigning which, according to the Communist Party, allows the member then to proceed as though he were not a member, just for the purposes of that committee.

My own experience has been with some who formally resigned from the Communist Party under the Taft-Hartley Act, and who I then was put in charge of to collect their dues and organize them and activate them and give them their leadership for what they should do in the trade union movement.

So far from ceasing to be members, they were even better organized. My district organizer at that time warned me to be sure in organizing these people that they don't take their resignations seriously.

Mr. ARENS. Is the objective of the Communist operation on American soil now to convert you, me, and everybody here, ideologically, to communism as an ideology and philosophy, or is the objective of the Communist operation, conquest?

Mrs. HARTLE. The objective is the conquest of power. The Communist Party says that we wouldn't have socialism in 10,000 years if

you pursued the educational method, that force is absolutely necessary—and it is right in these documents, again—the conquest of power.

Mr. ARENS. In Soviet Russia right now, only three percent are members of the Communist Party; isn't that correct?

Mrs. HARTLE. Yes.

Mr. ARENS. In the satellites, less than one percent are members of the Communist Party; isn't that correct?

Mrs. HARTLE. Right.

Mr. ARENS. In Red China, where they have killed off an estimated 20 million people, only a few thousand are the hard-core Communists; isn't that correct?

Mrs. HARTLE. Yes.

Mr. ARENS. Mrs. Hartle, would you direct your attention, please, to Committee Exhibit No. 1, which Mr. Wheeler has identified, and a copy of which you have before you—the keynote speech by Gus Hall. (See App. p. 2205.)

Knowing Communist semantics, Communist techniques, and Communist objectives, give us your interpretation of the significance of that keynote speech by Gus Hall?

Mrs. HARTLE. Gus Hall, in this keynote speech given to the national convention, the 17th National Convention of the Communist Party, projects the idea that the Communist Party can be very enthusiastic about its prospects for the future; that the international situation is such that very great strides can be made by the Communist Party in this country, and that the national situation is also such as to really make it possible for the Communist Party to go ahead by leaps and bounds.

There is a paragraph in here that I would like to read, which shows that he does give that in his report. It is on page 3 of Exhibit 1:

The outstanding world phenomenon of today is the fact that the balance of strength is tipping decidedly in the direction of the socialist world.

Mr. ARENS. By "socialist world" in Communist semantics, he means Communist world?

Mrs. HARTLE. Communist; yes. That is a good example. It couldn't be called Communist world. Why it couldn't be called Communist world I will leave to someone else.

Mr. ARENS. Khrushchev himself even calls the Communist regime in Russia a Socialist regime.

Mrs. HARTLE. Yes. Apparently it is more popular.

Mr. ARENS. It is a little more acceptable to the ear because there have been so many revelations of the deceit and the murder connected with communism; is that correct?

Mrs. HARTLE. Yes.

Mr. ARENS. Proceed, please.

Mrs. HARTLE (reading):

This is a development of profound importance to every capitalist country, but its impact on the leading capitalist stronghold, the bastion of world capitalism, is a virtually explosive one.

Mr. ARENS. I would like to ask you about that term "capitalism." There are those who apparently do not understand the nature of this operation, who suggest that the issue in the world today is the issue between competing economic forces, namely, an economic system known as communism and an economic system known as capitalism.

Is that true, Mrs. Hartle, is that the issue with which we are confronted in the operation of the Communist movement?

Mrs. HARTLE. No; that is not the issue. The Communist movement is interested in the capture of power, a state power in any country.

Mr. ARENS. The Communists themselves foster the concept that we have only competing economic systems?

Mrs. HARTLE. Yes.

Mr. ARENS. And they try to obliterate from the mind of the free world the concept that they are a conspiratorial force out to destroy all free societies, irrespective of the economic system; isn't that correct?

Mrs. HARTLE. Yes; that is what they do. They talk about the conquest of power, the political conquest of political power, and then establishing what they call socialism or the economic system.

Mr. ARENS. Is there any significant difference in the objectives, in the discipline, in the operation of Communists on American soil and Communists who sent the tanks into Budapest to mow down the freedom fighters?

Mrs. HARTLE. No; the same general principles of Marxism-Leninism guide those activities.

Mr. ARENS. Is there any significant difference between the objectives, the techniques, the operation of the Communists on American soil and the Communists who now hold in bondage the millions of people in the satellite countries of Eastern Europe?

Mrs. HARTLE. No.

Mr. ARENS. Is there any significant difference between the operation of the Communist program on American soil and the operation of the Communist program in Red China where they have destroyed millions upon millions of people in the ascendancy of this force?

Mrs. HARTLE. No; there is no difference.

Mr. ARENS. Do you have any other comment to make or interpretive remarks to put into the record respecting the keynote speech by Gus Hall?

Mrs. HARTLE. In the keynote speech by Gus Hall he details some of the reasons for this favorable climate. One of them I have read from the document, about the ascendancy of socialism, that is, communism, in the world.

One of the reasons that he assesses for this favorable climate, and this is emphasized, by the way, throughout these documents, is the effect of the recent visit of Khrushchev to this country, that his visit here has opened the way in many quarters, and has created a much better climate for the moving ahead of the Communist Party in building its organization and in penetrating its influence and membership into the organizations of labor and the people very broadly.

Mr. ARENS. May I ask in passing, while you were in the Communist Party, did you know Gus Hall?

Mrs. HARTLE. Yes; I did.

Mr. ARENS. Gus Hall, as head of the Communist Party, USA, like the other leaders, masquerades behind this facade of do-goodism and humanitarianism.

Do you have any information respecting Gus Hall which might enlighten us and the record respecting his true motivations?

Mrs. HARTLE. Well, Gus Hall is a long-time member of the Communist Party. I recall reading a document which explained that at

some time or another he swore that he would very willingly overthrow the Government of the United States by force and violence. That was back in the early 1930's, before any laws were passed.

So a Communist who states he opposes force and violence does not really mean that, but means something else. Gus Hall was known by me as a member of the Communist Party, a part of the Ohio Communist leadership and very anxious to capture the top leadership of the Communist Party. It is apparent to me now, with his making the keynote speech, that he has at last fulfilled his ambition.

Mr. ARENS. I would like to suggest, Mr. Chairman, that as we proceed in the course of our interrogations here in San Francisco, that after Mrs. Hartle has explained, on the basis of her background and experience, the significance of the Communist program in each of several fields, that we then let her defer further testimony for a period of time until we interrogate one or two witnesses whom we have reason to believe have information about the operation in that particular field.

In view of Mrs. Hartle's explanation here of the overall objectives and program of the Communist Party as announced by Gus Hall in his keynote speech at the national convention of the Communist Party, I respectfully suggest she be temporarily excused from the witness stand and that we then call another witness.

Mr. WILLIS. You are excused. Thank you very much. You are excused temporarily.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Archie Brown.

Mr. GEORGE R. ANDERSEN. I represent Archie Brown, Mr. Chairman. He was physically ejected from this room a few moments ago for exercising his right of petition. I suggest if you want him before the committee that you invite him to return.

Mr. WILLIS. He has been called.

Mr. ANDERSEN. Mr. Chairman, during this delay may I address the Chair?

Mr. WILLIS. Are you his attorney?

Mr. ANDERSEN. Yes; I am.

Mr. WILLIS. He has been called as a witness now.

Mr. ANDERSEN. This is a preliminary matter. I have in my hand a motion to disqualify this committee, and particularly—

Mr. WILLIS. The gentleman is not recognized for that purpose.

Will the witness please come forward?

Mr. ARENS. Mr. Marshal, will you please page the witness, Mr. Archie Brown to come forward?

Deputy Sheriff JOHN ORTELLE. I have, sir, and I have been informed that he has left the building.

Mr. WILLIS. Let the record show that the witness, whom I never heard of in my life, was in the room a while ago and offered some violent demonstration and he had to be temporarily ejected out of respect for orderly procedure. He is now being called and he is under subpoena. He should respond at this moment.

Counsel, do you suggest waiting?

Mr. ARENS. No, Mr. Chairman, I respectfully suggest we proceed. We will call him again this afternoon. If he does not appear this afternoon—his counsel is present and hears this statement—may I respectfully suggest, Mr. Chairman, that if he does not appear this

afternoon, this subcommittee consider a recommendation to the full committee to cite him for contempt.

Mr. ANDERSEN. As long as we are talking about the——

Mr. ARENS. Mr. Chairman, I respectfully suggest that Mrs. Barbara Hartle return to the stand for a brief interrogation on another item.

Mr. ANDERSEN. I have been refused the right——

Mr. WILLIS. The gentleman is not recognized.

Mr. ANDERSEN. That is a very easy way to cut off statements. I have what I think is an important matter to state to the chairman.

Mr. ARENS. Mrs. Hartle, would you return to the witness stand?

TESTIMONY OF BARBARA HARTLE—Resumed

Mr. ARENS. Mrs. Hartle, I expected, in view of your general dissertation respecting the Communist overall program, to interrogate Mr. Brown respecting activities in furtherance of that program here.

I should like to ask you now to direct your attention to the material before you, developed in the 17th National Convention of the Communist Party, held last December in New York City, respecting youth activities.

Would you kindly ferret out that document in the resolutions passed there, and give this committee the benefit of your background and experience in interpreting the significance of that resolution? (See Committee Exhibit No. 18, App. p. 2272.)

Mrs. HARTLE. The resolution on the youth question, first of all, points out the great importance that the Communist Party attaches to winning the youth to the party, and says that this is an extremely important question, that a great deal of attention and work must be put to it.

It says on the second page of the resolution, "Youth work shall be placed next to labor and the Negro people's movement as our major areas of mass work." The document further sets forth a program for youth, and parts of the program are:

1. Abolition of the draft—of compulsory military training and service, and of the ROTC.
2. Ending of all atomic testing.
3. Complete disarmament. All funds needed for the implementation of this whole program could easily come from a part of the present armaments expenditures.
4. Development of youth exchanges—students, workers, athletes, musicians, teachers, etc.—between the United States and the socialist countries.

And then it says that this should be incorporated into an American Youth Bill on a Federal basis, and also be put into state youth bills in the state legislatures of the various states.

Mr. ARENS. From your study of the resolution, is there an acceleration of the Communist attempts to condition the minds of the youth?

Mrs. HARTLE. Yes; there is. The study shows that the Communist Party is revitalizing and reworking all of its contacts in the colleges and universities and in high schools, too; that it is working to penetrate the various youth organizations, church, service and other organizations of youth that already exist, student organizations.

It further shows that the Communist Party hopes out of this to build a very large Communist youth organization out of which it can draw members into the Communist Party as it trains and develops them.

Mr. ARENS. Mr. Chairman, I respectfully suggest that Mrs. Hartle be temporarily excused, in view of her interpretation of the Communist drive among youth and the significance of that draft resolution, and another witness be called to testify.

Mrs. Hartle, please keep yourself available for further testimony with reference to other subject matters.

Douglas Wachter, please come forward.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WACHTER. I do.

TESTIMONY OF DOUGLAS WACHTER, ACCOMPANIED BY COUNSEL, GEORGE BRUNN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. WACHTER. My name is Douglas Wachter. I live at 1830 Derby Street, Berkeley, and I am a student at the University of California.

Mr. ARENS. You are appearing today, Mr. Wachter, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. WACHTER. Yes; I am.

Mr. ARENS. And you are represented by counsel?

Mr. WACHTER. Yes; I am.

Mr. ARENS. Counsel, kindly identify yourself on this record.

Mr. BRUNN. My name is George Brunn. My address is 41 Sutter Street. Mr. Chairman, I would request the privilege of rising to a point of personal privilege. Could I rise on a point of personal privilege?

Mr. WILLIS. No. You see, you are here as the gentleman's attorney to advise him of his rights. What we have to do is to develop the information by question and answer. You have a right to advise him. That is the procedure.

Mr. BRUNN. Very well.

Mr. ARENS. Mr. Wachter, please tell us where and when you were born.

(The witness conferred with his counsel.)

Mr. WACHTER. I was born on June 7, 1941, in Berkeley, Calif., at the Alta Bates Community Hospital.

Mr. ARENS. Would you kindly give us a word about your education?

Mr. WACHTER. I am now a student at the University of California. I am a sophomore there. My education has been in the main in Berkeley. I attended a grammar school in Albany.

Mr. ARENS. Mr. Wachter, since you were subpoenaed to appear before this committee, have you issued public statements as to why you were subpoenaed to appear before this committee?

(The witness conferred with his counsel.)

Mr. WACHTER. Yes; I have.

Mr. ARENS. I should like to read to you a press account and ask you if this is a true and correct statement by yourself. It appears in the Daily Californian, under date of May 4, 1960:

The 18-year-old University sophomore who has been subpoenaed by the House Un-American Activities Committee told the Daily Californian yesterday why he thought he had been called to appear at the May 10th hearing.

"I think the Committee wanted to subpoena someone on campus in order to tag Cal's political movement as unamerican. I don't know why they picked my name; people have been involved in actions similar to mine," he said.

Continuing the quotation:

"I think they pick people whose ideas are liberal, radical or in any way considered to be nonconformist," the student said. "I will not be intimidated by the subpoena; I am going to fight this committee's invasion of my political freedom in every way that I can."

Is that a true and correct reproduction of the public statement you issued respecting your appearance before this committee?

(The witness conferred with his counsel.)

Mr. WACHTER. I respectfully object to that question because it clearly violates my rights under the First Amendment to the Constitution of the United States of America.

(Document marked "Douglas Wachter Ex. No. 1," and retained in committee files.)

Mr. ARENS. Now Mr. Wachter, do you think there might have been some other reason why you are under subpoena to appear before this committee other than the reasons which you gave in this press statement; namely, that we are exploring into your liberal ideas and your political beliefs?

Is there something else you have been doing that you think might be of interest to this committee?

(The witness conferred with his counsel.)

Mr. WACHTER. I respectfully object to the question on the same grounds. Any question as to my political beliefs, associations, statements, deprives me of the right of free speech, press, assembly and petition.

The House Un-American Activities Committee serves no real legislative or constitutional purpose. It punishes individuals and groups—

Mr. ARENS. You are reading from a prepared statement—

(Applause.)

Mr. ARENS. You are reading from a prepared statement?

Mr. WACHTER. Yes; I am.

Mr. WILLIS. That's all right. Let him answer the question.

Mr. ARENS. Continue reading, please?

Mr. WACHTER. It punishes individuals and groups for their political ideas and associations through public exposure and condemnation.

Mr. WILLIS. I am sorry. You are refusing to answer on the basis of the first amendment; is that correct?

Mr. WACHTER. I have objected to the question.

Mr. ARENS. I don't believe you have completed your answer, sir, and I would like to have you complete it, if you please.

Mr. WACHTER. Thank you.

I have respectfully objected to the question.

It punishes individuals and groups for their political ideas and associations through public exposure and condemnation, often result-

ing in economic sanction. I cannot cooperate with the committee in answering any such questions.

I feel I have an obligation as a citizen of this country to preserve the Constitution, and I do not feel that I can do so in good conscience by allowing the House Un-American Activities Committee to inquire into my beliefs or associations.

Mr. ARENS. Now, Mr. Wachter, it is the information of this committee from unimpeachable intelligence sources that you were a delegate to the National Convention of the Communist Party from the Northern District of California, the Communist Party convention held in New York City in December of 1959.

Would you kindly affirm or deny, while you are under oath, that information?

Mr. WACHTER. I object to the question on the previous grounds.

Mr. ARENS. Are you now, this instant, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. WACHTER. The same objection.

Mr. ARENS. Mr. Chairman, in view of the fact that this witness has not invoked that part of his constitutional privileges against self-incrimination, I respectfully suggest he now be ordered to answer the question as to whether or not he is presently a member of the Communist Party.

I explain to the witness that the reason why we want that information is that it is a necessary first question in order that we may undertake to elicit from this witness information of which we think he is possessed respecting the operation of this conspiratorial force known as the Communist Party in northern California, of which we know he is a member.

If he will answer that question, we expect to elicit from him information respecting the techniques of the Communist operation, particularly among youth groups in northern California, so that information might be available to the Committee on Un-American Activities in appraising the administration and operation of the Internal Security Act of 1950, the Communist Control Act of 1954, the Foreign Agents Registration Act, and other security legislation, with the end in view of attempting to evolve such legislation as may be necessary to cope, so far as we can legislatively, with the operations of the Communist Party on American soil.

With that explanation, Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the principal outstanding question, namely: Are you now a member of the Communist Party?

Mr. WILLIS. Yes; I order you to answer the question, sir, because you have not invoked—you have only invoked the first amendment of the Constitution. You have a lawyer, and a right to act on his advice, if you want to.

But as chairman, I will tell you that in our opinion your position at this time is not justified and I order you to answer the question.

(The witness conferred with his counsel.)

Mr. WACHTER. I decline to answer that question on the grounds previously stated, and I also respectfully refuse to answer that question on the constitutional grounds that I cannot be forced to bear witness against myself.

Mr. ARENS. Do you honestly apprehend, young man, that if you told this committee whether or not you are presently a member of the Communist Party, you would be giving information that might be used against you in a criminal proceeding?

I advise you that if you honestly apprehend that you would be giving information that could be used against you in a criminal proceeding, you have a right, under the Constitution, to invoke the provision of the fifth amendment against self-incrimination.

(The witness conferred with his counsel.)

Mr. WACHTER. As the chairman knows, the purpose of the amendment to the Constitution to which I refer was created to safeguard both the innocent and the guilty. There is no inference in that amendment as to the position of the person who invokes it.

I respectfully refuse to answer that question on the grounds previously stated.

(A disturbance in the hearing room.)

Mr. ARENS. Have you in the course of the last 12 months used an alias?

(The witness conferred with his counsel.)

Mr. WACHTER. I decline to answer that question on the grounds previously stated.

Mr. ARENS. Just one final question: Do you, sir, presently have information, current information, respecting the operation of the Communist Party in northern California?

(The witness conferred with his counsel.)

Mr. WACHTER. I decline on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. You are excused.

The committee will stand in recess until one-thirty.

(Member of the subcommittee present at time of recess: Representatives Willis and Johansen.)

(Whereupon, at 12 noon the subcommittee recessed, to reconvene at 1:30 p.m. the same day.)

AFTERNOON SESSION—THURSDAY, MAY 12, 1960

(The subcommittee reconvened at 1:30 p.m., Representative Edwin E. Willis, chairman of the subcommittee, presiding.)

Mr. WILLIS. The subcommittee will please come to order.

(Members of the subcommittee present at time of reconvening: Representatives Willis and Johansen.)

Mr. WILLIS. Call your next witness.

Mr. ARENS. Barbara Hartle, please resume the witness stand.

TESTIMONY OF BARBARA HARTLE—Resumed

(A disturbance and demonstration in the hearing room.)

Mr. WILLIS. We are now having our hearing broken up—disturbed. I ask the marshal to eject from the room those people who are leading the crowd right in the midst of our hearing.

The hearing will resume in an orderly fashion. I repeat, we are here under the power of the United States Congress and ordered to be here. We want to conduct these hearings in an orderly fashion. I

think everyone with a sense of fairness and decency will say that these hearings have been conducted in a dignified fashion.

(Disturbance.)

The only reason, the only earthly reason why these doors aren't open is this: In no courtroom in America are people allowed on the side aisles unless they are orderly. In no picture show or other public function are people allowed in the side aisles without being orderly. That is the only reason why this thing has been brought about. We were very patient this morning. We shall continue to be patient, but firm and decisive.

Now, this thing was brought about by disorderly conduct this morning. A lot of noise was going on. I announced that one more public display would result in the clearing of the aisles. That was accomplished over the noon recess.

Mr. Counsel, please call your next witness.

Mr. ARENS. Mr. Chairman, I respectfully suggest that you announce to the police officers that they are under a mandate from this subcommittee to cause the removal from this room of any person who causes a disturbance in the course of the proceedings which will now begin.

Mr. WILLIS. Yes. I assume that is what I have just done.

Mr. ARENS. Mrs. Hartle, you were sworn this morning; is that correct?

Mrs. HARTLE. Yes.

Mr. ARENS. Would you get a little closer to the microphone so we may proceed with our interrogation?

Mrs. HARTLE. Yes, sir.

Mr. ARENS. You have before you at the present time the additional documents which were identified and incorporated in this record; is that correct?

Mrs. HARTLE. Yes.

Mr. ARENS. Would you kindly proceed at your own pace to give your descriptive interpretation of those documents, at least the principal documents, and the significance of them from the standpoint of the operation on American soil of the Communist conspiratorial apparatus?

Mrs. HARTLE. In the report by Gus Hall to the 17th National Convention, Gus Hall makes a very strong call for mobilization of a peace movement, and in it he exhorts the Communist Party that peace is the most important issue before the Communist Party. (See Committee Exhibit No. 1, App. p. 2205.)

This is based on the fact that the Communist Party wants to take advantage of the peaceful coexistence with the Soviet Union and wants to undermine the United States economically and politically and take power and lead it into the Communist camp.

Mr. ARENS. If I may interrupt, you are giving an interpretation to the Communist documents, based upon your background and training in the dialectics of communism and in Communist use of words, Communist semantics; is that correct?

Mrs. HARTLE. Yes; that is correct.

Mr. ARENS. Proceed, if you please.

Mr. HARTLE. I can give a comparison of this peace movement with another peace movement in the late 1930's—the American Peace Mobilization, through which the Communist Party, when I was active in

it, mobilized or tried to mobilize for peace right up until the time of a change in policy by the Soviet Union, and then, of course, the Communist Party was for war.

So a quick switch can take place on the peace front whenever the Communist movement on a world scale needs it and demands it.

In the keynote speech, Gus Hall also brings up some problems on the homefront and tells the Communist Party to take advantage of what they consider to be problems on the homefront in order to link it up with the fight for peace, all of it together to be a fight against the whole American free enterprise system, the American way of life we have, which they call imperialism, American imperialism.

Gus Hall emphasizes in several places the very enthusiastic atmosphere for the growth of the Communist movement that came about as a result of the historic visit of Khrushchev to this country and its momentous consequences.

The analysis of Gus Hall was that the Communist Party in this new atmosphere was and would very rapidly grow and develop in the United States.

Mr. ARENS. Did you, in the course of your membership in the conspiratorial apparatus known as the Communist Party, know as a Communist the man who was causing such disruption here a little while ago, shouting for peace and democracy, and the like, in the Communist jargon, a man by the name of Archie Brown?

Mrs. HARTLE. Yes; I did know Archie Brown. I knew him to be a Communist.

(A disturbance in the hearing room.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that the Chair issue an admonition to those who are disorderly in this hearing room, that this congressional committee will not be taken over by the Communists or those under Communist discipline, and that anyone who is engaged in disorderly conduct in this hearing room will be ejected from the hearing room.

Mr. WILLIS. I have so ordered.

Proceed.

Mr. ARENS. Under what circumstances did you know Archie Brown?

Mrs. HARTLE. I met with Archie Brown in a Communist meeting here in San Francisco in the early part of 1950.

Mr. ARENS. Do you here and now, while you are under oath, testify that you knew Archie Brown to a certainty to be a member of the Communist Party?

Mrs. HARTLE. Yes; I knew him to a certainty to be a member. In fact, I knew him to be a member of the National Committee of the Communist Party.

Mr. ARENS. What activities was he engaged in as a member of this conspiratorial force known as the Communist Party?

Mrs. HARTLE. He was engaged in waterfront activities, waterfront union activities to quite a large extent in California, at that time.

Mr. ARENS. Now would you proceed with your analysis?

Mrs. HARTLE. In Exhibit No. 2, called "The Introduction," to the main resolution of the convention, the point is made that the Communist Party bases itself on the principles of Marxism-Leninism, and which, in terminology that maybe somebody else can understand, means that the way to get to this socialism or communism that the

Communist Party talks about is by the violent seizure of power in a capitalist country, and that the Communist Party is the indispensable instrument for this seizure of power; and that in this era this seizure has to be forceful and violent. (See Committee Exhibit No. 2, App. p. 2212.)

Sometimes in the material this is disclaimed by the Communist Party, but when they say they base themselves on the principles of Marxism-Leninism, every Communist that studies that material knows that that is what is meant.

The document further says that the peaceful coexistence policy will make it possible to put on the pressure to make a shift in the foreign policy of the United States, to further shift the foreign policy of the United States.

This they attach a great deal of importance to, because that will further clear the atmosphere for a very rapid and successful building of the Communist movement in the United States.

What it means is that if the foreign policy of our country were to be less alert, and were to become dupes themselves of the Communist conspiracy, the Communist could go ahead and organize and make a lot more progress in this country than they can at the present time.

In the document on General Principles, the resolution sets forth, again, that the basic analysis of capitalism and imperialism by Marx and Lenin have been confirmed. It is stating there again that they base themselves on the principles of Marxism and Leninism. (See Committee Exhibit No. 3, App. p. 2216.)

Mr. ARENS. What, in essence, are these principles to which the Communist operation on American soil is dedicated?

Mrs. HARTLE. From Marx comes the principle of the class struggle, that the working class and the capitalist class, as they put it, are in eternal conflict, and that the working class is inevitably going to win that conflict. It is an irreconcilable conflict.

They say it is the working class led by the Communist Party. That is the way they always put it. It is not the Communist Party that is going to take power, although in one or two classics of the party somebody did slip and say the Communist Party, but they did kind of clear that up, but you must always say it is the working class led by the Communist Party. Of course, they say it is the Communist Party that is indispensable. That is the way that is made clear.

Mr. ARENS. Do you have a document there, Mrs. Hartle, which announces to the comrades in assembly at the national convention of the Communist Party what the conspiracy regards as political action, what they call political action?

Mrs. HARTLE. What the Communist conspiracy regards as political action is the seizure of power by force. It is mass action. It is breaking through the bourgeois laws, traditions and conventions, and doing by force and by mass action, by sheer bodily weight and numbers, what you cannot accomplish through using the laws, the Constitution and the democratic rights, which they say are limited.

That is the mass action, that it teaches the Communist Party and the masses, because this is the training for the seizure of power. That is the way the seizure of power takes place, too. (See Committee Exhibit No. 10, App. p. 2243.)

Mr. ARENS. Now, Mrs. Hartle, do you have a resolution there, or documents, from the Communist national convention last December, with respect to the intensification of their propaganda activities in the United States?

Mrs. HARTLE. Yes. There is a document entitled "The Worker" and in this document—it is a resolution on The Worker, which is the Communist weekly newspaper nationally in the United States.

It calls for the spreading of The Worker, gaining many thousands of new subscriptions and building up and raising funds for it so that the Communist propaganda and line can be more effectively spread around among the members and among the people in various walks of life, to give them the line. (See Committee Exhibit No. 15 App. p. 2266.)

Mr. ARENS. Would you proceed at your own pace to an analysis of the principal items in these documents from the national convention of the Communist Party?

Mrs. HARTLE. In the document on General Principles, one of the important points made is that the main factor in the world is the competition between capitalism and, as they call it, socialism. They used to call it communism, but now they use socialism quite a bit. (See Committee Exhibit No. 3, App. p. 2216.)

That is, that these two worlds are in conflict, and they say that the competition can be peaceful or it can be not peaceful, but that at any rate in this competition, the capitalist countries, including the United States, will lose. This competition is in the interest of the United States because they will lose in this competition and will eventually become a part of the Communist world.

It is in that sense that the Communists see the competition being in the interest of the United States. That is serious. It is not facetious, but it is serious. That is the way they see it being in the interest of the United States.

Mr. ARENS. Mrs. Hartle, is there any significant deviation in the program, policies and political warfare announced in these various documents in the assembly of the Communist Party in New York City and the program, policies and political warfare of the worldwide apparatus?

Mrs. HARTLE. No; there is no difference, excepting that different tactics are evolved for different countries.

Mr. ARENS. Those are to fit the particular situation in any specific country; is that correct?

Mrs. HARTLE. That is right; to mobilize the masses in the struggle. In any country, maybe one thing or another will be emphasized or one thing or another will be done now and not done tomorrow. It is just a matter of tactics.

Mr. ARENS. I would like to interrupt you here. Based upon your extensive experience in the operation itself, why or how is it that the Communists are so successful in their conditioning, brainwashing, of the non-Communists?

Mrs. HARTLE. Well, they are so successful in the main in the use of non-Communists because the non-Communists don't have any idea of what they are being used for. When they are working for peace and a minister of a church believes in peace or a member of a congregation believes in peace, there is nothing very strange for him to do

something for peace if he believes in it. He doesn't think he is betraying his country, changing his politics or anything else.

Somebody that is interested in gaining minority rights of any kind, interested in racial relations of any kind, are not, unless they suspect, but usually they don't know that the Communists are building the whole thing. Most of the people in the united front don't know.

The ones that get recruited into the Communist Party, they know.

Mr. ARENS. The hard-core know, but the dupes and the suckers do not; is that correct?

Mrs. HARTLE. Yes.

Mr. ARENS. How is it, Mrs. Hartle—and this has puzzled me personally as I have studied this operation for 14 years, and I have seen the degree to which they can condition non-Communists against the fight on communism—that they can condition them to resist any struggle against this threat to our freedom, how is it that they are able to engender such dedication and zeal and enthusiasm, even in the non-Communist for the Communist program?

Mrs. HARTLE. Well, of course, I think the first basis of it is, how come the Communist has the zeal and enthusiasm. I think the best explanation of that is that the struggle for power has always engendered a great deal of enthusiasm in the world, whether it was good or bad.

That is a very mighty, sensitive thing, the desire to be in power, the desire to will the destiny of a country or of the people in it. That is a pretty serious matter. People who go into that kind of movement are usually pretty serious about it.

Then they work hard enough and learn enough to be able to throw over to other people a good deal of their—what do you call it—militancy and fervor.

Mr. ARENS. We saw a little of that militancy here in the courtroom just a few minutes ago, didn't we?

Mrs. HARTLE. Yes; that is militancy in the Communist Party.

Mr. ARENS. Based upon your background and experience, do you have any suggestions which you could make, just as one person, to people who will read this public record as to how we could at least begin an approach to bring the realization of the truth as to the nature of communism, as to the nature of the Communist operation, to these suckers, these dupes who are controlled by the conspirators themselves?

Do you have any suggestions along that line?

Mrs. HARTLE. Well, one suggestion I have for the youth, and I think if it had been used on me it might have had an effect. If the young people would know when they start fooling with the Communist movement how completely they are going to lose their freedom right in these United States of America, that they will not even be able to move from one city to another—

Mr. ARENS. Do you agree with me that the average youngster who is a sucker or a dupe, or manipulated, consciously or unconsciously, by the conspiratorial force, does not realize that he is actually serving the cause of destroying freedom and liberty?

Mrs. HARTLE. That is true.

Mr. ARENS. He thinks he is doing something good—many of them.

Mrs. HARTLE. Yes.

Mr. ARENS. How do you account for that?

Mrs. HARTLE. Well, of course, it is through a very well calculated propaganda. The Communist Party says it is for freedom, and it is able to convince some people. It is not able to convince everybody, thank God, but it is able to convince some people.

Then, after it has drawn the people in and indoctrinated them for a while, then along comes the discipline. By that time you are obligated and oriented to where you can't desert the movement because you don't want to go back on your obligations, you know, to humanity, peace and all of that, so then you accept the discipline.

In order to get all of these good things you can't move from Seattle or—you can't move from Spokane to Seattle, and you can't marry somebody, either, especially if they are not just quite the right type of person. They will tell you what to do with your children when you finally have some.

Mr. ARENS. Isn't that what the Communists complain about this committee? Isn't that thought control?

Mrs. HARTLE. They have the most effective thought control that I have ever had any experience with.

Mr. ARENS. Would you kindly proceed with your summary analysis of these documents?

Mrs. HARTLE. The document on the Competition Between the Two Systems says the following, which points up the fact that in this peaceful competition the United States will lose. It doesn't say the United States here, but that is what we are talking about.

The status of capitalism is determined essentially by its own contradictions, which operate in the direction of the eventual replacement of capitalism by socialism.

So that the peaceful competition allows the Socialist or Communist sector to increase its productivity through trade and all of that.

But the capitalist world will lose in the competition. That, according to the Communist viewpoint, is what they mean, that that is what is good for the United States about this competition. They will lose out—that is what is good about it.

(See Committee Exhibit No. 5, App. p. 2222.)

Mr. ARENS. Is there any monolithic force in this Nation, unified, disciplined force in this Nation, of comparable numerical strength to the numerical strength of that monolithic, unified force known as the Communist operation? Is there any competing force that is monolithic, unified, subject to a single direction, that is actually resisting and meeting the Communist onslaught?

Mrs. HARTLE. Well, no; I am not aware of any.

Mr. ARENS. I am not, either. Would you proceed?

Mrs. HARTLE. On the document, Defense and Extension of Democracy, the meaning of the document is to use democracy in order to obtain communism, to use the Constitution and the Bill of Rights in order to set up the Communist system.

There is talk in here that the Constitution might even not have to be removed. It might be seriously amended. I remember when I went to a national training school in New York in 1946 they said, "Well, we don't have to be so worried about the Constitution in a serious crisis; martial law can be declared." (See Committee Exhibit No. 7, App. p. 2228.)

The seriousness that the Communist Party attached to the Constitution is, just in plain, ordinary words, plain hogwash. I can remember the district organizer of the Communist Party coming to Spokane and we local Communists had put out a leaflet about defending the Constitution and the Bill of Rights. We were going into the 1930 progressive era at that time.

The district organizer read us up and down. He said, "It might be all right to put the Bill of Rights in there, but where in the world did you get the idea that it was our position to defend the Constitution?"

So we were young people then and we were straightened out on that point. Since then, though, the Communist movement thinks it is all right to pretend to defend the Constitution. We can amend it or have martial law later when there is enough force to sweep aside the people that happen to be interested in the Constitution.

Mr. ARENS. Mrs. Hartle, I wonder if I could inject still another question in the course of the presentation you are making—an analysis of these Communist documents.

What caused you to disassociate yourself from this conspiratorial force? We know from our own records that you were a hard-core, dedicated Communist.

What actually caused you to see the light and break away from the influence of this devilish force to which you had dedicated your life with a zeal and a determination that far excelled that of any Communist whom we had to have expelled from the hearing room? Can you tell us about that?

Mrs. HARTLE. The most important thing that began to take me out of the Communist Party was the constant factionalism, the constant struggle for leadership in the Communist Party. This I ran into when I first came to Seattle.

I was brought in the district office to be in the district leadership. There were always a couple or three factions and each one wanted to be the district organizer and the top dog, and they were just fighting about that all the time.

I just didn't take too much interest in that. I thought we should get on with our work, being it was such good work and important work. Then they began to have more difficulties on the national scale, with Earl Browder and William Z. Foster and some more like that.

Then I heard of a few district squabbles down here in California, too. That kind of factional fighting and knifing each other was going on, a struggle for power in the Communist Party in the United States.

Besides that, I was sent underground by the Communist Party in the summer of 1950 and, perforce, I wasn't able to associate as closely with Communists. I wasn't in just daily, morning, noon and night contact with other Communists. Thousands of meetings and many, many books to read and reports to make, and people to teach, and demonstrations to hold, and picket lines and signs to make, and all these millions of things that just practically swallow up an individual in the Communist movement.

I did have a chance to read, again, some literature which I had been much interested in in the past, before I joined the Communist Party, and some histories that were not on the good list of the Communist Party.

I think I loosened the bonds a little bit, the discipline a little bit, at that time, because it was then that I decided that I was just—well, I was disgusted with the Communist Party.

Mr. ARENS. Did you have a recognition of the basic deceit of the Communist Party? Did you come to recognize that fact?

Mrs. HARTLE. Yes; I did. I came to a recognition of that. Strangely enough, I saw the deceit on all fronts and the very last place where I could see the deceit was in the Soviet Union, and the adherence and love and loyalty of Communists to the Soviet Union is unimaginable, I do believe, to the average person.

But that was almost like giving up my mother. When I finally was able to see that, then there was no more chance of the Communist Party influencing me any further.

Mr. ARENS. What is the training and teaching of the comrades as to how they were to react, what they were to do, in the face of attempts by congressional committees to ferret out Communists and to get the facts? How were they to react toward congressional committees?

What were they to do to attempt to enlist people to do their work against congressional committees?

Mrs. HARTLE. Well, the congressional committees such as this, the Communist Party has always opposed, no matter what the name was or whether it was in Congress or in a State legislature or whether it was someplace else, in the school system or other places.

The Communist Party has always very, very strongly campaigned, mobilized, and organized against any attempts to curb the rights of Communists or their activities, or to look into their doings.

Mr. ARENS. Are Communists liberal or are they reactionary in the proper connotation or construction of those terms?

Mrs. HARTLE. Well, I say I guess they are very reactionary as far as these committees are concerned.

Mr. ARENS. They are actually those who, in the ultimate, want a totalitarian society; isn't that correct?

Mrs. HARTLE. They would not give a minority voice to somebody that is opposed to communism because that is counterrevolutionary, and counterrevolutionaries deserve only one fate, and that is extermination, or as close as you can get to it.

Mr. ARENS. Would you proceed with the highlights of the remaining documents, please, Mrs. Hartle, because we want to get on to other matters?

Mrs. HARTLE. In the use of democracy, the Communist Party calls upon its members to use the fifth amendment in order to thwart the attempts of courts or committees to gain answers from persons, or information of any kind, and they use the tactic of using the courts in order to bring the Communist message to what they call "the people."

They will go through a trial and go through all the fanfare of a trial, and go through a lot of things that they really consider to be on the surface in order to get their message across to the public, their program across to the public. They use the courts for the purpose of putting their program across.

In the document on Curbing the Monopoly Power, it is made clear that curbing of the monopoly power is a tactic. This is not a solution, curbing the monopolies, that is, big business or the trusts and breaking down their power. This is not the final solution, but it opens the road to the solution, according to their idea.

If they can get all kinds of people, small business included, that are anti-monopoly, anti-big business, farmers, et cetera, all together in one camp, they hope that they can set up an anti-monopoly people's very left-wing type of government which then opens the road to the Communist seizure of power.

Mr. ARENS. That brings me to a question I would like to have you clarify on this public record, a place where so many folks misunderstand the nature of this operation.

Do the Communists, as such, in truth and in fact, seek the alleged reforms for which they profess to be driving, or do they use the professed activity toward the reforms for the ultimate control of a society?

Mrs. HARTLE. They do the latter. The Communist Party explains it this way: that the reforms are a byproduct of the revolution. There is a revolutionary reform and there is a reformist reform.

The reformist reform is the kind that you get when a business agent sits down with the boss and they work out something that is suitable to both sides, a small or a reasonable wage increase, or a possible one, or at least what is suitable to both sides, without a big strike and a big hassle about it.

But the revolutionary type of reform is one that is wrested from the opposition, where there is organization, mobilization, uniting of the forces, activizing, teaching, training, a demonstrative action, because you have to get the people into action, into mass action, into united action. The aim of the whole thing is to get them to that point to have enough power to seize power in the country.

Mr. ARENS. Mrs. Hartle, one more question, and I hope I am not too badly interrupting your presentation of these documents.

Frequently we on the committee are asked by the patriotic people across this country who write in or attend our hearings who come up and say: "Don't worry about those few Communists; we are behind you, and don't worry about these people who are dupes of the Communists, and the youth that they are able to enlist in picket lines and the like; that the real Americans are behind you"; and then they ask this question about which we are puzzled, and perhaps you can help us or help the people who read this public record.

Mr. and Mrs. America so frequently come up and say, "What can I do as an individual to get into the fight against this awful thing which is making such tremendous inroads into our society?"

We who are connected with the committee say: "We are glad to make available to you the authoritative facts respecting the operation of this force, read our committee hearings and reports, and try to get the truth."

But beyond that we are pretty well without any ideas. Do you have any idea as to what Mr. and Mrs. Honest, Freedom-Loving American can do to lock horns with the Communists and the suckers in front of the Communists and the dupes in front of the suckers that they control?

Mrs. HARTLE. There really is only one thing that I can think of that an average American can do, and that is to acquaint himself somewhat with how this whole conspiracy operates because I know that the American people, the men and women, will know what to do. But they just haven't taken the trouble to acquaint themselves with it.

Mr. ARENS. Do you sense an apathy in the average American respecting the onrush of this force which you have testified here this morning was more menacing than ever before?

Mrs. HARTLE. Yes, I think there is an apathy and my own opinion is that a lot of it is due to a lack of very much information about it at all. I am mindful of the fact that there is much information put out all right, but it probably takes quite a lot more.

Mr. ARENS. Let me ask you still another question, and I hadn't thought of this except in the vein in which we are proceeding today: As a former deadly enemy of this committee and of its work, and now one who is serving your government in making available your knowledge, interpretation of the operation, can you tell this committee how you think this committee could do a better job to serve the cause of resisting this awful force which is penetrating every segment of our society?

Is there anything you think we ought to do that we are not doing?

Mrs. HARTLE. Well, I don't know whether the committee can do it or who can do it, but apparently the education about communism that has to be gotten to more people will have to be done with a little bit more effective means than expecting somebody to read a congressional record because it just isn't—well, I think we all understand that that is just not in the cards, to expect the average American to read something like that and study it.

A student will do it and some people will do it, but a lot of people won't. I don't know, but if it were possible to have really good TV programs and really good radio programs, and really good books—

Mr. ARENS. We are disposed to think that is beyond the purview of the official function of this committee.

Mrs. HARTLE. But if the average American would know enough about the Communist Party, then he would be very effective. I can remember when I was in the Communist Party I belonged to the Central Labor Council in Spokane and that was many years ago, 1936-37, when the Communists were riding pretty high and we had quite a few Communists in that Central Labor Council, but I can remember to this day one or two men in there who knew what the Communist conspiracy was, and they just caused us Communists all kinds of trouble and we never did get anywhere in that Central Labor Council over those two fellows. Red-baiters we called them, but they knew.

Mr. ARENS. Fascists, red-baiters, witch hunters; we are used to that.

Mrs. HARTLE. In some other Central Labor Councils they just went to town and practically took them over.

Mr. ARENS. Now, will you kindly give us a summary analysis of some of the other documents, so we can get the essence of your testimony into the record.

Mrs. HARTLE. In the document on Class and Strategic Alliances, the point is made that the Communists have to try to influence people as widely as possible in order to get their program across, not to be too narrow, not to just hammer the same point home with the same group, but to try to influence farmers, Negro people, the technical workers and scientists, highly paid, but nevertheless workers according to the Communist Party.

Even some sections of the capitalist class should be drawn into this anti-monopoly front, to work on issues on a broad front, to get a big, broad revolutionary stream going.

(See Committee Exhibit No. 9, App. p. 2240.)

In the article on Independent Political Action, the Communist Party calls upon the Communist to work in both the Democratic and Republican Parties and any other parties and organizations where they can gain influence with a more general aim of the formation of a labor-led people's party in this country.

The analysis of the Communist Party is that the Democratic and Republican Parties are both bourgeois or capitalist parties, representing the capitalist class, and what is really needed is a labor-led people's party that fights both of these parties.

(See Committee Exhibit No. 10, App. p. 2243.)

They have a document on the question of The Problem of Class Collaboration. It explains that in the labor movement in America there is a strong tendency for collaboration between labor and capital, and that the labor leaders in the United States have always supported the foreign policy of the United States, and have never come to loggerheads with our system as a system.

The fighting they have done and the strikes they have led have always been just for wages and hours, but not to overthrow the system; and the Communists have to get in there and have to sell communism and show them how to work in the labor movement to lead the labor forces so they will feel like overthrowing the whole system and not just getting a few wage increases.

(See Committee Exhibit No. 11, App. p. 2248.)

There is a Resolution on Cuba which fully supports the Cuban Government.

Mr. ARENS. Castro, do you mean?

Mrs. HARTLE. Castro; yes.

It calls upon the Communist Party to use every propaganda medium to convince the American people that Cuba is a people's government. Cuba is an example, in the Communist movement, of what the Communists are fighting for.

This is the end that the Communist movement is trying to attain in all of the Americas, the United States, North and South America, Latin America, Puerto Rico, and everywhere else. It holds it up as a shining example of the great success made by the Latin American people in the fight against the Yankee imperialism.

They don't give the Communists too much of the credit for it down there, but in their own wording, with their semantics, what it means is that this is something that they really think is a very fine accomplishment.

(See Committee Exhibit No. 14, App. p. 2264.)

The Farm Resolution is more or less really a joke. There are a number of statements in there of things that they would like to do for the farmers, but what it really amounts to is trying to involve the farmers in the Communist Party so that they can be liquidated as farmers and become collectives later on. It is not a very important document as far as I can tell.

(See Committee Exhibit No. 16, App. p. 2268.)

In the Resolution on the Negro Question, the point is made now by the Communist Party, after all these many years, that the Negro people in the United States are not a nation. All the time that I was in the Communist Party, with sort of a brief lapse under Earl Browder, and that was not spelled out very well, the Negro people in the black belt of the South, where they are in an area of majority, a certain area, were considered to be a separate nation with a right to secede.

Now the Communist Party at this last convention, the 17th convention, has gone on record that they are not a nation. But the practical program remains the same, of trying to get a hold among the Negro people for a force to support the Communists' program.

(See Committee Exhibit No. 19, App. p. 2276.)

Resolution On the 1960 Elections—this document calls for utilizing the elections to get the program of the Communist Party across. The point here is that the program that is put out by the Communist Party for the election is not for the solution of our problems.

It might appear so on the surface, but when you add the whole thing together you will find, and you will readily see, it is not for a solution of the problems, whatever problems there may be; on the contrary, it is for an aggravation of the problems in order to have a crisis for the Communists to take over.

Part of this is calling for so much spending in all directions and raising so much dissension in so many directions that it will eventually focus on the Government itself, to try to make the people realize that it is the Government as a whole that has to be gotten rid of, not just solving these problems.

(See Committee Exhibit No. 20, App. p. 2286.)

Mr. ARENS. On that point, to what extent do the Communists, from your experience, engage in what we call political subversion, namely, pressure public officials to take a position which is favorable to the immediate objective of the Communists?

Mrs. HARTLE. That is a very, very important activity in the Communist Party. In fact, I don't know which activity is more important or comes in for more time and effort than writing letters, sending petitions and delegations, and such and such, to Congressmen and Senators, and Governors, Mayors, and what have you. That is a very important part of Communist activity.

Mr. ARENS. They tell us, sneeringly, they can have 50,000 letters on Capitol Hill on any subject under the sun in 72 hours. Do you think that is an exaggeration, or, based upon your background and experience, do you think they are able, by enlisting the dupes and the suckers on any particular issue in which they are interested, to press the button and get the letters in Washington?

Mrs. HARTLE. That is no exaggeration, I assure you.

Mr. ARENS. But they don't reveal it in their letters, in their correspondence, and in their petitions to the public officials that they are Communists or that it is a Communist operation, do they?

Mrs. HARTLE. And many of the people that write the letters don't know that it has anything to do with communism at that moment. But I would like to clarify that, because they will say: "Well, then, if nobody knows, what difference does it make?"

It makes this difference: The Communists work with these people, they get them to write these letters, they go to their homes, they get their names on the list. They recruit into the Communist Party the best prospects out of them, and they, in turn, then lead the rest of them.

A small force leads a large group of people, because if the Communists were just out here talking about Negro rights or labor rights, and that is all they were doing, surely they have as much right to do that as anybody else. But what they do is build the conspiracy, build the Communist Party, what they call the conspiracy, and organize a lot of other activities that you don't know about, and that they don't come out in the open about; such things as hiding mimeograph machines, having undercover people here and there, and all kinds of ways of contact that nobody knows about, and a system whereby everybody will leave home overnight and not be available in case of an arrest or something like that.

There is a lot that the Communist Party does that it doesn't come to this committee with and say: "What is the matter with us? There is nothing wrong with us."

Mr. ARENS. I might suggest with some degree of apology for the constant interruptions I have caused, in view of the time element in our stay, that I would appreciate it if we could conclude your general presentation in another 10 or 15 minutes.

Mrs. HARTLE. I think that will be highly possible.

Mr. ARENS. Again I say, I am responsible for consuming so much of your time, but there are so many elements that I thought this record ought to reflect, based upon your extensive background and experience, and based on the obvious—to those of us who are in this work—that we are losing to a few conspirators.

Mrs. HARTLE. There was a resolution on Puerto Rico at the 17th Convention. The Communist Party has had an interest in this question of Puerto Rico for many years. When I attended the national convention in New York in 1945, I, myself, introduced the resolution to the convention for the independence of Puerto Rico.

Puerto Rico is considered by the Communist Party to be a colony of American imperialism, and that this colony should be free. They say it is Yankee imperialism holding down this colony. That is the program for Puerto Rico, and if the program is carried through it will be similar to that in Cuba, excepting that it will be the United States instead of Batista that is on the receiving end there, which will probably make it even worse.

(See Committee Exhibit No. 22, App. p. 2300.)

The Draft Resolution on Party Organization talks about how to build party organization and how to do it in united front work, which I mentioned a moment ago. It is not united front work if you don't build the Communist Party; it is not Communist work.

A man can be in a trade union from now on and be a good trade union leader, but he must recruit into the Communist Party, get subscribers to the Communist press, hand out Communist literature, and spread the Communist propaganda to the most likely persons.

(See Committee Exhibit No. 23, App. p. 2302.)

Mr. ARENS. Most of which is not revealed, per se, as Communist literature, is it?

Mrs. HARTLE. Most of which is not. But there is always that element in there of recruiting a few people in order to bring what they consider the best elements in to help operate and strengthen the conspiracy itself, which has to have replacements from time to time.

On the question of disarmament, the resolution carries on at great length about the need for disarmament for the United States, but it leaves it pretty well up in the air about disarmament anyplace else. Maybe they will say that that is not their province, but it doesn't seem to bother them when it is on another subject that they do want to talk about.

(See Committee Exhibit No. 24, App. p. 2308.)

There is a document entitled Preconvention Discussion which shows that in the pre-convention discussion a Communist Party line on all the main issues had already been given and that the discussion was directed, because the resolution and keynote report of Gus Hall are very much along the lines of the so-called discussion before the convention.

(See Committee Exhibit No. 25, App. p. 2316.)

In the report on the constitution, there were quite a number of changes made in the constitution of the Communist Party of the USA, and it is my experience in the Communist Party that the constitution is changed fairly regularly to meet the exigencies of the situation.

(See Committee Exhibit No. 26, App. p. 2335.)

Mr. ARENS. At previous conventions did they change the constitution in order to meet the changing legislative devices which this committee attempts to recommend to cope with the conspiracy?

Mrs. HARTLE. Yes; that is right. I have been in discussions in the national convention where those very matters were discussed, how the wording can be so you can get the Marxism-Leninism across, and still avoid legal prosecution.

That, I think, covers, as far as I can recall, the main points in these documents.

Mr. ARENS. We appreciate your general summary, Mrs. Hartle. Your interpretation of these documents of the National Committee of the Communist Party will help lay a foundation for other matters which we want to go into.

I would respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of Mrs. Hartle, but I would like to request, if it is agreeable with her, that she might keep herself available in the course of the next day or so, because we may have overlooked some item on which we would like to have the benefit of her judgment and interpretation in this record before we conclude our sessions here in San Francisco.

Mr. WILLIS. Thank you very much, Mrs. Hartle.

Call your next witness.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Merle Brodsky.

Please come forward and remain standing while the chairman administers an oath.

Mr. Wheeler, would you kindly see that Mr. Merle Brodsky is paged—if he is in the hall?

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BRODSKY. I do.

**TESTIMONY OF MERLE BRODSKY, ACCOMPANIED BY COUNSEL,
GEORGE R. ANDERSEN**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. BRODSKY. My name is Merle Brodsky. I live at 3915 Patterson Avenue, Oakland. I am a tile mason.

Mr. ARENS. You are appearing today, Mr. Brodsky, in response to a subpoena which was served upon you by this committee?

Mr. BRODSKY. I—just a moment.

(The witness conferred with his counsel.)

Mr. BRODSKY. Yes; I am appearing in response to a subpoena.

Mr. ARENS. And you are represented by counsel?

Mr. BRODSKY. Yes; I am represented by counsel.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. ANDERSEN. George R. Andersen, 240 Montgomery, attorney at law.

Mr. ARENS. Mr. Brodsky, do we have the spelling of your name correct—B-r-o-d-s-k-y?

Mr. BRODSKY. That is correct.

Mr. ARENS. Have you ever used any name other than the name Merle Brodsky, pursuant to which you are appearing here today?

(The witness conferred with his counsel.)

Mr. BRODSKY. I would like to know from the committee, for my clarification, what is the pertinency of this question in relationship to your function here?

Mr. ARENS. I would be glad to explain it to you, sir.

This Committee on Un-American Activities is under a mandate from the United States Congress to maintain a continuing surveillance over the administration and operation of the security laws of this Nation for the purpose of advising the Congress of the United States respecting the administration and operation of such laws as the Internal Security Act of 1950, the Communist Control Act of 1954, the Foreign Agents Registration Act, Espionage and Sabotage Act, for the purpose of advising the Congress respecting any amendments which the committee might feel the facts justify, respecting the operations of this conspiratorial force on American soil known as the Communist Party and the activities of those conspirators popularly known as Communists.

In order for this committee to make a studied judgment, make recommendations, advise the Congress of the United States respecting the operation of this conspiracy, we must interrogate the conspirators, we must have the facts which we get from testimony under oath.

This committee has received testimony here on this record respecting certain of the programs and activities of the Communists. This committee in the past has learned about Communist techniques of changing names; of going in what the Communist conspirators call

the underground; of the Communist tie-in with the international Communist apparatus; of the Communist conditioning of the minds of people to believe that they are only liberals, that they are out to do good and the like; Communists using suckers and dupes to carry the Communist line; Communists remaining in the background, manipulating those whom they are able to lay their hands on or to dupe.

It is the information of this committee, sir, that you are now a hard-core Communist conspirator; that in the past you have obliterated all identification of yourself and have used an alias and have been, for some several years, in the Communist conspiracy, in the Communist underground.

If you, sir, while you are under oath, will answer this first question which I have just posed to you, as to whether or not you have ever used an alias, I intend to pursue this line of inquiry.

I intend to ask you what alias you used. I intend to ask you under what circumstances you used it. I intend to pursue with you not your beliefs, not your associations, not your political concepts as these dupes are taught to use against this committee. I intend to ask you about your conspiratorial activities on behalf of this awful force which is sweeping the world.

I intend to ask you, sir, about what part you are playing now in this area to further the program Witness Hartle just announced as part and parcel of the program of this conspiratorial force on American soil, all for the purpose of having information which this committee might take back to Washington; that its research staff can analyze and interpret it, so that the Committee on Un-American Activities may advise the Congress of the United States in the discharge of its legislative duties to try to cope with this conspiracy which would destroy freedom in this country.

Now, sir, with that explanation, I respectfully request you to answer the last outstanding principal question: Have you ever used any name other than the name Merle Brodsky?

(The witness conferred with his counsel.)

Mr. BRODSKY. I am sorry, but all I got there was a speech. I am not following you.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this record now reflect an order and direction to this witness to answer the outstanding question or suffer the possibility of contempt citation.

Mr. BRODSKY. May I answer the question first?

Am I not entitled to ask clarification? I didn't understand the statement.

Mr. WILLIS. I order you to answer it. You have your counsel to advise you whether you should or not.

(The witness conferred with his counsel.)

Mr. BRODSKY. I would have to say, Mr. Chairman, that, in light of the way the counsel placed this, he has accused me of crimes, he has threatened me with all sorts of things; that the only alternative I have is to utilize, first, the first amendment, my right and privilege of freedom of speech and press and privacy of it; secondly, the fourteenth amendment, that this committee is constituted illegally because the chairman of this committee represents a district where there are over 300,000 voters and only 8,000 voters in that district, or over 9,000; and also on the grounds, and especially in light of the way the

person here placed it, on the grounds that I cannot be compelled to be a witness against myself.

(A disturbance in the hearing room.)

Mr. WILLIS. Proceed, counsel.

Mr. ARENS. Mr. Brodsky, how long have you been employed in your present place of employment?

(The witness conferred with his counsel.)

Mr. BRODSKY. Again, please try to give me a short answer this time.

Mr. WILLIS. I think the general foundation he has laid for these questions is considered to be sufficient. I suggest that you answer the question.

Mr. BRODSKY. As long as you suggest it, Mr. Chairman, let me suggest that my occupation and my livelihood is being jeopardized by this committee as a reason why I am trying to get clarification, but short and brief, not a speech or an attack, but a short and brief explanation of what is the pertinency of my work here?

Mr. ARENS. The pertinency of your work is that I expect to pursue this line of questioning to determine how long you have been engaged in the profession or occupation which you announced as your present profession or occupation, with the end in view of attempting to trace, if we possibly can, for the purpose of the security of this Nation, your activities, if any, which you will reveal in this conspiratorial force known as the Communist Party, when you went into the underground, when you came out of the underground, certain of your activities on behalf of this force, which is the same force that sent the tanks into Budapest.

Now, sir, kindly answer the last outstanding principal question.

(The witness conferred with his counsel.)

Mr. BRODSKY. You got me mixed up again. You are bringing in the whole world here. I can't understand it. What was the answer to my question?

Are you trying to jeopardize my employment, my job? What is the pertinency of this question to passing the laws of the United States? That is what I would like to know, but not a big speech, please.

Mr. WILLIS. A sufficient foundation has been made. We don't want to delay this thing.

Mr. ARENS. I suggest the witness be ordered and directed—

Mr. WILLIS. A sufficient foundation has been laid. I order you to answer the question.

(The witness conferred with his counsel.)

Mr. BRODSKY. What is the question again?

Mr. WILLIS. Will you repeat the simple question?

Mr. ARENS. How long have you been engaged in your present occupation, which I believe you said was a tile setter, or something to that effect.

(The witness conferred with his counsel.)

Mr. BRODSKY. I am unemployed at the present time.

Mr. ARENS. What was your last principal employment?

Mr. BRODSKY. Again, I would like to ask—

Mr. ARENS. Mr. Chairman, I think this record is abundantly clear. I respectfully suggest this witness now be ordered and directed to answer the question.

Mr. WILLIS. I order you to answer the question.

Mr. BRODSKY. The question is my——

Mr. ARENS. —last principal occupation.

(The witness conferred with his counsel.)

Mr. BRODSKY. I said it was a tile mason.

Mr. ARENS. What was your occupation immediately prior to your occupation as a tile mason, please, sir?

(The witness conferred with his counsel.)

Mr. BRODSKY. I was a machinist.

Mr. ARENS. And how long did you pursue that occupation?

Mr. BRODSKY. I would like, Mr. Chairman, and by this point I think I am entitled to, some clarification of what are the pertinencies of these questions. Is the pertinency of this question, one, to keep me out of what my present trade is, and, two, to try to keep me from going back to my trade after I am finished? Is this the pertinency of this question?

Mr. ARENS. Mr. Chairman, we have heard this type of Communist line from one end of this country to another. We would like to have the witness answer the question of how long he engaged in the preceding occupation.

Mr. BRODSKY. Mr. Chairman, I appeal to you. You are from Congress, but he is just an agent. I appeal to you to direct him to answer me what is the pertinency. Is he trying to drive me out of a livelihood? That is what I want to know.

Mr. WILLIS. No, that is not the pertinency. He is going back to an area where perhaps you were employed in other matters.

Anyway, I direct you to answer the question.

Mr. BRODSKY. Where I was employed how? I'm sorry. I didn't hear you.

Mr. WILLIS. I order you to answer the question.

Mr. BRODSKY. Are you through explaining the question?

Mr. WILLIS. Yes.

(The witness conferred with his counsel.)

Mr. BRODSKY. I am sorry, I got lost again. What was the question again?

Mr. WILLIS. Ask the next question, Mr. Counsel.

Mr. ARENS. What was your first principal occupation after completing your formal education?

(The witness conferred with his counsel.)

Mr. BRODSKY. I was a tile helper.

Mr. ARENS. How long did you pursue that occupation?

(The witness conferred with his counsel.)

Mr. BRODSKY. I guess it must have been about a couple of years.

Mr. ARENS. Where did you complete your formal education, please, sir?

(The witness conferred with his counsel.)

Mr. BRODSKY. I never did complete it.

Mr. ARENS. Where did you complete that part of your education which you did complete. Where were you given higher education, if any?

(The witness conferred with his counsel.)

Mr. BRODSKY. It was in Los Angeles.

Mr. ARENS. What was your occupation in 1951?

(The witness conferred with his counsel.)

Mr. BRODSKY. I just don't remember that date.

Mr. ARENS. Do you know a person by the name of Moisselle Clinger?

(The witness conferred with his counsel.)

Mr. BRODSKY. I cannot answer that question. I think that the purpose now is you are going to begin to name all kinds of names and then ask me do I know this and that.

I think my conviction is that you are proceeding on the grounds that this committee has no right to get into my privacy of association, of political beliefs.

I think this is very clear to you. I think it has been made clear. I see no reason of repeating this line of questioning with me.

Therefore, in good conscience, by my rights under the Constitution, I can see no reason to answer this question.

Mr. ARENS. I assure you we are not undertaking to pursue your political beliefs at all. You told us a few minutes ago you could not recall your activities or your employment in 1951. We have a document here which we thought might refresh your recollection. It is a copy of an article in the Daily People's World of June 11, 1951: "CRC rallies launch fight on court edict."

I will display this to you in just a moment.

Among other items in the article appears the following with respect to a rally that was conducted. The leadership of the rally is listed here, including Merle Brodsky, who is identified here in the Daily People's World article as area organizer of the Communist Party.

Look at that document which Mr. Wheeler will now display to you and see if that refreshes your recollection respecting your activities in 1951.

(The witness conferred with his counsel.)

Mr. BRODSKY. Would you repeat the question, if there was a question?

Mr. ARENS. The question is this, if I did not pose it in the precise form of a question:

Are you properly identified in that article, in 1951, as an organizer for the Communist Party?

(Document marked "Brodsky Exhibit No. 1, and retained in committee files.)

(The witness conferred with his counsel.)

Mr. BRODSKY. Well, in view of the accusation, vituperative accusations, that you have already levied, it leaves me no alternative but, first, to rely on my rights of political privacy, my rights of freedom of speech and press.

Secondly, my deep, personal conviction that no committee has a right to judge a citizen of the United States that has on it a member who was elected in violation of the fourteenth amendment of the Constitution of these United States; and

Third, on my fundamental right, and especially again in view of the fact of the accusations by the hiring of this committee on my fundamental rights that I cannot be compelled to be a witness against myself.

Mr. ARENS. Moisselle Clinger testified before this committee under oath, some months ago, October 20, 1959, that while she was a member of the Communist Party operating in the hard core, she knew you,

to a certainty, as a member of the Communist Party and one of the leaders in the Los Angeles area.

We would like to give you an opportunity to deny, while you are under oath, the validity and accuracy of that testimony. Do you care to avail yourself of that opportunity?

(The witness conferred with his counsel.)

Mr. BRODSKY. Mr. Chairman, before I comment on anybody's testimony, I would insist on the following:

First, that such a person confront me in person and stand right here and confront me, or, second, at least that I be confronted with a copy of the testimony.

But isn't it proper for this committee, or doesn't this committee believe that such a person—I am asking you a question, Mr. Chairman—doesn't this committee believe that if a person stands up before this committee to accuse somebody they should appear in person and face the person they are accusing? Is that the procedure of this committee or not?

Mr. ARENS. We would like to read you this testimony.

Mr. BRODSKY. I talked to the chairman, not to you.

Mr. Chairman, Can I address a question to you over his head?

Mr. WILLIS. The question can be asked in a different form, and refer to it.

What he has indicated is that someone swore that you were a member of the Communist Party, some months ago, and the simple question is:

Was that person telling the truth, or, if you prefer it another way, then counsel can ask you the direct question: Were you a member of the Communist Party on that date. That would accommodate you.

Mr. BRODSKY. I am not here to comment on other people's testimony. I am here to answer questions directly.

Mr. WILLIS. Ask him the direct question.

Mr. ARENS. Were you the section organizer of the Communist Party in Santa Monica, California?

(The witness conferred with his counsel.)

Mr. BRODSKY. Mr. Chairman, I especially address myself to the Chair, it seems that the agent of this committee is pursuing on a line, the answers of which become fairly obvious. He has accused me and made violent accusations. Therefore, it is obvious that the only answer I can give to this type of question, the only possible, conceivable, constitutional answer, is, first, my right of political privacy and freedom of speech and the press.

Secondly, my right not to be compelled to be a witness against myself.

I ask the Chair to please instruct this man to stop this line of questioning.

Mr. WILLIS. Mr. Arens is one of the most dedicated American citizens I know. Proceed.

Mr. ARENS. Mr. Witness, where were you employed in the fall and winter of 1956?

Mr. BRODSKY. What was that year?

Mr. ARENS. Where were you employed in the fall and winter of 1956?

(The witness conferred with his counsel.)

Mr. BRODSKY. Mr. Chairman—

Mr. WILLIS. The question is quite simple.

Mr. BRODSKY. May I answer the question as I wish?

Mr. WILLIS. There is an outstanding question. I order you to answer the question.

Mr. BRODSKY. I am trying to answer the question. May I proceed to answer the question?

Mr. WILLIS. Answer the question.

Mr. BRODSKY. As I see fit to answer this question, Mr. Chairman, or are you saying I can't answer it?

Mr. WILLIS. Answer the question.

Mr. BRODSKY. May I consult with my attorney. I want to answer the question, but I am not clear now whether you say I can or I can't. May I answer the question?

Mr. WILLIS. Just answer the question.

Mr. BRODSKY. In answering the question, you have asked me, and I have told you of various trades I have been involved in, when the committee asked me. That has been clear to this committee.

It seems that Mr.—what's his name—I forget his name—he is now branching over again into where I have made clear, questions involving right of political privacy, what I believed in, what my politics are, whatever else are my sacred and personal beliefs, and so forth.

Therefore, I must refuse to answer on the grounds of the first amendment and on the rights that I cannot be compelled to be a witness against myself.

Mr. ARENS. Were you in November 1956 secretary of the Alameda County Communist Party?

(The witness conferred with his counsel.)

Mr. BRODSKY. The same answer.

Mr. ARENS. We display to you now, if you please, sir, a thermofax reproduction of an article in the Communist publication, the People's World of November 16, 1956, in which, among other language, the following appears: "Merle Brodsky, Alameda county Communist party secretary."

Mr. Wheeler will now display that to you.

Tell this committee whether or not the identification of yourself in November 1956 as secretary of the Alameda County Communist Party is true and correct?

(The witness conferred with his counsel.)

Mr. BRODSKY. Mr. Chairman, for the same reasons, I have to give the same answer.

(Document marked "Brodsky Ex. No. 2," and retained in committee files.)

Mr. WILLIS. Proceed.

Mr. ARENS. Now, let us move on to the year 1957. Can you tell us what your occupation was in 1957?

(The witness conferred with his counsel.)

Mr. BRODSKY. I am trying to refresh my memory. I believe in the year 1957 I was a machinist. To the best of my recollection, I was.

Mr. ARENS. Were you engaged in any other activity in 1957?

(The witness conferred with his counsel.)

Mr. BRODSKY. Any other activity I may have proceeded in that year is concerned with questions of beliefs, associations, questions that I have made very clear to this committee I do not believe they have the right to ask, and, therefore, I decline to answer.

Mr. ARENS. Were you a leader in the East Bay region of the Communist Party, the East Bay region comprising Alameda and Contra Costa Counties?

(The witness conferred with his counsel.)

Mr. BRODSKY. Same answer.

Mr. ARENS. We display to you now, if you please, a thermofax reproduction of an article appearing in the Daily People's World of January 4, 1957, in which the Communist press, itself, describes you in that capacity.

Kindly look at that document and tell this committee while you are under oath whether or not that identification of yourself in that capacity, by the Communist press, was true and correct.

(The witness conferred with his counsel.)

Mr. ANDERSEN. There are two. Do you want us to read them both?

Mr. ARENS. Just turn to the back page which gives the description and identification by the Communist press of this man.

Mr. ANDERSEN. Would you show it to us, please.

Mr. ARENS. Show it to him, Mr. Wheeler.

(The witness conferred with his counsel.)

Mr. ANDERSEN. This has an exhibit 6 on it. You mean the reverse of that, the reverse of the page where the six is written.

(The witness conferred with his counsel.)

Mr. BRODSKY. Same answer.

(Document marked "Brodsky Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Did you file an income tax return for the years 1951, 1952, 1953, or 1954?

(The witness conferred with his counsel.)

Mr. BRODSKY. What is the pertinency of that?

Mr. ARENS. I am glad you asked me, because I want the record to reflect what we think is the pertinency of that, namely, that it is the information of this committee that during 1951, 1952, 1953, and 1954, you obliterated your identity, went into the underground of the conspiratorial apparatus, the Communist Party, and we would like to ask you whether or not during that period of years, 1951 through 1954, you revealed to the Federal Government via the income tax return device from whence you gained your income.

(The witness conferred with counsel.)

Mr. BRODSKY. Mr. Chairman, you seem to be alluding to the fact that you have some forms or something, income tax forms, before you. What confuses me and what I want answered is my understanding that income tax forms are sacred property that are not to be revealed to anyone.

If that is the case, I want to know from this committee, what is your access to the income tax forms of the people of this country. Are you now going into this question?

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness now be ordered and directed to answer the question.

Mr. WILLIS. Yes.

Mr. BRODSKY. Do you illegally have forms? If you do, you are illegally asking question.

I want to know. Does this committee have income tax forms? Are you going into that area now? What area are you going to leave untouched?

I have a right to ask that question on the income tax forms. There is a Department of Revenue in this country and not an un-American committee. These things have been sacred.

I want to know how the committee crossed that line, I demand an answer to that.

Mr. ARENS. Now, sir, I—

Mr. BRODSKY. Can I ask the chairman. He has authority here. You don't. I want to know.

Mr. WILLIS. Mr. Arens, ask him the direct question about the three years.

Mr. ARENS. Four years. The outstanding principal question is: Did you file a Federal income tax return for the years 1951, 1952, 1953, and 1954?

I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. WILLIS. Mr. Arens, you misunderstood me. You revealed the pertinency for the four years, but will you ask him that direct question and accomplish the same?

Mr. BRODSKY. May I ask, does this committee have income tax forms?

Mr. WILLIS. Ask the question directly.

Mr. BRODSKY. I am asking you directly, yes.

Mr. ARENS. I am a little confused as to the status of the record.

Mr. WILLIS. He asked the pertinency of the question, I believe.

Mr. ARENS. The purpose is to determine whether this man, during the period of time about which we have asked him, while he was in the underground, made a revelation to the Federal Government as to the sources of his income during the years 1951, 1952, 1953, and 1954.

I respectfully suggest the chairman order and direct the witness to answer the question.

Mr. BRODSKY. This is a sacred question we are going into, income tax forms. Never before have I known of a committee entitled to start asking people about their income tax forms. I am asking: Has the Un-American Committee started now to look into the tax forms of the American people?

I am entitled to ask that. If not, have you the forms? What information do you base this on? Forget the other question.

Please, try to answer my simple question in a simple matter and not about Hungary and all of that.

Mr. ARENS. I would be happy to answer that question.

This Committee on Un-American Activities does not have income tax forms, nor is the Committee on Un-American Activities investigating the income tax forms.

Mr. BRODSKY. Why are you asking me? If you want other information, why don't you ask the other information? Why have you entered into the area of asking me about my income tax forms? You are beating around the bush.

(Disturbance in the hearing room.)

Mr. WILLIS. Now wait a minute.

You youngsters were outside because there were no seats. We brought you in here. I'd like to have you hear the hearing, but we are not going to permit disturbances. You were not here a while ago when I said it.

Mr. ARENS. I want an explanation on this record, because we regard this as a crucial question, a crucial line of inquiry.

This record presently reflects that this witness, by documentation of the conspiracy itself is, and has been, a member of the Communist Party.

We have confronted this witness with the information of this committee that during 4 years, 1951, 1952, 1953 and 1954, this witness was engaged in the underground of the conspiracy, the Communist Party.

We have asked him now three or four times to put on the record whether or not he filed Federal income tax returns for those years revealing the sources of his income.

I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer the question.

Mr. BRODSKY. The chairman looked like he wanted to say something. Do you want to say something?

Mr. WILLIS. I think the question is perfectly proper the way counsel has asked it.

Mr. BRODSKY. You think it is proper for this committee to ask any American citizen about their income tax forms.

Mr. WILLIS. I've been awfully patient and I think decent with you.

Now, let me say this: He has told you, of course, we do not have income tax forms or income tax information. He has asked you a direct question whether, during those 4 years, you filed an income tax return, which might show your employment during those 4 years.

You have declined to give it. That is all this is about.

So I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. BRODSKY. Mr. Chairman, in view of the statement of the counsel and the accusations of the counsel, he apparently is accusing me of something and, therefore, I have to decline on the same grounds.

Mr. WILLIS. Proceed to the next question.

Mr. ARENS. Mr. Chairman, is the record clear that this witness has been ordered and directed to answer the question?

Mr. WILLIS. Yes, I ordered him and he reiterated his denial.

(The witness conferred with his counsel.)

Mr. BRODSKY. I gave the same answer. If he wants me to spell it out, you have heard it spelled out before.

Mr. WILLIS. I ordered you to answer, and you gave the same answer, based on the same reliance on the first and fifth amendments. The record so shows.

Mr. ARENS. Are you now one of the leaders of the East Bay region of the Communist Party?

Mr. BRODSKY. I don't think this committee has any right to inquire into my political beliefs.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. The question is proper, and I order you to answer it.

(The witness conferred with his counsel.)

Mr. BRODSKY. Mr. Chairman, this question, it seems to me, goes to the heart of the question. I am being asked what are my political beliefs. In essence, I am being asked who would I vote for, who would I support, who would I be for, who would I be against.

I am being asked in the most straightforward way a question that the first amendment of the Constitution clearly says nobody thereafter, whether it be a Mr. What's-His-Name or anybody else, would have the right to say to any person, what political party do you belong to, are you a Communist, are you a Democrat, are you a Republican, how do you stand on this question, a public body calling you before the newspapers, the television, and saying, "Here, you no longer have political privacy."

Therefore, Mr. Chairman, first, I must say that from the most deepest conviction, first I must defend the first amendment of the Constitution by relying on it.

Secondly, Mr. Chairman, and I say this again in deep consciousness, I think it is presumptuous that from an area of where three hundred thousand people are denied the right to vote, or denied the right of political expression to say how, in a secret manner in a ballot box, they want to stand, that a committee chaired by such a person dares ask me what is my political belief.

Therefore, on the grounds of the fourteenth amendment I must take this.

Further, Mr. Chairman, my recollection of history, and I believe it is correct, is that after the inquisitorial period of where bodies that had no right were able to assume power, power through control of mediums of communication and publication, were able to drag people before them and say, "Are you a believer or are you not a believer," a law was passed that said when you reach a point like this, when other laws can't be used to defend you, such as your right of freedom of speech and press, we give you one more weapon, tell that committee they can't compel you to be a witness against yourself.

And I tell you, Mr. Chairman, and I tell you, committee, I stand on that sacred amendment.

I will not be compelled to be a witness against myself.

Mr. ARENS. Do you honestly apprehend, sir, that if you told this committee truthfully, while you were under oath, whether or not you are presently a leader of the East Bay region of the Communist Party, you would be supplying information which could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. BRODSKY. Mr. Chairman, I have told him—I forget his name—I have told him answers to a number of questions, the essence of which is my politics is none of his business and I have to give the same answer, just none of his business.

I state again my politics is none of this committee's business. That is what I state, and I state it backing me up with the constitutional provisions which says you can tell a committee like this it is none of their business. That is what I am doing.

Mr. WILLIS. Proceed.

Mr. ARENS. Yes, but could you help this committee by telling us whether or not you have ever used the name Steve Bradley?

(The witness conferred with his counsel.)

Mr. WILLIS. That is a simple question, it is a pertinent question, and I order you to answer it.

(The witness conferred with his counsel.)

Mr. BRODSKY. I have to have clarification; he asked me if I am going to help this committee and I am not going to help this committee in any way.

Please, don't accuse me of helping the committee. That is a question that needs rephrasing.

Mr. WILLIS. Ask him the direct question.

Mr. ARENS. Have you ever used the name Steve Bradley?

(The witness conferred with his counsel.)

Mr. BRODSKY. Same answer, the first, fifth, fourteenth, eighth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, will be Martin Marcus.

Kindly come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Kindly raise your right hand.

You do solemnly swear that the testimony you are about to give before this subcommittee, will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MARCUS. I do.

**TESTIMONY OF MARTIN IRVING MARCUS, ACCOMPANIED BY
COUNSEL, CHARLES A. STEWART**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. MARCUS. My name is Martin I. Marcus. I reside at 1498 Peco Avenue, Pacific Grove, Calif. I am a teacher.

Mr. ARENS. Mr. Marcus, you are appearing today in response to a subpoena which was served upon you by this committee?

(Witness conferred with his counsel.)

Mr. MARCUS. Would you repeat the question?

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. MARCUS. That is correct.

Mr. ARENS. You are represented by counsel?

Mr. MARCUS. Yes, I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. STEWART. My name is Charles A. Stewart, attorney at law, practicing in Carmel, Calif., Lincoln at Seventh.

Mr. ARENS. Mr. Marcus, are you now, or have you ever been, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. MARCUS. Could you please explain to me the specific legislation which is pertinent to this question which you have asked me?

(The witness conferred with his counsel.)

Mr. MARCUS. Could you please give me the title of the bill, or bills?

Mr. ARENS. The explanation which I shall now make to the witness as to the pertinency of that question is that this Committee on Un-American Activities, pursuant to a mandate of the Congress of the United States, is undertaking to develop factual information respecting the operation of the Communist Party, its techniques, its strate-

gies, its tactics, all for the purpose of being able to appraise our present security laws, for the purpose of having a fund of information as a background to recommend to the Congress amendments to these laws.

In order for the Committee on Un-American Activities to know about the Communist operation, we subpoena before the committee persons who we have reason to believe possess information which, if they will reveal it to the committee, would add to the fund of knowledge of the committee.

We believe, sir, that you have such information.

As a preliminary question, I should like, therefore, to ask you: Are you now, or have you ever been, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. MARCUS. I respectfully object to this question, on the principal ground that the first amendment of the Constitution prevents Congress from asking any questions in my private and personal political beliefs.

In addition, I feel that I would like to object to the question on the basis of the fourth amendment, the fifth amendment, which states that I cannot be compelled to give testimony against myself, that I may not be deprived of life, liberty or property without due process of law; the sixth amendment which guarantees me the right to be confronted with accusers, to compel witnesses to testify in my favor.

With the eighth amendment which says that cruel punishment shall not be inflicted, and I believe one of the purposes of this committee is to bring people to public scorn and cause them to lose their jobs, which is a very cruel punishment, and the ninth amendment, which states that the rights which people have which may not be enumerated in the Constitution, shall not be denied to the people, but shall be retained by the people.

Mr. ARENS. I don't believe, sir, you told us your employment. You said you were engaged in—this singing and noise and demonstration outside, it makes it difficult for us to hear you.

Where did you say you were employed?

(The witness conferred with his counsel.)

Mr. MARCUS. You did not ask me where I was employed.

Mr. ARENS. Then kindly tell us, please, sir.

(The witness conferred with his counsel.)

Mr. MARCUS. I object to this question on the same grounds.

Mr. WILLIS. You say you object? Do you mean decline to answer for the same reason?

(The witness conferred with his counsel.)

Mr. MARCUS. That is correct.

Mr. ARENS. Are you now a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. MARCUS. I decline to answer that question because it has already been asked and I have already answered it.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question. It is not the same as the first question which I asked him.

Mr. WILLIS. I think the question was have you ever been—

Mr. MARCUS. Would the court reporter please read back the first question?

Mr. ARENS. I will give it to you, then.

Are you now a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. MARCUS. I object to the question.

Mr. WILLIS. You decline to answer?

Mr. MARCUS. I decline to answer the question on the principal grounds that there is no legislation which can be enacted by Congress which has any pertinency to a person's freedom of speech, freedom of press or political beliefs.

In addition, I decline to answer on the basis of the other grounds cited in the other question.

Mr. ARENS. Now, sir, I lay before you a reproduction of an application for credential as an instructor in the public school service in California, which is signed by Martin I. Marcus, dated July 1, 1959.

In the application there is an affidavit and an oath of allegiance. This oath of allegiance reads as follows:

I solemnly affirm (or swear) that I will support the Constitution of the United States of America, the Constitution of the State of California, and the laws of the United States and the State of California, and will by precept and example, promote respect for the Flag and the statutes of the United States and of the State of California, reverence for law and order, and undivided allegiance to the government of the United States of America.

Kindly look at that document, sir, and tell this committee whether or not when you signed that document you were at that instant a member of the Communist Party.

(Document marked "Marcus Exhibit No. 1," and retained in committee files.)

(The witness conferred with his counsel.)

Mr. MARCUS. I acknowledge that the signature on this oath of allegiance is mine, that I have taken an oath of allegiance to support the Constitution of the United States of America; that because I have taken this oath I cannot answer—I decline to answer the question on the grounds, the principal grounds, that to answer it would be against upholding the Constitution of the United States of America, and the amendments to the Constitution which state that Congress shall make no law, and so forth, respecting freedom of speech, freedom of press, political opinions, and also that the fifth amendment of the Constitution guarantees to the innocent as well as to the guilty, the right to refuse to be compelled to give testimony against one's self.

Mr. ARENS. Kindly tell this committee, while you are under oath, whether or not you honestly apprehend that if you told this committee whether or not you were a member of the Communist Party the instant you signed that affidavit in 1959, you would be supplying information which might be used against you in a criminal proceeding.

(The witness conferred with his counsel.)

Mr. MARCUS. I have sworn to uphold the Constitution; therefore, I decline to answer this question because the Constitution, which I have sworn to uphold, says that a witness may not be compelled to give testimony against himself.

And I would like to further remind this committee that this privilege of refusing to bear witness against one's self, extends to me as well as it may to guilty people.

Mr. ARENS. Sir, we put it to you as a fact, and ask you to affirm or deny the fact, that in the recent past you were on the County Committee of the Communist Party of Sonoma County.

Would you kindly affirm or deny that statement while you are under oath.

(The witness conferred with his counsel.)

Mr. MARCUS. On the basis of the same principal grounds which I stated before, I decline to answer this question.

Mr. ARENS. It is the information of this committee sir, that you are the Sonoma County regional representative, or were until recently, to the California Executive Committee of the Communist Party.

Kindly affirm or deny that statement.

(The witness conferred with his counsel.)

Mr. MARCUS. The same answer.

Mr. ARENS. Do you, sir, presently have information respecting the current operations here in California of that conspiratorial force which masquerades behind the facade of the Communist Party; do you presently have information respecting the activities of members of the Communist Party?

Do you presently have information respecting the program of the Communist Party here in California, current information?

(The witness conferred with his counsel.)

Mr. MARCUS. The same answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness. He will be the last of the witnesses we expect to call today. We had other witnesses we expected to call, but because of a number of delays, disruptions and the difficulty which we are presently encountering because of the demonstration just outside the door of the hearing room, I respectfully suggest that we recess now, Mr. Chairman, to resume tomorrow morning at nine-thirty, in this hearing room.

Mr. WILLIS. The witness is excused. We will resume our session tomorrow morning at 9:30.

(Committee members present in the hearing room: Mr. Willis and Mr. Johansen.)

(Thereupon, at 4:20 p.m., Thursday, May 12, 1960, the subcommittee was recessed, to reconvene at 9:30 a.m., Friday, May 13, 1960.)

