

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

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

PART 3
MAY 14 AND JUNE 10, 1960

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

(Including Index)

RECEIVED
COMMUNIST PARTY
UNION
JAN 10 1961



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1960

COMMITTEE ON UN-AMERICAN ACTIVITIES

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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 propoganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propoganda 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,

* * * * *

(g) 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.

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.

* * * * *

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.

THE NORTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Structure—Objectives—Leadership (Part 3)

SATURDAY, MAY 14, 1960

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

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

Subcommittee members present: Representatives Edwin E. Willis, of Louisiana; August E. Johansen, of Michigan; and Gordon H. Scherer, of Ohio.

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

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

We are glad to have with us this morning our colleague from Ohio, Representative Gordon Scherer.

Mr. Scherer is a member of the full committee, and due to the inability of Mr. Moulder, of Missouri, to be here, he was designated in his stead.

However, Mr. Scherer was delayed in coming to the hearing. It looked as though yesterday we might have to go over until Monday. We asked him to please come to San Francisco. However, last night we had a rather late session and heard quite a number of witnesses. It is quite definite that we will not go over until Monday, but will complete the hearings today.

Nevertheless, we are very happy to have with us today as a member of the subcommittee, our friend and colleague from Ohio, Mr. Gordon Scherer.

Will you proceed Mr. Arens?

Mr. ARENS. Mr. Prussion, will you kindly resume the witness chair.

TESTIMONY OF KARL PRUSSION—Resumed

Mr. ARENS. You were sworn yesterday on this record?

Mr. PRUSSION. Yes, sir.

Mr. ARENS. Mr. Prussion, yesterday in the course of your testimony you stated in essence, among other things, that the Communist opera-

tion now on American soil, in your judgment, based upon your background and experience in the Communist Party, was more serious and more deadly and menacing than ever before in the history of this Nation.

Two obvious questions would then come to mind. Why would you, then, as a patriot who was serving in this conspiratorial force at the behest of your Government get out of the Communist Party? Why wouldn't you stay in the force if it is so serious at this time?

Mr. PRUSSION. I came to the conclusion while I was working to the best of my ability in the interests of the preservation of our democratic form of government, by being an informant for the Federal Bureau of Investigation, I realized that the manner in which America was fighting communism was indeed an utter and complete failure.

I watched the Communist International gain more and more ground, and I watched the freedom-loving world retreat step by step before the Soviet onslaught.

I felt, in view of the fact that the Communists were having considerable success with their deceitful peace campaigns and coexistence campaign, that millions of Americans were becoming victims of this deceit, and I believed that I could serve my country much better by leaving the services of the Federal Bureau of Investigation and doing what I can to try to change, in my small way, the complacency and indifference of our citizenry to this menace.

I felt that this complacency and indifference should be changed to an acute awareness of the danger, and that this acute awareness should express itself by our citizenry in proper, effective legislation to contain, pigeonhole, and destroy this menace in our midst. This is why I left at this time.

Mr. ARENS. Mr. Prussion, I have a few areas of inquiry which I should like to pursue with you. We were unable to cover them yesterday.

The first is this: With respect to the number and effectiveness of the Communists in the United States, you stated yesterday that there are people who are Communists under Communist discipline, but that they do not have technical affiliation with the Communist Party as such.

I would like to ask you a few general questions.

In the first place, based upon your information as a recent member of the Communist Party, how many members are there of this formal entity who now maintain a technical relationship with the entity known as the Communist Party, roughly speaking? What is your best estimate?

Mr. PRUSSION. My best testimony would be that the national membership of the Communist Party at this moment would be approximately 10,000.

Mr. ARENS. How many Communists are submitting themselves to Communist discipline, who are in the operation as dedicated Communists, but who do not have technical relationship to the Communist Party?

How many are there in the nonformal membership category?

Mr. PRUSSION. In my testimony yesterday, I said that that type of membership is equal to the actual formally enrolled membership in the Communist Party.

So you have an additional 10,000 members who are active Communists.

Mr. ARENS. Would it be a fair approximation to say that there are, in your judgment, based upon your experience, approximately 20,000 Communists under Communist discipline at the present time on American soil?

Mr. PRUSSION. That would be a modest figure; yes, sir.

Mr. ARENS. That would be far in addition to a division of troops, that is, in numerical strength?

Mr. PRUSSION. That is correct, sir.

Mr. ARENS. Tell us, if you please, then, why you have concluded that these 20,000 Communists constitute a menace, or are more threatening now than ever before in a population of 180 million people. Surely, someone would ask, "Twenty thousand people of a particular political vein, a particular political concept, a particular idea would have no appreciable impact in a society of 180 million people."

What is your response to that inquiry based upon your intimate experience in the hard core of this operation?

Mr. PRUSSION. My experience within the ranks of the conspiracy definitely indicates that individual Communists are capable, under certain conditions, of leading hundreds and thousands on certain issues, and that it is through their infiltration, especially in various mass organizations, as they call them, that they are able to motivate and move people in what they call the class struggle.

Numbers are not too important insofar as membership is concerned in the Communist Party. There are many prospective little Castros in the Communist Party in the United States and many prospective little Lenins in the Communist Party in the United States.

Mr. ARENS. Mr. Prussion, during the course of your work in the Communist Party, you told us that you were subjected to certain courses, attended certain training schools, and were taught and practiced as a comrade, first, as a sympathetic comrade and later as an undercover agent for the FBI, that you were taught certain techniques, certain strategies, and tactics to be used as a trained agent of the conspiracy.

Can you give us, please, sir, a word about the techniques of the Communists, in what those of us in this work call provocation to violence?

Did you have a training and did you have experience in that type of activity?

Mr. PRUSSION. I had considerable training in provocation to violence. The Communist Party, being, of course, a party of Lenin, believes that it should use legal methods and illegal methods to conclude a certain situation. It uses violence and it uses peaceful methods, either one.

The purpose of the Communist Party is to raise what it calls the class-conscious level of the working class, and it is its purpose to educate the working class through incidents such as we had here yesterday, in methods and techniques of class struggle.

I believe that all of those present here yesterday witnessed a technique commonly used by the Communist Party.

Mr. ARENS. Do the Communists in the attainment of their goals actually desire to see strife, actually desire to see bloodshed?

Mr. PRUSSION. In this particular situation, as we are experiencing it in the last few days, the Communist Party has tried every possible peaceful method, through petition, organization meetings, and so forth, to stop the hearings of the Committee on Un-American Activities.

In this they have failed and, as a result they resorted to this spectacle that many witnessed here, of trying to close the hearings of a legally constituted body of our Government through force and violence, such as demonstrated by their leader yesterday, Archie Brown.

Mr. ARENS. Now, sir, during the course of your training and your experience in the Communist Party, did you receive any instructions, any pattern of activity, which the comrades were to use with reference to the Committee on Un-American Activities, and what, in general, was and is the objective of the conspiracy toward this committee?

Mr. PRUSSION. Well, at all times one of the major targets, and at this time, of course, the major target of the Communist Party, is the Committee on Un-American Activities, because the committee, they feel, is the biggest stumbling block that they have at this time in their effort to break out in a full-fledged Communist operation of peaceful methods and violent methods in their efforts to overthrow our Government by force and violence.

Mr. ARENS. Is this just your conclusion as a student of communism, or is it your conclusion, based upon your experience in the operation, itself, and your directives which you have received from other comrades?

Mr. PRUSSION. It is a combination of all, from my training and education and experience and directives on situations pertaining to the Committee on Un-American Activities.

Mr. ARENS. Give us a word about this breakout technique which you alluded to a moment ago, which you say is now in process by the conspiracy on American soil.

Mr. PRUSSION. The greatest stimulant that the Communist Party of the United States has ever received has been the recent visit by Mr. Khrushchev who came here with a dove of peace in one hand and a dagger in the other hand.

One of his motives in coming here was to stimulate, arouse, and build the Communist Party and the activities of the Communist Party in the United States.

Mr. ARENS. Were you instructed in that vein while you were in the Communist Party prior to the time that Khrushchev set foot on American soil?

Mr. PRUSSION. I was not in the Communist Party when Khrushchev set foot on American soil.

However, during the period up until the time I dropped out of the conspiracy, the motivations of Khrushchev's visit here were well known and talked about within the ranks of the Communist Party.

Every Communist in the United States knew the reasons why Khrushchev came here, as well as Khrushchev himself.

Mr. ARENS. Give us a word more, sir, about this breakout technique. Is this what you alluded to yesterday when you were characterizing infiltration of mass organizations by the comrades?

Mr. PRUSSION. The new policy of the Communist Party, and they always come up with new policies—their dialectical materialism tells

them “new times, new songs, new conditions, new activities”—at the last meeting of the Communist International the Communist Party of the United States came back with directives to use an all-out effort of infiltration into all mass organizations in an effort to, as they say, organize America socially, economically, politically, against monopoly capital.

This is their program today, and this is the program whereby they are infiltrating, and I believe at this time successfully, hundreds of organizations throughout our country.

Mr. ARENS. Mr. Prussion, give us a word, please, about your experience in the Communist Party in provocations to violence and assessment of the ensuing violence by the comrades in their conduits of public expression, and what they call police brutality.

Mr. PRUSSION. Do you want me to give you a specific example of what I experienced?

Mr. ARENS. I wish you would; yes, sir.

Mr. PRUSSION. Forty members of the Communist Party had infiltrated the Packard Motor Car Company in 1934. The Communist Party at that time decided to see how effective those forty members could be in influencing the workers in the plant.

A strike was provoked by these forty members; the plant was shut down; picket lines were thrown around the plant, with no obvious reason for a strike whatsoever.

The strike continued for about four days, and it was obvious that the strike was to be lost.

I attended a meeting of the Industrial Commission of the Communist Party, and at this meeting one Nat Ganley stated—

Mr. ARENS. Was he a comrade?

Mr. PRUSSION. He was a member of the National Committee of the Communist Party at that time.

Mr. ARENS. All right, sir.

Mr. PRUSSION. He stated, in essence, as follows:

It is obvious that we are going to lose the strike, but we have shown the effectiveness of the Communist Party in being able to call out all the workers. But in order to bring this strike to a proper conclusion there will have to be violence and bloodshed on the picket line tomorrow morning. Without that, we cannot hope to arouse public interest and support, we cannot hope to embarrass the local government through bitter complaints—police brutality, and so on.

Bloodshed and violence did take place that next morning.

Mr. ARENS. Was he alluding to bloodshed and violence of the comrades? Was he suggesting that the bloodshed be the bloodshed of his own people?

Mr. PRUSSION. The bloodshed and the violence, of course, included some Communists, but in the main it was quite a bloody battle in which innocent victims suffered as a result of this violence.

Mr. ARENS. Was he calling for bloodshed and violence for the sake of bloodshed and violence, or to obtain an objective, or for propaganda purposes?

Mr. PRUSSION. He called for bloodshed and violence in this instance because he felt that this was an opportunity to arouse the indignation of the citizenry against the management and against the government of the city, and what they later called police brutality, sadism, et cetera, very similar to the provocation that we had here in San Francisco yesterday.

Mr. ARENS. Based upon your background and experience in the Communist operation, what can be expected in the Communist press and through the Communist channels, and in the form of Communist expressions with respect to the violence which took place here yesterday?

Mr. PRUSSION. The Communist press will carry out a campaign of vilification of the Committee on Un-American Activities.

They will hurl invectives; they will accuse the city of San Francisco of police brutality, sadism, denial of democratic rights, and a whole series of false accusations will flow from the Communist press and all their agencies, through infiltrated organizations, in the interest of the Communist Party. They will get well-known people, professors, ministers, and others to sign petitions and protests—all to embarrass American processes.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be temporarily excused.

I should like to call now Chief of Police Tom Cahill.

Chief Cahill, will you kindly come forward and remain standing while the chairman administers the oath.

Mr. WILLIS. Please raise your right hand.

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

Mr. CAHILL. I do.

TESTIMONY OF THOMAS CAHILL, CHIEF, SAN FRANCISCO POLICE DEPARTMENT, CITY AND COUNTY OF SAN FRANCISCO, CALIF.

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

Mr. CAHILL. Thomas Cahill, chief of police of the Police Department of the city and county of San Francisco. I live at 248 Seventeenth Avenue, San Francisco.

Mr. ARENS. How long have you been chief of police of this city?

Mr. CAHILL. Since September 1948.

Mr. ARENS. And can you give us—although it ought to be obvious on the record—the general nature of your duties and responsibilities?

I think your title probably would cover that, but you might give us a word about that, please, sir.

Mr. CAHILL. To enforce the laws, that is, the penal laws, over which we have jurisdiction, in the city and county of San Francisco, and, of course, all of us as law enforcement officers have the duty to maintain law and order.

Mr. ARENS. Chief, the gentleman who just preceded you to the stand, Mr. Prussion, served for a number of years in the Communist Party.

First of all, for a number of years as a dedicated Communist and, thereafter, for a number of years as an undercover agent of the Federal Bureau of Investigation, after he had broken from the Communist Party, severed his ideological affinity to the party.

He testified, which I can say is just confirmation of testimony we have received elsewhere, that part of the Communist strategy and technique is to incite violence, part of the Communist tactic is to incite

the use of force so that the Communists can, in turn, attempt to turn the tables on the enforcement agencies, complain of police brutality, and complain of arbitrary action by the committees such as the Committee on Un-American Activities and the like.

I think that is a fair summary of the testimony he just gave. I don't believe you were present in the hearing room at that time.

In view of the fact that he said he can now anticipate a turn of tables on the incident of the last day or so, we should like to ask you, sir, as the chief law enforcement officer of the city, to give us a brief account of the orders and directives which you gave to your officers respecting the maintenance of peace and order here in anticipation of these hearings, and based upon the information which has been reported to you by your subordinates in the course of the last 24 hours, the essence of the position of the police department here, under your jurisdiction, in respect to the incidents in which force was employed in the course of the last several hours.

Mr. CASHILL. Sir, when we have any proceedings of this type anticipated, the men in my department make contact with members of the committee to start with, and it is ascertained what, if any, trouble may be anticipated.

We then, in turn, deal with those people who are interested from a standpoint of protesting, and we attempt to set up an orderly and an organized protest system.

That was done by some of the men in my bureau of detectives in dealing with the civil liberties student groups.

And as a result of that work which was done over a period of possibly a week, the demonstration at the Union Square, the march to the City Hall, and the conduct of the students of that group, or identified with that group outside of the City Hall was carried on in an orderly manner and we did not have any trouble.

However, because of the fact that the City Hall is a public building, we could not prevent people from coming in and as a result, a group of some two hundred—I was not here at the time—estimated at some two hundred, gathered outside the hearing room doors.

It became impossible to get the witnesses in and out of the doors because they were crowding against the doors. They became so unruly that a conference took place at noon to determine what action should be taken, and that it would have to be more drastic than had been taken.

During the first day of the hearings, even though the crowd outside had become unnecessarily unruly, their conduct was such that it disturbed the conduct, that is, the normal conduct, of operations in the City Hall.

However, we in the police department put up with that situation in an effort to be overly fair.

Yesterday morning, the situation was growing in intensity, tension and emotions were running high. There seemed to be no leadership whatever to the group who gathered outside the hearing room here in contrast to the student group which was under the control of some leaders who were able to reason with those young people.

The group here were infiltrated with individuals who, in some instances, were older than the average, and who agitated it—

Mr. ARENS. Were you advised by your subordinates in the security unit that these persons who were older and who were the agitators

were persons whom your security officers knew to be members of the Communist Party?

Mr. CAHILL. They told me that a number of those who seemed to whip those people in the group into a mob frenzy, were individuals who had been hostile and who had testified at the hearing.

Mr. ARENS. As hostile witnesses?

Mr. CAHILL. Yes. Some of them. Not all of them.

Mr. ARENS. Proceed, if you please, sir.

Mr. CAHILL. At noontime yesterday, of course, it had become very apparent that additional barriers, in addition to those that had been set up yesterday morning, would be necessary.

However, before that happened an additional 20 men were called in to assist the officers directly outside the doors of the hearing.

Again, no action was taken by the police other than continued pleas on the part of Sheriff Carberry and others, to these young people, to tone down their conduct and to refrain from interrupting the normal proceedings of the City Hall, that we had to have a lawful assemblage and that the hearings would have to be not interrupted; were not to be interfered with, I should say.

The whole incident which resulted in violence yesterday was triggered when, according to my officers who were on the scene, they say that a member of the group charged one of my officers assigned to the Northern District Station, a police officer in uniform. They took his night club away from him, struck him over the head, and the incident was triggered which resulted in the police being forced to take the necessary action to control the group, to bring the whole situation under control, and to restore order.

The action taken by the men in the police department was not started by us. We had put up with a great deal. We were charged with the responsibility and it is our sworn duty to maintain law and order. We will do that.

Mr. ARENS. Thank you, Chief.

Mr. WILLIS. May I say to the gentleman that we appreciate the efficiency, and tolerance, and at the same time the firmness of his department, which includes also the department of the sheriff.

Frankly, I only met Chief Cahill yesterday, after the incident he referred to. From information that comes to me and to us, his recitation of the incident and the events leading up to the triggering of the unfortunate affair, is accurate.

That is my understanding; it is our understanding of what occurred.

Neither Chief Cahill nor I was around when the actual physical demonstration took place.

I would like to say especially that I speak not only for this subcommittee, but for the full committee, and just as sure as I sit here I feel I reflect also the sentiments of the Members of the Congress of the United States. It was a very well done job. Chief Cahill, his officers, the sheriff and his deputies, deserve, and I tender to all of them, the highest commendation possible.

Proceed Mr. Arens.

Mr. JOHANSEN. Mr. Chairman, I wanted, as the other member of the subcommittee who has been here present for the entire proceedings, to associate myself completely with the statement of the chairman and to express our appreciation to the law enforcement officials for the very excellent, restrained, but firm job that they have done.

Mr. CAHILL. Mr. Chairman, I want to make this last statement, and I want to emphasize the fact, that we at no time have objected to orderly, peaceful demonstrations.

This morning there is demonstration in an orderly fashion. It is being conducted in the proper way, and we have no problems.

Had that been maintained yesterday, and if it continues today, I see no trouble. It will certainly not be brought about by us.

Mr. WILLIS. Thank you very much.

Mr. ARENS. Inspector Maguire, 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 will give before this subcommittee, shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MAGUIRE. I do.

TESTIMONY OF MICHAEL J. MAGUIRE, POLICE INSPECTOR, CITY AND COUNTY OF SAN FRANCISCO, SAN FRANCISCO, CALIFORNIA

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

Mr. MAGUIRE. My name is Michael J. Maguire. I live at 2647 Thirty-Sixth Avenue, San Francisco.

I am a police inspector, city and county of San Francisco.

Mr. ARENS. Inspector Maguire, were you in charge of a unit of the police force which has been operating here in the City Hall in the last two or three days, during the hearings of this committee?

Mr. MAGUIRE. At times I was in charge. Yesterday I was in charge.

Mr. ARENS. Did you, in the course of the discharge of your duties in City Hall, observe the activities among the young people who had been assembled here in the hall, by certain people who were known by you from confidential sources to be members of the Communist Party?

(At this point Mr. Johansen left the hearing room.)

Mr. MAGUIRE. Yes, sir.

Mr. ARENS. Did you see agitational activities among the young people by Merle Brodsky, who was ejected twice from this committee hearing?

Mr. MAGUIRE. Yes, sir.

Mr. ARENS. Did you see agitational activities among the young people by Archie Brown, who likewise has been identified as a member of the Communist Party and who likewise has been twice ejected from this hearing room because of his disturbances of the proceedings?

Mr. MAGUIRE. Yes, sir.

Mr. ARENS. Did you see among the young people, Frank Wilkinson?

Mr. MAGUIRE. No, sir; I can't truthfully answer that one.

Mr. ARENS. Did you know that Frank Wilkinson has been in town in the course of the last several days?

Mr. MAGUIRE. Yes, sir; we did.

Mr. ARENS. Do you know that Frank Wilkinson has been repeatedly identified under oath before this committee as a member of the hard-core of the Communist Party, and that the Committee on Un-American Activities has issued a report entitled "Operation Abolition," in which it is revealed that Frank Wilkinson has responsibility of the conspiracy to direct the activities of the Emergency Civil Liberties Committee and of an organization known as the Citizens Committee To Preserve American Freedoms, with the avowed objective of the party of discrediting the Committee on Un-American Activities and attempting to discredit the Federal Bureau of Investigation and its great director, J. Edgar Hoover?

Are you aware of that?

Mr. MAGUIRE. Yes, sir; I am.

Mr. ARENS. Are you aware of the fact that Harry Bridges, of the International Longshoremen's Union, has arrived in this community and was yesterday participating in the affairs in the hall?

Mr. MAGUIRE. I did not observe him participating, but I arrived shortly after he was creating a scene.

Mr. ARENS. Did you observe Sally Sweet participating as an agitational force among the young people?

Mr. MAGUIRE. No, sir; I did not.

Mr. ARENS. Did you observe Ralph Iazard participating in agitational activities among the young people?

Mr. MAGUIRE. No, sir.

Mr. ARENS. Are there any others whose names come to your mind at the moment whom you know from your security information to be members of the Communist Party who were participating in agitational activities among the young people?

(At this point Mr. Johansen returned to the hearing room.)

Mr. MAGUIRE. No, sir.

Mr. ARENS. Thank you very much.

Mr. WILLIS. Inspector, you are included among the highest of the deserving ones in the remarks I made a while ago concerning your chief. We appreciate your cooperation, and you, particularly, the day before yesterday, took a very prominent, active and admirable part.

We are very grateful to you.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Tillman H. Erb.

Mr. Erb, please come forward.

Please remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you shall give before this subcommittee, shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ERB. I do.

Mr. EDISES. May we have the lights turned off, please?

Mr. WILLIS. Yes.

**TESTIMONY OF TILLMAN H. ERB, ACCOMPANIED BY COUNSEL,
BERTRAM EDISES**

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

Mr. ERB. My name is Tillman Erb. I reside at 336 Kings Drive, Campbell, California. I am a school teacher.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. ERB. I did not understand the question.

Mr. ARENS. You are appearing in response to a subpoena which was served upon you by this committee?

(The witness conferred with his counsel.)

Mr. ERB. Yes, the answer is I was served.

Mr. ARENS. And you are represented by counsel?

Mr. ERB. I am represented by counsel.

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

Mr. EDISES. Bertram Edises, Oakland, California.

Mr. ERB. At this time, Mr. Chairman, may I make a statement for personal privilege?

Mr. WILLIS. Pardon?

Mr. ERB. A statement of very important personal privilege?

Mr. WILLIS. We will develop the facts on the basis of questions and answers in the regular order. Proceed.

Mr. ARENS. Mr. Erb, how long have you lived in California or in this general area?

(The witness conferred with his counsel.)

Mr. ERB. In answer to that question, I wish again to request this committee personally to relieve me of the ordeal of this inquiry because of my wife's serious heart condition.

When I received the subpoena to appear before this committee, last June, she suffered a heart attack and was hospitalized.

During the past year, her condition has steadily deteriorated because of the necessity for a year-long search for a position and the security and the work for which I have been trained and in which I have devoted 30 years of my life.

This committee has received letters from two of her physicians, testifying to the commitment and the uncertainty of my appearance at these hearings, that it would have on her physical condition. I most earnestly request that you do not endanger her life further.

I might further add that the faculty of my school yesterday sent a telegram to the chairman of this committee to the same effect.

Mr. ARENS. She is not in the hearing room, is she, Mr. Erb?

(The witness conferred with his counsel.)

Mr. ERB. Yes, she is here.

Mr. WILLIS. That puts a different complexion on it. You seem to want to expose her to the things you want to save her from. You have been summoned, you are here now. We must proceed.

Mr. ARENS. Mr. Erb, did you live in Denver, Colorado, prior to the time that you moved to California?

(The witness conferred with his counsel.)

Mr. ERB. Mr. Chairman, before I answer that question, I would like to state to the committee that I am ready and willing to answer questions pertaining to my life and activities regarding myself, personally.

Mr. WILLIS. What is the question?

Mr. ARENS. I asked him if he lived in Denver, Colorado, before he lived out here.

Mr. WILLIS. You are ordered—

Mr. ERB. For myself, personally, on condition that no questions will be asked me regarding any persons or associations.

Mr. WILLIS. You answered the question. If that is your answer, proceed.

(The witness conferred with his counsel.)

Mr. ERB. I repeat my offer that I will answer any of these questions pertaining to my life and activities regarding myself personally, on condition that——

Mr. WILLIS. I have ordered you to answer the question. You have not answered it.

Counsel, proceed with the next question.

Mr. ARENS. The next question is the first question which he didn't answer.

How long have you lived in this area, in California.

(The witness conferred with his counsel.)

Mr. ERB. I take it from what you say that you are rejecting my request, my offer to talk about myself?

Mr. ARENS. Kindly answer the question. You can talk about how long you lived here. That would be a start in the direction.

How long have you lived here in California?

(The witness conferred with his counsel.)

Mr. ERB. Well, since you refuse me the privilege of answering only questions pertaining to myself, I will in no circumstances be an informer; you now force me to stand on my constitutional right of not being compelled to testify as a witness against myself.

Mr. ARENS. Mr. Erb, did you run for Congress from a congressional district in Denver back in 1950?

(The witness conferred with his counsel.)

Mr. ERB. You now have my answer to these questions. It will be the same answer to any other question you may give.

Mr. ARENS. Mr. Erb, I have in my hand——

Mr. WILLIS. That is not an answer.

Do you mean you decline to answer for the same reason you have given?

Mr. ERB. I am standing on my constitutional right of not being compelled to testify as a witness against myself.

Mr. WILLIS. All right.

Mr. ARENS. I have in my hand a photostatic reproduction of the Rocky Mountain News of October 20, 1950. I should like to read it to you, then I expect to interrogate you with reference to the facts revealed in this article.

Congress Candidate Erb Denies Any Ties With Reds

Tillman H. Erb, independent candidate for Denver's congressional seat, yesterday denied that he is in any way associated with the Communist Party after the question had been raised by a group of persons who had signed his petition for nomination.

The signers, in a letter to the candidate, said that "rumors have come to our attention that as a candidate for Congress, you are acting as a front for the Communist Party."

They asked that "in all fairness to us and others who signed your petition at face value, that you openly disassociate yourself from the aims of Russian imperialism in the Far East and Europe, and the role of the Communist Party on the American scene."

The letter was signed by—
and I will skip their names, but it is a number of people.

In his categorical denial of the question, Mr. Erb stated "I am not associated with any Communist or Communist front organization and I never have been."

"Anyone who opposes our bipartisan foreign policy in anyway is liable to that charge these days," he said.

In announcing his candidacy Sept. 23, the former South High School history teacher sent a telegram to President Truman calling for the issue of a cease fire order in Korea, the withdrawal of all foreign troops there and admission of Korea into the United Nations.

* * * * *

Mr. Erb has taken a leave of absence from his teaching position while campaigning for election to Congress.

Mr. Erb, I ask you, sir, when you, as reported in this Rocky Mountain News, stated "I am not associated with any Communist or Communist front organization and I never have been," were you then telling the truth?

(The witness conferred with his counsel.)

Mr. ERB. Mr. Chairman, since you have sources that you have just read which are from highly reliable sources, I can see no pertinency to asking me to verify this.

(The witness conferred with his counsel.)

Mr. ERB. Because you have what you claim are highly reliable sources.

Mr. ARENS. Mr. Chairman, I respectfully suggest now, so that this record is clear, the witness be ordered and directed to answer the question.

Mr. WILLIS. You have not answered the question. I direct you to answer it.

(The witness conferred with his counsel.)

Mr. ERB. I refuse to answer on the grounds previously stated.

(Document marked "Erb Exhibit No. 1" and retained in committee files.)

Mr. ARENS. You were not under oath, not subject to the pains and penalties of perjury, Mr. Erb, were you, when you stated, "I am not associated with any Communist or Communist front organization and I never have been"?

Mr. ERB. You are just asking the same question in another form, and I refuse to answer on the same grounds.

Mr. ARENS. Now, Mr. Erb, I have in my hand a photostatic reproduction of a document applying for credentials authorizing public school service in California, dated July 5, 1957, signed by Tillman H. Erb.

In the course of this document there appears on oath of allegiance in the form of an affidavit:

I solemnly 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.

On July 5, 1957, at the hour and the minute and the second at which you affixed your signature to this application, "Tillman H. Erb," were you then a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. ERB. Before giving a direct answer, I state to you that I do not stand second to anyone in my allegiance to the Constitution of the United States of America. But in response to your direct question, I will stand on the same grounds as previously stated.

(Document marked "Erb Exhibit No. 2" and retained in committee files.)

Mr. ARENS. Have you been a member, and are you now a member, of an organization which is an organization allied with the international Communist operation?

(The witness conferred with his counsel.)

Mr. ERB. Once again I state I am willing to answer questions like that if you will accept my offer.

Mr. ARENS. Mr. Erb, are you now, at this instant, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. ERB. If you will not require me to be a stool pigeon, to any people or associations, I will gladly answer that question. I repeat the offer.

Mr. WILLIS. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. WILLIS. We are inquiring about yourself.

Mr. ERB. I respectfully decline——

Mr. WILLIS. Nobody else is involved in that question. I direct you to answer.

Mr. ERB. I respectfully decline to answer on the grounds previously stated.

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, Mr. Chairman, will be Mr. Archie Brown.

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

Mr. WILLIS. Please raise your right hand.

You do 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. BROWN. I do that.

Mr. ANDERSEN. Ask them to turn off those lights, Archie.

Mr. BROWN. Mr. Chairman, can we shift the lights a bit, just shift them.

Mr. WILLIS. Yes, if that is your desire.

Mr. ANDERSEN. Can't we have the lights off? Well, that is a lot better.

Mr. WILLIS. Proceed.

TESTIMONY OF ARCHIE BROWN, ACCOMPANIED BY COUNSEL, GEORGE R. ANDERSEN

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

Mr. BROWN. My name is Archie Brown. I live at 1027 Brussels Street, San Francisco; I am a longshoreman.

I want to state, Mr. Chairman, that——

Mr. WILLIS. We will develop the story on a question-and-answer basis.

Mr. ARENS. You are here today in response to a subpoena which was served upon you by this committee?

Mr. BROWN. I want to tell this committee—

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. BROWN. My family is being threatened—

Mr. ARENS. Are you appearing today in response to a subpoena which was served upon you by this committee?

Mr. Chairman, I now request that the witness be ordered and directed to answer the question.

Mr. WILLIS. I direct you to answer that question.

Mr. ARENS. Are you appearing today in response to a subpoena served upon you by this committee?

Mr. BROWN. Yes, sir.

Mr. ARENS. Are you represented by counsel?

Mr. BROWN. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. ANDERSEN. George Andersen.

Mr. ARENS. When and where were you born?

Mr. BROWN. Mr. Chairman, I want to state—

Mr. WILLIS. I direct you to answer the question. That is the only way we can proceed orderly.

Mr. BROWN. I was subpoenaed here.

Mr. ARENS. Where and when were you born, sir?

Mr. BROWN. I was subpoenaed here and my family—

Mr. WILLIS. Proceed with the next question.

Mr. ARENS. Kindly give us, if you please, sir, a word about your education.

Mr. BROWN. I was born in Sioux City, Iowa.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the outstanding principal question.

Mr. BROWN. What is the outstanding principal question?

Mr. ARENS. The outstanding principal question is: Where and when were you born?

Mr. BROWN. I already said.

Mr. ARENS. Give us, then, please, a word about your education.

(The witness conferred with his counsel.)

Mr. BROWN. Mr. Chairman, I want to read a statement and make a motion relative to the relevance—will I not be allowed to make a statement here? Is this just going to be a kangaroo court where I cannot defend myself at all, Mr. Chairman?

Mr. WILLIS. I direct you to answer the question?

Mr. BROWN. How come I cannot read this statement?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question respecting his education.

Mr. WILLIS. I will now do it for the second time.

Mr. BROWN. Let me consult with my attorney.

(The witness conferred with his counsel.)

Mr. BROWN. My education consisted of the grade school and most of junior high school in Sioux City, Iowa, and in the school of hard knocks, which I am quite a graduate of.

Now, I want to make a motion to disqualify the committee.

Mr. ARENS. Did you receive——

Mr. BROWN. I wish to make a motion to disqualify the committee.

Mr. ARENS. You may file the motion. We will be glad to have you file the motion.

Mr. BROWN. I will read it.

Mr. ARENS. Mr. Chairman, the witness should be advised that the rules of this committee permit him to file any motion of this kind for consideration by the committee.

Mr. BROWN. I want to read a statement, my statement, and make a motion.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be admonished that he will either conduct himself in an orderly manner or he will be removed from the hearing room.

Mr. WILLIS. Under the rule of the committee, you may file that paper with our director at this time, if you wish to.

Mr. BROWN. I wish to read this statement.

Mr. WILLIS. That is the end of it.

Proceed, Mr. Counsel.

Mr. BROWN. I wish to read this statement. How come you are bridling me? I want to express my position here.

Mr. ARENS. I suggest the witness be admonished that he will either conduct himself in an orderly manner or be removed, for the third time.

Mr. BROWN. Mr. Chairman, I was subpoenaed here not as a willing witness, and I want to defend myself. You have no right not to let me read this statement.

Mr. WILLIS. You may file the paper, but you may not read it.

Mr. BROWN. I want to read my statement if I make a motion. Before the House of Representatives of the United States——

Mr. WILLIS. I direct you, sir, to escort the witness outside the courtroom.

Mr. BROWN. Pursuant to amendment 14 of the Constitution——

(Witness was removed from the hearing room.)

Mr. WILLIS. Call your next witness, Mr. Arens.

There will be no more demonstrations in the room. You have seen me issuing such an order and enforcing it. We are very glad to have everybody here. As I said yesterday, it is a privilege to have you, you are privileged to be here, to the limit of the capacity of this hearing room. You need not agree with what one witness says or what another witness says, but we are conducting these hearings under an order of the United States Congress, and this committee represents that branch of the Government of the United States. We will not tolerate any demonstration or interference.

Proceed, Mr. Arens.

Mr. ARENS. The next witness, if your please, Mr. Louis Zeitz.

Kindly 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 this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God.

Mr. ZEITZ. I do.

TESTIMONY OF LOUIS ZEITZ, ACCOMPANIED BY COUNSEL,
FRANCIS McTERNAN

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

Mr. ZEITZ. Louis Zeitz, 39-A, Escondido Village, Stanford, California.

Mr. ARENS. Mr. Zeitz, would it be convenient to keep your voice up a little, or to get a little closer to the microphone? Thank you.

You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. ZEITZ. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. ZEITZ. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. McTERNAN. Francis McTernan, 703 Market Street, San Francisco.

Mr. ARENS. When and where were you born?

Mr. ZEITZ. January 22, 1922, Lakewood, N.J.

Mr. ARENS. Give us please a word about your formal education.

Mr. ZEITZ. Formal education? I went to the University of Michigan for 2 years, the University of Minnesota for 1 year, and Army Air Force cadet meteorology training for 9 months—

Mr. ARENS. I do not mean to interrupt you, but did you receive a degree from the University of Michigan?

Mr. ZEITZ. No, I did not. I enlisted in the Army Air Force. I went to meteorology training for 9 months, graduated as a second lieutenant, spent 3 years overseas, and came out of the Army as a captain.

Then I went to Berkeley, graduated in physics, and in 1946 did graduate work at UCLA, and at present I am a student at Stanford.

Mr. ARENS. I did not hear the last part; you lowered your voice.

Mr. ZEITZ. I am a student at Stanford.

Mr. ARENS. What degrees do you have?

Mr. ZEITZ. I have a BA degree in physics, from Berkeley.

Mr. ARENS. Do you also have teaching credentials?

Mr. ZEITZ. I did get a teaching credential in 1950, which I have never used.

Mr. ARENS. Have you, except for your travels in the military, traveled abroad since you reached adulthood?

(The witness conferred with his counsel.)

Mr. ARENS. Would you kindly keep your voice up a little bit, please?

Mr. WILLIS. What was the outstanding question?

Mr. ARENS. Have you traveled abroad, other than your travels in the military, since you reached adulthood?

Mr. ZEITZ. What do you mean by abroad?

Mr. ARENS. Outside the continental United States?

Mr. ZEITZ. Only vacation trips to Tia Juana, and a vacation trip to Toronto, Canada.

Mr. ARENS. What instructing have you done, Mr. Zeitz?

Mr. ZEITZ. I instructed while I was going to UCLA—I taught radio and electronics at a radio-television institute to make money to continue my schooling.

Mr. ARENS. Did you do any instructing in Los Angeles in 1955?
(The witness conferred with his counsel.)

Mr. ZEITZ. I don't understand the pertinency of that question.

Mr. ARENS. The pertinency of that question is simply this: that among the responsibilities of this committee is to develop factual information respecting Communist propaganda.

(The witness conferred with his counsel.)

Mr. ZEITZ. I still don't understand what you are driving at.

Mr. ARENS. Were you an instructor for the Communist Party in Los Angeles in 1955 in training schools?

(The witness conferred with his counsel.)

Mr. ZEITZ. I stand on my right to remain silent on questions of thought, affiliation, and associations.

Mr. ARENS. Tell us about your activity. Did you——

Mr. WILLIS. I direct you to answer that question.

Mr. ZEITZ. In response to that direction, this will be my answer: I respect the rights of congressional committees to investigate in the interests of developing legislation. However, it is obvious, after sitting through sessions of this committee, that it has no legislative purpose. This committee is an instrument of fear, its goal the establishment of conformity of thought.

This committee may be successful in establishing conformity with the aid of clubs and water hoses that were used on the students yesterday. But if it is successful in establishing conformity, it will have killed Americanism, for Americanism is almost synonymous with dissent. The birth of this country is a result of dissent, and that which is great in this country came about because we were free to dissent. I will take no part in the efforts of this monstrosity to ossify people's minds, to paralyze people with fear.

Albert Einstein, years ago, as a result of his experience with Nazi Germany, warned of this type of committee. In 1953, Einstein stated the strength of the Constitution lies entirely in the determination of each citizen to defend it. Only if every single citizen feels duty-bound to do his share in its defense are the rights secure.

The intellectuals have a particular influence on the formation of public opinion. This is the reason why those who are about to lead us toward authoritarian government are particularly concerned with muzzling that group. It is, therefore, especially important for the intellectuals to do their duty.

I see this duty in refusing to cooperate in any undertaking that violates the constitutional rights of the individual. This holds, in particular, for all inquisitions that are concerned with the private life and political affiliations of the citizens.

With the above in mind, I decline to answer the questions, basing this declination on the right to remain silent on questions of thought, affiliations, and associations guaranteed under the first amendment and the privilege of not being compelled to be a witness against oneself granted in the fifth amendment.

Mr. ARENS. Now, let's don't talk about thought or associations or anything of that kind. Just tell us, have you, up to this minute, been active as a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. ZEITZ. The same answer as before.

Mr. ARENS. Are you now, this very instant, a member of that conspiratorial force that would overthrow the Government of the United States by force and violence and that would establish an authoritarian government even worse than the Nazis, namely, the Communist dictatorship?

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

Mr. ZERTZ. The same answer as before.

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

Mr. WILLIS. The witness is excused.

Mr. ARENS. Sheriff Carberry, would you kindly come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand, Sheriff.

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. CARBERRY. I do.

TESTIMONY OF MATTHEW C. CARBERRY, SHERIFF, CITY AND COUNTY OF SAN FRANCISCO, CALIF.

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

Mr. CARBERRY. My name is Matthew C. Carberry, sheriff, city and county of San Francisco.

Mr. ARENS. Sheriff Carberry, this morning while you were absent from the hearing room, a former undercover agent of the FBI, serving in the Communist Party was elucidating on Communist Party techniques and activities.

We asked him to speculate what the Communist Party would be doing about the events that occurred, the incidents that occurred, in the last day or so. He said that they would, of course, try to portray police brutality and arbitrary action and the like.

Well, that happened here just 30 seconds or so before you took the witness stand. One who has been identified to us—and who would not answer questions, of course—as a Communist, started the technique here of assessing the events of the last day or so against the committee, against the police, against the law enforcement officers, so that they, the Communists, can portray themselves as martyrs when, in fact, they are conspirators.

We would like, therefore, to have on this record, in addition to the sworn testimony of some several moments ago of the chief of police and one of the inspectors, a word from yourself as the sheriff of this county with respect to the incidents of the last 2 days so that those who care to know the facts may, when this record is printed, read the facts.

If you will proceed at your own pace, Sheriff, to make your statement under oath, we would appreciate it.

Mr. CARBERRY. Mr. Chairman and members of the committee, the only things of which I have knowledge and the only things which I can discuss, of course, were the things that I have observed in the last 2 days under my duties as sheriff of San Francisco.

For your information, the sheriff of San Francisco has the prime responsibility of maintaining order in the courts. We manage the county jails and perform certain civil duties.

Normally, the arresting process is that of the police department. At the request of the committee, we have had assigned to this hearing room since the beginning of the hearing, deputy sheriffs whose duty has been to preserve order within this courtroom. Obviously, we have had and appreciated the complete cooperation of the police department.

I spent all of my time on Thursday in and about the hearing room, in the corridors and rotunda of the City Hall, with one basic thought in mind: to preserve peace, to maintain a measure of order and decorum, pursuant to the request which had been made upon us by the committee representatives.

Incidents occurred during those 2 days which I can relate only by way of fact and my own personal knowledge, which may be of some assistance to better judge the incidents that happened in the last 24 hours.

On Thursday morning, as the committee well knows, the number of persons who sought attendance in this room perhaps exceeded the capacity of the room by three to four times. The general nature of the room in this building makes it difficult to accommodate large groups of persons in the corridor in view of the fact that on Thursday and Friday we have busy days here at City Hall, with the taxpayers entitled to their full measure of service for the duties which are part of a normal civil process.

The same things hold true for the orderly decorum of our superior courts on the fourth floor and municipal courts on the third floor.

These are the common ordinary routine businesses of city government in San Francisco in these corridors.

With the desire to maintain order and decorum, I personally appealed to those outside in the corridor, on the difficult situation of limited capacity, and stated we would do everything in our power to accommodate a rotation of persons within the limits that we had.

There was a reasonable acceptance of that idea by most of the persons outside, with the noise, the clamor, that has been prevailing for the last 2 days.

After a lunch recess about 1:30 p.m., on Thursday—and I might say this for the record: there has been a protest made by many on the fact of admission that the room was inadequate and another protest as to limited capacity. I state those only because of the general nature of protests.

Among the group, and I can say this in complete truth, there were certain individuals who would not accept any logic or reason. This was particularly demonstrated about 1:30 p.m. when a large number of—I would say perhaps 100 to 200 persons, of all ages, but in the main perhaps between the ages, I would guess, of 18 to 24 or 25—congregated outside the main entrance to these proceedings, this room, and in a completely hostile and belligerent attitude made extremely loud noises and protests. But among them were certain leaders who assumed leadership by demanding attention, one in particular whom I shall describe—I have not seen him since; I have been looking for him out of curiosity. He is about 6 ft. 2½ in. dark hair, wearing glasses, very lean, perhaps 165 lbs. In age perhaps 23 or 24.

This person was leading a hostile group, this group I mentioned of 100 to 200 persons, outside this proceeding room about 1:30 and making shouts, "Let's break down the doors. We are American citizens. They can't keep us out."

They had already been told that the hall had been filled and the capacity was limited.

Mr. ARENS. May I interpose this comment, or this question: The hall we are meeting in now is the largest hall that is available around town; isn't that correct?

Mr. CARBERRY. It is the largest hall that the city and county has for any purpose such as this.

Mr. ARENS. The only other larger place where we could have held the hearings would be in the Cow Palace?

Mr. CARBERRY. Well, there are other public buildings.

Mr. ARENS. This is the only official building in which we could meet to accommodate the maximum number of people; is that right?

Mr. CARBERRY. Well, sir, there are larger public buildings, but those buildings are under contract, which takes advance dating. Referring to the Civic Auditorium, it would take months of advance preparation to get into the Civic Auditorium, which is a large public building.

To get to the incident involved, because I think it points up the fact that the police department and the sheriff's department exercised restraint, caution, and attention to the rights of all persons involved, I am covering the record on the incident which I know personally about.

In my opinion, it appeared that an incipient riot was brewing and there was serious danger to life and property.

Doing a thing which was almost reflex action for me, dressed as I am, I moved into this hostile crowd and demanded attention. It was not easy to get it. But after patiently listening to the heckling and abuse and trying to turn some of it with whatever like remarks, I opened by demanding attention for 1 minute, identified myself as Matthew Carberry, sheriff, and stated: "I would like to appeal to you. I would like to appeal to your reason."

These things that I am mentioning to you are from memory, but only as a matter of interest to you.

I learned later that one of the local, I think it was a radio station, had a recording of events that preceded my remarks and all of the remarks that I have made, with all of the background sounds that took place. I have since heard that and I found it of interest and perhaps the committee would be interested.

I think it taught me some things. I stated to them as calmly as I could, and I believe I was quite calm——

Mr. SCHERER. Mr. Chairman, may I suggest that the tape recording to which the sheriff referred be made a part of the record.

Mr. WILLIS. If it can be spared or if a duplicate can be obtained.

Mr. CARBERRY. I would like to say only this: that it came to me as a matter of surprise that it happened.

Apparently the reporter was on the scene. It has since been repeated. I know that it is available. It is not my property, but I think it can be made available. I am interested in it only as a matter of fact.

Mr. WILLIS. I think by all means it should be preserved. We would very much like to have one.

Mr. SCHERER. Whom did you say made the tape?

Mr. CARBERRY. I think it was one of the local reporters. I think it is KCBS. I think his name is James Leonard. I know it is available because I was told so.

Mr. SCHERER. If a copy of that tape can be made available, I move, Mr. Chairman, that it be made part of the hearing record in this case.

(Tape obtained and retained in committee files.)

Mr. CARBERRY. In regard to the instance—and I repeat, I had to demand and fight for attention and I believe honestly did receive rather good attention, despite certain remarks that were made—I appealed, as I said, to their reason. I stated that all of the uniformed men in these corridors, and at that time there were not a great many, were uniformed police and deputy sheriffs in uniform.

When I was able to demand and receive some attention, enough to be heard—and I think the record bears out the fact that I was heard—I stated that these uniformed police officers and San Francisco law enforcement people were interested in one thing and, under our system of American government, they should understand that these officers are essentially peace officers, their essential duty is to preserve the peace.

I also stated, because I felt that I was appealing to their reason, I stated I felt they were intelligent American citizens. These things were happening only, so far as I am concerned, to remove the hostility that took place. I stated that we had to respect the rights of congressional committees to hold their hearings peaceably, even if we disagreed with them. We had the right to people's free protest and, speaking as a peace officer, if those persons chose to go outside and demonstrate in an orderly and legal manner, they would not be interfered with.

Other remarks were said along the same direction and they were generally accepted, and the persons who were leading this, what I believe to be an incipient riot, which could have been dangerous to life and property, they disappeared and the general temper of the crowd was at least reduced in noise.

That was maintained for all of Thursday.

At the close of the hearing, because there had been considerable protests made by persons who claimed that they could not get in, on my initiative I asked the chairman of this committee if he would accede to a service which I would be able to perform, in having the proceedings of this hearing carried out by loud speaker to Civic Center, which was the closest place in the area which would provide order and a minimum of disorder for the regular order of business within this hall.

The chairman acceded, and on Friday morning and during all of yesterday's proceedings, and I believe today, the proceedings here have gone out by public-address system to Civic Center.

Certain precautions were taken again yesterday morning regarding care and order within this building, and there was a large group of persons seeking admission yesterday morning inside these proceedings. They were told that the room was crowded, that we would provide replacements as vacancies occurred.

I might say also, that, in the course of the hostility on Thursday at 1:30, a gentleman who offered himself as a representative of some of the group whom I had never met before, a man by the name of Mr. Thomas, who, I believe, is at Styles Hall, University of California, was somewhat helpful to me in trying to preserve order on a reasonable basis; and I was able to promise, with his cooperation, some semblance of order in providing a replacement of persons from their group within the proceedings, as vacant seats occurred, and it worked out somewhat successfully.

Friday morning I told the group assembled outside that they would be allowed to stand there, if they chose to, so long as they maintained peace and order, were not unduly loud or noisy. If they chose to go outside and listen to accommodations of the hearing in Civic Center, those facilities had been provided for them.

The general temper of the crowd was orderly, except that there were certain individuals—some of whom I can see and remember and can find if I choose to do so—who continued to heckle and who continued, in my opinion, to excite those assembled. In my opinion, these individuals—and I can see them and if they are in the building or around the area, I can point them out—refused to accept any element of order and deliberately excited the persons who were there, in my opinion, in the main, here to seek information.

The excitement was reasonably controlled until about 12 o'clock on Friday, at which time I was officially apprised by one of the police inspectors here that Judge Clarence Morris in superior court had officially protested to the police department about the loud noise and misconduct, which was interfering with the order of superior court. I was told a similar protest had been made by the presiding judge of municipal court.

I then proceeded to the rotunda and told all the persons assembled there that we were continuing to cooperate to provide access to the general public within this building and I was going to intercede again with the chairman at noon on that point.

I also told them that they were now subjecting themselves to the possibility of arrest for disturbing the peace, that they were making protests about duress of law and they, themselves, were interfering with the due process in our superior and municipal courts, and I pointed out to them calmly and plainly the facts regarding the physical occupancy of this building.

One in particular, and I can recall him distinctly, said, "Why don't they adjourn the courts today. We want to get in. Cut out everything else. This is the only thing that is important."

I mention this for one reason only, that this did not reflect the general temper of the crowd, but it did reflect the temper of certain individuals who continued to excite the crowd to, apparently, some act or incident.

These are the facts only as I saw them, as I know them.

One other point. I left this building about 12:15 for lunch. I had been in it all day the previous day and was in it all of yesterday except for lunch recess. I was back about 1:25, so I did not see any of the incidents that took place during the interlude.

I did, however, approach again the chairman of this committee, again with the desire of preserving peace. I stated that was the

basic job that all of these officers had done. That was why no arrests were made, perhaps, in the preceding day, but order was being maintained.

The Chair stated he would cooperate fully to provide a general admission to the limits of this building, within whatever reason could be provided.

Unfortunately, when we returned to this building at about 1:25 p.m., the incidents which we all know had already taken place. This room had already been filled. It was crowded to capacity.

During the ensuing afternoon we maintained order within it, replacing vacant seats on a first-come, first-served basis.

These are the facts only as I know them.

As to the activities of this committee, I assure you I have nothing to say.

Mr. WILLIS. Sheriff, I expressed myself a while ago about the fine work that you and your deputies and others did. I want to now repeat them in your presence.

I might say, when you say you were at lunch and did not witness the demonstration here, you happened to have been eating lunch with me and we were talking about the plan of having an exchange of seats, if the crowd wanted that to try to be as reasonable as possible.

Mr. CARBERRY. For the record as well, sir, I would like to state that my particular reason, aside from the pleasant company involved, was to see you for the purpose of continuing to provide order in here.

Mr. WILLIS. That is right. That is why we had lunch together, to discuss it.

Let me just say this, as we must proceed:

One of the great living Americans in my book is Sam Rayburn. He told me once that the best quality, the one word that describes the best quality of a man is a man of judgment, and I regard you as a man of maturity and good judgment. You handled yourself admirably well.

Mr. CARBERRY. Thank you.

Mr. JOHANSEN. Mr. Chairman, before the sheriff leaves, I want again, in his presence, to associate myself with the statements which the chairman made and to express my appreciation in behalf of the committee and the Congress.

Mr. CARBERRY. Thank you.

Mr. WILLIS. I believe the reporter's fingers are probably getting a little tired, so we will take a brief recess.

(A short recess was taken. Present in the hearing room, Representatives Willis, Scherer, and Johansen.)

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

Call your next witness.

Mr. ARENS. Thomas Grabor, 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 truth, the whole truth, and nothing but the truth, so help you God.

Mr. GRABOR. I do.

TESTIMONY OF THOMAS GRABOR

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

Mr. GRABOR. My name is Thomas Grabor. I reside in San Francisco, at 68 State and I am a salesman.

Mr. ARENS. How long have you resided in these parts, Mr. Grabor?

Mr. GRABOR. A little over 3 years.

Mr. ARENS. How old are you?

Mr. GRABOR. Thirty.

Mr. ARENS. Where did you come from just immediately prior to your arrival here in California?

Mr. GRABOR. From Hungary.

Mr. ARENS. From Hungary?

Mr. GRABOR. Yes, sir.

Mr. ARENS. Mr. Chairman, it is our intention to permit Mr. Grabor to testify briefly respecting communism in action, as distinct from communism as it portrays itself behind the facade of humanitarianism.

Mr. Grabor, would you kindly tell us where you were when the Hungarian revolution broke out in your native land?

Mr. GRABOR. I was in Budapest, the capital of Hungary.

Mr. ARENS. Proceed in your own words to tell us about the Hungarian revolution and your part as a freedom fighter in that struggle for liberty.

Mr. GRABOR. Mr. Chairman, as I told you, I came from Hungary, from Budapest, where thousands and thousands of students and young people died while fighting for freedom against communism. I have participated in this fight against communism. The uprising was started by students who were demanding their basic rights from the Communist regime, which basic rights were promised to them by Communists 12 years before that date when the Communists took over Hungary, and behind them was the Red Russian army.

Mr. ARENS. Mr. Grabor, we had the testimony of a former undercover agent of the FBI, this morning, who testified in essence that there were approximately 20,000 to 25,000 Communists, in his estimation, in the United States.

How many Communists spearheaded the takeover of your motherland, Hungary?

Mr. GRABOR. Well, sir, dedicated Communists were—I don't know the correct number, but I would say 1,000 or a couple of thousand in Hungary, among them those dedicated Communists who came back in 1945 with the Russian army from the Soviet Union.

They took over the political power, political and economical power in Hungary by force and by forgery. When I say forgery, I mean they forged the elections in 1947 in Hungary.

Mr. ARENS. They weren't voted into power by the people; is that correct?

Mr. GRABOR. No, sir.

Mr. ARENS. If there were an election tomorrow morning, a free election in Hungary, would the Communists be reelected to power?

Mr. GRABOR. No, sir.

Mr. ARENS. What would be a good estimate, based upon your experience under the regime, as to the percentage of the vote that the Communists would get if there were a free election?

Mr. GRABOR. I would say 2 or 3 percent.

Mr. ARENS. Now, Mr. Grabor, tell us briefly just a word about what it means to live under communism, as you lived under it in your native land.

Mr. GRABOR. Well, sir, in 1947, when they actually took over the political and economical power in Hungary by forging the elections, by taking the Communist Party members from town to town with false registration cards to vote, and they have been voting five, six, seven or eight times, one person, they were getting the majority this way; before this they have promised everything to the people of Hungary. They have promised freedom; they have promised better living standards; they have promised better education; they have promised everything that is possible.

After they have taken over in 1947, they started to destroy opposition deliberately. They destroyed and abolished every opposition party by force, by arresting and convicting the leaders of these opposition parties. Opposition papers were not permitted. At a later date there were no Western newspapers and magazines that were allowed in the state of Hungary.

Mr. ARENS. Is there freedom in the schools?

Mr. GRABOR. There is no freedom, sir.

Mr. ARENS. Is there freedom anywhere in Hungary?

Mr. GRABOR. No, sir.

Mr. ARENS. Now, sir, we don't want to prolong your testimony. We would like just to ask you if you, as a young man, having lived under communism, having seen communism in action, as distinct from communism as it portrays itself as the pie in the sky, what word would you have as a young man to say to the young people of your adopted land of freedom respecting the significance of communism in the world and the status of communism in America?

Mr. GRABOR. Sir, in my country not everybody has admission to the schools, not every young person, even to the high schools and colleges. Their father and grandfather had to belong to the working class and had to be trusted by the Communist Party to be admitted to the university or colleges.

In the universities and colleges they could not study whatever they wanted. They had to study whatever the Hungarian Government needed, whatever it was short of. For instance, if I wanted to be an electrical engineer, and the state needed mechanical engineers, I could not study for electronics engineer.

So also in the universities were the subjects of Marxism and Leninism, which everybody had to take. There was the subject of Russian language, which everybody had to take and graduate from.

Mr. ARENS. Is your native country—and I say this with great reluctance, but I must ask it—is your native country, Hungary, now in a state of “peaceful coexistence” with the Soviet Union?

Mr. GRABOR. I didn't exactly understand the question. You have to forgive me, but my language—

Mr. ARENS. You witnessed the Soviet tanks rolling into Budapest, did you not?

Mr. GRABOR. Yes, sir. I was fighting against them.

Mr. ARENS. And you saw your own people massacred, did you not?

Mr. GRABOR. Yes, sir. I saw thousands and thousands of people dying on the streets just because they wanted their rights, their freedom. They wanted the Russian army to leave Hungary. They wanted

the Hungarian goods to belong to the Hungarian people. They wanted to be patriots, and patriotism is a crime under a Communist regime.

Mr. ARENS. Thank you, sir.

Mr. Chairman, it is not our intention to prolong the interrogation of Mr. Grabor. We just thought it would be well to have in this record some indication of what it is to live under communism and what is in the mind of a young man who was in the schools under a Communist regime, communism in action.

Mr. WILLIS. Thank you very much, sir.

Call your next witness.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Rayme Ellis.

Please come forward, Mrs. Rayme Ellis.

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?

Mrs. ELLIS. I do.

TESTIMONY OF RAYME ELLIS

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

Mrs. ELLIS. My name is Rayme Ellis. I live at 8926 Wonderland Avenue, Los Angeles. I am primarily a mother of three young children and I do secretarial work.

Mr. ARENS. You are appearing today in response to a subpoena?

Mrs. ELLIS. Right.

Mr. ARENS. We observe that you are not represented by counsel. Do you know that you have the privilege, under the rules of this committee, to be represented by counsel?

Mrs. ELLIS. Yes.

Mr. ARENS. I beg your pardon?

Mrs. ELLIS. Yes, I know that.

Mr. ARENS. Is it agreeable with you to proceed without counsel?

Mrs. ELLIS. Yes.

Mr. ARENS. As we proceed, if there is any area in which, on the basis of our experience, you might desire legal advice, we will try, so far as we can, to give you that advice objectively and fairly. I, myself, am a lawyer and I believe all of the members of the subcommittee are lawyers.

We, of course, prefer that you do have counsel.

Mrs. Ellis, if I ask you a question and you honestly believe that the answer to that question would be supplying information which could be used against you in a criminal proceeding, you are not obliged to, but you have the privilege of, declining to answer that question by announcing to the committee that you invoke the self-incrimination provision of the fifth amendment.

Do you understand?

Mrs. ELLIS. I do.

Mr. ARENS. Mrs. Ellis, are you connected with the Willowbrook Cooperative Nursery School?

Mrs. ELLIS. I decline to answer. I take the fifth amendment.

Mr. ARENS. Mrs. Ellis, it is the information of this committee that you are now, or in the very recent past have been, a member of the Communist Party. Would you kindly tell us now in response to my question: Are you now a member of the Communist Party?

Mrs. ELLIS. No.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mrs. ELLIS. I decline to answer. I take the fifth amendment.

Mr. ARENS. Mrs. Ellis, I am put at a rather disadvantage here and embarrassment. You have asserted that you are not now, this instant, a member of the Communist Party. Ordinarily, when we have a witness who denies present membership we attempt to develop, by direction or indirection, on the record whether or not that individual is presently within the Communist operation though not a technical member of the Communist Party. We try also to develop on the record, by our interrogation, as of what time that person ceased being a member of the Communist Party.

I would like, if I could do so, just to speak in a rather informal vein with you, to ask you, without any sense of an intensive interrogation, since what date has it been that you have not been a member of the Communist Party. You can tell us that.

Mrs. ELLIS. I decline. The fifth amendment.

Mr. ARENS. Let me ask you this question—and I will not, under the circumstances, attempt to proceed further, because this committee is exceedingly sensitive, although the Communists and the pro-Communists don't give us that credit, we are exceedingly sensitive to the fact that we are constantly criticized for being unfair and we try to be fair—have you been a member of the Communist Party any time since you were served with your subpoena to appear before this committee?

Mrs. ELLIS. I have not.

Mr. ARENS. Have you been a member of the Communist Party at any time in the course of the last year?

Mrs. ELLIS. I have not.

Mr. ARENS. Have you been a member of the Communist Party at any time in the course of the last 2 years?

Mrs. ELLIS. No.

Mr. ARENS. Have you been a member of the Communist Party any time in the course of the last 3 years?

Mrs. ELLIS. No.

Mr. ARENS. Do you, ma'am, consider yourself presently under Communist Party discipline?

Mrs. ELLIS. No.

Mr. ARENS. Have you broken, finally and irrevocably, irrespective of the time, have you broken finally and irrevocably from the Communist Party?

Mrs. ELLIS. I stated that I am not a member of the Communist Party.

Mr. ARENS. Have you broken finally and irrevocably from the Communist Party?

Mrs. ELLIS. I am not a member of the Communist Party.

Mr. ARENS. May I ask this, ma'am: Would you desire a private session with this committee?

Mrs. ELLIS. I see no reason for it.

Mr. ARENS. You observed on the subpoena which was served upon you, an indication that if you cared to discuss matters with the committee—on the bottom of the subpoena which was served upon you, this language appeared; did it not:

If you desire a conference with a representative of the Committee prior to the date of the hearing, please call or write to: Richard Arens, Staff Director, Committee on Un-American Activities, Washington 25, D.C.

and the telephone number.

Did you observe that?

Mrs. ELLIS. Yes; I saw that.

Mr. ARENS. Mr. Chairman, under the circumstances, it is my judgment, and I so recommend to this committee, that we do not proceed further in this session with the interrogation of this witness.

Mr. WILLIS. I agree with that suggestion. You are excused.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this witness is now notified that she is being released from her subpoena.

The next witness, if you please, Mr. Chairman, will be—I don't know whether it is Miss or Mrs.—Lottie Laub Rosen.

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. ROSEN. I do.

TESTIMONY OF LOTTIE L. ROSEN, ACCOMPANIED BY COUNSEL, BERTRAM EDISES

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

Mrs. ROSEN. My name is Lottie Rosen. I live at 1609 Rose Street, Berkeley. I am a teacher.

Mr. ARENS. May I ask you, is it Miss or Mrs.?

Mrs. ROSEN. Mrs.

Mr. ARENS. You are appearing today, Mrs. Rosen, in response to a subpoena which was served upon you by this committee?

Mrs. ROSEN. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mrs. ROSEN. Yes; I am represented by counsel.

Mr. ARENS. Counsel, kindly identify yourself.

Mrs. ROSEN. Though I do not feel that my counsel can adequately represent me since he is not given the opportunity to cross-examine or to ask questions, as you are.

Mr. ARENS. You know, as your counsel can advise you, that this is not a judicial, adversary proceeding in that sense, nor has any congressional committee in the history of the Nation ever assumed to function in that capacity.

Kindly, identify yourself, Counsel.

Mrs. ROSEN. But you are sitting in judgment on me and you have said this is not a judicial proceeding.

Mr. EDISES. Bertram Edises, Oakland, Calif.

Mr. ARENS. How long have you lived in this area?

Mrs. ROSEN. Approximately 6 years.

Mr. ARENS. And where did you live prior to the time that you came to this area.

(The witness conferred with her counsel.)

Mrs. ROSEN. May I ask what the purpose of that question is?

Mr. ARENS. Yes, ma'am. We want to inquire respecting your activities—not your thoughts, not your beliefs, not your associations—your activities, in New York City.

In anticipation of that, as groundwork, I wanted to ask you where you lived prior to the time you came here.

(The witness conferred with her counsel.)

Mrs. ROSEN. What kind of activities are you referring to?

Mr. ARENS. Communist Party activities, ma'am.

Now, kindly tell us where you lived immediately prior to the time that you came to this area?

(The witness conferred with her counsel.)

Mrs. ROSEN. This is my answer to your question, Mr. Arens. Last year, 110 California teachers were subpoenaed by this committee. In northern California, 40 teachers had their names smeared on the front pages of numerous local newspapers.

Mr. SCHERER. Mr. Chairman, I ask for regular order.

Mr. WILLIS. Yes. Answer the question.

Mr. ARENS. The outstanding principal question is: Where did you live immediately prior to the time that you moved to California?

Mrs. ROSEN. I am answering your question. I would like to be allowed to answer it in my own way.

Mr. WILLIS. What is the outstanding question?

Mr. ARENS. The outstanding principal question, sir, is: Where did you live prior to the time that you moved to California?

Mr. WILLIS. I direct you to answer that question.

(The witness conferred with her counsel.)

Mrs. ROSEN. I decline to answer that statement upon the following grounds—

Mr. WILLIS. Proceed with the next question.

Mr. ARENS. The next question is—

Mrs. ROSEN. You are not giving me a chance to state my grounds.

Mr. WILLIS. Proceed with the next question.

Mrs. ROSEN. May I say that I was subpoenaed last year. My name was smeared in the headlines of all the local newspapers.

Mr. WILLIS. Next question.

Mrs. ROSEN. I have been harassed for 1 year, and this is now my opportunity to speak, and I would like to have it.

Mr. ARENS. Would you kindly tell the committee how long you lived in New York City?

(The witness conferred with her counsel.)

Mrs. ROSEN. You have indicated to me already the purpose of that question, and I decline to answer that question. I would like to be able to state my grounds for this declination.

Mr. ARENS. Do you decline to answer that question on constitutional grounds?

(The witness conferred with her counsel.)

Mrs. ROSEN. I will state my grounds as follows—

Mr. ARENS. Were you a top Communist Party functionary in the Bronx, from 1950 to 1954?

(The witness conferred with her counsel.)

Mrs. ROSEN. I repeat that you are denying me my constitutional grounds and my reasons for answering this question in my own way, and I would like to continue by saying—

Mr. ARENS. Mr. Chairman, I respectfully suggest that if this witness is in truth and in fact attempting to answer on constitutional grounds, she should be permitted to do so, but if, on the other hand, she is going to give another Communist Party speech, I think it is quite proper that she be denied the opportunity to use this committee as a forum for that purpose.

Mrs. ROSEN. These are my constitutional grounds, Mr. Chairman, and I wish to state them in my own words.

Mr. WILLIS. State your constitutional grounds.

Mrs. ROSEN. I repeat, last year 110 teachers were subpoenaed by this committee—

Mr. WILLIS. That is not a constitutional ground.

(The witness conferred with her counsel.)

Mrs. ROSEN. I am not a lawyer. I wish to state these grounds in the best way that I can and I demand the right to do so.

Mr. WILLIS. You are not a lawyer, but you have a lawyer advising you constantly during this tactic.

Mrs. ROSEN. Yes, but this statement was prepared by me, and I wish to be allowed to read it.

Mr. WILLIS. What statement?

Mrs. ROSEN. It is handwritten, two pages.

Mr. WILLIS. Go on and read it.

Mrs. ROSEN. Last year, 110 California teachers were subpoenaed by this committee. In northern California, 40 teachers had their names smeared on the front pages of numerous local newspapers. This was done just before the end of the school semester and prior to summer vacation.

One hundred and ten California teachers, tired from their year's work, had no vacations, no opportunity to rest, because the committee postponed the June 17th hearing and scheduled them for early September, thus harassment and continued press publicity followed the teachers all through the summer.

The committee then postponed its hearings until October 14, no explanations were given for these postponements.

Widespread public protest, coming from church groups, ministers, professors, teachers' organizations, parent groups, labor unions, newspapers and individuals finally caused this committee to cancel the hearings entirely.

If you are interested, Mr. Chairman, in seeing documentation of these protests, may I refer you to a document of unimpeachable integrity, the speech before the House of Representatives of the Honorable James Roosevelt, dated Monday, April 25, 1960, in which he calls upon the House of Representatives to abolish this Committee on Un-American Activities.

This story could and should have ended here, but no, this committee had not finished its dirty work. It sent its files on the teachers to the state superintendent of instruction and then, not certain that

these would be used against the teachers, ran around the state and deposited these files with local district attorneys, who then dumped them into the laps of the school boards, whether requested by them, or not.

I would like to quote from Mr. Roosevelt's speech :

When State Attorney General Mosk issued a formal opinion he stated, among other things, that the committee files themselves were worthless as evidence against the teachers involved. The reason, he said, was that the authors of the information were not identified. No action for the revocation of teaching credentials could be based on the allegations of unnamed allegedly "reliable sources." Only if the charges could be backed up by the evidence of identified persons could action against the teachers be initiated by the school department. The California attorney general, in a letter to me dated February 2, 1960, stated the following: "I recognize that the reports, standing alone, could not be used by the superintendent of public instruction"——

Mr. SCHERER. Just a moment, Mr. Chairman. The witness said she wanted to read a two-page statement in longhand, and now she is reading the gentleman from California's speech that he made on the floor of the House.

I submit she is not invoking any constitutional amendment in refusing to answer this question.

Mr. WILLIS. I so rule. This always happens when we have a sentimental appeal to make a little statement. She started with a little statement and now has gone to a large document.

I order you to answer the question outstanding.

What is it, Counsel, to be specific?

Mrs. ROSEN. I would ask the chairman, please, to be permitted to continue with my own statement and disregard Mr. Roosevelt's statement.

Mr. WILLIS. You started with a two-page statement.

Mrs. ROSEN. This is handwritten on one side of the page. I have just one more sheet to read, if you don't mind.

This year the committee returned. School boards were informed as long as 3 weeks before the subpoenas were served that their employees were in danger. Many school boards, intimidated by the representatives of this committee, informed their teachers they would not be rehired. There are at least six such cases in this area alone.

Many teachers subpoenaed last year have now been resubpoenaed. Community protests are again pouring in. The academic community is aroused by this repeated threat to freedom of thought and inquiry. This committee has no right to inquire into this area. This committee has no right to question me as to my thoughts, associations, and activities.

Mr. WILLIS. Wait a moment. There is an outstanding question that I now order and direct her to answer on constitutional grounds only.

If she goes beyond that, her lawyer knows the significance of it, Mr. Counselor. You will proceed with the question.

(The witness conferred with her counsel.)

Mrs. ROSEN. I stand on my rights under the first amendment of the Constitution of the United States, guaranteeing me freedom of speech, thought, and association, and the ninth amendment, which guarantees to me the right not to speak, and the fifth amendment, which was placed in the Constitution by our forefathers to protect the innocent from being compelled to act as a witness against themselves.

Mr. ARENS. As of the instant that you were served with your subpoena to appear before this committee, were you then a member of the Communist Party?

(The witness conferred with her counsel.)

Mrs. ROSEN. You have my answer, sir.

Mr. ARENS. Give it to us again please.

Mr. SCHERER. I ask that you direct the witness to answer.

Mr. WILLIS. The witness is directed to answer the question.

(The witness conferred with her counsel.)

Mrs. ROSEN. I decline to answer on the grounds previously stated.

Mr. SCHERER. Does that include the invocation of the fifth amendment?

(The witness conferred with her counsel.)

Mrs. ROSEN. You heard my answer, sir.

Mr. SCHERER. I ask that you direct the witness to answer my question, because the courts have said that when there is a question in our minds as to whether or not the witness is invoking the fifth amendment, we are compelled to ask the witness specifically whether the declination involves the use of the fifth amendment.

(The witness conferred with her counsel.)

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer.

Mr. WILLIS. You are directed to answer the question.

Mrs. ROSEN. Mr. Willis, I am not a lawyer. I would like to have my lawyer have the privilege of arguing that point because he apparently disagrees.

Mr. EDISES. May I be heard on that point?

Mr. WILLIS. No.

Mr. EDISES. I happen to disagree with Mr. Scherer's interpretation of the fifth amendment.

Mr. WILLIS. That will be all.

Mr. EDISES. If you will drop the question as far as this witness is concerned?

Mr. WILLIS. The question is not dropped. There is an outstanding order directed to her to answer the question.

Mr. EDISES. She has already declined to answer and her grounds are in the record.

Mr. WILLIS. Next question.

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

(The witness conferred with her counsel.)

Mrs. ROSEN. I decline to answer on the same grounds.

Mr. ARENS. Just one final question:

Did you happen to read the address of the gentleman from Ohio, Mr. Scherer, who is a member of this committee, responding on the floor of the House to the address by the gentleman from southern California, Mr. Roosevelt?

(The witness conferred with her counsel.)

Mrs. ROSEN. I happen not to have read it. I am sure it was well publicized.

Mr. ARENS. That will conclude the staff interrogation of this witness.

Mrs. ROSEN. May I—

Mr. WILLIS. No; the witness is excused.

Call the next witness.

Mr. ARENS. The next witness, Mr. Chairman, if you please, will be Mrs. Betty Halpern.

Mr. WILLIS. Please raise your right hand.

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

Mrs. HALPERN. I do.

**TESTIMONY OF BETTY HALPERN, ACCOMPANIED BY COUNSEL,
ALBERT M. BENDICH**

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

Mrs. HALPERN. My name is Betty Halpern. I live at 6 Acton Circle, Berkeley, Calif., and I am a teacher.

Mr. ARENS. Is it Miss or Mrs.?

Mrs. HALPERN. Mrs., the mother of two.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mrs. HALPERN. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mrs. HALPERN. Yes, sir.

Mr. ARENS. Counsel, will you kindly identify yourself on this record?

Mr. BENDICH. Albert M. Bendich, staff counsel, American Civil Liberties Union of Northern California.

Mr. ARENS. When and where were you born?

Mrs. HALPERN. In Rumania, 1924.

Mr. ARENS. When did you come to the United States for permanent residence?

Mrs. HALPERN. 1929.

Mr. ARENS. Are you a citizen of the United States?

Mrs. HALPERN. Yes, sir.

Mr. ARENS. By derivation or naturalization?

Mrs. HALPERN. By derivation, sir.

Mr. ARENS. Where have been your principal places of residence since you established your residence in this country?

Mrs. HALPERN. New York and Berkeley.

Mr. ARENS. How long did you live in New York, and over what period of time?

(The witness conferred with her counsel.)

Mrs. HALPERN. I lived in Brooklyn, N.Y., until 1944. Then I came to Los Angeles, and then spent a year there and came to Berkeley, Calif.

Mr. ARENS. Give us a word, please, about your education?

Mrs. HALPERN. Graduated from public elementary school in Brooklyn, N.Y.; high school, Brooklyn, N.Y. The University of California, Berkeley.

Mr. ARENS. You have a teacher's certificate to teach in the public schools?

(The witness conferred with her counsel.)

Mrs. HALPERN. I had an emergency credential when I taught in the public school, and I am now teaching in a private school.

Mr. ARENS. Have you given us all of the institutions in which you have received your training?

(The witness conferred with her counsel.)

Mrs. HALPERN. Sir, may I have some clarification on that question?

Mr. ARENS. Have you received any specialized training, let us say, in Los Angeles, since you have arrived in these parts?

(The witness conferred with her counsel.)

Mrs. HALPERN. Could you be a little bit more specific?

Mr. ARENS. Yes. Have you received any specialized Communist Party training?

Mrs. HALPERN. Not to my knowledge.

Mr. ARENS. Have you attended the People's Educational Center?

(The witness conferred with her counsel.)

Mrs. HALPERN. I think I took a dance and drama course there once, to the best of my knowledge.

Mr. ARENS. When you so quickly denied training by the Communist Party, that leads me to ask you this question: Were you given training in Communist techniques, Communist activities, Communist political warfare at any time?

(The witness conferred with her counsel.)

Mrs. HALPERN. If dance and drama covers this, then maybe it was—

Mr. ARENS. Of course, it does not. And I did not suggest that it did.

(The witness conferred with her counsel.)

Mrs. HALPERN. I again have to ask you for clarification, sir.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

(The witness conferred with her counsel.)

Mrs. HALPERN. Sir, I respectfully decline to answer that question on the basis of the first and fifth amendments.

Mr. ARENS. Have you held Communist Party cell meetings in your home?

(The witness conferred with her counsel.)

Mrs. HALPERN. Sir, I respectfully decline to answer that question for the previous statement that I made.

Mr. ARENS. When did you receive your teacher's certificate?

Mrs. HALPERN. I think it was in 1950, sir.

Mr. ARENS. Was that on October 8, 1950, do you recall?

Mrs. HALPERN. I am not sure.

Mr. ARENS. I have a photostatic copy here of your application, and the date is not quite clear on here. It is in your handwriting, but it is not quite clear.

In this application, you signed an oath of allegiance. As of that date, on October 8, 1950 [1951], when you signed this application, were you then a member of the Communist Party?

Mrs. HALPERN. I again repeat, sir, I respectfully decline to answer that question on the basis of the first and fifth amendments.

(Document marked "Halpern Exhibit No. 1" and retained in committee files.)

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

(The witness conferred with her counsel.)

Mrs. HALPERN. I decline on the grounds previously stated.

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

The next witness, if you please, Mr. Chairman, will be Lillian Ransome.

Mr. WILLIS. 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?

Mrs. RANSOME. I do.

I would like to have you turn those lights out. I didn't come here to be cooked.

TESTIMONY OF LILLIAN RANSOME; ACCOMPANIED BY COUNSEL, VINCENT HALLINAN

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

Mrs. RANSOME. I am Lillian Ransome, of Wheatland, Calif., 515 State Street, Post Office Box 159. I am an agricultural worker. I came to California in 1947, to Wheatland, Calif. I have been here since.

Mr. ARENS. Is it Miss or Mrs.?

Mrs. RANSOME. Mrs.

Mr. ARENS. Mrs. Ransome, you are appearing today in response to a subpoena which was served upon you by this committee?

Mrs. RANSOME. I must have been, or I would not have been here.

Mr. ARENS. Thank you, ma'am. And you are represented by counsel?

Mrs. RANSOME. I am.

Mr. ARENS. Counsel, will you identify yourself?

Mr. HALLINAN. My name is Vincent Hallinan, and as to identifying myself, I am the man who asked leave to testify here that the statement made by the—

Mr. ARENS. Counsel, you know your sole and exclusive prerogative is to advise your client, and you are in violation of the rules of this committee. You are performing unethical conduct and you know it.

I respectfully suggest that counsel be admonished to abide by the rules of this committee, Mr. Chairman. If he wants to be a witness, we will be glad to call him to be sworn a little later on.

Mr. HALLINAN. Would you tell me what you meant by identifying? Did you want my name?

Mr. ARENS. Counsel is violating the rules of this committee.

Mr. HALLINAN. I deny that. Tell me what rule it is.

Mr. ARENS. Mrs. Ransome, kindly tell us where you lived prior to the time you came to California.

Mrs. RANSOME. On the advice of my attorney, I refuse to answer that question for the following reasons: One, it is not within the scope of the purpose of which this committee was formed; two, the committee has no rights to inquire into my personal, private belief or associations.

Mr. ARENS. I was not asking you if you believed where you lived?

Mrs. RANSOME. Three, it violates my rights under the Constitution of the United States, particularly the first and fifth amendments.

Mr. ARENS. Now, please tell us where you lived prior to the time you came to California.

Mrs. RANSOME. I told you where I live, in Wheatland, California, 515 State Street.

Mr. ARENS. Tell us how long you have lived there.

Mrs. RANSOME. I have lived there since 1947.

Mr. ARENS. Where did you live prior to 1947?

Mrs. RANSOME. I lived at 515 State Street since 1947.

Mr. ARENS. Where did you live in 1946?

(The witness conferred with her counsel.)

Mrs. RANSOME. On the advice of my attorney I refuse to answer that question for the following reasons: It is not within the scope of the purpose for which this committee was formed; two, the committee has no right to inquire into my personal, private beliefs or associations; three, the question violates my rights under the Constitution of the United States, and particularly under the first and fifth amendments.

Mr. ARENS. Do you honestly and truly apprehend that if you told this committee where you were living in 1946, you would be supplying information which might be used against you in a criminal proceeding?

I ask that question with this explanation in the record, that it would appear that you are not invoking the fifth amendment provisions of the Constitution against self-incrimination in good faith.

(The witness conferred with her counsel.)

Mrs. RANSOME. It is not within the scope of the purpose for which this committee was formed; two, the committee has no right to inquire into my personal, private beliefs, or associates. The question violates my rights under the Constitution of the United States, and particularly under the first and the fifth amendments.

Mr. ARENS. This committee is trying to develop factual information which will be used by the United States Congress in enacting legislation to protect this country, this Constitution, this flag, this Nation, against the onslaught of the Communist conspiracy which threatens freedom everywhere.

Do you have information, current information respecting the activities, the program, of the Communist Party in northern California?

(The witness conferred with her counsel.)

Mrs. RANSOME. On the advice of my attorney, I refuse to answer—

Mr. ARENS. You could save time if you just say "For the same reasons." That would help all the way around.

Mrs. RANSOME. —on the following grounds: Number one, it is not within the scope of the purpose for which this committee was formed; two, the committee has no right to inquire into my personal, private beliefs or associates; and three, the question violates my rights under the Constitution of the United States, particularly under the first and the fifth amendment.

Mr. ARENS. Have you been a full-time, paid functionary in the Valley Section of Northern California of the Communist Party?

I said that wrong. A full-time, paid functionary of the Communist Party operating in the Valley Section of Northern California?

(The witness conferred with her counsel.)

Mrs. RANSOME. On the advice of my attorney, I refuse to answer that question for the following reasons: One, it is not within the scope of the purpose for which this committee was formed; two, the committee has no right to inquire into my personal, private beliefs or

associates; three, the question violates my rights under the Constitution of the United States, and particularly under the first and the fifth amendments.

Mr. ARENS. Thank you, ma'am.

That will conclude, if you please, the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Ed Ross.

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

Mr. LEWIS. Mr. Chairman, on behalf of my client, may I request that the lights remain off as he comes forward.

Mr. WILLIS. They are off.

Please raise your right hand.

You do 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. Ross. I do.

**TESTIMONY OF EDWARD ROSS, ACCOMPANIED BY COUNSEL,
JOSEPH F. LEWIS**

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

(The witness conferred with his counsel.)

Mr. Ross. Which of these are the live mikes, or are they all live?

Mr. ARENS. The one you should get close to is the one there near you.

Now, would you kindly give us your name, residence, and occupation?

Mr. Ross. My name is Edward Ross. I live at 134 Lockhart Lane, Los Altos, California. I am a salesman.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by this committee?

Mr. Ross. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. Ross. Yes, sir.

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

Mr. LEWIS. Joseph F. Lewis, Sunnyvale, California.

Mr. ARENS. Where and when were you born, Mr. Ross?

Mr. Ross. I was born in New York City on September 3, 1915.

Mr. ARENS. And give us a word, please, about your education.

(The witness conferred with his counsel.)

Mr. Ross. Does this just concern my schooling, my formal education?

Mr. ARENS. Well, let's start with that.

Mr. Ross. I am a graduate of grade schools and high schools in New York City.

Mr. ARENS. No college or higher education?

Mr. Ross. No.

Mr. ARENS. What other training have you had?

(The witness conferred with his counsel.)

Mr. Ross. Sir, is this for the purpose of identification only?

Mr. ARENS. Don't you want to tell us any other training you have had?

(The witness conferred with his counsel.)

Mr. Ross. Sir, if this is purely for the purposes of identification, I will assert that I am truly Ed Ross who was served with a subpoena.

Mr. ARENS. Can't you tell us what other training you have had besides the schooling that you have just alluded to?

(The witness conferred with his counsel.)

Mr. Ross. Sir, I don't really understand the question.

Mr. ARENS. You have adequately identified yourself. We understand that.

Tell us about any training you have had other than, or in addition to, the training which you have already described.

(The witness conferred with his counsel.)

Mr. ARENS. Maybe I can help you. Have you taken any correspondence courses from any of the universities?

Mr. Ross. I know at one time I did that. I was interested in some matters and took a correspondence course in some things, although I had been through formal education.

Mr. ARENS. Have you ever had any correspondence courses in any schools?

(The witness conferred with his counsel.)

Mr. Ross. Sir, I still feel that you have not made yourself clear.

Mr. ARENS. Well, have you attended any night schools? Now we will abandon the inquiry about a correspondence course. Have you attended any night schools of any kind that come to your mind?

(The witness conferred with his counsel.)

Mr. Ross. Sir, I am not really able to answer that question with complete—

Mr. ARENS. Shall we go further?

Mr. Ross. Yes.

Mr. ARENS. Have you had some training of any kind in engineering?

(The witness conferred with his counsel.)

Mr. Ross. Sir, I have educated myself in this field.

Mr. ARENS. Tell us about the nature of the training you have had in engineering. Was that correspondence or just by going to the library or studying at home like Abraham Lincoln did, or how was that? How did you acquire this knowledge you have in engineering?

(The witness conferred with his counsel.)

Mr. Ross. Sir, will you repeat the question, please?

Mr. ARENS. Yes. By what devices did you train yourself in engineering, and in what fields of engineering have you specialized in your training?

(The witness conferred with his counsel.)

Mr. Ross. Sir, it was mostly by my own study and application.

Mr. ARENS. Are you able to read blueprints?

(The witness conferred with his counsel.)

Mr. WILLIS. I think the witness is delaying too much, really, on a simple question.

Mr. Ross. I am trying to answer these questions to the best of my knowledge.

Mr. ARENS. Can you tell us whether or not you can read blueprints? I can tell you pretty quickly I can't.

(The witness conferred with his counsel.)

Mr. Ross. Sir, in my field I think I can read blueprints.

Mr. ARENS. Is your engineering field mechanical engineering, chemical engineering? What type of engineering? Bridgebuilding? What is it that has been your particular training in this engineering field?

(The witness conferred with his counsel.)

Mr. Ross. Sir, will you break that question up into its components? You have asked me about three questions.

Mr. ARENS. I was asking you of the various alternatives. Which segments of engineering are you particularly trained in? You have told us now that you have been studying on your own, equipping yourself as one who is familiar in engineering fields, a very fine area to be engaged in, particularly in this time in which we need engineers, need people who will help develop weapons to defend our great Nation.

Tell us what field have you been particularly interested in?

(The witness conferred with his counsel.)

Mr. Ross. Sir, as I pointed out before, I have a limited education in engineering—

Mr. SCHERER. I didn't understand your last answer.

Mr. ARENS. He said he had a limited education in engineering.

Mr. Ross. Right. I am a self-taught engineer and I can read some blueprints, not all, those applicable to the particular field that I am in.

Mr. SCHERER. We wanted to know what field is it, sir. Is it electrical, mechanical, civil?

Mr. Ross. It could be—

Mr. SCHERER. Or all three of them?

Mr. Ross. Well, civil it wouldn't be, but it would be electrical and mechanical, mainly.

Mr. ARENS. You have been interested in electronics in the course of your home studies?

Mr. SCHERER. He said electrical.

Mr. ARENS. That shows how little I know about mechanical matters.

Tell us how long you have been engaged as a ball-bearing salesman.

Mr. Ross. For about 20 years.

Mr. ARENS. Without revealing the particular plant, what is the nature of a plant to which you sell your ball bearings?

(The witness conferred with his counsel.)

Mr. WILLIS. This is a very simple question. We have to move on. I order you to answer the question.

Mr. Ross. Sir, can I decide how to answer my questions?

(The witness conferred with his counsel.)

Mr. SCHERER. Let's put it more direct. Do you sell ball bearings to plants that have defense contracts?

Mr. Ross. Well, why didn't he ask that question before?

Mr. SCHERER. I am asking it now.

Mr. Ross. Okay.

(The witness conferred with his counsel.)

Mr. Ross. Sir, I sell to plants that are in the missile and allied industries. I also sell to automotive users. I sell to farm machinery, food machinery manufacturers. I sell to anybody who uses ball bearings in the manufacturing of anything that moves.

Mr. ARENS. In your procedures of selling to the plants that manufacture missiles or missile machinery, do you have access to the plants?
(The witness conferred with his counsel.)

Mr. Ross. Sir, I normally don't have access to these missile plants, except in the lobbies.

Mr. ARENS. That is normally. Do you have access to people, or do you engage in conversations with people, who do work in these missile plants?

(The witness conferred with his counsel.)

Mr. Ross. I have a contact with anybody who is interested in purchasing ball bearings, not specifically those people who work in missile plants. I sell to anybody who needs ball bearings.

Mr. ARENS. We understand to whom you sell. We are trying to inquire of you from whom you may acquire certain information.

Do you or have you, in the course of the time in which you have been selling ball bearings to missile plants, engaged in conversations persons known by you to be members of the Communist Party who are employed in missile plants?

(The witness conferred with his counsel.)

Mr. Ross. Will you repeat the question again?

Mr. ARENS. Read the question, please.

(The question was read by the reporter.)

(The witness conferred with his counsel.)

Mr. WILLIS. It should be noted that there have been very few questions asked thus far and the witness has been on the stand for a very long time.

Mr. Ross. I cannot hear you.

Mr. WILLIS. Please answer the questions.

Mr. Ross. I think counsel is developing a line which I think is a little unfair. I mean, he is trying to make me say something that I don't particularly believe in.

Mr. ARENS. I am not asking you to say anything that isn't the truth. If the answer to the question is "No," just say "No."

Mr. Ross. To my best knowledge, no.

Mr. ARENS. Do you know a man by the name of Karl Prussion?

(The witness conferred with his counsel.)

Mr. WILLIS. That is a very simple question. I direct you to answer it.

Mr. Ross. Yes; I am going to answer it, sir.

Mr. WILLIS. All right.

(The witness conferred with his counsel.)

Mr. Ross. Sir, I am going to have to decline to answer that question for the following reasons: First, I incorporate in the answer the points made by me in the petition filed on my behalf by my attorneys with the Speaker of the House of Representatives and the chairman of this committee regarding the legality of the proceedings by virtue of the participation of the congressman from Louisiana.

Second, by the very nature of the proceedings, as well as those charges made against me, their vagueness and lack of substantiation,

on advice by counsel that I have no alternative but to invoke the first, fifth, and fourteenth amendments to the Constitution of the United States.

Mr. SCHERER. I will put it to you as a fact: Is it not a fact that you knew Prussion as a member of the Communist Party when you were a member of the Communist Party?

I will ask you to affirm or deny the assertion I just made.

(The witness conferred with his counsel.)

Mr. ROSS. Sir, I will have to decline to answer this question for the same reasons that I declined to answer the last question.

Mr. SCHERER. And does that include the invocation of the fifth amendment?

(The witness conferred with his counsel.)

Mr. ROSS. Shall I read it again to you, sir?

Mr. SCHERER. I asked you, just to be sure, whether you are declining to answer on the grounds that you decline to answer because of your rights under the fifth amendment.

(Witness conferred with his counsel.)

Mr. SCHERER. I frankly didn't remember whether you cited the fifth amendment when you read all of the reasons for which you did not answer.

Mr. ROSS. I did, sir. The stenographer should have it in the record.

Mr. ARENS. Mr. Prussion, will you kindly stand up where you are, please?

You were previously sworn on this record?

Mr. PRUSSION. Yes, sir.

TESTIMONY OF KARL PRUSSION—Resumed

Mr. ARENS. Mr. Prussion, during the course of your service as an undercover agent in that conspiratorial force known as the Communist Party, did you know to a certainty as a member of the Communist Party a person by the name of Ed Ross?

Mr. PRUSSION. Yes.

Mr. ARENS. Do you see him in the hearing room today, now?

Mr. PRUSSION. I so do.

Mr. ARENS. Would you point him out to the committee?

Mr. PRUSSION. There [indicating].

Mr. ARENS. Mr. Prussion, did you, in the course of your knowing Ed Ross as a member of the Communist Party, at any time engage him in conversation respecting the acquisition by him of information pertaining to the missile program of the United States?

Mr. PRUSSION. Yes, I did.

Mr. ARENS. Kindly, in your own words and with the utmost care, recite the essence of any conversation or conversations which you held with him or which transpired in his presence.

Mr. PRUSSION. The conversation took place on May 21, 1958, at a Communist Party cell meeting in Palo Alto. Attending that cell meeting were Michael Shapovalov, Esther Shapovalov, myself, Doris Dawson, Gertrude Adler, Mary Field, and Sara Alchermes.

Mr. ARENS. Would you repeat that and raise your voice, please?

Mr. PRUSSION. On May 21, 1958, at a Palo Alto cell meeting of the Communist Party, which was attended by Michael Shapovalov, my-

self, Doris Dawson, Gertrude Adler, Mary Field, Sara Alchermes, Mary Wilson, Elizabeth Nicholas, and Isaac Folkoff.

Mr. Ross, during the usual educational period, as is had at all cell meetings, was the leader of discussion on the subject "The Next Step," by Lenin. Ed Ross at that time stated—

Mr. SCHIERER. Just a minute, Mr. Chairman. The Witness Ross is seated there shaking his head at the statements made by Mr. Prussion.

Have any of the statements which Mr. Prussion has made up to this point, at which you are shaking your head, been untrue?

Mr. Chairman, I ask that you direct the witness to answer my question.

Mr. Ross. Sir, I have to respectfully decline to answer that question for the same reason that I have declined to answer the previous question.

Mr. SCHIERER. You were sitting there shaking your head "no" to almost every statement he made.

Mr. Ross. I have a right to do that.

Mr. SCHIERER. I understand you have a right to do it, but I wanted to give you an opportunity to say whether any statement he made up to this point was untrue. You refused to answer.

(The witness conferred with his counsel.)

Mr. WILLIS. Proceed.

Mr. PRUSSION. Mr. Ross at that time was extremely active in the South Palo Alto, Stanford, and Los Altos Democratic Clubs, principally the California Democratic clubs.

Mr. ARENS. By that time, you mean May 21, 1958?

Mr. PRUSSION. That is correct. Everybody at the meeting had to describe their activities during the past month period. Mr. Ross described his activities within the Democratic Party and described them as very successful, functioning very properly, and he also stated that he knew when missiles were fired, and I will quote "types of missiles and where and what direction they are fired." He did not give any more detail.

TESTIMONY OF EDWARD ROSS—Resumed

Mr. ARENS. Mr. Ross, you have heard the statement there by Mr. Prussion. Is there any item of information in any degree which is in error or which you care to deny?

(The witness conferred with his counsel.)

Mr. Ross. Sir, I think at this point I will have to again refuse to answer your question for the same reasons I have declined to answer the previous questions.

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

Mr. Ross. Sir, I will have to again decline to give you an answer to this question for the same reasons as I gave before to the previous questions.

Mr. ARENS. Mr. Chairman, I respectfully suggest this witness be maintained under his subpoena, subject to further direction of this committee as to a time and place for further appearance, but that he be temporarily excused from attendance upon these hearings during our stay in San Francisco.

Mr. WILLIS. That is the order of the Chair.

Mr. SCHERER. Mr. Ross, as a result of the contacts you had with plants engaged in the manufacture of missiles, did you obtain any information which you passed on to anybody in the Communist Party?

Mr. Ross. Sir, I respectfully decline to answer that question for the same reasons that I have given on previous questions concerning this particular end.

Mr. WILLIS. The witness is excused.

Mr. ARENS. By excused, Mr. Chairman, you mean, of course, excused from immediate attendance.

Mr. WILLIS. Excused at this time, but he is under continuing subpena.

Mr. Ross. Thank you.

Mr. WILLIS. The committee will take a 15-minute recess.

(Members of the subcommittee present at the taking of the recess: Representatives Willis, Johansen, and Scherer.)

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

Mr. WILLIS. The subcommittee will come to order.

Mr. ARENS, call your next witness.

Mr. ARENS. Ruben Venger, please come forward.

Mr. WILLIS. Please raise your right hand.

You do 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. VENGER. I do.

Mr. ANDERSEN. Mr. Arens, for the benefit of other counsel, would it be possible to announce the order of the witnesses? Some of them would like to go out and get a bite to eat, if they have time.

Mr. ARENS. May I suggest this: that it is our present intention to call Mr. Ruben Venger, who is now here, and then pursuant to your request to call Mr. Ralph Izard. Then we had in mind calling William Reich. Then we were going to call Mr. Lafferty. Then we were going to resume with Mr. Prussion for a short while.

So Counsel, those who would like to absent themselves to get a bite to eat now have an idea of what our intentions are.

FROM THE FLOOR. May I inquire whether the list of witnesses just announced by Mr. Arens will represent all the witnesses?

Mr. ARENS. No; I was just giving the next few.

Mr. WILLIS. Please proceed, Mr. Arens.

TESTIMONY OF RUBEN VENGER, ACCOMPANIED BY COUNSEL, GEORGE R. ANDERSEN

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

Mr. VENGER. My name is Ruben Venger. I live at 420 West Railroad Avenue, Cotati, Calif. My occupation was a tailor all the time. Then I went chicken and poultry ranching. Now, thanks to the administration, I had to go back to tailoring.

(At this point Representative Scherer entered the hearing room.)

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. VENGER. Yes, sir.

Mr. ARENS. You are represented by counsel?

Mr. VENGER. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. ANDERSEN. George Andersen.

Mr. ARENS. Where were you born, Mr. Venger?

Mr. VENGER. In old czarist Russia.

Mr. ARENS. When did you come to the United States for permanent residence?

Mr. VENGER. 1912.

Mr. ARENS. Are you a citizen of the United States?

Mr. VENGER. At 21 years of age I became a citizen of the United States.

Mr. ARENS. By naturalization or derivation?

Mr. VENGER. Naturalization; of my own free will.

Mr. ARENS. Do you know a man by the name of William Kimple?
(The witness conferred with his counsel.)

Mr. VENGER. I don't think I want to talk about anybody else except myself.

Mr. ARENS. Then tell us about yourself. Are you now a Communist Party functionary in Sonoma County, in northern California?
(The witness conferred with his counsel.)

Mr. VENGER. I refuse to answer that on the first and fifth amendments.

Mr. ARENS. Mr. William Kimple appeared before this committee and swore that he knew you as a member of the Communist Party. Was Mr. Kimple in error in that identification of you in that capacity?
(The witness conferred with his counsel.)

Mr. VENGER. I give the same answer as I previously stated.

Mr. ARENS. Do you have any income other than the income from the occupation which you described a moment ago as your occupation?
(The witness conferred with his counsel.)

Mr. VENGER. I don't think it is any of your business to know of those incomes.

Mr. ARENS. We are not concerned——

Mr. SCHERER. Just a moment.

I ask that you direct the witness to answer the question.

Mr. WILLIS. The witness is directed to answer the question.

Mr. SCHERER. It is certainly our business if it comes from the Communist Party.

(The witness conferred with his counsel.)

Mr. VENGER. The same as I previously stated.

Mr. SCHERER. Do you mean you refuse to answer?

Mr. VENGER. I refuse on the same grounds as I previously stated.

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

(The witness conferred with his counsel.)

Mr. VENGER. I give you the same—I refuse to answer on the same ground as I previously stated.

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

Mr. WILLIS. The witness is excused.

Mr. ARENS. Ralph Izard, please come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand.

You do 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. IZARD. Yes.

**TESTIMONY OF RALPH IZARD, ACCOMPANIED BY COUNSEL,
GEORGE R. ANDERSEN**

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

Mr. IZARD. My name is Ralph Izard. I live at 1335-A Columbus Avenue, San Francisco. I am a writer and a student.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. IZARD. Is that a question?

Mr. ARENS. Yes, sir.

(The witness conferred with his counsel.)

Mr. IZARD. I should think that the committee would know the answer to that question.

Mr. WILLIS. Let me explain it to you. I would think that you would want that question asked. In other words, you did not come here voluntarily, you have been subpoenaed, and we want the record to reflect that.

Mr. IZARD. I would never be on hand here voluntarily.

Mr. WILLIS. It is a proper question. Proceed.

Mr. ARENS. Would you tell us if you are represented by counsel?

Mr. IZARD. I am represented by able counsel who, unfortunately, is unable to speak up and represent me as I would like to be represented.

Mr. ARENS. Counsel, will you kindly identify yourself for this record?

Mr. ANDERSEN. My name is George Andersen.

Mr. ARENS. Where and when were you born?

(The witness conferred with his counsel.)

Mr. IZARD. Chicago, Ill., the 19th of November 1905.

Mr. ARENS. And a word, please, about your education?

(The witness conferred with his counsel.)

Mr. IZARD. Education is a broad term. My education is still going on. I have had a very fine education the last 3 days here.

Mr. ARENS. We are speaking about your formal education.

Mr. Chairman, I respectfully suggest that the Chair again admonish those who are in attendance that we insist upon proper decorum.

Mr. WILLIS. I think the audience understands that very well. I plead with them to respect the rule. We will have to enforce it.

Mr. ARENS. Please give us a word, sir, respecting your formal education.

(The witness conferred with his counsel.)

Mr. IZARD. I attended kindergarten and, to the best of my recollection, the first grade in Chicago. I believe I attended another kindergarten in Flint, Mich. By the time I arrived in Lakewood, Ohio,

I think I was in the second grade. My memory fails me on this point, but at the time I went there to be with my mother, so she would be a better check on this than I am.

I finished my lower, my elementary schooling, in the schools of Lakewood, Ohio, and with one gap, attended straight through them, junior high school and high school, in Lakewood, Ohio.

Mr. ARENS. Did that complete your formal education?

(The witness conferred with his counsel.)

Mr. IZARD. Yes. I went to college.

Mr. ARENS. Kindly give use a word on that, please, sir.

Mr. IZARD. Which word do you want, sir?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the query.

Mr. IZARD. I don't understand the query. He asked me for a word.

Mr. ARENS. You don't understand what I am asking you?

Mr. IZARD. No, I don't.

Mr. ARENS. Did you attend college?

Mr. IZARD. I did, sir.

Mr. ARENS. What college did you attend?

Mr. IZARD. The University of Wisconsin.

Mr. ARENS. When did you attend the University of Wisconsin?

Mr. IZARD. From the autumn of 1925 until my graduation in the spring of 1929.

Mr. ARENS. What degree, if any, did you receive from the University of Wisconsin?

Mr. IZARD. The usual academic degree, AB, I believe.

Mr. ARENS. Did that then complete your formal education?

(The witness conferred with his counsel.)

Mr. IZARD. To the best of my recollection, yes. The committee may have other interpretations on it.

Mr. ARENS. How long have you been living in California?

(The witness conferred with his counsel.)

Mr. IZARD. Since 1948, sir.

Mr. ARENS. Have you, in the course of the last 5 years, traveled abroad?

(The witness conferred with his counsel.)

Mr. IZARD. Please repeat the question.

Mr. ARENS. Have you, in the course of the last 5 years, traveled abroad?

Mr. IZARD. Will you name the interval that you mean by the last 5 years?

Mr. ARENS. Five years prior to today.

(The witness conferred with his counsel.)

Mr. IZARD. I take it you mean May of 1955 to May of 1960?

Mr. ARENS. Yes, sir.

Mr. IZARD. No, I did not.

Mr. ARENS. Have you traveled abroad in the course of the last 6 or 7 years?

(The witness conferred with his counsel.)

Mr. IZARD. Will you repeat the question, sir? I am sorry, I am a little—

Mr. ARENS. Have you traveled abroad in the course of the last 6 or 7 years?

(The witness conferred with his counsel.)

Mr. IZARD. Well, I think I have been to Ensenada, Mexico, on a vacation.

Mr. ARENS. Have you traveled to India and the Far East?

Mr. IZARD. Several times, sir.

Mr. ARENS. Over what period of time did you make these several journeys to the Far East?

Mr. IZARD. 1946-47 and 1950.

Mr. ARENS. Where did you go in 1950?

Mr. IZARD. This will require some consultation, if counsel will excuse me for a moment.

(The witness conferred with his counsel.)

Mr. IZARD. Yes, Mr. Arens, I think your question was where I went?

Mr. ARENS. Yes, please, sir.

Mr. IZARD. My ship took me first to Yokohama and from there I went to Tokyo for several days while the ship was tied up, and then from Yokohama to Manila for several days; to Cebu City for another day, back to Manila for a few hours, then direct to Hong Kong, where I stayed 15 days, after which I went to Macao.

From Macao I went to Chung-shan. From Chung-shan I went to Yangshuo, from Yangshuo to Wuhan.

Mr. ARENS. Would you hesitate to inform one who is unenlightened, are these places which you are now describing within the confines of Red China?

(The witness conferred with his counsel.)

Mr. IZARD. Does the counsel mean the People's Republic of China?

Mr. ARENS. Well, it is not the same terminology. You use one terminology and I use another. We will accept your terminology for the purpose of this query only. Yes.

Mr. IZARD. Well, you see, at Macao, Macao used to be an island, and in the old days when the countries of the world did what they wanted, to loot China, Macao was owned by the Portuguese, and it is still a Portuguese entry port, although the harbor is silted up to about 6 feet and it has no real economic significance any more. Its only real economic significance, and the only reason it is able to sustain life, is a causeway about 6 miles in length, which connects it with the Chinese mainland and from where rice——

Mr. SCHERER. Mr. Chairman, this is just a smart-aleck answer by the witness. I ask that you direct the witness to answer the question.

Mr. WILLIS. Yes. The question is: Are these places you named within the territory of the——

Mr. ANDERSEN. He was explaining that Macao is Portuguese. That is what he was explaining.

Mr. ARENS. Go ahead, please, sir.

Mr. IZARD. Well, if I have Mr. Scherer's permission, I will go ahead. I don't want to go ahead without the consent of the full committee.

Mr. SCHERER. I ask that you direct the witness to answer the questions. Are any of the places he mentioned in Red China?

Mr. ANDERSEN. If there is a question before the witness, I want it repeated, so my client knows where he stands.

Mr. ARENS. The essence of the question or thought which is intended to be conveyed to any reasonably receptive mind is: Are the cities or places that you have been describing within the mainland of China, which we characterize as "Red China" and which you have characterized as "The People's Republic of China"?

Mr. IZARD. Chung-shan is the birthplace of Sun Yat-sen, known as the George Washington of China, the Father of his Country.

Mr. ARENS. Now, sir, would you continue your description—

Mr. SCHERER. He has not answered the question. I ask that you direct the witness to answer the question.

Mr. WILLIS. You are directed to answer the question.

Mr. IZARD. Honorable Member Willis, I am at a loss as to what to answer. Mr. Scherer has totally confused me.

Mr. ARENS. We will "unconfuse" you and start over.

Are these cities, these places that you have described, in Red China, or are they not in Red China?

Mr. IZARD. Macao is in China. It is part of China.

Mr. ARENS. Thank you, sir. Now would you go on and tell us the other places where you traveled in this journey in 1950?

Mr. IZARD. But it is Portuguese occupied. Hong Kong is China.

Mr. ARENS. Now, kindly proceed.

Mr. IZARD. From Chung-shan, which, as I say, is the birthplace of Sun Yat-sen, famous throughout China for that reason, I went to Yangshuo, by riverboat.

At Yangshuo, after a wait of about a week, I boarded a train, a special train, bound for Peking, which is usually called mistakenly, Peiping. Peking means "northern capital," and Peiping means "northern peace."

Mr. ARENS. Now we are for a certainly in Red China?

Mr. IZARD. Yes. This train carried people of the Chinese political consultative peoples, a mouthful in English, shorter in Chinese, bound for the second session of that congress of the Chinese people. So we had the red-carpet treatment all the way from Yangshuo to Peking.

(The witness conferred with his counsel.)

Mr. ARENS. Could you, in summary form, tell us where else you went on this trip in 1950?

Mr. IZARD. I looked briefly on Mukden and Tientsin. In Tientsin I was about a month there.

Mr. ARENS. May I suggest you might move that microphone a little closer to you?

Mr. IZARD. I would have to put it my lap. Is that better?

Mr. ARENS. That is better. Thank you, sir.

Did that conclude your trip or did you go someplace else before you returned?

Mr. IZARD. No, sir.

Mr. ARENS. Would you kindly tell us in summary form the principal other places where you went?

Mr. IZARD. From Tientsin to Otaru, on the Island of Hokkaido, and from Otaru into Sapporo, which is the main city on the Island of Hokkaido, back to Otaru again, and then to the port of San Francisco.

Mr. ARENS. Did you travel on a United States passport?

Mr. IZARD. I did, sir.

Mr. ARENS. Did the passport have a provision prohibiting travel on that passport in Red China?

(The witness conferred with his counsel.)

Mr. IZARD. Not to my knowledge, sir.

Mr. ARENS. Did you have a visa for admission into Red China?

Mr. IZARD. Sir, it is impossible to get visas from countries which are not recognized by my own country.

Mr. ARENS. Did you have travel documents for travel in Red China?

(The witness conferred with his counsel.)

Mr. IZARD. No, sir. I just went to China; that is all.

Mr. ARENS. Did you have prearranged plans, make prearrangements on your trip?

(The witness conferred with his counsel.)

Mr. IZARD. No, sir, I did not. That is why I had to wait in Hong Kong and then wait again in Macao.

Mr. ARENS. Whom did you contact in Hong Kong to make arrangements for your admission into Red China?

(The witness conferred with his counsel.)

Mr. IZARD. How do you mean "Who did I contact?" I don't understand.

Mr. ARENS. Did you contact someone to make arrangements for you to be admitted into China, Red China?

Mr. IZARD. Yes, sir.

Mr. ARENS. Who was that person?

(The witness conferred with his counsel.)

Mr. IZARD. I talked to a Chinese news agency in Hong Kong.

Mr. ARENS. Did you identify yourself to that news agency?

Mr. IZARD. I did, sir.

Mr. ARENS. And did you pay a sum of money to that news agency for the service and accommodations to be rendered to you in order to let you travel in Red China?

(The witness conferred with his counsel.)

Mr. IZARD. I can't recall the amount of the expenditure, sir, but I spent some money, but how much, I don't know what it was.

Mr. ARENS. Did you pay all of your expenses in Red China?

(The witness conferred with his counsel.)

Mr. ARENS. Or were you in any sense a guest of some person, group, or organization?

(The witness conferred with his counsel.)

Mr. IZARD. Will you repeat that question, Mr. Arens?

Mr. ARENS. Did you pay all of your expenses personally on your trip into and through Red China, or were your expenses, on the other hand, paid by some other person, group, or organization?

(The witness conferred with his counsel.)

Mr. IZARD. I misplaced my books that I may have kept of the actual expenditures at that time, but it seems to me this is very minute and piddling information on my financial status at the time, which I have no record of any more. That, after all, is 10 years ago, sir.

Mr. ARENS. Were you the guest of the Red Chinese Government?

(The witness conferred with his counsel.)

Mr. IZARD. Yes, sir. My passage to Peking, Peiping, I was a guest of the Chinese Government.

Mr. ARENS. I am going to come back to that in a minute, but I have to back up for just a moment.

When you filed your application for a U.S. passport to travel as a U.S. citizen abroad, did you, in your passport application, indicate to your Government, or that agency of the Government known as the

State Department, that you intended in that trip which you proposed to take to travel in Red China, or was that just as, you might say, an afterthought?

(The witness conferred with his counsel.)

Mr. IZARD. I announced my intention of going to East Asia.

Mr. ARENS. Now would you kindly answer the question?

(The witness conferred with his counsel.)

Mr. IZARD. I thought I had, sir.

Mr. ARENS. Did you, on your passport application, tell the Department of State that you proposed and intended to go to Red China?

(The witness conferred with his counsel.)

Mr. IZARD. But I had no such intention when I left here.

Mr. ARENS. When did this intention formulate itself in your mind, to go to Red China?

(The witness conferred with his counsel.)

Mr. IZARD. When I found out that I could get into the country with some ease and that there were no other Western newsmen there and that I would have a free field.

Mr. ARENS. Who is it on behalf of the Red Chinese regime that extended to you the first indication of hospitality or acceptability of yourself into that area?

(The witness conferred with his counsel.)

Mr. IZARD. I am sorry, I don't know—I never did know his name.

Mr. ARENS. Then you just walked into Red China, got on a train, and went in; is that correct?

Mr. IZARD. No, sir.

Mr. ARENS. Then tell us, in your own words, please, sir, man to man, how you got into Red China.

(The witness conferred with his counsel.)

Mr. IZARD. Let's drop the man-to-man appeal, Mr. Arens. I know I am speaking as a man—I speak for myself.

Mr. ARENS. That is a colloquialism, and you know it, sir.

Now, kindly tell us when and how you first received word that you were to be a guest of the Red Chinese regime.

(The witness conferred with his counsel.)

Mr. IZARD. So far as I know, this news agency that I mentioned to you paid for it.

Mr. ARENS. Did you reveal to the news agency that you were then a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. IZARD. In answer to your question, the committee is running true to form. It has already defamed, befouled, and brutalized the city of St. Francis.

I seek by use of the citizens' shield of the Republic, the fifth amendment, the same as you, Mr. Arens, sought it yesterday when you were not even under oath, but you were asked whether you were subsidized by a racist propagandist, and you refused to say whether you were or were not. You refused either to confirm or to deny that.

Mr. ARENS. Mr. Izard, you certainly wouldn't suggest, you of all people, guilt by association?

Mr. IZARD. No, I suggest——

Mr. ARENS. Would you kindly proceed with your response?

Mr. IZARD. I already have responded to you, sir.

Mr. ARENS. Mr. Chairman, I respectfully suggest this witness now be ordered and directed to answer that question.

Mr. WILLIS. You are ordered to answer the question. We have given you too much time already.

(The witness conferred with his counsel.)

Mr. IZARD. I avail myself of the first amendment, which you have already trampled upon, and I avail myself also of that citizen's shield of the Republic, the privilege of not being forced to testify against myself, under the fifth amendment.

Mr. SCHERER. A very fine speech, coming from a Communist.

Mr. ARENS. Did you, sir, have conferences with representatives of the Red China regime in the course of your sojourns in 1950 in that country?

(The witness conferred with his counsel.)

Mr. IZARD. Well, I couldn't certainly be in the city of Peking, which is a city of some millions of people, and not talk with somebody, and I did talk to the vice mayor of the city.

Mr. ARENS. Did you talk with the Propaganda Ministry representatives in Red China?

(The witness conferred with his counsel.)

Mr. IZARD. Not to my knowledge, Mr. Arens.

Mr. ARENS. Did you acquire information in Red China which you subsequently used in your writings and in your lecturing back in the United States of America?

(The witness conferred with his counsel.)

Mr. IZARD. Mr. Willis, there seems to be a slight misunderstanding in the question. There is some gradation of meaning there. Will you repeat it, please?

Mr. WILLIS. You have been referring to Mr. Arens as Mr. Willis, I believe.

Mr. IZARD. Excuse me. Mr. Arens?

Mr. ARENS. Did you acquire information there which you subsequently used in lectures and writings here on American soil, in this free country?

Mr. IZARD. Yes, I think I did—Yes.

Mr. ARENS. Was that one of the reasons why you traveled through Red China, to acquire information that you could use as a basis for your lectures and writings in the United States?

(The witness conferred with his counsel.)

Mr. IZARD. Yes, that is one reason.

Mr. ARENS. While you were there, did it occur to you to inquire, and did you inquire, respecting the commune system in Red China?

(The witness conferred with his counsel.)

Mr. IZARD. Sir, you jumped the gun by 8 years.

Mr. ARENS. While you were there, did you make inquiry respecting the emasculation, the crucifixion, of the Christian missionaries who had been teaching in Red China?

(The witness conferred with his counsel.)

Mr. IZARD. You must have visited China more extensively than I did, Mr. Arens.

Mr. ARENS. Kindly answer the question, sir.

Mr. IZARD. Nothing of that kind ever happened, to my knowledge, that I know about.

Mr. ARENS. While you were there, did you make inquiries respecting the complete obliteration, murder, of the some 12 to 20 million people by the Red China regime in its ascendancy to power on that continent?

(The witness conferred with his counsel.)

Mr. IZARD. No, sir. What I was asked about was the obliteration of Hiroshima and Nagasaki.

Mr. ARENS. While you were there in Red China, did you acquire any information—I was going to ask you if you acquired any information that you could use in the interests of your Government in defending itself against the onrush of that Communist regime, but that would be a ridiculous question in view of the status of the record.

Now, sir, after you came back to the United States, did you address certain groups and organizations on the subject of your findings and the subject of your trip to Red China?

(The witness conferred with his counsel.)

Mr. IZARD. Yes, sir, I spoke from Bellingham, Washington, to San Diego, along the coast here.

Mr. SCHERER. Mr. Arens, the witness indicated, if I remember the testimony correctly, that when he went into Red China, he went in as a newspaperman. Am I correct that that was his statement?

Mr. ARENS. That is the way I interpret his testimony, at the invitation and as a guest of this terror regime; yes, sir.

Mr. SCHERER. Witness, were you employed by anyone when you went into Red China?

Mr. IZARD. I had some understandings that my pieces would be bought, but as for regular employment, no, sir.

Mr. SCHERER. You were a freelance newsman or writer or journalist at that time?

Mr. IZARD. That is correct, sir. Journalists only earn \$25,000 a year or more, so I was a freelance.

Mr. ARENS. Did you then subsequently sell your stories about the situation in Red China to certain of the news outlets in this country?

(The witness conferred with his counsel.)

Mr. IZARD. If you will be kind enough to repeat the question?

Mr. ARENS. Did you subsequently sell to certain news outlets in this country, your stories, your pieces, your articles?

Mr. IZARD. Yes, sir; I sold some here and abroad.

Mr. ARENS. Can you tell us what news outlets here carried your material respecting the situation there as you viewed it?

Mr. IZARD. The newspaper "The People's World" here on the Pacific Coast, which was then a daily paper, and Telepress News Agency in London.

Mr. ARENS. May I ask, in passing, have you also, or were you also during the war a correspondent for Yank magazine?

Mr. IZARD. Yes, sir; I was.

Mr. ARENS. Were you at that time a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. IZARD. My answer is the same as it was, the shield of the Republic still stands, despite all your work. Fifth amendment.

Mr. ARENS. Over what period of time did you continue your lecturing respecting the People's Republic and the regime there, as you viewed it, when you took this trip?

Mr. IZARD. I should say, sir, until it became old hat, you know, passé information.

Mr. ARENS. I meant from the standpoint of chronology. You began your speaking about what time?

(The witness conferred with his counsel.)

Mr. ARENS. About what year did you begin this lecturing around the country?

Mr. IZARD. I began on my return from China.

Mr. ARENS. Let's get that year down.

Mr. IZARD. 1950, sir.

Mr. ARENS. How long did you continue in that vein?

Mr. IZARD. Well, I continued lecturing that way until, as I said, it became passé information, about 1953 or so.

Mr. ARENS. Were you doing this lecturing during the Korean war?

Mr. IZARD. Yes, sir.

Mr. ARENS. Were you doing this lecturing about the People's Republic of China and what you beheld there, at the time the Red Chinese armies attacked the boys who were defending this Nation, fighting under the flag of this Government, in South Korea?

(The witness conferred with his counsel.)

Mr. IZARD. Yes, I was doing it until about 1953; yes, sir.

Mr. ARENS. And did you express to the groups and organizations that were listening to you, the indignation, any indignation, respecting the atrocities committed against our soldiers in South Korea by the Red Chinese?

(The witness conferred with his counsel.)

Mr. IZARD. Mr. Counsel, Mr. Arens, everything I said or wrote is a matter of public record. One of your FBI boys had his microphones planted in a Christmas tree when I spoke in Pasadena. The Christmas tree was right beside the speaker's platform. So they must have a record of all of this.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are ordered to answer the question.

Mr. IZARD. Will you please repeat the question, Mr. Arens? I have lost sight of it in the long colloquy of it.

Mr. ARENS. I will strike the question.

Are you now, at this instant, one of the propagandists for the Communist conspiracy in northern California?

(The witness conferred with his counsel.)

Mr. IZARD. I avail myself of the same bright and shining shield of the Republic, the fifth amendment.

Mr. ARENS. Were you a delegate to the 17th National Convention of the Communist Party, a delegate from California to the 17th National Convention of the Communist Party, in New York City?

Mr. IZARD. The same answer, sir.

Mr. ARENS. That was December 1959.

Mr. SCHERER. Does the record show that he was, Mr. Arens?

Mr. ARENS. Yes. That is in the record.

Yes, on Thursday, Mr. Scherer, when the delegates were included in the record, obtained from unimpeachable, confidential sources.

Do you know a person by the name of Charles Blodgett?

Mr. IZARD. The same answer, sir.

Mr. ARENS. Charles Blodgett took an oath before this committee, and swore, in 1953 that he knew you, sir, to be a hard-core member of the conspiratorial force which operates on American soil behind the facade of the Communist Party. Was he in error or was he telling the truth when he swore that to this committee?

(The witnesses conferred with his counsel.)

Mr. IZARD. I will still stand on the fifth amendment, although I would like to swear at, rather than with, this committee.

Mr. ARENS. We understand that.

Do you know a man by the name of Archie Brown?

(The witness conferred with his counsel.)

Mr. IZARD. Same answer, sir.

Mr. ARENS. You were his campaign manager here, were you not, when he decided to sacrifice himself on the "altar of public service" and run for some public office—I believe, supervisor, which meets in the room in which we are now assembled; isn't that correct?

Mr. IZARD. The same answer, sir.

Mr. ARENS. We would like to display to you a thermofax reproduction of a letter by the Committee to Elect Archie Brown to the Board of Supervisors, in which the recipient of this letter, addressed as "Dear Friend," is urged to make contributions for this campaign. It is signed: "Yours for electing Archie Brown, Ralph Izard, Campaign Mgr."

Kindly look at this document which Mr. Wheeler will now display to you, and tell this committee whether that is a true and correct reproduction of a document which was passed out by yourself over this community.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. IZARD. It seems to be a well-written document, sir, but the answer is the same.

(Document marked "Izard Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Did you write the document?

Mr. IZARD. The same answer, sir.

Mr. ARENS. Now I display to you a thermofax reproduction of an advertisement appearing in the San Francisco Chronicle—

I will withdraw that.

Since you were subpoenaed to appear before this committee, have you been in session with people known by you to be members of the Communist Party, respecting a concerted course of action to be taken by people who have been subpoenaed to appear before this committee in this series of sessions here in San Francisco?

(The witness conferred with his counsel.)

Mr. IZARD. I hope this is growing as wearisome to you as it is to me, but the answer is the same.

Mr. ARENS. Yes, sir, over the course of many years you would be surprised how frustrating and wearisome it gets to us.

Have you been in session with international Communist agent, Frank Wilkinson, in the course of the last week to 10 days, respecting a course of action to be taken to stimulate and to incite to riot these young people who have been in session in this courthouse, in this City Hall, and around the City Hall, the last few days.

Mr. IZARD. In answer to your question, sir, the temper of the committee was revealed in all its hideous clarity in yesterday's events. The answer is the same.

Mr. SCHERER. Mr. Chairman, I request that you direct the witness to answer the question.

Mr. WILLIS. You are directed to answer the question.

Mr. IZARD. The answer is the same, the bright and shining shield of the fifth amendment.

Mr. WILLIS. Next question.

Mr. ARENS. I just want to be sure the record is clear on one question.

Are you now, at this instant, a member of the Communist Party?
(The witness conferred with his counsel.)

Mr. IZARD. The answer is the same, sir.

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

Mr. SCHERER. Let us not leave that "the same." Does he decline to answer for the same reasons?

Mr. WILLIS. You are directed to answer the last question.

Mr. IZARD. I will accept Mr. Scherer's kindly offered amendment.

Mr. WILLIS. It must come from your lips.

Mr. IZARD. It must come from my lips, did you say? Yes, the fifth amendment.

Mr. WILLIS. Do you mean you decline to answer?

Mr. IZARD. I decline to answer on the grounds that I am not compelled to bear witness against myself.

Mr. ARENS. Have you been a participant in the incitement of the riotous conduct which has been witnessed here in the course of the last 2 or 3 days of our committee sessions?

Mr. IZARD. I charge this committee with inciting that what happened yesterday.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness now be ordered and directed to answer the question.

Mr. WILLIS. You are directed to answer the question.

Mr. IZARD. I stand on the first amendment, and I stand on my rights not to be a witness against myself. I charge this committee with guilty responsibility in yesterday's events.

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

Mr. WILLIS. Mr. Scherer.

Mr. IZARD. Oh, a fellow Ohioan.

Mr. SCHERER. Have you ever received anything of value, either directly or indirectly, from the Communist apparatus for your known service to the Communist cause?

Mr. IZARD. The same answer, sir.

Mr. SCHERER. The fact is, Witness, and I ask you to affirm or deny it, that you are a paid agent of the Communist apparatus in the United States.

(The witness conferred with his counsel.)

Mr. IZARD. The answer remains the same, sir.

Mr. WILLIS. The witness is excused.

Mr. SCHERER. Now we know how the riots started.

Mr. ARENS. Mr. Chairman, the next witness is William Reich.

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

Mr. WILLIS. Please raise your right hand.

You do 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. REICH. I do.

**TESTIMONY OF WILLIAM REICH, ACCOMPANIED BY COUNSEL,
NORMAN HOWARD**

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

Mr. REICH. My name is William Reich. I live at 7615 Sunkist Drive, Oakland, California. By occupation I am an ex-teacher. At present I am engaged in journalism and research, only part time, however, since I suffered an attack of spinal meningitis in 1953. I also raise Bedlington's. The Bedlington is a dog.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. REICH. Yes. And I would like to inform this committee how the subpoena server violated Federal law in serving this subpoena, since this person who served the subpoena posed as—

Mr. WILLIS. Well, you responded to it. Proceed.

Mr. REICH. I wish to point out that the person who served this subpoena posed as a census taker to gain admittance to my home, which is a clear violation of Federal law, which I have taken up with proper authorities.

Mr. WILLIS. Good. I think you should.

Mr. ARENS. You are represented by counsel?

Mr. REICH. I am.

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

Mr. HOWARD. Norman Howard, San Jose, Calif.

Mr. ARENS. Do you know a person by the name of Charles Blodgett, Mr. Reich?

Mr. REICH. I don't understand the question.

Mr. ARENS. David Blodgett.

Mr. REICH. I don't recall any such person.

Mr. ARENS. Do you know a person by the name of Lloyd Hamlin? (The witness conferred with his counsel.)

Mr. REICH. Mr. Chairman, I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. We would like to display to you now a photostatic reproduction of a letter on the letterhead of the 8th Congressional District Democratic Council, 7615 Sunkist Drive, Oakland 5, Calif., addressed to District Attorney J. Frank Coakley, Oakland, Calif. I want to read this.

DEAR MR. COAKLEY. The enclosed resolution was adopted by the 8th Congressional District Democratic Council on April 22.

At the regular monthly meeting of the Council you were charged with encouraging, aiding and abetting local school boards in Alameda County to harass teachers on the basis of flimsy, unchecked evidence in the House Un-American Activities Committee files, thereby jeopardizing the livelihood of the accused teachers. This despite the fact that Attorney General Stanley Mosk advised that the "evidence" submitted by the Committee be ignored.

We feel this is a serious charge, since such harassment constitutes violation of the First Amendment to the Constitution of the U.S. (persecution for personal beliefs). Furthermore, civil rights are violated since teachers have been given no information regarding who made the accusations, and they are given no opportunity to confront their accusers.

Since we do not wish to be guilty of the same unconstitutional and undemocratic procedure, we will give you an opportunity to confront your accusers, if you so desire, at our next meeting which will be held in San Leandro City Hall, Friday, May 27, at 8 P.M.

Then there is accompanying this a resolution, on the face of which it indicates that it was passed by the 8th Congressional District Democratic Council. This letter of transmission is signed William Reich, Corresponding Secretary.

Kindly look at this photostatic reproduction of this document and tell this committee, first of all, if this is a true and correct reproduction of a letter sent by you in the capacity of corresponding secretary of the 8th Congressional District Democratic Council to the Alameda County Courthouse, District Attorney Coakley, and secondly, and most importantly, whether you made known to the members of the 8th Congressional District Democratic Council the fact that you were at the instant you were participating in this enterprise not a member of the Democratic Party in the concept we have in the free world, but were then at that instant a member of the Communist Party.

(The document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. REICH. Mr. Chairman, since I believe this committee has no right to inquire into my political associations and beliefs, I will take the first and fifth amendments and decline to answer that question.

(Document marked "Reich Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Were you on the date on which you signed this letter a member of the Communist Party?

Mr. REICH. Again I will take the first and fifth amendments to decline to answer.

Mr. ARENS. You weren't at all hesitant to reveal in the letter that you were then a member and corresponding secretary of the Congressional District Democratic Council, were you?

(The witness conferred with his counsel.)

Mr. REICH. Same answer. My political beliefs, I feel, are no business of this committee.

Mr. ARENS. You revealed your political beliefs in this letter, did you not?

Mr. REICH. This letter was not sent to the committee.

Mr. ARENS. You realize that you are under oath now, sir?

Mr. REICH. Yes.

(The witness conferred with his counsel.)

Mr. ARENS. Is it your design and your intention, after you are relieved from the pains and penalties of perjury, released by this committee from your subpoena, to return to the 8th Congressional District Democratic Council and say to those good people of that legitimate political organization, "Of course I am not a member of the Communist Party, but I wasn't going to tell that witch-hunting, Fascist, Red-baiting, Constitution-destroying Committee on Un-American Activities that I was or was not a member of the Communist Party"?

Is that your intention or design?

Mr. REICH. Mr. Chairman, I will take my privilege under the first and fifth amendments to decline to answer that question.

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

Mr. REICH. Again I take my privilege under the first and fifth to decline to answer.

Mr. ARENS. Were you at one time what is known as a Trotskyite?

Mr. REICH. Mr. Chairman, under the first and fifth amendments I refuse to answer.

Mr. ARENS. I would like to read to you a thermofax reproduction of an article appearing in the Western Worker under date of March 12, 1936. The headline of this article is "Johnson, Hallett, Reich Repudiate Trotzky," Trotsky, of course, being a one-time member of the Kremlin force but who fell out with Joe Stalin, and who subsequently got a pickax in his head in Mexico.

Warning their "Socialist comrades" against the introduction of Trotskyism into the ranks of the Socialists of America, three prominent leaders of the Trotskyite Workers Party have resigned from that group and have declared for the realistic program of the Communist Party of the U.S.A., and of the Communist International.

Among those named is the following: "Bill Reich, educational director of the Pennsylvania Unemployed League, who served 30 days in a Columbus, Ohio, jail for fighting evictions"—and then others.

Are the facts which I have just read to you, or the statements which I have just read to you, a true and correct representation of the facts as they transpired and as they are revealed in this publication, the Western Worker, of March 12, 1936?

Mr. REICH. May I see the document, please?

Mr. ARENS. Certainly. I apologize for not showing it to you.

(The document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. REICH. Mr. Chairman, exercising my rights under the first and fifth amendments, I decline to answer.

(Document marked "Reich Exhibit No. 2" and retained in committee files.)

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

Mr. REICH. The same answer.

Mr. ARENS. Mr. Chairman, although we had a number of other items we wanted to interrogate this man on, or thought we might want to interrogate him on, in view of the time situation and other elements, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Out of consideration for the reporter, we will take a brief recess.

(Members of the subcommittee present at the taking of the recess: Representatives Willis, Johansen, and Scherer.)

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

Mr. WILLIS. The subcommittee will come to order. Mr. Arens, call your next witness.

Mr. ARENS. Ralph Johnsen, kindly come forward and remain standing while the chairman administers an oath.

Ralph Johnsen?

Mr. Wheeler, would you please see that he is paged?

Mr. Johnsen, 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. JOHNSEN. I do.

**TESTIMONY OF RALPH (KENNETH) JOHNSEN, ACCOMPANIED BY
COUNSEL, ALBERT M. BENDICH**

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

Mr. JOHNSEN. My name is Ralph Johnsen. I reside at 1920-A Grant Street, Berkeley. I am a machinist.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. JOHNSEN. That is correct.

Mr. ARENS. You are represented by counsel?

Mr. JOHNSEN. Yes, I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. BENDICH. Albert M. Bendich, staff counsel, American Civil Liberties Union of Northern California.

Mr. ARENS. Mr. Johnsen, were you previously employed as a school-teacher?

Mr. JOHNSEN. That is correct, sir.

Mr. ARENS. And did you resign your employment as a school-teacher?

Mr. JOHNSEN. Yes, I did, sir.

Mr. ARENS. And what precipitated your resignation as a school-teacher?

Mr. JOHNSEN. Would you clarify that question as to time, sir?

Mr. ARENS. Yes. I can give you the approximate time. October 24 or thereabouts, 1950?

Mr. JOHNSEN. That is correct. Yes, I did.

Mr. ARENS. Kindly tell us what precipitated your resignation.

Mr. JOHNSEN. I decided to resign as a probationary teacher at the Tompkins School in Oakland.

Mr. ARENS. Would you get closer to the microphone or keep your voice up, please?

Mr. JOHNSEN. I resigned in protest against the recently passed Levering Act.

Mr. ARENS. That was an act that was passed in or about that period of your resignation; is that correct?

Mr. JOHNSEN. Yes.

Mr. ARENS. Shortly prior to your resignation?

Mr. JOHNSEN. That is correct.

Mr. ARENS. And the act required signing a loyalty affidavit as a prerequisite to obtaining credentials; is that correct?

Mr. JOHNSEN. Yes, sir.

Mr. JOHANSEN. Was that a statute of the State of California?

Mr. JOHNSON. Yes, sir.

Mr. ARENS. Did you thereafter change your mind about your status as a then schoolteacher?

Mr. JOHNSON. I don't understand the question.

Mr. ARENS. Did you thereafter decide that you would sign the loyalty oath?

Mr. JOHNSON. Yes, sir.

Mr. ARENS. And did you thereafter sign a loyalty oath?

Mr. JOHNSON. Yes, sir; I did.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. JOHNSON. I am not now a member of the Communist Party.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. JOHNSON. I would like to invoke my privilege under the first and fifth amendments and refuse to answer that question.

Mr. ARENS. Were you a member of the Communist Party at the time you first refused to sign the loyalty oath?

Mr. JOHNSON. I must invoke my right under the fifth amendment to refuse to answer that question.

Mr. ARENS. Were you a technical member of the Communist Party as of the time you did subsequently sign the loyalty oath?

(The witness conferred with his counsel.)

Mr. JOHNSON. What do you mean by "technical"?

Mr. ARENS. We will eliminate the word "technical" for the moment. Were you a member of the Communist Party when you did sign the loyalty oath?

Mr. JOHNSON. No, sir; I was not.

Mr. ARENS. In other words, your status of not being a member of the Communist Party was the status acquired after the period in which you refused to sign the loyalty oath and before you did sign the loyalty oath; is that correct?

(The witness conferred with his counsel.)

Mr. JOHNSON. I don't know what time you are referring to in that question.

Mr. ARENS. Well, we will have to be specific, then, from the affidavit, itself. December of 1958 you signed the loyalty oath, did you not?

Mr. JOHNSON. Yes, sir.

Mr. ARENS. And as of that instant you were not then a member of the Communist Party; is that correct?

Mr. JOHNSON. Yes, sir.

Mr. ARENS. Now, on September 17, 1958, did you sign a statement which reads as follows:

To Whom It May Concern:

In regard to my answer under item 11.b Professional conduct: I have the following to say.

In the fall of 1950 I was employed as an elementary school teacher in the Oakland School District. Shortly after I began to teach, a new requirement was made of all State employees; namely, the signing of an additional affidavit of loyalty contained in the Levering Act. I refused to sign and subsequently resigned from the school system.

A number of factors were involved in my refusal to sign. I felt that insufficient thought had been given to the bill as passed by the legislature. I felt that it contributed to an atmosphere of hysteria and that in a sense it was

intimidation to ask State employees to further swear and affirm their political affiliations. On the other hand I sympathized with those who opposed the new loyalty affidavit so I chose to resign in protest.

Since that time I have had cause to reflect and though I still disagree with the philosophy of the law; nevertheless, I believe it was an error on my part to sacrifice a teaching career for such a vain protest. I believe also that resignation with such short notice works an unusual hardship on any school system and that I gave insufficient consideration to this factor in my action.

I do not want to any longer disqualify myself from teaching in this state and I therefore state that I will sign the oaths and affidavits as required by school systems in which I may apply in the future.

I hope that my credential will be renewed and that I can resume status as a teacher in the public schools of this state.

Is that a correct reading of a statement signed by yourself, Ralph K. Johnsen, on September 17, 1958?

(The document was handed to the witness.)

Mr. JOHNSEN. Yes, sir.

(Document marked "Ralph Johnsen Exhibit No. 1" and retained in committee files.)

Mr. ARENS. In this statement you say that certain things have intervened since then, "A number of factors were involved in my refusal to sign."

Was there any factor involved in your refusal to sign the loyalty affidavit prior to September 17, 1958, which you have not revealed in this statement "To Whom It May Concern"?

(The witness conferred with his counsel.)

Mr. JOHNSEN. May I have clarification on that?

Mr. ARENS. Yes. Perhaps it isn't clear.

In your statement which you signed on September 17, 1958, you are giving an explanation as to why you refused to sign the loyalty oath prior to that date. In this letter of explanation, you say the reason why you refused to sign was that you didn't want to contribute to hysteria, that you didn't agree with the concepts of the law, and it was all intimidation, and that you therefore chose to resign in protest.

I am just asking you if there might have been some other element which contributed to your refusal to sign the loyalty affidavit which you didn't reveal in this statement.

(The witness conferred with his counsel.)

Mr. JOHNSEN. I can say that those are the only things that motivated me.

Mr. ARENS. Were you a member of the Communist Party at the time you resigned and refused to sign the loyalty affidavit?

Mr. JOHNSEN. I stand on my constitutional rights and refuse to answer that question, sir; the fifth amendment.

Mr. ARENS. Did you resign membership in the Communist Party after you refused to sign the loyalty oath and before you did sign the loyalty oath on December 18, 1958?

(The witness conferred with his counsel.)

Mr. JOHNSEN. I would like to refuse to answer that question.

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

Mr. WILLIS. The witness is excused.

Call your next witness.

Mr. ARENS. The next witness, please, Mr. Chairman, will be Doris Dawson.

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. DAWSON. I do.

**TESTIMONY OF DORIS DAWSON, ACCOMPANIED BY COUNSEL,
JOSEPH F. LEWIS**

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

Mrs. DAWSON. My name is Doris Dawson. I live in Los Altos, and I am a housewife.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mrs. DAWSON. Yes, sir.

Mr. ARENS. You are represented by counsel?

Mrs. DAWSON. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LEWIS. Joseph F. Lewis.

Mr. ARENS. How long have you lived in these parts, please, Mrs. Dawson?

Mrs. DAWSON. About 12 years.

Mr. ARENS. Have you been president of the Palo Alto Peace Club? (The witness conferred with her counsel.)

Mrs. DAWSON. I refuse to answer the question on the grounds of the first and fifth amendments.

Mr. ARENS. Surely you wouldn't be reluctant to answer about presidency of a club sincerely and honestly dedicated to peace, would you, Mrs. Dawson?

(The witness conferred with her counsel.)

Mrs. DAWSON. I refuse to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Was your presidency of the Palo Alto Peace Club at the behest and direction of that conspiratorial force known as the Communist Party?

(The witness conferred with her counsel.)

Mrs. DAWSON. I refuse to answer on the first and fifth amendments.

Mr. ARENS. Have you been active in the PTA, a fine organization? Have you been active in that, the Parent-Teachers Association?

(The witness conferred with her counsel.)

Mrs. DAWSON. May I just say that my youngest child is 30 years old and I haven't been a PTA member for 15 years.

Mr. ARENS. Were you active as a Communist in the PTA?

Mrs. DAWSON. Same answer; the first and fifth.

Mr. ARENS. What is the Council for Civic Unity?

(The witness conferred with her counsel.)

Mrs. DAWSON. I have never heard of such an organization.

Mr. ARENS. Have you been a paid functionary of the Communist Party?

(The witness conferred with her counsel.)

Mrs. DAWSON. Same answer; first and fifth.

Mr. ARENS. Do you know a person by the name of Karl Prussion?

Mrs. DAWSON. Same answer; first and fifth.

Mr. ARENS. Mr. Prussion, would you kindly stand? You have been sworn, have you not?

Mr. PRUSSION. Yes; I have.

TESTIMONY OF KARL PRUSSION—Resumed

Mr. ARENS. During the course of your membership, serving for your Government in that conspiratorial force known as the Communist Party, which you penetrated at the behest of that great organization, the Federal Bureau of Investigation, to acquire information to help save this society from the penetrations of communism, did you know as a Communist a person by the name of Doris Dawson?

Mr. PRUSSION. Yes; I did.

Mr. ARENS. Do you see that person in the hearing room today?

Mr. PRUSSION. Yes; I do.

Mr. ARENS. Would you kindly indicate where she is?

Mr. PRUSSION. Right here [indicating].

Mr. ARENS. Can you tell us, please, sir, what were her duties and responsibilities and what were her activities as a Communist when you knew her?

Mr. PRUSSION. Doris Dawson was a member of the same cell that I was in, the Mountain View-Los Altos cell of the Communist Party and at a later date in the Palo Alto cell of the Communist Party.

Her activities varied, such as the National Association for the Advancement of Colored People, the Parent-Teachers Association, the Palo Alto Peace Club, and the Council for Civic Unity.

At one of the meetings which I described earlier today, Doris Dawson reported that she was very happy to announce that the Communist resolution to end atomic testing, which was presented in the Parent-Teachers organization, will pass at the national convention of the Parent-Teachers Association. This was 3 weeks before that identical resolution did pass.

TESTIMONY OF DORIS DAWSON—Resumed

Mr. ARENS. Mrs. Dawson, will you kindly tell this committee, was this gentleman telling the truth or was he in error in his testimony just now respecting yourself?

(The witness conferred with her counsel.)

Mrs. DAWSON. Same grounds; the first and fifth amendments.

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

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness will be Travis Lafferty.

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

Mr. WILLIS. Please raise your right hand.

You do 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. LAFFERTY. I do.

TESTIMONY OF TRAVIS LAFFERTY, ACCOMPANIED BY COUNSEL
ALBERT M. BENDICH

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

Mr. LAFFERTY. My name is Travis Lafferty. I live at 230 Seventh Street, Oakland; I am a teacher.

Mr. ARENS. You are appearing today, Mr. Lafferty, in response to a subpoena which was served upon you by this committee?

Mr. LAFFERTY. That is true.

Mr. ARENS. You are represented by counsel?

Mr. LAFFERTY. I am.

Mr. ARENS. Counsel, please identify yourself.

Mr. BENDICH. Albert M. Bendich, staff counsel for the American Civil Liberties Union of Northern California.

Mr. ARENS. A word, please, about your place of birth and your education.

Mr. LAFFERTY. What do you mean by "a word," sir?

Mr. ARENS. I thought one sufficiently educated to be a teacher would understand. That means, would you give us a word, a description, an enumeration of the institutions in which you received formal training.

Mr. LAFFERTY. I am here because I have to be here. You ask me the questions, and I will answer the ones I have to, and I will not answer the ones I am not required to answer.

Mr. ARENS. You are required to answer this question.

Please tell us in what educational institutions you were trained.

Mr. LAFFERTY. I graduated from Oakland public schools and I was educated at the University of California in Berkeley.

Mr. ARENS. Did you receive a degree from the University of California at Berkeley?

Mr. LAFFERTY. I did.

Mr. ARENS. What year?

Mr. LAFFERTY. 1939.

Mr. ARENS. What degree?

Mr. LAFFERTY. A.B.

Mr. ARENS. Was it the only degree you have received from a formal institution?

Mr. LAFFERTY. Yes.

Mr. ARENS. How long have you been a teacher?

Mr. LAFFERTY. One year.

Mr. ARENS. When did you acquire your status as a teacher?

Mr. LAFFERTY. About last June.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. LAFFERTY. I have been advised by counsel that I do not have to answer any questions of that nature, so I refuse to answer on the basis of my privileges under the first and fifth amendments.

Mr. ARENS. Do you honestly apprehend that if you answered that question truthfully while you were under oath you would be supplying information which might be used against you in a criminal proceeding?

Mr. LAFFERTY. I do not have to answer——

Mr. ARENS. Mr. Chairman, I now suggest the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer the question. It is the foundation of whether you are really invoking the privileges accorded to you in the Constitution legally, lawfully, in good faith. It is a proper question and I order you to answer it.

Mr. LAFFERTY. Well, sir, I have been here since 9:30 without any lunch, and I couldn't get a drink of water for several hours, and I am under a certain nervous strain, so I am afraid I have to ask you to repeat that question again.

Mr. ARENS. Yes, sir.

Do you honestly apprehend, sir, if you answered whether or not you are now a member of the Communist Party you would be supplying information which might be used against you in a criminal proceeding?

Mr. LAFFERTY. My understanding of the law, sir, is that that is a decision for me to make, and I have taken the privilege under the first and fifth amendments as I have been advised by counsel, and I do so take that privilege under the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I suggest that the witness be ordered and directed to answer the question.

The reason I asked the question was to test this witness' good faith in invoking the fifth amendment.

(The witness conferred with his counsel.)

Mr. LAFFERTY. The fifth amendment does not allow any inference to be drawn from it when properly used, and I stand on that.

Mr. ARENS. Mr. Chairman, has the witness been ordered and directed to answer the principal question, which is for the purpose of testing his good faith in invoking the constitutional privilege?

Mr. WILLIS. In order to make it plain, I now order you to answer the question.

(The witness conferred with his counsel.)

Mr. LAFFERTY. Well, I respectfully decline to answer on the grounds of the first and fifth amendments as I previously stated. My counsel informs me that I am within my rights.

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

Mr. WILLIS. The witness is excused.

Mr. ARENS. Saul Wachter, please come forward and remain standing while the chairman administers an oath to you.

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 SAUL WACHTER, ACCOMPANIED BY COUNSEL, BERTRAM EDISES

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

Mr. WACHTER. My name is Saul Watcher. I live at 1830 Derby Street, Berkeley, Calif., and I am a factory worker.

Mr. ARENS. And you are appearing today in response to a subpoena which was served upon you by this committee?

Mr. WACHTER. Yes.

Mr. ARENS. You are represented by counsel?

Mr. WACHTER. I am represented by counsel who does not speak for me and I would——

Mr. ARENS. Counsel, would you identify yourself?

Mr. WACHTER. I would like to suggest that Mr. Arens remove himself and my counsel remove himself and I will answer the questions of Mr. Willis directly.

Mr. ARENS. Counsel, will you identify yourself?

Mr. EDISES. As soon as my client has answered.

Mr. ARENS. Since counsel has refused to identify himself, we will proceed with the witness.

Where were you born?

Mr. WACHTER. I was born in Brooklyn, N.Y.

Mr. ARENS. How long did you live in Brooklyn?

Mr. WACHTER. Until I was about 18.

Mr. ARENS. How long have you lived in these parts?

Mr. WACHTER. About 24 or 25 years.

Mr. ARENS. Did you travel to New York in December of 1959?

(The witness conferred with his counsel.)

Mr. WACHTER. What is the purpose of your question?

Mr. ARENS. To find out whether or not you traveled to New York in December of 1959.

Mr. WACHTER. What is the purpose of the question?

Mr. ARENS. To find out whether or not you were, or are going to tell this committee that you were, a delegate to the National Convention of the Communist Party held in New York in 1959.

(The witness conferred with his counsel.)

Mr. WACHTER. Why could you not have come out and directly asked me that question instead of trying to sneak up on me?

Mr. ARENS. Would you kindly tell us, then, openly, candidly, fully, everything to your certain knowledge which transpired at the National Convention of the Communist Party held in 1959?

Mr. WACHTER. Mr. Arens, Mr. Willis, I decline to answer on the following grounds:

I formally protest this committee's attempt to hold my son up for public scorn, an 18-year-old boy, loved and respected by his family, friends and community, and I might add this continues to grow especially before his appearance before you. You should be ashamed of yourselves to stoop to such vicious and low tactics.

Mr. ARENS. Now, sir——

Mr. WACHTER. I have not finished answering your question.

Yesterday at one-fifteen my boy was standing outside talking to a KPFA reporter and suddenly he was hit by the full force of a fire hose. He acted as any red-blooded American would. He attempted to stand his ground.

He was choked, his arm was twisted, and he was flung into jail where he was booked, photographed, and it took me 4 hours to find him. I am very disturbed about this. I am his father.

You are trying to pillory my son. I stand here and I object to it. I want everybody in the country to know it. Let it be placed in the

record. Let this record show that this disgraceful incident of the last 24 hours is the responsibility of how this Mr. Wheeler and this committee tried to stack this committee with its card-carrying conspiracy, to fill this hearing, so that the American people cannot see and hear what is going on for themselves.

I am very much shaken up about this. These children are trying to learn about a democracy.

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

Mr. WACHTER. I am reading from the notes I wrote while listening to you. Why not allow the children to come in and tell their story? Why not allow that tape the KPFA made outside about the hose? Why not put that into the record?

Mr. WILLIS. I am directing you to answer the question.

Mr. WACHTER. I am now finishing my answer. I will conclude my answer.

Mr. ARENS. We tried to get your son to tell his story.

Mr. WACHTER. I further decline to answer the question on the further Constitution grounds that such a question invades my right of privacy, my right to have any opinions, political or otherwise, whether I have them or not.

You don't have a right to inquire, by the first amendment. Congress has no right to inquire into these matters. However, this is not sufficient, I understand, legally, for this committee. Therefore, I have to invoke, as my son did, and I am proud of him, and I think the rest of the country is, too—

Mr. ARENS. What is his name?

Mr. WACHTER. I am answering your question. I have to invoke, in answer to your question, the fifth amendment, which, as you well know, is designed to protect dissenters, people who have opinions different from yours, and on those grounds I stand.

I refuse to answer your question on the grounds of the first and fifth amendments, which casts no aspersions on me personally, as you well know.

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

(The witness conferred with his counsel.)

Mr. WACHTER. I am not going to answer any further questions along this line. You are simply wasting your breath. My answer will stand as I have stated to the previous questions from here on in.

Mr. ARENS. I am inclined to agree with you that we would be wasting our breath on further interrogation of yourself.

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

Mr. WACHTER. Thank you.

Mr. ARENS. The next witness will be Elmer E. Johnson.

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

Mr. WILLIS. I might say that the factual part of this last witness' answer as to what prompted the difficulty yesterday is refuted by exactly three reputable people under oath, the Chief of Police, the Sheriff, and the very fine Inspector.

Proceed.

Mr. ARENS. Mr. Elmer E. Johnson, please come forward.

Mr. JOHNSON. I was released from testimony. I was excused yesterday.

Mr. ARENS. Mr. Johnson, did you testify yesterday? We have three Johnsons here.

Mr. JOHNSON. I am Elmer E. Johnson. I was the last one to testify.

Mr. ARENS. I beg your pardon, sir.

John Allen Johnson, please come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand.

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

Mr. JOHNSON. I do.

TESTIMONY OF JOHN ALLEN JOHNSON, ACCOMPANIED BY COUNSEL, BERTRAM EDISES

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

Mr. JOHNSON. I am John Allen Johnson. My address is 254 Irvington Drive, Ukiah, California.

Mr. ARENS. Your occupation?

Mr. JOHNSON. I am a high school mathematics teacher.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. JOHNSON. Yes, sir.

Mr. ARENS. You are represented by counsel?

Mr. JOHNSON. To the extent that I am permitted.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. EDISES. Bertram Edises, of Oakland, Calif.

Mr. ARENS. Were you one time engaged as a carpenter, Mr. Johnson?

(The witness conferred with his counsel.)

Mr. JOHNSON. What is the pertinency of that question?

Mr. ARENS. I intend to interrogate you with respect to a little difficulty I understand you were in as a person who was engaged as a member of a carpenters local.

(The witness conferred with his counsel.)

Mr. JOHNSON. What was the nature of the difficulty, sir?

Mr. ARENS. You tell us. You were there. I wasn't.

(The witness conferred with his counsel.)

Mr. JOHNSON. What has that got to do with the subject matter of your inquiry?

Mr. ARENS. I will display to you now, if you please, sir, or read to you and then display to you, a thermofax reproduction of an article appearing in the Communist People's World of April 3, 1952:

Carpenters chief ousts member. M. A. Hutcheson, international president of the AFL Carpenters, has arbitrarily ruled that Allen Johnson can no longer be a member of East Bay Carpenters Local 36.

Johnson was charged by some local union officials with belonging to "a subversive organization". Hutcheson's letter, read at the local's membership meeting of March 21, called for Johnson to sign an affidavit swearing he had never been a member of a "subversive" organization, but at the same time the letter said that he (Hutcheson) "deemed" Johnson guilty.

Some 300 members of the local heard Hitchenson's letter read by the secretary and also heard a reply letter written by Johnson answering the charges.

In the course of the article it says that Johnson is going to take legal steps to upset this decision, arbitrarily throwing him out or disassociating him from the local, and he is going to campaign for the United States Congress.

Now, Mr. Johnson, does that refresh your recollection, first of all, with reference to the incident I was undertaking to elicit information from you on?

(The witness conferred with his counsel.)

Mr. ARENS. Is your recollection refreshed now?

Mr. JOHNSON. Mr. Chairman and Mr. Staff Director, to that question and all questions along that particular line I decline to answer on the following grounds:

Mr. Chairman, prior to the end of the noon recess yesterday, I had decided to offer a certain degree of cooperation to this committee. I felt obligated to do so because of the trust placed in me as a teacher.

I had also arrived at this position to prevent this committee from distorting the facts of my life which have no meaning, apart from my dedication to the American ideals of democracy, human brotherhood and peace. I was prepared to answer any and all questions about myself, ideas and affiliations, so long as I might be granted the right to decline the role of Judas and not be forced to subject others to the indignities and harassments to which I have been subjected.

My decision to offer cooperation abruptly changed when I approached the chamber yesterday afternoon and witnessed the shocking display of brutality against students whose only crime was a desire to witness these hearings.

This committee bears full responsibility for yesterday's outrage. It was the committee policy of packing the chamber which provoked the justifiable indignation of the students.

(Document marked "John Allen Johnson Ex. No. 1" and retained in committee files.)

Mr. WILLIS. I don't know how long this is, but I will order you to come to the point.

Mr. JOHNSON. It will just take me one second.

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

Mr. JOHNSON. I am reading. I prepared it a little ahead of time. I am a little nervous. I am a teacher. I have the necessity of working with children who do get excited. If there is one thing that I know about children—

Mr. WILLIS. Answer the question.

Mr. JOHNSON. I think this has a bearing.

Mr. WILLIS. This speech of yours is unimpressive. I am not convinced that the position you are now taking is not what it would have been yesterday, the day before and weeks ago. But I order you to answer the question.

Mr. JOHNSON. Students do have one thing that they hold very sacred, and that is a sense of fair play. You can treat students very, very sternly, very strictly, as long as you engage in fair play.

Mr. WILLIS. Proceed with your next question, Mr. Arens. He has had an opportunity to answer.

Mr. ARENS. Were you at the time, March 21, 1952, when you were thrown out of the East Bay Carpenters Local, were you then a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. JOHNSON. I continue to decline to answer that question and continue my statement as follows:

As I approached the chamber yesterday, uniformed employees of the city were quietly rolling out the fire—

Mr. ARENS. Mr. Chairman, I suggest that the witness now be ordered and directed to answer the question.

Mr. WILLIS. You are ordered to answer the question. Your counsel will surely advise you of the consequences of not complying with the order, which simply means contempt.

Mr. SCHERER. Mr. Chairman, I have been watching this counsel all day and it is counsel's fault. He has been putting words into the witnesses' mouths who have testified before this committee, what they should say and how they should bait this committee, instead of advising them as to their constitutional rights. He is the one that should be censured.

Mr. EDISES. Mr. Scherer, you made a charge against me. Will you give me an opportunity to defend myself? If you will give counsel the opportunity—

Mr. ARENS. Counsel, you know you are presently in violation of the rules, not alone of this committee but of the United States Congress.

Mr. EDISES. —to function as an attorney it would not be necessary to grapple with these problems.

Mr. SCHERER. You have been doing it all day.

Mr. EDISES. If you say that again, Mr. Scherer, I will insist upon an opportunity to answer you, and I have a number of things to say to you.

Mr. WILLIS. Proceed.

Mr. ARENS. Mr. Witness, tell this committee, are you now a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. JOHNSON. Mr. Chairman, I refuse to answer that question, and I continue with my following grounds.

I feel I would be remiss in my duty—

Mr. WILLIS. How long is that statement?

Mr. JOHNSON. It is a page and a half—

Mr. WILLIS. You told me a half page a while ago. We give you people an inch and you want five yards.

Mr. JOHNSON. I didn't tell you how long it was.

Mr. WILLIS. You will come to the point and answer the question.

Mr. JOHNSON. Accordingly, I must say that the—

Mr. WILLIS. Proceed with your next question.

Mr. ARENS. Mr. Witness, tell this committee if you have had occasion to view riots which you have assessed against the Fascists.

(The witness conferred with his counsel.)

Mr. JOHNSON. I am answering that question in my own way. I will say that this committee has no right to pry into anyone's beliefs or associations, that the first amendment guarantees my right to think, to express ideas and to join with others to promote the ideas and ideals in which I believe.

Moreover, the first amendment of the Constitution is meaningless, if I or others are forced to declare their ideas and affiliations to those who would vilify, harass, and punish us with loss of livelihood. Therefore, I refuse to answer that question because under the first amendment this committee has no right to inquire into my beliefs and associations.

Further, in view of the fact that anti-democratic forces in our country have temporarily undermined our first amendment, I back this refusal by stating that this committee has no right to force me to be a witness against myself.

Mr. ARENS. Do these anti-democratic forces include the Communists?

(The witness conferred with his counsel.)

Mr. JOHNSON. You have heard my answer.

Mr. ARENS. Do you invoke the fifth amendment in response to that question, too?

(The witness conferred with his counsel.)

Mr. JOHNSON. I adopt the grounds that I have just given.

Mr. ARENS. Now, sir, does this fair play which you have said you want to inculcate in the children include complete candor?

(The witness conferred with his counsel.)

Mr. JOHNSON. Would you explain that question? What is the pertinency of that question?

Mr. ARENS. Complete candor and honesty. Did you, when you got your credentials to teach in this State, make a complete revelation and a truthful revelation to the authorities respecting your membership in the Communist Party?

Mr. JOHNSON. I think you have my answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now either answer that question yes, no, or take a position in which he tells this committee and the world that to answer that question would supply information that could be used against him in a criminal proceeding.

Mr. WILLIS. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. JOHNSON. There is no grounds to browbeat me, Mr. Staff Director. I have already stated my position and I stand upon it.

Mr. WILLIS. Proceed.

Mr. ARENS. Does this concept of fair play with your students encompass a revelation to them and to their parents and to the people of this community respecting the instructions which you have been giving in the past at the California Labor School, controlled by the Communist conspiracy?

(The witness conferred with his counsel.)

Mr. JOHNSON. You have my answer. To all questions along this same line my answer will be the same.

Mr. ARENS. Have you ever told the students, have you ever told the faculty, the school officials, the students' parents, that you are now a member of a conspiratorial force which destroys freedom within academic institutions as this witness testified here under oath today who had served, who had lived under the Communist regime in Hungary?

(The witness conferred with his counsel.)

Mr. JOHNSON. I don't think I would dignify this committee to answer these questions, and what I would answer this committee is not what I would answer to my school board.

Mr. ARENS. Do you anticipate after you have been released from the pains and penalties of perjury, released from your subpoena by this committee, no longer subject to the pains and penalties of perjury if you lie, to return to your institution and return to the parents and return to these people, these students to whom you want to give fair play, and say, "Of course I am not a Communist, of course I have never been a Communist; of course I know nothing about that conspiratorial organization, but I wasn't going to tell that witch-hunting, Constitution-wrecking, labor-baiting Committee on Un-American Activities that I was or was not a Communist"?

Mr. JOHNSON. I will adopt your words.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer that question.

Mr. JOHNSON. I decline on all the grounds previously stated.

Mr. ARENS. Do you include in that those provisions of the fifth amendment which give you the privilege of invoking the fifth amendment if you honestly apprehend that the answer would supply information which could be used against you in a criminal proceeding?

Mr. JOHNSON. I am proud that we still have the opportunity and the right to refuse to witness against ourselves.

Mr. ARENS. Are you a member of a conspiratorial organization which has over the course of generations been dedicated to the destruction of the Constitution of the United States?

(The witness conferred with his counsel.)

Mr. JOHNSON. No matter how many ways you rephrase that question, I have already given my answer.

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

Mr. JOHANSEN. I have no questions to ask, Mr. Chairman, but I have one comment to make.

I sat through these hearings for 3 days. I have observed or have heard testimony about what has transpired outside and inside this room. I have been sickened beyond expression by the role which young people and teenagers have played in some of these proceedings.

I am mindful of testimony that was given here yesterday in response to my direct questions as to the loyalties and where those loyalties are given on the part of any person who is a member of the Communist Party.

I could not conceive of any loyal American wanting to do anything other than disowning any association in such an organization. I have only this comment to make: That if there are some tragically mixed up young people, I can understand in the light of some of the testimony, including that just given, why that is so.

Mr. WILLIS. The witness is excused.

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

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

Mr. WILLIS. Do you solemnly swear, sir, that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FRANTZ. I do.

I hope the committee will not be too alarmed at the size of these books. I don't intend to read them from cover to cover.

Mr. WILLIS. Proceed, Mr. Arens.

TESTIMONY OF LAURENT B. FRANTZ

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

Mr. FRANTZ. My name is Laurent B. Frantz, 936 Shevlin Drive, El Cerrito, California. I am a legal writer and researcher.

Mr. Chairman, I submitted to the committee under Rule IX on yesterday a statement which I respectfully requested permission to read to the committee. It is a very long statement, but I have made it as short as I can, sir.

Mr. WILLIS. I regret that it cannot be permitted. You may file the statement. It has been received. We must proceed.

Mr. ARENS. Would you spell your last name, please?

Mr. FRANTZ. F-r-a-n-t-z.

Mr. ARENS. You are appearing in response to a subpoena served upon you by this committee?

Mr. FRANTZ. I will be happy to stipulate that my appearance is involuntary and I can think of better ways of spending a springtime Saturday; yes, sir.

Mr. ARENS. You are not represented by counsel?

Mr. FRANTZ. That is true.

Mr. ARENS. Do you know you have the privilege under the rules of this committee to be represented by counsel?

Mr. FRANTZ. I have read the rules of the committee. It is not my intention to waive my right to counsel. My position is this, sir: While technically a witness here, I am in substance a defendant, and I feel that I should be permitted a counsel who can act in the way that has been developed in the traditions of the American Bar when a client is under accusation of any kind.

If I can be permitted a counsel in that sense, I have one ready who will appear for me. If the procedure is to be as I have seen it in the past several days, I will not be represented by counsel.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. FRANTZ. Mr. Chairman, my answer to that would have been simplified if you had permitted me to read this statement. I will state my grounds of objecting to that as briefly as I can.

My principal, my only ground, has to do with the structure and function, the constitutional plan of the United States Government as I understand it, sir. My understanding is that the founders, the framers of the Constitution, felt that the powers of the institutions they were creating ought to be limited, that it was possible to do that only through the countervailing power of other institutions, and for that purpose they created a system of checks and balances.

(At this point Mr. Willis left the hearing room.)

Mr. FRANTZ. They also created this Constitution under the theory that all powers are derived from the people; that the Government was not to be sovereign; that the people were to retain their sovereignty; and that the people were not transferring to the delegated authority all of the powers which they possessed, all of the governing powers.

It was made clear by the first amendment that a part of the reserve governing powers of the people or the power to carry on a free discussion on public policy, on political theory and political programs and policies of all kinds, which would not be interfered with in any way by the delegated authority.

I think that, in creating the system of checks and balances, it is part of the theory that each element—

Mr. ARENS. Mr. Frantz, I regret to interrupt you, but let me ask you this: Do you honestly apprehend, sir, that to answer that question, it would oblige you to give information which might be used against you in a criminal proceeding?

Mr. FRANTZ. Mr. Chairman, I believe Mr. Arens has opened it up for me to explain my understanding of the fifth amendment.

Mr. ARENS. Mr. Chairman, I request that the witness be ordered and directed to answer the question as to whether or not if he told us he was a member of the Communist Party, he would be supplying information which might be used against him in a criminal proceeding.

Mr. JOHANSEN (presiding). The witness is so instructed and ordered.

Mr. FRANTZ. Does the Chair rule that I am not permitted to state my understanding of what the fifth amendment means?

Mr. JOHANSEN. The Chair so rules. The Chair directs and orders you to answer the question stated by counsel.

Mr. FRANTZ. My answer, sir, is that the question stated by counsel is an incorrect way to characterize the fifth amendment, that the counsel is misleading the public and the audience about what the fifth amendment means. I cannot accept his premise that the fifth amendment has that significance.

Mr. JOHANSEN. The Chair is not going to tolerate any argument with counsel over the meaning of the fifth amendment. The question is whether the gentleman, the witness, apprehends that if he answers the questions, he will thereby give information which could be used against him in criminal proceedings, and is that the position that he takes?

I direct and order the witness to answer.

Mr. FRANTZ. That is not my understanding of the fifth amendment, sir. I am not making that particular representation to the committee.

Mr. SCHERER. Mr. Chairman—

Mr. FRANTZ. I am standing on the fifth amendment and I would like to state what the fifth amendment means in my position, in my opinion.

Mr. JOHANSEN. The witness will suspend and the witness will answer the question.

Mr. ARENS. Now, Mr. Witness, we will just hesitate long enough to give you a reasonable time to tell this committee, and we will not be badgered any further, whether or not you honestly apprehend that if you told this committee whether or not you are a member of the Communist Party, you would be supplying information which might be used against you in a criminal proceeding.

Mr. FRANTZ. Mr. Chairman, I cannot answer the question in that form. I am standing on the fifth amendment, but not Mr. Arens' fifth amendment.

MR. JOHANSEN. The witness will suspend. The witness says he stands on the fifth amendment. Counsel will ask the next question.

MR. ARENS. I beg your pardon, Mr. Chairman. I don't yet construe his testimony to be that he will not answer on the basis of the fifth amendment.

(At this point Mr. Willis entered the hearing room.)

MR. ARENS. To clarify the record, let me ask this question: Are you now, or have you ever been, a member of the Communist Party?

MR. FRANTZ. If the chairman had permitted me to read my statement, all of this would be very much clearer. It is all set forth very carefully in the statement which I have asked the committee to let me read and which I have asked the committee to incorporate into the record if I was not called.

Since I was called, but not permitted to read the statement, I still ask that it be incorporated as—

MR. ARENS. Will you answer the question as to whether or not you are now, or ever have been, a member of the Communist Party, sir?

MR. FRANTZ. No, sir; I will not answer that question for the reason that it violates my rights under the first amendment, including the argument which you would not permit me to make, sir, and for all the reasons in my statement, including the fact that to call persons before this committee under such circumstances has the effect of creating a trial in which the accused is not permitted to—

MR. SCHERER. Mr. Chairman, the witness has had time to answer the question. He has refused to answer the question. I move that he be dismissed.

MR. FRANTZ. These are legal objections to the question.

MR. ARENS. I would like to ask another question first.

MR. JOHANSEN. I suggest, Mr. Chairman, that the counsel proceed with the next question.

MR. SCHERER. I will withdraw my motion until after the next question of Mr. Arens.

MR. ARENS. Mr. Witness, were you employed by the Fund for the Republic to make an analysis and study of the testimony of J. Edgar Hoover before congressional committees?

MR. FRANTZ. Yes, sir.

MR. ARENS. Did you make such a study?

MR. FRANTZ. I did.

MR. ARENS. Did you receive funds from the Fund for the Republic for that purpose?

MR. FRANTZ. Yes, sir.

MR. ARENS. When did you make that study?

MR. FRANTZ. I don't precisely remember. It was several years ago.

MR. ARENS. Approximately?

MR. FRANTZ. I guess it was about 1954, but I am not certain about that.

MR. ARENS. Has the study been completed and turned over to the Fund for the Republic?

MR. FRANTZ. It has; yes, sir.

MR. ARENS. Have you been compensated for that study?

MR. FRANTZ. Yes, sir.

MR. ARENS. Are you presently in the employ of the Fund for the Republic?

MR. FRANTZ. No, sir.

Mr. ARENS. Was the study which you made for the Fund for the Republic, in which you submitted a report on J. Edgar Hoover and his testimony, the only service which you rendered to the Fund for the Republic?

Mr. FRANTZ. Yes, sir.

Mr. ARENS. Over what period of time were you engaged in this work for the Fund for the Republic?

Mr. FRANTZ. Not long; 3 or 4 weeks.

Mr. SCHERER. Strange how the Fund for the Republic has picked up such individuals as this to make these studies. This man has been identified, has he not, as a member of the Communist Party?

Let me ask you: You are a member of the Communist Party right now, aren't you, and you were when you made this study?

Mr. FRANTZ. I believe that question has been asked and answered, sir.

Mr. SCHERER. No, it hasn't been answered. You danced around the fifth amendment and have not invoked it. I have been listening carefully. You have not answered the question, nor have you refused to answer.

Mr. ARENS. Mr. Chairman, I personally do not know whether he has or hasn't. I just don't know.

Mr. SCHERER. He has not answered.

Mr. ARENS. On whether or not he has invoked the fifth amendment, I couldn't say honestly on this record.

Would you tell us whether or not you have invoked the fifth amendment in response to the question of whether or not you are a member of the Communist Party?

Mr. FRANTZ. Mr. Chairman, I have invoked with respect to any questions as to my political affiliations any and all legal rights I might have to refuse to answer, including the entire Constitution insofar as it is applicable, including certain of the Bill of Rights, including the fifth amendment, including the reserve powers of the people—

Mr. ARENS. That will include enough.

Mr. FRANTZ. Yes.

Mr. ARENS. Now, sir, have you likewise written for The Nation magazine?

Mr. FRANTZ. Yes, sir.

Mr. ARENS. Have you written an article entitled "Does Silence Mean Guilt?"

Mr. FRANTZ. Yes, sir.

Mr. ARENS. When you wrote that article, were you then a member of the Communist Party?

Mr. FRANTZ. My answer with respect to all questions with regard to political affiliations will be the same, and I think it has been given, although it could have been given better if you would let me read my prepared version.

Mr. ARENS. Have you written articles for The Nation magazine respecting the "Bankrupt Inquisition," namely, this Committee on Un-American Activities?

Mr. FRANTZ. Yes, sir; I would like to offer a reprint of it in evidence, if I may, sir.

Mr. ARENS. And at the time you wrote that article, were you then a member of the Communist Party?

Mr. FRANTZ. Mr. Chairman, this is a waste of time. I made clear in the articles which you read and placed in my dossier before I was called that I would not answer questions of this kind.

Mr. ARENS. Do you want to decline on the same grounds, to economize on your time?

Mr. FRANTZ. Yes, sir. I am trying to economize the committee's time. I made the statement to the committee yesterday and I have, I thought, made clear already that I would not answer questions of that kind. This asking it again in a different sense is certainly a waste of time.

Mr. ARENS. Did you make it clear for the Fund for the Republic when they engaged you to write that report for submission to that tax-exempt organization that you were a member of the Communist Party at the time you were making this investigation of the great Director of the Federal Bureau of Investigation?

Mr. SCHERER. If he had, there would have been something said about that.

Mr. ARENS. Did you make it clear when you wrote your articles attacking the members of this committee that you were a member of the Communist Party?

Mr. FRANTZ. The same answer.

Mr. ARENS. Have you written articles published in national magazines attacking the security provisions of our immigration laws, have you written articles such as "Deportation Deliriums"?

Mr. FRANTZ. Yes, sir; I have, and I am very happy the committee is kindly making—

Mr. ARENS. Did you make it clear to the readers who would read your articles that you were writing as a member of the Communist Party, or did you just omit to tell them that?

Mr. FRANTZ. Mr. Chairman, what it says in those articles is in print and easily available. I am sorry I don't have reprints about them all. But the text of the article is a much better source as to what I said or didn't say than any recollection I might have as to what I said when I wrote it.

Mr. ARENS. Have you written articles for the Daily People's World?

Mr. FRANTZ. I am going to refuse to answer that on the grounds previously stated.

May I also submit this "Bankrupt Inquisition" article for the record, Mr. Chairman? I would like to have it marked "Defendant's Exhibit No. 1," please, sir.

Mr. ARENS. Were you librarian at Drake University?

Mr. FRANTZ. Yes, sir.

Mr. ARENS. Did you make known to the authorities at Drake University that you were a member of the Communist Party?

Mr. FRANTZ. The question assumes a fact not in evidence.

Mr. ARENS. Were you a member of the Communist Party at the time you were librarian at Drake University?

Mr. FRANTZ. The same answer, the same general line of objections.

Mr. ARENS. Were you under Communist Party discipline while you were librarian at Drake University with respect to your activities in that library?

Mr. FRANTZ. I believe that is the same question, or at any rate within the area to which I addressed my constitutional objections.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that although we could go over a great number of items here in a similar vein, as one witness said, we have arrived at that point with this witness where it would be a waste of our breath.

I respectfully suggest this will, therefore, conclude the staff's interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Bertram Edises.

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

Mr. WILLIS. Please raise your right hand.

You do 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. EDISES. I do.

TESTIMONY OF BERTRAM EDISES, ACCOMPANIED BY COUNSEL, NORMAN LEONARD

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

Mr. EDISES. My name is, as you know, Bertram Edises. I live at 680 Hilldale Avenue, Berkeley, California. My occupation is that of an attorney-at-law, and in that connection I think I would like to tell the committee a little about the more specialized aspects of my functioning as attorney-at-law.

Mr. ARENS. We will pursue it further, if we are interested in it, in our interrogation.

You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. EDISES. I am appearing in response to a subpoena which was served upon me by this committee, and I think——

Mr. WILLIS. Next question.

Mr. ARENS. You are represented by counsel?

Mr. EDISES. I hadn't quite finished my answer.

Mr. ARENS. You have satisfied us that you are appearing in response to the subpoena, so we will withdraw any other question of that vein.

Mr. Witness, are you represented by counsel?

Mr. EDISES. My very good friend, Norman Leonard, has consented to appear with me because he is aware that it is highly improper for a committee of this kind to, in effect, attack an attorney who is trying to render a professional service to his clients and any of us, under those circumstances, are likely to become a little bit emotionally upset.

For this reason, although I am an attorney, I have in mind the old adage that an attorney who acts as his own attorney has a fool for a client and I don't want to be put in that position.

Mr. ARENS. Mr. Counsel, will you kindly identify yourself on this record?

Mr. LEONARD. You address me as counsel, Mr. Arens, but the fact of the matter is that the rules of this committee do not permit me to function effectively as counsel. I will simply be here to advise Mr. Edises. Your own rules do not permit the attorney to function in the

way that the Bar of America permits them to function and in the way that they function before other committees of the Congress.

Mr. ARENS. Now, Mr. Edises, give us a word about your formal education.

(The witness conferred with his counsel.)

Mr. EDISES. Well, I—You didn't ask me where I was born. Are you interested? I was born in Oakland, California. I have lived in this state all my life. I can't remember all of the various schools that I went to.

Mr. ARENS. We are not interested in each specific school. I think any reasonable interpretation of that question by a person of good faith would be of the same significance.

Mr. EDISES. Please, Mr. Arens, don't talk to me about good faith.

Mr. ARENS. We will test it right now. Are you now, or have you ever been, a member of the Communist Party?

Mr. EDISES. This, of course, is your complete proof that you are not performing in good faith. I intend to elaborate on that question.

Mr. ARENS. Mr. Chairman, I request that the witness be ordered and directed to answer that question.

Mr. LEONARD. Mr. Chairman—

Mr. ARENS. Counsel, your sole and exclusive right under the rules of this committee and under the rules of the United States Congress is solely to advise your client.

Mr. LEONARD. I am appealing to the chairman of the committee to ask the staff director to permit my client to answer a question. I think, as an attorney, I have that much right.

May I not appeal to the chairman of the committee to ask the staff director to permit my client to answer the question?

Mr. ARENS. Kindly answer the question: Are you now a member of the Communist Party?

Mr. WILLIS. May I say something?

Mr. EDISES. I am going to address myself to you. I am going to address myself to you, Mr. Chairman.

Mr. WILLIS. Wait a minute. Your counsel has asked me for a ruling.

Of course you are entitled to ask questions, but no one in this room knows better than you that a simple question as to giving your background and legal education and so on does not require an extensive dissertation or long discussion.

If you want to answer it promptly, courteously, accurately, that is all right. But you will not be permitted, because you happen to be an attorney, to have greater latitude than anybody else.

There was a question or two before the last one, and we can return to it to answer it promptly, if you want to, and I will give you that chance. You were questioned as to your educational background.

Mr. EDISES. I was in the process of answering it, I thought.

Mr. WILLIS. I suggest, Mr. Arens, that you ask him what colleges he attended, when, and what degrees he achieved, so that there is no point in elaboration.

Mr. EDISES. I will be glad to answer that, Mr. Willis, and I must say that although I certainly don't agree with what I know about your politics, I do commend your manner of answering questions.

You don't try to browbeat witnesses in the way Mr. Arens does. He doesn't ask questions. He makes stump speeches.

(A disturbance in the hearing room.)

Mr. WILLIS. We are not going to have any disturbances. I am going to issue the same ruling. One more disturbance and I will issue a ruling that the people keeping the peace keep an eye on the leaders of the disturbances.

I am not ordering it now, but one more disturbance or infraction of the rule, and I will ask them, as I did yesterday, to escort them out. Not now, but with one more that will be the case.

Mr. EDISES. Answering your question with regard to my formal education, I am a graduate of the University of California at Berkeley. I am also very proud to be a graduate of the University of California Law School, also at Berkeley.

Now, if I may address myself to the other question that your belligerent Mr. Arens—

Mr. ARENS. Now, listen, Counsel, you are not going to attack me any further.

Mr. EDISES. You have been attacking people all day, Mr. Arens.

Mr. ARENS. I have not.

Mr. EDISES. Can't you take it? You can't take it; is that it?

Mr. WILLIS. Is there an outstanding question?

Mr. ARENS. The outstanding question is: Are you now, or have you ever been, a member of the Communist Party?

Mr. EDISES. I submit—I am answering that in my own way and nobody is going to put words in my mouth, and that goes for Mr. Arens and for the members of the committee. I will answer the question, if you will allow me to do so.

Won't you please permit me to answer? All right.

Now, I know and you know that that question is not asked in good faith, and I will tell you why, and this is part of my legal objection, part of my legal objection. It wasn't very long ago that your committee came out with a publication, and I have it right here, called "Communist Legal Subversion, The Role of the Communist Lawyer."

On page 36 of this publication there appears what purports to be an official biography of someone by the name of Bertram Edises of California. It goes into great detail. It purports to indicate that Mr. Bertram Edises was identified as a member of the Communist Party, et cetera, et cetera; that he has served as a member of the legal staff of the Civil Rights Congress since its inception; that the Civil Rights Congress retained Mr. Edises to represent certain defendants in both Federal and State courts; that the activities of Bertram Edises on behalf of the Communist Party have not been confined to the Civil Rights Congress, and so on; a remarkably detailed purported biography.

It so happens that although I have been subpoenaed four times, this is the first time that I have ever testified before this organization, before the Un-American Activities Committee; and therefore, I can only conclude that you got this information which you published at Government expense, and which you didn't set forth in any doubtful form at all, it is all set forth as gospel truth, it is findings of fact, and I can only conclude that you got the information from your so-called reliable, unimpeachable sources that you have been bragging about.

Mr. ARENS. You skipped something when you were reading the report, Mr. Edises.

Mr. EDISES. You know the facts, Mr. Arens? Then, Mr. Arens, why do you ask me that question when you already claim to know the information? Why do you do it? You can have only one purpose, and that is to try to embarrass me, to humiliate me, to pillorize me, to pillory me, and that is the whole function of your organization, Mr. Arens.

That is all you do. You go through the motions, you come into a big courtroom, you have an American flag behind you.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this witness now be ordered and directed to answer the outstanding principal question.

We have been baited by experts.

Mr. EDISES. You are just a kangaroo court; that is all.

Mr. WILLIS. You are ordered and directed to answer the question and come to the point.

Mr. EDISES. I decline to answer that question on the grounds that it is unmistakably clear, unmistakably clear—Mr. Scherer, will you please pay attention?

Mr. SCHERER. Mr. Chairman, I move the witness be escorted from the courtroom. He is utterly in contempt of this committee.

Mr. EDISES. I insist on being permitted to answer your questions.

Mr. LEONARD. Mr. Chairman, is my client excused as a witness?

Mr. WILLIS. Wait.

Mr. LEONARD. Is my client excused?

Mr. WILLIS. No. Wait a minute.

I would like, as chairman of this committee, to ask my colleague to defer his motion just for two minutes, to give this gentleman an opportunity to answer the question.

If not, unless you come to the point and answer the question, the motion is proper. I will have to carry it out. Won't you please state the constitutional grounds?

Mr. EDISES. Mr. Willis, I got a little bit excited there. I am sorry.

Mr. SCHERER. This is only a show.

Mr. EDISES. Mr. Scherer, if you are going to abuse me, I will just get up and leave. If you will treat me and other witnesses with courtesy, I will give you courteous answers, but if you browbeat me, I won't.

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

Mr. EDISES. I am not going to answer that question and I want to tell you why. Am I mistaken, Mr. Arens, in my assumption that you had the honor of having something to do with the drafting of the so-called Communist Control Act of 1954?

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness again be ordered and directed to answer the question.

Mr. SCHERER. Just a minute. Mr. Chairman, I move that the witness be dismissed, be ejected from the room for complete and utter contempt of a committee of the Congress. As I said before, I am ashamed that he is a member of the bar.

Mr. WILLIS. You still have a half-minute left. I said two, so you have a half-minute to answer it on constitutional grounds.

Mr. EDISES. All right. The question, as to membership in the Communist Party, is a question—let me put it this way—

Mr. WILLIS. You said you would not answer it.

Mr. EDISES. I am stating my grounds. I am trying to state my grounds. One ground is that it is a question that it is impossible, really, to answer with any degree of accuracy. And the reason, Mr. Chairman, Mr. Willis, is that in the Communist Control Act of 1954 there is a definition of Communist. Mr. Willis, will you please listen?

Mr. SCHERER. I renew my motion.

Mr. WILLIS. I so order. Will you escort the gentleman out?

Mr. LEONARD. Do I understand that he is now excused from his subpoena? I think we are entitled to that.

Is he excused from his subpoena, Mr. Chairman? May I inquire on the record?

Mr. WILLIS. Yes; he is excused.

Mr. ARENS. Mr. Chairman, may we have about a 2- or 3-minute recess, please, sir?

Mr. WILLIS. We will take an informal recess of a very few minutes, not over 5.

(A short recess was taken at which time the following members of the subcommittee were present: Representatives Willis, Johansen, and Scherer.)

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

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

Proceed, Mr. Arens.

Mr. ARENS. Mr. Chairman, that would conclude the presentation of witnesses whom we desired to call in this series of sessions of these hearings in San Francisco.

There are a number of exhibits which have been shuffled around here, some of which we have not actually received into the record. They should be incorporated. There is some material that Mr. Prussion has not been able, because of time, to cover, and some exhibits which he has which we want to have identified.

I, therefore, Mr. Chairman, respectfully suggest that this record be ordered to be kept open so that it can be completed after we have returned to Washington in order that the exhibits and the material of Mr. Prussion can be appropriately identified and incorporated into the record.

Mr. WILLIS. That course will be followed.

The reporter will, of course, include that in his notes, that the record is to remain open for that time.

Now, ladies and gentlemen, in concluding these hearings here in San Francisco, I should like to make a very few observations.

At the outset of these hearings I emphasized that we were seeking here factual material which would assist the Committee on Un-American Activities in the discharge of its legislative duties.

These legislative duties are not limited to the mere passage of laws or their amendment. They involve, first of all, an accumulation of factual material on which legislation in the field of internal security can be based.

May I say we have heard much about this committee not having a legislative purpose. If you will just analyze the laws that have been

enacted as a result of our hearings, you realize how unfounded that is. The Smith Act, the Internal Security Act, the Foreign Agents Registration Act, and many other acts, including the Communist Control Act of 1954, to name three offhand, with my colleague from Ohio naming another one, and many other laws which have been sponsored by, inspired by, and passed by, the Congress as a result of the accumulation of factual information gathered at public hearings and its consideration in Washington in the legislative field, and adopted invariably by the Congress of the United States.

We have had much discussion here that we cannot possibly engage in, nor can we exchange verbal blows with witnesses who want to argue and debate and delay. This is not a pleasant task, I assure you, for us members of the committee; but when we talk about the job of the committee to assemble facts leading to legislation regarding the internal security of the United States, what do we mean?

Let us be reasonable about the situation. Just last week we Members of Congress were required to vote on a bill involving some \$40 billion for national defense and security. We have to turn around and tax the people to raise that money.

Imagine passing a bill every year for between \$40 billion and \$45 billion, even during peacetime, up to close to \$50 billion a year.

Do you know what a billion dollars is? Can you conceive of the enormity of it? You have some students here who are good mathematicians—and I am speaking off the cuff, I had no idea of what I was going to say until I started—but in terms of billions, since the time of the birth of our Lord, the clock hasn't ticked much more than one billion minutes. And that is the amount of money we are appropriating every year, \$40 billion for national defense and security.

National defense and security against whom? Is it England? Is it France? Is it Japan? Is it Germany? Is it Italy? Is it Europe?

We all know that defense and security means defense and security against the Soviet Union. Certainly it would be folly to want to defend ourselves against the Communists abroad and not have a committee of Congress to maintain a continuing study of the operations and machinations and techniques of such Communists as there might be, or might continue to sprout out, in our own country.

You have heard during the hearings here talk about this committee being unusual in its method of operation. There is not a committee of the Congress in the other 19 on the House side and as many on the Senate side, which operate any differently.

This is not a court proceeding. No committee of the Congress, and I doubt that any committee in your State legislature or elsewhere when they are conducting hearings leading to legislation, pretend that everyone who takes the stand has a right to stop the proceedings and make speeches and cross-examine.

About contempt and so on, we are not in the business of citing people for contempt. That is an incident. In the first place, the record is submitted to the Department of Justice, and if there is contempt that is up to the courts. That is an incident to our jurisdiction, as any other congressional committee has the same prerogative and the same obligation to try to maintain order and dignity.

Well, what, then, has been accomplished by the hearings which we have been conducting over the course of the last few days here in San Francisco?

In the first place, we have seen confirmed here patterns of Communist activity which we are witnessing elsewhere in the Nation. These patterns include penetration of non-Communist entities by trained conspirators who masquerade behind a deceitful facade of respectability.

Also, we have observed here the technique of obscuring technical membership in the Communist Party by official resignation from that entity, while maintaining actual status within the operation. This situation poses difficult and involved legal problems which are currently under discussion by the members of our committee.

Another pattern concerning which I should like to comment is the campaign of foreign Communist propaganda being sent into this country and disseminated across the land. We have witnessed similar situations at other ports of entry in the United States.

I presided over a hearing some time ago in the port of New Orleans, and there you have tons and quantities of material, propaganda material, entering our country unlabeled as required by law. It has nothing to do with prohibiting material from entering the country.

No Member of Congress that I know of would vote for such a law. But we are entitled to have propaganda material properly so labeled. If you buy a can of food under the Federal law, you must, on that label, state what is in the can, or any other item that you see on a shelf. It is the same thing in that regard. And poison, for instance. Yet this material is entering in total violation of that law. That is an element we must consider, or at least submit it to the membership in Congress to see whether they want to continue that law being violated or whether they want to amend it.

We are going to have some recommendations to make, and it will be up to your Congressmen, the Congressmen throughout the United States, to express themselves as to whether they want some improvements.

Certainly we should believe in majority rule; for instance, in connection with propaganda, the gentleman who testified here, who traveled to China, is one of the most suave individuals I know. I know he is smart. But what do you think he is doing? He is engaging in propaganda, propaganda from the point of view, or slanted from the point of view, of the Communists.

In the course of the hearings which we have been conducting, much of the information which we have obtained has been by indirection, although we have, I believe, obtained substantial information from the direct testimony of those witnesses who have come forth and candidly, patriotically testified fully and freely.

It may surprise you that much of the testimony given here negatively, by invocation of the constitutional amendments which they are entitled protection under, is valuable to us in more ways than one, by keeping abreast of the techniques here. So even an indirection or a negative reply to proper evaluation of our security posture has some value to us.

There is a collateral result of hearings of this character, in that they constitute a constant reminder to the American people that the threat of communism is real. Communism involves a philosophy and

an ideology—but it is more than a philosophy and an ideology. It is a dynamic system which is in operation now to destroy freedom and supplant it with tyranny.

We shall take back to Washington the transcript of these hearings, which will be studied carefully by the staff and by the members of the committee in the furtherance of our duty.

Before concluding, I want to thank everyone in this area who contributed to the hearings. That includes the mayor and the others who have made this hearing room available. It includes the dedicated members of the police force, the sheriff's department, and so on. They, too, had a very unpleasant task to perform.

They are not really engaged in law enforcement. Their primary obligation is to maintain the peace. It was a delicate situation, very sensitive and electrified moments we went through.

I tried to preside with fairness. I do not ever expect people to agree with my philosophy. They may care to disagree. But I don't get excited because people have different ideas than I have. I feel a sense of obligation to be fair to all. For instance, I happen to be a lawyer, as I mentioned before, and the last witness was a member of my profession. But why should I deny—and I must deny in the interest of expedition during our work—people who want to argue and make speeches, why should I deny that right and insist on the rules with respect to civilians, and give a lawyer a greater opportunity? It just cannot be done. You have to balance your ideas and your actions.

It has been a pleasure being here, some moments anyway, and I do want to express my appreciation to all who contributed to the hearings.

Mr. Johansen?

MR. JOHANSEN. Mr. Chairman, I want very briefly, first of all, to pay tribute to the distinguished chairman of this subcommittee for the firmness and the courage in seeing this very difficult task through, despite evident determined efforts and intentions that the job would not be completed.

I express again, of course, my appreciation to the mayor and all of the officials who have made it possible to complete this job.

Yesterday I did express the hope that there might be, with some of the young college students here, at least, who feel that they are enamored of this ideology and this movement, a glimmering and awakening awareness.

As I said yesterday, they are toying with treason and disloyalty. I hope they will recognize that there are at least two sides to the thing about which I feared in some instances they have been led to believe there is only one side.

In that connection, if they have interest in the work of this committee, in the previous hearings and reports of the committee, and its legislative activities, they can secure material by directing an inquiry or a request to the staff director of the House Committee on Un-American Activities.

I just sum this all up with one or two sentences. We have heard the Constitution invoked a great many times and in a great many ways the last three days. The Constitution in its Preamble provides that one of its functions and the functions of the Federal Govern-

ment is to provide for the common defense. That is the business that we have been about and that is the business that the Congress has mandated that we should be, and should continue to be, about.

One final word: Some arduous, difficult, and unpleasant things have occurred here in these past few days. They do not alter my impression of the very fine citizens and the very fine community and the very fine leadership in San Francisco.

Mr. WILLIS. Mr. Scherer?

Mr. SCHERER. Mr. Chairman, at the outset, let me state categorically that the shameful rioting here in San Francisco was not a spontaneous outburst of student indignation against the House Committee on Un-American Activities, as many people would like for us to believe. We will be able to understand and better evaluate the demonstrations that took place here in San Francisco if we look back a few years.

Approximately three years ago the Communist apparatus decided that, if its operations in the United States were to be less hampered and more successful, it had to get rid of the Committee on Un-American Activities, discredit the great Director of the Federal Bureau of Investigation, and generally weaken the FBI's influence and powers. Two and a half years ago, on September 20, 1957, to be exact, the Emergency Civil Liberties Committee at Carnegie Hall in New York City assumed this obligation. Obviously such a campaign, conducted in the name of the Communist Party would be unsuccessful. Since that meeting in Carnegie Hall, the Emergency Civil Liberties Committee has dedicated itself to three objectives:

1. To abolish the House Committee on Un-American Activities and bring to an end congressional investigations into subversive activities.

2. To discredit J. Edgar Hoover and the Federal Bureau of Investigation.

3. To bring about the repeal of the Smith Act, the Internal Security Act, and the Communist Control Act of 1954.

Now, the Emergency Civil Liberties Committee has a high-sounding name. Unfortunately the great majority of Americans and some Members of Congress are not aware of the nature of this organization. So that we may better evaluate and understand what it says and does, let me tell you about the Emergency Civil Liberties Committee.

Both the Senate Internal Security Subcommittee and the House Committee on Un-American Activities, as well as J. Edgar Hoover in his book, "Masters of Deceit," have found this outfit to be Communist-controlled and Communist-dominated. Its present chairman, Harvey O'Connor, is an identified Communist, presently under indictment for contempt of Congress for refusing to answer questions concerning his Communist activities.

One of the moving forces of the committee is Frank Wilkinson, also an identified Communist, who has been convicted and sentenced and whose case is now on appeal for contempt in refusing to answer questions about his connections with the Communist conspiratorial apparatus. Wilkinson has a long record of service to the Communist cause and is the coordinator of the effort to bring about the abolition of the House Committee on Un-American Activities. Frank Wilkinson has been here at City Hall participating in these demonstrations.

The majority of the members of the national council of this organization have long records of service to Communist and Communist-front causes. These records are set forth in detail in the House Committee on Un-American Activities report entitled "Operation Abolition."

Now let's take a look at what the Emergency Civil Liberties Committee, with the help of others, has done in these two and a half years which finally resulted in this "ugly American" insurrection in San Francisco.

At first the Emergency Civil Liberties Committee sent its paid hirelings, Clark Foreman and the notorious Frank Wilkinson, into the cities where the committee held its hearings. Clark Foreman, in particular, met in advance of the hearings with identified Communists who had been subpoenaed to testify before the committee. Witnesses were instructed how to avoid answering questions of the committee by making long, Communist propaganda speeches. They were told how to bait, vilify, and harass members and counsel of the Committee on Un-American Activities.

Subsequently, the Emergency Civil Liberties Committee grew bolder in its attempt to disrupt the hearings of the Committee on Un-American Activities. ECLC sent its people into the cities where hearings were to be held a week or more in advance of the hearings. They drafted petitions against the committee in which the work and objectives of the committee were completely misrepresented. Signatures to these petitions were obtained from well-meaning and some not so well-meaning citizens of the community. ECLC saw that advertisements bitterly attacking the committee were placed in local newspapers. Of course, these "disciples of discord" did not disclose to the people of the community the fact that the Emergency Civil Liberties Committee was a Communist-dominated and controlled organization.

Later, other additional techniques were adopted. Meetings and rallies were set up in advance of and during the committee's appearance. Leftwing and pro-Communist speakers were imported to address the rallies. Soon it was found that rallies did not reach enough people, so they began to use the radio for their propaganda attack against the investigation of subversive activities.

In December of last year the Committee on Un-American Activities went into Puerto Rico for hearings to show that San Juan was a nerve center for a new \$100 million propaganda assault upon the Caribbean, Central and South America for the purpose of creating hatred and ill-will toward the United States. The testimony showed how the Foreign Agents Registration Act was being flagrantly violated and why loopholes in that act must be plugged by the Congress.

We all know that over 95 percent of the Puerto Ricans are loyal and fine American citizens, but the Congress is also well aware of the fact that there is a small group of radical, unstable, and fanatical nationalists in the Puerto Rican community. Ever since Puerto Ricans from this group shot the guards at Blair House during the Truman administration and Members of the House from the gallery, these revolutionaries have been comparatively quiet. Lately, however, there has been a clever, subtle infiltration of their ranks by Communist agents for the purpose of stirring up agitation and hatred against the United States.

In spite of the emotional instability and revolutionary tendencies of this segment of Puerto Ricans, the Emergency Civil Liberties Committee sent its executive director all the way from New York to San Juan in advance of our hearings. He was on the radio vilifying the committee before its appearance. He was meeting with subpoenaed Communists and their leftwing lawyers and other groups in the city. He was busy preparing and issuing inflammatory press releases against the committee.

As a result, last December in San Juan, we had a preview of what happened here in San Francisco. In San Juan pickets surrounded the Federal Building. They jeered at the committee and spat upon our automobiles as we entered the U.S. Courthouse. The continual chanting and shouting outside the Courthouse in an attempt to disrupt the hearings was a new technique which was used even more extensively here in San Francisco.

In Puerto Rico members of the committee and its staff required police protection. None of the leftwing crowd, who regularly cry crocodile tears over alleged deprivation of the civil rights of Communists called before congressional investigating committees, said one word about Members of Congress being deprived of their right to move freely about and conduct hearings provided by law without physical interference from those who differ with the objectives and duties of the Committee on Un-American Activities.

It is ironical that we heard no cries from these leftwingers about Members of the Congress being deprived of their civil liberties, their freedom of speech, their freedom to move about as they please, and their freedom of association.

The Emergency Civil Liberties Committee was well pleased with what happened in San Juan.

Two months later, in February of this year, the Committee on Un-American Activities was holding hearings in Washington. During these hearings it was shown how the disturbances and riots that took place at the Seventh World Youth Festival in Vienna last year resulted largely from the fact that the heads of many of the delegations to that festival were not youths but hard-core 40- to 60-year-old members of the Communist apparatus.

For the Washington hearings the Emergency Civil Liberties Committee developed still another technique. Supposedly spontaneously, there sprang up an organization called Youth Against the House Un-American Activities Committee to protest our hearings on the Vienna Youth Festival. We were charged with investigating youth and interfering with the free expression of youth, when all we were trying to show was that some of the delegations had no free expression because of their being Communist-dominated and controlled by agents of the Kremlin. Some of the leftwing press cried crocodile tears for the young people who descended on Washington. This youth organization against the Committee on Un-American Activities was represented in the hearing room in Washington by some 200 young people who were supposedly representative of American youth generally. I wish you could have seen the disreputable array of characters who were supposed to be a cross section of American youth.

Before the hearings ended, it was shown conclusively that these young people protesting these hearings were brought to Washington

on buses from New York City by the Emergency Civil Liberties Committee. They were shepherded there from New York by the same notorious Clark Foreman who did the dirty work in San Juan. Dorothy Marshall, who is anything but youthful, went all the way from Los Angeles to New York to assist Foreman in bringing this group to Washington.

It was also shown, before the hearings ended, that the headquarters of this organization called Youth Against the House Un-American Activities Committee was the same office as the Emergency Civil Liberties Committee; that its press releases attacking the Committee on Un-American Activities were issued from the office of the Emergency Civil Liberties Committee. There is no doubt in my mind that they were written by Clark Foreman. It was shown that before this group made its expedition to Washington, it met in New York and was addressed and harangued by Clark Foreman, Dorothy Marshall, and a number of hard-core Communist functionaries, none of whom can be classified as youthful.

The February hearings in Washington were a disgraceful, deceitful exploitation of youth by the Communist apparatus in an attempt to further discredit and destroy the Committee on Un-American Activities and to furnish grist for the Soviet propaganda machine throughout the world.

As I have said, the violence here in San Francisco was the next step in the Communist assault against the committee. It was clearly planned at the highest Communist levels. The demonstrations, the rioting, and the resulting photographs are wanted for use throughout the world by the Kremlin's propagandists in a deceitful attempt to show that the young people in America are opposed to their Government when it was moving against Communist activities in the United States.

Harry Bridges, the notorious head of the Longshoremen's Union, was also outside the hearing room inciting the mob to move in. It was Harry Bridges who just last year testified before our committee. He had just completed a trip around the world during which he consulted with all top Communist labor leaders in the transportation field. The hearings clearly established that the purpose of his trip was to bring about an agreement with these Communists in the transportation field to act in concert in tying up shipping throughout the world when the word was given. It was Harry Bridges who called Chiang Kai-shek a "bum" and testified that he would refuse to send war materials to Chiang Kai-shek even though the President of the United States felt that shipment of such material was necessary for the safety and security of this country.

In the mob here in San Francisco were five or six other well-known, identified Communists. Among them was Archie Brown, who started the demonstrations in the hearing room the day before. Archie Brown, in his own words, is a "top-ranking Communist" and has been "for 20 years." In truth, he is the second-top Communist in California—second only to Mickey Lima. Also there were Douglas Wachter and Ralph Izard. I am going to tell you about these two in a few minutes.

Among the rioters were members of Harry Bridges' Longshoremen's Union. In the forefront were a large segment of the "beatnik" crowd. Of course, a considerable number of students from universi-

ties in the Bay area were here. Mostly they were the victims of this despicable propaganda plot. Chiefly they had come here only to picket and protest, urged on by the leftwing, pro-Communist, and Communist teachers in the Bay area who hate the Committee on Un-American Activities with an unbelievable venom. However, these brave teachers stayed in the cloisters of the classroom while the students, whose minds had been poisoned with hatred and ill-will against the committee, became involved in this well-conceived and well-organized demonstration.

Before the Committee on Un-American Activities arrived in San Francisco, meetings had been held to arrange for picketing and demonstrations. Meetings were called during the hearings to urge attendance and further demonstrations against the committee.

Here is a typical excerpt from the Daily Californian, the student publication of the University of California:

The Student Committee for Civil Liberties plans to picket the hearings today. It has issued a call for students to attend the rally and hearings and suggests that people "laugh out loud" in the hearings when things get ridiculous.

Rides for students who want to attend the hearings will leave at 8:15 to 10 a.m. this morning from Stiles Hall.

Among the Communist agents who were the principal agitators, and in some cases actual participants in these demonstrations were: Archie Brown, Ralph Izard, Frank Wilkinson, Harry Bridges, Merle Brodsky, Douglas Wachter, and Vernon Bown. It is interesting to note that the hierarchy of the Communist Party—Archie Brown, Ralph Izard, Frank Wilkinson, Harry Bridges, and Merle Brodsky—was careful to avoid actual violation of the law. They left that up to the underlings in party ranks.

I would like to point out that Vernon Bown, among those arrested, is the same Vernon Bown who was in 1954 among the notorious Louisville Seven—charged at that time with sedition, destruction of property, conspiring to destroy property to achieve a political end, and contempt of court.

I say for some of the students involved, that they may not have fully realized that their protests had been organized and directed by a handful of expertly trained Communist agents—persons who have attended training schools for the specific purpose of learning how to create insurrection, how to incite a riot, how to organize peaceful and nonpeaceful protest, and how to lead and direct sincere innocents to the service of Communist aims.

Some developments, as a result of the riots, are shocking. I mention a few of these only to point out the underlying Communist tactic and plan which, when the time comes, could well be used for a major scale riot, insurrection, or open revolution against duly constituted authority.

First of all, an important fact which is beginning to plague this Nation more and more is what is known as the upcoming "second generation" Communists. The committee has faced these young Communist sons and daughters of Communist parents on an ever-increasing basis in the past few years. They are school, college, and post-college age young people who have been born into the closed cell of the Communist Party. During their school years, they are

trained by their parents to follow and promote communism in every way possible.

During these San Francisco hearings, one such "second generation" Communist was Douglas Wachter—the son of Saul Wachter, an identified Communist agent. Douglas Wachter attended Berkeley High School in Berkeley, Calif., and two years ago, his senior year, was elected as president of the Junior Statesmen Club, an influential political group on the campus. He then went on to the University of California where he has been extremely active in campus political activity, the Congress of Racial Equality (CORE), and boasts that he led the student contingent in the recent protests against the execution of Caryl Chessman.

Douglas Wachter attended the 17th National Convention of the Communist Party last December as a delegate from the northern sector of the California Communist Party.

What did the Communist Party accomplish as a result of the San Francisco riots? Their major aim of stopping the hearings failed, but the second aim of creating an issue which the Communist press can use and twist for propaganda purposes throughout the world against the United States was infinitely successful. For years to come, the Communists will be constantly referring to the so-called "Black Friday in San Francisco, when the red-baiting, witch-hunting, Fascist, racist, Un-American Committee had to call in 'goon squads' which used police brutality of the worst sort against a spontaneous student protest."

Since the early days, one of the Communists' chief aims has been to destroy the confidence of the people in their law-enforcement agencies. Charges of police brutality have been revived and used over and over again.

Some of the Communist apologists say the police used undue force in San Francisco. The Communist publications go so far as to charge the police with causing the riot. I hesitate to repeat some of the scurrilous and absolutely untrue charges of brutality being made against the police.

The truth is, that the police and the sheriff leaned over backward using almost every known device short of force to break up the demonstrations and flagrant violations of a half-dozen laws before they were compelled to meet violence with fire hoses and forcible eviction from the City Hall. It was not until the mob attempted to break into the already overcrowded hearing room, had knocked down a police officer and had taken away his mace and started pounding him with it, that the police moved in. Eight policemen and four rioters were hospitalized. Of course, we hear little sympathy for these police officers. We see no photographs of the attack on the police. We see only pictures of rioters being dragged by police from the City Hall because they had engaged in mob violence and refused to leave the building on directions of the police so that law and order might prevail.

Of course, the riot and the photos of the police dragging rioters who refused to leave the building are grist for the Communist propaganda machine throughout the world.

This is what some call police brutality or use of excessive force.

The members of the Committee on Un-American Activities state that Chief of Police of San Francisco, the Sheriff of San Francisco County

and their men acted in accordance with the highest and finest traditions of law-enforcement officials. This Congress should commend them and express our regrets and sympathy for those officers and their families who were injured in the proper performance of their duty.

I appreciate, Mr. Chairman, your giving me this opportunity to make these observations. I know it took a long time, but I felt that the record should disclose what I have said.

Mr. WILLIS. Thank you very much.

Mr. SCHERER. I also ask leave to revise and extend additional remarks before the record of these hearings is printed.

Mr. WILLIS. Without objection the request of the gentleman from Ohio is granted.

The hearings are now concluded.

(Whereupon, at 5:58 p.m., Saturday, May 14, 1960, the subcommittee adjourned, to reconvene at the call of the Chair.)

(Additional remarks by Congressman Scherer follow:)

Mr. SCHERER. Since returning from San Francisco I have received from a number of ministers who were present at the hearings a copy of a voluntary joint statement issued by the following: Dr. G. Archer Weniger, of Oakland; Rev. Don Watson, of Oakland; Dr. H. Austin, of San Francisco; Rev. Robert F. Hakes, of Alameda; Dean William G. Bellsbaw, of the San Francisco Baptist Seminary; Dr. H. O. Van Gilder, of the Western Baptist Bible College; Dr. Arno Weniger, of San Francisco:

Here follows their own eyewitness account of what transpired inside the hearing room. Of course, the rioting outside the hearing room was, to say the least, far more serious.

More than a dozen ministers were in attendance at the congressional hearings of the House Un-American Activities Committee in San Francisco on May 12 and 13 in the Supervisors Chambers in the City Hall. What we witnessed was utterly fantastic. The shameful demonstration against law and order and against this duly constituted committee of the Congress defies description. We sat in the rear of the room on a raised platform where we could easily observe the proceedings, right in the midst of the student demonstrators. We studied the crowd carefully for hours and could easily discern which were the masterminds of the mob riots. It is our certain conviction that this indefensible demonstration against law and order was conceived, planned, and directed by a few hard-core Communist agitators who were carrying out their textbook orders on insurrection with classic success. Leaders of the mob included faculty members and well-known leftist lawyers for the fifth-amendment Communists.

We were sitting where we were able to observe the giving of instructions by the riot leaders who had gained access to the room. The Daily Californian, which was distributed widely at the scene, gave explicit instructions on the front page of the Thursday issue on exactly how to harass the committee. They were told to laugh out loud at every incident that ap-

peared to be amusing in order to make the Congressmen look ridiculous. These well-disciplined mobsters laughed on the dotted line and obeyed their masters to the last jeer. We watched a national committeeman for the party line up a dozen Communists near the railing and throw every sneer, invective, abusive language, vile profanity, and fiendish charge at the Congressmen they could conceive. For nearly 15 minutes at one point, this lawless crowd of students from the university, together with party cadres, had the chambers almost in their control. The students, comprising the rear third of the audience stood up on their seats and yelled, jeered, hissed, and scoffed at the Congressmen. It was almost complete breakdown of law and order. We witnessed more violations of the law in 15 minutes than we have seen in 15 years. The only criticisms we have of the police authorities were of allowing this element to make such a mockery out of law and order, without jailing every one of the leaders.

The height of their devilish hypocrisy was reached when they had the consummate nerve to profane the national anthem by singing it at the peak of their demonstration, and giving expression to their treasonable delight by singing "Mine Eyes Have Seen the Glory of the Coming of the Lord." The depth of their deceit was reached when this mob element put their hand over their heart and pledged allegiance to the flag. We shall never forget the hisses and boos that greeted Mr. Arens when he first mentioned the name of God in connection with one who broke from the party.

We are at a loss to understand how clergymen, such as Bishop James Pike, could give any aid and comfort to this lawless kind of activity by statements deriding the committee, and by allowing his assistant pastor to address one of their despicable rallies.

We came away from this hearing absolutely convinced of the overwhelming necessity of continuing the House Committee on Un-American Activities. No free agent could view the hearings without being impressed with the fairness, justice, and dedication to a thankless, but positively necessary task. Chairman Edwin Willis was unusually temperate and patient. We have nothing but unbounded admiration for Richard Arens, committee counsel, whose skill and understanding of this perilous conspiracy was a blessing to behold. We apologize to these devoted public servants from Congress for the devilish and deceitful conduct of an infinitesimally small but alarmingly arrogant segment of this area, who are willing to be tools of the Communist conspiracy which would make a shambles out of the liberty which marks this great Nation as the land of the free and the home of the brave.

THE NORTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Structure—Objectives—Leadership

(Part 3)

FRIDAY, JUNE 10, 1960

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.
EXECUTIVE SESSION ¹

The subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10 a.m., in room 226, Old House Office Building, Hon. Edwin E. Willis (chairman of the subcommittee) presiding.

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

Staff members present: Richard Arens, staff director; Francis J. McNamara and Fulton Lewis III, research analysts.

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

It will not be necessary to again swear the witness, because we are today completing the record which we began and were unable to conclude because of lack of time during our recent hearings in San Francisco, May 12-14.

Mr. Prussion, we are pleased to welcome you here in Washington to complete your testimony.

Proceed, if you please, Mr. Arens.

TESTIMONY OF KARL PRUSSION—Resumed

Mr. ARENS. Mr. Prussion, during your previous testimony in San Francisco you spoke of the prerequisites of revolution. What are these prerequisites from the Communist viewpoint?

Mr. PRUSSION. The Communist Party is a party of Leninism and all party members are disciples of Lenin. Leninism is a program which directs Communist Party members in attaining the prerequisites of the revolution and, when these prerequisites are accomplished, the overall strategy of overthrowing the Government by force and violence and setting up a dictatorship of the Communist Party will be carried out.

¹ Released by the committee and ordered to be printed.

The prerequisites, briefly, are as follows:

First, a strong enough Communist Party—which the Communist calls the vanguard of the working class—strong enough to lead an insurrection and actions to overthrow our Government by force and violence.

This does not mean strength in numbers in the Communist Party but it means a dedicated core able to lead, as previously described.

The second prerequisite of the revolution is that there must be disunity of the governmental body of our Nation, that there be dissension within the executive, legislative, and judicial branches of our Government on vital issues of the day.

The third prerequisite for the revolution is an economic situation whereby the Communists, through their leadership in social, economic and political organizations, can successfully carry out the revolution.

This economic situation does not necessarily mean a depression. It could be an inflationary spiral, whereby economic chaos could materialize.

The fourth prerequisite of a revolution, and this is closely related to the third prerequisite, is a trade union movement that the Communist Party can successfully actuate into a political strike.

A political strike is different from an economic and social strike, such as wages, working conditions, et cetera, in that it is a strike against law, against legislation or some other political issue.

Such a strike, for example, was recently threatened by Walter Reuther when he stated, in effect, that if the Taft-Hartley Act was invoked in the steel strike, he would call a slowdown strike within the CIO. This would have been a political strike.

Harry Bridges has many times stated that he will call a political strike of his longshoremen if there is a war in which he and his union are not in accord.

A more recent example, not in the United States, but in Japan, of a political strike was the recent strike called by the leftwing trade union movement against Eisenhower's visit and against the treaty that we are now concluding with Japan.

MR. ARENS. In general, Mr. Prussion, how would you say the United States Communist Party stands today in relation to this objective it has of establishing its prerequisites for revolution?

First of all, there is the question of the strength of the Communist Party?

MR. PRUSSION. I think the Communist Party today is sufficiently capable of carrying out an insurrection if the other prerequisites are attained. The figure of approximately 10,000 hard-core members of the Communist Party, of course, is not at all accurate because at least an equal number, I estimate through my experience, have dropped out of the Communist Party for the sole purpose of hiding their identity so that they can carry out their revolutionary work more effectively in economic, political, and social organizations.

MR. ARENS. When you say you believe the United States Communist Party is strong enough to lead an insurrection, you do not mean, do you, that the party itself will take over this Government by force and violence?

MR. PRUSSION. No, of course not. I mean that the Communist Party is able at the present time with the prerequisites, assuming they

were attained at the present time, to successfully lead such an insurrection through their influence politically, economically, and socially throughout the United States.

Mr. ARENS. In other words, it would be a situation something like the riots that took place in San Francisco a few weeks ago, where there will be handful of Communists who stimulate and incite large groups of non-Communists to take certain actions which help the Communist Party? Is that the idea?

Mr. PRUSSON. That is a very mild example of the degree with which the Communists can operate under what they call a more favorable revolutionary situation.

At a 1958 National Executive Committee meeting of the Communist Party, in the report of James S. Allen, it was clearly stated that the situation and conditions in the United States at the present time are more satisfactory toward the planning of the Communist program of the dictatorship of the proletariat than they were in the Soviet Union when the Bolshevik Party seized power in October 1917.

I quote from James S. Allen's report on basic program for the Initiating Committee on Program to the National Executive Committee of the Communist Party, May 9, 1958:

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.

(Document marked "Prussion Exhibit No. 1," see App. p. 2385.)

It is important to note that all of the activities of the Communist Party, whether they be within political organizations, church organizations, school organizations, all organizations—political, economic, or social—all of their work is revolutionary work in their view, whereas on the surface it would appear to be peaceful work within our Constitution and within our Bill of Rights.

We always have to bear in mind that the Communist Party is a party of Lenin, and Lenin clearly stated that the parliament can never be an arena of struggle for the improving of the conditions of the citizenry, that the parliament is only to be used ultimately for the establishment of a dictatorship and for the destruction of the parliament itself.

This is elementary to every Communist and it is the purpose, therefore, of all their actions within our democratic process, to accelerate the day when the prerequisites of the revolution can be met, parliament destroyed and the dictatorship established.

Mr. ARENS. Could you give us some examples, Mr. Prussion, of the kind of so-called peaceful activity which the Communists engage in which, in their view, are actually promoting the prerequisites for the day when outright violence can be used?

Mr. PRUSSON. The Communist Party, ever since its inception in the United States, has made the Negro people a target of Communist Party propaganda in an effort to "lead" the Negro people in their struggle to better their conditions, but the Communist Party is not interested in bettering the conditions of the Negro people as such. Communists are only interested to the degree that they can organize the Negro people into a part of the insurrectionary movement at some future date for the overthrow of the Government by force and violence.

They are exploiting the Negro people rather than helping them. This is one example.

Mr. ARENS. This would fit in, then, with the second prerequisite for revolution, too—that is, that of creating disunity and dissension in the Nation, not only within the Government but among the people as a whole?

Mr. PRUSSION. Yes. The Communist Party has used every stratagem that they know to attempt to win over the Negro people to the Communist cause of revolution.

At first they had a program of self-determination of the Negroes in the Black Belt, which meant that where the Negro people constituted a majority in the South, they should rebel and secede from the Nation and set up their own government.

This program of the Communist Party amongst the Negro people failed miserably because the Negro people did not want to secede from our Government but wanted to be part of it.

The Communist Party very recently changed its proclaimed policy to one of total integration and full equality for the Negro people, and since this change of policy the Communists hope to achieve greater success in their work in winning over segments of the Negro population to the "class struggle." This is not, of course, to say that integration as such is Communist or that all who advocate integration are Communists.

The Communists' purpose, of course, in working amongst the Negro people is to provoke race hatred, violence, to raise what they call the class conscious level of the Negro people, to instill class hatred, to get members into the Communist Party and to ultimately utilize this whole section of the American working class in their final goal of destroying our Government by force and violence and establishing a dictatorship of the proletariat.

Mr. ARENS. Could you give us one or two more examples, Mr. Prussion, of areas or issues in which the Communists are operating today in a so-called peaceful manner but with the objective of promoting the conditions that are prerequisites for revolution?

Mr. PRUSSION. Yes. I would like to cite an example of Communist infiltration in the Mountain View, Los Altos-Palo Alto area.

There is an organization there known as the Council for Civic Unity, Los Altos-Mountain View branch. This organization obviously is a good American organization which is symbolic of the cracker barrel and town hall meeting methods of doing things. It is an organization that Americans can be proud of. It believes that all mankind should have equality, regardless of their race, color, or creed.

However, in 1954 the Communist Party, Los Altos-Mountain View cell, received directives from the section committee to infiltrate this organization. The infiltration took place. Approximately nine members of the Communist Party joined the organization. And it was the purpose of the Communists within that organization to do their revolutionary work therein.

As a result, the organization was used to carry out activities that the Communist Party has seen fit at different periods during the existence of this organization.

To show you the degree of penetration in this organization: At a cell meeting held at the home of Michael Shapovalov in Menlo Park, it

was decided that I, Karl Prussion, become more active in the Council for Civic Unity.

Doris Dawson, a member of the cell, stated that she would contact Peter Szego, who is a professor at the University of Santa Clara and at that time was secretary of the Mountain View-Los Altos branch of the Council for Civic Unity, and she would instruct him to step down from his position as secretary, since he was too busy in organizing the Los Altos-Mountain View California Democratic Club, in my favor.

Approximately three or four days after this agreement was reached in the Communist Party cell, Peter Szego came to my home and handed over to me the indexed membership list of the Mountain View-Los Altos Council for Civic Unity, which I have here today.

Of course, this membership list has always been available to the Communist Party since it had infiltrated the organization so thoroughly. As a result, most of these members who are not Communists have become inadvertent victims of Communist propaganda through the mails and through personal contact. Many of these members have been used by the Communists for such purposes as signing peace pledges, getting subscriptions to the official organ of the Communist Party, inviting these people to other meetings that were initially started by the Communist Party, et cetera.

This is one example of how the Communist Party uses deceit in order to work in the revolutionary way amongst innocent people who have good motivations.

Mr. ARENS. Would you identify for us, Mr. Prussion, those persons known to you to be Communist Party members who infiltrated the club?

Mr. PRUSSION. The Communist Party members who infiltrated this organization are: Mr. and Mrs. Ed Becks, Mr. and Mrs. Walter Harju, Elizabeth Nicholas, Mary Wilson, Mary Field, Peter Szego, and of course I was in there, too.

I want to emphasize that there are many members of the Council for Civic Unity who hold positions of high esteem in the community, such as doctors, lawyers, engineers, et cetera. And I, by no means, infer that these people are either fellow travelers or sympathetic to the cause of communism. I simply say that they are targets of Communist Party propaganda and activity.

Mr. ARENS. As a member of this group yourself, did you see any evidence of where the Communist infiltrators in it had influenced other members?

Mr. PRUSSION. Well, most all the other members are influenced by the effect of the activity of the Communist Party because the program of this club, unfortunately, has yielded to Communist Party activity which the Communists use for their revolutionary work.

Mr. ARENS. Could you give us some specific examples?

Mr. PRUSSION. Yes. The Communist Party through the Council for Civic Unity has been able to stimulate people in the area to support such activities as getting housing for Negro people in what is customarily considered a white community. In doing this, the Communist Party tries to gain leadership and tries to instill a "class hatred" and a "class consciousness" in people involved in these activities, and they also try, of course, to recruit members into the Communist Party as a result of these activities. I don't want my state-

ments here to be misconstrued. I am not saying that the community integration of Negro people is Communist, but that the Communists use this as a means of trying to gain prestige and to infiltrate.

Mr. ARENS. Would you care to give more details on the second of the prerequisites for revolution that you mentioned? That was the one on national disunity and dissension, or do you feel you have covered that?

Mr. PRUSSION. As an example of how the Communist Party uses our democratic privileges in their effort to hasten the day when the prerequisites of the revolution are met, and then ultimately destroy these democratic privileges that give them the right to act at the present time:

The Supreme Court of the United States has always been a target of the Communist Party through petitions, telegrams, letters, mass meetings, delegations, et cetera, in order to attempt to influence decisions from the Supreme Court, as they pertain to various anti-Communist Party legislation, to influence the court decisions favorable to the Communist Party and make it easier for them to operate.

Mr. ARENS. Would the recent U-2 incident be the type of thing the Communists would try to exploit to create dissension and disunity?

Mr. PRUSSION. Why, certainly. The Communist Party of the United States at the present time is justifying the breaking up of the Summit Conference by Khrushchev, using the U-2 incident as a pretense. This is the line of the Communist Party following the line of the Communist International or the Communist Party of the Soviet Union through Khrushchev.

Another example of promoting national disunity was that during the period of the Korean War, the Communist Party of the United States set up hundreds of so-called "peace" organizations. These peace organizations were set up through instructions from Moscow through the World Peace Congress that was set up by the Kremlin.

The purpose of the peace clubs was principally to put the Soviet Union forth to the American public as the country that is desirous for peace, whereas the United States was portrayed as a country bent on aggression or war.

During the time that peace clubs were active they circulated the so-called Stockholm Peace Petition and were instructed to get millions of signatures in the United States. The purpose, of course, was to cause complacency and indifference, to split the American public insofar as national defense is concerned and two or three months after this petition was started, North Korea, using guns and tanks and military equipment made in the Soviet Union, attacked and invaded South Korea.

This is an example of the creation of disunity and thereby disarming America in preparation for the Soviet attack on South Korea.

Mr. ARENS. Did these same peace clubs, after the war in Korea started, try to break up the generally united purpose of the American people to fight that war to a successful conclusion?

Mr. PRUSSION. The peace clubs, and when I say peace clubs, I have in mind the peace club that I was operating in, the Palo Alto Peace Club, playing upon the emotions of the American people and the Christian desire for peace that America does have, tried to help the North Korean offensive by demoralizing the public generally and our

troops at the front, calling it a needless war, calling for our boys to come home, and appealing principally to mothers, and this certainly was historically a very effective method used by these peace clubs in helping the Soviet forces win a partial victory in Korea.

It is interesting to note that when the South Korean forces and the United Nations forces were almost driven out of Korea, that the cry for peace was minimized, whereas when MacArthur succeeded in driving the North Korean forces to the Yalu River the peace clubs called for peace at the 38th parallel.

Mr. ARENS. Could you give us a few examples of the manner in which Communists try to promote the economic conditions that would serve as a prerequisite to revolution?

Mr. PRUSSON. Well, the Communist Party tries, within the trade union movement, to arouse class hatred and raise what it calls the "class conscious" level of the workers. Communists attempt to use the legitimate trade union movement and legitimate social advances for the purpose of causing more and more inflation. The party attempts to stimulate excessive wage demands and excessive Government spending for social benefits with the idea of hastening the collapse of our economic system, which is one of the prerequisites of the revolution.

Mr. ARENS. Did Communist leaders actually discuss and give directives on this point in the course of your own experience in the Communist Party?

Mr. PRUSSON. Yes. The literature and books that the Communist must read, such as "State and Revolution"; books on the trade union movement: principally the works and classics of Lenin, "Left-Wing Communism—An Infantile Disorder," "Strategy and Tactics," et cetera. All of these books and lectures and discussion groups and educational within the cells, discuss the hastening of the collapse of our economic structure through the class struggle principle generated by the Communist Party through the trade union movement.

Mr. ARENS. That leads us to the fourth point you mentioned, the fourth prerequisite for revolution, that is, the creation of a trade union movement that is of such a nature that the Communist Party can activate it into political strikes, rather than strikes concerning economic and labor issues.

Would you care to say anything about the Communist Party's estimate of the situation in this country today on this point?

Mr. PRUSSON. The Communist Party feels that the trade union movement contains within it elements which may be exploited so far as this prerequisite of the revolution is concerned.

Mr. ARENS. Inasmuch as some 11 unions—and important unions—were thrown out of the CIO in 1950 for being under Communist control, how can the Communists feel this way?

Mr. PRUSSON. The Communist Party is not too concerned about who the leadership of the trade union movement is at the present time, as long as it believes the trade union movement is being built and directed in the spirit of class struggle, class war generally; in which the class-conscious level of the working people is raised. The Communists feel that they will be able to exploit this class hatred for the purpose of overthrowing our Government by force and violence. Of course this does not mean that the trade union movement is Communist inspired.

I would like to relate an incident which I will always remember. Back in 1938, during a period in which the Communist Party in Detroit was extremely influential in the leadership of the development and direction of the CIO industrial labor movement, the Communist Party members throughout the Detroit area were discouraged by the fact that Walter Reuther, who at that time was coming forward as the leader of the United Auto Workers Union, CIO, that Walter Reuther was not giving jobs to Communists within the union and that it was more difficult to control Walter Reuther than in the past.

A meeting was called of Communist Party cells throughout the plants on the west side of the city of Detroit, where Walter Reuther was entrenched. The meeting was attended by such people as Jack Stachel, Earl Browder, William Weinstone, Nat Ganley, and one Bill Gebert. Bill Gebert represented the Communist International in the city of Detroit during the period that the CIO was formed and he directed the whole organizational strategy of sit-down strikes and activities of the Communists in the unions generally. Even the top party leaders obeyed Gebert.

Mr. ARENS. What was the purpose of the meeting?

Mr. PRUSSON. The meeting was to discuss whether or not to come out openly within the CIO to attempt to dispose of Walter Reuther and for the Communist Party to try to seize complete control of the United Automobile Workers Union at that time.

After considerable discussion by many of the national leaders of the Communist Party at this meeting, Bill Gebert stated as follows: That we Communists are a party of Leninism, a party of strategy and tactics, and it is the policy of the Communist Party to build a trade union movement, based on Leninism, based on class struggle, based on class hatred, a union in which the class-conscious level of the auto workers would be raised, based on the need for recruiting members into the Communist Party and, as long as Walter Reuther or any other leader would build and continue to build a union in which we could take advantage of this spirit, the Communist Party certainly would not enter into a struggle within the union for the titular control of the union.

The Communists recognize that the great majority of union leaders and rank-and-file members are loyal and anti-Communist, so they are now concentrating their efforts at the grassroot level within the shops and locals, trying to exert pressures on the leaders in the interest of policies and programs which the Communist Party favors. Of course, they do not reveal that they are Communists or that the programs which they advocate are what the Communist Party wants. They are confident that they are making great headway in this tactic. They are using an "anti-monopoly" and "anti-big-business" line which goes over well with some militant unionists.

Mr. ARENS. In other words, is it the spirit of the trade unionists generally, rather than their actual control by party members, that the Communists hope to use for their ends? That is, if they are generally emotionally antagonistic to big business as such, the party considers that they are then ripe for Communist influence?

Mr. PRUSSON. That is correct.

Mr. ARENS. By Communists; to do things that will serve the Communist cause even though their leaders may be actually anti-Communist?

Mr. PRUSSION. That is absolutely correct. The Communist Party would certainly like to have leadership within the trade union movement but they are working hard now, as previously stated, down at the grassroots within the trade union movement through which they try to exert pressures upon the leadership of the trade union movement, trying to get, for example, legislation passed in the interest of the program of the Communist Party.

Mr. ARENS. Earlier in your testimony, Mr. Prussion, you spoke of Communist infiltration in political fields. Could you give us some examples of this?

Mr. PRUSSION. My following testimony as regards Communist Party infiltration in political fields is in no way a reflection on either of our two great political parties, the Republican Party or the Democratic Party. However, I would like our two political parties to become acquainted with facts that are alarming concerning attempted Communist Party infiltration and the major successes that it has had in its political work.

Back just prior to the defeat in 1952 of Vincent Hallinan, who was running for President on the Independent Progressive Party ticket—and at that time the Independent Progressive Party was the political arm of the Communist Party, totally and completely controlled by the Communist Party—the Communist Party at that time changed its policy, torpedoed the Independent Progressive Party and let it shift for itself until it disintegrated, and began a full scale effort of infiltration of the Democratic Party.

I want to point out that at the time this was done the Communist Party was seriously considering infiltrating the Republican Party, since they felt that the Republican Party was at that time the party of peace, and the Democratic Party was the party of war. But Communist leadership decided, in view of the fact that the mainstream of the labor movement still flowed toward the Democratic Party, that it would be correct to try to attempt to infiltrate the Democratic Party.

For example, the Communist Party so thoroughly infiltrated the South Palo Alto Democratic Club that it was able to exert considerable influence on the club's policies.

Mr. ARENS. When was this club formed?

Mr. PRUSSION. It was formed back in 1956.

Mr. ARENS. Did the Communists move into this club back in 1956, and actually have a hand in the formation of the club?

Mr. PRUSSION. That is right. Shall I name the Communists who are members of this club?

Mr. ARENS. If you know positively from your own experience within the Communist Party that they are members of the party and if you haven't named them previously.

Mr. PRUSSION. I have named some of them previously, but not as associated with this particular group.

Mr. ARENS. Then you may go ahead and name each one who is known to you as a party member and a member of this club.

Mr. PRUSSION. The following are members of the Communist Party in this club: Sara Alchermes, Mary Field, Leonard Grumet, Walter Harju, Allan Isaksen, Edward Ross, Belle Ross. I might add that Isaksen's wife, Eleanor, and Harju's wife, Wilma, have also joined

this club. However, I have never seen them at Communist Party cell meetings and do not know that they are actually party members.

Mr. ARENS. Is Belle Ross the wife of Ed Ross?

Mr. PRUSSION. Yes. Jack Stallings, Ann Stallings, his wife; Elliott Wilson, Mary Wilson, and Emerson Street.

Now, about Emerson Street, I would like to say that he was a member of the Communist Party for a considerable length of time and was dropped out of the Communist Party. However, he is regarded very highly in the party circles and his name very often comes up at cell meetings as a good, active, working Communist within the ranks of the California Democratic clubs.

Mr. ARENS. Do you know of any examples of Communist infiltration in the Republican Party?

Mr. PRUSSION. I know of no such examples other than myself. At a section meeting of the Communist Party held during the time the infiltration was started into the Democratic Party, I was instructed to register as a Republican because of the position that I held in the community and it is very possible that a few others of whom I have no knowledge may have been instructed to do the same.

Mr. ARENS. Specifically, what do you mean, your position in the community? In what way were you different from the other members of the Communist cells to which you belonged?

Mr. PRUSSION. Well, I had been a contractor in the area, building tracts of homes, and I was considered a segment of that part of the community that would most likely be in the Republican Party. And you have to remember, too, at this time, this decision was made at the time when they were seriously considering whether to go all out into the Republican Party.

Mr. ARENS. What did you do in the Republican Party to further Communist aims?

Mr. PRUSSION. Nothing. The party gave me no directives. I just registered Republican, never joined a Republican club.

Mr. ARENS. Could you give us an example of the ends achieved by the Communists through this type of infiltration?

Mr. PRUSSION. Yes, I can give you an example. This infiltration of this club, California Democratic Club of South Palo Alto, was not unique and peculiar to South Palo Alto. Perhaps I should explain here that a movement began to set up local "Democratic Councils," as they are called, all over the State, in 1953, I believe, for the purpose of activating the Democratic Party. The Communist Party has not only had its members join established Democratic Party clubs but has also moved into these councils and, through them, is setting up additional local clubs. Annually, delegates from some of the Democratic clubs and other official party bodies which have affiliated themselves with the California Democratic Council meet in a statewide California Democratic Council convention. The council convention serves as the Communist's statewide political transmission belt insofar as they have been able to capture or dominate these councils and also the selection of the clubs' delegates to the convention. Hence it was that on February 12, 13, and 14, 1960, when the California Democratic clubs sent delegates to the annual convention of the California Democratic Council in Fresno, some of the resolutions that were passed were indeed a great victory for, and stimulant to the Communist conspiracy and its general strategy and tactics of preparing the Nation through parliamentary methods for the forthcoming seizure of power by the Communist Party.

Mr. ARENS. What were the resolutions?

Mr. PRUSSION. One of the resolutions passed demanded that the United States disarm, even if negotiations to achieve world disarmament failed, and even if the Soviet Union does not disarm.

Mr. ARENS. Was that the only one?

Mr. PRUSSION. No, there are many more.

Include Red China in negotiations to halt nuclear tests.

Mr. ARENS. What is the Communist purpose in that resolution?

Mr. PRUSSION. It is the avowed purpose of the Communist Party to gradually and ultimately get the recognition of Communist China, and by including them in halting nuclear tests, this is a step in that direction. The recognition of Red China would indeed be a catastrophe for the free world because Red China is morally wrong and something that is morally wrong can never be politically, economically right.

Red China in its drive for power has killed hundreds of thousands of Christians. They are an atheistic regime and recognition of Red China would help perpetuate the tyrannical government that they have and would raise them in the esteem of the rest of Asia to the extent where they could, with little effort, take all of Asia into their orbit.

Mr. ARENS. Were any other resolutions adopted which coincided with Communist Party demands?

Mr. PRUSSION. Yes. Abolish the House Committee on Un-American Activities. One of the first and most important activities of the Communist Party to make it easier for them to do their revolutionary work is to abolish the Committee on Un-American Activities. Certainly the abolition of the committee would be a staggering blow to the freedom-loving people of the world, because this would certainly facilitate to no end the activities of the Communist Party.

The Communist Party, just prior to the recent hearing in San Francisco, used every conceivable parliamentary method to stop the committee hearing, such as petitions, telegrams, meetings, picketing, et cetera.

This failed to stop the committee from appearing in San Francisco so the Communist Party, bent on its destruction, resorted to force and violence to attain that end. Based on my experience in the Communist Party I would say that this demonstration has all the earmarks of a Communist Party operation.

This is an example of Leninism in action. Lenin states, and I might say that this is the heart of the Communist movement in the United States, and throughout the world:

No parliament can in any circumstances be for Communists an arena of struggle for reforms. The only question can be that of utilizing bourgeoisie state institutions for their destruction * * *. A Communist must be prepared to make every sacrifice and if necessary, even resort to all sorts of schemes and stratagems, employ illegitimate methods, conceal the truth in order to get into social, political and economic organizations, stay there and conduct the revolutionary work within. (Vol. XXV p. 149, vol. XXVII p. 142, *Collected Works*.)

Another resolution: Oppose all legislation which would inhibit the powers of the United States Supreme Court. The Communists are very anxious not to have any legislation which would inhibit the powers of the Supreme Court because, unfortunately, the Supreme Court in recent years has made decisions, usually by a 5-4 vote, that reversed many lower court rulings and facilitated the activities and perpetuation of the Communist Party. For this reason the Commu-

nists don't want the lower courts to have the final say on these questions and this is what would happen if Congress were to take from the Supreme Court some of the powers it now has.

MR. ARENS. Are there any further resolutions you would like to mention?

MR. PRUSSION. Request the President to review the Morton Sobell conviction "to secure ultimate justice (vindication)." This is an alarming resolution to be passed by the California Democratic clubs, because Morton Sobell has been tried and convicted of work of espionage in the interest of the Soviet Union.

Another resolution was to outlaw secret congressional committee hearings.

MR. ARENS. How would this serve the Communist Party?

MR. PRUSSION. This would definitely serve the Communist Party because it would make top secret defense testimony public. And the Communist Party and therefore the Soviet Union could have all of our military information with no effort on their part whatsoever.

MR. ARENS. Were any other resolutions passed which would be helpful to the Communists?

MR. PRUSSION. Abolish all "dis-loyalty" oaths—State and Federal.

MR. ARENS. Inasmuch as it is generally recognized that the Communists won't hesitate to perjure themselves, why are the Communists so fearful of these oaths and why do they want them eliminated?

MR. PRUSSION. Even though the Communists would perjure themselves in taking a loyalty oath in order to get a job as a teacher or to work in a defense plant and so forth, they are fearful of a loyalty oath because if exposed, if their perjury is exposed, of course they face prosecution, jail sentences, and fines and they would like to eliminate that possibility. Therefore, the loyalty oaths are a must, both State and Federal, so that in the event the Communists are apprehended in disloyal acts, they can be prosecuted. Without such laws there can be no prosecution.

Repeal of the Landrum-Griffin labor reform bill of 1959.

MR. ARENS. Why do the Communists desire this?

MR. PRUSSION. The Communist Party has always been opposed to the Landrum-Griffin law because they feel that any governmental regulation within the labor movement, anything that resembles control in the labor movement, would certainly impair their efforts to utilize the labor movement in their struggle to overthrow our Government by force and violence.

Another resolution which, on the surface, does not appear to be very important but it is extremely important, and that is repeal the Relatives' Responsibility Law. This resolution is very vital to the Communist Party because if this resolution repealing that law were to pass, it would strike a blow at the stability of the American family.

MR. ARENS. Why?

MR. PRUSSION. Let me explain what this resolution would do: For example, a son living with a widowed mother, if this law is repealed, could refuse to support his mother and force her to go on the welfare rolls for her subsistence. This, of course, strikes at the very root of Communist ultimate accomplishment, that of destroying the family, destroying the spirit and close bond within the family—the basis of the American Christian and Judaic way of life.

Establish local police review boards to hear complaints against police methods.

Mr. ARENS. Why are the Communists promoting this type of legislation?

Mr. PRUSSION. The Communist Party is trying to promote this type of legislation because it would give them a method through which they could arouse public indignation against police department actions against the Communist Party, such as we have recently witnessed in the city of San Francisco at the hearings by the Committee on Un-American Activities.

Another resolution is increase economic aid to underdeveloped nations and reduce military assistance abroad.

Mr. ARENS. Why do the Communists take this position?

Mr. PRUSSION. It is not wrong, of course, for the United States to help underdeveloped nations that are not within the Communist orbit, but to reduce military assistance to our allies in our fight against Soviet aggression would be certainly assisting the Soviet Union and the Communist Party of the United States in their drive to ultimately conquer the world.

Mr. ARENS. If the Communist aim is to weaken other nations for Soviet conquest, why do they recommend increased foreign aid to these nations, that is, economic aid?

Mr. PRUSSION. The economic aid that the Communists are principally interested in is economic aid to those countries which principally fall within the Soviet orbit or to those countries which they feel will shortly fall within the Soviet orbit.

Mr. ARENS. Do not the Communists believe that this aid will help strengthen these nations against Soviet take-over?

Mr. PRUSSION. I do not believe that they feel it would deter future Communist conquest. On the contrary, the Communists, the Soviet Union, believe that any development in these countries would greatly facilitate the economic recovery of such a country when the Soviet Union would take over power in these countries. Moreover, all Communists are for excessive U.S. spending abroad for two reasons: (1) It would hasten the weakening of our economic structure through increased indebtedness, and (2) they can hope to influence the spending of our dollars in many foreign countries for their own advantage.

Mr. ARENS. Are there more resolutions or is that the last one?

Mr. PRUSSION. Another resolution is: Remold the United Nations into a world organization that can enact and interpret and enforce world law upon individuals and governments alike.

This, of course, is the yearning of all Communist hearts of the Communist International, because it would be their purpose to control such a world government and the indications are at the present time, if such a world government were set up, it would be one that would be influenced to a major degree by the Soviet Union, and in this manner not only would the individuality of the American and the rights of the State and our whole Government be submissive to world court and world government decisions, but it would also hasten the seizure of power not only in the United States but everywhere in the world, because this is a strongly centralized form of government that can be controlled from the top very expeditiously, very readily.

Strip the Postmaster General of powers to halt the use of U.S. mails by the purveyors of pornographic materials.

This, of course, the Communists would like, because they feel that by stopping pornographic films sent through the mail the Post Office Department could also stop the conspiracy propaganda that is sent through the mail by the Communist Party and the Communist International.

These are all of the resolutions.

(Document marked "Prussion Exhibit No. 2" and retained in committee files.)

Mr. PRUSSION. I might just make one comment on these resolutions. One could understand where the California Democratic Council could by chance be in favor of two, three, or four of the resolutions that the Communists are sponsoring, but the fact that the California Democratic Council goes all out on all of the resolutions that the Communists are in favor of would cast serious doubt on who controls the California Democratic Council. I indicated that through delegations such as were sent from the South Palo Alto Club, which had 14 members of the Communist Party in it, that the Communist Party is a dynamic and influencing force in the California Democratic Council.

Mr. ARENS. On the basis of your contacts with them, would you say that these resolutions express the feelings and beliefs of the majority of the people who make up the grassroots of the Democratic Party of California?

Mr. PRUSSION. I would have no way of knowing. I just can say I believe that this certainly is not the expression and the opinion and feelings of the people who are Democrats, members and nonmembers of the Democratic Party, the people who vote Democratic and so forth.

I think this is the expression of the Communist Party as expressed through the California Democratic Council in which they obviously have a great deal of influence, but it should not be interpreted as a program that the typical American Democrat sponsors. This is not a reflection on the Democratic Party at all. It is a reflection of the attempted influence of the Communist Party within the California Democratic Council which, of course, is not the Democratic Party. I am sure many patriotic California Democrats are sick at heart over this dominance of many clubs, through the Council, by agents of the Kremlin.

Mr. ARENS. Are you familiar with the People's World?

Mr. PRUSSION. Yes.

Mr. ARENS. This newspaper is generally recognized by people informed about communism as a Communist Party newspaper, the official voice of the Communist Party on the West Coast.

People who publish and edit that paper, however, have always denied that this is so. Do you have any information to give us on this point?

Mr. PRUSSION. It is true that the Communist Party consistently, and also the Daily People's World consistently, denies that it is the official organ of the Communist Party on the West Coast. But I have with me here documentary evidence, a party document concerning a press conference of the Communist Party held on October 27 and 28, 1956, in which the historic background of People's World was taken up, and the way the Communist Party affects the paper.

As you read the entire account there can be no question in anybody's mind, or there should not be any more, that the People's World is the official organ of the Communist Party of California, both Northern and Southern Districts, and is totally controlled financially and editorially by the Communist Party.

For example, when the situation for the Daily People's World became acute financially back in June 1951, the Communist Party determined to maintain the Daily People's World under any circumstances—and I am quoting this party document: "because (1) The paper remained as the sole consistent medium for public expression of our views. (2) The paper represented a principal toehold on a legal status. (3) Abandonment of this position, under enemy attack, would have grave consequences on morale of party and movement. (4) The paper afforded a channel for exercising leadership when other 'normal' channels were disrupted or clogged because of the system of leadership established in party."

Mr. ARENS. Could you clarify that last point you just read in which the paper was described as a channel of leadership. What did the Communists mean by that?

Mr. PRUSSION. The paper afforded an excellent channel for exercising leadership because the party at that time was working underground. Many party people resigned to hide their identity and carry on the revolutionary work, and the paper was the real medium through which leadership of the Communist Party could be maintained and continued under these adverse conditions for the Communist Party.

Mr. ARENS. By leadership, do you mean the conveying of instructions and so forth?

Mr. PRUSSION. I mean that the paper served as a means of informing members, wherever they might be, as to what the party policy was during that particular period on different issues that the Communist Party was confronting.

Mr. ARENS. That is, whether or not these members were formally in the party and attending party meetings?

Mr. PRUSSION. Yes.

Mr. ARENS. May we have that document, Mr. Prussion, for our files and as an exhibit in this hearing?

Mr. PRUSSION. Yes, certainly you may have it.

(Document marked "Prussion Exhibit No. 3," see App. p. 2401.)

Mr. ARENS. What was the Communist Party viewpoint of Premier Khrushchev's visit to the United States?

Mr. PRUSSION. The Communist Party, all members of the Communist Party, had been carrying on a long campaign of coexistence and a long campaign to get Khrushchev to visit the United States.

Now, in line with the Leninist theory of the Communist Party of accelerating the day when the prerequisites to revolution have been met, Khrushchev's visit here played a great role toward that achievement.

All Communists knew that he came here for the four following reasons:

One, to stimulate and to activate the Communist Party, not only in the United States but Communist Parties throughout the world, because just by his visit here he had raised the prestige of the Communist International everywhere, and he had given the Communist Party

of the United States more enthusiasm and more zeal for their future activities. He succeeded in this very well.

The second reason for his coming here was to discourage the resistance of freedom loving people throughout the Soviet orbit and throughout the world because, certainly, cooperation between Khrushchev and the United States would dampen the spirits of the people who had been fighting communism behind the Iron Curtain. The Communist Party succeeded in this to a great extent.

The third reason why Khrushchev came here, and this is probably one of the most important reasons, was to, if possible, split up NATO. By coming here he aroused suspicion in the other members of NATO as to the relationship between the United States and the Soviet Union—and splitting up NATO would be a great accomplishment for the Communist International in its drive to attain one of the major prerequisites of world revolution.

He was fairly successful in this. This was evidenced by the fact that President Eisenhower had to quickly go to France and England and consult with Macmillan and deGaulle in order to give them reassurance and understanding, to prevent any question on their part as to the intentions of the United States.

I might comment at this time that the reason why the Summit Conference did not continue, the reason why Khrushchev torpedoed the Summit Conference was not the U-2 incident, but the fact that he did not succeed in splitting NATO. Had he so succeeded, he would have proceeded with the Summit Conference and he would have come out on top of the conference. He is presently once again beginning a campaign of trying to split NATO.

The fourth reason for his coming to the United States is also in line with the worldwide prerequisites for a revolution, because, if Khrushchev could establish strong economic relationship, trade, with the United States he would accelerate the collapse of the economic structure of the Western European countries, because they certainly could not compete in trade with the products put out by a country such as the Soviet Union which produces under a system of dictatorship, where the respect for the individual is completely ignored.

Any agreement with the Soviet Union economically would, to a large degree, injure the economics of the Western countries.

It is also known historically that any agreement that we make with the Soviet Union is not worth the paper it is written on and if—let us assume the United States has built up a strong economic and trade relationship with the Soviet Union—and at a time when the United States has more or less become dependent upon its trade with the Soviet Union the Soviet Union could, without any notice, pull the rug from under us, break off trade relationship with us, and put the United States in a precarious economic situation.

Mr. ARENS. Give us an example or two of how effective Communists are in achieving their objectives in organizations they infiltrate.

Mr. PRUSSON. To give you a small example, but yet an important example of how effective Communists are in infiltration: When I first became active in the Communist Party again, approximately in 1948, without any solicitation whatsoever I began to receive literature from dozens of Communist-front organizations and Communist-infiltrated organizations, so it is evident that it was possible for Communist Party members in these organizations to put me on their mailing list.

However, as of August 12, 1959, when I broke with the Communist Party and so publicly stated, all mail, with no exception, from all organizations infiltrated by Communists and Communist-front organizations stopped, which showed me—and should show to America—that they had influence enough within these organizations to pull my name from the mailing list of all of these organizations.

This is an important example of the influence of the Communist Party although it may seem minor, it does show the effectiveness of Communists everywhere. This sudden stoppage of literature even had somewhat of an international aspect because I had been receiving the publications of the World Health Organization, which, of course, stopped with the rest of the publications that I had been receiving.

Mr. ARENS. On the basis of your experience, can you give us an example or two of the tactics the Communists are now using to influence and convert students to their cause?

Mr. PRUSSON. Yes. Students, of course, are a major concern of the Communist Party, and they make a special effort to recruit students into the conspiracy.

One example of this is a situation up at Stanford University where there is an organization called Political Forum. 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. Just recently they had Archie Brown speak there, from the Communist Party. At one time they invited Albert Mickey Lima, the district organizer of the Communist Party.

The way the Communists operate, they will send three or four Communists to such a meeting and these Communist Party members will take note of those students who ask questions of such a nature that the Communists feel that that particular student would be a good prospect 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.

A Communist who is very active in this sort of work is Elliott Wilson. Another man is Leonard Grumet. Most of the meetings in that area were held in the home of Leonard Grumet. Similiar meetings of students whom the Communists felt could be weaned and indoctrinated with communism were held at the home of Holland Roberts in Palo Alto.

Mr. ARENS. This is an aspect of Communist activity which I am sure never occurs to these people who think they are being democratic and broadminded when they invite people, even Communists and fellow travelers, to address such groups. They are not aware that the Communists' scheme is to take advantage of every possible opening given them.

You also mentioned Parent-Teacher Associations. Could you tell us something about Communist activity in regard to these groups and the purpose of it?

Mr. PRUSSON. Well, the Parent-Teacher Associations—I do not have too much information on it, because the Communist Party has its own parent-teacher association cell of which I was never a member. But I do recall that Doris Dawson—who I don't believe was a member of the Parent-Teacher Association though she had association with the parent-teacher association cell—she came to a cell meeting and re-

ported that the resolution that the Communist Party was anxious to have the Parent-Teacher Association pass at its national convention would pass—and that resolution was the one to stop nuclear testing.

So the Communists, of course, are active in the PTA, as evidenced by my testimony, the purpose being to try to pass resolutions at PTA meetings which are in the interest of the Communist conspiracy. But I also here want to point out that the PTA is obviously sometimes inadvertently a victim of their deceit. Also, in working in the PTA they have the usual line of picking out certain members of the PTA who they feel might be susceptible to the line of the Communist Party, recruiting them into the Communist Party and also activating people into other Communist mass organizations. This line is generally the same throughout all of the activities of the Communist Party in all civic, political, and religious organizations.

Mr. ARENS. This, I believe, is a major concentration of the Communist Party today and has been for the last few years, isn't that true—that they are to infiltrate and penetrate our grassroots, community-level organizations?

Mr. PRUSSION. Yes. This is in line with the Communist Party program of infiltration and carrying on the revolutionary work within these organizations. And the revolutionary work consists principally of carrying out the Communist Party line as it pertains to certain situations that are taking place locally, nationally, and internationally.

It was Lenin who said, and this is a hard and fast rule with all Communists, that there is no revolutionary theory without revolutionary practice. This is the basis upon which Communists work in mass organizations and this constitutes the revolutionary practice, to attain the final goal of overthrowing the Government by force and violence as per Lenin's revolutionary theory.

Mr. ARENS. On the basis of your many years of experience in the Communist Party, both as a real member and as an undercover operative for the FBI, would you say, if an international situation of a critical nature developed and the Soviet Union ordered the Communists in this country to engage in sabotage, insurrection, and so forth, they would obey the order?

Mr. PRUSSION. This is a must with a member of the Communist Party, in line with the teachings of Lenin. It is the duty of the Communist Party of the United States to come to the assistance of the Soviet Union whenever and wherever the Soviet Communist Party might need such assistance. It is also the duty of the Soviet Union to help the Communist Party within the United States in every way possible when the Communist Party of the United States needs such assistance.

Mr. ARENS. Are all Communists instructed along these lines?

Mr. PRUSSION. The Communist Party member who has been a member of the Communist Party for a reasonable length of time, I would say, for approximately a year and a half to two years, is fully aware of this Leninist inner obedience that is peculiar to all Communists. I would like to quote from Lenin here:

The victory of socialism is possible first in a few or even in one single capitalist country taken separately. The victorious proletariat of that country having expropriated the capitalist and organized its own production would rise against the rest of the capitalist world, attract to itself the oppressed classes of other

countries, raise revolts among them against the capitalists and in the event of necessity come out even with armed force against the exploiting classes and their states. (P. 156, Lenin and Zinoviev, *Against the Stream*.)

The entire program of the Communist Party is geared to the interests of the Soviet Union and it is historically a fact that the Communist Party of the United States has turned somersaults as requested by the Soviet Union on all issues that the Soviet Union felt were paramount in the interest of the Soviet Union.

The Soviet Union is the symbol of the strength and the might of the Communist parties of all countries in the world, including, of course, the United States.

Mr. ARENS. The Soviet Union says today that it wants peace and the Communist Party of the United States says the same thing. Do they really want peace?

Mr. PRUSSION. The Soviet Union is carrying out a campaign of fraudulent peace and the same campaign, of course, is being carried out by the Communist Party of the United States.

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, and any period in which the Communist parties are carrying out a "peaceful" program is only a period in which there is a respite in the wars that the Communist International is continuing and expects to culminate in the Soviet domination of the world.

Here I would like to quote Lenin again, and this quote from Lenin is very elementary:

We are living not only in a state but in a system of states and the existence of the Soviet Union side by side with the United States for a long time is unthinkable. One or the other must triumph in the end and before that end comes a series of frightful clashes between the Soviet Union and the United States is inevitable. (Vol. XVI, p. 102, *Collected Works*.)

I have already quoted Dimitri Manuilsky on coexistence.

See pp. 2052, 2053.

The Communist Party, of course, today and at all times insists that it is the political party of the United States, that it is the party of Thomas Jefferson, Abraham Lincoln, George Washington, but the attempt on the part of the Communist Party to validate its existence is only an expediency for Communists to carry on their revolutionary work within the United States.

Mr. ARENS. What arrangement is the Communist Party using today for the holding of meetings? We know that a dozen or so years ago, before the top leaders of the party were indicted under the Smith Act, you could walk down the street in a major city of this country and you would see a building which had a sign out in front, such and such Communist Party Club. All these were broken up and the party went underground and adopted other methods of concealment in 1948 or so. Could you tell us just what the party was doing when you left it?

Mr. PRUSSION. The Communist Party had very secretive meetings, meetings were never held at the same place, meetings were always held in different homes, different locations.

I recall several instances where Communist Party meetings were held in parks, one such meeting was held in Flood Park, in Menlo

Park, Calif. Another such meeting was held in Rinconada Park in Palo Alto.

Mr. ARENS. About how many people were in attendance at these meetings?

Mr. PRUSSION. Ten or 12 in each of these two instances.

Mr. ARENS. Were they held during the day or the night?

Mr. PRUSSION. One of these meetings was held during the day, the other meeting that I referred to was held in the evening.

Mr. ARENS. Did these people give the appearance of simply being picnickers or some such thing as that?

Mr. PRUSSION. That is correct, sitting around a table and talking, away from any people who might be in the area. The subject of meetings is a very important one because public buildings are very, very often used by the Communist Party and by Communist-front organizations. For example, one of the most used public buildings for meetings of the Communist Party and meetings of front organizations that were initiated by the Communist Party, was the City Hall in Sunnyvale, Calif. The meetings were held in the banquet room of the City Hall and were usually the type that could raise money for the various purposes that the Communist Party was conducting a campaign on.

For example, in that particular hall I recall three outright meetings of the Communist Party.

Mr. ARENS. Were they held in the name of the Communist Party?

Mr. PRUSSION. These were held not publicly in the name of the Communist Party but were Communist Party meetings. Two such meetings were to discuss, principally to discuss the circulation of the People's World, how to raise money for the People's World. Another such meeting was held during the strike at the Westinghouse Electric Corp. plant. The Communist Party members were called together to see what they could do to help win that particular strike. The leader of that strike was a member of the Communist Party, one Joe Houseman. He attended this meeting that I am talking about.

Other meetings called at this particular place involved all party members and also other people who were invited to these meetings though they were not open to the general public. When Holland Roberts, for example, returned from one of his numerous trips to the Soviet Union such a meeting was held so that he could lecture to the Communist Party members and very close adherents of the Communist Party on the "glorious situation in the Soviet Union."

Mr. ARENS. What device did the party use for obtaining this public facility for meetings of a party cell or group?

Mr. PRUSSION. Usually these meetings were held by having individuals rent the banquet room at Sunnyvale, I think it was for \$3. It would be such a person as Elizabeth Nicholas, who was the section organizer of the Communist Party. In one instance it was Don Clark. I don't recall the others who may have rented that particular location. But it is excellent for Communist Party purposes, because it is in the basement of the City Hall, has one entrance and is locked off from anybody who might intrude. Many dignitaries of the Communist Party had spoken at many meetings in the Sunnyvale City Hall, such as George Morris, Holland Roberts, Herbert Aptbeker, and of course section organizers such as Elizabeth Nicholas spoke there, Joe Houseman spoke there, he was business agent of the United Electrical

Workers Union in the area. Banquets were held there to raise money for Sidney Rogers, a radio commentator who expounded the cause of the Communist Party at all times.

The significant thing is that it is not only the City Hall in Sunnyvale that was used for such meetings, but similar meetings are held in public buildings in Palo Alto, for example, the Community Center, the South Palo Alto Library has been used. Even a room in the Civic Auditorium in San Jose has been used.

I want to point out that some of these meetings are called in the name of a front organization such as the Palo Alto Peace Club, but the actual meeting itself was started and directed by the Communist Party cell in this organization.

The schools are not available to Communist Party meetings or organizations that have been declared subversive. But the Communists laugh about this because they don't have to go to the public schools when they have access to other public buildings.

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. Smolny Institute was the Moscow headquarters of the Bolshevik Party during, prior to, and after the Russian revolution and I think to this day is being used as an educational center for the Communist International.

MR. ARENS. Mr. Prussion, it is my understanding that under California law anyone filing candidacy for election to public office must sign a statement to the effect that he is not a member of any subversive organization. Do you know of any persons known to you as Communist Party members who have filed and signed this oath?

MR. PRUSSION. Yes; I do know such people.

The people I had in mind who ran for public office are Isobel Cerney, who ran for Congress on the Independent Progressive Party ticket—

MR. ARENS. When did she run for Congress, what year?

MR. PRUSSION. I think it was 1954, although I am not sure that was the year. I am pretty sure.

MR. ARENS. Has she run since that time?

MR. PRUSSION. No. I think the law was in effect in 1948. The other candidate is Holland Roberts, who ran for superintendent of schools and received pretty close to a half million votes in California. Holland Roberts, an intellectual, is a foremost Communist lecturer and instructor on Leninism, prerequisites to the revolution, et cetera.

MR. ARENS. What year was that?

MR. PRUSSION. This was in 1958. The other candidate is Al Isaksen, who ran for the assembly in the 28th District and came pretty close to winning the election. These are three people who in filing to run for office took the oath and perjured themselves when they did this.

Another case is that of Michael Shapovalov, who had a book¹ published and it is being used in the public schools of San Mateo County at the present time. I don't know whether he had to take a loyalty

¹ Investigation by the committee reveals that book is entitled *Soviet Union* published by the Fidelier Publishing Co., Grand Rapids, Mich., 1958.

oath when his book was contracted for by the Board of Education but if he did take such an oath he, too, perjured himself because he is a member of the Communist Party.

Mr. ARENS. His book is being used as a textbook in public schools?

Mr. PRUSSION. Yes.

Mr. ARENS. Have you read this book?

Mr. PRUSSION. No, I have not read this book.

Mr. ARENS. Have you heard the book discussed in Communist Party circles?

Mr. PRUSSION. Only to the degree that it was another bit of humor within the Communist Party circles that Shapovalov, who was a very close friend of Lenin, has published a book and this book is being used in the public school system in California.

Mr. ARENS. Do the Communists get a great kick out of this?

Mr. PRUSSION. They get a big bang out of this, yes.

Mr. ARENS. Is it conceivable to you that a Communist, one of many years' standing, would write a book with the hope that it would be used as a textbook in the schools, and that he would not work the Communist Party line or certain Communist Party doctrines into its text?

Mr. PRUSSION. I have not read the book but I think somewhere along the line he tried to inject some materialistic thought other than that characteristic of the American heritage and ideals.

Mr. ARENS. What is the subject of this textbook?

Mr. PRUSSION. I think, although I am not sure, it is a civics book. I think we should find out more about the book but regardless, even if the book does not have anything in it, our Government should not help support an avowed Communist of the type Mr. Shapovalov is when they can get good American citizens who can write better or equally as well on the same subject.

Mr. ARENS. Will you tell us, Mr. Prussion, whether or not, along with their infiltration of parent-teacher associations, political groups, civic organizations and so forth, the Communist Party is also carrying out infiltration of religious organizations?

Mr. PRUSSION. The Communist Party, although its function is in political, economic, and civic organizations, realizes that the church and that religion, affect the thinking of every American citizen in every field of life, so the Communist Party has always engaged in a campaign of influencing and infiltrating church groups, and in that way they can have better results in working with American citizens in various organizations.

I would like to cite an example of that, a very important and serious one.

The Palo Alto Peace Club, which was formed in 1949 and was part of the World Peace Congress set up by Joseph Stalin, was declared subversive by the Attorney General's office.

Mr. ARENS. That is the U.S. Attorney General?

Mr. PRUSSION. Yes. When the organization was declared subversive, the Communist Party in the area had a hurried meeting in which they decided to drop the membership aspect of that organization and to continue an executive board which consisted of all Communist Party members, so that it could call meetings whenever a situation so required and so that its publication, *Flashlight*, would be continued. *Flashlight* is being continued to this day.

Mr. ARENS. Was the purpose of discontinuing formal membership a security measure?

Mr. PRUSSION. Yes, because this was during the Smith Act prosecutions and the Communist Party was fearful of prosecution of those people who were members of the Palo Alto Peace Club. The Palo Alto Peace Club, out of a total membership of 64 in my last count, about 40 or 45 were members of the Communist Party and all other members were members of different front organizations or people who were very close to the Communist Party.

At a meeting held in the home of Valeda Bryant on Middlefield Road in Palo Alto, the Communist Party decided that in view of the fact that the Quakers, the Friends Service Committee, had proven to be an excellent field for infiltration by a few party members, they decided to carry on the Communist Party line "peace" work—peace in quotes—through the Quaker organization.

At a meeting called by the Committee to End Nuclear Testing of the American Friends Service Committee (Quakers), of a delegated body of approximately 40 attending, 15 by count were members of the Communist Party.

Mr. ARENS. Approximately when did this meeting take place?

Mr. PRUSSION. The meeting took place some time in July, I believe, 1957.

The Communist Party members at this meeting were the most articulate and volunteered and accepted appointments for the spade work necessary for a program of activity resulting in an encampment Monday through Saturday in Livermore, Calif., daily picketing of the AEC Radiation Laboratory at Livermore, a walk for peace in Livermore from their camping grounds to the AEC laboratories, and a motorcade to Livermore and house-to-house visiting of people in Livermore, and a final meeting at Foresters Hall in Livermore.

Mr. ARENS. From the Communist viewpoint, would the United States' halting of nuclear weapons tests and the abolition of the uses of nuclear weapons promote war or peace?

Mr. PRUSSION. You have to remember that the Communist Leninists' theory is that war is perpetual, continuous, it is universal, and it is not limited to missiles and atomic bombs and so forth, that it involves every facet of human life, and this is what they commonly call the class struggle that goes on at all times, which will culminate, they believe, in a revolution in the United States.

The Communist drive for the abolishing of atomic weapons was started at a time when the Soviet Union did not have atomic bombs and the United States did. And it would have been to their advantage at that time to abolish atomic bombs.

Mr. ARENS. They are continuing that drive today. Why?

Mr. PRUSSION. Because the Communist International is so thoroughly imbued and resolved with the possibilities of overthrowing the various governments all over the world through insurrection and force and violence that they feel that there is no need for the use of atomic bombs.

As a matter of fact, I feel that the atomic bomb situation, the hydrogen bomb situation, has balanced itself off between the free world and the world behind the Iron Curtain and it is no longer a world factor in what the Communists call future struggles between the United States and the Soviet Union.

This is one of the reasons why Khrushchev talks about burying us and one of the reasons why Khrushchev is so confident that we will see a Soviet form of government in the not too far distant future in the United States.

Mr. ARENS. In other words, from the Communist viewpoint, if they succeed in this campaign of eliminating all atomic weapons, supposing it were actually to agree to it—for the Soviet Union it would merely be giving up a weapon which it feels it won't need to accomplish its ultimate aim, but the United States, on the other hand, would be giving up a weapon which at some time might be vital to its own defense—

Mr. PRUSSION. That is essentially correct.

Mr. ARENS. Against Soviet Union aggression?

Mr. PRUSSION. That is essentially correct. Of course the question of the atomic bomb and the hydrogen bomb, although it is very serious and very critical, I believe is not the major problem that is confronting the United States and other free countries. The problem is one of subversive activities within these countries through which Khrushchev expects to win the rest of the world. Cuba is an excellent example of the almost perfect manner in which the Leninist line was carried out to the point where Cuba today, after its successful uprising led by the Communist Party, is now preparing for the outright establishment of the dictatorship of the proletariat, which, according to Lenin, will follow colonial uprising whether in Cuba or any other country. Cuba today, I believe, will become the pivot point for the activities of the Communist conspiracy in the Western Hemisphere.

Mr. ARENS. When you were in the Communist Party, did the cell to which you belonged receive any instruction concerning the Cuban situation and Castro's armed rebellion against the Batista regime?

Mr. PRUSSION. Yes. There were very many discussions and educational programs surrounding the Cuban situation, and the Communist Party members at all times accepted Castro as a comrade and stories were circulated, and probably true stories, that Castro's brother had gone to the Lenin School in Moscow and that Castro himself was slated to go to the Lenin School, but he turned the offer down because he was so busy carrying out his revolutionary work in Cuba.

This was a type of conversation that was prevalent in the cells where I attended meetings during that period.

There was no question in my mind at all, there should not be in any American citizen's mind any more, as to where Castro stands.

In Leninism, Lenin calls for, just as Khrushchev did when he spoke before the Security Council of the United Nations here in the United States, the revolt of the oppressed people in the colonial countries. In revolts of such types as described by Lenin, the Communist Party takes a leading part in these revolts and, if and when these revolts are successful, in which the colonies drive out their oppressors, so-called, the Communist Party is sufficiently entrenched and has enough support to transform, at some future date, this colonial uprising into an uprising for the establishment of the Soviet form of government.

This is why, of course, the Communists are active in this field, in Africa, South America and in Asia. The Communist Party always has in mind the ultimate establishment of a Communist dictatorship, even though they participate in these colonial uprisings which sometimes, and almost at all times, get the support of democratic and free nations all over the world.

Mr. ARENS. Mr. Prussion, you were discussing Communist infiltration of religious organizations when we got off on the subject of atomic testing.

Mr. PRUSSION. Yes.

Mr. ARENS. Did you have anything further you wanted to say on the incident you were discussing at that time?

Mr. PRUSSION. I would just like to say that the Communist Party, of course, instigated, planned, and directed all of these activities which on the surface would appear to be directed by the Quaker organization. This is typical of the deceitful manner in which Communists infiltrate and direct operations of a church organization.

For example, I have here with me a note from one of the Communist Party members concerning this meeting.

Mr. ARENS. What does the note say?

Mr. PRUSSION. It says:

Sorry that you have to look up phone numbers. The people you phone should be receiving fact sheet late this week which will give them detailed information on Livermore activities and motorcade. Your call is to alert them to the activity that is going on, inform them that it looks like it will be a rousing success, and invite and urge them to participate. If you want more information call Roy Kepler at Whitehaven 8-1585 (home) and DA 4-4321 (store). Please return list of names in enclosed envelope to Mrs. Jean Miller, 3145 David, Palo Alto.

This referred to a list of names given to me by Mary Wilson who was a member of the Communist Party.

(Document marked "Prussion Exhibit No. 4," and retained in committee files.)

Mr. ARENS. Was the man you were to call, who is mentioned in that note, a member of the Communist Party?

Mr. PRUSSION. No, Roy Kepler is not a member of the Communist Party to my knowledge, but he was chairman of this meeting which 15 Communist Party members attended, and Mr. Kepler owns a bookstore in which, for example, Frank Wilkinson held a meeting against the Committee on Un-American Activities prior to the committee's arrival. And Roy Kepler's bookstore, of course, is a gathering point, meeting point for Communists and left-wing people. I, in no way, mean to infer that Roy Kepler is a member of the Communist Party. He certainly has been cooperating with them, inadvertently or advertently, I don't know. He is an active Quaker.

Mr. ARENS. Were the people you were to call about this meeting Communists or was it a broader list?

Mr. PRUSSION. Most of the people to be called were non-Communists. For example, members of the Unitarian Church, the membership list of the Unitarian Church obtained by a Communist within the Unitarian Church was used. The people who had signed.

Mr. ARENS. Do you know the person who obtained this list?

Mr. PRUSSION. Yes. Valeda Bryant, in whose home many Communist Party meetings had been held.

Mr. ARENS. Was this meeting, these demonstrations and so forth, a rousing success, as you were told to tell people it would be?

Mr. PRUSSION. It did turn out to be a successful meeting.

Another means of names obtained for calling up and sending literature to for these demonstrations were obtained from the list of people who signed the Stockholm Peace Petition which had been circulated a year or so prior.

Mr. ARENS. The Communist Party kept names on a list such as that and made future use of them?

Mr. PRUSSION. That is correct. As a matter of fact the millions of signatures that were obtained became the property of the Communist Party. The local Communist Party where these petitions were circulated used those names, copied them off before the petition was sent away to a post office box to which the petitions were mailed.

Mr. ARENS. On the basis of your experience in the Communist movement over a considerable period of years in this country, what would you say are the major weaknesses of the American public in regard to the operations of the Communist Party?

Mr. PRUSSION. 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.

Mr. ARENS. What are some of the legislative measures that you believe are necessary?

Mr. PRUSSION. First, I think that it is vitally important that we have legislation that will make it possible for cooperation between our executive, judicial, and legislative branches of government in the fight against subversion. Valuable material gathered by the executive branch of government is not available to the Committee on Un-American Activities, for example. This information would assist the committee in securing evidence and also in writing effective legislation to counter the Communists' offensive.

Two, I believe in the continuation and the strengthening of the enforcement of the Walter-McCarran Immigration Act so that such agents as Bill Gebert and others cannot have access to our country for the spreading of their subversive Soviet propaganda and agitation.

Three, we should have passport legislation to make it impossible for active Communists such as Holland Roberts, Harvey Richards, and others to be able to travel freely behind the Iron Curtain and back to the United States and in this manner serve the Soviet cause.

Four, I believe the Smith Act should be strengthened and written in such a manner that the Supreme Court could not come up with adverse decisions as they pertain to the Smith Act.

Five, I think the loyalty oath should be strengthened so that the wording "a member of an organization which advocates the overthrow of the Government by force and violence" should be changed to "Communist Party."

In the State of California I think the Dilworth Act should be enforced and strengthened and the machinery should be set up in this State so that credentials can be revoked of any State employee who refuses to cooperate.

Mr. ARENS. Do you think that such legislative recommendations as you have just made will be sufficient to close the gap in our defenses?

Mr. PRUSSION. No, I don't believe that it is sufficient. I believe that public apathy and indifference can be changed so that the public becomes enlightened through a broad and intensive educational program on the subject, and I also believe that it is the job of free Americans and free enterprise everywhere to organize in an orderly democratic fashion in the fight against communism wherever it appears in any form.

Mr. ARENS. You testified in San Francisco that party members generally could learn the identity only of persons in the same cell they were in, but that section meetings were held at which you met members from other cells.

How often were these section meetings held, as a rule?

Mr. PRUSSION. About every 6 months.

Mr. ARENS. Roughly, how many people attended? Would there be a delegate from every cell, or what?

Mr. PRUSSION. There would be one delegate for every 20 members.

Mr. ARENS. For every 20 members—

Mr. PRUSSION. In the cell; 20 members or under, in other words.

Mr. ARENS. The cells today, then, some of them, are as large as 20 members?

Mr. PRUSSION. Today they are.

Mr. ARENS. Or even larger?

Mr. PRUSSION. Yes. Through these section committee meetings I have gotten to know Morris Graham, Albert Bob Lindsay, Mrs. Albert Bob Lindsay, Francis Fink, Dave Volberg, Mrs. Dave Volberg, and Joe Irving as Communist Party members.

Mr. ARENS. Could you tell us something of the role of these people in the party? What type activity or cell they were members of.

Mr. PRUSSION. These people who were members of other cells were usually the cell organizers. They are usually delegates to the section committee, and all of these people at section meetings—there were usually about 30 present—were articulate, strong leaders within the Communist Party apparatus.

Mr. ARENS. Were you able to determine what type work they did in their own cell or what type cell they were in, or were you limited in your knowledge to the mere fact that they represented other cells in these section gatherings?

Mr. PRUSSION. I determined the concentration cell work of some of these members, like Dave Volberg, who headed the cell at the Ford Motor Co. in Milpitas. I also learned that Albert Bob Lindsay was active in the cell of the Lithographers Union.

Mr. ARENS. In what city?

Mr. PRUSSION. San Jose.

And that Joe Irving was active in the Carpenters Union.

Mr. ARENS. In what area, or city or town, was that?

Mr. PRUSSION. The San Jose area.

Mr. ARENS. Had you ever met any of these people in places other than at these section meetings?

Mr. PRUSSION. At party functions that were not closed party functions. In other words, people on the fringe, people who were fellow travelers would attend such affairs, principally to raise money. All of these people would be present at such functions.

Mr. ARENS. Mr. Prussion, do you believe that the Communist Party should be outlawed?

Mr. PRUSSION. I am definitely of such a belief because the Communist Party is not a political party. It is a conspiracy which owes its allegiance first to the Soviet Union and is dedicated to the overthrow of our Government by force and violence and the establishment of a dictatorship. I know that during the period of the Smith Act prosecutions, when the party was suddenly driven underground, that the Communist Party was at its lowest ebb and organizationally and productively was in a very poor, sad condition. I feel that outlawing the Communist Party would greatly deter, or possibly even destroy, the Communist Party in its drive to sovietize America.

Mr. ARENS. I gather you feel that the Communist Party has regained a lot of ground since that period?

Mr. PRUSSION. Yes.

Mr. ARENS. Since the early 1950's, when it was in such a low state, what do you believe have been the major reasons for this?

Mr. PRUSSION. The major reasons have been some of the decisions of the Supreme Court as they pertain to certain individuals who came under the Smith Act and the Internal Security Act, and I also strongly feel that the visit and reception given Khrushchev in the United States was a tremendous factor in stimulating and causing the breakthrough period of the Communist Party that we are experiencing today.

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

Mr. WILLIS. I want to thank you, Mr. Prussion, for coming to Washington to appear before the committee again.

I know that the information you have given us today will be extremely valuable, not only to its members in carrying out their legislative functions, but also to the American people in helping shake them out of the apathy you have referred to and in warning them about some of the tactics the Communists are now using in this country in their efforts to destroy the freedom and the Government of the American people.

(Present: Representatives Willis and Johansen.)

(Whereupon, at 12:30 p.m., Friday, June 10, 1960, the hearing adjourned.)

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